

TOWN OF BOONE PLANNING RETREAT

Friday, February 12, 2021

Town Council members in attendance: Rennie Brantz-Mayor, Sam Furguele, Nancy LaPlaca, Dustin Hicks, and Connie Ulmer

Planning & Inspections Staff in attendance: Jane Shook-Director of Planning & Inspections, Stacey Miller-Deputy Director/Chief Building Inspector, Brian Johnson-Urban Design Specialist, Christy Turner-Senior Planner, Mike James-Senior Planner, Brenda Henson-Administrative Support Specialist, and Matt McGregor-Planning Intern

Other Town Staff in attendance: John Ward-Town Manager, Rick Miller-Public Works Director, Todd Moody-Public Works Deputy Director, and George Santucci-Sustainability & Special Projects Manager

Legal Counsel in attendance: Allison Meade-Town Attorney

Others in attendance: Quint David, Dalton George, Kayla Lasure, and Virginia Roseman

Call to Order

Mayor Brantz called the meeting, held via WebEx, to order at 9:05 a.m. and Jane Shook began with introductions.

Ms. Shook introduced herself as the Director of the Planning and Inspections Department. She then introduced Stacey Miller, the Chief Building Inspector and Deputy Director of the Department, Senior Planners Christy Turner and Mike James, and Urban Design Specialist, Brian Johnson. She then introduced everybody else that was currently on the meeting. She introduced Town Manager John Ward, Town Attorney Allison Meade, Mayor Brantz, Council members Ulmer, Laplaca, Hicks, and Furguele, Sustainability and Special Projects Manager George Santucci, Quint David, and Brenda Henson.

Planning & Inspections Update

Ms. Shook quickly outlined the agenda and provided an update. She stated that the organization of Planning & Inspections had remained the same except that there was no longer a part time building inspector. Ms. Shook explained that, at this time, the Town has worked on an agreement with Blowing Rock for services so if we need them they come over and do our inspections and if they need us, we can go over and do their inspections. Planning, zoning, building, and code enforcement sections remain the same. She stated there had been some changes with boards and commissions and the Sustainability Committee was no longer a main board for the Planning Department although P&I did staff it as needed. Ms. Shook noted Board of Adjustment, the Community Appearance Commission, Historic Preservation Commission, and the Planning Commission were still main boards staffed by Planning. She stated that Planning also served not as a lead role, but as support for Town Council, Transportation Committee, the Alternative Transportation Committee, and for right now the Downtown Advocacy Committee.

Ms. Shook stated the Town recently made changes to some boards and the meeting packet reflected those changes as they related to terms. Ms. Shook noted that all boards were impacted by COVID and there were many months that they did not meet. She stated that the Board of Adjustment met four times in 2020 and considered four cases. She noted that the term for the current chair of the BOA would expire at the end of June and he was not eligible to serve again. The rosters contained in the meeting packet outlined who was on each board, who it was staffed by, how many times they met, and how many times they canceled due to lack of quorum. The CAC met 12 times in 2020 and did a lot of work on the Downtown projects that would be discussed later in the meeting. Ms. Shook stated that the CAC chairs term had already expired, but he was continuing to serve because no other appointments to the board had been made. The Historic Preservation Commission met 13 times in 2020 and, while they discussed a lot of topics, their number one priority was the Downtown projects. Ms. Shook stated she emailed a link to Council members last night that contained revisions to

the reports prepared by the HPC that reflected an update on the status of the Hardin house. She noted that a really nice website for HPC had been developed and they hoped to go online with that fairly soon. Ms. Shook stated the Planning Commission met seven times in 2020 as well as attended six public hearings and considered numerous text and map amendment cases. The Sustainability Committee met nine times in 2020 and helped to develop the now adopted department sustainability toolkit.

Ms. Shook noted that Planning & Inspections processed 991 permit applications in 2019 and 881 in 2020 so there was a 12% decrease in permitting with a 16% decrease in building permit value. She felt this was still a high volume of permitting, even with COVID.

Ms. Shook then addressed the Work Plan, with the first item on the Plan being bringing the UDO into compliance with Session Law 2019. She noted the text amendment was in progress and would be presented at the next public hearing, along with revisions addressing non-payment of fees and text and research on speculative grading. Ms. Shook stated the Downtown projects were high on the list and were in progress. She stated parking was also a high priority and text would be drafted to establish minimums and maximums while considering a tiered approach for reduction of parking in multi-family based upon proximity to Downtown and the main campus.

