

**BOONE TOWN COUNCIL
PLANNING RETREAT
Tuesday, March 6, 2019**

Town Council members in attendance: Mayor Rennie Brantz, Mayor Pro Tem Loretta Clawson, Connie Ulmer, Sam Furgiuele, Marshall Ashcraft, and Lynne Mason

Planning & Inspections Staff in attendance: Jane Shook, Brian Johnson, Christy Turner, Marty Little, and Brenda Henson

Other Town Staff in attendance: John Ward-Town Manager

Others in attendance: Allison Meade-Town Attorney

Call to Order

Mayor Brantz called the Planning Retreat to order at 9:01 a.m.

Council Member Furgiuele made a motion to amend the agenda to add a closed session at the beginning of the day for a personnel matter and to add a discussion after closed session of the cottage housing topic that was tabled at yesterday's meeting. The motion was seconded by Mayor Pro Tem Clawson.

VOTE: Aye – All
 Nay – None

The vote was unanimous.

Mayor Pro Tem Clawson made a motion to go into closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. The motion was seconded by Council Member Furgiuele.

VOTE: Aye – All
 Nay – None

The vote was unanimous.

At 9:36 a.m. Mayor Pro Tem Clawson made a motion for Town Council to return to regular session. The motion

was seconded by Council Member Mason.

VOTE: Aye – All
 Nay – None

The vote was unanimous.

R5/Cottage Housing

Ms. Shook stated that Mr. Little drafted new text for an R5 Cottage Housing Residential District for Council's consideration. Ms. Shook felt Council might want to consider a different name for the district other than Cottage Housing.

Mr. Ward asked if this district would allow the small pull-in cabin-type developments that seem to be popping up. Ms. Shook replied that the district would allow modular and stick built homes that have to meet building code standards. Mobile homes have to meet HUD standards and would not be allowed in this district. Ms. Shook suggested imposing a minimum lot size as a way to help control the size of the homes.

Ms. Shook stated that a 2,000 sq. ft. district may not be able to have adequate parking and still meet setback requirements. She felt that 4,000 sq. ft. would likely work better. Council Member Ashcraft suggested a 10' setback. Council Member Furgieuele suggested having a 7' interior setback beside another R5 property with the outside setback matching the adjacent zoning.

Council Member Furgieuele stated he would like to look at ways that this could be done by right in a transition zone and not through Conditional District or Special Use Permit.

Ms. Turner stated she had spoken with several other jurisdictions and Spokane, WA was the only jurisdiction to require a Conditional District. Ms. Meade asked if others were doing grid lots or cluster development. Ms. Turner replied that most were cluster developments. Ms. Shook stated that Spokane's was more of a use than a district. Ms. Turner stated that Spokane and Kirkland both had test cases with 12-15 cottages in each case but other jurisdictions have not had any cases.

Council Member Ashcraft asked if this could be done as a use within the R3. Council Member Furgieuele stated he was not opposed to that but was not ready to allow small pockets in the R1 until he saw how it worked.

Mr. Little stated that a district would just be single family homes on single lots.

Council Member Mason felt that garages would be included in the footprint of the building and asked if basements would be allowed. Ms. Meade stated height was measured from mean grade so a basement could be allowed.

Ms. Shook felt that calling the district cottage housing caused people to envision only cottages when it was really

just small houses on small lots. She suggested calling the district R1-C or R1-S instead of R5 Cottage Housing Residential District.

Council Member Furgiuele stated he would rather do a district first before allowing the use in an R3 because it would offer more protection.

Livability space was discussed. Council Member Ashcraft suggested 800-1,200 sq. ft. heated space. Council Member Mason suggested up to 1,500 sq. ft. Council Member Furgiuele wanted to keep the space small because that was part of the affordability.

Ms. Shook explained that architecturally integrated subdivisions allowed development that regular subdivisions did not. She stated that large lots in existing neighborhoods could be a consideration for flag lots. Council Member Furgiuele stated he was not in favor of that in R1 or R1A. Ms. Shook noted that it could provide infill and increase housing stock but not by a great deal.

