

Town of Boone
Town Council/Planning Commission
Public Hearing
5:30 PM, Nov. 28, 2016
Council Chambers, 1500 Blowing Rock Road

I. Call to Order

II. Case 20160735: Beverly Heights Ave./VFW Dr. NCD -General Use Zoning Map Amendment

Case 20160735 Beverly Heights/VFW NCD Application Information

Case 20160735 Beverly Heights/VFW NCD Staff Report

III. Case 20160734: Green Street (R2 to R1A and NCD)- General Use Zoning Map Amendment

Case 20160734 Green Street Application Information

Case 20160734 Green Street Staff Report

IV. Case 20160566: Farm Bureau-Conditional District Zoning Map Amendment

Case 20160566 Farm Bureau Application Information

Case 20160566 Farm Bureau Applicant's Project Narrative

Case 20160566 Farm Bureau Site Plan Information

Case 20160566 Farm Bureau Applicant's Site Analysis

Case 20160566 Farm Bureau Building Elevations

Case 20160566 Farm Bureau Staff Report

V. Case 20160736: Wellness District Expansion-General Use Zoning Map Amendment

Case 20160736 Wellness District Expansion Application Information

Case 20160736 Wellness District Expansion Staff Report

VI. Case 20160737: Modifications to Article 17 Wellness District Standards-UDO Text Amendment

Case 20160737 Wellness District Standards Modification Application Information

Case 20160737 Wellness District Standards Modification Staff Report

VII. Case 20160742: NCD Modification-UDO Text Amendment

Case 20160742 NCD Modification Application Information

Case 20160742 NCD Modification Staff Report

VIII. Case 20160750: Parking, Parking Structures & Intensity Regulation Modifications- UDO Text Amendment

IX. Case 20160751: Modifications to UDO Articles 15 and 16 - UDO Text Amendment

Case 20160751 Application Information

Case 20160751 Staff Report

Case 20160751 UDO Article 15 District Uses UDO Text Modifications

Case 20160751 UDO Article 16 District Standards UDO Text Modifications

X. Adjournment

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, North Carolina 28607
Phone Number: 828-268-6200 Email Address: _____
Property Owner: Varies (See Staff Report) Company: _____
Address: _____
Phone Number: _____ Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): Varies (See Staff Report)
Address/Location: Varies (See Staff Report)
Project Name: Beverly Heights Avenue/VFW Dr. General Use Zoning Map Amendment (NCD Overlay)

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 Use *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

On November 19, 2015 Council approved a request to initiate a zoning map amendment to create a Neighborhood Conservation District overlay in the neighborhood around Beverly Heights Avenue, Berkley Avenue, Sheridan Avenue, Olancho Avenue, Telescope Peak Avenue, VFW Drive and Shady Lane

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:**

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

Architect:

Name: NA 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.

Town of Boone**Applicant¹ (Print)****Jane Shook****Applicant Signature****11/02/2016****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

Beverly Height Avenue/VFW Dr. General Use Zoning Map Amendment (NCD)

Permit Number:

20160735

Project Name/Number:

Date:

November 2, 2016

Fee:

NA

Receipt Number:

NA

Method of Payment:

NA

Paid By:

NA

S:\FORMS\Forms_2015\Zoning\ZoningPlanningPermitApplication_052016.doc

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:
Bev. Heights Ave. & VFW General Use Zoning Map Amend
(NCD)
Permit Name/Number:
20160735

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

A. ADDITIONAL APPLICATION INFORMATION

Hearing Date Requested¹: November 28, 2016

B. DEVELOPMENT INFORMATION

Existing Zoning District(s): R1 Single-Family Residential Proposed Zoning District(s): Neighborhood Conservation District
Existing Land Use(s): Single-Family Dwellings
Adjacent Land Use(s): N: Single-family dwellings, driving range E: Single-family dwellings
W: Commercial (office & restaurant) S: Commercial, Single-family dwellings

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

If yes, describe: _____

Total Land Area: NA

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)

NA
Property Owner Signature

NA
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: November 28, 2016

PC Meeting Date: November 28, 2016

TC Meeting Date: December 15, 2016

Date of APO Mailed Notification: November 4, 2016

Date of Posted Notification: November 4, 2016

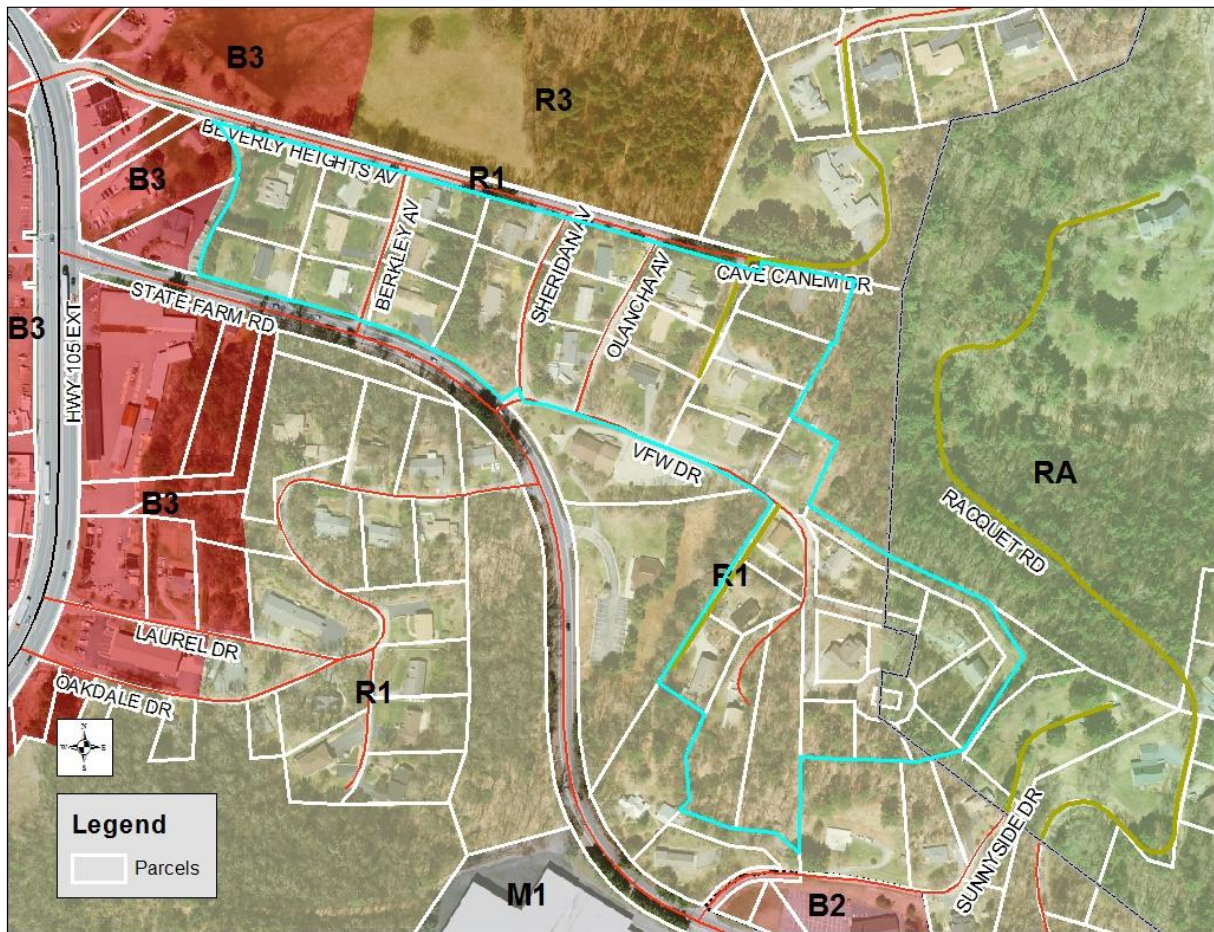
Project Approved: ☐ Yes ☐ No

Date Order Recorded: _____

Order Recordation Information: Book: _____ Page: _____
S:\FORMS\Forms_2015\GeneralUseZoningMapAmendmentProjectDataForm_062015.doc

Communication: Case 20160735 Beverly Heights/VFW NCD Application Information (Case 20160735: Beverly Heights Ave./VFW Dr. NCD -

STAFF REPORT
PUBLIC HEARING
NOVEMBER 28, 2016
CASE 20160735 BEVERLY HEIGHTS AVE/VFW DR NCD ZONING MAP AMENDMENT



Request

At the request of neighbors, the Town of Boone has initiated a General Use Zoning Map Amendment to apply a "Neighborhood Conservation Overlay District" to 35 properties in the neighborhood off of Beverly Heights Avenue and VFW Drive. Neighborhood Conservation District requirements are intended to ensure that **rental** property owners, managers, and tenants share responsibilities to obey town codes and ordinances adopted to protect property values and to stabilize and maintain a low-density living environment suitable for family life. The establishment of a Neighborhood Conservation District does not change the existing zoning classification of properties within the District, but would impose additional requirements applicable to **rental property only**. Neighborhood Conservation District requirements can be found in Section 14.09 in the Town's Unified Development Ordinance.

The following properties are included in the request (see map above):

	Parcel ID	Address		Parcel ID	Address
1	2910443876000	299 VFW DR	19	2910447879000	Vacant
2	2910455604000	Vacant	20	2910456234000	229 VFW DR
3	2910454162000	135 SHADY LN	21	2910366043000	190 BEVERLY HEIGHTS
4	2910455237000	218 VFW DR	22	2910357957000	143 BERKLEY AVE
5	2910455200000	Vacant	23	2910453064000	169 SHADY LN
6	2910451743000	139 OLANCHA AVE	24	2910451883000	155 OLANCHA AVE
7	2910448945000	247 VFW DR	25	2910457018000	Vacant
8	2910458039000	Vacant	26	2910456027000	253 VFW DR
9	2910358864000	130 BERKLEY AVE	27	2910453607000	140 OLANCHA AVE
10	2910455452000	205 VFW DR	28	2910359781000	127 SHERIDAN AVE
11	2910450827000	151 SHERIDAN AVE	29	2910357864000	113 BERKLEY AVE
12	2910451602000	121 OLANCHA AVE	30	2910357819000	129 BERKLEY AVE
13	2910358714000	225 STATE FARM RD	31	2910455754000	388 BEVERLY HEIGHTS
14	2910452566000	149 VFW DR	32	2910355899000	169 STATE FARM RD
15	2910454438000	187 VFW DR	33	2910454566000	139 TELESCOPE PEAK AVE
16	2910453768000	156 OLANCHA AVE	34	2910358972000	144 BERKLEY AVE
17	2910445991000	Vacant	35	2910444876000	Vacant
18	2910446889000	Vacant			

History

11-19-2015: Council approved a request made by Cathy LaMarre to place the properties in the Beverly Heights Ave/VFW Drive area in a Neighborhood Conservation District Overlay. The limits of the district in the request were described as: include all or portion of Beverly Heights Ave, Berkley Ave, Sheridan Ave, Olanca Ave, Telescope Peak Ave, VFW Drive and Shady Lane.

Analysis

Existing UDO Requirements for Neighborhood Conservation District (Section 14.09):

- 14.09.01** Neighborhood Conservation Districts are established as overlay districts to stabilize and maintain a suitable low-density living environment for family life.
- 14.09.02** The following Neighborhood Conservation Districts are hereby established:

- A. Blanwood Drive:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Oak Street, Windy Drive, Horn in the West Drive and Skyview Drive.
- B. Forrest Hills Drive:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map.
- C. Grand Boulevard:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Grand Boulevard, Orchard Street and Iris Lane.
- D. Grandview Heights:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of West Grandview Heights, Russell Drive and Poplar Grove Road.
- E. Stadium Drive:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Hemlock Drive, Ferncliff Road, Tanglewood, Hawthorne Lane, Hope Drive, and Spring Street.
- F. Queen Street:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Queen Street, Gladys Street and Charles Street.

14.09.03 The requirements of all rental property within Neighborhood Conservation Districts shall be as follows:

- A.** All tenants of rental property must complete and file a Residential Parking Registration Form with the Administrator. Tenants must provide personal identification, vehicle registration, and proof of residency within a designated Neighborhood Conservation District.
- B.** Tenants meeting eligibility requirements will be issued parking stickers for their vehicle(s) for the appropriate neighborhood district which must be permanently attached to eligible vehicles. Annual renewal and nominal fees are required.
- C.** No more than two unrelated persons per dwelling unit will be issued parking stickers.
- D.** Owners of rental property residing more than fifty (50) miles from Boone must designate in writing a local managing agent residing within Watauga County that will be responsible for all matters concerning occupancy of such rental property, and must provide the Administrator with the agent's name, address and telephone number.
- E.** Owners or local managing agents of rental property must notify tenants of applicable Neighborhood Conservation District requirements.

Note: Staff is requesting that the text be amended as proposed in Case 201607541, which will change how NCD's are referenced in the UDO. The purpose of the proposed text change would allow Council to create additional NCD's without amending the UDO.

CONFORMITY TO ADOPTED PLANS**COMPREHENSIVE PLAN UPDATE****1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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**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.

2.3.3 Housing & Neighborhoods

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.

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 November 4, 2016.

Marlene Crosby, Administrative Support
Specialist

Certification of Posting

I, Brian Johnson, 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 November 4, 2016.

Brian Johnson, Urban Design Specialist

Direction

In deciding whether to adopt a proposed amendment to this Ordinance, the central issue before the Council is whether the proposed amendment advances the public health, safety, or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the Mayor and be excluded. In particular, when considering proposed general use map amendments:

- A. The Council shall not consider any representations made by the petitioner that if the change is granted the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Council shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.
- B. The Council shall only consider the impact of the proposed change on the public at large.

PLANNING BOARD REPORT

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

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

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 ☐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 ☐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 ☐deny the proposed amendment to the Town's zoning map and believe ☐ approval ☐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
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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, North Carolina 28607
Phone Number: 828-268-6200 Email Address: _____
Property Owner: Varies (See Staff Report) Company: _____
Address: _____
Phone Number: _____ Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): Varies (See Staff Report)
Address/Location: Varies (See Staff Report)
Project Name: Green St. General Use Zoning Map Amendment (R2 to R1A; NCD Overlay)

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 Use *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
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- ☐ 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)
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Board of Adjustment Hearings

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Planning/Other

- ☐ Exempt Division of Land *Subdivision Exemption Project Data Form
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- ☐ 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

On September 15, 2016 Council approved a request to initiate a rezoning of the properties on Green Street zoned R2 Two-Family Dwelling to R1A Single Family Dwelling with Accessory Apartment

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:**

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

Architect:

Name: NA 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.

Town of Boone**Applicant¹ (Print)****Jane Shook****Applicant Signature****11/02/2016****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

Green Street General Use Zoning Map Amendment (R2 to R1A; NCD Overlay)

Permit Number:

20160737

Project Name/Number:

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
November 2, 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:
Green St. General Use Zoning Map Amend (R2 to R1A & NCD)
Permit Name/Number:
20160734

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

A. ADDITIONAL APPLICATION INFORMATION

Hearing Date Requested¹: November 28, 2016

B. DEVELOPMENT INFORMATION

Existing Zoning District(s): R2 Two-Family Residential Proposed Zoning District(s): R1A Single-Family with
Accessory Apartment;
Neighborhood Conservation
District

Existing Land Use(s): Single-Family Dwellings; Duplexes; Multi-Family Dwelling

Adjacent Land Use(s): N: Single-family dwellings, single-family
dwellings with accessory apartments E: Multi-family Dwellings

W: Single-family dwelling, Bed & Breakfast, S: Commercial, Multi-family dwellings,
single-family dwellings

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

If yes, describe: _____

Total Land Area: NA

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)

NA
Property Owner Signature

NA
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: November 28, 2016

PC Meeting Date: November 28, 2016

TC Meeting Date: December 15, 2016

Date of APO Mailed Notification: November 4, 2016

Date of Posted Notification: November 4, 2016

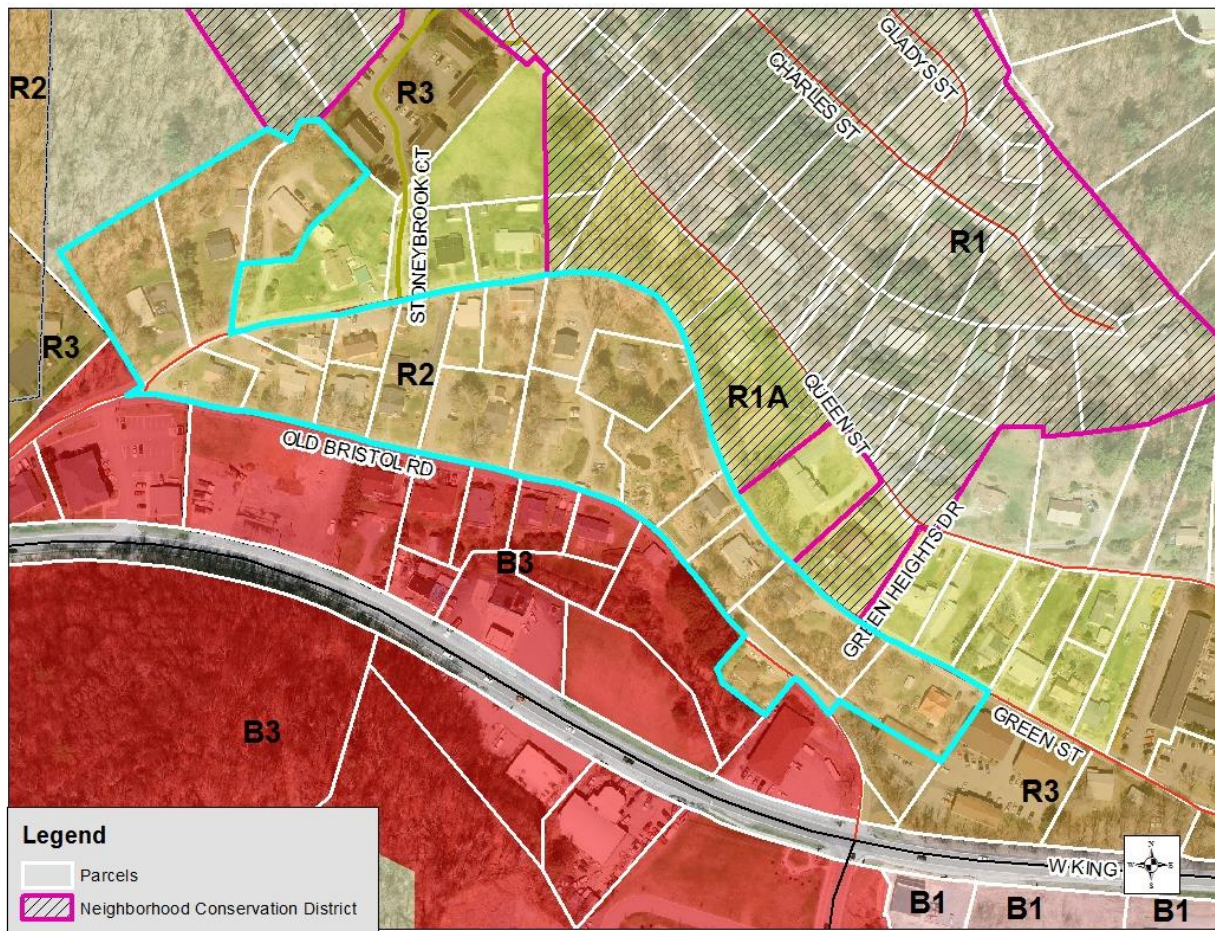
Project Approved: ☐ Yes ☐ No

Date Order Recorded: _____

Order Recordation Information: Book: _____ Page: _____
S:\FORMS\Forms_2015\GeneralUseZoningMapAmendmentProjectDataForm_062015.doc

Communication: Case 20160734 Green Street Application Information (Case 20160734: Green Street (R2 to R1A and NCD))- General Use Zoning

STAFF REPORT
PUBLIC HEARING
NOVEMBER 28, 2016
CASE 20160734 GREEN STREET (R2 TO R1A AND NCD) ZONING MAP AMENDMENT



Request

At the request of neighbors, the Town of Boone has initiated a General Use Zoning Map Amendment to rezone 22 properties located along Green Street and Old Bristol Road from “R2 Two-Family Residential” to “R1A Single Family with Accessory Apartment” and “Neighborhood Conservation Overlay District (NCD)”.

Note: Neighborhood Conservation District requirements are intended to ensure that **rental** property owners, managers, and tenants share responsibilities to obey town codes and ordinances adopted to protect property values and to stabilize and maintain a low-density living environment suitable for family life. The establishment of a Neighborhood Conservation District does not change the existing zoning classification of properties within the District, but would impose additional requirements applicable to **rental property only**. Neighborhood Conservation District requirements can be found in Section 14.09 in the Town’s Unified Development Ordinance.

The following properties are included in the request (see map above):

	Parcel ID	Address		Parcel ID	Address
1.	2901600334000	293 GREEN ST	12.	2901505884000	425 GREEN ST
2.	2901509299000	Vacant	13.	2901601284000	245 GREEN ST
3.	2901509414000	311 GREEN ST	14.	2901509237000	165 OLD BRISTOL RD
4.	2901500833000	528 GREEN ST	15.	2901502731000	505 GREEN ST
5.	2901507762000	357 GREEN ST	16.	2901512050000	504 GREEN ST
6.	2901504824000	475 GREEN ST	17.	2901502767000	485 GREEN ST
7.	2901504712000	292 OLD BRISTOL RD	18.	2901505626000	262 OLD BRISTOL RD
8.	2901501923000	508 GREEN ST	19.	2901504716000	304 OLD BRISTOL RD
9.	2901505810000	441 GREEN ST	20.	2901501722000	342 OLD BRISTOL RD
10.	2901508571000	325 GREEN ST	21.	2901507710000	246 OLD BRISTOL RD
11.	2901508529000	Vacant (Accessory Structures)	22.	2901507857000	236 OLD BRISTOL RD

History

09-15-2016: Council approved a request made by Diane Blanks to rezone the R2 portion of Green Street to R1A. In addition, Council also directed the properties to be subject to the Neighborhood Conservation District Overlay.

Analysis

Current Zoning:

R2 Two-Family Residential: The R2 Two-Family Residential District is established to provide a medium density living area consisting of single-family and two-family dwellings, and other related uses necessary for a sound neighborhood. The regulations for this district are designed and intended to secure for the persons who reside there a comfortable, healthy, safe, aesthetically pleasing and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts.

Proposed Zoning:

R1A Single-Family Residential with Accessory Dwelling Unit: The R1A Single-Family Residential with Accessory Dwelling District is established to provide a low-density living area consisting of single-family dwellings with or without subordinate, accessory dwellings. The regulations for this district are intended to maintain the essential character of a single-family neighborhood but allow for the establishment of accessory dwellings which are clearly subordinate to the single-family dwelling. The regulations for this district are designed to secure for the persons who reside there a comfortable, healthy, safe, aesthetically pleasing and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts.

Neighborhood Conservation District Overlay: Neighborhood Conservation Districts are established as overlay districts to stabilize and maintain a suitable low-density living environment for family life.

