TOWN OF BOONE PLANNING RETREAT
Monday, January 29, 2024

Town Council members in attendance: Tim Futrelle-Mayor (arrived at 9:40 a.m.), Todd Carter (joined at 9:30 a.m. via WebEx), Dalton George-Mayor Pro Tem, Eric Plaag, and Virginia Roseman

Planning & Inspections Staff in attendance: Jane Shook-Director of Planning & Inspections, Stacey Miller-Deputy Director/Chief Building Inspector, Jessica Mitchell-Advanced Planning Specialist, Brandon Wise-Environmental Planner, and Brenda Henson-Administrative Support/Permit Tech

Other Town Staff in attendance: Amy Davis-Town Manager, and Todd Moody-Public Works Director

Legal Counsel in attendance: Allison Meade-Town Attorney

Call to Order

Mayor Pro Tem George called the meeting in Town Council Chambers at 1500 Blowing Rock Road to order at 9:12 a.m.

Council Member Tugman made a motion to amend the agenda to switch the discussion regarding the Municipal Service Districts with the discussion regarding Housing. The motion was seconded by Council Member Plaag.

VOTE: Aye – All
Nay – None

The motion passed.

Moment of Silence

A moment of silence was observed.

Planning & Inspections Organizational Review

Ms. Jane Shook, Director of Planning & Inspections, reviewed the organizational structure of the Planning & Inspections Department, noting that Phase I changes were complete and Phase II changes were anticipated to occur in April 2024.

Planning & Inspections Permits/Enforcement Review

Mr. Stacey Miller, Deputy Director and Chief Building Inspector, provided a review of the annual permits and enforcement numbers. He noted that the new permitting system, CivicGov, started in July, and all open permits in the old permitting system had to be reentered manually into the new system, which took several months. Ms. Shook added that the Department was experiencing a slowdown in permit applications due to interest rates and the economy. She stated there were still a few issues to resolve before the portal could be opened to the public for permit submittals.

Council Member Roseman asked what percentage of the Department's budget was being covered by its revenue for purposes of cost recovery. Ms. Shook replied that she was told by Council two years ago that she did not need to worry about having revenue cover the Department's costs, and Council chose to subsidize some permits. Council Member Roseman asked Ms. Shook to provide that information for the

Budget Retreat so Council could be more aware of the needs of the Department. Ms. Shook noted that state projects on state-owned property could no longer acquire building permits through the Town and had to go through State Construction. She stated that zoning permits would still be acquired for in-town state-owned projects. Ms. Shook added that this could cause a dip in permit revenue going forward.

Mr. Miller noted that there were no active violations associated with the 37 registered short-term rentals. Council Member Roseman stated that SAHA was having difficulties locating housing for eight weeks for their approximately 30 employees because of the 30-day limit on short-term rentals. Ms. Allison Meade, Town Attorney, stated that anyone could rent for eight weeks. Ms. Shook noted that they might run into occupancy issues by trying to house that many people. A brief discussion ensued on the difference between homestay and vacation rentals. Council Member Plaag added that people doing long-term rentals might not want to do an eight-week rental. Council Member Tugman suggested that SAHA check with Pilar Fotta, who worked with housing at ASU, to see if she could help.

Mayor Pro Tem George asked how many of the homes in the R1A zoning district that were permitted as a homestay used the separate accessory dwelling unit as the homestay. Ms. Shook replied that staff would have to go back and review each of the permits to acquire that information.

Council Member Carter joined the meeting via WebEx at 9:30 a.m.

Council Member Plaag asked how many bedrooms were being utilized by homestay and vacation rentals. Ms. Shook replied that staff would have to research that information. Council Member Plaag asked if that information could be provided for the Housing Retreat. He stated that he felt homestay rentals were essentially businesses and should have to meet the same requirements as a similar business use, such as a boarding house or a bed and breakfast.

Mayor Futrelle arrived at the meeting at 9:40 a.m.

Mayor Pro Tem George asked for Staff to provide an update on the minimum housing investigations as presented earlier for the Watauga County Housing Forum.

Planning & Inspections Updates

Ms. Shook outlined the Phase I renovations that had been done at the Planning & Inspections Department, noting that all spaces had been utilized and the office was full. She stated that Phase II renovations included the front lobby and reception area, but there were currently no funds for Phase II.

