



**Town of Boone
Town Council
Regular Meeting
5:00 PM, August 26, 2026
Town Council Chambers
1500 Blowing Rock Road**

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Work Session**
 - A. Discussion on Annexation Policy.
- 4. Announcements**
- 5. Requested Appearances**
 - A. Informal Discussion of Proposed Re-Zoning at 433 Fairway Drive (Boone Golf Club).
- 6. Tentative Agenda Adoption**
- 7. Public Comment**
- 8. Approval of Items on Consent Agenda**
 - A. Consideration of Engineering Services Agreement for South Fork Raw Water Intake - Hazard Mitigation Project
 - B. Consideration of Winkler's Creek Raw Water Intake - Dredging Project
 - C. Consideration and Approval of Resolution - ABC Permitting Official
 - D. Approval of HRC Budget Expense Proposals
 - E. Consideration and Approval of Minutes
- 9. Planning Matters**
 - A. Consideration of July 27, 2026, Public Hearing Cases
 - B. Conditional District Process Update & Discussion
 - C. Consideration of the Jones House Local Historic Landmark Designation Report
- 10. Council Matters**
 - A. Appointment to Human Relations Commission
- 11. Closed Session**

- A. N.C. Gen. Stat. § 143-318.11(a)(1), to review, approve, and seal closed session minutes from Council's prior closed session(s).
- B. N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council, and obtain legal advice, consider, and/or give instructions to the attorney concerning one or more potential legal claims.
- C. 3. N.C. Gen. Stat. § 143-318.11(a)(6), 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.

12. Potential Action Following Closed Session

13. Adjournment



Town of Boone Agenda Item Action Request Form

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Jane Shook, Director of Planning & Inspections

Department: Planning & Inspections

Contact Phone: (828) 268-6960

Email: Jane.Shook@boonenc.gov

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested:

Item Title: Discussion on Annexation Policy.

Summary of Information: Discussion on the cost-benefit analysis of certain annexations required under the water-sewer code, in light of state law changes removing the Town's zoning authority over certain state-owned or managed projects. Below are the linked references for discussion:

- [Town Code § 50.286 Connections to Properties within the Town Limits](#)
- [Town Code § 50.291 Extensions and Non-hardship Connections Outside of the Town Limits Prohibited Except Upon Approval of Annexation and Zoning; Exceptions.](#)
- [N.C. Gen. Stat. § 160D-913](#)
- [Boone Next, Our Town. Our Future](#)
 - Pages 23-29, Framework and Planning Principles
 - Page 47, Goal 1.5
 - Page 112, Goal 4.3

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Town of Boone Agenda Item Action Request Form

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Submitted By: Brandon Wise, Deputy Director of Planning & Inspections

Department: Planning & Inspections

Contact Phone: 828-268-6960

Email:

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested:

Item Title: Informal Discussion of Proposed Re-Zoning at 433 Fairway Drive (Boone Golf Club).

Summary of Information: The Owner's of Boone Golf Club would like to give a presentation for an informal discussion with council about a proposed rezoning of the property located at 433 Fairway Drive (Boone Golf Club). The proposal includes re-zoning to include an 18 hole golf course, a section of single family housing, and two sections of multi-family housing.

Zoning Submittal Booklet

Boone Golf Club – Boone, NC



OVERVIEW

Boone Golf Club is a privately owned, semi-private golf club consisting of a high-quality, 18-hole golf course with clubhouse and maintenance facilities. It comprises an area of approximately 153 acres within the Town limits. Recently the majority of stockholders of the club have decided they would like to sell the property and wish to maximize the value of their investment. Because of the extremely valuable location and attributes of the property, it's much more valuable as a housing development than it is as a golf course operation. However, the local community feels very strongly that this site should remain as

a key area recreational facility. The owners of the club are not only aware of this issue but as multi-generational residents of Boone themselves, they are sympathetic to the feelings of the community. The owners feel that the direction they have taken, if approved, will satisfy their need to maximize their value and preserve a community asset. This document is intended to provide information to the Town of Boone planning staff and Town Council members regarding the owner's request for rezoning of the site known as Boone Golf Club. The following documents are included in this report:

- General site information and rezoning explanation
- Aerial view of existing golf course
- Proposed site plan showing new development
- Larger scale plans of each development site
- Descriptions of the attributes of each site
- List of golf course changes related to development of the parcels
- Possible items for additional operations revenue
- Conclusions

General Information & Rezoning Request

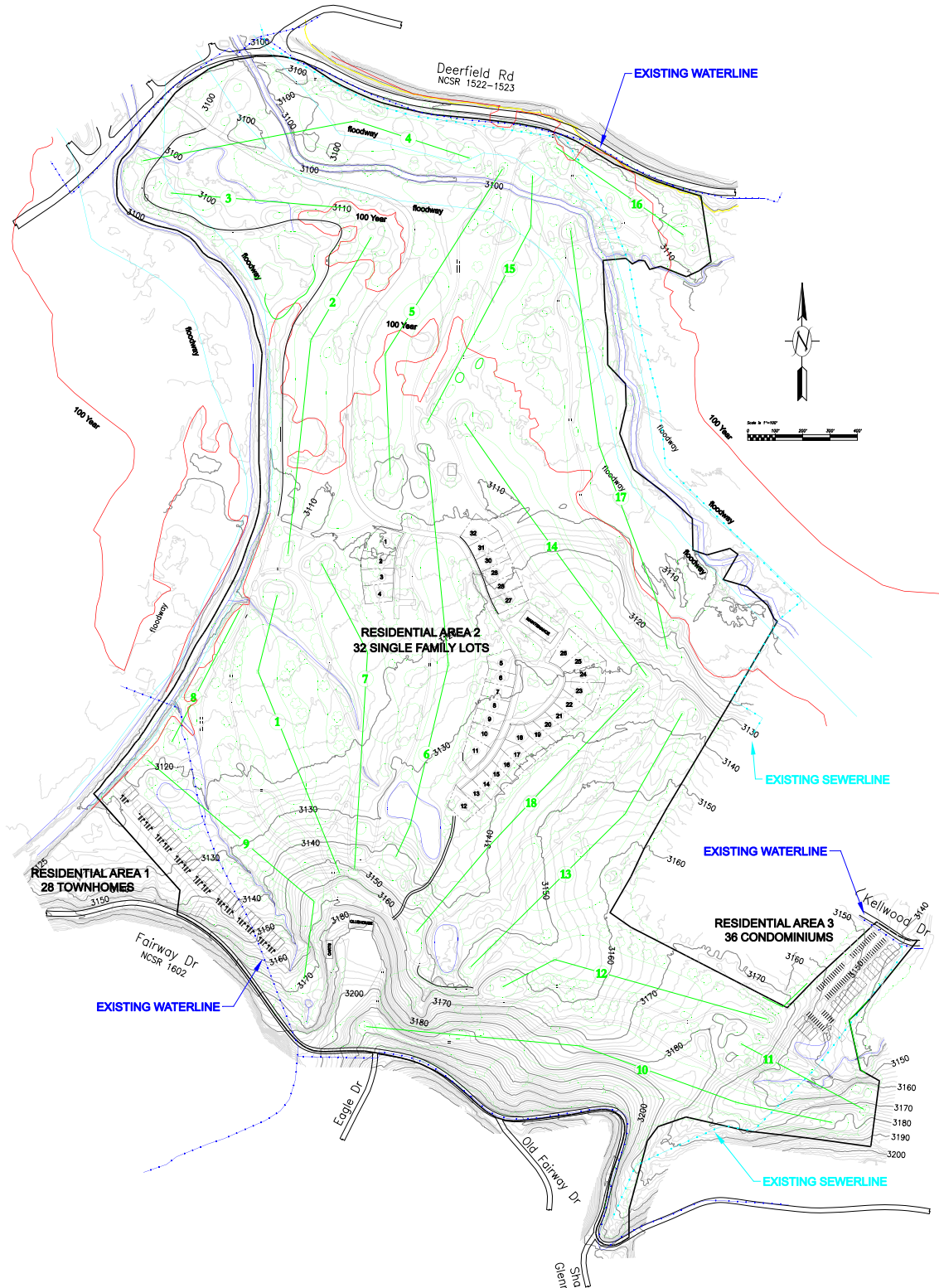
As stated in the overview, the owners of the property being considered for sale ask that the Town of Boone approve their request for rezoning as being in the best interests of all parties. After many months of discussion with experts in the area of development and golf operations, as well as extensive master planning efforts, a plan has emerged that retains the full 18-hole golf course while creating 3 possible locations that would make valuable development sites. The plan has very few community impacts and many benefits.

In a strict sense, this is not an actual rezoning as much as it is a modification of the existing zoning. The UDO for the town does not have a single, suitable zoning category for a project like what is being proposed. After several meetings with staff members of the Planning & Zoning Board we feel the most appropriate direction is to maintain the existing R/A designation and place Conditional Use restrictions on the development parcels. This will allow construction of condominium, townhouse and single-family homes while preserving the golf course use. In addition to the 3 proposed development sites, the clubhouse area will also be included to allow for renovation and expansion of the clubhouse and additional uses.

Aerial View of Boone Golf Club – Proposed Housing Parcel Locations



Existing Features Plan with new Development Sites



Site Plan of Proposed Revision of Boone Golf Club



SITE #1: EXISTING HOLE #9 FAIRWAY



Site #1: Existing hole #9 Fairway

The first site selected for a Cluster Housing overlay is where existing hole #9 fairway is located. Existing hole #9 is a very short, uphill par 4 with a putting surface that cannot be seen from the fairway. A small stream starts in front of the green and runs down the entire left side of the hole. Fairway Drive, the access road to the golf club, is on the right side and would provide access to the development area. There is a wide area of open space between the creek and hole #1 which would allow the 9th fairway to move to the left side of the creek, opening the old 9th fairway for development. Instead of a blind uphill approach to the green, moving the fairway to the left would make the approach be nearly a level or downhill shot.

This site would be easy to develop by creating an entrance from Fairway Drive and running an access road parallel to it that would serve the housing. Utilities are available from existing water, sewer and power on the site. All units in this +/-4.5-acre site would have a direct golf course view with mountains in the background and the stream running in front. For purposes of this zoning request, we have chosen a high-end townhouse product that would have unit sizes vary from 2,400 to 3,200 square feet with an average size of 2,800 square feet. These units would be contained in 5 buildings of 4 units per building and a sixth building of 2 units for a total of 22 townhouse units.

The proposed site plan for the development of Site #1 for luxury townhouses is shown above. Please note that all 22 proposed units have direct frontage on the golf course and all are within easy walking distance to the clubhouse. Each unit will have a garage at the main floor entry level, an upper loft level and a walk-out lower level that could offer personal golf cart storage space. All units in this site will have large decks that overlook the golf course. Trees located on the edges of the property will be preserved as well as the trees along the creek. Minimum buffers of thirty feet on each side of streams will be provided.

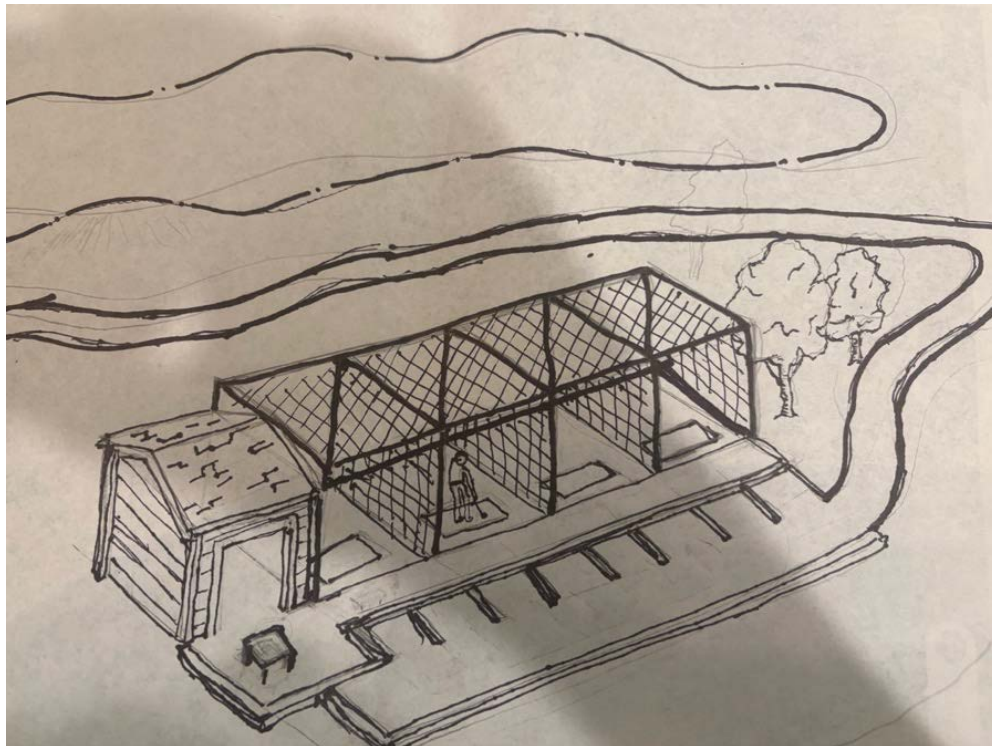


Site #2: Existing Practice Range Parcel

The second Cluster Housing overlay site is where the existing practice/range is located. The existing practice range is very limited both in the ability to accommodate more than 8 – 10 players at a time and in the area for hitting. Even with 50' high netting around the end of the range, many of the younger and better players can carry the fence. With the golf maintenance area and #14 fairway at the end of the range this is a dangerous situation. There is a possibility to create a site adjacent to the golf course between holes #1 and #9 that would serve as a “warm-up” and teaching facility. A sketch plan of this concept is attached.

Replacing the practice range with a new warm-up area would make the existing range area available for development. As on site #1, utilities are available, and all homes would face the golf course. The entire site is bordered by holes #6, 14 & 18 and has a thick stand of large trees on all sides, visually separating the golf from the housing. For golf maintenance purposes, access would be provided by the existing maintenance service road entering from Deerfield Road. A new road from the clubhouse site is being considered. This site is also about 4.5 acres. Our proposed use of Site #2 is to develop 32 “Cottage Lots” of about 50' x 100' each. The units would average 2,500 square feet each and all units face directly on the golf course.

Sketch plan of warm-up facility



Site #2: Existing Practice Range Parcel

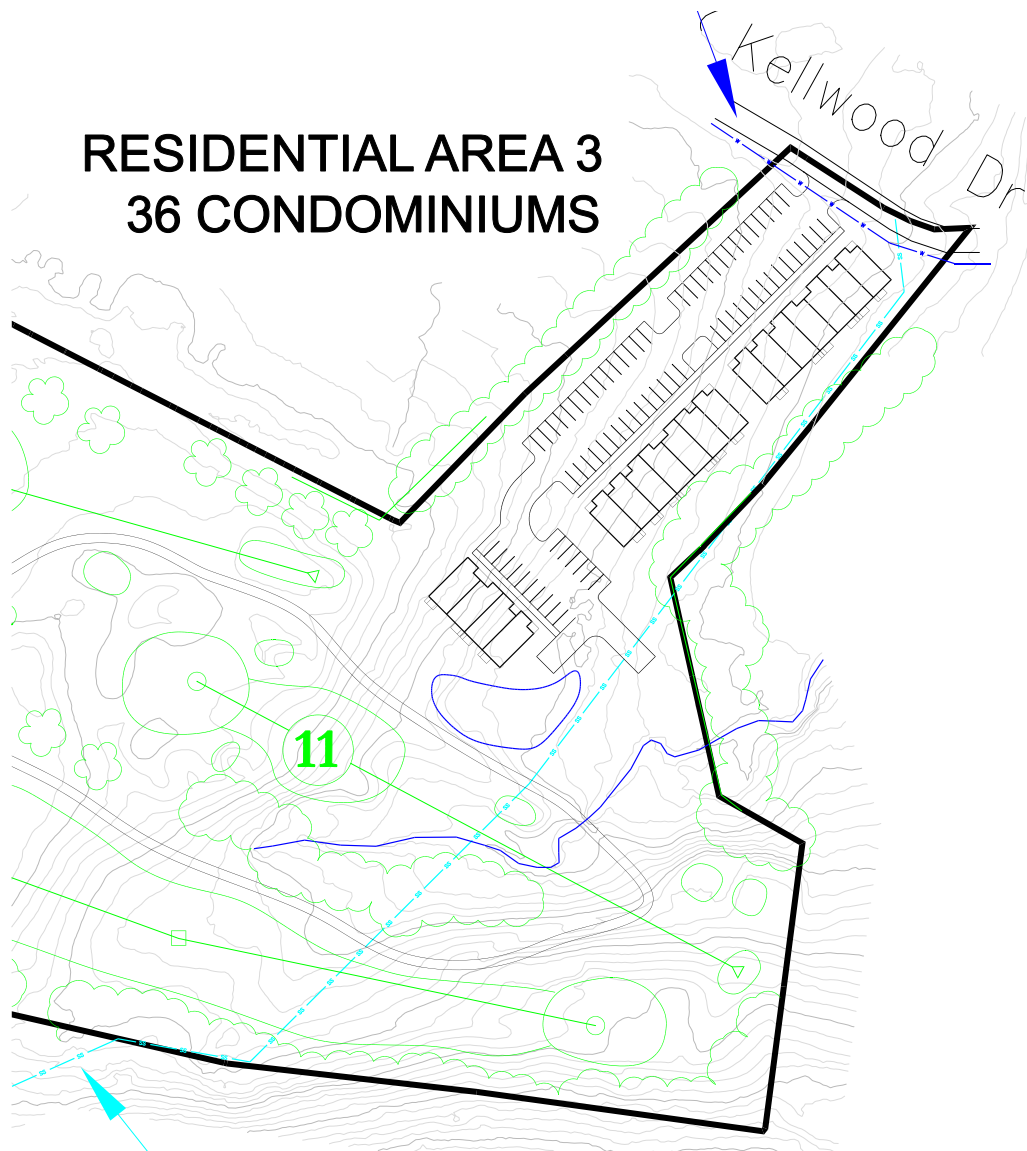




Concept Images of Cottage Units

- Kellwood Drive

Boone Golf Club owns a site of just over two acres on the east side of the course that is adjacent to the 11th hole. Utilities are available from surrounding developed sites and the property borders Kellwood Drive for access. This site would be an ideal location for workforce housing which has a huge unmet demand in Boone. Our proposed use is to create 2 building pads that will each contain 14 condominium units and a third building of 8 units of stacked flats with an average of 1,500 square feet each. The entire north and south property boundaries have almost opaque edges of tall hedge plantings, screening visibility of development. The 3rd building of 8 units will face the golf course.



Required Golf Course Changes

To create the three sites for development within the existing golf course as outlined above, revisions must be made to the golf course. Below are listed items that will need to be changed to accommodate the new sites.

Development Site #1 – Hole #9 fairway

The scope of work to create this site involves changes to holes #9, #8 and #1

- Build new tees on holes #1 & #9
- Grade and move fairway of #9 from the south to the north side of the existing stream
- Excavate new water quality pond near #9 tees
- Relocate #8 green closer to the South Fork River and closer to the tees
- Do necessary selective clearing, shaping, drainage, irrigation and seeding of new holes.

Development Site #2 – Practice Range Area

The scope of work to create this site involves changes to hole #14

- Shift #14 fairway to the north so the landing area is 25 – 30 yards to the north. Stripping, finishing and seeding of new fairway area
- Make necessary adjustments to irrigation and drainage
- Replant native grass area between #14 & #17 fairways as necessary
- Screen golf maintenance center with fencing & landscaping
- Build new access road from clubhouse

Development Site #3 – Kellwood Drive

- There are no changes needed to the golf course to develop this site. The land is vacant and cleared of trees except for the property edges and these will mostly be preserved.

General Golf Course changes

- Design, engineering, permitting, construction supervision
- Build new “warm-up” area
- Rebuild putting green

POSSIBLE ITEMS FOR ADDITIONAL OPERATIONAL REVENUE

Even with positive cash flow as demonstrated by the past operations, there are several additional possibilities for enhancing this revenue stream even more. Some of the possible areas of additional revenue are briefly discussed below. The area around the clubhouse will have to be included in the rezoning agreement to allow

- The revenue from food and beverage is extremely low for a facility like this. The existing food service facilities are limited in scope and the venue is outdated.
- The clubhouse is almost unchanged since it was opened in 1959. There is a lot of underutilized space that could be redesigned to provide revenue generating activities.
- With the potential addition of nearly 100 housing units within a 5 – 10 minute walk, there may be an opportunity for expanded food and beverage service.
- The possibility of creating a lodge of 8 – 12 guest rooms could help make club operations more viable.
- Snow tubing and sledding as wintertime activities are possible with little investment required. A suitable area for tubing is available near #10 tees to #12 green. The site has about 70 vertical feet of fall and water for snow making can be provided by the existing irrigation system. This could attract people to use the restaurant and bar facilities, especially in the winter months.
- Adding golf/gaming simulators to the clubhouse should be explored as an additional revenue option.
- If the proposed housing plan is developed, a more formal membership category may be created to give those members a more permanent status with more benefits but at a higher price.