Current Use (s): Single-Family Dwelling Unit, Duplex or Single-Family with Accessory Apartment

15.07 Table of Principal Uses

Use #	Specific Use	Zoning Districts		Reference
		R2	R1A	
1.0 Household Living				
1.01	Single-Family Dwelling	P	P	
1.02	Manufactured Home “Class A”	L		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)	P		
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)			15.11
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)			15.11
1.16	Multi-Family Dwelling in Mixed Use (> 100 bedrooms)			15.11
2.0 Group Living				
2.01	Family Care Home	L	L	15.13
2.02	Family Care Institutions			15.14
2.03	Halfway House, Category 1			15.14
2.04	Halfway House, Category 2			15.14
2.05	Nursing Care Home	L	L	15.14
2.06	Nursing Care Institution			15.14
2.07	Skilled Nursing Facility			15.14
2.08	Retirement Community, Category 1	L		15.15
2.09	Retirement Community, Category 2			15.15
2.10	Residence Hall, Category 1			15.15
2.11	Residence Hall, Category 2			15.15
2.12	Residence Hall, Category 3			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	L	15.18
3.02	Shelter for Homeless, Category 1			15.19
3.03	Shelter for Homeless, Category 2			15.19
3.04	Bed and Breakfast, Category 1	L ^{T50}	S ^{T50}	15.20
3.05	Bed and Breakfast, Category 2	L		15.20
3.06	Vacation Rental			15.21
3.07	Motel			
3.08	Hotel			
4.0 Institutional Uses				
4.01	Airport/Landing Strip			15.22
4.02	Heliport			15.22
4.03	Funeral Home Establishment			
4.04	Cemetery	P	P	

Use #	Specific Use	Zoning Districts		Reference
		R2	R1A	
4.05	Post Office			
4.06	Post Office, Distribution			
4.07	Animal Sanctuary			
5.0 Government Uses				
5.01	Government Cultural Facility			
5.02	Government Neighborhood Cultural Facility, Indoor Activity Only	S	S	
5.03	Government Neighborhood Cultural Facility, Includes Outdoor Activity			
5.04	Recreation Facility, Category 1			
5.05	Recreation Facility, Category 2	P	P	
5.06	Recreation Facility, Category 3	S	S	
5.07	Event Venue, Category 1			
5.08	Event Venue, Category 2			
5.09	Event Venue, Category 3			
5.10	Landfill			
5.11	Solid Waste Processing			
5.12	Police Substation	P	P	
5.13	Utility Facility, Town	L	L	15.23
5.14	Utility Facility, Government, Neighborhood	L	L	15.23
5.15	Utility Facility, Government, Regional			15.23
5.16	Government Facility			
6.0 Non-Government Utility Facility				
6.01	Utility Facility, Neighborhood	L	L	15.23
6.02	Utility Facility, Regional			15.23
7.0 Telecommunications				
7.01	Antenna Collocation on Existing Wireless Support Structure not requiring additional accessory equipment	P	P	
7.02	Antenna Collocation on Existing Wireless Support Structure requiring additional accessory equipment	L	L	15.24
7.03	Building Mounted Antenna not requiring additional accessory equipment	L	L	15.24
7.04	Building Mounted Antenna requiring additional accessory equipment			15.24
7.05	Antenna Collocation on Electrical Transmission Towers			15.24
7.06	Other Antenna			15.24
7.07	Wireless Support Structure which meets district height requirements	S	S	15.24
7.08	Stealth Wireless Facility which exceeds district height requirements	S	S	15.24
7.09	Wireless Support Structure which does not meet district height requirements up to and including 120'			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	pT125		pT125
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			
9.02	Caldwell Community College and Technical Institute			
9.03	Other Public Colleges and Universities			
9.04	Private Colleges and Universities			
9.05	Trade School			
9.06	High School			
9.07	Elementary School			

Use #	Specific Use	Zoning Districts		Reference
		R2	R1A	
9.08	Boarding School			
9.09	All other Educational Facilities			
10.0 Daycare				
10.01	Child Daycare, Large			15.25
10.02	Child Daycare Center			15.25
10.03	Adult Daycare, Large			15.25
10.04	Adult Daycare Center			15.25
10.05	All Other Daycare			
11.0 General Sales and Service				
11.01	Kennel			15.26
11.02	Veterinary Office/Hospital with Outdoor Kennels			15.26
11.03	Veterinary Office/Hospital without Outdoor Kennels			
11.04	Financial Institution ≤ 5,000 ft ²			
11.05	Financial Institution > 5,000 ft ²			
11.06	Restaurant ≤ 2,500 ft ² open to the public during 10 pm – 6 am			
11.07	Other Restaurants ≤ 2,500 ft ²			
11.08	Restaurant > 2,500 ft ² open to the public during 10 pm – 6 am			
11.09	Other Restaurants > 2,500 ft ²			
11.10	Bar			
11.11	ABC Store			
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 ft ²			
11.15	Retail Store more than 5,000 but less than 25,000 ft ²			
11.16	Retail Store 25,000 ft ² and greater			15.27
11.17	Shopping Center/Mall			15.28
11.18	Business or 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			
11.26	Open Air Market, Recurring			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			
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

Use #	Specific Use	Zoning Districts		Reference
		R2	R1A	
12.09	Coliseum			
12.10	Recreation Facility, Category 1			
12.11	Recreation Facility, Category 2			
12.12	Recreation Facility, Category 3			
13.0 Agriculture				
13.01	Garden, Community	L	L	15.36
13.02	Garden, Residential	L	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	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			15.46
15.02	Parking Structure			15.47
15.03	Park and Ride Lots			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
		R2	R1A	
A-1	Secondary Suite	L	L	15.52
A-2	Home Occupation	L	L	15.53
A-3	Accessory Dwelling Unit	L	L	15.54
A-4	Drive-Through			15.55
A-5	Outdoor Display			15.56
A-6	Outdoor Storage			15.57
A-7	Outdoor Dining			15.58
A-8	Automated Teller Machine (ATM)			
A-9	Automated Teller Machine (ATM), Freestanding			15.59
A-10	Produce Stand			15.60
A-11	Poultry	L	L	15.61
A-12	Livestock, Small	L	L	15.62
A-13	Livestock, Large			15.63
A-14	Bees	L	L	15.64
A-15	Garden, Residential	L	L	15.65
A-16	Satellite receiving antennas less than 1 meter in diameter	P	P	
A-17	Satellite receiving antennas less than 2 meters in diameter			
A-18	Satellite receiving antennas 2 meters and greater in diameter			
A-19	Helistop			
A-20	Swimming pools, spas, and hot tubs	L	L	15.66
A-21	Caretaker's residence			15.67
A-22	Vehicular Gate	L	L	15.68
A-23	Vehicle Washing Station			
A-24	Chemical Storage Facility			
A-25	Open Air Market, Accessory	L	L	15.29
A-26	Daycare, Small	P	P	

15.07.03 Table of Temporary Uses

Use #	Temporary Uses	Zoning Districts		Reference
		R2	R1A	
T-1	Temporary Care Provider Dwelling	L		15.69
T-2	Temporary Construction or Repair Dwelling	L	L	15.69
T-3	Temporary Construction Trailer	L	L	15.69
T-4	Temporary Mobile Medical Unit			15.69
T-5	Temporary Classroom			15.69
T-6	Temporary Portable Storage Containers			15.69
T-7	Temporary Staging			15.69
T-8	Temporary Non-Fixed Site Event Venue			15.69
T-9	Carrier on Wheels (COW)	L	L	15.69
T-10	Yard Sales	L	L	15.69
T-11	Itinerant Merchant/Peddler	L	L	15.69
T-12	Open Air Market, Temporary			15.29

Intensity:

Building Height: Subject to other provisions of Section 16.08, building height limitations are as follows:

Zone	Height Limitation (Feet)
R1, <u>R1A</u> , RR, <u>R2</u> , R4, RA	35

16.01.02 Intensity Table

Zoning District	Minimum Gross Land Area	Minimum Lot Width	Minimum Street Frontage	Maximum Floor Area Ratio (FAR)	Minimum Open Space Ratio (OSR)	Minimum Livability Space Ratio (LSR)	Minimum Recreation Space Ratio (RSR)	Setbacks	
								Street	Interior
R2	6,000 sq. ft.	70 ft.	56 ft.	.283	.74	.48	.042	20 ft.	13 ft.
R1A	8,000 sq. ft.	70 ft.	56 ft.	.162	.77	.53	.032	20 ft.	14 ft.

Existing UDO Requirements for Neighborhood Conservation District Overlays (Section 14.09):

14.09.01 Neighborhood Conservation Districts are established as overlay districts to stabilize and maintain a suitable low-density living environment for family life.

14.09.02 The following Neighborhood Conservation Districts are hereby established:

- A. Blanwood Drive:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Oak Street, Windy Drive, Horn in the West Drive and Skyview Drive.
- B. Forrest Hills Drive:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map.
- C. Grand Boulevard:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Grand Boulevard, Orchard Street and Iris Lane.
- D. Grandview Heights:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of West Grandview Heights, Russell Drive and Poplar Grove Road.
- E. Stadium Drive:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Hemlock Drive, Ferncliff Road, Tanglewood, Hawthorne Lane, Hope Drive, and Spring Street.
- F. Queen Street:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Queen Street, Gladys Street and Charles Street.

14.09.03 The requirements of all rental property within Neighborhood Conservation Districts shall be as follows:

- A.** All tenants of rental property must complete and file a Residential Parking Registration Form with the Administrator. Tenants must provide personal identification, vehicle registration, and proof of residency within a designated Neighborhood Conservation District.
- B.** Tenants meeting eligibility requirements will be issued parking stickers for their vehicle(s) for the appropriate neighborhood district which must be permanently attached to eligible vehicles. Annual renewal and nominal fees are required.
- C.** No more than two unrelated persons per dwelling unit will be issued parking stickers.
- D.** Owners of rental property residing more than fifty (50) miles from Boone must designate in writing a local managing agent residing within Watauga County that will be responsible

for all matters concerning occupancy of such rental property, and must provide the Administrator with the agent's name, address and telephone number.

- E. Owners or local managing agents of rental property must notify tenants of applicable Neighborhood Conservation District requirements.

Note: Staff is requesting that the text be amended as proposed in Case 201607541, which will change how NCD's are referenced in the UDO. The purpose of the proposed text change would allow Council to create additional NCD's without amending the UDO.

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.

2.3.3 Housing & Neighborhoods

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.

BOONE 2030 LAND USE PLAN

The 2030 Land Use Plan works together with the Town's Comprehensive Plan and other plans and programs to provide for the Town's long range growth. The Land Use Plan is a three-dimensional framework for the comprehensive plan and serves as the basis for all the facility and service needs of the Town. The Land Use Plan serves as the guiding vision and policy basis for determining the appropriateness of any development or redevelopment that is proposed for the Town's planning jurisdiction.

These properties are located within two sectors as shown on the Framework Map in the Boone 2030 Land Use Plan. These sectors include the G-1 Low Density/Primarily Residential sector and the G-2 Urban Neighborhoods sector.

The G-1 sector (light yellow on the 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.

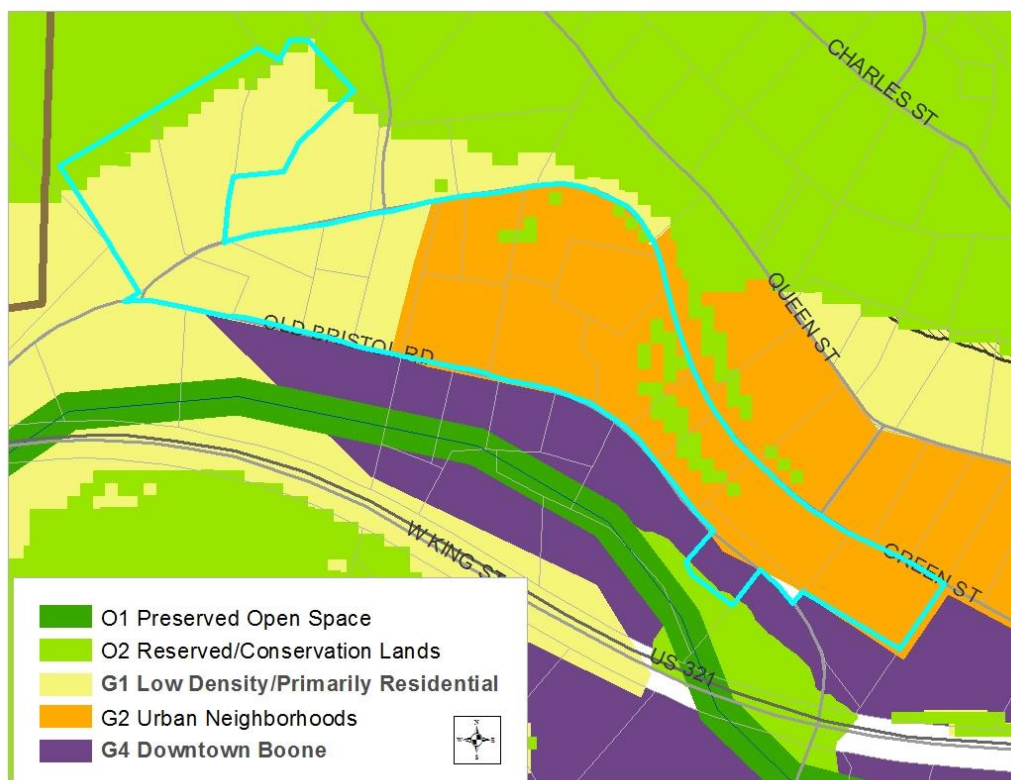
Appropriate Land Uses/Development Types:

- Low density cluster developments or hamlets (a clustering of buildings around a rural crossroad)
- Low density residential development comprised predominately of single family detach structures and small scale multiple family units (e.g. duplexes, triples) (up to 5 units per acres- except where limited by watershed rules to 1 single family unit per two acres (WS-II) or 2 single family units per acres (WS-IV))
- Limited convenience retail uses
- Civic uses (parks, schools, religious and government uses)

The G-2 sector contains denser, mixed-use development at the scale of neighborhood centers, indicated by 1/4 mile circles (equivalent to a 5-minute walk), and suburban, residential development at the scale of walkable “traditional neighborhoods” shown in orange. This type of residential development creates an identifiable center organized around a small public square or green, often with some civic facilities or a building such as a church or a small store. Local, slow-speed streets form a connected network, with larger collector streets. Paths form pedestrian connections linking sidewalks to internal parks and preserved open space along the boundaries of the neighborhood. G-2 lands are typically close to thoroughfares and at key cross-road locations. For Boone, the G-2 sector specifically includes areas that are already developed with neighborhood-serving retail and service uses or at key cross-roads where future development of this type is likely to occur, such as around the intersection of NC 105 and Poplar Grove Road, or the intersection of Boone Heights Drive and State Farm Road. The G-2 designation is also used in areas where a mixture of higher density residential types (e.g., small lot single family houses, townhomes, apartment or condominium buildings, or mixed-use buildings) are already occurring or would be appropriate to transition between higher intensity commercial uses and existing lower density neighborhoods, and take advantage of proximity to existing centers of commerce, education, or employment such as the university, downtown, the hospital, the industrial park, and the Hardin Park Elementary School/NC 194 corridor.

Appropriate Land Uses/Development Types:

- Traditional neighborhood developments,
- single-family and multifamily residential,
- Neighborhood mixed-use centers,
- neighborhood-scale commercial uses,
- Civic uses,
- light industrial uses



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 November 4, 2016.

Marlene Crosby, Administrative Support Specialist

Certification of Posting

I, Brian Johnson, 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 November 4, 2016.

Brian Johnson, Urban Design Specialist

Direction

In deciding whether to adopt a proposed amendment to this Ordinance, the central issue before the Council is whether the proposed amendment advances the public health, safety, or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the Mayor and be excluded. In particular, when considering proposed general use map amendments:

- A. The Council shall not consider any representations made by the petitioner that if the change is granted the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Council shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.
- B. The Council shall only consider the impact of the proposed change on the public at large.

PLANNING BOARD REPORT

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

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

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 ☐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 ☐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 ☐deny the proposed amendment to the Town's zoning map and believe ☐ approval ☐denial is reasonable and in the public interest because:

Note: The properties that were included in this request adjoin the existing "Queen Street NCD". Additionally, there are several properties along Green Street which already are zoned R1A but were not included in the Queen Street NCD. Staff is asking for direction from Council on whether or not to place a NCD overlay on these properties since they create "holes" within the NCD.

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

PERM. FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
☐ Commercial
☐ Board of Adjustment Hearing (other than Appeals)
☐ Planning/Other 20160566

A. CONTACT INFORMATION

Applicant: HUNTER COFFEY Company: COFFEY ARCHITECTURE
Address: 8857 HIGHWAY 105 SOUTH SUITE 2
Phone Number: 828.963.7639 Email Address: hunter@hpcarch.com
Property Owner: WATAUGA COUNTY FARM BUREAU, INC. Company: FARM BUREAU INSURANCE
Address: 135 STATE FARM RD.
Phone Number: _____ Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): 2910355832000/2910353886000
Address/Location: 135 & 169 STATE FARM RD.
Project Name: FARM BUREAU INSURANCE

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

REF. Attached Project Narrative

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

F. DESIGN PROFESSIONAL INFORMATION**Engineer:**

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

Architect:

Name: HUNTER COFFEY Company: H COFFEY ARCHITECTURE
 Address: 8857 Highway 105 S Suite #2 License #: 52137
 Phone Number: 828.963.7639 Email Address: hunter@hpcarch.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.

HUNTER P. COFFEY [Signature] 08-26-16
 Applicant¹ (Print) Applicant Signature Date

Property Owner (Print)

Property Owner Signature

Date

Official Use Only

Project File Name:

Farm Bureau Insurance - CD Zoning Map Amendment

Permit Number:

Project Name/Number:

20160566

Date:

08-26-16

Fee:

\$500.00

Receipt Number:

151455

Method of Payment:

✓ #1400

Paid By:

Hunter Paul Coffey
Architecture

S:\FORMS\Forms_2015\ZoningPermitApplication_052015.doc

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:

Farm Bureau Insurance - CD Zoning Map

Permit Name/Number:

20160566

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

Hearing Date Requested¹: 10.24.2016

B. DEVELOPMENT INFORMATION

Project Name: FARM BUREAU INSURANCE

Project Description: SURVEY, PROJECT NARRATIVE, PLANS/ELEVATIONS,
See sheet G1.1 ZONING/CODE ANALYSIS DOCUMENT, TRAFFIC IMPACT ANALYSIS

Existing Zoning District(s): R-1 Proposed Zoning District(s): B-3

Existing Land Use(s): SINGLE FAMILY RESIDENTIAL 1.01 Proposed Land Use(s)²: PROFESSIONAL OFFICE 11.19

Adjacent Land Use(s): N: SINGLE FAMILY RESIDENCE E: SINGLE FAMILY RESIDENCE

W: COMMERCIAL: RESTAURANT S: STATE FARM RD.

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

If yes, describe: _____

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

If yes, describe: _____

(EXIST. R-1) 14,386 SF + 26,046 SF (EXIST. B-3) + RIGHTS OF WAY
Total Land Area: = 44,352 SF (TOTAL)

REF. ATTACHED QUITCLAIM(S)

Total Disturbed Area: 20,271 SF

Number of Proposed Phases: 1

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). _____

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

C. DOCUMENTS REQUIRED FOR SUBMITTAL

☐ Completed Application (see UDO Article 4 & Appendix 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

- ☐ 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.

Property Owner (Print)

Property Owner Signature

Date

Official Use Only

Public Hearing Meeting Date: 09-26-2016

PC Meeting Date: 09-26-2016

TC Meeting Date: 10-20-2016

Date of APO Mailed Notification: _____

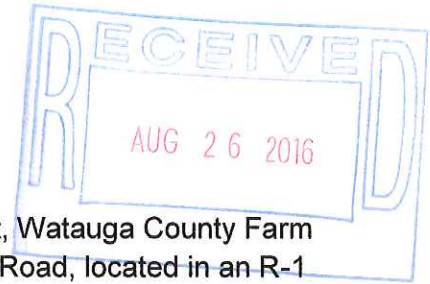
Date of Posted Notification: _____

Project Approved: ☐ Yes ☐ No

Date Order Recorded: _____

Order Recordation Information: Book: _____ Page: _____

Watauga County Farm Bureau, Inc. -
Conditional District Map Amendment -
Project Narrative



Currently located at 135 State Farm Road, in an B-3 zoning district, Watauga County Farm Bureau Inc. has acquired the adjacent property at 169 State Farm Road, located in an R-1 zoning district. The business intends to remove its current office building and the existing residential structure on the adjacent property, recombine the two parcels, and construct a new office building, described herein, on the recombined property. Because a Professional Office is not permitted in an R-1 zoning district, Farm Bureau seeks a conditional district map amendment from zoning district R-1 to B-3 for the property at 169 State Farm Road.

In an effort to create a development regionally appropriate, site sensitive, and pursuant to the considerations outlined in the Town of Boone Comprehensive and 2030 Plans, the project design addresses the following:

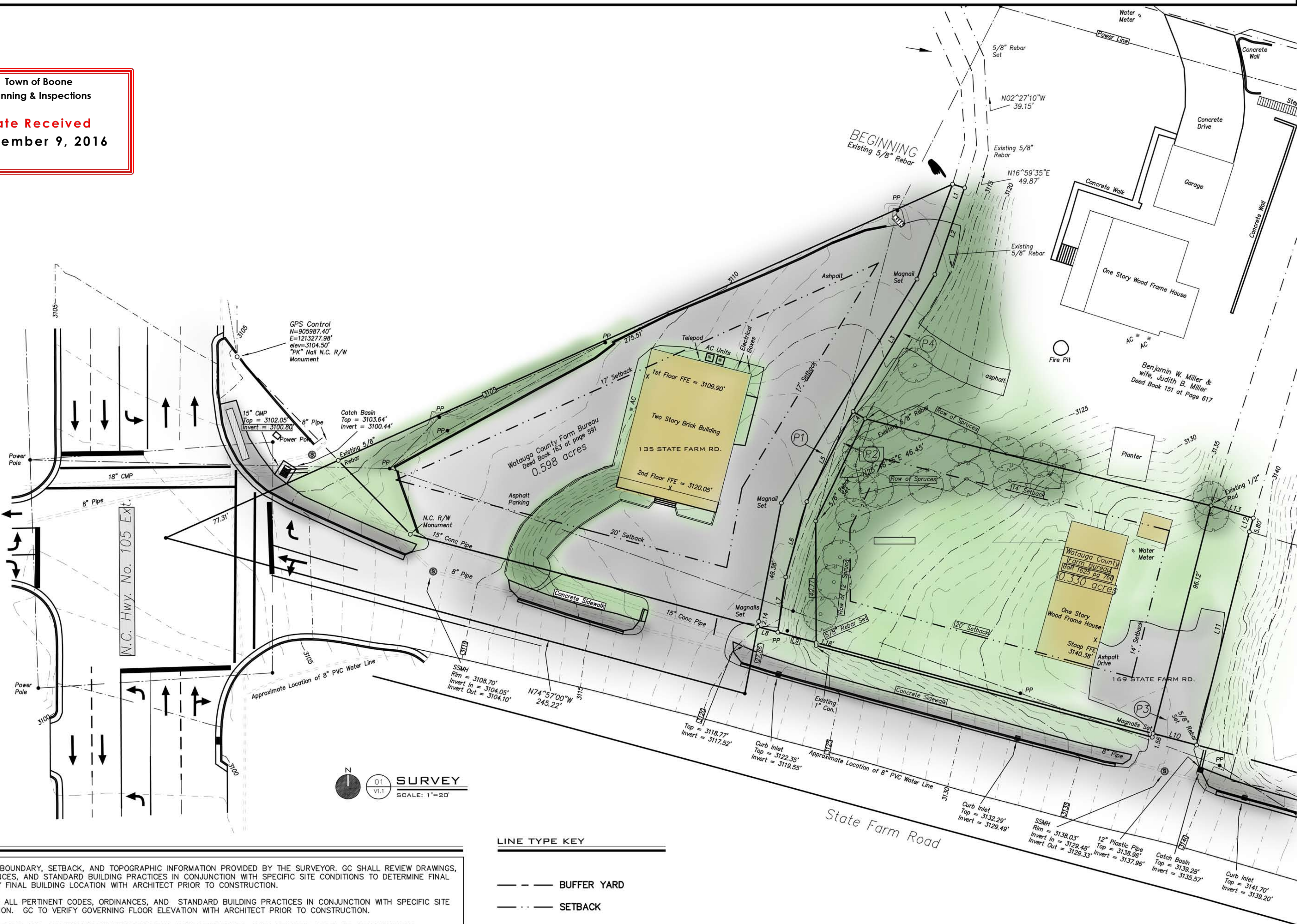
- **Vehicular Traffic -**
A traffic impact analysis of the new development (see attached), requested by the Town of Boone Public Works department and commissioned by Farm Bureau, suggests the new development will have no adverse affect on vehicular traffic in the area. In addition, the new development improves traffic flow by relocating the existing driveway, at 135 State Farm Road, further from the intersection with the Highway 105 Extension and affirms the existing flow by, effectively, maintaining the current access on the 169 State Farm Road parcel.
- **Development Density -**
A single, new facility, designed to mitigate the transition from residential to commercial scale development and meeting all open space requirements for the B-3 zoning district, will replace two existing structures.
- **Neighborhood Compatibility-**
The vast majority of the business of the new facility, inherently non-disruptive in nature, will be carried out during weekday, daylight hours, which will be compatible with the existing residential neighborhood. In addition, a fence and landscaping, designed in accordance with the Town of Boone Unified Development Ordinance, will serve as a buffer between the new development and the adjacent residential properties.
- **Development Quality and Aesthetics -**
The new development will replace aging, existing structures and be composed of regionally inspired architectural forms, features, and materials.
- **Urban Pattern -**
The nature of the new development is in keeping with the trend toward commercial and institutional development along the State Farm Road corridor.

FARM BUREAU INSURANCE

169 STATE FARM ROAD, BOONE, NORTH CAROLINA

Town of Boone
Planning & Inspections

Date Received
September 9, 2016



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SITE NOTES

- BUILDING LOCATION IS SCHEMATIC AND BASED ON BOUNDARY, SETBACK, AND TOPOGRAPHIC INFORMATION PROVIDED BY THE SURVEYOR. GC SHALL REVIEW DRAWINGS, SPECIFICATIONS, AND ALL PERTINENT CODES, ORDINANCES, AND STANDARD BUILDING PRACTICES IN CONJUNCTION WITH SPECIFIC SITE CONDITIONS TO DETERMINE FINAL BUILDING LOCATION. GC TO FIELD STAKE AND VERIFY FINAL BUILDING LOCATION WITH ARCHITECT PRIOR TO CONSTRUCTION.
- GC SHALL REVIEW DRAWINGS, SPECIFICATIONS, AND ALL PERTINENT CODES, ORDINANCES, AND STANDARD BUILDING PRACTICES IN CONJUNCTION WITH SPECIFIC SITE CONDITIONS TO DETERMINE GOVERNING FLOOR ELEVATION. GC TO VERIFY GOVERNING FLOOR ELEVATION WITH ARCHITECT PRIOR TO CONSTRUCTION.
- GC TO VERIFY WITH ARCHITECT FINAL UTILITY LOCATIONS AND ALLOWABLE BUILDING LOCATION, WITH RESPECT TO SUCH UTILITIES, PRIOR TO CONSTRUCTION.
- DRAIN LOW AREAS TO DAYLIGHT
- U.N.O. ALL TREES WITHIN LIMITS OF CONSTRUCTION BOUNDARY TO BE REMOVED. ALL OTHER TREES ARE TO REMAIN. GC TO MARK TREES ON-SITE, AS REQUIRED BY TOWN OF BOONE.