Ms. Shook noted that the planners and inspectors attended an in-office retreat on August 29, 2023, which was a success. She hoped to hold this type of training and team-building exercise yearly.

Council Member Plaag suggested that the Planning & Inspections staff who dealt with the quasi-judicial aspect of the Historic Preservation Commission attend training related to preservation issues. He stated that some continuing education, such as taking or auditing a class at ASU in preservation, might be beneficial for staff. Ms. Shook explained that a large part of the Department's travel and training budget was used for continuing education for building inspectors and the environmental specialist. She added that opportunities for online or free classes presented affordable options for the Department. Council Member Plaag stated he was concerned that staff did not have the proper training to speak with and educate applicants regarding Certificate of Appropriateness cases.

Boone Next Updates & Recap

Ms. Shook stated that the first workshop on January 18, 2024, to kick off the Comprehensive Plan update went well. However, she regretted that impending weather caused the opening statements of the meeting to be cut short, and it was not mentioned that Town Council members and some board members were present and available to speak with the public.

Mayor Pro Tem George stated that he thought everyone did a great job and was impressed with how the event went despite some negative feedback. Ms. Shook stated that she felt the positive comments outweighed the negative ones. She noted that upcoming workshops would be related to small area plans, and invitations would be sent to the property owners in those areas.

Ms. Shook stated that the next step was to release the online survey discussed at the first workshop and issue a thank you to those who participated. She added that the "meeting in a box" concept would be introduced and made available to those who would like to utilize that tool.

Ms. Shook noted that the Planning & Inspections Department had absorbed as much of the cost for this process as possible. She stated that additional funding would be necessary for anything that might take place before July. Ms. Shook suggested hiring a Spanish translator for the Comprehensive Plan update process. Council Member Roseman stated that some individuals on the HRC translated. Mayor Pro Tem George offered to ask the HRC Chair at their next meeting about the possibility of HRC members translating during the Comp Plan update process. Ms. Shook replied that she would like a translator with headset equipment that Yolanda Adams used previously.

Municipal Service Districts

Ms. Amy Davis, Town Manager, stated that Article 23 Municipal Service Districts were included in the meeting packet. She noted that districts could only be made effective at the first of a fiscal year. Ms. Davis stated that the Town Council initially discussed establishing a district to make watershed improvements. However, it was possible that the town could qualify for urban area revitalization, which would offer more flexibility regarding what the funds could be used for. Ms. Davis stated that urban area revitalization allowed for improvements to water mains, sanitary sewer mains, stormwater drains, construction of pedestrian malls, bicycle paths, overhead walkways, public buildings, restrooms, relief of traffic congestion, reduced crime, city services, and festivals and markets. Ms. Davis stated the Town might qualify for the urban area revitalization under 160A-536(c)(2) and possibly 160A-536(c)(3).

Ms. Davis stated that they would need to hold a public hearing, have a map of the proposed district, have a statement showing that the proposed district met the standards, and have a plan for providing services to the district.

Ms. Shook stated that careful consideration should be taken when choosing which option to qualify under because there was a limitation on residential properties in 160A-536(c)(3). She suggested using the small area plan workshops to introduce the MSD concept to property owners along the corridors.

Council Member Roseman asked if the process could be fast-tracked so the MSD could be in place by August 1, 2024.

Ms. Meade stated that contracts for services were supposed to be entered into within one year of the adoption of the MSD, so specific vision and plans for improvements would need to be in place. She noted that acquiring easements and getting engineered plans would not be simple or quick. Mr. Brandon Wise, Environmental Specialist, added that major corridors were primarily owned by DOT, and floodplain areas were primarily privately owned.

Council Member Plaag stated it might be better to use the Comprehensive Plan update process to help identify a vision for a future Municipal Service District.

Ms. Davis stated that it might make more sense to delay the implementation of an MSD until fiscal year 2025.

Mayor Futrelle called a break in the meeting from 11:00 a.m. until 11:19 a.m.

Housing

Ms. Shook referred to the Housing Retreat scheduled for Monday, February 5, 2024. She stated that in the first 90 minutes of the morning, they were scheduled to hear feedback from the organizations that had been invited. The second 90 minutes of the morning would be for general public comment regarding housing and then lunch. Ms. Shook stated that the afternoon would be a work session for Town Council to discuss the next steps.