Ms. Shook stated there were some residential options related tasks and that included looking at how residential uses were permitted, creating new residential uses, and allowing those within different zoning districts to increase the range of options of housing in different zoning districts. She stated this also included researching duplex uses to allow separate ownership of each dwelling unit, the revision of Article 7 Nonconforming Uses for exceptions for single family residential units, and revising the multi-family standards to apply to 4+ dwelling units versus a 3+ dwelling units. A triplex use will be created that will trigger multi-family standards and could be used in a lot of zoning districts without having to meet some of the high commercial standards. Ms. Shook stated they would create a use to allow two and three detached single family dwellings on one lot and revise R2 Two Family Zoning District to allow the triplex use, new use which allows more than one detached dwelling unit on a lot, and allow individual ownership of dwelling units within a duplex or triplex.

Ms. Shook noted that all tasks shown in green were tasks that were in progress and currently being worked on. The CAC will be making recommendations on regulating historic and larger significant trees in residential areas as well as inviting bee and bird health experts to participate in discussions about the lives of bees and birds in our community and to make recommendations back to Town Council as to how to balance the values of maintaining an attractive community with protecting natural areas and habitats. The CAC will then look at the implementation of Food Council recommendations.

Ms. Shook stated that Item 17 on the Work Plan would be transferred off of the Planning and Inspections workplan and Mr. Santucci would be responsible for that item.

Council Member Furgiuele asked about the rezoning of the properties Town-wide. He stated that the lessening of restrictions was moved up on the list, but the rezoning of properties was moved down and those were really part of the same discussion. He stated he thought there was some institutional reluctance to deal with zoning but he was going to be really reluctant to loosen some of the other restrictions, if this was not addressed. Ms. Shook replied that her understanding of that discussion was that Council wanted to move forward with portions of the work that could be accomplished more quickly so she broke those out. Council Member Furgiuele stated he thought there was also a discussion that things would be addressed in the order they had been put on to the work plan and, while Town-wide rezoning may never be reached, he felt it was wrong to keep pushing it back on the priority list. Ms. Shook replied that tasks were being worked on concurrently versus in order.

State Level Changes

Ms. Shook outlined State level changes that the Department was currently working on. She stated that Session Law 2019-111 would be addressed at the next public hearing. The remainder of the pages for 160D would need to go to public hearing and she suggested a special public hearing for April 26 2021. Ms. Shook stated that the Town had until the end of

June to become into compliance with 160D. She noted there was a subdivision exemption change that needed to be incorporated as well as soil erosion and sedimentation control and watershed protection changes. Ms. Shook asked Mr. Johnson to speak about the Model Local Ordinance and Watershed Protection Ordinance changes. Mr. Johnson stated it had been close to 20 years since the Soil Erosion and Sedimentation Control Ordinance had been updated. He stated the changes would deal a lot with ground cover or stabilization frames as well as some requirements for sediment basins. Mr. Johnson stated it had been some time since the Watershed Protection Ordinance had been revised as well. Ms. Shook thought it was 1993 when the Town adopted the Watershed Model and it has not been changed since. She stated she had reviewed some of the changes and did not think the changes would be significant. Ms. Shook added that the Town lost the majority of its watershed properties when they lost the ETJ, so very few areas would be impacted. She stated that part of the changes being made would be that the Town would get an annual review for soil erosion and sedimentation control, an annual review on Special Flood Hazard permitting, and an annual review on watershed permitting.

Mr. Johnson addressed the 5-year Community Rating System (CRS program) that the Town participates in. He stated there was an annual review and a five-year review that took a substantial amount of time. Mr. Johnson explained that the Community Rating System was a program the Town participated in voluntarily and through FEMA that allowed the Town to conduct activities such as education, technical communication type issues, and just getting the information out. He stated that records had to be maintained on the properties repetitive loss and currently the Town was rated at a Class 7, which reflected a 15% discount in flood insurance policies if the policy was acquired through the National Flood Insurance Program. Mr. Johnson noted that the Town had been a Class 7 for quite a few years and had maintained it very well but the loss of the ETJ could negatively affect the rating due to the loss of open space and activities in the Town's jurisdiction.

Ms. Shook stated that the CRS review crossed multiple departments so not only did the State review the work done by P&I, but public works also has provided information at the five-year level regarding maintenance of drainage systems so it is a lot of work for multiple people.

Enforcement

Ms. Shook asked Stacey Miller to address enforcement. Mr. Miller stated that enforcement numbers were down considerably in 2020 as compared to 2019 and this was due to COVID. He noted that calls were still answered and investigations were performed as possible.