LINE TYPE KEY

- BUFFER YARD
- SETBACK
- PROPERTY BOUNDARY
- RIGHT OF WAY

NOT FOR CONSTRUCTION

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FARM BUREAU INSURANCE

169 STATE FARM ROAD
BOONE, NORTH CAROLINA

PROJECT:

HUNTER PAUL COFFEY ARCHITECTURE PLLC

SHEET:

V1.1

Packet Pg. 35

169 STATE FARM ROAD, BOONE, NORTH CAROLINA

Date Received
September 9, 2016

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— U.N.O. ALL TREES WITHIN LIMITS OF CONSTRUCTION BOUNDARY TO BE REMOVED. ALL OTHER TREES ARE TO REMAIN. GC TO MARK TREES ON-SITE, AS REQUIRED BY TOWN OF BOONE.

_____ RIGHT OF WAY



V1.1	OF:
------	-----

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The map illustrates the following property layout:

- North Boundary:** HORN AVENUE
- West Boundary:** HIGHWAY 105 EXTENSION
- East Boundary:** BEVERLY HEIGHTS AVENUE
- South Boundary:** STATE FARM ROAD
- West Side of Highway 105 Extension:**
 - Top lot: FIRST CITIZENS BANK
 - Bottom lot: WATAUGA BUILDING SUPPLY
- East Side of Highway 105 Extension:**
 - Top-left lot: TAYLOR'S
 - Top-right lot: MILLER
 - Middle-left lot: TAYLOR BUREAU
 - Middle-right lot: VINES
 - Bottom-right lot: TOWNSEND
 - Bottom-left lot: WATAUGA BUILDING SUPPLY
 - Bottom-right lot: GREENE
 - Far right lot: YALE-READ

SITE	
	COMMERCIAL - ZONE B-3
	RESIDENTIAL - ZONE R-1

N

01
G1.1

VICINITY MAP

NOT TO SCALE

SITE PLAN OF PROPOSED PROJECT

SCALE: 1"=20'

PLANT LEGEND

- EVERGREEN TREE
- LARGE DECIDUOUS TREE
- UDO DESIGNATED BUFFER YARD

LINE TYPE KEY

- BUFFER YARD
- SETBACK
- PROPERTY BOUNDARY

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NEW BUILDING FOR FARM BUREAU INSURANCE:
UPHILL:
EAVE HT ~9'-8"
RIDGE HT ~25'-0"
DOWNHILL:
EAVE HT ~31'-0"
RIDGE HT ~38'-0"
MAIN FLOOR: 5,400SF
LOWER FLOOR: 2,700SF

Catch Basin
Top = 3103.64'
Invert = 3100.44'

Power Pole

18" CMP

8" Pipe

NC HIGHWAY 105 EXT

NEW PARKING
135 STATE FARM RD.

10' TYPE "A" Buffer

17' Setback

CONCRETE SIDEWALK

15" Conc Pkwy

20' Setback

15' TYPE "B" buffer reduced from TYPE "C"

169 STATE FARM RD.

10' TYPE "A" Buffer

Approximate Location of 8" PVC Water Line

Curb Inlet
Top = 3122.35'
Invert = 3119.55'

Curb Inlet
Top = 3132.29'
Invert = 3129.49'

Catch Basin
Top = 3139.28'
Invert = 3135.57'

Curb Inlet
Top = 3141.70'
Invert = 3139.20'

Benjamin W. Miller & wife, Judith B. Miller
Deed Book 151 at Page 617

asphalt

Planter

Fire Pit

PP

N

02 G1.1

PLANT LEGEND

-  EVERGREEN TREE
 LARGE DECIDUOUS TREE
 UDO DESIGNATED BUFFER YARD

LINE TYPE KEY

-  BUFFER YARD
 SETBACK
 PROPERTY BOUNDARY
 RIGHT OF WAY

FARM BUREAU INSURANCE
169 STATE FARM ROAD
BOONE, NORTH CAROLINA

PROJECT:	
SHEET TITLE:	

HUNTER PAUL
COFFEY
ARCHITECTURE PLLC

G1.1

Packet Pg. 37

communication: Case 20160566 Farm Bureau Site Plan Information (Case 20160566: Farm Bureau-Conditional District Zoning Map Amendment)

Packet Pg. 38

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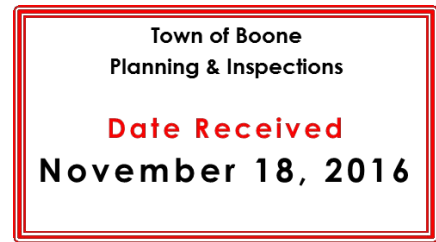
PROJECT:

SHEET:	G1.1	OF:	
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Site Analysis and Programming- July 28, 2014
Farm Bureau Insurance
169 State Farm Rd. Boone, North Carolina



Zoning/Code Analysis

Project Name:

Farm Bureau Insurance New Facility

Project client:

Farm Bureau Insurance (AKA: Watauga County Farm Bureau, Inc.)
(828) 264.5270
Thad Taylor
Cell Phone: (828) 773.2857
Joey Clawson
Cell Phone: (828) 719.6395
E-mail: panoramictreefarm@yahoo.com

Project description:

Zoning Analysis and Site Assessment for a new ~8,000 SF 2-story office facility for Farm Bureau Insurance.

Project address:

135 / 169 State Farm Rd.
Boone, North Carolina, 28607

GIS Parcel ID: 2910355832000 (WCGIS)
2910-35-5832-000 (BGIS)
2910353886000 (WCGIS)

Code enforcement:

State:

-2012 North Carolina State Commercial Building Code (NCBC)

County:

- Watauga County GIS (WCGIS)
- Town of Boone Planning & Inspections (TOB)
- Town of Boone Unified Development Ordinance (UDO)
 - Christy Turner- UDO
 - Jane Shook- UDO
- Town of Boone Public Works (TOBPW)
 - Todd Moody- TOB
- Town of Boone Zoning Map (TZM)
- Boone Town Code (BTC)
- Boone Fire Marshal (BFM)
 - Mike Teague- BFM
- Town of Boone GIS (BGIS)

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8857 HIGHWAY 105 SOUTH SUITE 2 BOONE NC 28607
PHONE (828) 963-7639 FAX (828) 963-7629

Site Analysis and Programming- July 28, 2014
Farm Bureau Insurance
169 State Farm Rd. Boone, North Carolina

Tax Value:

Existing (B-3): \$315,000 (\$172,300 – building, \$142,700 – land) (WCGIS)

Year Built: 1977

Existing (R-1): \$160,500 (\$115,900 – building, \$44,600 – land) (WCGIS)

Year Built: 1964

Zoning District:

135 State Farm Rd. - Existing: B3 – General Business (Corridor District)

169 State Farm Rd. - Existing: R-1 – Single Family Residential (Corridor District)

New: 169 State Farm Rd. - B3 – General Business (Corridor District)

Permitted Uses:

Business or Professional Office (use 11.19 Table 15.07)

Single Family Residential (1.01 Table 15.07)

New: Business or Professional Office (use 11.19 Table 15.07)

Lot Area Requirements:

Actual Lot Area: 0.92 Acres Total; 0.33 Acres (new); 0.59 Acres (existing) (Survey by Appalachian PLS)

Required Minimum Lot Area: 5000 sq. ft. (0.11 Acres) (UDO Table 16.01.02)

Lot Coverage:

Proposed Building = 5,412 sf

Upper Parking Lot = 4,437 sf

Lower Parking Lot = 10,422 sf

Total Impervious Area = 20,271 sf

Lot Elevation:

~ 3,105' – 3,140' a.m.s.l. (Survey by Appalachian PLS&C)

Lot frontage:

Actual Lot Frontage: ~380' (Survey by Appalachian PLS&C)

Minimum Frontage = 40' (UDO Table 16.01.02)

Lot Width:

Actual Lot Width: ~95' (Survey by Appalachian PLS&C)

Minimum Width: 50' (UDO Table 16.01.02)

Maximum Floor Area Ratio:

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PHONE (828) 963-7639 FAX (828) 963-7629

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Farm Bureau Insurance
169 State Farm Rd. Boone, North Carolina

0.429 Allowable FAR per (UDO Table 16.01.02)

Existing B-3 Lot =

Existing R-1 Lot =

0.183 Actual FAR = Total Building Area / Total Lot Area = 8,100 sf / 44,352 sf

0.183 < 0.429

UDO 16.01.01 C states "In the B3 Zoning District, a development may utilize the values in the Intensity Table or may substitute a maximum "Building Footprint" of thirty percent (30%) and an open space ratio of seventy percent (70%). All other regulations in the Intensity Table apply."

Min. Livability Space:

0.27 (UDO Table 16.01.02)

0.543 = Actual Livability Space = "Livability" Area / Total Land Area = 24,081 sf / 44,352 sf

Livability Space

The portion of total open space

including existing natural areas, lawns and other landscaped areas, walkways, paved terraces, sitting areas, outdoor recreational areas and the landscaped portion of street rights-of-way. Such space shall not include open space used for motorized vehicles.

Minimum Open Space Ratio:

0.71 (UDO Table 16.01.02)

0.865 = Actual Open Space Ratio = Open Space / Total Land Area = 38,361 sf / 44,352 sf

Min. Recreation Space:

0.062 (UDO Table 16.01.02)

As Per UDO Section 16.05.01:

Recreation space is only required for multifamily developments and manufactured home parks.

Flood Zone:

The property is not listed in a potential flood zone according to Boone GIS map. (BGIS)

Watershed Protection:

The property is not listed in a watershed protection area according to Watauga County GIS map. (WCGIS)

Stream Protection:

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Farm Bureau Insurance
169 State Farm Rd. Boone, North Carolina

Storm Water Detention:

UDO 21.03

UDO A3.05

Per discussion with Mike Trew on 08.22.16:

We will need to alleviate any excess runoff created from added impervious to the site.

i.e. - If we currently have a runoff value of 3fps and we have a proposed runoff of 4fps (based on the added impervious to the site) we would need to be able to detain the added 1fps of runoff. This can be mitigated via a detention pond at the lowest corner of the site or an ARCH system, which is an underground detention system that allows a certain amount of water to be held onsite and "let out" at a pre-determined rate.

Impervious Surface:

Proposed Building = 5,400 sf

Upper Parking Lot = 4,437 sf

Lower Parking Lot = 10,422 sf

Total Impervious Area = 20,271 sf

Building Setbacks:

Street = 20 feet

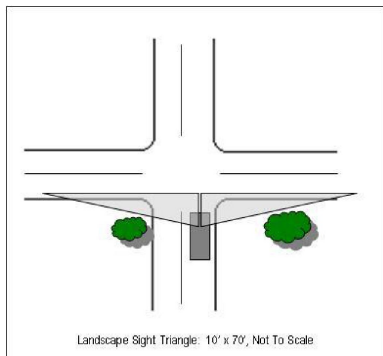
Interior = 17 feet

Buffer Requirements:

Where the property line runs adjacent to an R-1 zone the buffer yard shall include dense evergreen vegetation in addition to the proposed fence and other required vegetation set forth by UDO article 31.

To ensure that landscape materials do not constitute a traffic hazard, a sight triangle 10 feet by 70 feet will be observed at all intersections of driveways/streets with adjacent streets (see diagram below).

Site Analysis and Programming- July 28, 2014
Farm Bureau Insurance
169 State Farm Rd. Boone, North Carolina



(UDO 31.01.02)

Buffer Classification of Proposed Land Use: (UDO 31.04.01)
Classification III - 11.0 – General Sales and Service

Adjacent Properties:

- 190 Beverly Heights Drive – Residential R-1 (TOBGIS)
Classification I (UDO 31.04.01)
- 545 Hwy 105 Ext – Commercial- Restaurant (TOBGIS)
Classification III (UDO 31.04.01)
- 113 Berkley Ave – Residential R-1 (TOBGIS)
Classification I (UDO 31.04.01)

Buffer Requirements: (UDO 31.05.01)

Adjacent Public or Private Street (Both Class II and III)- 10 feet (see section 31.09)

Class III adjacent to Class I- Type C Screening

Class III adjacent to Class III- Type A Screening

Type A Screen (UDO 31.05.02) Required width of Bufferyard = 10 feet

Standard Screen, Type “A” is a screen composed of intermittent visual obstructions from the ground to a height of at least 20 feet. The standard screen is intended to create a separation of spaces without necessarily eliminating visual contact between the spaces.

Type B Screen (UDO 31.05.02) Required width of Bufferyard = 15 feet

Semi-Opaque Screen, Type “B” is intended to partially block the view between uses and to create a strong distinction of separation of spaces. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than 10 feet wide.

Type C Screen (UDO 31.05.02) Required width of Bufferyard = 25 feet

Opaque Screen, Type “C” is a screen that is opaque from the ground to a height of at least 6 feet, with intermittent visual obstructions from the opaque portion to a height of at least 20 feet. An opaque screen is intended to exclude completely all visual contact between uses and to create a strong spatial separation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the

HUNTER PAUL COFFEY ARCHITECTURE, PLLC
8857 HIGHWAY 105 SOUTH SUITE 2 BOONE NC 28607
PHONE (828) 963-7639 FAX (828) 963-7629

portion of intermittent visual obstruction should not contain any completely unobstructed openings more than 10 feet wide.

The width of the buffer may be reduced with the use of a fence or wall. If an applicant plans to build a fence or wall, a "C" buffer classification reduces to a "B" buffer classification and a "B" buffer classification reduces to an "A" buffer classification. Fences and walls must meet the following standards (UDO 31.06.04)

- A. Fences or walls shall be constructed of wood, brick, stone, or other masonry, and be architecturally compatible with the proposed structure. A detailed drawing of the screen must be shown on the landscape plan and approved by the Administrator.
- B. Walls and fences shall be solid construction and opaque.
- C. Walls and fences shall be a minimum height of 6 feet.
- D. The wall or fence shall be located in the center of the buffer with vegetation planted on either side.

See UDO 31.06 for detailed Buffer and Screen Requirements

31.06.05 Loading Docks, Screening

Building Height Requirements:

44 feet (primary) 67 feet (secondary) (UDO 16.08.02)

Actual Proposed: ~38 feet

In the R3, B2 and B3 districts the height limitation may range between the primary height limitation in the table to the secondary height (which is the maximum for the district), subject to the provision that for each foot the height of the structure exceeds the primary height limitation, the boundary lot setback applicable to

the structure shall increase by 1 foot. In no case shall the height of a structure exceed the secondary height

limitation established in the table. (UDO 16.08.03)

Occupancy Classifications:

Business (B) Professional Offices; Business or Professional Office (use 11.19 Table 15.07)

Occupant Load Area:

B (Main Level): 5,400 SF (including stair)

B (Lower Level) 2,700 SF (not including stair)

Total= 8,100 SF

Occupant Load Calculation:

Business Areas: 100 SF Gross

Main Level: 5,400 / 100 = 54 occupants

Lower Level: 2,700 / 100 = 27 occupants

8,100 / 100 = 81 occupants

HUNTER PAUL COFFEY ARCHITECTURE, PLLC
8857 HIGHWAY 105 SOUTH SUITE 2 BOONE NC 28607
PHONE (828) 963-7639 FAX (828) 963-7629

Off-street parking:

B: 5 spaces / 1000 SF GFA (UDO 24.01.03)

Main Level: $5,400 / 200 = 27$ spaces

Lower Level: $2,700 / 100 = 14$ spaces

$8,100 / 200 = 41$ spaces

Our proposal defines 41 total spaces 15 in Parking Lot 1; 26 in Parking Lot 2)

Bicycle Parking: (UDO Article 24.09)

Per UDO Article 24.09, the proposed new construction must include a minimum of 3 covered (24.09.06) bicycle parking spaces (2 short-term, 1 long-term) at a distance no greater than the distance to a non-accessible parking space (24.09.05).

Compact Car Parking: (UDO 24.02.02)

In parking areas containing 10 or more parking spaces, a rectangular area of only 7'-6" in width by 15' in length, may be conspicuously designated as reserved for compact cars in the following situations:

A. Multi-family uses may provide up to 50% of the parking spaces for compact cars.

B. All other uses may provide up to 35% of the parking spaces for compact cars.

Accessible Parking Requirements: (NCBC 1106.1)

Where parking is provided, accessible parking spaces shall be provided in compliance with Table 1106.1

1-25 total parking spaces provided = minimum 1 accessible parking space

26-50 total parking spaces provided = minimum 2 accessible parking space

Note: For every six or fraction of six accessible parking spaces, at least one shall be a van-accessible parking space. (NCBC 1106.5)

Accessible Parking Space Location: (NCBC 1106.6)

Accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible building entrance. In parking facilities that do not serve a particular building, accessible parking spaces shall be located on the shortest route to an accessible pedestrian entrance to the parking facility. Where buildings have multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances.

Vehicular Surface Area Requirements (Buffers)

UDO 31.10

Site Analysis and Programming- July 28, 2014
Farm Bureau Insurance
169 State Farm Rd. Boone, North Carolina

Signage Regulations:

Corridor District: (UDO 14.08.04)

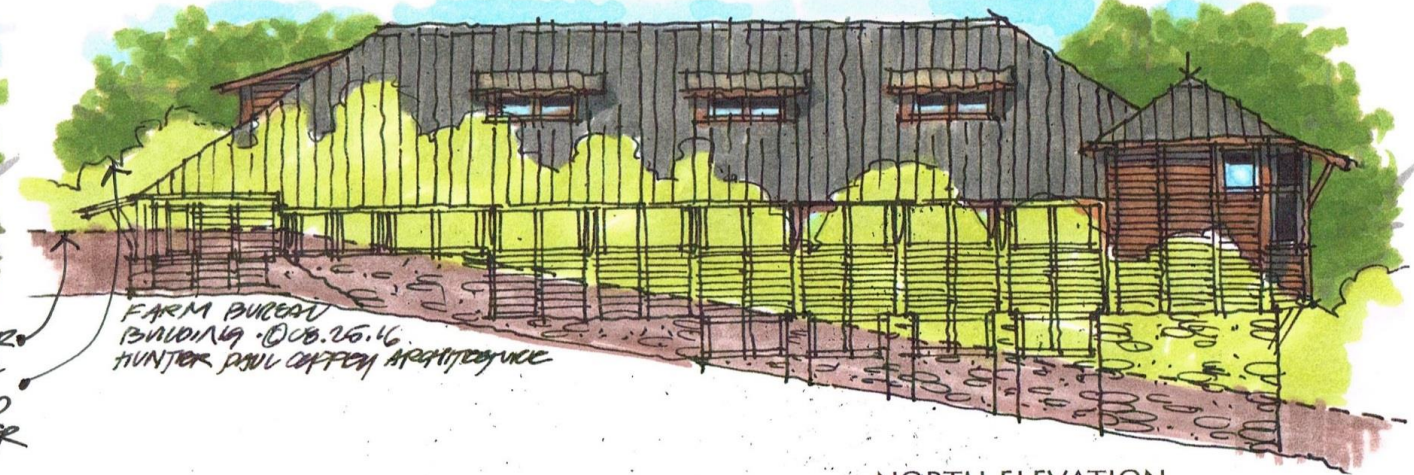
- A. Allowed Access- permitted 1 driveway access
- C. Corner Clearance- no driveway (except single family residential access) shall be allowed within 150 feet of the centerline of an intersecting street.
- D. Driveway Spacing- the distance between any 2 drives shall be 150 feet on the protected thoroughfares. The driveway spacing requirement shall be measured along the right-of-way line from the centerline of the driveway.

Power Lines:

Any portion of any building or structure must be at least 7 feet 6 inches away from any major power line (per 09.17.15 phone conversation with Scott Eggers of New River Light and Power)



SOUTH ELEVATION
1/16" = 1'-0"



NORTH ELEVATION
1/16" = 1'-0"



EAST ELEVATION
1/16" = 1'-0"



WEST ELEVATION
1/16" = 1'-0"

FARM BUREAU INSURANCE

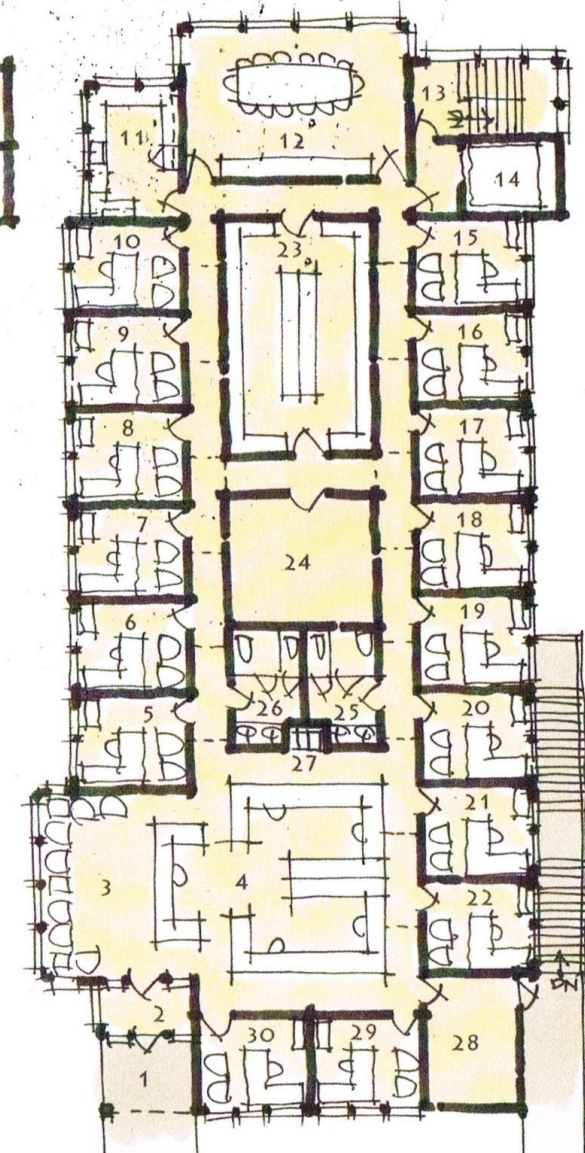
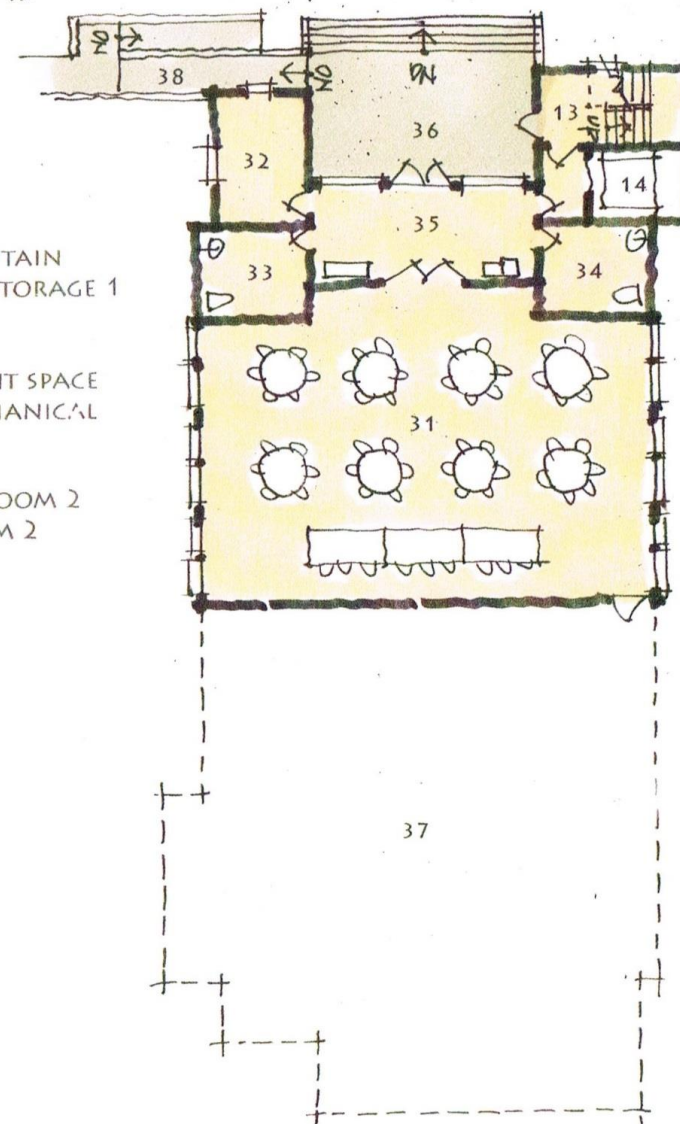
169 STATE FARM ROAD
BOONE, NC

LEGEND

- | | |
|------------------------|----------------------------|
| 1. COVERED ENTRY PORCH | 27. DRINKING FOUNTAIN |
| 2. VESTIBULE | 28. MECHANICAL / STORAGE 1 |
| 3. LOBBY | 29. OFFICE 15 |
| 4. CSR / RECEPTION | 30. OFFICE 16 |
| 5. OFFICE 1 | 31. BANQUET / EVENT SPACE |
| 6. OFFICE 2 | 32. STORAGE / MECHANICAL |
| 7. OFFICE 3 | 33. WOMEN'S RESTROOM 2 |
| 8. OFFICE 4 | 34. MEN'S RESTROOM 2 |
| 9. OFFICE 5 | 35. FOYER |
| 10. OFFICE 6 | 36. FRONT PORCH |
| 11. BREAK ROOM | 37. CRAWL SPACE |
| 12. CONFERENCE ROOM | 38. RAMP |
| 13. STAIRS | |
| 14. ELEVATOR | |
| 15. OFFICE 7 | |
| 16. OFFICE 8 | |
| 17. OFFICE 9 | |
| 18. OFFICE 10 | |
| 19. OFFICE 11 | |
| 20. OFFICE 12 | |
| 21. OFFICE 13 | |
| 22. OFFICE 14 | |
| 23. FILE ROOM | |
| 24. STORAGE | |
| 25. WOMEN'S RESTROOM 1 | |
| 26. MEN'S RESTROOM 1 | |

**HUNTER PAUL
COFFEY
ARCHITECTURE** PLLC

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BOONE, NORTH CAROLINA 28607
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**STAFF REPORT
FARM BUREAU CONDITIONAL DISTRICT ZONING MAP AMENDMENT
CASE 20160566**



Request

Hunter Coffey on behalf of Watauga County Farm Bureau Insurance has filed a Planning Permit Application for a Conditional District Zoning Map Amendment to rezone 135 and 169 State Farm Road from B3 General Business and R1 Single-Family Residential to Conditional District B3 General Business subject a site specific development plan for Use 11.19 Other Business or Professional Office.