Ms. Shook asked Council if they were agreeable to a minimum lot size of 4,000 sq. ft., 800-1,200 heated sq. ft. with decks and porches additional, and a 7' interior setback against other properties in the same district with the district being called R1-S. Council was in agreement.

Ms. Shook stated she would bring this back to Town Council in May. She noted that the Principal Use Table was at its maximum capacity and may have to be broken up.

Ms. Shook noted that R4 allowed for single manufactured homes and was the only jurisdiction that allowed them.

Mayor Brantz called a break in the meeting from 11:20 a.m. until 11:33 a.m. Mr. Johnson and Ms. Turner left the meeting during the break.

R3/R4

Ms. Meade noted that Council Member Ashcraft had raised an issue regarding parcels to be rezoned near his property and the Boone United Methodist Church where he attends and she did not feel a recusal was warranted because he would have no direct financial impact. Council Member Ashcraft stated he was satisfied with that.

Ms. Meade left the meeting at 11:38 a.m.

Council Member Ashcraft stated that the minimum lot size for R3 was less than the single family lot size and suggested it be 20,000 sq. ft. Ms. Shook stated she could make this change and bring it back to Council at the same time they consider the R1-S District.

Council began with Map 1 (Parcel ID: 2901-30-7525-000) and felt this property should remain zoned R3 because it is surrounded by R3.

A lunch break was taken from 11:55 a.m. until 12:34 p.m.

Map 2 (Parcel ID: 2901-40-7729-000)- It was noted that this property was not located within the interface area and was zoned R3, possibly Conditional R3. It was suggested this property remain R3 if it was Conditionally zoned but, if not, it should be changed to R2 to be consistent with adjacent zoning and in a zoning jurisdiction that allows a bed and breakfast.

Map 3 (Parcel ID: 2901-62-9681-000) – Change the R4 portion to R1A because the steepness of the property does not lend itself to R4 uses. R1-S was mentioned but Council Member Furguele felt the increased density accessed by Park Street would not be a good idea.

Map 4 (Parcel ID: 2901-71-1410-000)– Change the R4 portion to R1 because it is adjacent to R1, leave the R1A as R1A, and leave the R1 as R1. Council Member Furguele stated this area was close to the university and would be a good location for housing for faculty and staff.

Map 5-16 (Parcel IDs: 2901-71-4158-000, 2901-71-2005-000, 2901-71-0130-000, 2901-70-0962-000, 2901-60-9996-000, 2901-60-9768-000, 2901-70-1727-000, 2901-71-3072-000, 2901-70-3843-000, 2901-70-6906-000, 2901-70-5739-000, 2901-70-2751-000) – Change from R4 to R1A. It was noted that many of these lots contained steep slopes.

There was discussion about removing R4 as a zoning district from the UDO and the zoning map. It was the consensus of Council to remove R4.

Map 17 (Parcel ID: 2901-60-8267-000– Change from R3 to R1A. Also change the property to the right of #17 (Parcel ID: 2910-60-9382-000) from R3 to R1A. Ms. Shook noted these properties were currently located within the interface area and the interface map would need to be modified to exclude these two parcels. The residential parcels in the Bent Street area that are currently zoned B1 should be changed to R1A (Parcel ID: 2901-70-1306-000, 2901-70-1378-000, 2901-70-0286-000, 2901-70-0292-000, 2901-70-1196-000, 2901-70-2017-000, 2901-70-2345-000). It was noted that Straight and Bent Streets were very narrow and does not need additional traffic that could be generated from multi-family or business uses.

Map 18 (Parcel ID: 2901-60-9272-000) – Change from R3 to R1A to be compatible with the suggested zoning change for adjacent parcels.