Council Member Furguele asked if the Town made people first complain to their landlords before filing a complaint with the Town. He stated that a lot of people did not want to complain directly to the landlords because the landlord might retaliate against them. Council Member Furguele stated he was not aware that the minimum housing code required that complaints be filed with a landlord first and he did not see why the Town would require that. Mr. Miller replied it was his understanding that it was a legislative requirement that tenants have to notify their landlord first in writing and then if they got no results they would complain to Planning & Inspections. Council Member Furguele stated he would like to hear from the Town attorney because that was not his understanding of the law.

Council Member Ulmer stated she believed tenants did have to go to their landlord first. She stated she had rented all of her life so she knew that usually they tell you to go to your landlord, then you go to town.

Ms. Meade stated she had not looked at that statute or that particular issue for years and would have to look into that. Council Member Furguele asked Ms. Meade to report back her findings to Town Council given that they had an interest in predatory practices by landlords.

Mr. Miller stated that he and Ms. Meade were working on updating and creating a standardized procedure for enforcement actions to ensure everyone followed the code consistently and that each code official did everything the same way every time. He stated this would essentially be an instruction manual for code enforcement. Mr. Miller stated after this task was complete, he and Ms. Meade would be reviewing the minimum housing code to see if any revisions needed to be made.

Council Member Furgiuele asked if Planning & Inspections kept any kind of a record in a combined or consolidated way of the landlords who had received repeated complaints. Mr. Miller replied that complaints were generally tracked by address instead of landlord. He noted that most landlords were cooperative with the Code Enforcement Official.

Council Member Furgiuele suggested enhanced penalties for repeat violators and maintaining a registry of property owners, not just property locations be considered when making revisions to enforcement procedures.

Council Member Furgiuele felt it might be appropriate to hear from Dalton George because he had been talking with a lot of tenants around town about minimum housing code and conditions.

Mr. George stated he had been working with a fair housing group and a lot of what they had been doing was actually informing people of the minimum housing code. He stated that tenants were sometimes ignored by their landlords and felt that tenants did not really know their rights. Mr. George suggested the possibility of broadly advertising the minimum housing code and what steps would need to be taken to file complaints. Mr. Miller replied that the Department would like to do more public education through websites and social media but noted that it was a process that took time.

Ms. Shook stated it had been a long standing goal of hers to revise the Planning & Inspections website to be more informative but P&I was a smaller department and did not necessarily have expertise in website design or creation.

Mr. Ward stated that part of the reorganization at Town Hall that involved the hiring of the Sustainability and Special Projects Manager was creating kind of a hybrid slot, where there was a person that was focused on the Town of Boone website. He stated that person would focus on social media and pushing out information from all the different departments and would serve as the equivalent of a public information officer that would work directly with him to get more and more press releases out about the positive things that Town Council and Town Staff were accomplishing.

Ms. Shook felt it was important to recognize that there were deficiencies within the enforcement program, and that some of those deficiencies include follow through. She stated programming changes would be made within the software to ensure that follow through will occur. Ms. Shook stated she would like to take a moment to say there was a recent complaint made, and part of the complaint noted that that the Department had not responded to a complaint. She noted that she understood that was how the complainant sometimes felt but pointed out that there was not always a chance for staff to explain what actually happened from their point of view. Ms. Shook stated that the building inspectors tried really hard to address any complaint that came in.

Mayor Brantz called a break in the meeting from 10:09 a.m. until 10:28 a.m.

Ms. Shook noted that Mr. Miller was able to look up the information Council Member Furgiuele requested regarding the tenant landlord notification. Mr. Miller stated General Statute 42 dealt with landlord and tenant agreements and 42-42(a)(4) read *Maintain good and safe working order and promptly repair all electrical, plumbing, sanitary, heating, ventilating, air conditioning, and other facilities and appliances supplied or required to be supplied by the landlord provided that notification of needed repairs is made to the landlord in writing by the tenant, except in emergency situations.* He stated that was what they had been working off of. Council Member Furgiuele stated he did not think that bound the Town but he would still like to get Ms. Meade's opinion about it in due time. He felt there was a problem in this town that was not really being addressed well.