Applicant Information

Petitioner Name/Position: Hunter Coffey
Petitioner Organization: Coffey Architecture
Petitioner Address: 8857 Highway 105 South, Suite 2, Boone, NC 28607
Petitioner Contact Phone: (828) 963-7639
Petitioner Email: hunter@hparch.com

Parcel Information

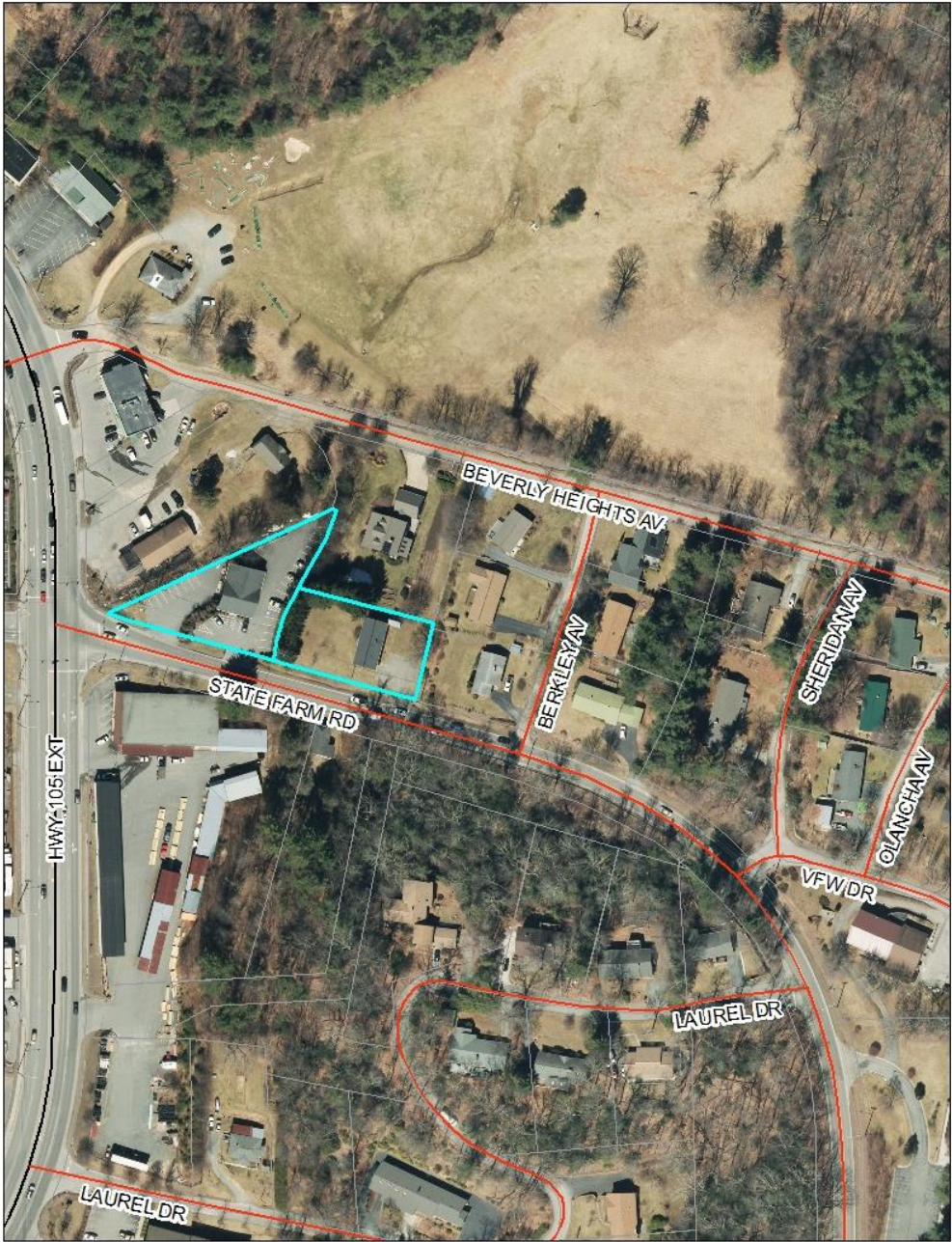
Addresses:	135 and 169 State Farm Road
Watauga County PINs:	2910354955000, 2910355899000
Property Owner:	Watauga County Farm Bureau Inc.
Total Lot size:	1.02 acres
Jurisdiction:	Town of Boone Corporate Limits
Access:	State Farm Road
Topography:	Approximate 36' change in elevation; Property slopes up from W to E
SFHA:	No
Watershed District:	No
Corridor District:	Yes
NCD:	No (Note: 169 State Farm Road is included in Case 20160735 Beverly Heights/VFW NCD).
Viewshed:	No
Transit Route:	Yes; State Farm and Orange Route @ Papa Johns (approximately 500' proposed from entrance)
Utilities:	Town water and sewer available per Ordinance 11-01
Current Zoning:	B3 General Business and R1 Single-Family Residential
Vesting:	2 years
2030 Plan Designations:	G2 Urban Neighborhood
Current Uses:	135 State Farm Road: Office; 169 State Farm Road: Single-Family Dwelling

Zoning & Use of Adjacent Properties

	Adjacent Zoning	Adjacent Land Use
North	B3 General Business & R1 Single Family Residential	Restaurant (Zaxby's), Single-Family Dwelling
East	R1 Single-Family Residential	Single-Family Dwelling
South	B3 General Business	Commercial (Watauga Building Supply), Single-Family Dwelling
West	B3 General Business	Restaurant (Zaxby's)

Impact Analysis

The proposed Farm Bureau Insurance office is located adjacent to both a redeveloping commercial corridor and a single-family neighborhood. Due to the proposed use (office) in close proximity of single-family dwelling units, Staff feels that the noise and visibility of the site will be the largest impacts to the single-family neighborhood. The applicant is proposing to construct a fence within the landscape buffer adjacent to the single-family neighborhood. Staff recommends enlarging the landscape buffer to the full 25' where possible and supplementing this buffer with evergreens to further mitigate any possible impacts. Additionally, Staff recommends the applicant explore the possibility of installing a 3-5' earthen berm within the buffer along the Townsend property to the east in addition to the fence.



Comparison Chart	
Standard	Farm Bureau Development
UDO Section 14.08 Corridor Overlay District Subsection 14.08(A), (C), (G)	In Compliance.
UDO Subsection 16.01.02 Intensity Table <u>B3 General Business</u> Minimum Gross Land Area: 5,000 sq. ft. Minimum Lot Width: 50 ft. Minimum Street Frontage: 40 ft. Maximum Floor Area Ratio: .429 Minimum Open Space: .71 Minimum Livability Space: .27	In Compliance. Minimum Gross Land Area: 40,075 sq. ft. Minimum Lot Width: 380 ft. Minimum Street Frontage: 380 ft. Maximum Floor Area Ratio: .183 Minimum Open Space: .865 Minimum Livability Space: .543
UDO Section 16.06 Building Setback Requirements Interior Setback: 17' Street Setback: 20'	In Compliance. Interior Setback: 17' Street Setback: 20'
UDO Section 16.08 Building Height Limitations Maximum Building Height = 44' (primary)	In Compliance. Maximum Building Height = 38'
UDO Section 24.01 Parking Spaces Required Use 11.19=5 spaces /1000 sq. ft. Gross Floor Area Maximum Spaces Allowed: 41	In Compliance. Number of Spaces Provided: 41
UDO Section 24.09 Bicycle Parking Required Short-Term Spaces = 2 Required Long-Term Spaces = 1	In Compliance. Per the applicant's analysis, 3 bicycle parking spaces will be provided on site.
UDO Article 25 Community Appearance Standards	The applicant has not demonstrated complete compliance with this requirement. Note: Though the project appears to meet the requirements of UDO Article 31 Community Appearance Standards, the applicant did not submit the detailed elevations and information necessary for Staff to confirm compliance. The applicant will have to submit detailed elevations demonstrating full compliance with UDO Article 31 during the zoning permit process.

Petitioner's Proposal

Proposed Zoning: Conditional District B3 General Business

Applicant Submitted Materials:

- | | |
|---|---------------------------------------|
| 1. Application | 2. Neighborhood Meeting documentation |
| 3. Building Elevations | 4. Site Plan |
| 5. Landscape Plan | 6. Project Narrative |
| 7. Site Analysis and Programming Document | 8. Deeds |
| 9. Traffic Impact Analysis | |

TRAFFIC IMPACT ANALYSIS: The applicant has submitted a Traffic Impact Analysis March 4, 2016 for this project. Below is an excerpt containing the summary and conclusion (Please note a full copy of the report can be seen at the Planning and Inspections Department or a copy of the report can be emailed upon request):

7.0 Summary and Conclusion

The existing Farm Bureau Insurance is to be upgraded to a larger facility on the northeast corner of NC 105 and State Farm Road in Boone, NC. As planned, this development will consist of expanding the existing Farm Bureau Insurance building to a two-story, approximately 5,300 SF site. Based on trip generation equations published in Trip Generation (Institute of Transportation Engineers, 9th Edition), this development has a trip generation potential of 58 daily net trips with 8 trips in the AM peak and 8 trips in the PM peak.

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 the new development traffic. The following intersections were included in the study:

- NC 105 at State Farm Road (signalized)
- NC 105 at Beverly Heights Avenue / Horn Avenue (signalized)
- State Farm Road at Berkley Avenue (unsignalized)
- State Farm Road at VFW Drive (unsignalized)
- State Farm Road at Site Access 1 (unsignalized)
- State Farm Road at Site Access 2 (unsignalized)

Based on projected traffic volumes at the site access, no improvements are recommended. The proposed entrances along State Farm Road are expected to operate adequately with the lane configuration that is currently in place. The proposed site plan moves Site Access #1 further east from the signal at NC 105 and State Farm Road approximately 45 feet. Site Access #2 is also moved further east from the signal an additional 50 feet from the new Site Access #1 Location. With this new configuration, traffic levels of operation are anticipated to remain unchanged. It is recommended to design the new site accesses according to Town of Boone's driveway standards. Figure 9 illustrates the recommended improvements.

Additionally, DAVENPORT reviewed multimodal travel conditions within the area of the site. Existing transit facilities include the AppalCART bus routes (Pink, Orange and State Farm) and sidewalks along the east and west sides of NC 105 and northern side of State Farm Road. The use of these facilities are beneficial to pedestrians within the project vicinity and may be used as a means of travel to and from the site.

In conclusion, this study has determined the potential traffic impacts of this development and has identified transportation improvements that will be required to accommodate the impacts of both background traffic as well as proposed development traffic. The aforementioned improvements should all be constructed in accordance with Town of Boone standards.

Comments from P&I staff

Community Appearance and Landscape Standards (Urban Design Specialist)

Staff has reviewed the proposed preliminary plans for the Farm Bureau Insurance CD Zoning map Amendment with a received date of September 9, 2016 and offer the following comments:

1. The required buffer along the properties lines abutting the R-1 Single-Family Use properties requires a 25' opaque buffer. The project is proposing to use a buffer reduction down to a 15' Type B buffer with required privacy fence along the Northeast property lines which is allowed per UDO Section 31.06.04. Though this is

allowed per UDO requirements, staff feels the additional width and planting required in a 25' buffer would better protect the neighboring properties, especially since the upper property sits at a higher grade. Staff recommends enlarging the landscape buffer to the full 25' where possible and supplementing this buffer with evergreens to further mitigate any possible impacts. Additionally, Staff recommends the applicant explore the possibility of installing a 3-5' earthen berm within the buffer along the Townsend property to the east.

2. The root zone of an existing Oak tree located adjacent the East property line must be protected. The tree appears to be on the adjacent property. This may require revisions to the site plan
3. The root zone of two Maple trees located in the Northeast property corner must be preserved. It appears that one of the trees may be located on the adjacent property. This may require revisions to the site plan.
4. It is encouraged to have the existing large Spruce trees along the adjacent Miller property be assessed and retained. If healthy the trees are providing a fairly substantial buffer. It appears the some of the trees may be located on the Miller property and the proposed project property. This may require revisions to the site plan.
5. The proposed buffer along State Farm Road requires a 10' street yard buffer per UDO Section 31.09. The plan is proposing a 10' Type A Property line buffer. Though not required, it is encouraged to utilize some large evergreen trees within the street yard as long as there is no sight conflicts.
6. Though the project appears to meet the requirements of UDO Article 31 Community Appearance Standards, the applicant did not submit the detailed plans for Staff to confirm. The applicant will have to submit detailed elevations demonstrating full compliance with UDO Article 31 during the zoning permit process.

Grading/Erosion Control/Stormwater (Environmental Planner)

Staff has reviewed the proposed preliminary plans for the Farm Bureau Insurance CD Zoning map Amendment with a received date of September 9, 2016 and offer the following comments:

1. Though the project appears that it will be possible to meet the requirements of the UDO in regards to grading and stormwater, the applicant did not submit detailed plans for Staff to confirm. The applicant will have to submit detailed grading, erosion control and stormwater plans demonstrating full compliance with the UDO during the zoning permit process.

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 no comment at this time.

Utilities Division (Utility Services Technician)

The Public Utilities Division has conducted a plan review for the proposed project on 135/169 State Farm Rd; materials reviewed by this department are dated received 09/09/16 are approved with the following conditions.

1. Utilities must be clarified on future submittals.

Fire Department (Captain)

A review of the submitted building plan drawing was conducted. Following is the result of this review:

- Will this building have a sprinkler system? If so a hydrant will need to be within 100 ft of the FDC and the FDC placement must be approved by the fire department.
- Please provide a detailed drawing of both parking lot entrances that includes the grade of the turn into the parking lot as well as through the length of the parking lot.

CONFORMITY TO ADOPTED PLANS**COMPREHENSIVE PLAN UPDATE****1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1.2 Growth Strategy Map (p. 17):

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.

2.0 Policies for Growth and Development (Pp. 18-77)

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 Council and Commission 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 (p. 19)**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.
- 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.
- G. The Town shall support the development of new business parks.
- H. The Town shall promote coordination of economic development resources with the appropriate institutions and agencies. Regional coordination and interaction among areas with a shared economic interest shall be encouraged.
 - H.1 Assist business recruitment and expansion efforts by providing demographic and market data and development information to potential developers and business prospects. Direct such interested parties, by referral through the Economic Development Director, to identified locations in the community.
 - H.2 Include economic development as a specific point of discussion by the recently created Community Council.
- I. Small business start-ups, expansions and spin-offs shall be encouraged. The presence of ASU and Caldwell Community College and Technical Institute shall be recognized as a necessary and important resource for area businesses.
- K. Boone shall identify and provide services consistent with the needs of the area's growing retiree population.
 - K.1 Support local agencies and institutions efforts in the development of programs and services providing for the needs of the growing retiree population.

2.1.2 Commercial Development

- A. Uncontrolled strip development along the areas through streets shall be prohibited. The undesirable effects of existing strip development shall be reduced and/or reconfigured when redevelopment opportunities permit. New strip development on isolated single lots along through streets shall be discouraged.
 - A.1 Review and revise the Town's driveway and parking standards to minimize driveway cuts and require that adjacent parking lots be connected.
- 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.
- 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.
- 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.

2.2 THE INFRASTRUCTURE (p. 37)**2.2.1 Transportation**

- A. Street patterns shall be designed so as to define the limits of the neighborhood, accentuate focal points and interesting vistas, allow convenient circulation within the neighborhood and provide multiple, alternative outlets from the area to adjoining neighborhoods and /or major streets. Particular attention shall be given to avoid designs that provide convenient "cut-through" traffic opportunities.
- B. Planned systems of pedestrian ways, bikeways, greenways, and similar facilities shall be encouraged as energy efficient and environmentally sound transportation alternatives. Site planning that incorporates secure bicycle storage at places of living, working or schooling, shopping, and gathering shall be required, where appropriate.
- 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

- 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.

2.2.5 Environmental Quality

- D. Runoff and drainage from development activities shall be of a quality and quantity as near to natural conditions as possible, with special emphasis given to critical watershed areas.

2.3 THE COMMUNITY (p. 60)

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.

2.3.1 Community Appearance

- 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.
- D. Sign policies and standards shall be periodically updated to enhance community identity and create a high quality business image.
 - D.1 Conduct a review of the Town's sign regulations with the goal to have a long term policy consistent with the appearance of the High Country, including greater use of ground signs and directory signs.

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.
- F. The affordable housing needs of area residents, particularly elderly and low to moderate income residents, shall be recognized in Town policies and actions regarding residential development.
- 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.

2.3.4 Public Involvement

- A. Public involvement shall be encouraged in decisions concerning land use and development by making the public aware of proposed developments at the earliest opportunity, as well as fostering communication among developers, the Town, the County, the University, and the general public.

BOONE 2030 LAND USE PLAN

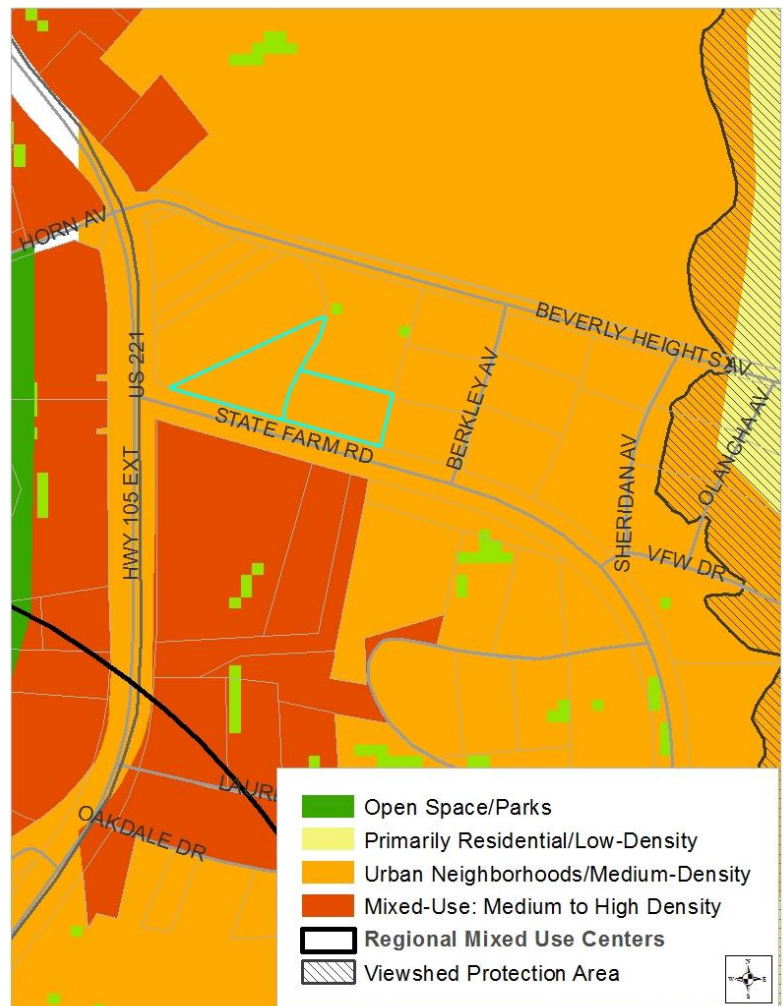
The 2030 Land Use Plan works together with the Town's Comprehensive Plan and other plans and programs to provide for the Town's long range growth. The Land Use Plan is a three-dimensional framework for the comprehensive plan and serves as the basis for all the facility and service needs of the Town. The Land Use Plan serves as the guiding vision and policy basis for determining the appropriateness of any development or redevelopment that is proposed for the Town's planning jurisdiction. This property is located in G-2 Urban Neighborhoods sector.

The G-2 sector contains denser, mixed-use development at the scale of neighborhood centers, indicated by 1/4 mile circles (equivalent to a 5-minute walk), and suburban, residential development at the scale of walkable "traditional neighborhoods" shown in orange. This type of residential development creates an identifiable center organized around a small public square or green, often with some civic facilities or a building such as a church or a small store. Local, slow-speed streets form a connected network, with larger collector streets. Paths form pedestrian connections linking sidewalks to internal parks and preserved open space along the boundaries of the neighborhood.

G-2 lands are typically close to thoroughfares and at key cross-road locations. For Boone, the G-2 sector specifically includes areas that are already developed with neighborhood-serving retail and service uses or at key cross-roads where future development of this type is likely to occur, such as around the intersection of NC 105 and Poplar Grove Road, or the intersection of Boone Heights Drive and State Farm Road. The G-2 designation is also used in areas where a mixture of higher density residential types (e.g., small lot single family houses, townhomes, apartment or condominium buildings, or mixed-use buildings) are already occurring or would be appropriate to transition between higher intensity commercial uses and existing lower density neighborhoods, and take advantage of proximity to existing centers of commerce, education, or employment such as the university, downtown, the hospital, the industrial park, and the Hardin Park Elementary School/NC 194 corridor.

Appropriate Land Uses/Development Types:

- Traditional neighborhood developments,
- single-family and multifamily residential,
- Neighborhood mixed-use centers,
- neighborhood-scale commercial uses,
- Civic uses,
- light industrial uses



REASONABLE BASIS FOR APPROVAL

[To establish "reasonable basis" the permit issuing authority must balance several factors, including the size of the tract, the compatibility of the rezoning with the comprehensive plan and other applicable adopted plans, the benefits and detriments resulting from the rezoning to the petitioner landowner, neighbors and the surrounding community, and the relationship between the proposed uses and the uses currently allowed in adjacent tracts.]

The proposed rezoning encompasses approximately .92 acres in the State Farm Road area adjacent to both a redeveloping commercial corridor and a single-family neighborhood. Surrounding land uses include restaurant, retail, office and single-family dwelling units. Office uses are traditionally considered an appropriate transitional land use between residential properties and higher intensity commercial uses. Additionally, access to the existing single-family lot is from State Farm Road rather than the residential streets which serves all other lots in the neighborhood. Due to these factors, Staff feels this rezoning petition is a reasonable request.

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 November 4, 2016.

Marlene Crosby, Administrative Support Specialist

Certification of Posting

I, Brian Johnson, 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 November 4, 2016.

Brian Johnson, Urban Design Specialist

Staff Analysis and Recommendations

Based on the information provided by the applicant and the analysis contained herein, Staff finds this project, as proposed by the applicant, is generally compatible with the surrounding land uses.

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 September 9), 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 and permit applications shall be submitted that are in compliance with the provisions of the UDO and other provisions of the Town Code.

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 ☐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 ☐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 ☐deny the proposed amendment to the Town's zoning map and believe ☐ approval ☐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, North Carolina 28607
Phone Number: 828-268-6200 Email Address: _____
Property Owner: Varies (See Staff Report) Company: _____
Address: _____
Phone Number: _____ Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): Varies (See Staff Report)
Address/Location: Varies (See Staff Report)
Project Name: Wellness District General Use 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 Use | *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

On September 19, 2016, following a workshop on the proposed Wellness District standards, Council directed Staff to move forward with a General Use Map Amendment to rezone the area (as shown on the attached map) as Wellness District.