The items above could add significant positive cash flow to the golf operation. Some of them may not fit into a new buyer's concept of operations but they are valid possibilities for examination. The proposed zoning amendment should anticipate these uses in the request.

CONCLUSIONS REGARDING BOONE GOLF CLUB REZONING

We have created documents that illustrate a possible scenario of development of the three sites as described above. While a buyer of the property may have different ideas for unit types, sizes and density, we believe the rezoning as proposed represents a reasonable set of development assumptions. Below are some of the features that support our opinion of the rezoning request:

- ***Competing demands are resolved*** – The sellers of the golf course have every right to expect the highest price for the asset they own. Meanwhile, the local population and visitors feel they have some entitlement to the course and that the property should remain forever as a public golf course of 18 holes. This rezoning request leaves the 18-hole course intact and still generates enough revenue to satisfy the stockholders.
- ***Traffic impacts should be minimal*** – The submitted zoning request calls for a total of 96 new housing units in 3 separate neighborhoods and with 3 different access points onto public streets. The parcels all have about 30 units in each area with no internal connection between the parcels. This means the traffic impacts can be evaluated individually for each neighbor.
- ***The cost of development is low*** – the existing terrain within the boundaries of BGC is gently rolling land with few steep slopes. The necessity for massive earthworks, large retaining walls and blasting will not be needed to develop these 3 sites. All utilities are already on the property with capacity to serve the proposed development. All 3 of the sites are located out of the flood plain and flood way, eliminating the need for expensive flood construction measures.
- ***There are no other locations like this anywhere in the region*** – development sites with golf course frontage, adjacent to a regional health care facility, a major university, shopping and entertainment all within 2 – 3 miles, do not exist.
- ***Market demand*** – Boone has a major shortage of housing that is not related to student accommodation or in private, gated communities. According to our conversations with Town of Boone planning staff and council members, housing for people who work in the area is simply not available, even in the county. Workers at the hospital, ASU and other local businesses are having to live in surrounding counties. If workers in Boone are forced to live 15 – 20 miles away, all travel to and from work requires travel by car, adding to local traffic congestion. much less of an issue than a complete rezoning and conforms to the desires of the Town of Boone to keep the course and create needed housing.

- ***Compliance with regulations*** – No changes to the golf course nor any development of the 3 sites will occur in the flood plain or floodway of the streams that flow through the site. This will alleviate the need for special permits and “no rise” standards. The required 30’ vegetated buffers will be maintained for all streams that flow through the site and all requirements for erosion control during construction will be met. We feel confident that the water quality standards of the CA – IV can be met. At this time, we do not anticipate any requests for variances or exemptions of any Town of Boone ordinances.
- ***Other intangible but significant impacts*** – Development of a project of the magnitude being proposed is sizable for the Town and surrounding area. Construction of the project will generate new jobs and create spending within the community for building materials, temporary workers housing, food, fuel and other essential goods. Tax revenues will be generated from sales and property taxes. Boone & ASU will continue to have an 18-hole quality golf course as a source of public recreation which will help attract new residents.



Town of Boone Agenda Item Action Request Form

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Submitted By: Joshua Eller, Deputy Director of Public Works

Department: Public Utilities

Contact Phone: 828.268.6250

Email: josh.eller@boonenc.gov

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested: For Action

Item Title: Consideration of Engineering Services Agreement for South Fork Raw Water Intake - Hazard Mitigation Project

Summary of Information: As a result of our recent request for qualifications solicitation process for the South Fork Raw Water Intake – Hazard Mitigation project, Kimley-Horn was selected by our review panel. Subsequently, enclosed for your consideration is an Engineering Services Agreement between the Town of Boone and Kimley-Horn for \$307,568, which will be funded as a part of SFR Hurricane Helen allocation; therefore, no expenses will be incurred by the Town.



June 19, 2026

Todd Moody, Public Works Director
Josh Eller, Public Works Deputy Director
Town of Boone, NC
321 E King Street
Boone, NC 28607

Re: Letter Agreement for Professional Services for the South Fork Water Intake – Resiliency Project

Dear Mr. Moody and Mr. Eller,

Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "Consultant") submits this Letter Agreement ("Agreement") to the Town of Boone ("the Town" or "Client") for providing professional engineering services for the South Fork Water Intake – Resiliency Project ("Project").

The Town of Boone owns and operates three (3) raw water pump stations (RWPSs) and one (1) raw water booster pump station (RWBPS): South Fork New River RWPS, Greg Young New River RWPS and RWBPS, and Winklers Creek RWPS. These stations deliver raw water to the Ricky L. Miller Water Treatment Facility (WTF), which has a permitted maximum day flow (MDF) capacity of 4.5 million gallons per day (MGD). The Town primarily relies on the South Fork New River RWPS and Greg Young New River RWPS to supply raw water to the WTF, while Winklers Creek RWPS is operated as needed or during emergency events. In late September 2024, Hurricane Helene brought historic rainfall that caused significant flooding and damage to the South Fork New River RWPS intake structure and pump station. The recorded flood elevation was approximately 5 feet above the building finished floor elevation. As a result, the RWPS was taken out of service and underwent interim emergency electrical repairs to restore 3.0 MGD firm pumping capacity until permanent repairs and hardening improvements could be implemented. Interim electrical repairs included replacement of the existing drop service, main disconnect, throw switch, generator, and main distribution panel. Additionally, the two (2) existing 200 HP vertical turbine pump soft starters were replaced with variable frequency drives (VFDs).

In August 2025, Kimley-Horn provided engineering services to evaluate the South Fork New River RWPS and developed recommended rehabilitation alternatives and associated opinions of probable construction costs. Improvements focused on raising the finished mechanical and electrical floor elevation, replacing existing vertical turbine pumps, and relocating main electrical equipment to the new elevated floor. Since that time, the Town applied for and was awarded funding through NCDEQ-DWI under SRF Supplemental Appropriations associated with Hurricane Helene to implement the Water System Resilience in Boone Project. The funding for the Water System Resilience in Boone Project included funding for the South Fork New River RWPS, Solar Field Addition at the WTF, and supplemental funding to address the construction funding gap for the Winklers Creek Intake Access Bridge Replacement.

Following the funding award, the Town issued a Request for Letters of Interest (RFLOI) in May 2026 for professional engineering services to support funding administration and provide engineering design, permitting, bidding, and construction phase services for the improvements at the South Fork New River RWPS only. Kimley-Horn was selected in May 2026 to provide these services. As such, this proposal includes professional engineering services for the requested services listed in the RFLOI.

Kimley-Horn will provide the services specifically set forth below.



Scope of Services

TASK 1 – PROJECT MANAGEMENT

- A. Kimley-Horn will attend one (1) virtual project kick-off meeting with the Town to verify project goals, objectives, and project preferences. Kimley-Horn will prepare minutes from the meeting for distribution to the project team.
- B. Kimley-Horn will conduct and coordinate activities related to project scope, budget, schedule, quality assurance and quality control as well as correspondence related to data collection and submittals. Kimley-Horn will monitor job progress activities, arrange resources for the Project, and communicate to the Town the status of the Project. Kimley-Horn will prepare and submit monthly project progress reports and invoices to the Town to send to NCDEQ-DWI to maintain funding compliance requirements.

TASK 2 – ENGINEERING REPORT AND ENVIRONMENTAL INFORMATION DOCUMENT (ER/EID)

- A. Kimley-Horn will prepare one (1) draft ER/EID for Town review. To maintain funding compliance with NCDEQ-DWI, Kimley-Horn will develop the ER/EID for the entire funded project (the Water System Resilience in Boone Project), inclusive of the Solar Field Addition at the WTF and the Winklers Creek Intake Access Bridge Replacement. It is assumed that the entire Water System Resilience in Boone Project will be Categorically Exempt by Project Type (CET) and will not require to be Categorically Exempt by Project Review (CER) and will not require a full Environmental Information Document to be developed. Kimley-Horn will provide NCDEQ-DWI CET form along with the draft ER/EID for Town Review.
- B. Kimley-Horn will attend one (1) virtual review meeting to review the draft ER/EID with the Town to collect comments and address questions. Kimley-Horn will consolidate comments and questions received and prepare a final ER/EID to submit to the Town for submittal to NCDEQ-DWI. Kimley-Horn assumes up to two (2) requests for additional information will be issued from NCDEQ-DWI and will require formal response.

TASK 3 – DESIGN PHASE SERVICES

- A. Kimley-Horn will perform up to two (2) site visits to confirm/verify existing field conditions for design documentation preparation.
- B. Kimley-Horn will review existing documentation for the project area to understand design parameters and to review the geotechnical report being prepared for the Project.
- C. Kimley-Horn will design structural, mechanical, and instrumentation improvement details to facilitate construction of the proposed RWPS improvements.
- D. Kimley-Horn will utilize the services of Howard Engineering, Inc. to provide professional electrical and HVAC engineering services to facilitate the proposed RWPS improvements.
- E. Kimley-Horn will utilize the services of Spatial Data Consultants to perform LiDAR based spatial data collection and traditional survey collection for detailed design development. Kimley-Horn will conduct one (1) site visit with Spatial Data Consultants to coordinate survey requirements and observe field data collection as it is performed.
- F. Kimley-Horn will contract with a materials testing / geotechnical subconsultant, Terracon, to provide up to three (3) standard penetration test (SPT) bores for use in designing proposed improvements. Following the field and laboratory testing, Terracon will provide an evaluation

report to summarize findings and provide recommendations regarding the foundations. Kimley-Horn will contract with the Subconsultant solely for the Client's administrative convenience, and Consultant is not responsible for these services. This task also compensates Consultant for the labor necessary to administer the Subconsultant's contract. Client acknowledges that Consultant will not be reviewing the work product of the Subconsultant and will not be liable for it in any way. If the Client has any future claim related to these services, it is assumed the Client will pursue the Subconsultant directly and not the Consultant.

- G. Kimley-Horn will design improvements for replacement of the existing vertical turbine pumps with new pump assemblies and discharge piping and valving, while retaining the recently installed 200 HP TEFC motors. Kimley-Horn assumes the new vertical turbine pump design will be based on the original pump design duty conditions and that the operating point will remain unchanged. Kimley-Horn will select and size the new vertical turbine pumps based on existing hydraulic conditions and anticipated operating scenarios, and will coordinate with the pump manufacturer regarding available configurations for extended column piping and discharge head assemblies required to accommodate the elevated pump motor configuration associated with the new second floor.
- H. Kimley-Horn will design structural improvements associated with a building vertical expansion to create a new second floor and raise the roof at the existing pump station to elevate critical equipment above the existing finished floor elevation. Listed below are the specific subtasks and assumptions for the structural design:
 - a. The existing CMU walls and foundations can be reused, with localized modifications required to support the additional loading and to meet current building code requirements.
 - b. Develop building load information and evaluate code compliance.
 - c. Design a new, conventionally reinforced cast-in-place concrete second floor slab supported by the existing CMU walls.
 - d. Prepare demolition notes and details for the removal of the existing roof.
 - e. Design a new roof system assumed to consist of structural steel beams and metal deck roofing.
 - f. Structural design will consider applicable dead, live, wind, and snow loads, as well as equipment loads associated with elevated pumps motors, additional column piping, and electrical equipment.
 - g. Design shallow spread foundations for the new, exterior stairs and provide design criteria for the stairs. The stairs are assumed to be structural steel and will be a delegated design to the contractor.
 - h. The design will be in accordance with provisions in the 2018 North Carolina Building Code and the 2018 North Carolina Existing Building Code.
- I. Kimley-Horn will prepare construction drawings for the proposed improvements. It is estimated that approximately 30 - 35 drawings will be required. The construction drawings for the proposed improvements are anticipated to consist of the following sheets:
 - 1. Cover Sheet (1)

2. Appendix B Code Summary Sheet (1)
 3. Legend and Abbreviations (1)
 4. Site Key Map and General Notes (including suggested construction sequence Plan) (1)
 5. Structural General Notes (1)
 6. Structural Statement and Schedule of Special Inspections (1)
 7. Structural Plan and Sections (3)
 8. Structural Details (5)
 9. Lower Mechanical Plan and Sections (2)
 10. Upper Mechanical Plan and Sections (2)
 11. Misc. Construction Details (4)
 12. Instrumentation Notes, Symbols, and Abbreviations (1)
 13. Process and Instrumentation Diagram (1)
 14. Electrical General Notes, Electrical Plan and Sections, Lighting Plan, One line Diagrams, Riser Diagrams and Supporting Construction Details (10)
- C. Kimley-Horn will prepare technical specifications and an engineering calculations report for the proposed improvements.
- D. Kimley-Horn will prepare an Opinion of Probable Construction Cost (OPCC) for the improvements. Kimley-Horn has no control over the cost of labor, materials, equipment, or over the selected Contractor's methods of determining prices or market conditions. The Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or market conditions. Opinions of probable costs provided will be based on the information known to the Engineer at the time of preparation and represent only the Engineer's judgment as a design professional familiar with the construction industry. The Engineer cannot and does not guarantee that actual construction costs will not vary from its opinions of probable costs provided.
- E. Kimley-Horn will prepare design documents for the proposed improvements. Design documents will consist of construction plans, technical specifications, and OPCC. Design document deliverables will be prepared and submitted at 60%, 90%, and 100% (Ready for Bid and Permitting) intervals.
- F. Kimley-Horn will attend up to two (2) virtual review meetings to review the 60% and 90% set of deliverables with the Town to collect comments and address questions.
- G. Kimley-Horn will incorporate Town review comments into the design documents and submit deliverables to the Town as 100% Ready for Bid and Permit Documents for NCDEQ-PWSS and NCDEQ-DWI permitting submission and approval.

TASK 4 – PERMITTING SERVICES

- A. Kimley-Horn will prepare an Authorization to Construct (ATC) permit application package to submit to NCDEQ-PWSS in accordance with the 'Engineering, Planning and Development Guidance Document (EPD)' inclusive of the following items:
1. Application for Approval of Engineering Plans and Specifications for Water Supply Systems Form (three hard copies)
 2. 100% Design Plans (three hard copy 24" x 36" plan sets)
 3. 100% Design Specifications Booklet (three hard copies)
 4. Engineering Report (three hard copies)



5. Water System Management Plan (WSMP) (three hard copies)
 6. WSMP Review Fee Check for \$158 in accordance with 130A-328(c)
 7. Engineering Plan Review Fee Check for \$300 in accordance with 130A-328(c)
- B. Kimley-Horn assumes up to two (2) requests for additional information will be issued from NCDEQ-PWSS and will require formal responses.
 - C. Kimley-Horn will prepare and submit the NCDEQ Design and Bid Document Submittal Package in accordance with NCDEQ-DWI Form PS-SUBMITTAL-01/2026, including 100% (ready for bid) plans, specifications, calculations, cost estimates, and supporting documents.
 - D. Kimley-Horn assumes up to two (2) requests for additional information will be issued from NCDEQ-DWI and will require formal responses.
 - E. Kimley-Horn will prepare and submit a Commercial Building Project Review to the Town's Planning and Inspections Department - Building Code Compliance Inspections Division. Up to two (2) submittals have been included with this scope of work. Following comments received from the Town, Kimley-Horn will prepare written responses to each comment and update the construction documents in preparation for the 100% (ready for bid) submittal.

TASK 5 – BID PHASE SERVICES

- A. Kimley-Horn will prepare applicable standard EJCDC front-end contract documentation and submit to the Town for review and comment prior to bid issuance by the Town. It is assumed the Town will advertise and administer the procurement of the bidding and respond to potential bidder questions. Kimley-Horn will provide up to three (3) hard, bound copies provided after review, comment, and approval by the Town.
- B. Kimley-Horn will attend up to one (1) pre-bid meeting, respond to contractor or supplier questions and prepare addendum(s), if required, which will be distributed to all the contract document holders by the Town.
- C. Kimley-Horn will review bids, provide a summary of comments, and a letter that identifies the lowest responsive, responsible bidder.
- D. Kimley-Horn will complete the NCDEQ Project Bid Information Form and submit it to the Town to obtain an Authority to Award (ATA) letter from NCDEQ.
- E. Kimley-Horn will prepare updated 'Conformed' Contract Documents to include all Addenda issued during the Bid phase to submit to the Town and the selected construction contractor.

TASK 6 – CONSTRUCTION PHASE SERVICES

- A. Kimley-Horn will attend one (1) in person pre-construction meeting with Town staff and the selected Contractor.
- B. Kimley-Horn will review shop drawings for the proposed improvements. Kimley-Horn anticipates a total of thirty (30) shop drawings will be submitted. Kimley-Horn anticipates ten (10) of these shop drawings will require re-submittal and second review, resulting in forty (40) total shop drawing reviews. Additional shop drawing reviews will be considered additional

- services. Kimley-Horn will review and/or take other appropriate action with respect to Shop Drawings and Samples and other data which the selected Contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs. Kimley-Horn may recommend special inspections or materials testing services of the Contractor's work, and may receive and review certificates of inspections or testing reports within Kimley-Horn's area of expertise. Kimley-Horn's review will be solely to determine that the results indicate compliance with the Contract Documents and will not be an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the Contract Documents. Consultant is entitled to rely on the results of such tests.
- C. Kimley-Horn will respond to a reasonable amount of Contractor RFI's and issue necessary clarifications and interpretations of the Contract Documents to the Town as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents must be approved by the design engineer and authorized by the Town. Requests for alternate or substitute materials, products, or member sizes or requests for the design of corrective measures during construction will constitute additional services.
 - D. Kimley-Horn may recommend Work Change Directives or Change Orders to the Town and will review and make recommendations related to Change Orders submitted or proposed by the selected Contractor. Kimley-Horn will submit final Change Orders for approval by the Town and Contractor.
 - E. Kimley-Horn will review applications for payment from the Contractor. Kimley-Horn anticipates twelve (12) reviews. Based on its observations and on review of applications for payment and accompanying supporting documentation, Kimley-Horn will review the amounts recommended by selected Contractor to be paid. Such recommendations of payment will be in writing and will constitute Kimley-Horn's representation to the Town, based on such observations and review, that, to the best of Kimley-Horn's knowledge, information and belief, the selected Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents.
 - F. Kimley-Horn assumes construction schedule to be approximately twelve (12) months with approximately eight (8) months of active construction. Kimley-Horn assumes no progress meeting will be held until construction commences. Kimley-Horn assumes there will be eight (8) virtual progress meetings that will occur throughout the duration of the construction project. Kimley-Horn assumes the Town's Contractor will prepare agenda and distribute meeting minutes.
 - G. Kimley-Horn will visit the site periodically throughout construction and generate field reports for each site visit for Town review. Kimley-Horn assumes up to eight (8) site visits will be necessary for construction oversight. Construction oversight visits and observations by Kimley-Horn are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on Kimley-Horn's exercise of professional judgment. Based on information obtained during such visits and such observations, Kimley-Horn will evaluate whether the selected Contractor's work is generally proceeding in accordance with the final construction documents.



- H. Kimley-Horn will, after notice from the selected Contractor that it considers the entire Work ready for its intended use, in company with the Town and Contractor, conduct one (1) substantial completion site visit to determine if the work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections from the Town, Kimley-Horn considers the Work substantially complete, Kimley-Horn will notify the Town and Contractor.
- I. Kimley-Horn will prepare a punch list of outstanding items following the substantial completion walk through for the Town for Contractor to address prior to project final completion. Kimley-Horn will perform one (1) site visit to confirm completion of punch list items following notification by the Contractor.
- J. Kimley-Horn will review Contractor furnished redlined as-built drawing information and operation and maintenance manuals (O&M) as required. Kimley-Horn will review and provide comments on the operation and maintenance manuals and redlined as-built drawing information submitted by the selected Contractor.
- K. Kimley-Horn will prepare record drawings based on information received through the approved redlined as-built drawing information. Digital drawing files will be provided in .PDF and .DWG file formats in ANSI-D 22" x 34" sizes. Two (2) hard copy 24" x 36" record drawing sets will also be provided to the Town.
- L. Kimley-Horn will prepare and submit the required NCDEQ-PWSS Engineer's Certification form confirming the project was completed in accordance with the approved plans and specifications to support issuance of Final Approval. Kimley-Horn assumes the Town will provide the Applicant's Certification forms indicating that the current Operations and Maintenance Plan and Emergency Response Plan are complete and available on site. Kimley-Horn further assumes no updates or revisions are required to the Town's existing plans for NCDEQ-PWSS issuance of Final Approval.

Services Not Included

Any other services, including but not limited to the following, are not included in this Agreement:

- A. NCDEQ Erosion and Sediment Control Permitting Application Services. It is assumed that the total site disturbance area will be less than 1 acre.
- B. NCDEQ Stormwater Management Plan Permitting Application Services. It is assumed that the total site disturbance area will be less than 1 acre.
- C. Construction Easement Acquisition Coordination Services
- D. Wetland Delineation
- E. Meetings and workshops beyond those described above
- F. Public Engagement Meetings
- G. Subsurface Utility Exploration (SUE)
- H. Nationwide 401/404 Permitting
- I. Building or Electrical Permitting Application Services
- J. Water Quality Testing
- K. Multiple Bidding Services, Preparation of Split Contract Documents, or early bidding packages
- L. Architectural design services
- M. Surveying services
- N. Special inspection or materials testing services
- O. Design of specialty foundation or specialty structural systems including, but not limited to, deep



foundation systems, stairs, and handrails / guardrails.