Council Member Plaag asked if the Housing Retreat had been advertised on social media. Ms. Shook replied that it could be done.

There was a discussion about how Council Chambers should be set up for the Retreat.

Ms. Shook noted that the staff had articles related to planning and zoning that they read for professional development. She offered to make those articles available to Town Council. It was suggested that they be placed on the Town's website so they could also be available to the public.

Mayor Pro Tem George said he would like to explore conditional, voluntary, and mandatory inclusionary zoning.

Council Member Plaag stated that changes needed to be made to the R1 zoning districts. He added that the Council needed to focus on what was not working well within the current zoning classifications and consider modifications. Mayor Pro Tem George agreed and added that opportunities for redevelopment also needed to be considered. Ms. Shook stated that responsible in-fill development and potential areas of redevelopment could be discussed at the Housing Retreat. Council Member Roseman asked if a zoning map could be provided so they could identify areas of concern.

Ms. Shook stated that an honest conversation should be had regarding the R1S zoning district to find out if it was an appropriate housing solution. There was also a discussion regarding a student housing zoning district. Mayor Pro Tem George added that Town Council also needed to revisit mixed-use standards.

Mayor Furtrelle called for a break in the meeting at noon, and he left the meeting. Mayor Pro Tem George reconvened the meeting at 12:19 p.m.

Council Member Plaag referenced the Police Department property and stated he thought it would be a great property to redevelop as housing.

Mayor Pro Tem George stated there was a need for more home ownership versus rentals in town.

Ms. Meade noted that the UDO currently had few limitations on mass and scale. Ms. Shook added that additional appearance standards were needed. There was a discussion regarding form-based codes.

Council Member Tugman suggested the possibility of having several different pre-approved home designs for properties that wanted an accessory dwelling for ease of permitting. Ms. Shook noted that the topography could make it challenging to build a set design.

Ms. Shook referenced Neighborhood Conservation Districts. She stated that the term Neighborhood Conservation District implied that there was more protection for a neighborhood than just occupancy limits. Ms. Shook added that additional neighborhood protections could be accomplished through regulations that were broadly applied across the Town, not just within an NCD. She stated that rethinking the Neighborhood Conservation Districts could be put on P&I's work plan.

Council Member Tugman and Ms. Amy Davis left the meeting at 12:50 p.m.

Ms. Shook provided a recap of the topics that were identified that needed to be worked on.

1. Redevelopment and In-fill development areas
2. Inclusionary zoning
3. Substandard housing and minimum housing report
4. Evaluation of mixed-use standards from Comprehensive Plan vision for workforce housing
5. Short-term rentals
6. Redevelopment of the Police Department property
7. Regulations regarding mass and scale, form-based code, community appearance standards, downzoning,
8. Evaluation of Neighborhood Conservation Districts and for similarly zoned properties

Board/Commission Year-in-Review and Annual Work Plan

Ms. Shook stated that the Board of Adjustment was in serious need of members, noting four vacancies. Mayor Pro Tem George stated that Council Member Plaag had mentioned the idea of a stipend for board members, which might entice more participation. There was a discussion about how much the stipend should be and what boards and committees should receive a stipend. The Board of Adjustment, Historic Preservation Commission, and Planning Commission were identified as boards that should receive a stipend. Suggestions for the stipend amount were $25 or $50 per meeting.

Ms. Shook noted that there were two vacancies on the Planning Commission.

Council Member Tugman returned to the meeting at 1:22 p.m.

Ms. Shook stated that she would like to have the Planning Commission review large text amendments before they go to the Public Hearing so that they could have a better understanding of the content. She expressed interest in using the Planning Commission more often.

Mayor Futrelle and Ms. Davis returned to the meeting at 1:42 p.m.

Mayor Pro Tem George asked about the mechanism for removing board members who missed meetings or were inactive. Ms. Shook suggested that attendance be discussed with new members during their orientation with staff so that there was an expectation that if a member missed up to three regular meetings in a year without a good reason, they would be released from the board, especially considering the idea of a stipend.

Ms. Davis stated that if approved, the stipend would begin in July, be taxable, and be paid quarterly.