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:**

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

Architect:

Name: NA 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.

Town of Boone**Applicant¹ (Print)****Jane Shook****Applicant Signature****11/04/2016****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

Wellness District General Use Zoning Map Amendment (NCD)

Permit Number:

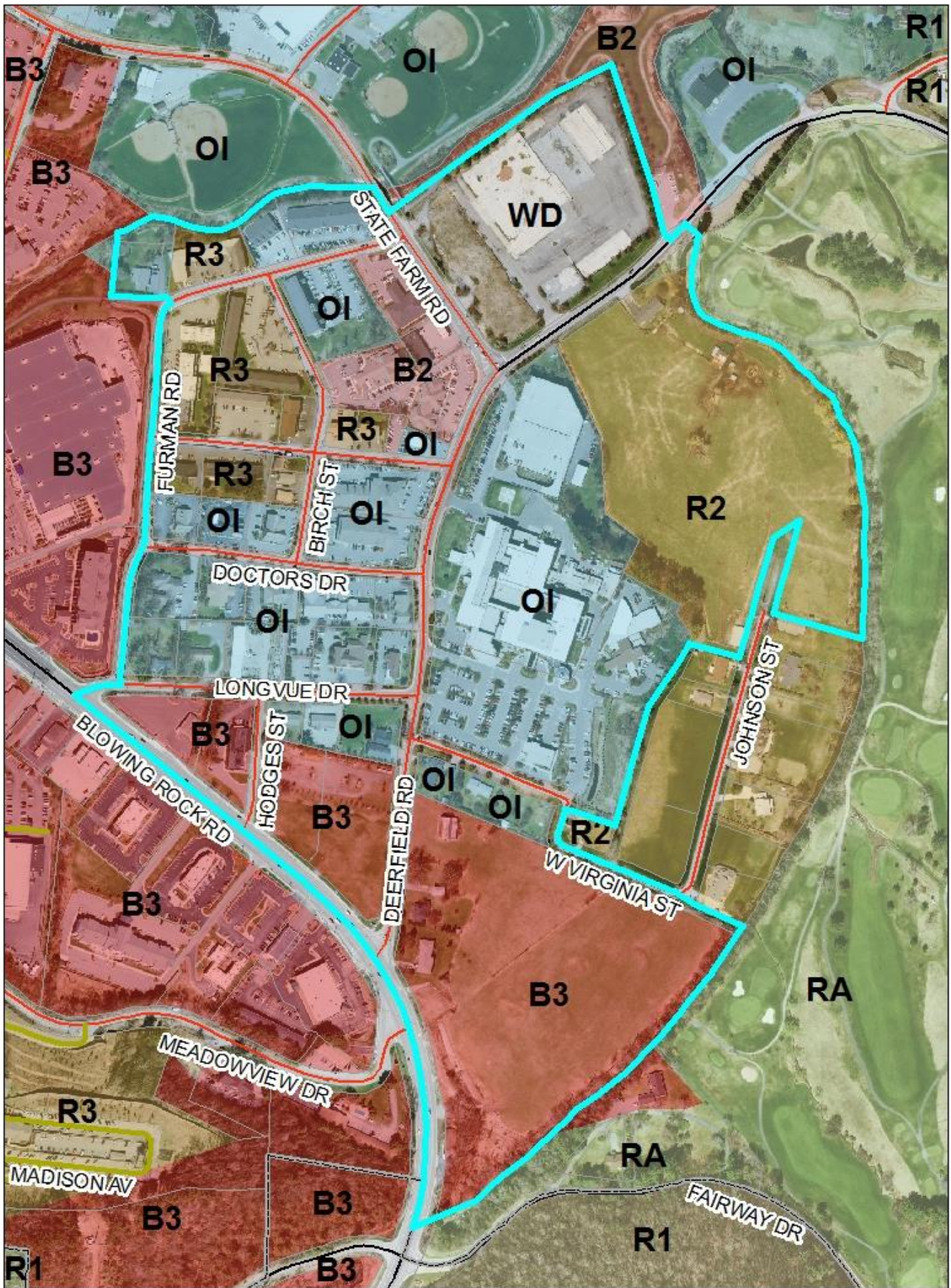
20160736

Project Name/Number:

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
November 2, 2016	NA	NA	NA	NA

S:\FORMS\Forms_2015\Zoning\ZoningPlanningPermitApplication_052016.doc

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:
Wellness District General Use Zoning Map Amend (NCD)
Permit Name/Number:
20160736

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

A. ADDITIONAL APPLICATION INFORMATION

Hearing Date Requested¹: November 28, 2016

B. DEVELOPMENT INFORMATION

R2 Two-Family Residential; R3
Multiple-Family Residential; B2
Neighborhood Business; B3
General Business; OI Office

Existing Zoning District(s): Institutional Proposed Zoning District(s): Wellness District (WD)

Existing Land Use(s): Varies (See Staff Report)

Adjacent Land Use(s): N: Varies (See Staff Report) E: Varies (See Staff Report)

W: Varies (See Staff Report) S: Varies (See Staff Report)

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

If yes, describe: Variances will not be impacted by rezoning.

Total Land Area: NA

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)

NA
Property Owner Signature

NA
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: November 28, 2016

PC Meeting Date: November 28, 2016

TC Meeting Date: December 15, 2016

Date of APO Mailed Notification: November 4, 2016

Date of Posted Notification: November 4, 2016

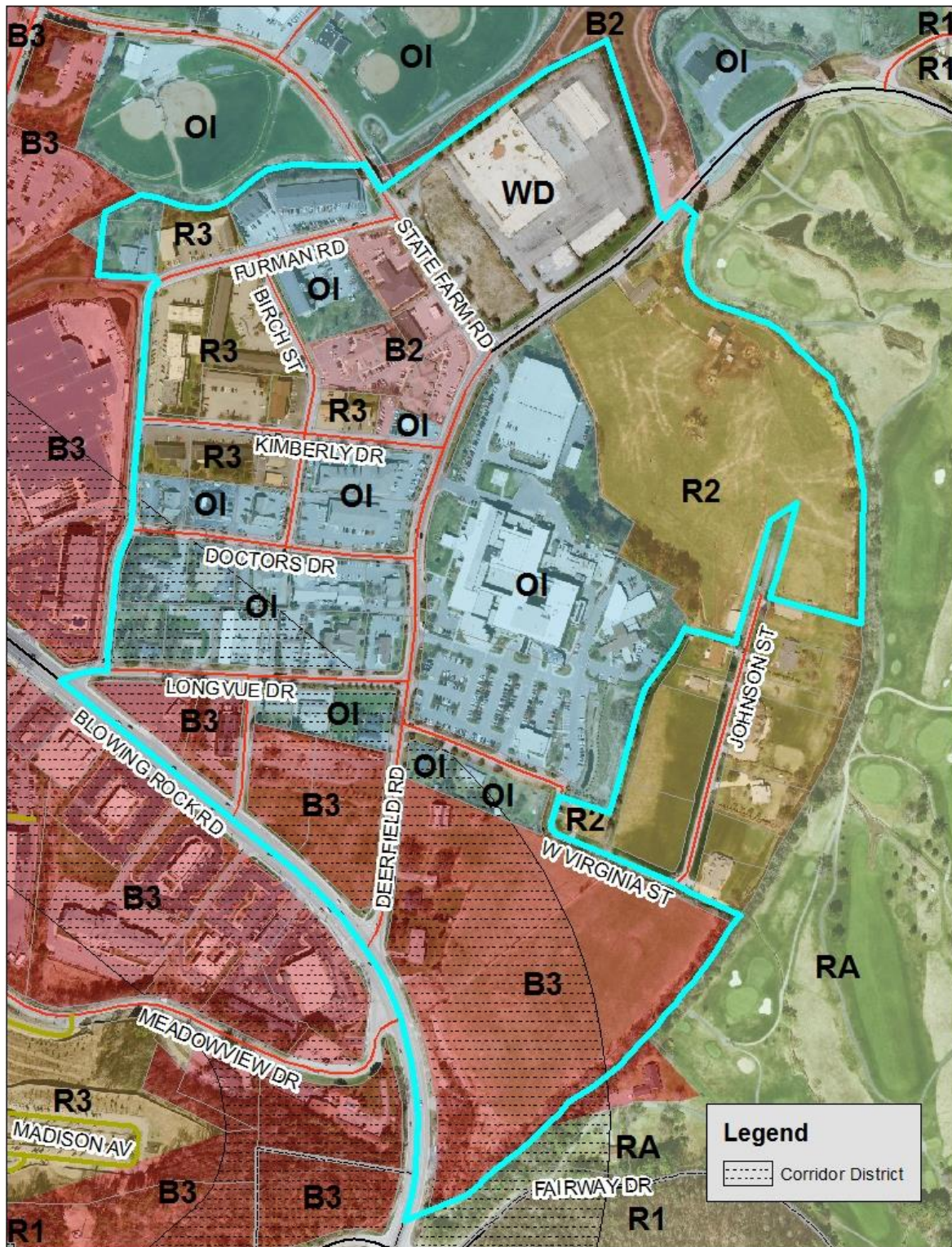
Project Approved: ☐ Yes ☐ No

Date Order Recorded: _____

Order Recordation Information: Book: _____ Page: _____
S:\FORMS\Forms_2015\GeneralUseZoningMapAmendmentProjectDataForm_062015.doc



STAFF REPORT
PUBLIC HEARING
CASE 20160736 WELLNESS DISTRICT EXPANSION GENERAL USE ZONING MAP AMENDMENT



Request

The Town of Boone has initiated a General Use Zoning Map Amendment to rezone properties located adjacent to or near Birch St, Doctors Dr, Furman Rd, Longvue Dr, and Mary St. as well as properties in the same area adjacent to or near portions of State Farm Rd, Deerfield Rd, and Blowing Rock Rd to Wellness District (WD). The following properties are included in this request:

#	Parcel ID	Address	#	Parcel ID	Address	#	Parcel ID	Address
1	2910811963000	510 Deerfield Rd	25	2910625452000	232 Furman Rd	49	2910615374000	133 Longvue Dr
2	2910711928000	203 Kimberly Dr	26	2910625564000	232 Furman Rd	50	2910702849000	2147 Blowing Rock Rd
3	2910711890000	345 Deerfield Rd	27	2910721506006	136 Furman Rd	51	2910617313000	155 Longvue Dr
4	2910711890001	345 Deerfield Rd	28	2910721506007	136 Furman Rd	52	2910712380000	261 Longvue Dr
5	2910619657000	169 Birch St	29	2910721506008	136 Furman Rd	53	2910616132000	2015 Blowing Rock Rd
6	2910711331003	237 Longvue Dr	30	2910616857000	114 Kimberly Dr	54	2910711890003	225 Birch St
7	2910722271000	169 Birch St	31	2910619163000	188 Longvue Dr	55	2910711890004	225 Birch St
8	2910721506000	136 Furman Rd	32	2910618835000	134 Kimberly Dr	56	2910618591000	142 DOCTOR RD
9	2910629524000	166 Furman Rd	33	2910713962000	249 Deerfield Rd	57	2910716688000	336 Deerfield Rd
10	2910618005000	2067 Blowing Rock Rd	34	2910712998000	249 Deerfield Rd	58	2910711331000	237 Longvue Dr
11	2910711331002	237 Longvue Dr	35	2910618501000	134 Doctors Ln	59	2910717264000	182 Deerfield Rd
12	2910724167000	169 Birch St	36	2910629118000	130 Birch St	60	2910724050000	381 Deerfield Rd
13	2910619570000	166 Doctors Ln	37	2910721506001	136 Furman Rd	61	2910711676000	337 Deerfield Rd
14	2910628060000	151 Kimberly Dr	38	2910627434000	204 Furman Rd	62	2910723465000	1200 State Farm Rd
15	2910627200000	259 Furman Rd	39	2910821418000	VACANT	63	2910712937000	221 Kimberly Dr
16	2910707453000	134 Deerfield Rd	40	2910618382000	191 Longvue Dr	64	2910721311000	155 Furman Rd
17	2910721506002	136 Furman Rd	41	2910710919000	186 Birch St	65	2910706917000	210 Deerfield Rd
18	2910721506003	136 Furman Rd	42	2910711890005	225 Birch St	66	2910712019000	231 Deerfield Rd
19	2910721506004	136 Furman Rd	43	2910711890006	225 Birch St	67	2910710171000	222 Longvue Dr
20	2910721506005	136 Furman Rd	44	2910723294000	1230 State Farm Rd	68	2910619788000	232 Birch St
21	2910711331001	237 Longvue Dr	45	2910618629000	141 Doctors Ln	69	2910619893000	222 Birch St
22	2910721506009	136 Furman Rd	46	2910616751000	115 Furman Rd	70	2910619898000	212 Birch St
23	2910616523000	108 Doctors Ln	47	2910711331004	237 Longvue Dr	71	2910700959000	2111 Blowing Rock Rd
24	2910710489000	194 Doctors Ln	48	2910712496000	240 Doctors Ln			

Area Information

SFHA:	Yes. Portion of the area are located within the SFHA.
Watershed District:	Yes. Portions of the area are located within the WS-IV-CA Water Supply Watershed.
Corridor District:	Yes. Portion of the area are located within the Corridor Overlay District.
NCD:	No
Viewshed:	No
Utilities:	Town water and sewer are available.
Current Zoning:	R2, R3, OI, B2, and B3,
Proposed Zoning:	WD Wellness District
2030 Plan Designations:	O1 Preserved Open Space

Zoning District Descriptions:**Existing:**

- R2:** The R2 Two-Family Residential District is established to provide a medium density living area consisting of single-family and two-family dwellings, and other related uses necessary for a sound neighborhood. The regulations for this district are designed and intended to secure for the persons who reside there a comfortable, healthy, safe, aesthetically pleasing and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts.
- R3:** The R3 Multiple-Family Residential District is established to provide a high density area consisting of three or more dwelling units per lot plus limited service use. The regulations for this district are designed and intended to secure for the persons who reside there a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment in which to live and provide for compatible and disruptive activities that properly belong in nonresidential districts.
- 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.
- B2:** 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.

B3: 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.

Proposed

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.

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. UDO Subsection 17.02.03 contains the uses 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

15.08

Use #	Specific Use	Zoning Districts						Referen
		R2	R3	OI	B2	B3	WD	
1.0 Household Living								
1.01	Single-Family Dwelling	P						
1.02	Manufactured Home “Class A”	L						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)	P	P					
1.07	Duplex (more than one duplex building per lot)		L					15.10
1.08	Townhouse (up to 30 bedrooms)		L ^{T50}					15.10
1.09	Townhouse (31-100 bedrooms)		L ^{T75}					15.10
1.10	Townhouse (> 100 bedrooms)		L ¹²⁵					15.10
1.11	Multi-Family Dwelling (up to 30 bedrooms)		L ^{T125}					15.10
1.12	Multi-Family Dwelling (31-100 bedrooms)		L ^{T200}					15.10
1.13	Multi-Family Dwelling (> 100 bedrooms)		L ^{T300}					15.10
1.14	Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)				L ^{T75}	L		15.11
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)					L ^{T125}		15.11
1.16	Multi-Family Dwelling in Mixed Use (> 100 bedrooms)					L ^{T200}		15.11
2.0 Group Living								

Use #	Specific Use	Zoning Districts						Referen
		R2	R3	OI	B2	B3	WD	
2.01	Family Care Home	L	L					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	L		L		15.14
2.06	Nursing Care Institution			L ^{T125}		L ^{T125}		15.14
2.07	Skilled Nursing Facility			L ^{T300}		L ^{T300}		15.14
2.08	Retirement Community, Category 1	L	L	L				15.15
2.09	Retirement Community, Category 2		L ^{T200}	L ^{T125}				15.15
2.10	Residence Hall, Category 1	L	L	L		L		15.15
2.11	Residence Hall, Category 2		L ^{T200}	L ^{T200}		L ^{T200}		15.15
2.12	Residence Hall, Category 3			L ^{T300}		L ^{T300}		15.15
2.13	Fraternity or Sorority Dwelling		S ^{T300}					15.16
2.14	Boarding House		L			L		15.17
3.0 Transient Living								
3.01	Home for Survivors of Domestic Violence	L		L	L			15.18
3.02	Shelter for Homeless, Category 1		L ^{T50}	L ^{T50}		L ^{T50}		15.19
3.03	Shelter for Homeless, Category 2		L ^{T300}	L ^{T300}		L ^{T300}		15.19
3.04	Bed and Breakfast, Category 1	L ^{T50}			L			15.20
3.05	Bed and Breakfast, Category 2	L				L ^{T125}		15.20
3.06	Vacation Rental		L ^{T75}		L ^{T75}	L ^{T75}		15.21
3.07	Motel					P ^{T300}		
3.08	Hotel					P ^{T200}	P	
4.0 Institutional Uses								
4.01	Airport/Landing Strip							15.22
4.02	Heliport							15.22
4.03	Funeral Home Establishment			P	P	P		
4.04	Cemetery	P	P	P	P	P		
4.05	Post Office			P	P	P	P	
4.06	Post Office, Distribution							
4.07	Animal Sanctuary							
5.0 Government Uses								
5.01	Government Cultural Facility			P		P		
5.02	Government Neighborhood Cultural Facility, Indoor Activity Only	S	P	P	P	P		
5.03	Government Neighborhood Cultural Facility, Includes Outdoor Activity			P		P		
5.04	Recreation Facility, Category 1		P	P	P	P		
5.05	Recreation Facility, Category 2	P	P	P	P	P		
5.06	Recreation Facility, Category 3	S	S	P ^{T50}	P ^{T50}	P ^{T50}		
5.07	Event Venue, Category 1			P	P	P		
5.08	Event Venue, Category 2			P	P	P		
5.09	Event Venue, Category 3			P ^{T50}	P ^{T50}	P ^{T50}		
5.10	Landfill							
5.11	Solid Waste Processing							
5.12	Police Substation	P	P	P	P	P	P	
5.13	Utility Facility, Town	L	L	L	L	L		15.23
5.14	Utility Facility, Government, Neighborhood	L	L	L	L	L		15.23

Use #	Specific Use	Zoning Districts						Referen
		R2	R3	OI	B2	B3	WD	
5.15	Utility Facility, Government, Regional			L ^{T300}		L ^{T300}		15.23
5.16	Government Facility		P	P	P	P		
6.0 Non-Government Utility Facility								
6.01	Utility Facility, Neighborhood	L	L	L	L	L		15.23
6.02	Utility Facility, Regional			L ^{T300}		L ^{T300}		15.23
7.0 Telecommunications								
7.01	Antenna Collocation on Existing Wireless Support Structure not requiring additional accessory equipment	P	P	P	P	P		
7.02	Antenna Collocation on Existing Wireless Support Structure requiring additional accessory equipment	L	L	L	L	L		15.24
7.03	Building Mounted Antenna not requiring additional accessory equipment	L	L	L	L	L		15.24
7.04	Building Mounted Antenna requiring additional accessory equipment			L	L	L		15.24
7.05	Antenna Collocation on Electrical Transmission Towers		L					15.24
7.06	Other Antenna			L	L	L		15.24
7.07	Wireless Support Structure which meets district height requirements	S	L	L	L	L		15.24
7.08	Stealth Wireless Facility which exceeds district height requirements	S	S	L	L	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	P	P	P	P	
8.0 Assembly								
8.01	Religious Assembly, Category 1	P	P	P	P	P	P	
8.02	Religious Assembly, Category 2	p ^{T125}	p ^{T125}	p ^{T75}		P		
8.03	Religious Assembly, Category 3					p ^{T200}		
8.04	Club/Lodge, Category 1					p ^{T75}		
8.05	Club/Lodge Which Does Not Serve Alcohol					P		
9.0 Education								
9.01	Appalachian State University						P (no residential uses allowed)	
9.02	Caldwell Community College and Technical Institute			p ^{T75}			P (no residential uses allowed)	
9.03	Other Public Colleges and Universities			p ^{T75}			P (no residential uses allowed)	
9.04	Private Colleges and Universities			p ^{T300}		p ^{T300}	P (no residential uses allowed)	
9.05	Trade School			p ^{T200}		p ^{T200}		
9.06	High School			p ^{T300}				
9.07	Elementary School			p ^{T125}				

Use #	Specific Use	Zoning Districts						Referen
		R2	R3	OI	B2	B3	WD	
9.08	Boarding School			p ^{T300}		p ^{T300}		
9.09	All other Educational Facilities			CD				
10.0 Daycare								
10.01	Child Daycare, Large		L		L	L	P	15.25
10.02	Child Daycare Center			L		L	P	15.25
10.03	Adult Daycare, Large		L		L	L		15.25
10.04	Adult Daycare Center			L		L	P	15.25
10.05	All Other Daycare			CD				
11.0 General Sales and Service								
11.01	Kennel					L ^{T125}		15.26
11.02	Veterinary Office/Hospital with Outdoor Kennels			L ^{T125}		L ^{T125}		15.26
11.03	Veterinary Office/Hospital without Outdoor Kennels			P	P	P		
11.04	Financial Institution ≤ 5,000 ft ²			P	P	P	P	
11.05	Financial Institution > 5,000 ft ²			P		P	P	
11.06	Restaurant ≤ 2,500 ft ² open to the public during 10 pm – 6 am			p ^{T75}	p ^{T75}	p ^{T75}	P	
11.07	Other Restaurants ≤ 2,500 ft ²			P	P	P	P	
11.08	Restaurant > 2,500 ft ² open to the public during 10 pm – 6 am			p ^{T200}		p ^{T200}	P	
11.09	Other Restaurants > 2,500 ft ²			p ^{T125}		p ^{T125}	P	
11.10	Bar							
11.11	ABC Store					P		
11.12	Personal Service Establishment open to the public during 10 pm – 6 am			p ^{T75}		p ^{T75}		
11.13	Other Personal Service Establishments			P	P	P	P	
11.14	Retail Store up to 5,000 ft ²			P	P	P	P	
11.15	Retail Store more than 5,000 but less than 25,000 ft ²				p ^{T200}	p ^{T200}	P	
11.16	Retail Store 25,000 ft ² and greater					L ^{T300}	P	15.27
11.17	Shopping Center/Mall			S ^{T300}	S ^{T125}	S ^{T300}		15.28
11.18	Business or Professional Office open to the public during 10 pm–6 am			p ^{T75}		p ^{T75}	P	
11.19	Other Business or Professional Office			P	P	P	P	
11.20	Medical Office, Category 1			p ^{T300}		p ^{T300}	P	
11.21	Medical Office, Category 2			p ^{T125}		p ^{T125}	P	
11.22	Medical Office, Category 3			p ^{T125}		p ^{T125}	P	
11.23	Medical Office, Category 4			P	P	P	P	
11.24	Hospital			p ^{T300}			P	
11.25	Medical Emergency Response			p ^{T300}		p ^{T300}	P	
11.26	Open Air Market, Recurring			L ^{T50}		L ^{T75}		15.29
11.27	Vehicle Sales and Service				L ^{T125}	L ^{T75}		15.30
11.28	Equipment Sales and Service					L ^{T125}		15.31
11.29	Moped Sales and Service				P	P		
11.30	Boat or Marine Craft Sales and Service					L ^{T75}		15.32
11.31	Impound Lot/Towing Service					L ^{T125}		15.33
11.32	Gas Station				p ^{T125}	p ^{T125}		
11.33	Car Wash				p ^{T125}	p ^{T125}		

Use #	Specific Use	Zoning Districts						Referen
		R2	R3	OI	B2	B3	WD	
11.34	Seasonal Retail Activities and Amusements			P	P	P		
11.35	Therapy Farm						P	
12.0 Recreation and Entertainment Uses								
12.01	Indoor Shooting Range					L ^{T75}		15.34
12.02	Outdoor Shooting Range							
12.03	Indoor Theater					P		
12.04	Outdoor Theater					p ^{T125}		
12.05	Event Venue, Category 1				p ^{T75}	P		
12.06	Event Venue, Category 2				p ^{T125}	p ^{T125}		
12.07	Event Venue, Category 3					p ^{T200}		
12.08	Campground and Recreational Vehicle Park					L ^{T200}		15.35
12.09	Coliseum					S ^{T300}		
12.10	Recreation Facility, Category 1			P	P	P	P	
12.11	Recreation Facility, Category 2			p ^{T50}		p ^{T50}		
12.12	Recreation Facility, Category 3					p ^{T200}		
12.13	Racetrack							
13.0 Agriculture								
13.01	Garden, Community	L	L	L	L	L		15.36
13.02	Garden, Residential	L	L	L	L	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	L	L	L	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		L		15.46
15.02	Parking Structure			L		L	P	15.47
15.03	Park and Ride Lots			L		L		15.46
16.0 Storage								
16.01	Mini-Storage					L ^{T75}		15.48
16.02	Outdoor Storage							15.49
16.03	Warehouse							
16.04	Fuel Storage Facility					p ^{T300}		
16.05	Chemical Storage Facility							
17.0 Transportation								

Use #	Specific Use	Zoning Districts						Referen
		R2	R3	OI	B2	B3	WD	
17.01	Passenger Terminals					p ^{T200}		
17.02	Trucking or freight terminal ≤ 10,000 ft ²					p ^{T125}		
17.03	Trucking or freight terminal > 10,000 ft ²							
18.0 Waste Related Uses								
18.01	Recycling Drop-off Station							15.49
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					S		15.50
19.02	Adult Establishments					S		15.51