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope requested by the Client, will be considered additional services to this Agreement and performed at our then current hourly rates. Kimley-Horn will develop an amendment to this Agreement or will develop a new Agreement prior to performance of any additional services.

Information Provided By Client

Kimley-Horn shall be entitled to rely on the completeness and accuracy of all information provided by the Client or the Client's consultants or representatives. The Client shall provide all information requested by Kimley-Horn during the project, including but not limited to the following:

- A. Access to the Site
- B. Available Facility Record Drawings and AutoCAD files
- C. Most Recent WSMP and Emergency Response Plan
- D. Equipment product data and special loading conditions resulting from the equipment.

Responsibilities of Client

In addition to other responsibilities set out in this Agreement, the Client shall:

- A. Provide information noted above
- B. Attend Meetings and Workshops and Provide Design Input
- C. Review Deliverables and Provide Review Comments in a timely manner

Schedule

Kimley-Horn will perform the services as expeditiously as practicable with the goal of meeting a mutually agreed upon schedule.

Fee and Expenses

Kimley-Horn will perform the services in Tasks 1 - 6 for the total lump sum fee below. Individual task amounts are informational only. It is assumed that all permitting, application, testing, and similar project fees, other than those stated in the above tasks, will be paid directly by the Town. Should the Client request Kimley-Horn to advance any such project fees on the Client's behalf, an invoice for such fees, with a fifteen (15%) markup, will be immediately issued to and paid by the Client.



Task Number & Name	Kimley-Horn Fee	Howard Electrical Engineering Fee	Spatial Data Consultants Fee	Terracon Fee	Task Total	Type
1 PROJECT MANAGEMENT	\$4,280	-	-	-	\$4,280	Lump Sum
2 ER/EID	\$32,920	-	-	-	\$32,920	Lump Sum
3 DESIGN PHASE SERVICES	\$121,170	\$28,000	\$10,950	\$13,900	\$174,020	Lump Sum
4 PERMITTING SERVICES	\$20,058	-	-	-	\$20,058	Lump Sum
5 BID PHASE SERVICES	\$18,990	-	-	-	\$18,990	Lump Sum
6 CONSTRUCTION PHASE SERVICES	\$50,300	\$7,000	-	-	\$57,300	Lump Sum
Fee Total	\$247,718	\$35,000	\$10,950	\$13,900	-	-
Total					\$307,568	Lump Sum

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the attached Standard Provisions, which are incorporated by reference. As used in the Standard Provisions, "Kimley-Horn" shall refer to Kimley-Horn and Associates, Inc., and "Client" shall refer to the Town of Spindale.

Kimley-Horn, in an effort to expedite invoices and reduce paper waste, submits invoices via email in a PDF. We can also provide a paper copy via regular mail if requested. Please include the invoice number and Kimley-Horn project number with all payments. Please provide the following information:

Please email all invoices to: josh.eller@boonenc.gov

Please copy: todd.moody@boonenc.gov

To proceed with the services, please have an authorized person sign this Agreement below and return to us. We will commence services only after we have received a fully-executed agreement. Fees and times stated in this Agreement are valid for sixty (60) days after the date of this letter.

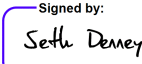


To ensure proper set up of your projects so that we can get started, please complete and return with the signed copy of this Agreement the attached Request for Information. Failure to supply this information could result in delay in starting work on this project.

We appreciate the opportunity to provide these services. Please contact me if you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Signed by:

Seth Denney, P.E.
Vice President

TOWN OF BOONE

SIGNED: _____

PRINTED NAME: Dale Presnell

TITLE: Boone Interim Town Manager

DATE: _____

Client's Federal Tax ID: 56-6001185

Client's Business License No.: NA

Client's Street Address: 567 W King St

Boone, NC 28607

Attachment – Request for Information
Attachment – Modified Standard Provisions



Request for Information

Please return this information with your signed contract; failure to provide this information could result in delay in starting your project

Client Identification

Full, Legal Name of Client	Town of Boone, NC				
Mailing Address for Invoices	567 W King St, Boone, NC 28607				
Contact for Billing Inquiries	Joshua Eller				
Contact's Phone and e-mail					
Client is (check one)	Owner	☐	Agent for Owner	☐	Unrelated to Owner
		☐		☐	

Property Identification

	Parcel 1	Parcel 2	Parcel 3	Parcel 4
Street Address	400 Hunting Hills Ln, Boone, NC 28607			
County in which Property is Located	Watauga			
Tax Assessor's Number(s)	2910-83-2776-000			

Property Owner Identification

	Owner 1	Owner 2	Owner 3	Owner 4
Owner(s) Name	Town of Boone			
Owner(s) Mailing Address	567 W King St, Boone, NC 28607			
Owner's Phone No.	828-268-6200			
Owner of Which Parcel #?	All			

Project Funding Identification – List Funding Sources for the Project

NCDEQ-DWI SFR-D-HEL-0036

Attach additional sheets if there are more than 4 parcels or more than 4 owners

**KIMLEY-HORN AND ASSOCIATES, INC.
MODIFIED STANDARD PROVISIONS**

- 1) **Kimley-Horn's Scope of Services and Additional Services.** Kimley-Horn will perform only the services specifically described in this Agreement ("Services"). Any services that are not set forth in the scope of Services described herein will constitute additional services ("Additional Services"). If requested by the Client and agreed to by Kimley-Horn, Kimley-Horn will perform Additional Services, which shall be governed by these provisions. Unless otherwise agreed to in writing, the Client shall pay Kimley-Horn for any Additional Services an amount based upon Kimley-Horn's then-current hourly rates plus an amount to cover certain direct expenses including telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Other direct expenses will be billed at 1.15 times cost.
- 2) **Client's Responsibilities.** In addition to other responsibilities herein or imposed by law, the Client shall:
 - a. Designate in writing a person to act as its representative, such person having complete authority to transmit instructions, receive information, and make or interpret the Client's decisions.
 - b. Provide all information and criteria as to the Client's requirements, objectives, and expectations for the project and all standards of development, design, or construction.
 - c. Provide Kimley-Horn all available studies, plans, or other documents pertaining to the project, such as surveys, engineering data, environmental information, etc., all of which Kimley-Horn may rely upon.
 - d. Arrange for access to the site and other property as required for Kimley-Horn to provide its services.
 - e. Review all documents or reports presented by Kimley-Horn and communicate decisions pertaining thereto within a reasonable time so as not to delay Kimley-Horn.
 - f. Furnish approvals and permits from governmental authorities having jurisdiction over the project and approvals and consents from other parties as may be necessary.
 - g. Obtain any independent accounting, legal, insurance, cost estimating, and feasibility services required by Client.
 - h. Give prompt written notice to Kimley-Horn whenever the Client becomes aware of any development that affects Kimley-Horn's services or any defect or noncompliance in any aspect of the project.
- 3) **Period of Services.** Unless otherwise stated herein, Kimley-Horn will begin work after receipt of a properly executed copy of this Agreement. This Agreement assumes conditions permitting continuous and orderly progress through completion of the services. Times for performance shall be extended as necessary for delays or suspensions due to circumstances that Kimley-Horn does not control. If such delay or suspension extends for more than six months, Kimley-Horn's compensation shall be renegotiated.
- 4) **Method of Payment.** Client shall pay Kimley-Horn as follows:
 - a. Invoices will be submitted periodically for services performed and expenses incurred. Payment of each invoice will be due within 25 days of receipt. The Client shall also pay any applicable sales tax. All retainers will be held by Kimley-Horn and applied against the final invoice. Interest will be added to accounts not paid within 25 days at the rate of 1/2% per month. If the Client fails to make any payment due under this or any other agreement within 30 days after Kimley-Horn's transmittal of its invoice, Kimley-Horn may, after giving notice to the Client, suspend services and withhold deliverables until all amounts due are paid.
 - b. The Client will remit all payments electronically to:
Account Name: KIMLEY-HORN AND ASSOCIATES, INC.
Bank Name and Address: WELLS FARGO BANK, N.A., SAN FRANCISCO, CA 94104
Account Number: 2073089159554
ABA#: 121000248
 - c. The Client will send the project number, invoice number and other remittance information by e-mail to payments@kimley-horn.com at the time of payment.
 - d. If the Client relies on payment or proceeds from a third party to pay Kimley-Horn and Client does not pay Kimley-Horn's invoice within 60 days of receipt, Kimley-Horn may communicate directly with such third party to secure payment.
 - e. If the Client is aware of grounds to object and so objects to an invoice, it must advise Kimley-Horn in writing giving its reasons within 20 days of receipt of the invoice or such objections will be waived, and the invoice shall be deemed due and owing. If the Client objects to only a portion of the invoice, payment for all other portions remains due.
 - f. If Kimley-Horn initiates and prevails in legal proceedings to collect payment, it shall recover, in addition to all amounts found to be due, its reasonable attorneys' fees, reasonable experts' fees, and other direct expenses and court costs related to the proceedings.

g. The Client agrees that the payment to Kimley-Horn is not subject to any contingency or condition. Kimley-Horn may negotiate payment of any check tendered by the Client, even if the words "in full satisfaction" or words intended to have similar effect appear on the check without such negotiation being an accord and satisfaction of any disputed debt and without prejudicing any right of Kimley-Horn to collect additional amounts from the Client.

- 5) **Use of Deliverables.** All documents, data, and other deliverables prepared by Kimley-Horn are related exclusively to the services described in this Agreement and may be used only if the Client has satisfied all of its obligations under this Agreement. They are not intended or represented to be suitable for use or reuse by the Client or others on extensions of this project or on any other project. Any modifications by the Client to any of Kimley-Horn's deliverables, or any reuse of the deliverables without written authorization by Kimley-Horn will be at the Client's sole risk and without liability to Kimley-Horn, and the Client shall indemnify, defend and hold Kimley-Horn harmless from all claims, damages, losses and expenses, including but not limited to attorneys' fees, resulting therefrom. Kimley-Horn's electronic files and source code remain the property of Kimley-Horn and shall be provided to the Client only if expressly provided for in this Agreement. Any electronic files not containing an electronic seal are provided only for the convenience of the Client and use of them is at the Client's sole risk. In the case of any defects in the electronic files or any discrepancies between them and the hardcopy of the deliverables prepared by Kimley-Horn, the hardcopy shall govern.
- 6) **Intellectual Property.** Kimley-Horn may use or develop its proprietary software, patents, copyrights, trademarks, trade secrets, and other intellectual property owned by Kimley-Horn or its affiliates ("Intellectual Property") in the performance of this Agreement. Intellectual Property, for purposes of this section, does not include deliverables specifically created for Client pursuant to the Agreement and use of such deliverables is governed by section 5 of this Agreement. Unless explicitly agreed to in writing by both parties to the contrary, Kimley-Horn maintains all interest in and ownership of its Intellectual Property and conveys no interest, ownership, license to use, or any other rights in the Intellectual Property to Client. Any enhancements of Intellectual Property made during the performance of this Agreement are solely owned by Kimley-Horn and its affiliates. If Kimley-Horn's services include providing Client with access to or a license for Kimley-Horn's (or its affiliates') proprietary software or technology, Client agrees to the terms of the Software License Agreement set forth at <https://www.kimley-horn.com/khts-software-license-agreement> ("the License Agreement") which terms are incorporated herein by reference.
- 7) **Opinions of Cost.** Because Kimley-Horn does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to the costs of construction and materials, are made solely based on its judgment as a professional familiar with the industry. Kimley-Horn cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Kimley-Horn's services required to bring costs within any limitation established by the Client will be paid for as Additional Services.
- 8) **Termination.** The obligation to provide further services under this Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof, or upon thirty days' written notice for the convenience of the terminating party. Kimley-Horn shall be paid for all services rendered and expenses incurred to the effective date of termination, and other reasonable expenses incurred by Kimley-Horn as a result of such termination.
- 9) **Standard of Care.** The standard of care applicable to Kimley-Horn's services will be the degree of care and skill ordinarily exercised by consultants performing the same or similar services in the same locality at the time the services are provided. No warranty, express or implied, is made or intended by Kimley-Horn's performance of services, and it is agreed that Kimley-Horn is not a fiduciary with respect to the Client.
- 10) **LIMITATION OF LIABILITY.** In recognition of the relative risks and benefits of the Project to the Client and Kimley-Horn, the risks are allocated such that, to the fullest extent allowed by law, and notwithstanding any other provisions of this Agreement or the existence of applicable insurance coverage, that the total liability, in the aggregate, of Kimley-Horn and Kimley-Horn's officers, directors, employees, agents, and subconsultants to the Client or to anyone claiming by, through or under the Client, for any and all claims, losses, costs, attorneys' fees, or damages whatsoever arising out of or in any way related to the services under this Agreement from any causes, including but not limited to, the negligence, professional errors or omissions, strict liability or breach of contract or any warranty, express or implied, of Kimley-Horn or Kimley-

Horn's officers, directors, employees, agents, and subconsultants, shall not exceed \$2,000,000.00. Higher limits of liability may be negotiated for additional fee. This Section is intended solely to limit the remedies available to the Client or those claiming by or through the Client.

11) Indemnification; Mutual Waiver of Consequential Damages.

- a. To the extent enforceable under applicable law, Kimley-Horn hereby agrees to indemnify and hold harmless Client, its officers, elected officials, employees (each an "Indemnified Party") against any and all liabilities, suits, judgments, settlements, obligations, fines, damages, penalties, claims, costs, charges and expenses, including, without limitation, all reasonable legal fees and direct costs, arising from or in connection with, or caused by any intentionally wrongful act, omission, or negligence of Kimley-Horn or its employees, contractors, or subcontractors. This indemnity provision survives the Agreement.
- b. In no event shall either party be liable to the other for any consequential, incidental, punitive, or indirect damages including but not limited to loss of income or loss of profits.

12) Construction Costs. Under no circumstances shall Kimley-Horn be liable for extra costs or other consequences due to changed or unknown conditions or related to the failure of contractors to perform work in accordance with the plans and specifications. Kimley-Horn shall have no liability whatsoever for any costs arising out of the Client's decision to obtain bids or proceed with construction before Kimley-Horn has issued final, fully approved plans and specifications. The Client acknowledges that all preliminary plans are subject to substantial revision until plans are fully approved and all permits obtained.

13) Certifications. All requests for Kimley-Horn to execute certificates, lender consents, or other third-party reliance letters must be submitted to Kimley-Horn at least 14 days prior to the requested date of execution. Kimley-Horn shall not be required to execute certificates, consents, or third-party reliance letters that are inaccurate, that relate to facts of which Kimley-Horn does not have actual knowledge, or that would cause Kimley-Horn to violate applicable rules of professional responsibility.

14) Dispute Resolution. All claims arising out of this Agreement or its breach shall be submitted first to mediation in accordance with NC Rules Implementing Mediated Settlement Conferences In North Carolina Public Construction Projects as a condition precedent to litigation. The exclusive venue for any claim arising out of this Agreement or its breach are the courts having jurisdiction in Watauga County, NC. Any mediation or civil action by either party must be commenced within one year of the accrual of the cause of action asserted but in no event later than allowed by applicable statutes.

15) Hazardous Substances and Conditions. Kimley-Horn shall not be a custodian, transporter, handler, arranger, contractor, or remediator with respect to hazardous substances and conditions. Kimley-Horn's services will be limited to analysis, recommendations, and reporting, including, when agreed to, plans and specifications for isolation, removal, or remediation. Kimley-Horn will notify the Client of unanticipated hazardous substances or conditions of which Kimley-Horn actually becomes aware. Kimley-Horn may stop affected portions of its services until the hazardous substance or condition is eliminated.

16) Construction Phase Services.

- a. If Kimley-Horn prepares construction documents and Kimley-Horn is not retained to make periodic site visits, the Client assumes all responsibility for interpretation of the documents and for construction observation, and the Client waives any claims against Kimley-Horn in any way connected thereto.
- b. Kimley-Horn shall have no responsibility for any contractor's means, methods, techniques, equipment choice and usage, equipment maintenance and inspection, sequence, schedule, safety programs, or safety practices, nor shall Kimley-Horn have any authority or responsibility to stop or direct the work of any contractor. Kimley-Horn's visits will be for the purpose of observing construction and reporting to the Client whether the contractors' work generally conforms to the construction documents prepared by Kimley-Horn. Kimley-Horn neither guarantees the performance of contractors, nor assumes responsibility for any contractor's failure to perform its work in accordance with the contract documents.
- c. Kimley-Horn is not responsible for any duties assigned to it in the construction contract that are not expressly provided for in this Agreement. The Client agrees that each contract with any contractor shall state that the contractor shall be solely responsible for job site safety and its means and methods; that the contractor shall indemnify the Client and Kimley-Horn for all claims and liability arising out of job site accidents; and that the Client and Kimley-Horn shall be made additional insureds under the contractor's general liability insurance policy.

- 17) **No Third-Party Beneficiaries; Assignment and Subcontracting.** This Agreement gives no rights or benefits to anyone other than the Client and Kimley-Horn, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole benefit of the Client and Kimley-Horn. The Client shall not assign or transfer any rights under or interest in this Agreement, or any claim arising out of the performance of services by Kimley-Horn, without the written consent of Kimley-Horn. Kimley-Horn reserves the right to augment its staff with subconsultants as it deems appropriate due to project logistics, schedules, or market conditions. If Kimley-Horn exercises this right, Kimley-Horn will maintain the agreed-upon billing rates for services identified in the contract, regardless of whether the services are provided by in-house employees, contract employees, or independent subconsultants.
- 18) **Confidentiality.** The Client consents to the use and dissemination by Kimley-Horn of photographs of the project and to the use by Kimley-Horn of facts, data and information obtained by Kimley-Horn in the performance of its services. If, however, any facts, data or information are specifically identified in writing by the Client as confidential, Kimley-Horn shall use reasonable care to maintain the confidentiality of that material.
- 19) **Miscellaneous Provisions.** This Agreement is to be governed by the law of the State where the Project is located. This Agreement contains the entire and fully integrated agreement between the parties and supersedes all prior and contemporaneous negotiations, representations, agreements, or understandings, whether written or oral. Except as provided in Section 1, this Agreement can be supplemented or amended only by a written document executed by both parties. Any conflicting or additional terms on any purchase order issued by the Client shall be void and are hereby expressly rejected by Kimley-Horn. If Client requires Kimley-Horn to register with or use an online vendor portal for payment or any other purpose, any terms included in the registration or use of the online vendor portal that are inconsistent or in addition to these terms shall be void and shall have no effect on Kimley-Horn or this Agreement. Any provision in this Agreement that is unenforceable shall be ineffective to the extent of such unenforceability without invalidating the remaining provisions. The non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.
- 20) **Insurance requirements.** The insurance required under this Agreement includes:
- 1.. By Engineer:
- | | |
|--|--------------|
| a. Workers' Compensation: | Statutory |
| b. Employer's Liability -- | |
| 1) Each Accident: | \$ 500,000 |
| 2) Disease, Policy Limit: | \$ 500,000 |
| 3) Disease, Each Employee: | \$ 500,000 |
| c. General Liability - | |
| 1) Each Occurrence (Bodily Injury and Property Damage): | \$ 1,000,000 |
| 2) General Aggregate: | \$ 2,000,000 |
| d. Excess or Umbrella Liability -- | |
| 1) Each Occurrence: | \$ 2,000,000 |
| 2) General Aggregate: | \$ 2,000,000 |
| e. Automobile Liability - | |
| 1) Bodily Injury: | |
| Each Accident | \$ 1,000,000 |
| 2) Property Damage: | |

Each Accident	\$ 1,000,000
or	
I) Combined Single Limit	
(Bodily Injury and Property Damage):	
Each Accident	\$1,000,000
f. Professional Liability -	
1) Each Occurrence:	\$1,000,000
2) General Aggregate:	\$3,000,000
2. By Owner:	
a. Workers' Compensation:	Statutory
b. Employers' Liability -	
1) Each Accident	\$500,000.00
2) Disease, Policy Limit	\$500,000.00
3) Disease, Each Employee	\$500,000.00
c. General Liability -	
1) General Aggregate:	\$1,000,000
2) Each Occurrence (Bodily Injury and Property Damage):	\$2,000,000
d. Excess Umbrella Liability -	
1) Each Occurrence:	\$2,000,000
2) General Aggregate:	\$2,000,000
e. Automobile Liability -	
1) Bodily Injury;	
Each Accident	\$1,000,000
2) Property Damage:	
Each Accident	\$1,000,000
I) Combined Single Limit	
(Bodily Injury and Property Damage):	
Each Accident	\$1,000,000
3. Each party shall cause the other to be listed as additional insureds on any applicable general liability policy or property insurance policy carried by that party specific to the Project.	
4. Each party shall deliver to the other party certificates of insurance evidencing the above coverages on request by the other party.	



Town of Boone Agenda Item Action Request Form

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Joshua Eller, Deputy Director of Public Works

Department: Public Works

Contact Phone: 828.268.6250

Email: josh.eller@boonenc.gov

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested: For Action

Item Title: Consideration of Winkler's Creek Raw Water Intake - Dredging Project

Summary of Information: I have attached for your consideration the above-referenced recommendation from our project engineer, Municipal Engineering Inc., for the Winkler's Creek Raw Water Intake Dredging Project, which was rendered inoperable resulting from storm debris during Hurricane Helene. We have reviewed and agree with the recommendation of award for this project to Thomas Brown Construction LLC for the amount of \$690,000.00. This restoration project will be funded through FEMA.