The length of meetings was discussed. Ms. Shook stated she would like to limit the number of cases allowed on the Planning Commission's agenda to lessen the likelihood of late-night or continued meetings. She noted that holding the Public Hearing/Planning Commission meeting so close to the Town Council deadline did not always allow staff time to prepare the meeting minutes and recommendations. Ms. Shook suggested that staff could determine the number of cases on an agenda and prioritize them based on the types of cases. Council Member Plaag suggested a possible cut-off time of 9:30 p.m. if the Planning Commission had not started its portion of the meeting after a Public Hearing. After further discussion, it was suggested that all Planning matters should go to the second Town Council meeting of the month, with a different internal deadline than the established deadline to allow staff more time to process the necessary information.

Ms. Jessica Mitchell, Advanced Planning Specialist, provided a review of the Historic Preservation Commission, as outlined in the meeting packet. She stated that there were several items from the 2023-2024 fiscal year that needed funding in the 2024-2025 fiscal year, such as the Boone Cemetery Interpretive Panels - $3,500, the Digital Watauga Historic District Photo Library - $5,000, and the annual Digital Watauga contribution - $5,000. Requests for funding for the 2024-2025 fiscal year included board training - $600, the annual Digital Watauga contribution - $5,000, the Stoneman's Raid Interpretive Panel - $3,000, and any other items determined by Town Council.

Council Member Plaag stated that the Watauga County Historical Society had agreed to donate $750 toward the purchase of the Stoneman's Raid Interpretive Panel and had asked that the DBDA do the same. Ms. Mitchell noted that the panel would be placed in the bulb-out at Linney Street and not on the Downtown Boone Post Office property.

Ms. Mitchell outlined all of the HPC's current and future tasks. She asked the Town Council for direction on how they would like the HPC to proceed with the Winklers Creek Dam site task. Council members decided that the HPC should begin research on the property once it had completed more of its in-progress tasks within the next year.

Ms. Mitchell stated that the Historic Preservation Commission would like to have its own logo. There was discussion regarding the Town logo and other logos being created for Town-related boards. Council Member Carter stated that the town logo needed to be updated and that any other town-related branding that might be created should follow the same style as the main town logo. Council Member Carter made a motion that Town Council hold a work session to discuss rebranding the Town logo. Council Member Plaag seconded the motion.

VOTE: Aye – All
Nay – None

The motion passed.

Ms. Mitchell noted that the training requirements for the Certified Local Government (CLG) status had been met for the 2022-2023 federal year reporting.

Council Member Plaag stated he had concerns that some HPC members were frustrated by the standards and had difficulty taking a hard line to enforce the standards on a project.

<u>P&I Work Plan</u>

Ms. Shook noted that the Planning & Inspections work plan was contained in the meeting packet. She stated that Mr. Brandon Wise, Environmental Specialist, was working on revisions to the soil erosion & sedimentation control language in the UDO. Mr. Wise noted that he sent the proposed revisions to the State for their feedback. He said he hoped to get guidance from them in March or April. Ms. Shook added that Mr. Wise was going through a similar process with the watershed language.

Council Member Roseman referred to the items listed in number 3 of the Other In progress Items – Now on Hold. Ms. Shook felt that some of those items could be discussed at the Housing Retreat.

Ms. Shook noted to add to the work plan regarding the E2 zoning district because the E2 zoning designation had an occupancy limit of no more than two unrelated. She stated that E2 was used as off-campus residential, meaning only one or two-bedroom units could be built in that district. Ms. Shook suggested that the occupancy limit be changed in the E2. Mayor Pro Tem George added that he would also like to revisit the occupancy limit for multi-family. Ms. Shook stated that redefining occupancy might also achieve the goal of adequately adjusting occupancy throughout the zoning districts. Ms. Meade added that redefining occupancy could be applied to multi-family uses and that there should be a discussion regarding per bedroom instead of per dwelling unit. There was a consensus to remove occupancy requirements as not applicable to the E2 zoning district.

Adjournment

Council Member Roseman made a motion to amend the agenda to enter into a closed session at 3:27 p.m. to discuss the terms of acquisition for the WYN property and to discuss a legal matter. Council Member Plaag seconded the motion.

VOTE: Aye – All
Nay – None

The motion passed.

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Tim Futrelle, Mayor

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Brenda Henson, Admin. Support/Permit Tech