Ms. Shook asked Mr. Johnson to speak about Tree City USA. Mr. Johnson stated the Town did receive its 28th Tree City USA award a couple weeks ago. He thanked Public Works for their work in helping the Town achieve this goal. Mr. Johnson stated there was a new program out now called Tree Cities of the World, which was an international effort to recognize tree cities and towns committed to ensuring properly maintained, sustainably managed trees. The leaders of that urban forestry forum issued to green cities a challenge and a call for action which would connect cities around the world network dedicated to sharing and adopting the most successful approaches to managing community trees and forests. As this progressed in 2013, they teamed up with the National Arbor Day Foundation. Mr. Johnson noted the

Town had been a Tree City USA for 28 years now, as well as a member of the Arbor Day Foundation. He stated that three months ago the Town applied, at the recommendation of the Arbor Day Foundation, for Tree Cities of the World and now the Town was a part of Tree Cities of the World. Mr. Johnson stated that a celebration could hopefully take place at some point this year.

Mr. Ward noted that one of the recommendations from the Sustainability Committee was going to be an allotment of money to continue the tree planting and reforestation of public property.

Recent Council Identified Items to Consider Placement on Work Plan

Ms. Shook then addressed the Council identified items to consider placement on the Work Plan. She noted that staff needed some direction on transitional zone expansion and loading zone revisions. Loading zone requirements came up in a recent rezoning case and it was suggested that revisions needed to be made to the UDO. Ms. Shook stated that the transitional zone expansion was looking at protection of other zoning districts other than what was currently protected.

Council Member Furguele stated they also talked about previously zoned property in the former ETJ. He noted there were single family districts or low density districts in areas that were now unzoned that he felt should be provided the same protection to the neighbor as zoned properties. Council Member Furguele expressed concern about the number of applicants who come in with transitional zones and said the standards were sufficient. He also felt like items on the Work Plan should be held to first in, first out as much as possible, with few exceptions, including these, even though he thought they were important.

Ms. Shook stated that these items could be placed on the Work Plan in whatever order Council would like for them to be placed. She noted she would add these topics to the list and discuss them at the end of the day.

Council Member Furguele stated he had heard from a lot of people over the last few years who lived in Neighborhood Conservation Districts and he felt the protections that the Town afforded through those Neighborhood Conservation Districts were insufficient. Council Member Furguele suggested evaluating what additional protections might be available within both the boundaries of the Town's capacities, and also under State laws and court authority. He suggested adding this topic to the Work Plan if possible.

Ms. Shook provided a recap of items to review during the last session. She noted they would review existing priorities to make sure they were in the order in which Council wanted them and add, anything that Council wanted to add; add the soil erosion control update to the UDO; add the watershed update to the UDO, add the enforcement program work; add loading zone revisions; add transitional zone revisions; add Solsmart changes and; add Neighborhood Conservation District revisions.

Staff Identified Items to Consider Placement on the Work Plan

Ms. Shook then addressed the Staff identified items to consider placing on the Work Plan. The first item was a traffic impact analysis. Ms. Shook noted this could be a very important document related to development but the UDO was very basic on the requirements and there was not a lot of detailed description of what size project would trigger a TIA. She stated that the Town got the same type of information from developers and 90% of the TIA's recommended no improvements. She added that there was no way for Staff to know if those recommendations were valid or not. Ms. Shook suggested the possibility of hiring a consultant to help prepare those standards. She also suggested that if a project triggered a TIA the Town would hire a consultant and have the TIA performed. Ms. Shook stated that Todd Moody, Public Works Deputy Director, had done some additional research on the topic and she asked him to speak on the subject.

Mr. Moody stated he felt the Town could get more protection for neighborhoods, streets, and roads by revising TIA requirements. He stated he liked the idea of, if a Traffic Impact Analysis was triggered, getting quotes, and then having the town do that Traffic Impact Analysis. Mr. Moody stated he did not think in 20 some years he had seen a single Traffic Impact Analysis that was paid for by a developer that did not conclude that there would be no impacts or limited impacts.

He expressed support for having more input from an objective source.

Ms. Shook noted that the Town had contracts with Kimley Horn and Ramey Kemp so there was access to traffic engineers. She stated Mr. Moody had been in contact with Ramey Kemp and asked Mr. Moody to outline his conversation with Mr. Kemp. Mr. Moody explained that Ramey Kemp could offer a complete TIA service for the Town or they could offer a review service where they would review someone else's TIA. He noted the engineer's fee would be between \$2,000-\$5,000 depending on the scope of work they perform and those fees could be passed on to the developer.

Ms. Shook stated she would like to work with a consultant to bring the UDO up to date, and also to provide some staff training on Traffic Impact Analyses. She noted that TIA's were expensive and was told by some smaller projects that their TIA's costed about \$10,000. Ms. Shook stated that these documents and the Town's ability to rely on these documents and how it affects the transportation system were important.