15.07.01 Table of Accessory Uses

Use #	Accessory Uses	Zoning Districts						Referen
		R2	R3	OI	B2	B3	WD	
A-1	Secondary Suite	L	L	L	L	L		15.52
A-2	Home Occupation	L	L	L	L	L	L	15.53
A-3	Accessory Dwelling Unit	L	L	L	L	L		15.54
A-4	Drive-Through			L		L	L Limited Non- Restaurant Drive Through	15.55
A-5	Outdoor Display			L	L	L		15.56
A-6	Outdoor Storage					L		15.57
A-7	Outdoor Dining			L	L	L	L	15.58
A-8	Automated Teller Machine (ATM)			P	P	P	P	
A-9	Automated Teller Machine (ATM), Freestanding		L	L	L	L	L	15.59
A-10	Produce Stand							15.60
A-11	Poultry	L	L	L	L	L		15.61
A-12	Livestock, Small	L	L	L		L		15.62
A-13	Livestock, Large							15.63
A-14	Bees	L	L	L	L	L		15.64
A-15	Garden, Residential	L	L	L	L	L		15.65
A-16	Satellite receiving antennas less than 1 meter in diameter	P	P	P	P	P		
A-17	Satellite receiving antennas less than 2 meters in diameter			P	P	P		
A-18	Satellite receiving antennas 2 meters and greater in diameter			S		S		
A-19	Helistop			S ^{T300}		S ^{T300}	L	
A-20	Swimming pools, spas, and hot tubs	L	L	L	L	L	L	15.66
A-21	Caretaker's residence			L		L		15.67
A-22	Vehicular Gate	L	L	L	L	L		15.68
A-23	Vehicle Washing Station		P	P	P	P		
A-24	Chemical Storage Facility					p ^{T125}		
A-25	Open Air Market, Accessory	L	L	L	L	L		15.29
A-26	Daycare, Small	P	P	P	P	P		

15.07.03 Table of Temporary Uses

Use #	Temporary Uses	Zoning Districts						Referen
		R2	R3	OI	B2	B3	WD	
T-1	Temporary Care Provider Dwelling	L	L	L	L	L		15.69
T-2	Temporary Construction or Repair Dwelling	L	L	L	L	L		15.69
T-3	Temporary Construction Trailer	L	L	L	L	L	L	15.69
T-4	Temporary Mobile Medical Unit					L	L	15.69
T-5	Temporary Classroom			L		L	L	15.69
T-6	Temporary Portable Storage Containers			L				15.69
T-7	Temporary Staging			L		L		15.69
T-8	Temporary Non-Fixed Site Event Venue			L		L	L	15.69
T-9	Carrier on Wheels (COW)	L	L	L	L	L	L	15.69
T-10	Yard Sales	L	L	L	L	L		15.69
T-11	Itinerant Merchant/Peddler	L	L	L	L	L	L	15.69
T-12	Open Air Market, Temporary			L	L	L		15.29

Intensity/Density Regulations: The WD Wellness District measures density differently (more form-based) than the traditional zoning districts. 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
R2	6,000 ft ²	70 ft.	56 ft.	.283	.74	.48	.042	-	20'	13'
R3	5,000 ft ²	80 ft.	64 ft.	.480	.72	.40	.062	-	20'	13'
OI	10,000 ft ²	100 ft	80 ft	.340	.71	.27	.032	-	20'	17'
B2	5,000 ft ²	50 ft.	40 ft.	.264	.76	.27	.049	-	20'	17'
B3	5,000 ft ²	50 ft.	40 ft.	.429	.71	.27	.062	-	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

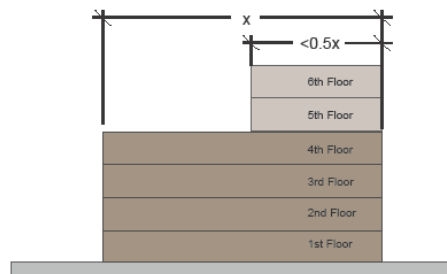
Zone	Height Limitation (Feet)
R2	35
R3	50 (primary) – 90 (secondary)
OI	67
B2	35 (primary) – 40 (secondary)
B3	44 (primary) – 67 (secondary)
WD	Min. height: 2 stories – Max. height: 6 stories*

*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,

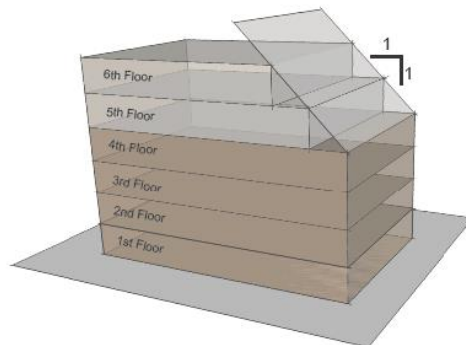
Building Scale Over 4 Stories



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



Landscape Standards:

R2, R3, OI, B2, B3: 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:

R2, R3, OI, B2, B3: 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:

R2, R3, OI, B2, B3: Must meet the requirements of UDO Article 26 Signs.

WD: Must meet the requirements of UDO Article 17, Section 17.09 Signs.

Sidewalks:

R2, R3, OI, B2, B3: 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****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



The 2030 Land Use Plan works together with the Town's Comprehensive Plan and other plans and programs to provide for the Town's long range growth. The Land Use Plan is a three-dimensional framework for the comprehensive plan and serves as the basis for all the facility and service needs of the Town. The Land Use Plan serves as the guiding vision and policy basis for determining the appropriateness of any development or redevelopment that is proposed for the Town's planning jurisdiction.

This area is located within the multiple sectors including the long range Daniel Boone Parkway alignment.

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 & greenway
- Wetlands & streams
- 25 foot stream buffer –standard
- 30 foot stream buffer – watershed area
- 35 foot stream buffer – steep slopes
- Federal or state lands
- Conservation easements
- cemeteries

Appropriate Land Uses/Development Types:

- conservation areas
- parks & greenways
- limited agricultural/forestry uses
- water access areas
- limited civic uses such as schools

The **O-2 sector** 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
- High landslide hazard zones

The **G-1 sector** 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 Land Uses/Development Types include:

- Low density cluster developments
- low density single family residential development
- Limited convenience retail;
- civic uses such as parks, government or religious

Sector G-3, 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.

Appropriate Land Uses/Development Types:

- single-family and multifamily residential
- neighborhood-serving commercial uses
- civic uses
- traditional neighborhood developments
- neighborhood centers
- regional centers
- industrial districts

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.

Wellness District Small Area Plan

This area 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."

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 November 4, 2016.

Marlene Crosby, Administrative Support Specialist

Certification of Posting

I, Brian Johnson, 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 November 4, 2016.

Brian Johnson, Urban Design Specialist

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:

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 Modifications- 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.

Jane Shook, Planning Supervisor**Applicant¹ (Print)****Applicant Signature**

November 2016

Date**NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

Wellness District Modification– UDO Text Amendment

Permit Number:

20160737

Project Name/Number:

NA

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
November 2016	NA	NA	NA	NA

S:\FORMS\Forms_2015\ZoningPermitApplication_052015.doc

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 Modification- UDO Text Amendment

Permit Name/Number:

20160737

A. TEXT INFORMATION

Amendment is to:

Article(s): Article 17 Wellness District Standards; Article 34 Definitions

Section(s): See Staff Report

Brief Description of Amendment (Attach Proposed Text):

Modification of regulation related to UDO Article Wellness District Standards

Reason for Change:

Modifications as discussed at the September 19, 2016 Wellness District Workshop

Official Use Only

Public Hearing Meeting Date: November 28, 2016

PC Meeting Date: November 28, 2016

TC Meeting Date: December 15, 2016

Text Approved: ☐ Yes ☐ No

Date UDO Updated: _____

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**STAFF REPORT
NOVEMBER 28, 2016**

CASE 20160737 WELLNESS DISTRICT MODIFICATIONS- UDO TEXT AMENDMENT

Request

Council directed Staff to revise the Wellness District Standards as they were presented at the October 2016 Wellness District Workshop and send the text and associated zoning map amendment to the November Public Hearing. Wellness District 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.

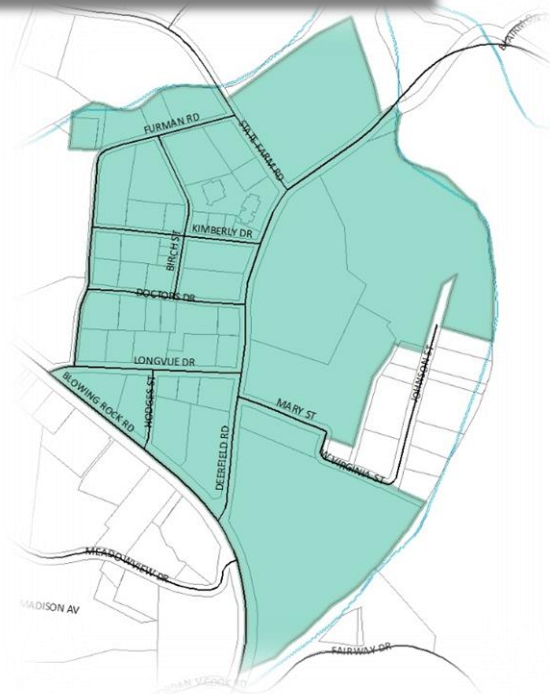
WELLNESS DISTRICT STANDARDS

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 acre shall provide for a mix ~~of~~ of two or more (2+) principal uses.
- 17.02.03** The permitted uses allowed by right 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

<u>Use #</u>	<u>Specific Use</u>	<u>Reference</u>
<u>1.0 Household Living</u>		
<u>1.14</u>	<u>Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)</u>	<u>17.02.04</u>
<u>1.15</u>	<u>Multi-Family Dwelling in Mixed Use (31-100 bedrooms)</u>	
<u>1.16</u>	<u>Multi-Family Dwelling in Mixed Use (>100 bedrooms)</u>	
<u>2.0 Group Living</u>		
<u>2.05</u>	<u>Nursing Care Home</u>	<u>15.13</u>
<u>2.06</u>	<u>Nursing Care Institution</u>	<u>15.15</u>
<u>2.07</u>	<u>Skilled Nursing Facility</u>	<u>15.14</u>
<u>2.09</u>	<u>Retirement Community, Category 2</u>	<u>15.15</u>

<u>Use #</u>	<u>Specific Use</u>	<u>Reference</u>
3.0 Transient Living		
<u>3.07</u>	<u>Hotel</u>	
4.0 Institutional Uses		
<u>4.05</u>	<u>Post Office</u>	
5.0 Government Uses		
<u>5.12</u>	<u>Police Substation</u>	
7.0 Telecommunication		
<u>7.11</u>	<u>Emergency Response Communications</u>	

Use #	Specific Use	Reference
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	
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	15.47

A.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

B.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	
T-8	Temporary Non-Fixed Site Event Venue	
T-9	Temporary Carrier on Wheels (COW)	
T-11	Temporary Itinerant Merchant/Peddler	

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.

17.03.02 **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~~ amenity zone or pedestrian zone whichever is the most restrictive.
2. If the required public ~~walkway~~ sidewalk or similar public pathway encroaches onto private property, the build-to-~~zone~~ line will be measured from the walkway edge.
3. Interior setbacks shall be based on minimum fire separation required between buildings.

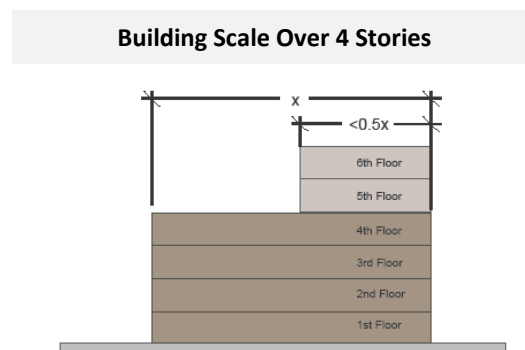
- B.** ~~Buildings along the public rights-of-way shall be a minimum of 60% of the primary property frontage.~~ The length of the side of the building containing the primary façade shall be a minimum of 60% of the street frontage of the property the building is located on.

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-p~~ Penthouses for elevators, mechanical equipment or stairs ~~or~~ and 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:

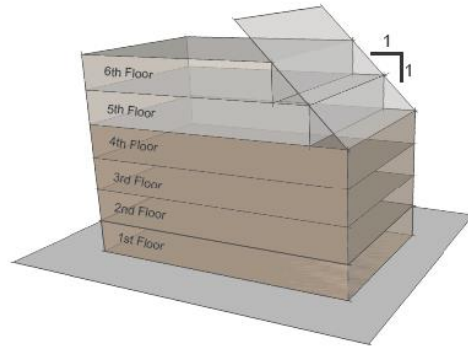
- A.** Building planes extending above four (4) stories shall be less than 50% of the total building facade along the street,



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 shall 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).
 - a. For primary building facades, a minimum of thirty-five percent (35%) of the building finish material must be stone or brick which must be utilized in a horizontal and vertical manner.
 - ~~a.b.~~ For secondary facades, a minimum of twenty-five percent (25%) of the building finish material must be stone or brick which must be utilized in a horizontal and vertical manner.
- 1.2. Wood: Wood as a building finish material is limited to twenty percent (20%) of the total façade except that timber-frame porches, balconies, breezeways, pergolas, deep eaves, eyebrows, corbels, trellis and other similar features are exempt from this calculation ~~are encouraged to be made of wood with a natural finish which generally should not exceed 10% of the major any façade.~~
- 2.3. 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 facade.
4. ~~The use of clear or lightly tinted colored glass (30% maximum tint) is required.~~ Tinted glass for windows and doors is allowed as follows:
 - a. Tinted glass on the primary façade shall be limited to no more than 30% tint.
 - b. Tinted glass on other facades is not restricted except that spandrel (opaque)

glass is limited as described in Subsection 17.05.01(C)(4)(c) below.

~~a.c. Spandrel (opaque) glass is permissible only to hide the structural features between the floors of a building.~~

~~3.5.~~ Large uninterrupted expanses of a single material are prohibited.

~~4. Spandrel glass is permissible only to hide the structural features between the floors of a building.~~

~~5.6.~~ 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 shall 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 (not listed in 17.05.01(D)(1) above) shall be subtle and neutral and shall be compatible with the field 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 as regulated in 17.05.01(D)(2) and (3) 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 Preview Series 2049-10 through 2174-70 <u>Designer Classics Series.</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~~ facades located along public streets and other public spaces, ~~60-90%~~ 40-90% of all wall areas ~~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~~ transparent glazing (windows).
- a. Glazing as regulated above is required to be at least two feet (2') above final finished grade and percentage calculations shall stop at twelve feet (12') in height.
- ~~1.2.~~ 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 and restaurant 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 and restaurant 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~~ pedestrian entries along the façade fronting these amenities.
6. ~~All~~ 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.
 - a. 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~~primary facade and screened if located on the ~~side of a building~~secondary facade.
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.
 - a. Additional landscape plantings compatible with the overall landscape plan ~~shall~~ may be required outside of the structure to soften the appearance from public view.
- ~~6.7.~~ All rooftop mechanical equipment should be screened from view from adjacent properties and adjacent right-of-way by use of parapet walls ~~or screens~~ architecturally compatible and predominantly of the same material as the building ~~designed to be compatible with the building architecture~~.
- ~~7.8.~~ Elevator ~~and stair~~ 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~~minimizes 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~~ Streetscape Standards

- A. A ~~street yard~~streetscape consists of a minimum seven and a half foot (7.5') landscaped area parallel to the public ~~right of way, typically between the sidewalk and the development~~street, designed to provide continuity of vegetation along the public realm and soften the impact of the development by providing a pleasing view ~~form~~from the street.
- B. The ~~street yard~~streetscape 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~~streetscape shall be turf and must be sodded. Turf shall be located on the street side of the ~~front street yard~~streetscape.
 4. Seasonal color is encouraged in the ~~front street yard~~streetscape 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~~streetscape is required for every development.
- ~~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.D. The following trees are required based upon location:

Street Tree Planting Schedule		
Street Tree	Species	District Street
'Allee' Lacebark Elm	<i>Ulmus parvifolia 'Allee'</i>	Deerfield Road
'Hightower' Willow Oak	<i>Quercus phellos 'QPSTA'</i>	State Farm Road/Longvue Road
Bald Cypress	<i>Taxodium distichum</i>	Furman Road
'October Glory' Red Maple	<i>Acer rubrum 'October Glory'</i>	Doctors Drive/Kimberly Drive
'Panache' Shumard Oak	<i>Quercus shumardii 'QSFTC'</i>	Birch Street
Alternate Compliance Ornamental Trees		
<i>(for use only with existing overhead power lines as main street tree with approval from Urban Design Specialist)</i>		
Street Tree	Species	
'Forest Pansy' Redbud	<i>Cercis Canadensis 'Forest Pansy'</i>	
'Kwanzan Cherry	<i>Prunus serrulata 'Kwanzan'</i>	
Kousa Dogwood	<i>Cornus kousa</i>	

17.06.04 Interior Landscaped Areas

A. Landscaped areas other than ~~street yards~~streetscapes, must meet the following standards must be met:

1. Areas must be a minimum of eight feet (8) in width.
2. A minimum of five (5) ~~Large d~~Deciduous ~~T~~rees 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 two (2) ~~S~~small ~~D~~deciduous/oOrnamental ~~T~~rees 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 eight (8) ~~L~~large ~~E~~evergreen ~~T~~rees per one-hundred feet (100') of linear buffer length.
5. A minimum of twelve (12) ~~S~~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~~foot (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' x 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.

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 that 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.

Streets, Driveways, Sidewalks and Greenways

17.08.01 Except as provided herein, streets, driveways and sidewalks shall meet the standards set forth in Article 23.

17.08.02 Driveways

- A. Site access drives shall be consolidated and located across from intersections with other streets and driveways for the safety of motorists and pedestrians.
- 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.
- 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.

17.08.03 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.

17.08.04 Greenways

- A. Applicants are required to provide a greenway in the locations as set forth in the b.Well Section Plan of the Middle Fork Greenway Master Plan.
- B. Greenway construction shall follow the design requirements as set forth in Appendix A of the Town of Boone Pedestrian and Bicycle Plan.

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 for each development, 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.
- 17.09.07** 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.
- 17.09.08** 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.
- 17.09.09** **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.

17.09.10 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.

17.09.11 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.

17.09.12 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.

Lighting

17.10.01 All light fixtures, including wall packs, shall be Dark-Sky Compliant LED full cut-off (FCO) fixtures to reduce energy usage, light pollution and prevent glare for pedestrians, motorists, tenants and adjacent properties.

17.10.02 Lighting shall be designed and located so the maximum illumination measured shall not exceed one half (.5) foot-candle at the property line and two (2.0) foot-candles measured at the right- of-way line of a street.

17.10.03 A lighting photometric plan with point-by-point foot-candle array measured horizontally at grade and a description/cut sheet of proposed fixtures, lamps, reflectors and poles shall be submitted for all site lighting permits. The plan shall provide for uniform site lighting to avoid hot spots and/ or unsafe low light levels.

17.10.04 Light fixtures within parking areas shall be twenty-five (25) feet maximum height.

17.10.05 Pedestrian light fixtures shall be located along pedestrian walks and within thirty (30) feet of a building with a maximum height of eighteen (18) feet.

17.10.06 Light fixtures and poles shall have a black finish.

17.10.06 Lighting under vehicular canopies shall be less than ten (10) foot- candles and designed to prevent off-site glare.

17.10.07 Service connections for all site lighting fixtures shall be installed underground.

17.10.08 Cobra-head type fixtures, flickering, rotating, flashing, strobing or search lights and wood poles are prohibited.

17.10.09 Exemptions: Lighting of the United States of America or State of North Carolina flags, public monuments, architectural accent features, landscaping, art and holiday lightings may be directed upward, provided the fixture is located, aimed or shielded to prevent glare and minimize light spill into the night sky.

17.10.10 Other lighting standards within Subsection 25.05.03 not modified herein still remain in effect.

Definitions:

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.

Amenity Zone

An area parallel to a public street which includes but is not limited to: pedestrian lights, street furnishings, landscape materials, bus shelters and similar items.

Pedestrian Zone

An area parallel to the public street which contains public sidewalks or similar public pathways.

CONFORMITY TO ADOPTED PLANS**COMPREHENSIVE PLAN UPDATE**

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15): The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMPREHENSIVE PLAN POLICIES

2.1 THE ECONOMY

2.1.1 Economic Development

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

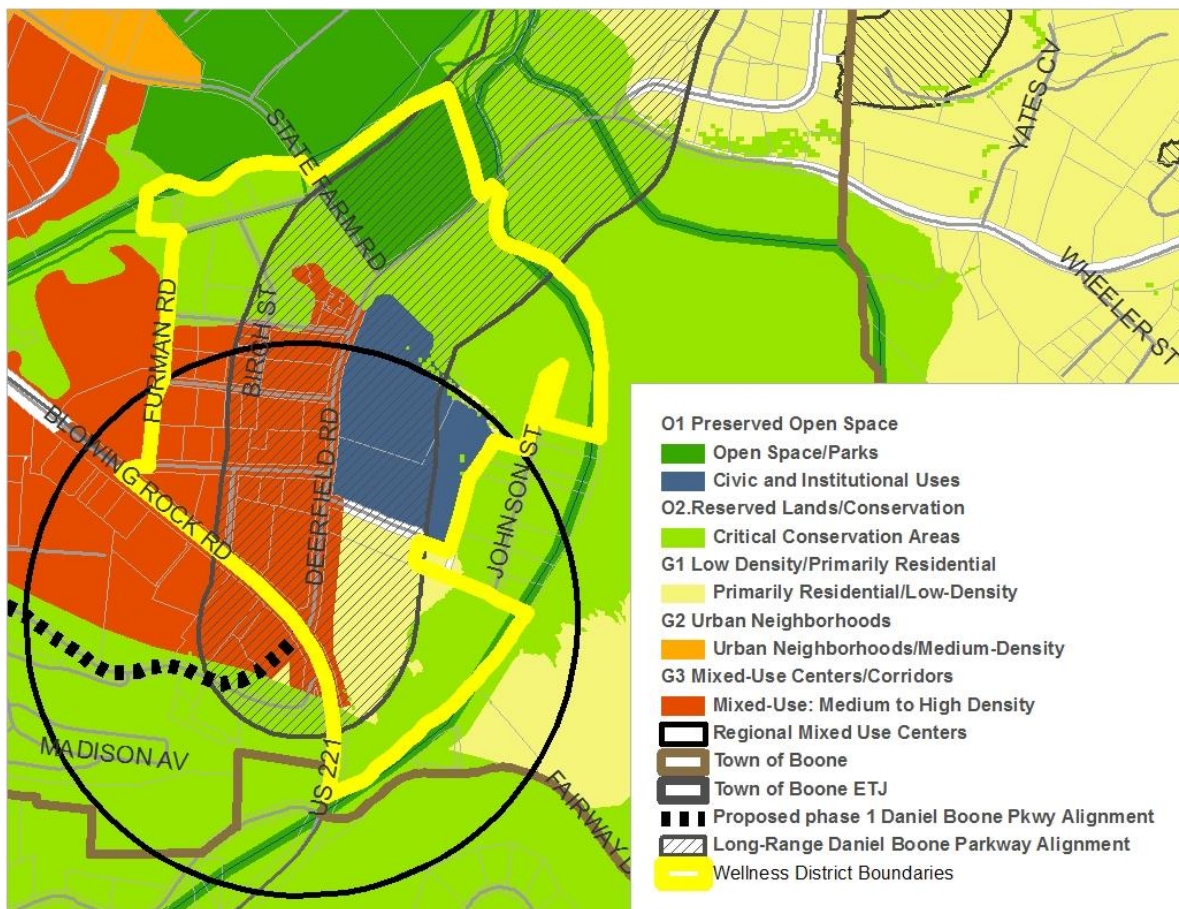
- E. Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent 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

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

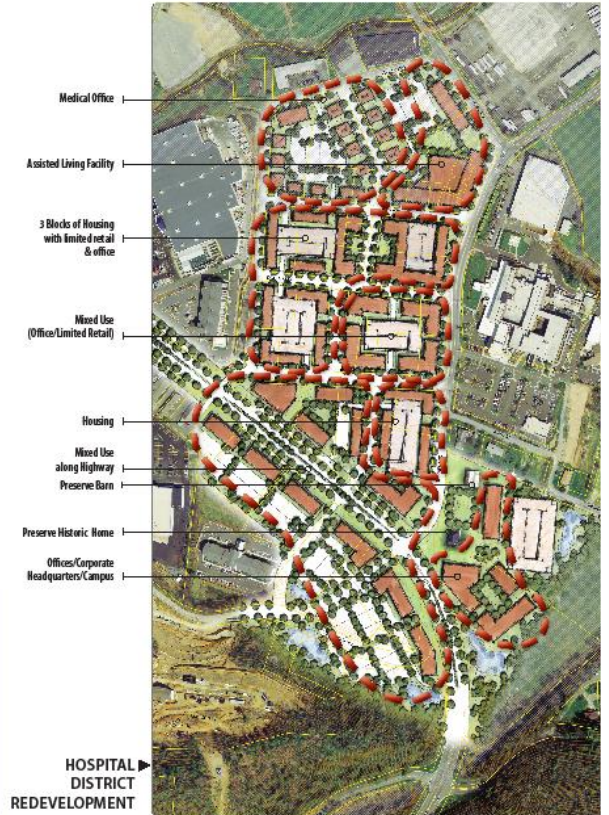
Create a cohesive mixed use district with an emphasis on medical facilities and related uses. The goal for this area is to create a balance of uses that create an environment that is both functional and inviting to residents, visitors, patients, staff, as well as offices, services, and facilities that 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:

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: NCD Modifications- 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.