MUNICIPAL ENGINEERING, INC.

Engineering Excellence. Innovative Approaches. Sustainable Solutions.

August 18, 2026

Mr. Josh Eller, Public Works Deputy Director
Town of Boone
321 E King Street
Boone, NC 28607

Project: Winkler Creek Raw Water Intake Dredging
Project Number: B25069

Dear Mr. Eller:

Bids for the above-referenced project were publicly opened on August 13, 2026, at 2:00 p.m. We have reviewed the bids received for completeness, responsiveness to the bidding requirements, and mathematical accuracy.

Based on our evaluation, **Thomas Brown Construction, LLC** submitted the lowest responsive and responsible bid in the amount of **\$690,000.00**.

We have reviewed the contractor's qualifications, experience, and bid documentation and have found them to be acceptable for this project.

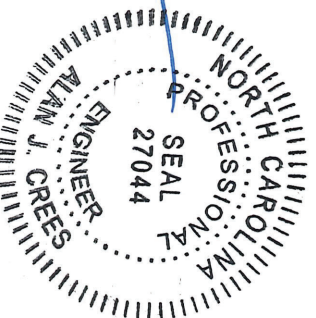
Therefore, Municipal Engineering, Inc. recommends that the Town award the construction contract for the Winkler Creek Raw Water Intake project to **Thomas Brown Construction, LLC** in the amount of **\$690,000.00**, contingent upon receipt of all required bonds, insurance certificates, and executed contract documents.

Should you have any questions regarding our evaluation or recommendation, please do not hesitate to contact our office.

Sincerely,


Alan J. Crees, PE

Project Engineer
Municipal Engineering, Inc.



MESCO.COM

Licenses: F-0812 & C-586

 GARNER PH: (919) 772-5393

BOONE PH: (828) 262-1767

 68 SHIPWASH DR., GARNER, NC 27529
820 STATE FARM RD., BOONE, NC 28607

 GARNER FX: (919) 772-1176
BOONE FX: (828) 265-2601

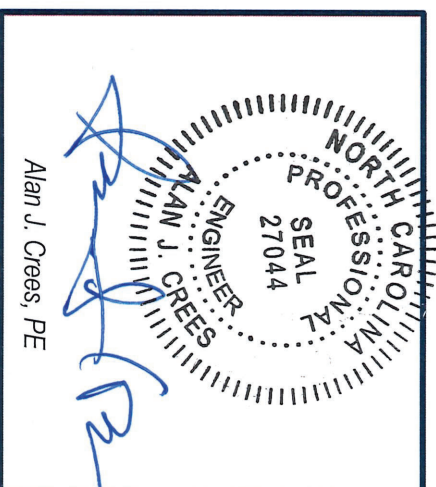
BID TABULATION

Winkler Creek Raw Water Intake Dredging

Re-Bid Date: Thursday, August 13, 2026

Bidder	Lump Sum Bid	Per Cubic Yard Adjustment Price
Thomas Brown Construction, LLC	\$690,000.00	\$40.00
The J.W. Hampton Company	\$729,900.00	\$25.00

I hereby certify that this is an accurate representation of bids received for the Winkler Creek Raw Water Intake Dredging on Thursday, August 13, 2026.



6-18-26

Municipal Engineering, Inc. - 820-B State Farm Road Boone NC 28607
 828-262-1767 (p) 828-265-2601 (f)
 mesco@boone.net
 NCBELS-F-0812 NCBLG C-586



Town of Boone Agenda Item Action Request Form

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Shane Robbins, Assistant Police Chief

Department: Police Department

Contact Phone: 828.268.6900

Email: shane.robbsins@boonenc.gov

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested: For Action

Item Title: Consideration and Approval of Resolution - ABC Permitting Official

Summary of Information: Per North Carolina General Statutes, the Town Council is required to adopt a resolution designating an official to make recommendations regarding the suitability of applicants and locations for ABC permits. Due to the upcoming retirement of the current designee, the Boone Police Department recommends appointing Major Jon Houck as the Town's designee, effective immediately.

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

(919) 779-0700

Location: 400 E. Tryon Road
Raleigh, NC 27610

Mail: 4307 Mail Service Center
Raleigh, NC 27699-4307

RESOLUTION OF THE CITY OF Watauga, COUNTY OF
Boone, REGARDING THE DESIGNATION OF AN OFFICIAL TO
MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE
CONTROL COMMISSION ON ABC PERMIT APPLICATIONS.

WHEREAS G.S.18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS the City of Boone, County of
Watauga, wishes to notify the NC ABC Commission of its designation as required by G.S.18B-904(f);

BE IT THEREFORE RESOLVED that Jonathan Houck, Major,
(Name of Official) (Title or Position)

is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of Boone, County of
Watauga, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED THAT notices to the City of Boone, County of
Watauga, should be mailed or delivered to the official designated above at the following address:

Mailing address: Boone Police Department

Office location: 1500 Blowing Rock Road

City: Boone, NC

Zip Code: 28607 Phone #: 828-268-6900

This the _____ day of _____, 20____.

(Mayor/Chairman)

Sworn to and subscribed before me this the _____ day of _____, 20____.

(Clerk)

TOWN OF BOONE
Human Relations Commission
Event Budget Proposal

EVENT NAME: Buy Boone Lunch

EVENT DATE: 2-Sep-26

EVENT CHAIR NAME: Tori Rodriguez

BUDGET ITEM	EST. AMOUNT
F.A.R.M. Café Buy Boone Lunch	\$ 800
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -

TOTAL PROPOSED BUDGET \$ 800

EVENT CHAIR SIGNATURE

COUNCIL MEMBER SIGNATURE

PRINT NAME Todd Carter

DATE APPROVED BY HRC*

*Attach minutes to check request

7-15-26

TOB Account: 010411 000549108

CHECK REQUEST

**TOWN OF BOONE
HUMAN RELATIONS COMMISSION
MANUAL CHECK REQUEST***

*to be completed by Council Member

Please Draw a Check To:

F.A.R.M. Café
617 W. King Street
Boone, NC 28607

FOR:

DESCRIPTION	ACCOUNT NO.	AMOUNT
Buy Boone Lunch	010411 000549108	800.00

TOTAL 800.00

DELIVERY INSTRUCTIONS:

☐ Mail to Payee

☒ Deliver to F.A.R.M. Café

REQUESTED BY: Todd Carter

DATE: 08/20/26

APPROVED BY:

DATE:

PLEASE ATTACH INVOICE
OR OTHER DOCUMENTATION

Meeting Minutes 7-15-2026 attached

TOWN OF BOONE
APPROVED FOR PAYMENT

DATE PAID

CHECK #

Town of Boone Human Relation Commission Meeting: July 15, 2026

Members Present: Drew Finley, Todd Carter, Kirstin Morgan, Alex Castillo, Camila Aranda, Trevor Moody, Sean Morris, Tori Rodriguez, Anitra Ball

- Meeting began at 6:10pm
 - All members were present in-person except for Joan Lacefield and Joanne Pulliati, both of whom were absent
 - Tori Rodriguez joined late at 6:16pm
 - Anitra Ball, the newest Boone Town Council Member and HRC liaison, joined late at 6:30pm
- Moment of silence observed
- Tentative agenda adopted
 - Kirstin Morgan motioned to adopt
 - Alex Castillo seconded
 - Vote: approve 7, against 0, abstentions 0
- Opened for public comment at 6:11pm
 - Closed at 6:11pm as no members of the public were present who wished to comment
- New commission member announcement by Drew Finley
 - Brian Juneau is the newest member
 - No vacancies remain
- Approval of June 24, 2026 minutes
 - Kirstin Morgan motioned to approve
 - Trevor Moody seconded
 - Vote: approve 7, against 0, abstentions 0
- Announcement of updated HRC website and swag
 - Has events, description of us, list of members, and complaint form
 - Thank you to Nicole Harmon for making all the updates
 - Todd shared all the new swag we got – multiple tablecloths, a sign, and large info cards with HRC info on them
- Boone Pride Parade and Festival debrief – Todd Carter & Kirstin Morgan
 - The event was a huge success with about 2,000 attendees
 - Thank you to all commission members who volunteered for the help
- Disability Pride Month updates – Sean Morris
 - Saturday, July 25 from 10am-2pm at the Agricultural Conference Center

- Sean is trying to find a DJ to volunteer or work for \$50
 - Trevor offered to supply PA equipment if needed
 - Music will be outside so inside is sensory friendly
- Will be getting art supplies for attendees to use and Wildwood for lunch
- Overdose Awareness Month Event updates – Tori Rodriguez & Sean Morris
 - No updates to share
 - Homestead Recovery will be at multiple locations around town and we can table with them at one of those locations
 - One spot will be in front of Betty's Biscuits, which might be ideal for HRC shared tabling
 - Event is on August 31, 2026
 - Sean discussed getting a Purple Pantry set up somewhere in town to provide harm reduction supplies and materials
- Buy Boone Lunch updates – Tori Rodriguez
 - Todd shared that there will be an official form for budget submittals and reimbursement form moving forward
 - Todd will receive all money from Town, then give to the Commission Member in charge of the event
 - The Member will complete the expense form and any remaining funds after the event
 - Budget of \$800 must be approved at Town Council August meeting
 - Tori will take the check to FARM Café once she receives it
 - Excel sheet to sign up for volunteer shifts will go out soon
- How Local Government Works Event updates – Kirstin Morgan, Alex Castillo, Sean Morris, Drew Finley, and Camila Aranda
 - September 12, 2026 set as the event date
- Domestic Violence Awareness Month updates
 - With Virginia no longer the Council Liaison, someone needs to take point on this
 - Tori Rodriguez suggested finding ways to support Oasis as they already do a lot for this month
 - Kirstin Morgan stressed that given capacity, supporting Oasis is probably the best choice for this event
- Trans Day of Remembrance updates – Joan Lacefield and Kirstin Morgan
 - Kirstin Morgan shared that there are no updates to share
- World AIDS Day Event updates – Trevor Moody
 - December 1, 2026 is the date for the event

- Trevor shared that he is connecting with community folks who want to be a part of the event
- Commission Member Reports
 - Drew Finley had no updates to share and thanked all Commission Members for their work
 - Trevor Moody asked if there was a group that could provide him with pregnancy tests and Plan B to give out for free as the group he got them from is no longer able to provide them
 - Commission Members provided a variety of suggestions to find a new partner to provide the items
 - Alex Castillo shared about a professor at AppState who is offering free English classes for people whose first language is Spanish
 - Kirstin Morgan shared that the High Country Beer Fest is August 29 and that as the co-director she is requesting volunteers but can also provide free tickets to members
 - Anitra Ball had no updates
 - Todd Carter shared that the High Country LGBTQ Youth Alliance will have queer youth hangouts on the 4th Saturday of each month at Third Place
 - Had 14 kids at the May hangout and some of them were at Boone Pride
 - Next event is July 25 and then August 22 with a field trip to FizzEd
 - Sean Morris had no updates
 - Tori Rodriguez had no updates
 - Camila Aranda had no updates
- Meeting adjourned at 6:58pm
 - Alex Castillo motioned to adjourn
 - seconded
 - Vote: approve 8, against 0, abstentions 0



Town of Boone Agenda Item Action Request Form

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon, Town Clerk

Department: Administration

Contact Phone: 828.268.6200

Email: nicole.harmon@boonenc.gov

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested: For Action

Item Title: Consideration and Approval of Minutes

Summary of Information: Attached for Council's consideration and approval are the minutes of the August 12, 2026 regular Town Council meeting.



**MINUTES – TOWN COUNCIL
REGULAR MEETING
AUGUST 12, 2026**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 9:00 a.m. on Wednesday, August 12, 2026, in the Boone Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Dalton George presided. Council members present included Mayor Pro-Tem Todd Carter (remote), Virginia Roseman, Adrian Tait, Anne Pruitt, and Anitra Ball. Staff present included Interim Town Manager/Human Resources Director Dale Presnell, Town Clerk Nicole Harmon, Planning Director Jane Shook, Deputy Planning Director Brandon Wise, Grants Coordinator/Communications Laney Wise, Public Works Director Todd Moody, Police Chief Daniel Duckworth, Advanced Planning Specialist Jessica Mitchell (remote), Sustainability and Special Projects Manager George Santucci, and Cultural Resources Director Mark Freed.

MOMENT OF SILENCE

A brief moment of silence was observed.

ANNOUNCEMENT OF BOARD VACANCIES

Mayor George announced the following board vacancies:

BOARD OF ADJUSTMENT

Three alternate positions

CULTURAL RESOURCES ADVISORY BOARD

One student position

HISTORIC PRESERVATION COMMISSION

Two regular positions

HUMAN RELATIONS COMMISSION

One position

PLANNING COMMISSION

One regular position

APPROVAL AND PRESENTATION OF RESOLUTION

Resolution Dedicating the Bridge at Lower Hardin Creek to be Named the “Rufus Edmisten Bridge”

Mayor George gave a brief history of the impact Mr. Edmisten has had on the community and noted that a bridge dedication ceremony would be held in the future.

Upon a motion by Council Member Roseman, seconded by Council Member Ball, Council voted unanimously to approve the resolution as presented.

RESOLUTION DEDICATING THE BRIDGE AT LOWER HARDIN CREEK TO BE NAMED THE “RUFUS EDMISTEN BRIDGE”

Whereas, Rufus Edmisten is a native of Boone and Watauga County, whose family land is now host to the portion of the Greenway that this bridge and the Lower Hardin Creek are located; and

Whereas, Rufus has served his State and Country in many ways, working alongside Senator Sam Ervin, serving as North Carolina’s 46th Attorney General, 21st Secretary of State, Democratic Nominee for Governor, and a multitude of other civic and non-profit roles and capacities; and

Whereas, Rufus has been instrumental in the advocacy, crafting, and adoption of policies that have benefitted our Nation, on issues spanning civil rights, environmental causes, the support of North Carolina businesses, education, and much more; and

Whereas, this bridge rests over a tributary of the New River, a river in which, as Attorney General, Rufus fought doggedly to ensure its protection and designation as a Wild and Scenic River, securing its health and protection for future generations; and

Whereas, many Boone residents know well Rufus Edmisten and his many accomplishments representing Boone and the Edmisten family; and

Whereas, as a sign of appreciation for his work, the generosity of his family, and their connection to the land, it is only fitting to honor him through the dedication of this beloved portion of our Town’s Greenway;

Now, therefore, be it resolved that the Mayor of Boone officially declares this bridge, the "Rufus Edmisten Bridge," and directs staff to work to prepare for its official dedication, including Rufus and other organizations.

REQUESTED APPEARANCES

David Graham – High Country Council of Governments

Mr. Graham provided a presentation regarding the Comprehensive Transportation Plan (CTP) currently being developed by the High Country Council of Governments.

Council Member Tait noted that the Town's 2013 transportation plan is now outdated and asked how the CTP process accounts for an existing plan that is no longer current. Mr. Graham explained that the development of the new plan will focus on analyzing current data when making recommendations. He noted that completed projects, as well as projects requiring additional analysis, will be considered in greater depth as part of the process.

Council Member Tait asked where the project currently stood within the anticipated 12- to 18-month timeline. Reuben Crummy with the NCDOT Transportation Planning Division stated that the transportation model work began in March and that the project remained on schedule, with completion anticipated within the 18-month timeframe.

Council Member Roseman discussed the State Transportation Improvement Program (STIP) and referenced the Daniel Boone Parkway project, noting that she had opposed the project initially because of concerns about committing only to the Boone portion without adequately considering land acquisition and impacts on County residents. She emphasized the importance of considering residents throughout Watauga County who may be affected by transportation projects. Council Member Roseman also noted that pedestrian bridges could serve as a crucial lifeline for the community, particularly because the Town does not control many of its major roadways, and stressed the importance of providing safe ways for pedestrians to cross those roads.

Mayor George asked what public engagement would look like throughout the CTP process. Mr. Graham stated that staff was in the beginning stages of developing a public survey anticipated to be released in September. The survey would be promoted through a press release, online links and QR codes, outreach to the student community, flyers, and community events throughout the County. Paper copies would also be available, and the survey would be offered in both English and Spanish. Once recommendations were developed, the public would have another opportunity to provide feedback. Mr. Graham encouraged everyone to participate in the survey and noted that the Town of Boone, along with other municipalities throughout Watauga County, would be asked to assist in sharing and promoting it. Mayor George noted that many of the Town's major roads are not owned by the Town and requested an overview of roadway ownership and maintenance responsibilities. Mr. Graham explained that North Carolina and U.S. routes are maintained by the North Carolina Department of Transportation (NCDOT). He indicated that although the Town does not own its primary thoroughfares, it can provide input and

influence how those roadways are modified. Mayor George encouraged residents to contact members of the North Carolina General Assembly to advocate for additional funding for NCDOT.

Mark Freed – Boonerang Report

Mr. Freed provided an update on the fifth year of the Boonerang Music and Arts Festival, including festival highlights and financial information. Council members expressed their appreciation to Town staff and volunteers for their hard work and contributions to the festival's success. Council Member Pruitt stated that she would return at the next work session with ideas for formally recognizing festival volunteers.

George Santucci – Community Climate Action Plan Update

Mr. Santucci gave the five-year update on the Community Climate Action Plan, including plans for a new page on the Town of Boone website.

Mayor George declared a break at 10:01 a.m. Council reconvened at 10:13 a.m.

APPROVAL OF ITEMS ON CONSENT AGENDA

1. Resolution & Contract – NCGHSP Town of Boone's Award for the North Carolina Governor's Highway Safety Program

Motion to Approve: Roseman

Second: Ball

All in Favor

2. Budget Amendments:

a. Police Department:

To: Miscellaneous Supplies	010-407-000-519900	\$15,000.00
From: Contributions/Donations	010-000-000-482200	(\$15,000.00)

Explanation: Check donation from Mark Ricks for the Police Department's new fitness equipment room.

b. Sustainability:

To: Sustainability Projects	010-401-000-549114	\$25,000.00
From: Appropriated Fund Balance	010-000-000-499900	(\$25,000.00)

Explanation: NC Land and Water Fund grant reimbursement.

c. Public Works Department:

To: Rivers House	010-411-000-549145	\$75,000
From: Appropriated Fund Balance	010-000-000-499900	(\$75,000)

Explanation: To cover remaining grant match for restrooms and project expenses.

Motion to Approve: Roseman

Second: Tait

All in Favor

3. Minutes:

- a. July 9, 2026, Regular Town Council Meeting
- b. August 3, 2026, Special Town Council Meeting

Motion to Approve: Pruitt

Second: Tait

All in Favor

4. Ordinance (Boone BOO!)

Motion to Approve: Roseman

Second: Ball

All in Favor

PLANNING MATTERS

Walk Audit Update

Ms. Shook requested a date for the walk audit and gave a brief overview of the process, noting that staff will be working with the AARP on this year's event. It was the consensus of Council to hold the event on September 16th, with staff agreeing to send more details at a later date.

COUNCIL MATTERS

Update Regarding New Interim Town Manager

Mayor George announced that effective today, Hank Perkins will start on Monday, August 17th, as interim Town Manager. Upon a motion by Council Member Roseman, seconded by Council Member Tait, Council voted unanimously to approve Mr. Perkins' employment contract as presented.

Approval of Agreement – North Carolina Department of Transportation

Mr. Moody discussed approximately one mile of proposed multi-use path located primarily outside the Town limits and stated that he had spoken with the County Manager regarding the possibility of the County maintaining the portion within its jurisdiction, but was advised that the County was unable to provide maintenance. NCDOT indicated that the project would be removed from the plan if the Town did not agree to maintain the path. He stated that maintenance responsibilities would include mowing, snow removal, and trash collection, resulting in approximately two additional miles of maintenance for Town staff.

Council Member Tait asked whether the section along Bamboo Road would be widened, noting that the existing area was narrow. Mr. Moody confirmed that the path would be widened along the entire route. In response to a question regarding estimated maintenance costs, he stated that costs would primarily consist of staff time, fuel, mowing, snow removal, and other routine maintenance. Council Member Tait expressed support for having the path and accepting the associated maintenance responsibilities. Council Member Roseman expressed support for taking the necessary steps to provide the path for the betterment of the community. Mayor George asked whether the Town could partner with community organizations for mowing and trash collection to reduce the burden on Public Works staff. Council Member Pruitt expressed disappointment that the County was unwilling to assist with maintenance. Mayor Pro-Tem Carter expressed a desire for greater clarity regarding the final design, noting that he had seen different concepts for the project. He indicated support for exploring alternative maintenance arrangements once the final design and maintenance needs were better understood.

Upon a motion by Council Member Tait, seconded by Council Member Pruitt, Council voted unanimously to approve the agreement as presented.

Appointment to Sustainability Committee

Council Member Roseman nominated P. Herbert to a regular seat and W. Copeck and A. Fagiolo to student seats. Mayor George indicated that a Watauga High School student named Chase had applied for a student seat, but had missed the deadline. Council Member Pruitt suggested that Chase be appointed as a high school volunteer. Council Member Roseman accepted this as part of her nominations. Hearing no further nominations, Mayor George called for a vote.