Mike James, Senior Planner stated he was a banker for 20 years and likened the TIA process to getting an appraisal on a house you were buying. He stated that the bank would order the appraisal from an appraiser whom they contract with that would perform the appraisal to their specifications.

Council Member Furguele agreed that it was a better idea for the Town to use its consultants so there would be no predisposition toward the outcome but he also thought they should look at ways to tailor the Traffic Impact Analysis to the location and size of development because there were some areas that were more sensitive than others. He noted that a lot of the information was standard in a Traffic Impact Analysis and when it came before the Board of Adjustment or the Town Council, much of the information was not even used or understood. Council Member Furguele stated he was not sure that the boards, including Town Council had the capacity to fully understand all of the consequences. He noted that State law prohibited non-engineering staff to argue about the reliability of a sealed instrument from an engineer so that created problems. Council Member Furguele stated he did not know if it was necessary to have a full blown \$10,000 TIA in every situation. He stated he would like to see this topic added to the Work Plan and when there was a training session that there be a discussion with board members, to see what their perceptions are about the usefulness of the data coming to them.

Council Member LaPlaca felt there were enough things on the Work Plan already but if it was the will the Council she would be fine going along with the majority.

Council Member Ulmer agreed with Council Member LaPlaca and stated she was not sure it was a priority in comparison with some of the other items on the Work Plan, although it was important.

Quint David stated he wanted to make a quick comment about the AppalCART and how this could affect some of the things they do. He stated that a lot of the larger apartment complexes were coming in and even though they do the Traffic Impact Analysis, AppalCART was getting 60-75% of the residents riding on a bus, which was great for sustainable transportation, but not great when there were no extra buses to support the ridership. Mr. David felt it was important to note that traffic impact was not just on streets and cars, but on public transportation as well.

Ms. Shook pointed out that the Town was in a bit of a unique circumstance for current projects with traffic analyses because, due to COVID, traffic patterns were not what they usually were so projects were having a hard time trying to figure out the best way to capture pre-COVID traffic patterns.

Mr. Johnson then addressed lighting standards. He stated the current lighting standards were adopted in 2006 and the UDO did not address or allow for advanced technology such as LED lighting

Council Member Furguele asked if one of the Town's goals was to try to maintain dark skies. Ms. Shook replied that was correct but noted that revisions to the lighting standards would just be bringing the ordinance into compliance so there would be correct direction for LED lights.

Council Member Furgiuele suggested using the tiered system for bringing projects into compliance with the new UDO requirements.

Ms. Shook stated she really liked the idea of breaking up the compliance for lighting standards into tiers.

Mr. David stated this would be an opportunity to educate people about that dark skies initiative and some sustainability measures. He felt it was important to make sure that the ordinance was strong enough that people actually ended up doing it eventually.

Ms. Shook stated that staff tracked improvements for all development on a spreadsheet so they could make sure they know the level of improvement. Those improvements will be tracked for 36 months.

Mr. David stated it would be interesting to see how many projects were hitting what tier. He felt they Town might need to rethink some of the tier 3 requirements, noting that some buildings may never be required to do more than whatever is required in tier 1 unless they essentially rebuild the whole building.

Ms. Shook moved on to the next Staff identified item to place on the Work Plan. She stated there needed to be some clarifying language when retaining walls and lighting plans were required. Ms. Shook stated the ordinance required lighting plans to be submitted prior to the issuance of a building permit instead of the zoning permit. This caused applicants to wait until building permit review to submit a lighting plan. Ms. Shook stated that the UDO required retaining wall plans to be submitted prior to construction of the wall instead of prior to the issuance of permits

Ms. Shook noted the next item was a slightly bigger topic involving stormwater for single family and other de minimis impervious areas. The UDO currently required single family homes projects to submit a drainage plan. In recognition that it costs a lot of money to have a drainage plan prepared by an engineer, Council agreed that the drainage plan did not have to be certified by an engineer. Ms. Shook noted the text exempted homeowners from having the plan certified by an engineer, but Appendix A still required the plan to be provided by an engineer. She stated that engineers were reluctant to provide a plan and not certify the plan. Ms. Shook stated that staff received a lot of complaints from homeowners about the cost of the plan. She asked if Council would like to allow single family homeowners to write a drainage plan or require the plan to be engineered and should there be a requirement that the stormwater system was installed properly. Additionally, Ms. Shook asked if Council would like to require a drainage plan when there were de minimis changes in impervious area. She stated there was a concern that the infrastructure was not always installed correctly and because it was underground there was no way for staff to actually know without a certification.