Map 19 (Parcel ID: 2901-60-9021-000) – Change from R3 to B1 Downtown Interface. It was noted that this property contained an office and the adjoining property was already zoned B1.

Map 20-21 (Parcel IDs: 2901-60-6092-000 and 2901-60-5006-000) – Change from R3 to R1A because the parcels are accessed from Green Street and are on steep and very steep slopes.

Map 22 (Parcel ID: 2900-68-2376-000) – Remain CDR3

Map 23 (Parcel ID: 2900-68-0591-000) – Remain CDR3

Map 24 (Parcel ID: 2900-49-7669-000) – Change R3 portion to R1 to be in keeping with the portion of the property that is already zoned R1.

Map 25 (Parcel ID: 2900-49-4718-000) – Change from R3 to R1 to be in keeping with neighboring R1.

Map 26 (Parcel ID: 2900-49-7669-000) – Change from R3 to R1 in keeping with neighboring R1.

Map 27 (Parcel ID: 2911-30-7385-000) – Change entire parcel from B3 and R3 to R1. It was noted that this lot drops off significantly down toward the creek, contains steep and very steep slopes, is accessed from Hidden Valley Circle, and is right across the street from an R1 neighborhood.

Ms. Shook explained that when Boone United Methodist Church was built there was a provision in the UDO that allowed contiguous parcels in the same ownership to be counted in the density standards and there was a likelihood that this was done for Map ID 28-30. She cautioned that changing too much of their property to a lower density standard could hinder the church from doing any future expansions.

Map 28 (Parcel ID: 2911-30-9433-000) – Change R3 portion to B3 to be consistent with the remainder of the parcel.

Map 29 (Parcel ID: 2911-30-5856-000) – Change from R3 to R1 because the property is adjacent to an R1 and is access from Hidden Valley Circle.

Map 30 (Parcel ID: 2911-30-9802-000) – Change R3 portion to B3. Council Member Furguele stated he would rather see the entire parcel zoned R1 if it did not mess up the church's intensity ratios. Mr. Ward suggested a possibility of bringing the hiking trail into the Town's jurisdiction and that could count toward the livability space. Ms. Shook felt this needed more research.

There was a break in the meeting from 2:12 p.m. until 2: 24 p.m.

Map 31 (Parcel ID: 2911-40-4076-000) – Change R3 portion to OI to be consistent with the remainder of the parcel which is currently being used as an office. It was noted that the back part of the property was pretty steep.

Map 32-33 (Parcel IDs: 2911-41-0241-000, 2911-40-0198-000) – Council Member Mason asked if the text could be changed to allow this type of use in an R2. There was discussion regarding the definition of duplex and individual ownership versus both units being in single ownership. Ms. Shook stated she would research this and bring it back for further discussion.

Map 34 (Parcel ID: 2911-51-4165-000) – Change R3 portion to R1 in keeping with the remainder of the parcel and

to protect the neighborhood.

Map 35 (Parcel ID: 2911-52-4001-000) – Change from R3 to R1 to protect the neighborhood.

Map 36 (Parcel ID: 2911-51-8590-000) – Change from R3 to R1 to protect the neighborhood. It was noted the property contained steep and very steep slopes.

Map 37-44 (Parcel IDs: 2911-51-9351000, 2911-61-0219-000, 2911-61-0279-000, 2911-61-1238-000, 2911-61-2209-000, 2911-61-1397-000, 2911-61-1492-000, 2911-61-1478-000) – Change from R3 to R1 non-conforming to protect the neighborhood unless the neighbors resist.

Ms. Shook suggested putting a provision in the UDO that homes in residential districts can rebuild in the same footprint in case of destruction by fire or natural disaster. Council was in agreement.

Map 45 (Parcel ID: 2911-61-3444-000) – Change from R3 to R1 to protect the neighborhood.

Map 46 (Parcel ID: 2911-62-9175-000) – Change from R3 to R1 to protect the neighborhood.