VOTE: Aye: All
Nay: None

Appointment to Downtown Boone Development Association

Council Member Tait nominated J. Moretz for reappointment to the Downtown Boone Development Association. Hearing no further nominations, Mayor George called for a vote.

VOTE: Aye: All
Nay: None

Appointment to Historic Preservation Commission

Council Member Roseman stated that she was impressed with Phoebe's application. Mayor George expressed concerns regarding the application and questioned whether she might be better suited for the Planning Commission, noting that he did not want to place her in a position where she might not be successful. After brief discussion, Council Member Roseman nominated Phoebe for appointment, emphasizing the importance of maintaining a three-member commission so that the commission could still hold Quasi-Judicial meetings. Council Member Tait noted that Phoebe had specifically applied to serve on the board and therefore had some understanding of its role. He stated that all applicants may have opinions that are not necessarily applicable to the work of a particular board and expressed support for the appointment. Hearing no further nominations, Mayor George called for a vote.

VOTE: Aye: All
Nay: None

Mayor's Report

Mayor George reported that the Downtown Boone Development Association had hired its part-time staff member and that he attended the first Community Partners meeting at the Boone Area Chamber of Commerce. He also attended a regional mayors' meeting in Seven Devils, where he heard similar concerns and challenges expressed by mayors from communities throughout the High Country.

Town Manager's Report

Interim Town Manager/Human Resources Director Dale Presnell gave a report on the following topics:

- Grants Coordinator/Communications Laney Wise recently passed an Advanced Public Information Officer course.
- Watauga County Communications is in the process of moving their equipment out of the Police Department and into their new office. This move will make room for a new workout facility, for which the department recently secured a donation to completely outfit.
- Thanks to the support of Council, the Human Resources Department implemented a 3% COLA at the beginning of the new fiscal year.
- The Human Resources Department is continuing its work on the Family Forward certification, with a survey sent out recently and ongoing policy reviews.
- The Town of Boone currently has five open positions.
- The Street Department, along with our paving contractor, completed approximately 1275 linear feet of milling and resurfacing on State Farm Road, from VFW Drive to Sunnyside Drive.
- Hunting Hills Slope Failure - Repairs are 95% complete on the Hunting Hills slope failure. Repairs include new curb and gutter, guardrail, fence, water and sewer lines, new base, and new asphalt on the travel lanes.
- The Request for Proposals for the audio/visual upgrades at Council Chambers is currently being reviewed by the Town Attorney, with hopes that it will be published in the next couple of weeks.

- Staff has successfully implemented the new CivicClerk meeting management system.

Mr. Presnell thanked Council, staff, and the community for their kindness and support during his time serving as Interim Town Manager. Council members expressed their appreciation to Mr. Presnell for his service and thanked him for his time and dedication while serving in the interim role.

Mr. Moody reported that recent rainfall had improved the Town's water supply conditions and recommended transitioning from Stage 2 to Stage 1 water conservation measures effective today. Mayor George noted that the Town remains under Stage 1 conservation measures at all times as part of its conservative approach to water management. It was the consensus of Council to return to Stage 1 water conservation measures effective immediately.

Board Liaison Reports

Council Member Pruitt referenced the Sustainability presentation provided earlier in the meeting and Mayor George's report regarding the Downtown Boone Development Association.

Council Member Roseman referenced Mr. Freed's earlier presentation regarding Boonerang and reported that student music lessons were available at the Jones House. She applauded the implementation of the new volunteer app used during Boonerang, and noted that the Jones House had recently received a new roof. She reported that the Historic Preservation Commission was currently unable to establish a quorum until three seats were filled, but continued to move forward with the Kraut Creek and Clawson-Burnley Park interpretive panel projects. She also announced the upcoming Fairy Day event at the Daniel Boone Native Gardens.

Council Member Tait reported that an upcoming Regional Transportation Advisory Committee meeting was scheduled and expressed enthusiasm about participating. He also noted that a Parks and Recreation meeting would be held that evening. Council Member Tait reported that the recent Economic Development Commission meeting included discussion of Rootsy Sweet Potato Milk, which was in the final stages of product development and had received a significant grant from the North Carolina Economic Development Commission. He noted that the company would be based in Watauga County.

Council Member Ball provided an update from the July Human Relations Commission meeting, including upcoming activities in recognition of Overdose Awareness Month and a Buy Boone lunch event at F.A.R.M. Café.

Mayor Pro-Tem Carter reported that AppalCART had begun a new route to the Farmers' Market and encouraged the public to utilize the service during its one-year test phase. He noted that electric bus options continued to be explored due to delays and that two double-decker buses were expected in the near future. He also reported that the Human Relations Commission held a successful Disability Pride event, noting that Boone was one of the few municipalities in Western North Carolina to host such an event. He announced that the upcoming Buy Boone lunch would be held on the 2nd at F.A.R.M. Café.

Mayor George reported that he had been invited to speak at NYC Climate Week, which he described as the largest climate event of its kind in the world. He clarified that he would not formally represent the Town of Boone but would speak about local sustainability efforts. Council Member Pruitt asked whether the Town's Sustainability Manager could also attend. Mayor George stated that he would discuss the possibility with Mr. Santucci.

Council Member Roseman reported that the Cultural Resources Advisory Board would recognize Doc Watson Day on Friday. She also noted that the Farmers' Market was in the running for a national America's Favorite Farmers Market award and encouraged the community to vote.

With no further business, Mayor George adjourned the meeting at 11:03 a.m.

Nicole Harmon, Clerk

Dalton George, Mayor



Town of Boone Agenda Item Action Request Form

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By:

Department: Planning & Inspections

Contact Phone:

Email:

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested: For Action.

Item Title: Consideration of July 27, 2026, Public Hearing Cases

Summary of Information: The following cases were heard at the July 27, 2026, Public Hearing: Case A26-0448 Invasive Species — UDO Text Amendment & Case A26-0357 115 Beverly Heights Avenue — Conditional District Zoning Map Amendment.

Case A26-0357 was requested to be tabled to the September 23, 2026, Town Council Meeting.

The Planning Commission met immediately after the public hearing and made recommendations on both cases.

Attached:

1. July 27, 2026 Planning Commission draft meeting minutes
2. Case A26-0448 Invasive Species — UDO Text Amendment Revised Staff Report

PLANNING COMMISSION MEETING

Commission Chair Veno called the Planning Commission portion of the Meeting to order at 9:42 p.m.

Discussion and Recommendation on Case(s) Heard at the Public Hearing

Case A26-0357 115 Beverly Heights Avenue – Conditional District Zoning Map Amendment

LCD Acquisitions, LLC has submitted a Conditional District Zoning Map Amendment application to rezone property located on the corner of NC Hwy 105 Ext and Beverly Heights Ave (Watauga County PINs: 2910-36-7347-000, 2910-36-8089-000, 2910-46-0833-000, 2910-46-1791-000, 2910-46-2684-000, and 2910-46-3578-000) from B3 General Business/R3 Multiple-Family Residential/R1 Single Family Residential with Corridor District and Viewshed Protection District Overlays to Conditional District B3 General Business with Corridor District and Viewshed Protection District Overlays for Use 1.16 Multi-Family Dwelling in Mixed-Use (>100 Bedrooms) with a site-specific development plan for a 185 unit, 642 bedroom, residential community.

Commission Member King reiterated that the applicant should provide definitive answers on AppalCart logistics, noting that it's a valuable resource for the Town should be utilized. Commission Member Kight stated that he lives in a neighborhood that was also previously designated as an NCD, and empathizes with traffic concerns. He indicated that he believes a by-right project would create a level of traffic that was more manageable for the area than the current proposal. Commission Member Luther stated that he understands the need for housing supply in the town, especially affordable housing, but also sees the need for student housing and the economic development the University provides, and is not opposed to the right development at the proposed location. However, he echoed the mayor's previous sentiment of this proposal's lack of public good. He encouraged the applicant to work on a solution that would address the comments posed. Commission Member Paz-Miranda agreed with these statements and reiterated some of her previous remarks regarding traffic, density, and rental models. Commission Chair Veno expressed that he felt this proposal created a traffic issue that was too large to circumvent. He added that he would prefer to see a less-dense development created for professionals and families in this location, noting that he doesn't feel there is a lack of student-specific housing in Boone. Commission Chair Veno introduced Commission Member Myles Harrison, who was newly appointed as the Student Representative on the Planning Commission. Commission Member Harrison introduced himself and noted that he agreed with Chair Veno about student housing, providing a personal anecdote about his ease of obtaining housing as a student.

Commission Member Paz-Miranda inquired if the applicant understood that the University's enrollment was declining and if they were planning for that. Mr. Powell replied and said they were, and that they diligently track long and short-term trends of universities near all of their properties.

Commission Member King noted that he believed that this project could be beneficial as student housing, but in a different form that more adequately addresses the concerns brought forth in the hearing. The Commission discussed the desire to see an updated proposal and discussed what housing types would be ideal.

Planning Commission briefly discussed meeting recommendation logistics with Town Staff.

Vote 1

Commission Chair Veno made a motion that the proposed amendment to the Town's zoning map is not consistent with the Town's current comprehensive plan and any other adopted plan(s) of the Town that are applicable because of the following from Boone Next:

Goals & Policies

Goal 1.1: A sustainable built pattern: Boone's interwoven natural and built environments will promote social, environmental, and fiscal sustainability while aiming to reduce auto-dependence and the roots of traffic congestion. The town will be a leader of green building design and climate responsibility.

Goal 1.2: Development true to Boone's vision: Boone's development and redevelopment will enhance the best of the town's existing built environment and reinforce the vision set forth in this plan.

Policy 1.2.1: Build the Town for People: To the extent possible, the built environment should be human-scale and pedestrian oriented rather than large-scale and auto-oriented. There are urban design characteristics that transcend eras, styles, and typologies that help to explain why Boone's beloved downtown makes human beings comfortable. Human-scale development is not defined by density, but instead by urban design that makes human beings comfortable and happy navigating streets, activity centers, and neighborhoods on foot. Human-scale built environments might consider terminating vistas at the end of streets or the width and frontage of new buildings.

Goal 1.3: A preserved heritage: Boone's unique architectural and cultural history is celebrated. The town preserves historic buildings and encourages the design of new buildings and places that complement its architectural heritage.

Goal 2.4: Increase mobility through capacity & access management: Ensure Boone's street network supports safe, reliable transportation for all modes by addressing growth-related challenges with strategic roadway improvements beyond traditional widening.

The motion was seconded by Commission Member King.

Vote: Aye – 6

Nay – 0

The motion passed.

Vote 2

Commission Chair Veno made a motion, seconded by Commission Member King, that the Planning Commission recommends denial of Ordinance #A26-0357 within Staff Report Exhibit A, and denial is reasonable and in the public interest because there is a lack of commitment on the part of the developer and the application is not in keeping with the spirit of neighborhood conservation. There are too many unresolved issues and there is a lack of both community support and commitment to mixed-use housing.

Vote: Aye – 6

Nay – 0

The motion passed.

Case A26-0448 Invasive Species – UDO Text Amendment

A text amendment to UDO Articles 31 and Appendix C is proposed to update the Town of Boone Unified Development Ordinance to reflect the Town goals in relation to native plantings and removal of invasive species.

The Commission briefly discussed the invasive species UDO text amendment, communicating approval. Commission Chair Veno inquired with Town Staff as to whether identified invasive species on a property would be required to be removed by the owner. Mr. Wise clarified that the Town could not enforce removal of an existing invasive species on a private property, but this amendment would make it easier for the owner to do so and replant with a native species, waiving the permit application requirement.

Vote 1

Commission Member King made a motion that the proposed amendment to the Town's Unified Development Ordinance is consistent with the Town's current comprehensive plan and any other adopted plan(s) of the Town that are applicable because of the following from Boone Next:

Policy 5.3.1: Protect Ecologically-Valuable Areas: Protect floodplains, steep hillsides, wetlands, and other ecologically valuable areas and corridors from development.

Policy 5.3.3: Plan for Wildlife: Plan for and manage the coexistence of nature and wildlife habitat through development standards that integrate habitat and wildlife migration throughout the town.

Policy 1.4.1: Protect Ecologically Valuable Areas and Corridors: Through regulations and development decisions, protect, restore, and connect ecologically valuable areas such as critical watersheds, stream buffers, wetlands, wildlife habitat, and hardwood forests. Prioritize conservation of lands adjacent and connected to existing protected areas.

Commission Chair Veno seconded the motion.

VOTE: Aye – 6

Nay – 0

The motion passed.

Vote 2

Commission Member King made a motion, seconded by Commission Member Kight, that the Planning Commission recommends approval of Ordinance A26-0448 within Exhibit A with, and approval is reasonable and in the public interest because this amendment protects the native habitats that are integral to Boone's ecosystem and people.

VOTE: Aye – 6

Nay – 0

The motion passed.

Other Matters

Chair/Vice-Chair Application

Mr. Wise briefly explained that the Chair and Vice-Chair application was included in the pack for the Commission's review.

Adjournment of Planning Commission

Commission Member King made a motion to adjourn the meeting at 10:16 p.m. Commission Member Paz-Miranda seconded the motion.

VOTE: Aye – 6

Nay – 0

The motion passed.

Frank Veno, Planning Commission Chair

David Pedersen, Board Clerk

The Staff Report has been revised to contain the Planning Commission’s recommendations from July 27, 2026 public hearing on page 3 (highlighted in green).



Staff Report – Updated for July 28, 2026
Public Hearing
August 26, 2026
Case A26-0448 – Invasive Species – UDO Text Amendment

Request	1
Conformity to Adopted Plans	1
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Town Council Action Required – August 26, 2026	4
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Request

Staff requests that Town Council review and consider adoption of a text amendment to UDO Articles 31 and Appendix C to update the Town of Boone Unified Development Ordinance to reflect the Town goals in relation to native plantings and removal of invasive species.

The text changes in Article 31 clearly prevent invasive species from being planted on permitted sites within the Town of Boone, while also allowing for easier removal of existing invasive species that are in required landscape buffers.

The changes in Appendix C are to the Town of Boone’s recommended planting list to remove plants that the town would not like to have planted and other plants that should not be planted. The removal of species from this list does not necessarily mean that this species cannot be planted at all, outside of invasive species, only that we do not recommend using them for reasons such as prone to ice fail or weak in high winds.

Conformity to Adopted Plans

Boone Next: Our Town, Our Future

Community Vision	Land Use and Development Vision
We will be a prosperous, livable, people-oriented mountain community modeling resilient growth that promotes and protects our natural resources with diverse housing options and dynamic economic opportunities. We will celebrate and build upon our community's historic foundation to leave a sustainable and equitable town for future generations.	Grounded in its historic character, Boone will be a distinct pedestrian-oriented town that is affordable, livable, human-scale, and connected through a network of walkable, mixed-use corridors and activity centers.

Planning Principle 8

Promote a network of green infrastructure and greenways to protect and connect wildlife habitat and sensitive natural areas and provide recreational and transportation opportunities.

Land planning for future development and conservation will contribute to expanding the quantity, quality, access to, and connections between the town’s parks, open space, and recreational amenities. Thoughtful planning , development, and conservation efforts will ensure Boone is a green city built within the context of the beautiful surrounding Appalachian Mountains.

Planning Principle 9

Incorporate environmentally sensitive and sustainable practices into future developments.

Development will be designed to reduce potential negative impacts on environmental features such as wetlands, riparian buffers, streams, steep slopes, wooded areas, special flood hazard areas, wildlife habitats, etc.

- The Town will continue efforts to protect and restore watersheds, wetlands, streams, and special flood hazard areas in development or redevelopment.
- New construction will use context-sensitive design to reduce impacts on existing site features.
- New development should use green building practices. Projects should minimize energy consumption, use renewable energy where feasible, minimize the consumption of resources, and use recycled building materials.
- Green stormwater management is important, along with protections to our waterways.
- Infill and redevelopment should maintain or enhance Boone's Urban Forest.

Goal 1.4 A NETWORK OF OPEN SPACE & GREEN CORRIDORS

Boone will build on its reputation as a green and outdoor city, creating and protecting an integrated network of green corridors, parks, and open spaces as well as meaningful rural and agricultural uses.

Policy 1.4.1: Protect Ecologically Valuable Areas and Corridors

Through regulations and development decisions, protect, restore, and connect ecologically valuable areas such as critical watersheds, stream buffers, wetlands, wildlife habitat, and hardwood forests. Prioritize conservation of lands adjacent and connected to existing protected areas.

Policy 1.4.4: Promote Environmental Education

Promote environmental stewardship through educational outreach programs that enhance knowledge and understanding of environmental systems. Outreach may take the forms of classes, signage, or public art, among other methods.

Policy 1.4.5: Protect Valued Mountain Viewsheds

Boone is a beautiful mountain town and must protect those viewsheds deemed most important by the Boone community.

Goal 5.1 A SUSTAINABLE AND RESILIENT WATERSHED

Boone will have a sustainable and resilient watershed that uses natural approaches to address stormwater.

Policy 5.1.5: Promote Environmental Stewardship

Promote environmental stewardship through education outreach programs, classes, signage, public art, or other methods.

Goal 5.3 PLENTIFUL INTERCONNECTED GREEN SPACES

Boone will proudly be a green town with passive and active green spaces throughout the community, connected by green corridors.

Policy 5.3.1: Protect Ecologically-Valuable Areas

Protect floodplains, steep hillsides, wetlands, and other ecologically valuable areas and corridors from development.

Policy 5.3.3: Plan for Wildlife

Plan for and manage the coexistence of nature and wildlife habitat through development standards that integrate habitat and wildlife migration throughout the town.

Planning Board Report/Recommendations

Per NCGS 160D-604(b), subsequent to initial adoption of a zoning regulation, all proposed amendments to the zoning regulation or zoning map shall be submitted to the Planning Commission for review and comment. If no written report is received from the Planning Commission within 30 days of referral of the amendment to that board, the Town Council may act on the amendment without the Planning Commission report. The Town Council is not bound by the recommendations, if any, of the Planning Commission. Per NCGS 160D-604(d), when conducting a review of proposed zoning text or map, the Planning Commission shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Commission shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the Planning Commission, but a comment by the Planning Commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

First Motion and Vote: Commission Member King made a motion that the proposed amendment to the Town's Unified Development Ordinance is consistent with the Town's current comprehensive plan and any other adopted plan(s) of the Town that are applicable because of the following from Boone Next:

Policy 1.4.1: Protect Ecologically Valuable Areas and Corridors: Through regulations and development decisions, protect, restore, and connect ecologically valuable areas such as critical watersheds, stream buffers, wetlands, wildlife habitat, and hardwood forests. Prioritize conservation of lands adjacent and connected to existing protected areas.

Policy 5.3.1: Protect Ecologically-Valuable Areas: Protect floodplains, steep hillsides, wetlands, and other ecologically valuable areas and corridors from development.

Policy 5.3.3: Plan for Wildlife: Plan for and manage the coexistence of nature and wildlife habitat through development standards that integrate habitat and wildlife migration throughout the town.

The motion was seconded by Chair Venio.

Vote: Aye – 6

Nay – 0

The motion passed.

Second Motion and Vote: Commission Member King made a motion, seconded by Commission Member Kight, that the Planning Commission recommends approval of Ordinance #A26-0448 within Exhibit A and approval is reasonable and in the public interest because this amendment protects the native habitats that are integral to Boone's ecosystem and people.

Vote: Aye – 6

Nay – 0

The motion passed.

Town Council Action Required – August 26, 2026

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the Town Council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan.

Vote 1: The proposed amendment to the Town's Unified Development Ordinance ☐is OR ☐is not consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

Note 1: describe elements of controlling land use plans and how the plan is or is not consistent.

Vote 2: The Town Council ☐approves OR ☐denies Ordinance #A26-0448 and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

Note 2: briefly explain why, factors may include the benefits and detriments to the landowners, the neighbors, and the surrounding community; why the action taken is in the public interest; and any changed conditions warranting the amendment.

Ordinance #A26-0448**ORDINANCE # A26-0448****AN ORDINANCE TO REVISE THE UNIFIED DEVELOPMENT ORDINANCE**

WHEREAS, the Boone Town Council desires to modify UDO standards to reflect recent legislative changes, and

WHEREAS, the Boone Town Council held a duly-noticed public hearing on July 27, 2026 with respect to this ordinance; and

WHEREAS, the Boone Town Council has taken into full consideration any information offered at the public hearing; and

WHEREAS, this Town Council has reviewed the written recommendations of the Town of Boone Planning Commission; and

WHEREAS, the Boone Town Council is authorized to enact this Ordinance pursuant to its zoning authority under G.S. Chapter 160D, Article 6;

NOW THEREFORE, BE IT ORDAINED BY THE BOONE TOWN COUNCIL THAT:

SECTION 1. The Town of Boone Unified Development Ordinance ("UDO") is hereby revised as set forth in the attached **Exhibit A** to this Ordinance, which is incorporated by reference, with deletions and additions shown in ~~red~~ and [blue](#) respectively:

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. In the event any section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this ordinance.

SECTION 4. This Ordinance shall be effective immediately upon its adoption by Town Council.

Adopted this the 26th day of August, 2026.