Mr. Johnson explained that most homeowners are unable to design a stormwater system and provide calculations themselves. He stated he had spoken with some engineers in town and an unsealed drainage plan could cost up to \$1,000 while a plan designed and certified by the engineer could cost upwards of \$2,500 - \$3,000. Mr. Johnson stated this was concerning people on a smaller square footage scale. He suggested that a 500-600 square foot project really created no impact.

Council Member Furgiuele asked if general contractors had the knowledge to put forward a proposal for stormwater control without having to go to an engineer. He also asked if it was possible to just provide guidance in the ordinance, maybe based upon the size of the home, what structure needed to be done. Mr. Johnson replied that some general contractors do submit drainage plans using an on-line tool but others have no clue how to do the calculations. Ms. Shook added that Mr. Johnson was referring to the complicated pre- and post-development calculations that go along with the drainage plan.

Ms. Shook noted there was also a deficiency in the ordinance regarding maintenance of stormwater systems.

Mr. Santucci stated that 500 square feet was a pretty small structure and there could be some recommended BMP's. He felt that things like rain gardens and other offsets along small footprints were adequate to capture a one-inch rain, which was typically the metric used on stormwater BMP's.

Mr. Furgiuele asked Mr. Santucci if he thought there were designs that the Town could formulate that would be understandable without having to involve engineers so people could just build according to what the Town said. Mr. Santucci replied that he thought it was possible. He stated that the property, the slope, the steepness of the property, and the lay of the land had an impact on the BMP's.

There was consensus to add this to the Work Plan.

The next Staff identified item to add to the Work Plan was an appearance standards update. Ms. Shook stated it was becoming apparent that current design standards were not getting the Town what it wanted. She noted that developments were beginning to look the same because of the somewhat forced architectural requirements.

Mr. Johnson stated that the appearance standards were adopted into 2006 and those standards had not really been reviewed in the past 15 years.

Council Member Furgiuele stated that the type of expertise that currently exists on the Community Appearance Commission would lend itself to the review of the overall standards. He felt people had been dissatisfied with the way community appearance standards worked because there seemed to be a lot of architecturally cookie cutter developments.

There was consensus to add this to the Work Plan.

Mayor Brantz called a break in the meeting from 11:50 a.m. until 12:53 p.m.

Sustainability Transition with George Santucci

Ms. Shook noted that Mr. Santucci was scheduled to be heard at the end of the agenda and had scheduled an appointment for this afternoon but since Council was moving quickly through the agenda requested that a modification to allow him to be heard ahead of time.

Mr. Santucci stated he wanted to share some of the projects he was working on and what he was thinking. He stated that the 2030 goal was what was most prominently on his mind and working to achieve carbon neutrality for the Town's municipal operations. He stated that municipal operations consumed about 6.9 GW of electrical power every year with 1.6 gigs of that from New River Light & Power and 5.3 gigs from Blue Ridge Electric. Mr. Santucci stated he was talking with the power company about the potential of some truly carbon neutral and greener sources of energy other than what they currently could get from Duke Power. He stated he was mapping the Town's electrical infrastructure, looking at the potential of expanding EV charging stations, and transitioning the municipal fleet. Mr. Santucci noted he was also working inventorying all the forest acres that Boone owned as a way to look at some carbon sequestration and carbon offsets to the footprint. He stated that he had found at least 169 wooded acres on town owned property.

Mr. Santucci stated that the Bolick tract would involve many things, including an additional 2,000-2,300 linear foot restoration of the South Fork that would be a partnership with Watauga County.

Council Member LaPalaca corrected Mr. Santucci regarding gigawatt usage, stating it was gigawatt hours. She stated that the rules for net metering and rooftop solar were still so bad and there were not really any low income energy efficiency programs.

Mr. Ward stated that both John Cooper and Steve Metcalf were aware of the Town's larger projects, and along with Brad Edwards, were monitoring both the bills that were coming through as well as any existing or available sources for the Bolick property, Howard Street, the Boone Creek restoration project, as well as electric vehicle conversion and streetlight conversion.

Downtown Projects

Ms. Shook stated there were two Downtown projects, the B1 expansion project and the Downtown Boone Local Historic District project. She explained that the timeframe for presenting these projects was delayed due to the impacts of COVID.

Ms. Shook noted that the goal of the B1 expansion project was to preserve and protect the Downtown core and expand the Downtown areas where discussions have occurred for many years. She stated there would be a B1 Downtown Core and a B1 Downtown Interface. Ms. Shook added that each zoning district would also now have its own article so all the regulations for each particular zoning district would be put together.