Jane Shook, Planning Supervisor**Applicant¹ (Print)****Applicant Signature****11/2/2016****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

NCD Modifications – UDO Text Amendment

Permit Number:

20160742

Project Name/Number:

NA

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

NCD Modifications- UDO Text Amendment

Permit Name/Number:

20160742

A. TEXT INFORMATION

Amendment is to:

Article(s): Article 14 Zoning Districts

Section(s): Section 14.09 Neighborhood Conservation Districts

Brief Description of Amendment (Attach Proposed Text):

See Reason for change below.

Reason for Change:

Request to amend Section 14.09 to change how NCD's are referenced in the UDO. The purpose of the proposed text change would allow Council to create additional NCD's without amending the UDO.

Official Use Only

Public Hearing Meeting Date: November 28, 2016

PC Meeting Date: November 28, 2016

TC Meeting Date: December 15, 2016

Text Approved: ☐ Yes ☐ No

Date UDO Updated: _____

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Communication: Case 20160742 NCD Modification Application Information (Case 20160742: NCD Modification-UDO Text Amendment)



STAFF REPORT
NOVEMBER 28, 2016
CASE 20160742 NCD MODIFICATIONS- UDO TEXT AMENDMENT

Request

Request to amend Section 14.09 to change how Neighborhood Conservations Districts are referenced in the UDO. The purpose of the proposed text change would allow Council to create additional NCD's without amending the UDO each time a zoning map amendment occurred.

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.

Section 14.09 Neighborhood Conservation Districts

14.09.01 Neighborhood Conservation Districts are established as overlay districts to stabilize and maintain a suitable low-density living environment for family life.

14.09.02 Neighborhood Conservation Districts shall be depicted on the Town's Zoning Map, which will be posted at the Town's Planning and Inspections Department and on the Town of Boone's website.

~~The following Neighborhood Conservation Districts are hereby established:~~

~~**A. Blanwood Drive:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Oak Street, Windy Drive, Horn in the West Drive and Skyview Drive.~~

~~**B. Forrest Hills Drive:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map.~~

~~**C. Grand Boulevard:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Grand Boulevard, Orchard Street and Iris Lane.~~

~~**D. Grandview Heights:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of West Grandview Heights, Russell Drive and Poplar Grove Road.~~

~~**E. Stadium Drive:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Hemlock Drive, Ferncliff Road, Tanglewood, Hawthorne Lane, Hope Drive, and Spring Street.~~

~~**F. Queen Street:** The limits of the district are depicted on the Neighborhood Conservation District overlay zoning map and include all or portions of Queen Street, Gladys Street and Charles Street.~~

14.09.03 The requirements of all rental property within Neighborhood Conservation Districts shall be as follows:

- A. All tenants of rental property must complete and file a Residential Parking Registration Form with the Administrator. Tenants must provide personal identification, vehicle registration, and proof of residency within a designated Neighborhood Conservation District.
- B. Tenants meeting eligibility requirements will be issued parking stickers for their vehicle(s) for the appropriate neighborhood district which must be permanently attached to eligible vehicles. Annual renewal and nominal fees are required.
- C. No more than two unrelated persons per dwelling unit will be issued parking stickers.
- D. Owners of rental property residing more than fifty (50) miles from Boone must designate in writing a local managing agent residing within Watauga County that will be responsible for all matters concerning occupancy of such rental property, and must provide the Administrator with the agent's name, address and telephone number.
- E. Owners or local managing agents of rental property must notify tenants of applicable Neighborhood Conservation District requirements.

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMPREHENSIVE PLAN POLICIES

2.1 THE ECONOMY

2.1.1 Economic Development

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

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 ☐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 ☐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 ☐deny the proposed amendment to the Town's zoning ordinance and believe ☐ approval ☐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, North Carolina 28607
Phone Number: 828-268-6200 Email Address: _____
Property Owner: _____ Company: _____
Address: _____
Phone Number: _____ Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): _____
Address/Location: _____
Project Name: Intensity and Use Modifications

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 Use *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

At the November 15, 2016 mid-year Planning Retreat, Council directed modifications to the UDO in regards to Use and Intensity.

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:**

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

Architect:

Name: NA 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.

Town of Boone**Applicant¹ (Print)****Jane Shook****Applicant Signature****11/16/2016****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

Intensity and Use Modifications-UDO Text Amendment

Permit Number:

20160751

Project Name/Number:

Date:

November 16, 2016

Fee:

NA

Receipt Number:

NA

Method of Payment:

NA

Paid By:

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 Modification- UDO Text Amendment

Permit Name/Number:

20160737

A. TEXT INFORMATION

Amendment is to:

Article(s): Article 15 District Uses; Article 16 District Standards; Article 34 Definitions

Section(s): _____

Brief Description of Amendment (Attach Proposed Text):

Modification of regulations related to use and intensity

Reason for Change:

Official Use Only

Public Hearing Meeting Date: November 28, 2016

PC Meeting Date: November 28, 2016

TC Meeting Date: December 15, 2016

Text Approved: ☐ Yes ☐ No

Date UDO Updated: _____

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Communication: Case 20160751 Application Information (Case 20160751: Modifications to UDO Articles 15 and 16 - UDO Text Amendment)



**STAFF REPORT
PUBLIC HEARING
CASE 20160751 INTENSITY AND USE MODIFICATIONS- UDO TEXT AMENDMENT**

REQUEST

At the November 15, 2016 Planning Retreat, Council directed that modifications to the UDO be made in regards to intensity and use within UDO Article 15 District Uses and UDO Article 16 District Standards. Amendments may also be made to other Articles to conform them to changes made in these Articles.

ANALYSIS

See attached documentation

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

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

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

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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

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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 ☐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 ☐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 ☐deny the proposed amendment to the Town's zoning ordinance and believe ☐approval ☐denial is reasonable and in the public interest because:

MEMORANDUM

To: Planning Commission members

From: Allison M. Meade, Town Attorney

Re: Proposed changes to UDO Article 15

Date: November 18, 2016

Attached please find proposed changes to Article 15 in follow up to Town Council's planning retreat held November 15th. The changes and the intent behind them are described below:

- (1) *Recreation space*: this requirement has been removed from the intensity table in Article 16 (where it had populated the whole table despite applying only to manufactured home parks and multifamily), and placed in the district use-specific standards of Article 15. In addition, a single standard of 5% is established for all uses, whereas previously the requirement had ranged from 3.9% to 6.2%. The 5% standard was proposed by a Planning Commission "Density Subcommittee" in its proposal issued in 2009.
- (2) *Setbacks for multi-use multi-family buildings in the B-3*: This has been changed from a 0' setback to a 20' minimum setback. This reflects the consensus of Council members that the "hulking" effect of large buildings immediately on the sidewalk (*e.g.*, The Standard) is not appropriate for the B-3 district. For essentially the same reason, the prior prohibition on parking in front of such buildings has been deleted. [Note that the current 0' setback provision applies only to multi-use developments involving multi-family; all other uses are subject to the minimum 20' setback. This change simply puts the same requirements on multi-use multifamily as already are applied with other developments in the B-3.]
- (3) *Clarification of what counts as "commercial space" in a multi-use multi-family development*. These changes at 15.11.01(C) are intended to fulfill Council's intent in requiring "real" commercial space in multi-use buildings.

Council would appreciate the Planning Commission providing a recommendation on these proposed changes in time for the Council to act on them at its December 15, 2016 regular meeting.

In addition, Planning staff and I request that the Planning Commission consider taking up the following question and providing a recommendation prior to Council's January meeting, if possible:

In addition to applying the same 20' minimum setback to multifamily multi-use as is applied to other developments in the B-3 district, Council members indicated interest in requiring a 20-foot landscaped street yard for B-3 (and potentially B-2 and O/I) developments. This would require 20' of landscaped space between any street right-of-way and the building/parking areas of the development. Council's interest is in more greenery and a more "buffered" space between the street and buildings. In its proposal issued in 2009, the Planning Commission's Density Subcommittee proposed requiring 20' street yards in the B-2, B-3 and O/I, but also proposed decreasing interior setbacks. (The Subcommittee's

report is attached.) Currently, a 10' to 25' street yard is required in these zoning districts, and almost all developments go with the lowest (10') number. The required interior setbacks are 17'.

However, Planning staff are concerned that a 20' street yard, especially when combined with current interior setback requirements, may result in a great deal of difficulty for development of many parcels.

Accordingly, we ask that the Planning Commission (or a subcommittee) take up this issue and make a recommendation as to how, if at all, Council should consider changing the required street yards and/or interior setbacks applicable in the B-2, B-3 and O/I districts.

DISTRICT USE REQUIREMENTS

Manufactured Home Park

15.09.01 Plan Requirements: In addition to the other plan requirements of the Ordinance, an applicant for a Zoning Permit to establish a manufactured home park must submit a detailed plan which specifies the following:

- A. Name of the manufactured home park (approval required by Fire Marshall)
- B. Location and dimensions of every manufactured home space, including total number of spaces ; and
- C. Location and dimensions of every street (street names required for approval by the Fire Marshall) and vehicle accommodation area; and
- D. Recreation Space; and
- E. Landscape buffers; and
- F. Office location; and
- G. Storage building(s) utilized by the park.

15.09.02 General Requirements for the Manufactured Home Park

- A. There shall be at least one (1) entrance sign identifying the park which meets the requirements of Article 26.
- B. There shall be a designated office which may be a manufactured home.
- C. There shall be a designated space on the grounds for mail service for the residents of manufactured home park.
- D. Storage buildings utilized by the park for materials and equipment must be located a minimum of twenty-five feet (25') from any residential unit within the park and a minimum of twenty-five (25') feet from any property line.
- E. Streets:
 - 1. No individual manufactured home space may have direct vehicular access to a public street.
 - 2. Access to each manufactured home space must be provided by a private street constructed to the standards as set forth in Article 23.
 - 3. All streets in the manufactured home park intersecting another street shall have a stop sign that conforms to the NC Department of Transportation specifications.
 - 4. Each street shall have a permanent street sign installed with an approved (Fire Marshall approval required) designated name identifying each street.

F. Parking:

1. Two (2) off-street parking spaces must be provided within each manufactured home space.
2. Parking spaces shall be constructed to the standards as set forth in Article 24 Parking.
3. Off-street parking areas shall be at least four feet (4') away from any unit.
4. An applicant may utilize on-street parking if the private street within the manufactured home park is designed and constructed to accommodate on-street parking.
5. A combination of off-street and on-street parking is allowed.

G. All manufactured home spaces must be set back at least twenty-five feet (25') from all public right-of-ways and property lines.

H. Landscaping for the manufactured home park shall be provided in accordance with Article 31 Landscape Standards.

I. Recreation space:

1. A minimum of 5% of the parcel shall be provided as recreation space for residents of the park.
2. In general, required recreation space shall have a least dimension of twenty-five feet (25), an average dimension of fifty feet (50'), and a minimum area of 2,500 square feet. Smaller dimensions are acceptable if:
 - a. Less than 2500 square feet of recreation area is required, or
 - b. The recreation area is a suitably improved roof area or enclosed floor area, or
 - c. The anticipated needs of the residents require smaller facilities, such as tot lots or shuffle board courts, or
3. The dedication of a greenway easement may be used to satisfy the requirements for recreational space.
- ~~4. Outdoor recreation area for common use should be located twenty feet (20') or more from any residential windows at the same general level. A recreation area constructed in accordance with Section 16.05 is required in all manufactured home parks.~~
- ~~2.5.~~ 5. Recreation areas shall be maintained in a safe and sanitary manner.

J. Utilities:

1. All utilities must be installed underground in accordance with Article 22.

2. The source of the water supply system shall be the public water system.
 3. The source of the sewer system shall be the public sewer system.
 4. Solid waste and recycling enclosures shall be provided in accordance with Section 22.13.
- K.** The park operator must maintain a register containing a record of all occupants. The register must contain the following information:
1. Name, address, and space number of each occupant; and
 2. The date the manufactured home entered the park.
- L.** Recreational vehicles shall not be used for residential purposes.
- M.** Maintenance:
1. Grounds and buildings of the manufactured home park shall be kept free of debris, trash, and litter to prevent the infestation of rodents, flies, mosquitos, and other pests.
 2. Grounds within the manufactured home park, including manufactured home spaces, shall be maintained to prevent the growth of ragweed, poison ivy, poison oak and other weeds.
 3. Grounds within the manufactured home park shall have proper drainage to prevent the accumulation of water.

* * * *

**1.07 Duplex; 1.08-1.10 Townhouse; 1.11-1.13 Multi-Family Dwelling; 1.14-1.16
Multi-Family Dwelling In Mixed Use (unless specifically excluded)**

- 15.10.01** Applicable standards described in this Section are required for Uses 1.07-1.16 and apply to all of the following:
- A.** New construction, whether such construction constitutes a new development or an expansion of an existing development;
 - B.** Multi-family dwelling units created by a change in use of a portion or all of an existing development to multi-family use; and
 - C.** Renovation or replacement of a portion or all of an existing multi-family development when the costs of renovation or replacement trigger the requirements of Article 7 for compliance with this Ordinance.
- 15.10.02** This Section shall not apply to:
- A.** Multi-family dwelling units in mixed-use building(s) constructed pursuant to and in accordance with the requirements of Section 15.11,

- B.** Multi-family dwelling units in single use buildings within a mixed use project constructed pursuant to an in accordance with the requirements of Section 15.11, if:
1. The development is approved through a Conditional District B-1 General Business, B-2 Neighborhood Business, B3 General Business or PD rezoning process; and
 2. No phasing of construction is proposed or approved unless:
 - a. The commercial portions of the development will be constructed as part of the initial phase; or
 - b. All phases approved prior to the construction of the phase in which the commercial portions of the development are completed, together allow the construction of no more than one-third (1/3) the number of multi-family dwelling units which are approved for the development as a whole; or
 - c. The applicant provides adequate assurances in the form of financial commitments which will guarantee that all commercial portions of the development will be completed within the approved vesting period. For purposes of this alternative, by example only and not by way of exclusion, an irrevocable letter of credit from an appropriate financial institution in favor of the Town in a sufficient amount to cover 125% of the projected costs of construction, said projection sealed by a North Carolina licensed engineer, is considered such a guarantee.

(20150028-11192015)

15.10.03 Each new multi-family development shall meet the following standards:

- A.** A townhouse style design and a mixture of unit configuration and sizes per development shall be encouraged. No one type of dwelling units, as defined by the number of bedrooms, shall comprise more than 50% of the total units.
- B.** Parking shall be limited to a maximum of two (2) spaces per unit and a clearly designated parking area for visitors.
1. The square footage of the parking designated for visitors may not exceed ten percent (10%) of the total parking area. A minimum of twenty-five percent (25%) of units shall have a garage or carport.
 2. If freestanding, garages and carports shall be architecturally integrated with the development and be approved by the Community Appearance Commission. To the greatest extent practicable, parking shall be located behind or underneath proposed building(s).
- C.** The fee-in-lieu provisions contained in Section 23.08.05 shall not apply. All required sidewalks shall be installed.

D. A livability space ratio of .50 must be met for the development. Fifty percent (50%) of the required livability space shall be designated to a defined area exclusively for the use of ground floor units. This space must consist of a common yard with accompanying private outdoor space for each ground level unit, or individual yards contiguous with the unit served. Either configuration must provide direct access from all ground floor units. The remaining livability space shall be designated for the use of the development as a whole as recreation space and shall be located so as to provide for direct auditory, visual, and physical access from the dwelling units served.

E. On-site property management or an owners association shall be required.

F. Recreation space

1. A minimum of 5% of the parcel shall be provided as recreation space for residents.
2. In general, required recreation space shall have a least dimension of twenty-five feet (25), an average dimension of fifty feet (50'), and a minimum area of 2,500 square feet. Smaller dimensions are acceptable if:
 - a. Less than 2500 square feet of recreation area is required, or
 - b. The recreation area is a suitably improved roof area or enclosed floor area, or
 - c. The anticipated needs of the residents require smaller facilities, such as tot lots or shuffle board courts, or
3. The dedication of a greenway easement may be used to satisfy the requirements for recreational space.
4. Outdoor recreation area for common use should be located twenty feet (20') or more from any residential windows at the same general level.
- ~~4.~~5. Recreation areas shall be maintained in a safe and sanitary manner.

15.10.04 Each residential building shall meet the following standards:

A. The maximum building height shall be three (3) stories of occupied space, and in no case shall the building exceed fifty feet (50') in total height including the roof or the maximum in the particular zoning district, whichever is less.

B. Roof Requirements:

1. If a pitched roof is proposed, the pitched roof area may be used as attic or storage space.
2. If a flat roof is proposed, fifty percent (50%) of the roof area must be used as livability space.

C. The front entrance of each unit on the first floor must be at ground level to the greatest extent practicable.

15.10.05 Each dwelling unit shall meet the following standards:

- A.** The bedroom to bathroom ratio of each unit within the development shall be limited as follows:
 - 1. Efficiency unit and one (1) bedroom unit: one (1) bathroom.
 - 2. Two (2) bedroom unit: one (1) or two (2) bathrooms, with no less than one bathroom with common access.
 - 3. Three (3) bedroom unit: Two (2) bathrooms with no less than one (1) bathroom with common access.
 - 4. Four (4) or more bedroom unit: Three (3) bathrooms with no less than two (2) bathrooms with common access from a hall.
- B.** In every unit with two (2) or more bedrooms, a designated master suite must be included and shall be at least twenty-five percent (25%) larger than every other bedroom and not less than 144 square feet excluding closet space.
- C.** Dedicated storage space of at least fifty square feet (50 ft²) per unit must be provided for units without garages. Any storage space which is not within or attached to the building containing the units served by the space must be architecturally integrated with the development and approved by the Community Appearance Commission.
- D.** Occupancy of each unit shall be limited to (2) two unrelated persons.

Multi-Family in Mixed Uses

15.11.01 Multi-family residential uses (Use 1.114, 1.115 and 1.116) are allowed in the B1, B2 and B3 zoning districts when the criteria in this Section are met.

- A.** For purposes of this Section, “commercial” shall include the following issues from Section 15.07 Table of Principal Uses: 3.07 Motel, 3.08 Hotel, 4.03 Funeral Home Establishment, 4.05 Post Office, 5.01 Government Cultural Facility, 5.02-5.03 Government Neighborhood Cultural Facility, 5.04-5.06 Recreation Facility, 5.07-5.09 Event Venue, 5.12 Police Substation, 5.16 Government Facility, 8.0 Assembly, 9.0 Education, 10.02 Child Daycare Center, 10.04 Adult Daycare Center, 10.5 All Other Daycare, 11.0 General Sales and Service, 12.0 Recreation, 14.0 Manufacturing, 16.01 Mini-Storage, 17.0 Transportation, and 19.0 Particular Activities which pose Particular Concerns about Public Health.
- B.** To the extent this Section conflicts with other Articles of this Ordinance, this Section shall control.
- ~~B.~~C.** “Commercial use” and “street level commercial land use” as referred to in this section 15.11 means only space in a building used or to be used for commercial uses unrelated to the residential use of the building or development. By way of clarification and not as a limitation, the following uses may not be counted as “commercial use”: amenities

operated entirely or in the main for residents (including but not limited to swimming pools, gyms, etc.); required recreation space; space used to operate and maintain the residential portion of the development, including leasing, management, and/or maintenance-related office space; and/or common areas of the residential units. Notwithstanding the foregoing, parking spaces in a parking structure may be counted as "street level commercial land use" where the parking is located in the interior of the building and all street frontage consists of non-parking commercial uses (e.g., retail, office, restaurant, etc.)

15.11.02 Multi-family residential uses, either as the result of new construction or conversion, are allowed in the Central Business District (B1) only if the projects in which they are included meet all the following criteria:

- A.** 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.
- B.** 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.
- C.** The entire primary street level floor of the building shall be constructed to commercial standards in accordance with North Carolina Building Code Group A, B, E or M.
- D.** New projects shall be at least two floors above the primary street level.
- E.** Buildings facades shall be oriented to each public street and shall have a primary entrance door facing each abutting public sidewalk.
- F.** 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.
- G.** Surface parking shall be located away from each public street to the extent possible, and if practical, to the rear of the principal building.

- H. Structured parking is permitted to the rear or interior of the building or below the street level floor.
- I. 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.
- J. The minimum building footprint shall be 50% of the total gross square feet of the lot.
- K. 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.

15.11.03 Multi-family residential uses, either as the result of new construction or conversion, are allowed in the Neighborhood Business District (B2) only if the projects in which they are included meet all the following criteria:

- A. Each project shall provide street level commercial land uses (i.e. retail, office, restaurant) of at least 100% of the street-level floor square footage.
- B. Buildings facades shall be oriented to the public street and shall have a primary entrance door facing the public sidewalk.
- C. A minimum of 60% of the street facing street level building facade shall be comprised of transparent, non-reflective windows.

~~D. Surface parking shall be located to the side or most preferably to the rear, and in no case shall parking extend beyond the front building line.~~

~~E.~~D. Structured parking is permitted but shall be located to the rear or below street level commercial uses.

~~F.~~E. Building facades may be no further than 0'-0" from the street right-of-way line, except where necessary to preserve existing significant or historic trees, which shall be preserved, if practical, or to provide landscaped courtyards, landscaped greenspace, plazas, pocket parks, other pedestrian oriented amenities, in which case the maximum setback shall not exceed 20' or when there would be interference with public utilities.

~~G.~~F. Interior setbacks for all mixed use buildings shall be 10'-0" except where abutting a residential zoning district in which case the interior setback shall equal the required interior setback in the abutting residential district.

~~H.~~G. Pedestrian weather protection such as awnings or canopies are encouraged along the public street provided they do not encroach into the roadway, but if they invade the space above a Town sidewalk, may be placed only in accordance with an encroachment agreement authorized by the Town Council. Such awnings or canopies

count toward the recreation space requirements found in Section 16.05 of this Ordinance.

~~H.~~ H. All development shall comply with the landscape standards set forth in Article 31 except that Type “A” interior landscape buffers may be provided regardless of adjacent land use classifications.

15.11.04 Multi-family residential uses, either as the result of new construction or conversion, are allowed in the General Business District (B3) only if the projects in which they are included meet the following:

A. Multi-family uses wholly or partially on property zoned B3 General Business within the Corridor Districts.

1. Mixed Use Building(s):

- a. Each building shall fully consist of street level commercial uses (i.e. retail, office, and restaurant).
- b. A minimum of 60% of the street level building façade facing the Corridor shall be comprised of transparent, non-reflective windows.
- c. ~~Surface parking shall be located to the side or most preferably to the rear, and in no case shall parking extend beyond the front building line.~~ Structured parking is permitted but shall be located to the rear or in the interior of the building, or under street level commercial uses.
- d. ~~Building facades may be no further than 10’ from the street right-of-way line, except where necessary to preserve existing significant or historic trees which shall be preserved, if practical, or to provide landscaped courtyards, landscaped greenspace, plazas, pocket parks, other pedestrian-oriented amenities, in which case the maximum setback shall not exceed 20’ or there would be interference with public utilities, or the placement of stormwater facilities and no reasonable alternative to that placement exists.~~
- e.d. Interior setbacks for all mixed use buildings shall be a minimum of 10’ except where abutting a residential zoning district, in which case the interior setback shall at a minimum equal the required interior setback in the abutting residential district.
- f. ~~Pedestrian weather protection such as awnings or canopies are encouraged along the public street provided they do not encroach into the roadway, but if they invade the space above a Town sidewalk, may be placed only in accordance with an encroachment agreement authorized by the Town Council.~~

2. Single Use Building(s)

- a. Single use multi-family building(s) are only allowed as part of a mixed use project if approved through the Conditional District B3 General Business rezoning.
- b. A mixed use project shall meet the following criteria:
 - i. Each project shall fully consist of street level commercial uses (i.e. retail, office, and restaurant) of 100% of the street level gross floor area on every building which fronts a corridor protected by the Corridor District. In addition, at least 50% of the total gross floor area of all buildings located within the Corridor District shall fully consist of commercial uses. This requirement may be satisfied if the commercial floor area is distributed among buildings or within one building.
 - ii. The street level floor of all buildings within the Corridor District shall be built to commercial standards in accordance with North Carolina Building Code Group A, B, E, or M.
 - iii. A minimum of 60% of the street facing street level building façade of a building which fronts a protected corridor shall be comprised of transparent, non-reflective windows.
 - ~~iv. Surface parking shall be located to the side or most preferably to the rear, and in no case shall parking extend beyond the front building line.~~
 - ~~v.~~iv. Structured parking is permitted but shall be located to the rear or in the interior of the building, or below the commercial uses.
 - ~~vi. Building facades may be no further than 10' from the street right-of-way line, except where necessary to preserve existing significant or historic trees, which shall be preserved, if practical, or to provide landscaped courtyards, landscaped greenspace, plazas, pocket parks, other pedestrian oriented amenities, in which case the maximum setback shall not exceed 20' or there would be interference with public utilities, or the placement of stormwater facilities and no reasonable alternative to that placement exists.~~
 - ~~vii.~~v. Interior setbacks for all mixed use buildings shall be 10' except where abutting a residential zoning district in which case the interior setback shall equal the required interior setback in the abutting residential district.