The Honorable Dalton George, Mayor

Attest:

Nicole Harmon-Church, Town Clerk

Exhibit A – Modified UDO Language**ARTICLE 34 DEFINITIONS****Invasive Species**

Any species that is listed on the NC Invasive Plant Council's List of Invasive Plant Species.

Staff Note: No changes to Article 34. Definition was provided for reference.

ARTICLE 31 LANDSCAPE STANDARDS

31.01	Purpose and Applicability	6
31.02	Flexibility in Administration Required.....	7
31.03	Preservation of Existing Vegetation.....	7
31.04	General Standards	10
31.05	Landscape Site Standards	11
31.06	Compliance and Maintenance	19

Purpose and Applicability

- 31.01.01** The landscape standards set forth herein are intended to encourage the preservation and health of existing vegetation, tree canopies, ~~to~~ replenish~~ment~~ of removed vegetation, removal of invasive species, and improvement of the visual quality of the Town of Boone, and to minimize negative impacts of development such as noise, lighting, and heat.
- 31.01.02** The ~~provisions-information~~ set forth herein concerning ~~the types of required~~ landscaping vegetation ~~required, establishes suggested landscaping requirements that,~~ are presumed to satisfy the foregoing goals of subsection 31.01.01. However, these provisions are only intended to establish a presumption and should be flexibly administered in accordance with Section 31.02.
- 31.01.03** The provisions of this Article and the Landscape Standards in Appendix C, Town of Boone Details and Specifications Manual of this Ordinance shall apply to all ~~commercially developed~~ land commercial developments and all land within the following zoning districts: R3, MH, OI, B1, B2, B3, E1, E2, E3, E4, and M1, except for forestry activities subject to regulations pursuant to N.C. Gen. Stat. §160D-921(b).
- 31.01.04** When required, an applicant shall submit a landscape plan prepared in accordance with the requirements set forth in UDO Appendix A, Section A3.09 Landscape Plan.

(Ord. A24-0070, 05-22-2024)

Flexibility in Administration Required

31.02.01 The requirements of this Article are established by the Council as standards that presumptively result in a better overall appearance of the built environment and protect the natural resources of the community. The Council recognizes that due to the particular nature of a tract, the nature of [a development](#) proposal, or other factors, ~~that~~ the objectives of this Article may be achieved even though the standards are not adhered to with mathematical precision. Therefore, the permit-issuing authority is authorized to permit deviations from these standards when both of the following conditions are met:

- A. The objectives underlying these standards can be met without strict adherence to them.
- B. ~~Because~~ Peculiarities of the applicant's tract of land or the ~~facilities~~ proposed development would make it unreasonable to require strict adherence to these standards.

31.02.02 Whenever the permit-issuing authority authorizes any deviation from the standards, the official record of action taken on the development application shall contain a statement of the reasons for allowing the deviation.

(Ord. A24-0070, 05-22-2024)

Preservation of Existing Vegetation

31.03.01 Preserving existing vegetation can improve the aesthetic quality of the site and improve property values, provide environmental benefits, mitigate the impacts of development on the community, and help minimize opposition to proposed development. It is recommended that groups of trees be preserved, as well as individual trees. Existing vegetation shall be used to meet all or part of the requirements of this Section wherever possible. ~~if it provides the same level of obscurity as the planted buffer required below.~~

31.03.02 Existing healthy preserved vegetation may be credited towards required landscaping according to the following:

Preservation Credit/Replacement Schedule	
Caliper	Credit
2.5"-6"	1 tree
7"-12"	2 trees
13"-18"	3 trees
19"-24"	4 trees
25"+	5 trees

Note: shrubs will be credited at a rate of 1:1.

1. The table above shall also be used to calculate replacement vegetation when vegetation dies or has been improperly removed.

31.03.03 In order to receive credit:

A. Preserved vegetation must be certified in good health and condition by a Certified Horticulturist, Arborist or Forester, Landscape Architect, North Carolina Landscape Contractor, or N. C. Certified Plant Professional.

B. [Preserved vegetation must not be an invasive species as defined in Article 34.](#)

C. Trees designated to be preserved must be indicated on the Landscape and Grading Plans. Protective barriers must be shown on the Landscape and Grading Plans in accordance with the requirements of Subsection 31.03.10.

D. The preserved vegetation must meet any spacing requirements and must be located within ten feet (10') of the buffer or street yard where the credit is to be given.

E. If a preserved tree dies after completion of the project, it must be replaced with the total number of trees which were credited to the existing tree. Note: All replacement trees are required to be a minimum two and one-half inch (2 ½") caliper with a height of twelve to fourteen feet (12' - 14').

31.03.04 Every development shall retain all existing healthy Historic trees with drip lines outside the building footprint except new subdivisions. An applicant will be required to modify their design in order to preserve healthy Historic trees, provided the redesign can be accommodated without reducing the intensity of development on the site or increasing the area of land disturbance.

A. Every subdivision shall retain all existing healthy Historic trees with drip lines outside the land disturbing limits associated with proposed streets, drainage, utilities and stormwater management areas.

31.03.05 Every development shall retain all existing healthy significant trees with drip lines outside the building and paving area footprint to the greatest extent possible. An applicant may be required to modify their design in order to preserve healthy Significant trees, provided the redesign can be accommodated without reducing the intensity of development on the site.

A. Every subdivision shall retain all existing healthy Significant trees with drip lines outside the land disturbing limits associated with proposed streets, drainage, utilities and stormwater management areas.

31.03.06 It shall be the responsibility of all applicants that submit site plans for new construction to submit a tree survey of the site proposed for development. The tree survey shall be drawn to engineers scale and accurately designate the species, location and diameter of all trees eight inches (8") in diameter or greater on the site, and all trees proposed for credit as provided in Subsection 31.03.02.

A. Subdivision applicants shall submit a tree survey in areas of land disturbance associated with construction of streets, drainage, utilities, and stormwater management areas.

31.03.07 If a landowner contends a tree is or is not healthy and the Administrator is in disagreement with such claim, the landowner shall submit an evaluation of the tree's health, performed by

an individual who meets the requirements established in Subsection 31.03.03(A). If such evaluation determines the tree is not in good health or will not remain healthy under new conditions proposed for the site, the Administrator shall permit the removal of the tree(s).

31.03.08 The permit-issuing authority may approve reductions in the requirements for the number of parking spaces or loading area requirements in order to facilitate preservation of Historic ~~and~~ or Significant trees.

31.03.09 The standard measurement for existing trees to be preserved shall be the Diameter-at-breast-height (Dbh) measured in inches at a height of four and one-half feet (4 ½') above ground. If a tree splits into multiple trunks below four and one-half feet (4 ½'), then each trunk is measured as a separate tree. A tree which splits into multiple trunks above four and one-half feet (4 ½') is measured as a single tree at four and one-half feet (4 ½').

31.03.10 Protection of Existing Vegetation

- A. No grading or other land disturbing activity shall occur on a site with existing trees that are designated to be preserved in order to meet the landscaping requirements until protective barriers are installed by the applicant and approved by the Administrator.
- B. For purposes of this Article, the Tree Protection Area is defined as that area within a circle drawn with the tree's trunk as the center and a radius defined by the tree's drip line (which is the perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground). No storage of materials, dumping of waste materials, fill or parking of equipment shall be allowed within this protected area, either during construction or after completion. No structures shall be permitted within the protected area unless approved by the Administrator.
- C. A protection fence constructed of a high visible material resistant to degradation by sun, wind and moisture for the duration of the construction, shall be used.
- D. If a violation of Section 31.03 occurs and as a result protected trees or shrubs die after a certificate of occupancy is issued for the development, then the owner of the property and their agents, heirs, or assigns shall be required to replace the tree using the ~~credits~~ calculation set forth in Subsection 31.03.02. Such replacement must take place within thirty (30) days after death (unless agreed otherwise by the Administrator due to the season or other factors) and this condition shall be a continuing condition of the validity of the permit.
- E. Where tree-protection areas are damaged during the development of the site and trees or shrubs which are designated to be preserved are killed or removed, the permit recipient shall be penalized as follows:
 1. Fines as listed in UDO Article 12 Enforcement, Section 12.07, and
 2. Replacement vegetation shall be provided in accordance with Subsection 31.13.02.

(Ord. A24-0070, 05-22-2024)

General Standards

- 31.04.01** Every development shall provide sufficient landscape material so that:
- A.** Neighboring properties are shielded from adverse external effects of that development; and
 - B.** The development is shielded from the negative impacts of adjacent uses such as parking lots.
 - C.** Unless otherwise required for a structure, including a vehicle accommodation area or street, buffers shall not be required between uses within a development.
- 31.04.02** Compliance of planted vegetation or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation.
- 31.04.03** All plants proposed to be planted in required landscape areas must not be listed invasive species as defined in Article 34 and must be hardy to USDA Plant Hardiness Zone 6b.
- 31.04.04** All required landscaping located within the AE Floodplain, AE Floodway, or Water Supply Watershed shall be a native species as noted in Appendix C1.04.
- 31.04.05 Landscape Types**
- A.** Buffers: Landscaping along interior property lines.
 - B.** Street Yard: Landscaping along street rights-of-way.
 - C.** Vehicle Surface Area: Landscaping in and around vehicular surface areas.
 - D.** Building Landscaping: Landscaping used to enhance the site.
 - E.** Screening: Landscaping around utility use, outdoor storage, loading areas, etc.
- 31.04.06 Minimum Planting Size**
- A.** Evergreen tree: Minimum height of eight feet (8') at planting.
 - B.** Large deciduous tree: Minimum caliper of two and one-half inches (2 ½") with a height of twelve to fourteen feet (12' – 14') at planting.
 - C.** Small deciduous tree: Minimum caliper of one inch (1") with a height of eight feet (8') at planting.
 - D.** Shrubs: Minimum height of eighteen inches (18") at planting.
- 31.04.07** All plants must meet the requirements of the most recent edition of the American Standards for Nursery Stock. Plants must be healthy, well branched, and free of disease and insect infestation.

31.04.08 Required buffers or street yards shall not be disturbed except for approved driveway openings, pedestrian or bicycle paths, designated greenways, utilities, drainage ways, bio-retention areas, walls, or fences, except as provided below:

- A.** Passive or minor activities compatible with the general separation of land uses may encroach into required landscaped buffers or street yards provided that the total number of required plantings are still met and the purpose or intent of the required buffer or street yard is not compromised.
- B.** Outdoor dining areas may encroach into required landscaped buffers or street yards provided that the total number of required plantings are still met and the purpose or intent of the required buffer or street yard is not compromised; *provided*, that outdoor dining shall not be allowed in a required Neighborhood Protection buffer or street yard.
- C.** Required recreation spaces for multi-family uses, other than public greenways, and including any spaces reserved for a “dog park” are not allowed in any Neighborhood Protection buffer.
- D.** Utility lines should be located cross perpendicular to a buffer, if possible, to minimize the impact. If new utility lines must run within a buffer or street yard, they must be located along the edge of the buffer or street yard.
 - 1. The applicant should minimize the amount of plantings for the buffer or street yard in the utility easement area so they will not have to be removed if the utility line needs maintenance. If an applicant plans to plant in the utility easements, approval must be obtained from the affected utility companies to ensure that plantings will not conflict with the installation, operation, or maintenance of utility lines. Trees and shrubs planted within the utility easement will not count towards the buffer planting requirement unless they are approved by the utility companies. This may necessitate adding more land to the buffer to accommodate the required number of plantings.

(Ord. A24-0070, 05-22-2024; Ord. A25-0606, 10-22-2025)

Landscape Site Standards

31.05.01 Buffer Compliance

- A.** Listed below are the land use classifications that will determine the required type of landscape buffers required for the proposed development. Land uses are as listed in the Table of Principal Uses and the Table of Accessory Uses contained in Appendix B.

Land-Use Classification Table	
I	1.01 Single-Family Dwelling, 1.02-1.04 Manufactured Homes, 1.05 Manufactured Home Park, 1.06 Duplex, 2.01 Family Care Home, 3.01 Home for Survivors of Domestic Violence
II	1.07 Duplex, 1.08-1.10 Townhouse, 1.11-13 Multi-Family Dwelling, 1.14 -1.16 Multi-Family Dwelling in Mixed-Use, 1.17 Adult Living Community, 2.02 Family Care Institution, 2.03-2.04 Halfway House, 2.05 Residential Care Facility, 2.06

	Fraternity or Sorority Dwelling, 2.07 Boarding House, 3.02-3.03 Shelter for Homeless, 3.04-3.05 Bed and Breakfast, 3.06 Vacation Rental, 4.05 Cemetery, 5.01-5.03 Cultural Facility, 5.04-5.05 Recreation Facility, 5.07 Event Venue, 5.12 Police Substation, 5.13-5.15 Utility Facility, 5.16 Government Facility, 6.01-6.02 Utility Facility, 8.01-8.03 Religious Assembly, 9.0 Education, 12.05 Event Venue, 12.10-12.11 Recreation Facility
III	3.08 Motel, 3.09-3.11 Hotel, 4.03 Funeral Home Establishment, 4.04 Crematorium, 4.06-4.07 Post Office, 5.06 Government Recreation Facility Category 3, 5.08-5.09 Government Event Venue, 7.0 Wireless Communications (excluding 7.01-7.03), 8.04 Club/Lodge, 10.0 Daycare, 11.0 General Sales and Service, 12.01 Indoor Shooting Range, 12.03 Indoor Theater, 12.04 Outdoor Theater, 12.06-12.07 Event Venue, 12.08 Campground and Recreational Vehicle Park, 12.12 Recreation Facility, 13.01-13.02 Garden, 13.03-13.04 Agricultural Operation, 13.07 Custom Slaughterhouse, 14.01 Microbrewery, 14.02 Brewpub, 14.03 Brewery/Distillery, 14.05 Winery Associated with a Vineyard, 14.06 Winery, 14.09 Machine/Welding Shop, 15.0 Parking, 16.01 Self-Storage Facilities, 16.02 Outdoor Storage, 16.03 Warehouse, 17.0 Transportation, 18.01 Recycling Drop-off Station, 19.0 Particular Activities which pose Particular Concerns about Public Health, A-4 Drive-Through, A-6 Outdoor Storage, A-7 Outdoor Dining, A-23 Vehicle Washing Station, A-24 Chemical Storage Facility, A-25 Open Air Market, Accessory
IV	4.01 Airport/Landing Strip, 4.02 Heliport, 4.08 Animal Sanctuary, 5.10 Landfill, 5.11 Solid Waste Processing, 12.09 Coliseum, 14.08 Extraction of Earth Materials, 14.10 Manufacturing Other, 16.04 Fuel Storage Facility, 18.02 Recycling and Salvage, A-19 Helistop

B. Some land uses may create an adverse impact when developed adjacent to other less intensive land uses. Landscape buffers shall be required for proposed developments to provide a transition between uses. The buffer width and number of plantings required will vary depending of the buffer required and shall be the responsibility of the applicant developing or changing the land use. The

1. Type “A” is a ten-foot (10’) buffer composed of intermittent visual obstructions from the ground to a height of at least twenty feet (20’). This buffer is intended to create a separation of land-uses without necessarily eliminating visual contact.
2. Type “B” is a fifteen-foot (15’) buffer intended to partially block the view between uses and to create a strong distinction of separation of uses. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten feet (10’) wide.
3. Type “C” is a twenty-five-foot (25’) buffer that is opaque from the ground to a height of at least six feet (6’), with intermittent visual obstructions from the opaque portion to a height of at least twenty feet (20’). An opaque screen is intended to reduce 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 portion of

intermittent visual obstruction should not contain any completely unobstructed openings more than ten feet (10') wide. When a type "C" buffer is required and the proposed development is adjacent to any residentially zoned property, excluding properties zoned R3, the landscape buffer along that boundary shall be changed to a Neighborhood Protection buffer as outlined in 31.05.01(B)(5) below.

4. Type "D: is a fifty-foot (50') buffer that is opaque from the ground to a height of at least six feet (6'), with intermittent visual obstructions from the opaque portion to a height of at least twenty feet (20'). An opaque screen is intended to limit visual contact between uses and to create a wider spatial separation than in a type C buffer. The screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstruction should not contain any completely unobstructed openings more than ten feet (10') wide.
5. A Neighborhood Protection buffer is a twenty-five-foot (25') buffer that is opaque from the ground to a height of at least six feet (6'), with intermittent visual obstructions from the opaque portion to a height of at least twenty feet (20'). 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. A Neighborhood Protection buffer shall provide a six foot (6') opaque fence in the center of the buffer with vegetation planted on either side. This location may be adjusted to provide the greatest protection to an adjacent lower-intensity use. 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.

Buffer Width Table	
Screening Type	Required Width of Buffer
A	10 ft.
B	15 ft.
C	25 ft.
D	50 ft.
Neighborhood Protection (NP)	25 ft.

- C. The Table of Buffer Requirements below shall be used to determine screening requirements between adjacent land uses. The buffer requirement between a combination use and an adjacent use shall be that required for the use necessitating the greatest visual obstruction.

Table of Buffer Requirements						
Proposed Land Use Classification	Adjacent Permitted Land Use Classification				Adjacent Zone with Nonconforming Use	
	I	II	III	IV	Residential	Non-Residential
II	C/NP	A	A	A	B	A
III	C/NP	B	A	A	C	A
IV	D	D	C	A	D	C

D. Buffer Vegetation Requirements

1. **Required Buffer Vegetation:** The required vegetation is designed to create a buffer which will give a satisfactory screen within three (3) to five (5) years of planting, under normal maintenance, while allowing room for the various plants to grow. Planting requirements for buffers include both trees and shrubs as described below.

Required Buffer Vegetation					
Buffer Type	"A"	"B"	"C"	"D"	"NP"
Minimum Buffer Width	10 feet	15 feet	25 feet	50 feet	25 feet
Total Number of Plants per 100 Linear Feet	20	30	40	70	45
Number of Evergreen Trees	3	10	15	25	20
Number of Large Deciduous Trees	1	3	5	8	5
Number of Small Deciduous Trees	2	2	5	7	5
Number of Deciduous Shrubs	4	5	5	10	-
Number of Evergreen Shrubs	10	10	10	20	15

- E. **Buffer Reductions:** Only type "B" or "C" buffers 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:

1. 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.
2. Walls and fences shall be solid construction and opaque.
3. Walls and fences shall be a minimum height of six feet (6').
4. To the extent practical, the wall or fence shall be located in the center of the buffer with vegetation planted on either side. This location may be adjusted to provide the greatest protection to an adjacent lower-intensity use.

(Ord. A25-0606, 10-22-2025)

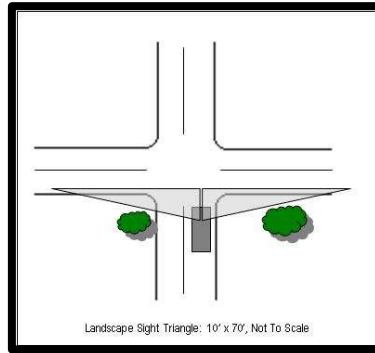
31.05.02 Street Yards

- A. All developments shall provide a landscaped street yard along any public or private street.

- B.** The required minimum street yard shall be measured perpendicular from the street right-of-way. Applicants are allowed to have additional landscaped greenspace beyond the required street yard, however, all required street yard materials shall be placed within the required street yard.
- C. Neighborhood Protection Street Yard:** Development that is directly across a public or private road from a residentially zoned property shall provide a Neighborhood Protection Street Yard the same length as the shared street frontage. The purpose of this buffer is to provide a semi-opaque buffer within three (3) to five (5) years of planting, under normal maintenance, while allowing room for the various plants to grow.
- D. Required Street Yard Vegetation:** The required vegetation is designed to create a buffer which will give a satisfactory visual buffer within three (3) to five (5) years of planting, under normal maintenance, while allowing room for the various plants to grow. Planting requirements for street yards include both street trees and shrubs as described below. Street trees are species of trees that have been determined to be appropriate along public and private streets (see Appendix C, C1.04 for more details).

Required Street Yard Vegetation			
Street Yard Type	Land Use Classifications I, II, III	Land Use Classification IV	Neighborhood Protection
Minimum Street Yard Width	10 feet	25 feet	15 feet
Total Number of Plants per 30 Linear Feet	11	22	16
Number of Large Deciduous Street Trees	1	2	2
Number of Evergreen Trees	0	0	4
Number of Evergreen Shrubs	10	20	10

- E.** Innovative design in street yard arrangement is encouraged. Vegetation planted to satisfy this Section shall not be placed uniformly but in an irregular pattern. However, the minimum spacing between the trees shall be twenty feet (20') and the maximum shall be forty feet (40'). Innovative design is encouraged with the Neighborhood Protection Street Yard to the extent that the design conveys extra protections to the residential use property.
- F.** At least 250 square feet of contiguous, un-encroached growing area shall be provided for each tree. Planting location shall take into consideration any roadway widening identified on approved thoroughfare plans but not provided by the development.
- G.** To ensure that landscape materials do not constitute a traffic hazard, a sight triangle ten feet (10') by seventy feet (70') will be observed at all intersections of driveways/streets with adjacent streets (see diagram below).
- Required street trees shall be planted outside of the sight triangle area.
 - Shrubs planted within sight triangles shall be of a type with a maximum mature height of twenty-four inches (24").