Ms. Shook then discussed the Downtown Boone Local Historic District. She stated that the architectural survey contained information to help make the determination of whether or not properties qualified to be placed in a historic district, in this case, a Local Historic District. Once the architectural survey has been completed, a map would be created, as well as a District Designation Report that would be sent to SHPO, and then the Design Guidelines. Ms. Shook stated that the story map detailed each parcel affected by the Downtown projects.

Ms. Shook asked for direction regarding the next steps for future meetings regarding the Downtown projects. She felt that staff would be able to get everything online by the beginning of March but she did not think there was time at this point to schedule a joint meeting with all the boards in time for the Planning Commission meeting on February 22. Ms. Shook noted she had asked the Planning Commission to keep the 22nd open so the Downtown projects could be presented to them at that time. She stated she would like to invite at least the Chair and Vice Chair of the CAC and HPC to the Planning Commission meeting, as well as Council. Ms. Moody added that the DBA had expressed an interest in being able to get the Design Standards as soon as they were ready so they could have time to review and comment.

Mr. Ward noted that Town Council's budget retreat was on February 22 so it would be a long day. Ms. Shook stated another option would be to move everything back one month, or they could go ahead and present to the Planning Commission and then schedule a special joint meeting with all four boards.

Council Member Furgiuele agreed with proceeding on the 22nd and although it would be a long day for Council he felt it would be a good opportunity for the new Council member to have the benefit of the information that would be provided to the Planning Commission.

Ms. Shook stated the next thing would be to schedule a date for the Planning Commission to provide comments and feedback before going to public meetings. She suggested asking Planning Commission on the 22nd if they would consider a special meeting date for that particular purpose. There was consensus of Council to proceed as Ms. Shook suggested.

Ms. Shook then addressed the public meetings that would follow Planning Commission's review. She stated that everyone would have to think outside the box to come up with ways to do public input while still in the pandemic. Ms. Shook suggested meetings where people could come in small numbers or appointments could be scheduled with individual property owners.

Council Member Furgiuele stated, despite the hopes and the optimistic news about vaccinations, it might be a long time before the Town could go back to face to face hearings. He stated he thought the Town should go ahead with virtual public meetings, noting there were all kinds of exhibits and knowledge to share with people.

Council Member Ulmer agreed with Council Member Furgiuele. She felt COVID was not going to move out as fast they had hoped the Town was already behind in trying to implement the Downtown projects.

Ms. Shook asked if Council would like to have the full membership of CAC and HPC invited to the February 22 Planning Commission meeting or just the Chairs and Vice Chairs. Council Member Furgiuele felt the full boards should be invited and the other Council members agreed.

Mayor Brantz called a break in the meeting from 1:55 p.m. until 2:01 p.m.

Recap & Priorities

Ms. Shook addressed the Work Plan, noting if tasks were in green they were in progress and if tasks were in white they had not been started. She stated they needed to review the existing priorities, specifically in regards to residential options,

under tasks 8 – 13. Ms. Shook stated that they were originally combined with task 21 on the Work Plan and asked if Council wanted them to be joined back together or left as they were on the Plan.

Council Member Furguele stated he would like to see them joined back together because some of the increase in density and some of the areas depended on the protection.

Council Member Hicks asked for a brief description of how this was originally discussed. Ms. Shook explained that it began in 2018 with an assessment of properties that were zoned R3 and R4 to see if those properties were appropriately zoned.

Ms. Shook noted that some property owners might see this as having their property down zoned and devalued. She stated that at least 258 parcels were considered and this was a huge project. Ms. Shook stated she wanted Council to be prepared for the questions, comments and interaction that could come with that large of a rezoning project.

Council Member Furguele felt the rezoning would bring a lot of properties into conformity and would protect existing neighborhoods that were threatened.

Council Member Ulmer asked why the Town stopped moving forward with the rezoning. Ms. Shook replied that Downtown projects became the number one priority. Council Member Furguele added that another reason was because there was an election coming they had to decide what to prioritize while that Council was still there, and then COVID came.

Ms. Shook stated it would be very difficult to rezone over 240 properties all at one time and there would be a large number of interested parties.

Mr. Ward asked Ms. Shook if she had done an assessment of whether the Town had the resources available to pay for all the different ads that would be required by state law. Ms. Shook replied that did not recall at this time. Ms. Ward stated there might be some creative ways they could take out large ads that listed mass numbers of the addresses in order to meet the advertising requirements. He noted he wanted to make sure there were adequate resources available to do this because it would take time and a great deal of money to make sure that it was appropriately advertised.