Map 47 (Parcel ID: 2911-60-2149-000) – Remain R3 and MH until someone comes in wanting to change the zoning.

Map 48 (Parcel ID: 2911-60-4136-000) – Remain R3 and R1 until someone comes in wanting to change the zoning.

Map 49-55 – (Parcel IDs: 2910-89-8251-000, 2910-89-9230-000, 2910-99-0210-000, 2910-99-0049-000, 2910-99-1034-000, 2910-88-9991-000, 2910-99-2204-000 and added 2910-99-1139-000) - Change from R3 to R2 and change the property to the left of #55 from R3 to R2 because these properties are primarily single family homes and duplexes.

Map 56-61 (Parcel IDs: 2910-99-2272-000, 2910-99-3169-000, 2910-99-4177-000, 2910-99-5010-000, 2910-99-9096-000, 2910-99-9182-000 and add 2910-99-2044-000, 2910-99-3074-000)– Change from R3 to R2 and change the two properties to the left of #59 from R3 to R2 because these properties are primarily single family homes and duplexes and contain some steep and very steep slopes.

Map 62 (Parcel ID: 2920-09-0360-000) – Change R3 portion to B3 in keeping with the remainder of the parcel.

Map 63 (Parcel ID: 2920-09-3240-000) – Change from R3 to R2 to protect the neighborhood.

Map 64 (Parcel ID: 2920-09-61777-000) – Change from R3 and RA to B3 in keeping with the surrounding B3 property. It was noted that the property was steep.

Map 65 (Parcel ID: 2910-28-4460-000) – Change from R3 to B3 due to its current use and in keeping with the B3 zoning of the church.

Map 66 (Parcel ID: 2910-28-6325-000) – Change R3 portion to R1 because it contains a house and is in a neighborhood. Leave B3 portion as B3 because it fronts King Street.

Map 67-69 (Parcel IDs: 2910-28-6498-000, 2910-28-7592-000, 2910-28-9501-000) – Change from R3 to R1 because these are houses in a residential neighborhood.

Map 70 (Parcel ID: 2910-38-0521-000) – Change from R3 to R1 in keeping with the neighborhood.

Council Member Furgiuele referred to the housing study that was done several years ago that indicated the Town had an overabundance of beds even with the projected growth of the university. He stated that the Town needed more low density development and did not need R3.

Recap & Direction

Ms. Shook stated there were seven items that had been identified during the meeting, outside of the rezoning of properties, that staff would need to address.

1. New R1-S zoning district, 4,000 sq. ft. minimum lot size, 800-1,200 sq. ft. excluding decks, porches, garages, and carports, change in transitional zones for the new R1-S zoning district, bring back in May.
2. Increase minimum lot size in R3 to 20,000 sq. ft.
3. Bring back information for Council to consider regarding properties on Straight and Bent Streets for rezoning to R1-A.
4. Research Boone United Methodist Church permitting and density requirements.
5. Duplex text modification.
6. Modify UDO Article 7 to allow single family homes that have been destroyed to be replaced in the same footprint.
7. Possible enforcement on one piece of property.

Ms. Shook noted that there were several properties added to the scope today. She asked Council to consider, moving forward, how all of this would be implemented and the costs associated with that implementation. Ms. Shook stated the budget would not accommodate the cost associated with a rezoning of this size. Mr. Ward replied that he had always taken into account that budget adjustments might have to be made for major projects.

Council Member Mason stated that looking at the zoning of properties in Town was long overdue.

Ms. Shook stated the April 10, 2019 Planning Retreat agenda would include the following topics:

- Downtown Uses/B1 Downtown Core & B1 Downtown Interface
- Update on R1-S
- R3/R4

Adjournment

Mayor Pro Tem Clawson made a motion to adjourn the meeting at 4:51 p.m. The motion was seconded by Council Member Mason.

VOTE: Aye – All
 Nay – None

The vote was unanimous.

Rennie Brantz, Mayor

Brenda Henson, Admin. Support Specialist