H. Use 15.01 Parking Lot Street Yard Requirements in the B1 Districts.

1. In the B1 districts, when a surface parking lot is a principal land use or a component of a combination use the following provisions shall apply:
2. The minimum street yard shall be ten feet (10') measured perpendicular from the street right-of-way.
3. An average of one (1) large tree, two and one-half inch (2 ½") minimum caliper, per twenty-five feet (25') of street frontage shall be provided.
4. An average of one (1) large evergreen tree, eight feet (8') minimum height, per fifty feet (50') of street frontage shall be provided.
5. Shrubs at the rate of one (1) eighteen inch (18") minimum height per three linear feet (3 lf) of street frontage shall be provided. The shrubs shall be of a species expected to reach a minimum height of thirty inches (30") and a minimum spread of thirty inches (30") within five (5) years of planting. At least seventy-five percent (75%) of shrubbery in this area must be evergreen.
 - a. When a proposed parking area will be substantially below grade and shrubbery will not be visible from the street, the Administrator may reduce this requirement.
6. A minimum three foot (3') opaque decorative red brick/native rock wall not to exceed six feet (6') in height with landscape plantings along the street side shall be provided.
7. A parking area that is located above or below the adjacent street level must design the plant material in the street yard in such a way as to maximize screening from the street.

I. Use 15.01 Parking Lot Street Yard Requirements in All Other Districts

1. Except in the B1 districts, when a surface parking lot is a principal land use or a component of a combination use, the following provisions shall apply:
2. The minimum street yard shall be twenty-five feet (25') measured perpendicular from the street right-of-way but the minimum street yard may be reduced by one

foot (1') for every two feet (2') below adjacent street grade when the Administrator concludes the parking area shall have less of a visual impact than at street level.

3. An average of one (1) large deciduous tree, two and one-half inch (2 ½") minimum caliper, per twenty-five feet (25') of street frontage shall be provided.
4. An average of one (1) large evergreen tree, eight feet (8') minimum height, per fifty feet (50') of street frontage shall be provided.
5. Shrubs at the rate of one (1) eighteen inch (18") minimum height per two linear feet (2') of street frontage shall be provided. The shrubs shall be of a species expected to reach a minimum height of thirty inches (30") and a minimum spread of thirty inches (30") within five (5) years of planting. At least seventy-five percent (75%) of shrubbery in this area must be evergreen.
 - a. When a proposed parking area will be substantially below grade and shrubbery will not be visible from the street, the Administrator may reduce this requirement.
6. A minimum three foot (3') opaque decorative brick/rock wall not to exceed six feet (6') in height with landscape plantings along the street side or an earthen berm at least three feet (3') in height with landscape plantings incorporated into the design of the berm or a combination of both must be provided along any street frontage.
7. The height of any berm shall be undulating and the base shall be curving in nature.
8. A parking area that is located above or below the adjacent street level must design the plant material in the street yard in such a way as to maximize screening from the street.

31.05.03 Vehicle Accommodation Area

- A.** The purpose of this Section is to provide visual relief from large expanses of pavement with the introduction of landscape plantings. Trees and shrubs are required in and around parking lots with more than six (6) spaces to provide attractive views from roads and adjacent properties, provide shade to reduce heat generated by impervious surfaces, reduce glare from parking lots, and to help filter exhaust from vehicles.
- B.** Trees: Plant beds shall be evenly distributed throughout the vehicle accommodation area for maximum shade. No portion of the vehicle accommodation area shall be further than sixty feet (60') from the trunk of a large deciduous tree, except for areas that cannot reasonably be landscaped in the interior as determined by the Administrator, including, but not limited to, truck loading and unloading.
- C.** Shrubs: Shrubs shall be planted at the rate of one evergreen or deciduous shrub per every 250 square feet of vehicular surface area. Shrubs to meet this requirement must be located within fifteen feet (15') of the paved area.

1. Shrubs shall not be planted within six feet (6') of a trunk of a new tree, nor within the drip line of a protected, existing tree.
- D. Uninterrupted areas of parking spaces shall be limited to thirty-six (36) spaces. Parking lots with more than thirty-six (36) spaces shall be divided by landscape features which can include natural features designed to handle stormwater runoff.
- E. Plantings which shall be used to meet these requirements shall be located within the vehicle accommodation area or in plant beds directly adjacent to the surface areas. Trees along the adjacent buffer or street yard areas may be used to meet this requirement.
- F. Plant beds within the vehicle accommodation area shall be a minimum ten feet (10') in width and shall provide a minimum of 250 square feet of contiguous growing area to allow for adequate root aeration and expansion.
- G. Plant beds shall be protected by barriers including but not limited to curbs, bollards, wheel stops, walls or fences.
- H. Plantings shall be arranged so as not to interfere with driver vision, vehicle circulation, or pedestrian circulation.
- I. Minimum curb radii of three feet (3') are required on the corners of all plant beds to allow for free movement of motor vehicles around planting materials.

31.05.04 Building Landscaping

- A. The exterior walls of a structures areas shall be separated from vehicle accommodation areas by landscaped planting areas at least four feet (4') in width. Planting areas may be omitted where necessary to accommodate pedestrian entrance ways. Alternative planting areas meeting the purpose and intent of this Section may be approved by the Administrator.

31.05.05 Screening

- A. Loading docks, solid waste and recycling containers, outdoor storage, mechanical and HVAC equipment, rainwater harvesting systems, and similar facilities on the roof, on the ground, or on buildings shall be located and screened so that the visual impacts of these facilities are fully contained and out of view from adjacent properties and public streets.
 1. Accessory solar energy systems are exempt from this screening requirement.
- B. Solid waste and recycling containers (when required) shall be screened in accordance with the Solid Waste and Recycling Enclosure Detail (Subsection 22.13.03). The design and materials of the enclosure, fence or wall must be presented as part of the site plan or subdivision approval process. The screening material shall be architecturally compatible with the principal building(s) on site. Landscape plantings compatible with the overall landscape plan may be required outside of enclosures where they are in public view from a street and it is necessary to soften the enclosures appearance.

1. **Neighborhood Protection Standard:** Landscape plantings compatible with the overall landscape plan are required outside of enclosures where they are in publicly visible from adjacent residentially zoned properties.
- C. Outdoor storage areas shall be located along the side or the rear of the principle structure and screened so that the visual impacts are fully contained and out of view from adjacent properties and public streets. Screening material may include fence, wall or landscaping so long as materials are architecturally compatible with the principle building(s) on site and will provide an opaque screen. All areas utilized for outdoor storage must be located in areas specifically designed for outdoor storage and is prohibited in or on designated exterior walkways, parking areas, driveways, and landscape areas.

(Ord. A24-0070, 05-22-2024)

Compliance and Maintenance

31.06.01 Certificate of Occupancy, Completion, or Zoning Compliance

- A. Landscaping must be installed according to the approved site plan and inspected prior to receiving final certification.
- B. All plant material shall meet or exceed size and shape relationships specified in the latest edition of the American Standard for Nursery Stock published by the American Association of Nurserymen.
 1. All sizes specified refer to size at time of planting. Vegetation shall be planted to ensure the best chance of survival and to reduce the potential expense of replacing damaged plant material.
 2. Caliper of the trunk of all new planted trees shall be taken six inches (6") above ground up to and including four-inch (4") caliper, and twelve inches (12") above the ground for larger sizes. Seldom are tree trunks perfectly round. Caliper measurements may be taken with "pincer" type caliper, or diameter tape.
- C. Plant material must be installed by a landscape contractor licensed to practice in the State of North Carolina, except that this provision does not apply with respect to:
 1. Landscaping work where the price of all contracts for labor, material, and other items for a given job site during any consecutive 12-month period is less than \$30,000.00;
 2. A federal, State, or local governmental agency performing landscaping on public property;
 3. A landowner performing landscape work on their own property;
 4. A general contractor licensed under Article 1 of Chapter 87 of the General Statutes who possesses a classification under G.S. 87-10(b) as a building contractor, a residential contractor, or a public utilities contractor;

5. Any other circumstance where the installation qualifies for an exemption under §13 of Chapter 89D of the General Statutes (as such may be amended from time to time).

31.06.02 Request for Extension of Compliance

- A. It is recognized that land development occurs continuously and that if the season or weather conditions prohibit planting the materials, the applicant may file a written request for extension of compliance with landscaping requirements with the Administrator, which states the reasons why the request is being made. If the Administrator finds that there are unfavorable conditions for planting, an extension of compliance with landscaping requirements may be allowed. Along with the letter the applicant must provide a performance guarantee in compliance with UDO Section 4.12.

31.06.03 Compliance of Maintenance

- A. The owners of the property and their agents, heirs, or assigns shall be responsible for the installation, preservation, and maintenance of all planting and physical features required under this Article. The disturbance of any landscaped area or vegetation installed pursuant to the Article shall constitute a violation of the site plan, subdivision plan, or zoning permit. Any vegetation that is dead, substandard, unhealthy, of poor structural quality, or missing, shall be removed and replaced in conformance with the standards of this Ordinance and to the approved site plan or subdivision plan.
 1. Should significant amounts of landscaping or physical elements used to meet requirements be lost due to an unusual weather occurrence or natural catastrophe, the landowner shall submit a plan detailing their intent in replacing lost material. Replacement planting may occur within a phased basis as approved by the Administrator. The owner shall have one (1) year or one (1) growing season, whichever is sooner, to replace or replant.
- B. The responsible parties shall not be required to remove existing invasive species. Removal of existing invasive species shall be allowed without permitting, so long as any invasive species that were planted to meet requirements with Article 31 are replaced one for one with an approved species of similar type (e.g. Large Deciduous Tree, Small Deciduous Tree, etc.).

31.06.04 Prohibited Pruning

- A. All plant materials required by this Article shall be allowed to reach their mature size and shall be maintained at their mature size. Any trimming or pruning must be conducted 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). Required plantings shall not be cut or excessively pruned or otherwise damaged so that their natural form is impaired. Improper pruning includes the removal of the central leader, removal of more than twenty-five percent (25%) of the foliage within an annual growing season, removal of twenty-five percent (25%) of the

foliage of a branch or limb when it is cut back to a lateral branch, and cutting a branch back to a lateral not large enough to assume apical dominance.

1. A violation of this Subsection shall subject the violator to a civil penalty as set forth in Section 12.07 for any improperly pruned, damaged, or excessively trimmed tree. In addition to this civil penalty, if more than fifty percent (50%) of the crown of a tree is removed within a continuous five-year period, the owner of the property, where a violation has occurred, shall replace each improperly pruned, damaged, or excessively trimmed tree with the appropriate replacement rate in accordance with Subsection 31.03.02.

Any replacement tree shall be planted in a planting area of at least 250 square feet of contiguous growing area for each and shall have a minimum dimension of seven feet (7'). If the property whereon the violation has occurred fails to contain sufficient land area to replant the required replacement trees and replacement trees cannot be planted on adjoining public street rights-of-way, then in lieu of such replacement trees, a fee equal to \$100 per caliper inch of 2 ½" replacement trees shall be paid to the Town. The Town's Administrator may require crown restoration and/or crown reduction in 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) for any improperly pruned, damaged, or excessively trimmed tree. All such corrective pruning shall be done under the supervision of a Certified Horticulturist, Arborist or Forester, Landscape Architect, North Carolina Landscape Contractor, or North Carolina Certified Plant Professional and approved by the Administrator.

(Ord. A24-0070, 05-22-2024)

Appendix C Details and Specifications Manual

C1.04 Plant List

LARGE DECIDUOUS TREES (40'+)		SHADE TOLERANT	XERISCAPING COMPATIBLE (DROUGHT TOLERANT)	SALT TOLERANT	STREET TREE	NATIVE	BLOOMING
Trees <25' mature height can be planted under power lines							
Trees 25'-40' mature height can be planted at least 20' from power lines							
Other species may be allowed with staff approval							
Scientific Name	Common Name						
Acer rubrum	Red Maple	x	x		x	x	
Acer saccharum	Sugar Maple	x	x		x	x	
Aesculus glabra	Ohio Buckeye	x				x	x
Aesculus flava	Yellow Buckeye	x				x	x
Betula alleghaniensis	Yellow Birch	x				x	
Betula lenta	Sweet Birch					x	
Betula papyrifera	Canoe Birch	x				x	
Betula nigra	River Birch	x	x		x	x	
Betula pendula	European White Birch				x		
Betula populifolia	Gray Birch			x		x	
Carya cordiformis	Bitternut Hickory	x				x	
Carya glabra	Pignut Hickory	x				x	
Carya illinoensis	Pecan	x				x	x
Carya laciniosa	Shellbark Hickory	x				x	
Carya ovata	Shagbark Hickory	x		x		x	
Celtis occidentalis	Common Hackberry		x			x	x
Cladrastis lutea	Yellowwood					x	x
Fagus grandiflora	American Beech	x				x	
Fraxinus americana	White Ash		x	x		x	x
Fraxinus nigra	Black Ash		x			x	x
Fraxinus pennsylvanica	Green Ash		x	x		x	
Ginkgo biloba	Maidenhair Tree		x		x		
Gleditsia triacanthos	Thornless Honeylocust		x	x	x	x	x
Gymnocladus dioicus	Kentucky Coffee Tree	x	x	x		x	x
Juglans cinerea	Butternut					x	
Juglans nigra	Black Walnut					x	
Liriodendron tulipifera	Tulip Poplar	x	x		x	x	x
Magnolia acuminata	Cucumber Tree					x	x
Magnolia macrophylla	Big Leaf Magnolia					x	x
Nyssa sylvatica	Black Gum					x	x

LARGE DECIDUOUS TREES (40'+)		SHADE TOLERANT	XERISCAPING COMPATIBLE (DROUGHT TOLERANT)	SALT TOLERANT	STREET TREE	NATIVE	BLOOMING
Trees <25' mature height can be planted under power lines							
Trees 25'-40' mature height can be planted at least 20' from power lines							
Other species may be allowed with staff approval							
Scientific Name	Common Name						
Platanus occidentalis	Sycamore	x				x	x
Populus angustifolia	Balsam Cottonwood					x	x
Populus deltoids	Eastern Cottonwood					x	
Prunus serotina	Black Cherry					x	
Quercus alba	White Oak		x	x	x	x	
Quercus coccinea	Scarlet Oak					x	
Quercus imbricaeria	Shingle Oak					x	
Quercus falcate	Southern Red Oak		x		x	x	
Quercus muehlenbergii	Chinkapin Oak					x	
Quercus michauxii	Swamp Chestnut					x	
Quercus phellos	Willow Oak		x		x	x	
Quercus palustris	Pin Oak		x		x	x	
Quercus rubra	Red Oak		x	x	x	x	
Quercus stellata	Post Oak		x		x	x	
Quercus velutina	Black Oak					x	
Salix babylonica	Weeping Willow	x					
Taxodium distichum	Bald Cypress		x	x	x	x	
Tilia americana	American Linden	x	x		x	x	
Ulmus americana	American Elm	x	x		x	x	
Ulmus parvifola	Chinese Elm	x	x		x		
Zelkova serrata	Japanese Zelkova		x	x	x		

SMALL - MEDIUM DECIDUOUS TREES (up to 25')		SHADE TOLERANT	XERISCAPING COMPATIBLE (DROUGHT TOLERANT)	SALT TOLERANT	STREET TREE	NATIVE	BLOOMING
Trees <25' mature height can be planted under power lines							
Trees 25'-40' mature height can be planted at least 20' from power lines							
Other species may be allowed with staff approval							
Scientific Name	Common Name						
Acer buergeranum	Trident Maple	x	x	x	x		
Acer campestre	Hedge Maple	x	x	x			
Acer ginnala	Amur Maple	x	x	x	x		
Acer griseum	Paperbark Maple				x		

SMALL - MEDIUM DECIDUOUS TREES (up to 25')		SHADE TOLERANT	XERISCAPING COMPATIBLE (DROUGHT TOLERANT)	SALT TOLERANT	STREET TREE	NATIVE	BLOOMING
Trees <25' mature height can be planted under power lines							
Trees 25'-40' mature height can be planted at least 20' from power lines							
Other species may be allowed with staff approval							
Scientific Name	Common Name						
Acer leucoderme	Chalk Maple				x		
Acer palmatum	Japanese Maple	x			x		
Acer pensylvanicum	Striped Maple						
Aesculus pavia	Red Buckeye						
Alnus serrulate	Alder						x
Amelanchier spp.	Serviceberry		x	x	x	x	x
Aralia spinosa	Devil's Walking Stick					x	
Asimina triloba	PawPaw					x	
Carpinus caroliniana	Ironwood		x			x	
Celtis tenuifolia	Dwarf Hackberry						x
Cercis canadensis	Redbud	x	x		x	x	x
Chionanthus virginicus	Fringetree	x	x	x	x	x	x
Cornus spp.	Dogwood	x	x		x	x	x
Cotinus obovatus	American Smoke Tree		x	x			x
Crataegus spp.	Hawthorn		x	x	x	x	x
Diospyros virginiana	Persimmon	x	x			x	
Halesia Carolina	Carolina Silverbell				x	x	x
Hamamelis virginiana	Witchhazel						
Ilex decidua	Possumhaw						
Magnolia fraseri	Mountain Magnolia		x			x	x
Malus spp. sylvestris	Crabapple		x		x	x	x
Ostrya virginiana	Ironwood					x	
Oxydendrum arboretum	Sourwood	x			x	x	x
Prunus cerasifera -americana	Purple-leaf American Plum		x	x	x	x	x
Prunus spp. serotina	Black Cherry		x		x	x	x
Rhus copallinum	Winged Sumac						x
Sorbus americana	American Mountain Ash				x	x	
Vaccinium arboretum	Sparkleberry		x			x	x

EVERGREEN TREES		SHADE TOLERANT	XERISCAPING COMPATIBLE (DROUGHT TOLERANT)	SALT TOLERANT	SCREENING	NATIVE
Trees <25’ mature height can be planted under power lines						
Trees 25’-40’ mature height can be planted at least 20’ from power lines						
Other species may be allowed with staff approval						
Scientific Name	Common Name					
Abies balsamea	Balsam Fir	x			x	x
Abies concolor	White Fir	x			x	x
Abies fraseri	Frasier Fir	x			x	x
Cedrus atlantica	Atlas Cedar		*			
Ilex opaca	American Holly	x	x		x	x
Juniperus virginiana	Eastern Red Cedar		x	x	x	x
Picea abies	Norway Spruce	x		x	x	
Picea glauca	White Spruce	x	x	x	x	x
Picea orientalis	Oriental Spruce				x	
Picea pungens	Colorado Spruce		x	x	x	x
Pinus strobus	White Pine		x		x	x
Pinus sylvestris	Scotch Pine			x	x	
Pinus virginiana	Virginia Pine	x	x		x	x
Pseudotsuga menziesii	Douglas Fir				x	x
Thuja occidentalis	Arborvitae (White Cedar)				x	x
Thuja plicata	Arborvitae (Giant)	x			x	x
Tsuga canadensis	Eastern Hemlock		x		x	x
Tsuga caroliniana	Carolina Hemlock		x		x	x

DECIDUOUS SHRUBS		SHADE TOLERANT	XERISCAPING COMPATIBLE (DROUGHT TOLERANT)	SALT TOLERANT	NATIVE	BLOOMING
Other species may be allowed with staff approval						
Scientific Name	Common Name					
Azalea hybrid ‘Exbury”	Exbury Hybrid Azalea				x	x
Callicarpa americana	American Beautyberry	x	x		x	x
Calycanthus floridus	Sweetshrub	x			x	x
Chaenomeles speciosa	Common Flowering Quince		x			x
Clethra alnifolia	Sweet Pepperbush	x		x	x	x
Euonymus americanus	Hearts-a-burstin				x	
Forsythia x intermedia	Border Forsythia		x	x		x

DECIDUOUS SHRUBS		SHADE TOLERANT	XERISCAPING COMPATIBLE (DROUGHT TOLERANT)	SALT TOLERANT	NATIVE	BLOOMING
Other species may be allowed with staff approval						
Scientific Name	Common Name					
Fothergilla major	Witchalder	x	x		x	x
Gaylussacia dumosa	Dwarf Huckleberry	x			x	x
Hibiscus syriacus	Rose of Sharon	*	*	*		*
Hydrangea arborescens	Wild Hydrangea	x			x	x
Hydrangea quercifolia	Oakleaf Hydrangea	x			x	x
Ilex verticillata	Winterberry			x	x	
Itea virginica	Virginia Sweetspire				x	x
Lindera benzoin	Spicebush	x			x	x
Lonicera fragrantissima	Winter Honeysuckle					
Magnolia stellata	Star Magnolia		x			x
Neviusia alabamensis	Snowwreath					x
Physocarpus opulifolius	Ninebark	x			x	x
Rhododendron arborescens	Sweet Azalea				x	x
Rhododendron austrinum	Yellow Azalea				x	x
Rhododendron calendulaceum	Flame Azalea	x			x	x
Rhododendron canadense	Rhodora	x			x	x
Rhododendron periclymenoides	Pinxter Bloom	x			x	x
Rhododendron viscosum	Swamp Azalea	x			x	x
Rosa palustris	Swamp Rose	x			x	x
Spirea prunifolia	Bridalwreath Spirea	x	x	x	x	x
Spirea x bumalda spp.	Spirea		x	x		x
Spirea x vanhouttei	Vanhoutte Spirea		x	x		x
Syringa vulgaris	Common Lilac		x			x
Styrax americana	American Snowbell	x			x	x
Viburnum spp.	Viburnum	x	x	x	x	x