Ms. Shook stated she had located her previous estimate and in 2019 the estimated cost to run 5 half page ads was \$9,283.

Mayor Brantz asked if this project would require additional staff. Ms. Shook replied that staff could work on as many projects as Council wanted, but the number of staff was limited. She explained that Planning staff not only worked on special projects but they also had job responsibilities such as permitting, managing deadlines, and board meeting work. Ms. Shook stated she could not really answer whether or not she had the correct amount of staff needed to be able to do the project because it would depend on where they were with other projects on the Work Plan.

Council Member Furguele stated he did not think this Council would make the final decisions on any of these large rezoning tasks because there were always unanticipated delays and would likely fall to the next Council. In terms of separating the tasks, he felt they should remain joined. Council Member Furguele stated that not everyone on Town Council was really concerned about neighborhood protection, but he was.

Council Member Hicks felt it was okay to rejoin the tasks but thought staff should continue to focus on the HPC and CAC matters so the Downtown projects could be completed.

Mayor Brantz asked if giving staff an additional six months to a year to complete the existing projects would help with the Work Plan. Ms. Shook stated that she saw the Work Plan as a fluid document that contained assignments that needed to be done and then Council prioritized the order that they would like to have them done. She stated the Work Plan was a way for the Department to track those requests as well as to allow Council to assess and prioritize the tasks. Ms. Shook stated she did not mind having more items added to the list but felt the expectation of when projects should be completed needed to be managed.

Mr. Ward stated that the Planning staff was averaging about \$170,000,000 worth of development projects and had been doing a great job with that, noting that in itself was a full time job. He stated that you never knew what would come in the door for development and then there was Council's list of projects. Mr. Ward noted that if development dropped down and staff ended up accomplishing the Town Council's tasks, then Planning might be overstaffed. He stated that Planning was always going to be a huge ebb and flow and would have difficulty when it came to staffing.

Council Member Furgiuele added that the Planning Department had many committees that they staff and that took a huge amount of. He felt if the Town continued to have so many committees they would likely need to think about adding staff to the Planning Department because they have been stretched thin for years. Council Member Furgiuele stated that even if there were no people coming in for new permits, there was still so much activity because of Council's priorities and enforcement actions.

Mr. Ward stated that his main point was that they did not have the knowledge of the next project that would walk in the door and it created a difficult situation to try to balance out Council's priorities and staffing needs. He noted that Mr. Santucci would take the Sustainability Committee off of Planning staff so they would no longer have to handle that committee. Mr. Ward stated he planned to continue taking care of things like the Solsmart project and the creation of the expansion of the Municipal Service District downtown to help the Planning staff.

Ms. Shook stated she would recommend combining the two residential options. She then outlined what she felt was Council's direction from this meeting.

- Update the UDO for erosion control and watershed.
- Enforcement program
- Loading zone and transitional zone requirements
- Add Solsmart in the correct location
- Neighborhood Conservation Districts
- Revisions to Traffic Impact Analysis requirements
- Lighting standards
- Clarify language for when retaining wall and lighting plans were required
- Stormwater: single family and de minimis impervious area changes
- Appearance standards

Ms. Shook felt that everything that was discussed today could go at the bottom of the list unless it had a home with an already associated task. There was consensus from Council to accept Ms. Shook's proposal.

Ms. Shook noted that an item on the list was to have Ms. Meade evaluate the regulation of alcohol and the Town's authority as it related to zoning.

Ms. Shook stated she neglected to introduce Matt McGregor, who was interning at the Planning Department. She explained that Mr. McGregor was working on a project that would be beneficial not only to staff, but to the citizens of the Town of Boone by digitizing and making sure all of the orders for Special Use Permits Variance, and Conditional Districts were uploaded so they would be accessible on GIS. She stated she hoped to have that implemented by the end of March.

Council Member Ulmer stated that the town was getting bigger. She noted all of the items currently on the Work Plan and those that had been added today and felt that eventually some of those items would have to be let go if more help was not hired. Council Member Ulmer cautioned against overworking staff.

Adjournment

With nothing further, Council Member Ulmer made a motion to adjourn the meeting at 3:00 p.m. The motion was seconded by Council Member Hicks.

VOTE: Aye – All
 Nay – None

The motion passed.

Rennie Brantz, Mayor

Brenda Henson, Admin. Support Specialist