~~Pedestrian weather protection such as awnings or canopies are encouraged along the public street provided they do not encroach into the roadway, but if they invade the space above a Town sidewalk, may be placed only in accordance with an encroachment agreement authorized by the Town Council.~~

B. Multi-Family Uses wholly or partially on Property Zoned B3 General Business Outside the Corridor District but Proximate to Major Streets.

1. For the purposes of this Section “major street” refers to collector and arterial streets.
2. “Proximate” shall mean any building wholly or partially within 200 feet of the centerline of a major street.
3. Mixed Use Building(s)
 - a. Mixed use building(s) shall meet the same requirements as described in Subsection 15.11.04(A)(1).
4. Single Use Building(s)
 - a. Single use multi-family building(s) are only allowed as part of a mixed use project.
 - b. A mixed use project shall meet the following criteria:
 - i. Each project shall consist of street level commercial uses (i.e. retail, office, and restaurant) of 100% of the street level gross floor area on every building which fronts a major street. In addition, at least 25% of the total gross floor area of all buildings wholly or partially located within 200 feet of the centerline of a major street shall consist of commercial uses. This requirement may be satisfied if the commercial floor area is distributed among buildings or within one building.
 - ii. For any floor containing a commercial use the entire floor shall be built to commercial standards in accordance with North Carolina Building Code Group A, B, E, or M.
 - iii. A minimum of 60% of the major street facing street level façade of a building containing commercial use(s) shall be comprised of transparent, non-reflective windows.
 - ~~iv. Surface parking shall be located to the side or most preferably to the rear, and in no case shall parking extend beyond the front building line.~~
 - ~~v.iv.~~ Structured parking is permitted but shall be located to the rear or in the interior of the building, or below the commercial uses.
 - ~~vi. Building facades fronting the major street may be no further than 10' from the street right-of-way line, except where necessary to preserve existing significant or historic trees, which shall be preserved, if practical, or to provide landscaped courtyards, landscaped greenspace, plazas, pocket parks, other pedestrian-oriented amenities, in which case the maximum setback shall not exceed 20' or there would be interference with public~~

~~utilities, or the placement of stormwater facilities and no reasonable alternative to that placement exists.~~

~~vii.~~v. Interior setbacks shall be 10' except where abutting a residential zoning district in which case the interior setback shall equal the required interior setback in the abutting residential district.

~~viii. Pedestrian weather protection such as awnings or canopies are encouraged along the public street provided they do not encroach into the roadway, but if they invade the space above a Town sidewalk, may be placed only in accordance with an encroachment agreement authorized by the Town Council.~~

- C. Multi-Family Uses wholly or partially on property zoned B3 General Business in all other areas.

Multi-family uses not part of a mixed use development may be allowed if an applicant demonstrates that within ¼ mile (1,320 feet) of the borders of the lot that is to be developed there exists commercial uses with gross floor area square footage equal to the gross floor area square footage of the proposed multi-family project. If this standard cannot be met then the proposed project must meet the requirements in Subsection 15.11.04(B) above.

- D. Recreation space shall be provided for multi-family developments in the B-3 district as provided at Section 15.10.03(F).

Use #	Specific Use	Zoning Districts																Reference
		Low Density Residential				Medium to High Density Residential				Commercial/Industrial					Education			
		RA	R1	R1A	RR	R2	R4	MH	R3	OI	B1	B2	B3	M1	U1	E1	E2	
15.0 Parking																		
15.01	Parking Lot									L	L		L		P			15.46
15.02	Parking Structure								L T125	L	L		L	L	P			15.47
15.03	Park and Ride Lots	L								L			L	L	P			15.46

15.07 Table of Principal Uses

MEMORANDUM

To: Planning Commission members

From: Allison M. Meade, Town Attorney

Re: *Proposed changes to UDO Article 16*

Date: November 18, 2016

Attached please find proposed changes to Article 16 in follow up to Town Council's planning retreat held November 15th. The changes and the intent behind them are described below:

- (1) *Simplification of intensity tables; removal of requirements related to Floor Area Ratio and "open space"; revised definition of "livability space"*: Removing the FAR and so-called "open space" requirements is intended to simplify the intensity requirements and focus on "livability space" as the real attribute of public value. "Open space" is essentially what is left over after livability space and building structures -- i.e, surface parking and other vehicular areas -- and actually discourages alternatives to surface parking lots such as parking structures. Council and Planning staff believe it is appropriate to focus on the amount of green space/recreation area and, upon ensuring that area is sufficient, allow flexibility as to how the remainder of a parcel's area is used.
- (2) *Recreation space requirements* – moved to Article 15 (see comments regarding that Article).
- (3) *Height limitations*: Height limitations per 16.08 have been changed to focus on the maximum number of stories, with height constituting a second limitation. Maximum heights in the B-1 district have been adjusted with the intent of allowing typical parapet-walled flat-roof construction to come within the height limitations.
- (4) *Exemptions from height limitations*. Changes at 16.08.08 are intended to exempt mechanical items that extend thorough a roof from the height limitations, and to provide flexibility so as to allow for appropriate recreational use of roof-tops. Such roof-top structures will have to be screened from view below by parapet walls and set back from roof edges.

DISTRICT STANDARDS

Schedule of Land Use Intensity Regulations

16.01.01 Unless otherwise specified, development in the following zones shall comply with the intensity regulations indicated in the following Intensity Table.

A. Unless otherwise provided in this Ordinance, the land use intensity regulations for architecturally integrated subdivisions shall apply to the development as a whole and not to individual parts thereof.

~~**B.** A site specific development plan consisting of no other use than one (1) "single family dwelling" is not subject to the maximum floor area ratio requirements but all other intensity rules apply.~~

~~**C.**~~ **B.** In the B-1 Zoning District, a minimum "Building Footprint" of fifty percent (50%) of the lot or parcel area is required. All other regulations in the Intensity Table apply.

~~**D.** In the B2 Zoning District, a development may utilize the values in the Intensity Table or may substitute a maximum "Building Footprint" of thirty percent (30%) and an open space ratio of seventy percent (70%). All other regulations in the Intensity Table apply.~~

~~**E.** In the B3 Zoning District, a development may utilize the values in the Intensity Table or may substitute a maximum "Building Footprint" of thirty percent (30%) and an open space ratio of seventy percent (70%). All other regulations in the Intensity Table apply.~~

(20150028-11192015)

16.01.02 Intensity Table

Zoning District	Minimum Gross Land Area	Minimum Lot Width	Minimum Street Frontage	Maximum Floor Area Ratio (FAR)	Minimum Open Space Ratio (OSR)	Minimum Livability Space Ratio* (LSR)	Minimum Recreation Space Ratio (RSR)	Minimum Setbacks	
								Street	Interior
Residential Zoning Districts									
RA No Public Water & Sewer Available	20,000 sq. ft.	100 ft.	80 ft.	.100	.80	.65	.025	20 ft.	18 ft.
RA Public Water Available	15,000 sq. ft.	80 ft.	64 ft.	.100	.80	.65	.025	20 ft.	18 ft.
RA Public Water & Sewer Available	10,000 sq. ft.	65 ft.	52 ft.	.100	.80	.65	.025	20 ft.	14 ft.
R1	8,000 sq. ft.	70 ft.	56 ft.	.162	.77	.53	.032	20 ft.	14 ft.
R1A	8,000 sq. ft.	70 ft.	56 ft.	.162	.77	.53	.032	20 ft.	14 ft.
RR	6,000 sq. ft.	70 ft.	56 ft.	.283	.74	.48	.042	20 ft.	13 ft.
R2	6,000 sq. ft.	70 ft.	56 ft.	.283	.74	.48	.042	20 ft.	13 ft.
R4	6,000 sq. ft.	70 ft.	56 ft.	.283	.74	.48	.042	20 ft.	13 ft.
R3	5,000 sq. ft.	80 ft.	64 ft.	.480	.72	.40	.062	20 ft.	13 ft.
MH	87,120 sq. ft.	None	56 ft.	.214	.76	.51	.039	20 ft.	20 ft.
Commercial/Industrial Zoning Districts									
OI	10,000 sq. ft.	100 ft.	80 ft.	.340	.71	.27	.032	20 ft.	17 ft.
B1	5,000 sq. ft.	15 ft.	12 ft.	None	None	None	None	Refer to Section 16.06.02	Refer to Section 16.06.04
B2	5,000 sq. ft.	50 ft.	40 ft.	.264	.76	.27	.049	20 ft.	17 ft.
B3	5,000 sq. ft.	50 ft.	40 ft.	.429	.71	.27	.062	20 ft.	17 ft.
M1	17,000 sq. ft.	80 ft.	64 ft.	.350	.65	.3	None	20 ft.	22 ft.
Educational Zoning Districts									
U1	None	None	None	.429	.71	.27	.039	Refer to Section 16.06.09	Refer to Section 16.06.08

(20140384-08212014)

**LSR is a ratio where the numerator is the square footage of Livability Space and the denominator is the square footage of the entire parcel.*

16.01.03 Where a lot is located in more than one zoning district, the appropriate land use intensity ratios shall be applied individually to each portion of the gross land area located within the different districts.

~~A. However, the floor area permitted on that portion of the gross land area located within one district may be transferred to any portion of the lot's land area located in a district with a higher land use intensity ratio.~~

Gross Land Area

16.02.01 When a lot is located in more than one zoning district, the minimum square footage of the lot shall be the sum of the square footage derived by multiplying the minimum square footage required for each represented district by the proportion of the lot located within that district.

16.02.02 The area within the street right-of-way may not be used to satisfy lot area requirements.

Minimum Lot Widths

16.03.01 No lot may be created that is so narrow or otherwise so irregularly shaped that it would be impracticable to construct on it a building that:

A. Could be used for purposes that are permissible in that zoning district, and

B. Could satisfy any applicable setback requirements for that district.

16.03.02 Where a lot fronts two (2) or more streets, the minimum lot width requirement shall be considered met if the lot width at the street setback from any one of such streets meets the minimum lot width requirement.

16.03.03 No lot created after the effective date of this Ordinance that is less than the required width shall be entitled to a variance from any building setback requirement.

Minimum Street Frontage Widths

16.04.01 The minimum width of the frontage of a lot on a street shall be eighty percent (80%) of the minimum lot width required for the lot. Easement areas shall be excluded from this requirement.

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

16.04.03 Where a lot fronts on a turning circle of a cul-de-sac or at a point of a street where the radius of the curvature of the right-of-way is less than ninety feet (90'), the minimum street frontage width requirement shall not apply.

~~Minimum Recreation Space~~

- ~~16.05.01 Recreation space is only required for multifamily developments and manufactured home parks.~~
- ~~16.05.02 In general, required recreation space shall have a least dimension of twenty-five feet (25), an average dimension of fifty feet (50'), and a minimum area of 2,500 square feet. Smaller dimensions are acceptable if:~~
- ~~A. Less than 2500 square feet of recreation area is required, or~~
 - ~~B. The recreation area is a suitably improved roof area or enclosed floor area, or~~
 - ~~C. The anticipated needs of the residents require smaller facilities, such as tot lots or shuffle board courts, or~~
 - ~~D. In the B1 district, canopies are provided to cover the sidewalk.~~
- ~~16.05.03 The dedication of a greenway easement may be used to satisfy the requirements for recreational space.~~
- ~~16.05.04 Outdoor recreation area for common use should be located twenty feet (20') or more from any residential windows at the same general level.~~

Building Setback Requirements

- 16.06.01** Subject to Sections 16.07 and 16.11 and the other provisions of this Section, no portion of any building may be located on any lot closer to any lot line or to the street right-of-way line or centerline than is authorized in the Intensity Table.
- A.** If the street right-of-way line is readily determinable (by reference to a recorded map, set irons, or other means), the setback shall be measured from such right-of-way line. If the right-of-way line is not so determinable, the setback shall be measured from the street centerline. Whenever a lot fronts a street with a right-of-way of thirty feet (30') or less, the setback shall be measured from a line running parallel to the centerline at a distance of fifteen feet (15') from the centerline.
 - B.** As used in this Section, the term "lot boundary line" refers to lot boundaries other than those that abut streets.
 - C.** As used in this Section, the term "building" includes any substantial structure which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that usually associated with a building. Without limiting the generality of the foregoing, the following structures shall be deemed to fall within this description:
 1. Gas pumps and overhead canopies or roofs.

2. Fences running along lot boundary adjacent to public street rights-of-way if such fences exceed nine feet (9') in height and are substantially opaque.
3. Retaining walls which exceed four feet (4') in height.

D. Flagpoles, bridges, transmission poles, cables, heat pumps, generators, air condition units and pad mounted transformers shall be exempt from building setback requirements, however, walk in coolers and refrigeration units must meet the requirements for accessory buildings.

16.06.02 In the B1 district, existing development may rebuild to existing building footprint lines, but cannot rebuild any closer to a street than the established existing building setback line as noted on the Official Existing Building Line Maps recorded with the Watauga County Registry in Deed Book 239, Pages 132-138. Structures existing prior to February 25, 1993 that do not meet the required setbacks shall not be considered to have nonconforming features.

16.06.03 In the B1 district, the minimum street setback distance shall not apply to a projecting theater marquee, canopy or roof overhang supports as long as such supports do not go beyond the edge of the sidewalk. This exemption shall not obviate the need for an encroachment agreement.

16.06.04 The interior setback for the B1 zoning district is 0', unless the lot abuts a district other than a U1 zoning district, in which case the lot boundary setback shall be fifteen feet (15').

16.06.05 In the B2 and B3 zoning districts, sideline to sideline construction may be permitted on one or more lots of at least 100 feet road frontage upon issuance of a special use permit in accordance with the provisions of Article 6 and subject to the following conditions:

- A.** The building must be constructed in accordance with the regulations for the primary fire district as contained in the North Carolina State Building Code.
- B.** There shall be a deeded street or right-of-way, built to Town standards, at both the front and the rear of the property.
- C.** Loading, unloading and refuse disposal access shall be from the street at the rear of the property.
- D.** Loading and parking shall be in compliance with Article 24 of this Ordinance.

16.06.06 Whenever a lot in a nonresidential district has a common boundary line with a lot in a residential district, and the property line setback requirement applicable to the residential lot is greater than that applicable to the nonresidential lot, then the lot in the nonresidential district shall be required to observe the property line setback requirement applicable to the adjoining residential lot.

- 16.06.07** Setback distances shall be measured from the property line or street right-of-way line to a point on the lot that is directly below the nearest extension of any part of the building that is substantially a part of the building itself and not a mere appendage to it (such as a flagpole, etc.).
- 16.06.08** In the U1 district, the minimum street setback of ten feet (10') shall apply only when development is proposed adjacent to Town maintained streets.
- 16.06.09** In the U1 district, the minimum interior setback shall be increased to fourteen feet (14') only when development is proposed adjacent to R1 zoned property. Additional setback provisions in Section 16.06.05 do not apply in the U1 district. The minimum interior setback is zero feet (0') only when development is proposed adjacent to B1 zoned property.

Accessory Structure Setback Requirements

- 16.07.01** All accessory structures shall meet the building street setback requirement of fifteen feet (15') from the street right-of-way line and seven feet (7') from any interior lot line.
- 16.07.02** No accessory structure may be further forward to the street setback than the front most point of the principal structure.
- 16.07.03** The maximum lot coverage of the accessory structure shall not exceed twenty percent (20%) of the lot.
- 16.07.04** An accessory structure must be clearly subordinate to the principal structure in all dimensional aspects.
- 16.07.05** An accessory structure shall not be located in an easement unless expressly allowed.

Building Height Limitations

- 16.08.01** For the purposes of this Section:

The height of a building shall be the vertical distance measured from the mean elevation of the finished grade to the highest point of the building.

~~A point of access to a roof shall be the top of any parapet wall or the lowest point of a roof's surface, whichever is greater.~~

"Stories" as used herein refers to the number of heated, habitable floors above grade. Where both stories and heights are listed in the table below at section 16.08.02, the building can have no more than the listed number of stories, and also may not exceed the specified height in feet. ~~Roofs with slopes greater than seventy five percent (75%) are regarded as walls.~~

- 16.08.02** Subject to the remaining provisions of this Section, building height limitations in the various zoning districts shall be as follows:

Zone	Height Limitation (Feet)
R1, R1A, RR, R2, R4, RA	<u>3 stories/40'35;</u>

	<u>accessory structures may not exceed 25'</u>
R3	<u>3 stories/50'</u> (primary) 90 (secondary)
MH	35'
OI	<u>4 stories/67'</u>
B1	<u>3 stories/45'</u> on King St.; <u>4 stories/55'</u> otherwise
B2	<u>3 stories/35'</u> (primary) – <u>3 stories/40'</u> (secondary)
B3	<u>3 stories/45'</u> (primary) – <u>5 stories/67'</u> (secondary)
U1	Refer to Subsection 16.08.09
M1	67'

- 16.08.03** In the R3, B2 and B3 districts the height limitation may range between the primary height limitation in the table to the secondary height (which is the maximum for the district), subject to the provision that for each foot the height of the structure exceeds the primary height limitation, the boundary lot setback applicable to the structure shall increase by one (1) foot. In no case shall the height of a structure exceed the secondary height limitation established in the table.
- 16.08.04** In the B1 district the maximum building height shall be limited to forty-five feet (~~40'~~45'), as measured from the average elevation of the existing or proposed sidewalk along the primary street at the middle of the building elevation facing the street to the highest point of the building or structure. Where a property has street frontages on opposite sides the building height shall terminate at the midpoint of the lot with the same standard being applied to the opposite street frontage. Where a property does not border a primary street on any side, the maximum height shall be measured from the average finished ground elevation of the finished building. For the purpose of this Section, the following are considered primary streets: King Street, Queen Street, Howard Street, Rivers Street, Water Street, Depot Street, Appalachian Street, Grand Boulevard, Poplar Grove Road, Straight Street, Bent Street, Orchard Street, and Wallace Circle.
- 16.08.05** In all nonresidential zones and the R3 zone, all structures located within 100 feet of an R1 zoned property shall not exceed ~~thirty-five feet~~forty feet (~~35'~~40') in height.
- 16.08.06** Where a multi-unit or nonresidential structure has a height in excess of twenty feet (20') and adjoins a low density residential district, the structure shall meet an additional setback of one and one half feet (1 ½') for each foot in height above twenty feet (20').
- 16.08.07** If a structure is located at an elevation of 3000 feet above mean sea level and 500 feet above the valley floor, in no case shall the height of such structure exceed forty feet (40') above the mean natural grade.
- 16.08.08** The following features are ~~exempt from~~not included in calculating the height of a structure for purposes of applying the district height limitations set forth in Subsection 16.08.02, except that on a corner lot in any residential district no planting, structures, fence, wall or obstruction to vision more than three feet (3') in height measured from the street center

line shall be placed or maintained within the triangular area formed by the intersection street lines and a straight line connecting points on said street lines each if which is twenty-five feet (25') from the point of intersection.

- A. Chimneys, accessory radio or television antennas, flagpoles, monuments or solar collectors provided that such features do not exceed fifteen percent (15%) of the maximum height requirements.
- B. Church spires, belfries, cupolas, domes, smokestacks, windmills, or observation towers, provided such structures do not exceed in height the horizontal distance from the structure to the nearest property line.
- C. Utility transmission poles and cables.
- D. Elevator or other mechanical equipment and mechanical penthouses; provided, however, that such features must be screened from view by parapets and set-back from roof edges.
- ~~C.~~ E. Limited structures to enable recreational use of open rooftops; provided, however, that such features must be screened from view by parapets and set-back from roof edges and may be no more than 1/3 the area of the entire roof. As used in this provision, "structures" do not include areas that are simply decking to be used for standing or sitting.

16.08.09 In the U1 district, building heights for structures internal to the main campus shall be generally limited only by the Town's firefighting capability except for those structures located immediately adjacent to property in a non-University district. In this instance:

- A. All buildings proposed within 100 feet of an R1, R1A, RR, R2, R4, or RA zoned property shall be limited to a maximum height of thirty-five feet (35').
- B. All buildings proposed within fifty feet (50') of an R3, OI, B1, B2, or B3 zoned property shall be limited to the maximum height allowed in the adjoining district. Additional height restrictions in Subsection 16.08.04 and 16.08.05 shall not apply in the U1 district.

16.08.10 Other than in the case of a single family residence, attic space that is not counted as habitable space when a development is approved may not ever subsequently be converted to habitable space.

Minimum Building Spacing

16.09.01 The minimum spacing between any two (2) buildings located on a single lot or in the U1 district, which contain dwelling units, shall be the sum of the spacing distances required for the walls of each building or portion thereof as follows:

- A. The required spacing between buildings for any wall containing windows shall be the horizontal distance equal to the minimum interior setback applicable to the lot or

district in which it is located, plus one (1) additional foot for each foot the height of the building exceeds thirty-five feet (35').

- B. The required spacing distance for a windowless wall shall be in accordance with the applicable building codes.

16.09.02 Unless otherwise regulated by this Ordinance, the spacing between structures or portions of structures not containing dwelling units shall be appropriate to the use of such structures or portions thereof. Spacing shall be related to fire protection requirements, the separation of spaces by fences, walls or vegetative screening, the location of parking and service areas, the exposure to nearby living quarters and similar considerations.

Intensity Regulations for the U1 District

16.10.01 University campus land will be considered as a whole for purposes of computing land use intensities. This provision does not apply to satellite tracts; however, land separated from the main campus only by a public street or thoroughfare will be deemed part of the main campus, and any land separated from the University's State Farm property only by a public street or thoroughfare will be deemed part of the State Farm property.

Architecturally Integrated Subdivisions

16.11.01 In an architecturally integrated subdivision, the applicant may create lots and construct buildings without regard to any minimum lot size, ~~maximum floor area ratio for single family residences (use 1.100)~~, lot width or setback restrictions except that:

- A. Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision, and
- B. Each lot must be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this Ordinance.

16.11.02 The number of dwelling units in an architecturally integrated subdivision may not exceed the maximum density authorized for the tract under Section 16.01. The number of lots allowed in an architecturally integrated subdivision shall be calculated by dividing the project area by the minimum gross land area as shown in Section 16.01. For an architecturally integrated subdivision project that is composed of areas with different zoning designations, the number of units shall be determined for each zoning district. The maximum number of units for the project shall be the sum of the densities for each district. The units may be distributed throughout the project without regard to the zoning district lines subject to meeting the requirements of Subsection 16.11.01. Further, only uses authorized by Article 15 shall be permitted in each zoning district.

16.11.03 To the extent reasonably practicable, in architecturally integrated subdivisions the amount of land saved by creating lots that are smaller than the standards set forth in Section 16.01 shall be set aside as usable open space.

- 16.11.04** The purpose of this Section is to provide flexibility, consistent with the public health and safety and without increasing overall density, to the applicant who subdivides property and constructs buildings on the lots created in accordance with a unified and coherent plan of development.

Density On Lots Where Portion Dedicated to Town

- 16.12.01** Subject to the other provisions of this Ordinance, if (i) any portion of a tract lies within an area designated on any officially adopted Town plan as part of a proposed public park, greenway, or bikeway, and (ii) before the tract is developed, the owner of the tract, with the concurrence of the Town, dedicates to the Town that portion of the tract so designated, then, when the remainder of the tract is developed for residential purposes, the permissible density at which the remainder may be developed shall be calculated by regarding the dedicated portion of the original lot as if it were still part of the lot proposed for development.

Chapter 39 DEFINITIONS

Livability Space

~~The portion of total open space including existing natural~~ Natural areas, lawns and other landscaped areas, walkways, ~~paved~~ terraces, sitting areas, outdoor recreational areas and the pervious, landscaped portion of street rights-of-way. ~~Such space shall not include open space used for motorized vehicles. Livability space does not include paved pedestrian sidewalks or vehicular areas. A maximum of one-third of the livability space required for a development may be impervious (e.g., paved terraces or sitting areas).~~

~~Open Space (using FAR)~~

~~The total gross land area not covered by buildings, including covered open areas with at least two (2) sides which are open and unobstructed fifty percent (50%) or more.~~

~~Open Space (using Building Footprint)~~

~~Space outside the building(s) footprint.~~

~~Recreation Space~~

~~The portion of total open space and livability space plus enclosed floor area, which is reserved and improved for the common recreational use of residents of multi-family developments.~~