EVERGREEN SHRUBS		SHADE TOLERANT	XERISCAPING COMPATIBLE (DROUGHT TOLERANT)	SALT TOLERANT	NATIVE	BLOOMING
Other species may be allowed with staff approval						
Scientific Name	Common Name					
Abelia x grandiflora	Glossy Abelia		x	x		x

EVERGREEN SHRUBS		SHADE TOLERANT	XERISCAPING COMPATIBLE (DROUGHT TOLERANT)	SALT TOLERANT	NATIVE	BLOOMING
Other species may be allowed with staff approval						
Scientific Name	Common Name					
Azalea kaempferi	Kaempferi Azalea	x				x
Azalea hybrida	Satsuki Azalea	x				x
Azalea obtusum	Kurume Azalea	x			x	x
Buxus microphylla ‘Koreana’	Korean Boxwood	x		x		
Buxus sempervirens ‘Suffrutocosa	Dwarf Boxwood	x	x			
Chamaecyparis obtuse ‘Nana Gracilis’	Dwarf Hinoki Cypress	x				
Cotoneaster horizontalis	Rockspray Cotoneaster		x	x		
Cotoneaster dammeri	Bearberry Cotoneaster		x	x		
Cotoneaster divaricatus	Spreading Cotoneaster		x	x		
Ilex aquifolium	English Holly	x				
Ilex crenata spp.	Japanese Holly		x			
Ilex glabra	Inkberry	x	x	x	x	
Ilex pernyi	Perny Holly		x			
Juniperus chinensis	Chinese Juniper		x	x		
Juniperus communis	Common Juniper		x	x		
Juniperus conferta	Shore Juniper		x	x		
Juniperus davurica ‘Expansa’	Parsons Juniper		x	x		
Juniperus horizontalis	Creeping Juniper		x	x		
Juniperus procumbens	Japanese Garden Juniper		x	x		
Juniperus Sabina ‘Tamariscifolia’	Tamarix Juniper		x			
Kalmia latifolia	Mountain Laurel	x	x		x	x
Kalmia polifolia	Bog Laurel	x			x	
Leucothoe axillaries	Doghobble	x	x	x	x	x
Leucothoe populifolia	Florida Leucothoe	x	x		x	x
Magnolia virginiana	Sweetbay	x	x		x	x
Pieris japonica	Pieris	x			x	x
Pinus Mugo ‘Compacta’	Mugo Pine			x		
Rhododendron catawbiense	R. Catawba	x			x	x
Rhododendron maximum	Rosebay Rhododendron	x			x	x
Rhododendron minus	Carolina Rhododendron	x			x	x
Rhododendron spp.	Rhododendron spp.	x			x	x
Taxus x media	Intermediate Yew			x		
Thuja orientalis	Oriental Arborvitae					
Viburnum rhytidophyllum	Leatherleaf Viburnum					x

GROUND COVERS

Other species may be allowed with staff approval

Scientific Name	Common Name
Asarum canadense	Wild Ginger
Antennaria plantaginifolia	Pussy's Toes
Chrysoqonum virginianum	Green and Gold
Coreopsis auriculata	Mouse-Eared Coreopsis
Fragaria virginiana	Wild Strawberry
Baultheria procumbens	Wintergreen
Hexastylis arifolia	Little Brown Jugs
Iris cristata	Dwarf Crested Iris
Mitchella repens	Partridge Berry
Pachysandra procumbens	Allegheny Spurge
Phacelia bipinnatifida	Phacelia
Phlox amoena	Chalice Phlox
Phlox divaricata	Wild Blue Phlox
Phlox stolonifera	Creeping Phlox
Pityopsis graminifolia	Golden Aster
Polystichum acrostichoides	Christmas Fern
Shortia galacifolia	Oconee Bells
Sisyrinchium mucronatum	Blue-Eyed Grass
Tiarella cordifolia	Foamflower
Xanthorhiza simplicissima	Yellow-root

GRASSES & SEDGES

Other species may be allowed with staff approval

Scientific Name	Common Name
Andropogon gerardii	Big Bluestem
Andropogon virginicus	Broomsedge
Carex pennsylvanica	Pennsylvania sedge
Carex plantaginea	Plantain-leaved sedge
Chasmanthium latifolium	River Oats
Danthonia compressa	Oats Grass
Elymus bystris	Bottle Brush
Panicum virgatum	Switch Grass
Schizachyrium scoparium	Little Bluestem
Sorghastrum nutans	Indian Grass
Tripsacum dactyloides	Eastern Gamma Grass

Staff Note: Changes to Appendix C are limited to the recommended planting lists. No other changes are included in this ordinance.



Town of Boone Agenda Item Action Request Form

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Jane Shook, Director of Planning & Inspections

Department: Planning & Inspections

Contact Phone: 828-268-6960

Email: Jane.Shook@townofboone.net

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested:

Item Title: Conditional District Process Update & Discussion

Summary of Information: Staff has developed new guidance documents along with templates for the Conditional District (CD) Zoning Map Amendment. These items have been created so that CD applications are complete and comparable across different applications. Staff will present these materials and be available for a discussion of how the revised CD process is working and whether any adjustments are needed.

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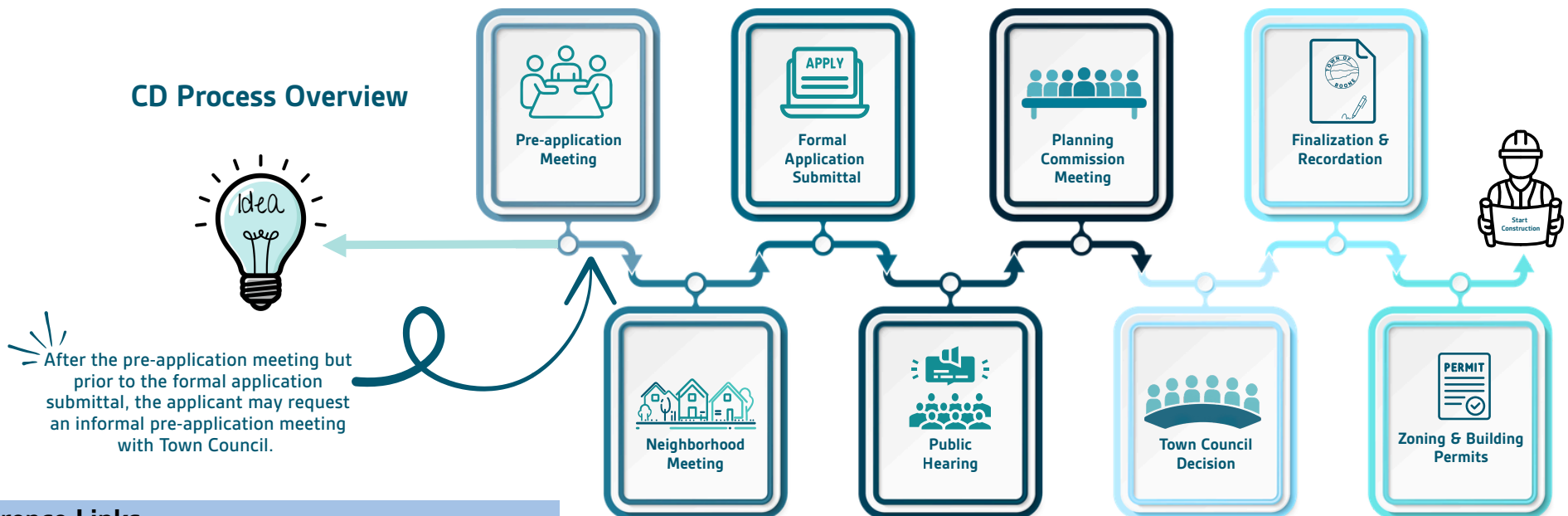


Conditional District Process Overview



A Conditional District Zoning Map Amendment (CD) is a legislative zoning map change that includes a site-specific development plan and may include site-specific conditions agreed to by the applicant and the town to address specific circumstances or development goals and to ensure compatibility with neighboring uses, adopted plans (Boone Next), and/or other development goals of the town. Deviations from existing standards may be allowed where such deviations result in a development that meets or exceeds the quality and intent of the district's established standards and are aligned with adopted plans. By allowing tailored conditions and standards, the CD process offers both flexibility for the applicant and continuity for the Town, which are often not achievable through a general use zoning map amendment. To utilize the CD process, the applicant must follow specific mandated procedural steps, and the CD application must include more detailed information than would otherwise be required.

CD Process Overview



Reference Links

Town of Boone UDO and Adopted Plans

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1

Pre-application Meeting with Planning & Inspections



When an applicant wishes to explore a development concept, whether through a CD or any other proposal, the applicant is encouraged to meet with Planning and Inspections staff as early in the planning process as possible. Early engagement allows Staff to understand the development and help the applicant identify the applicable review process, timeline, and requirements before an applicant invests in final plans. The more information that can be shared about a development's location and intended use, the more accurately Staff can outline the appropriate process and expectations. A pre-application meeting is required for all CD applications.

Project Manager Liaison

At the pre-application meeting, applicants will be assigned a [Project Manager Liaison](#), who will serve as the primary point of contact from start to finish for the development. The liaison coordinates communication across Town departments and helps applicants and other interested parties understand process expectations. If an applicant decides to move forward with the development, the liaison will also ask for the applicant to designate a primary contact for the development team. This helps maintain clear, consistent communication, reduces delays, and ensures that all the required information, revisions, and decisions are routed through the appropriate representative.



What Applicants Need

- Sketch site plan
- List of intended uses
- Should be attended by the applicant's primary contact and any design professionals who may be assisting with the development



Expected Deliverables

- Staff will provide the applicant:
 - An estimated timeline based on the current schedule.
 - A spreadsheet of property owners within 300' of the development.
 - Links to all relevant resources.
- When requested in advance, the Project Manager Liaison can invite other members of the Town review team (Public Works, Fire, etc.).
- This step may be repeated as many times as needed.

Reference Links

UDO Article 4 Development Approvals
UDO Article 9 Amendments



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Optional Informal Pre-Application Discussion with Town Council



After the required pre-application meeting but before submitting an application, an applicant may request an informal pre-application discussion at an upcoming Town Council meeting. This request is made through the Project Manager Liaison, who will coordinate scheduling.

This step is entirely optional and can be helpful to understand Council priorities, concerns, and expectations before design work is finalized. Feedback is informal and advisory only. Council does not vote, direct staff, or negotiate conditions at this meeting. Planning and Inspections Staff will attend to clarify process or ordinance requirements. The applicant may request more than one of these types of meeting prior to making a formal application.



Scheduling

- Council meetings are held on the 2nd (9 am) and 4th (6 pm) Wednesdays each month.
- Agendas are limited to one (1) informal pre-application discussion per meeting, on a first-come, first-served basis.
- All requests and presentation materials must be submitted through your Project Manager Liaison at least two (2) full weeks prior to the Council meeting.
- The discussion will be scheduled under Requested Appearances and will appear on online agendas as "Informal Pre-Application Discussion for (insert name/address)".



Presentation

- Presentations will be limited to 15 minutes.
- The meeting minutes of the discussion will be presented in the public hearing board packet should the development proceed.

Reference Links

Town of Boone Agenda and Minutes Portal



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2 Neighborhood Meeting



After the pre-application meeting and before the actual submittal of the CD application, the applicant shall hold at least one neighborhood meeting. The purpose of the neighborhood meeting is to provide the applicant with an opportunity to present the proposed development to neighbors and any other attendees, gather feedback, document concerns, and, if feasible, work toward reasonable mitigation of issues.



Neighborhood Meeting Notice

- A notice following the Neighborhood Meeting Notice template will be mailed to owners of property within 300' of the development at least 25 days before the meeting.
- The notice must be emailed to the Project Manager Liaison to post on the Town's website.
- The meeting notice must follow the Neighborhood Meeting Notice Template linked below, which includes a summary of the proposed development, the applicant's phone number and email address, and the meeting details (date, time, and location).



Neighborhood Meeting

- The meeting must be held at an accessible and convenient location. Upon request, the meeting may be held at Town Council Chambers.
- At the meeting, the applicant must present, at a minimum, contact information for the parties involved in the ownership, design, and development of the property; the location of the property and general info on current site conditions; proposed uses and site development; and any preliminary plans or renderings.

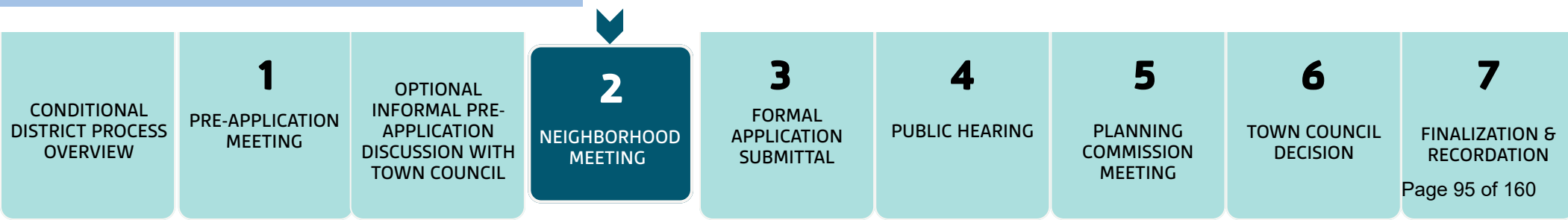


Neighborhood Meeting Deliverables

- As part of the formal application, the applicant will need to provide accurate meeting minutes that include a list of all attendees, any and all concerns expressed by attendees, and any and all commitments made by the applicant.

Reference Links

[Neighborhood Meeting Notice Template](#)
[Neighborhood Protection Notices](#)



3 Formal Application Submittal



The applicant has six (6) months from the date of the neighborhood meeting to submit a complete application. Failure to file a complete application within this time frame requires the applicant to repeat the process. Once the application has been submitted and the Project Manager Liaison deems the application complete, the Town’s review team will begin its official review, and the request will be scheduled for an upcoming Public Hearing and placed on the agenda on a first-come, first-served basis. Meeting agendas are limited and are based on both the number and complexity of submitted applications. Applicants are strongly encouraged to submit well in advance of posted deadlines. The final deadline is not intended to be the primary submission date, and waiting until the last day may result in delayed scheduling.



Application Requirements

- Must be submitted through the online permit portal.
- Application fees must be paid.
- All applications are subject to a completeness review in accordance with UDO Subsection 4.04.01(A).
- Applications must include all information necessary for the Town Council to determine whether the development, if completed as proposed, will comply with all UDO requirements (except to the extent of requested and approved deviations) and all other duly adopted requirements of the Town. However, it is recognized that each development is unique, and therefore the Town Council may allow less information or require more to be submitted, depending on the needs of the particular case.
- The application must include a detailed written narrative following the Conditional District Project Narrative Template linked below.

Reference Links

- Planning & Inspections Board Meeting Calendar
- Fee Schedule
- Town of Boone Online Permit Portal
- Conditional District Project Narrative Template



4 Public Hearing



The Town Council and the Planning Commission (PC) meet jointly for public hearings on zoning map amendments on the 4th Monday of every other month. The meeting is bifurcated, with public hearings for all cases on the agenda held at the beginning. Once the public hearings are concluded, the Town Council adjourns, and the Planning Commission remains to make recommendations. Please see tab 5 for more on the PC meeting.



Public Hearing Notice Requirements

- Not less than 10 days but not more than 25 days before the public hearing, the Town will:
 - publish a legal ad in the Watauga Democrat once a week for two (2) consecutive weeks*
 - Mail letters to owners of property within 300' of the proposed development*
 - Post a sign giving notice of the hearing on the site proposed for development

* Actual costs of these items will be billed to the applicant

- After the notice has been posted, the applicant shall make no changes to the request prior to the public hearing unless proposing additional or more restrictive conditions. These changes shall be submitted to the Project Manager Liaison at least 5 business days prior to the hearing so that they may be added to the board packet.



Public Hearing

- Shall follow the Town's adopted Public Comment and Meeting Participation Policy.
- Order in which the case will be presented:
 - Town Staff will present the Staff Report
 - The applicant will present their request
 - Town Council and the PC will discuss the case and ask the applicant and Staff any questions they may have
 - The Mayor will open public comment where any persons wishing to speak will be given an opportunity to do so
 - After public comment, the Town Council and the PC will continue discussion of the case
 - Mayor closes the Public Hearing and Town Council adjourns
- The applicant, Town Council, and the PC shall endeavor to use the hearing as a forum to voice and address concerns and to explore conditions that, upon the applicant's agreement, could be placed on the approval.



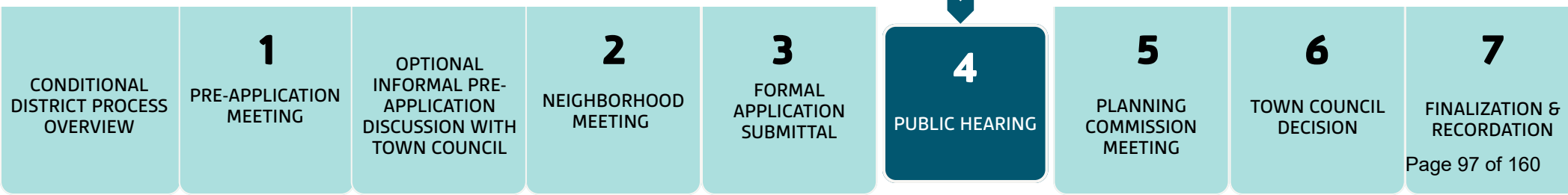
Citizen Comment

Any resident, property/business owner, or other citizen may email or deliver a written statement to Planning and Inspections at least two (2) days prior to the vote to be delivered to Council.

Reference Links

Board Meeting Schedule
Town of Boone Agenda and Minutes Portal

Public Comment and Meeting Participation Policy
Email: Planning@boonenc.gov



5 Planning Commission Meeting



Once the public hearings are concluded, the Town Council adjourns, and the Planning Commission remains to make recommendations.



Planning Commission Meeting

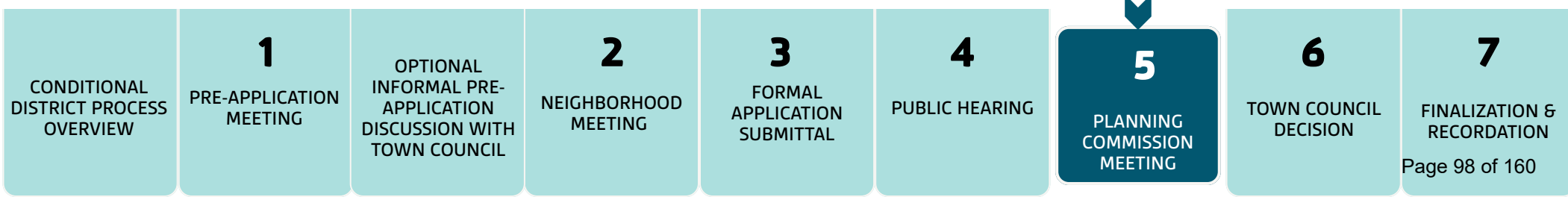
- After the public hearing, the PC may consider the request immediately, at its next regularly scheduled meeting, and/or at a subsequent special meeting. Delayed consideration is especially likely if the public hearing extends late into the evening or the case is particularly complex.
- The PC may not reopen a public hearing or hold a second public hearing except as approved by the Town Council; however, the PC may seek additional information from Town Staff during its discussion.
- The PC shall endeavor to provide the Town Council with a written report and recommendations within 30 days of the public hearing. In its report, the PC may comment, as it deems appropriate, on any matter related to the request, including any conditions of approval it wishes Council to consider.
- The Planning Commission may recommend approval, approval with conditions, or denial.
- Rather than, or in addition to, preparing its written report, the PC may recommend that a second public hearing be held on the amendment to gather additional public comment or other information. Such a request for a second public hearing shall not preclude the Town Council from taking action on the proposed rezoning once 30 days have lapsed from the date of the initial public hearing.

Reference Links

[Board Meeting Schedule](#)

[Public Comment and Meeting Participation Policy](#)

[Town of Boone Agenda and Minutes Portal](#)



6 Town Council Decision



At any meeting following the receipt of the Planning Commission's written recommendation, or after 30 days following the public hearing if the Planning Commission fails to submit a written recommendation, the Council may proceed with its consideration of the requested rezoning. Note: Statutorily, the Town Council is not bound by the Planning Commission's recommendation.



Scheduling

- The Planning Commission's recommendation will be forwarded for consideration at the Town Council's meeting scheduled for the 4th Wednesday of the month at 6 p.m. The board meeting packet for a Town Council meeting is posted no later than the prior Friday.



Conditions of Approval

- Council may not require or enforce any condition not authorized by law unless the applicant consents in writing.
- Conditions must relate only to ordinance compliance, adopted plans, or impacts reasonably expected from the development.
- An applicant must answer Council's request to accept a condition, but may ask for a continuance or postponement to consider it. Council may grant the delay by consensus or majority vote.
- If an applicant refuses to answer a request to accept a proposed condition, the application is considered withdrawn.

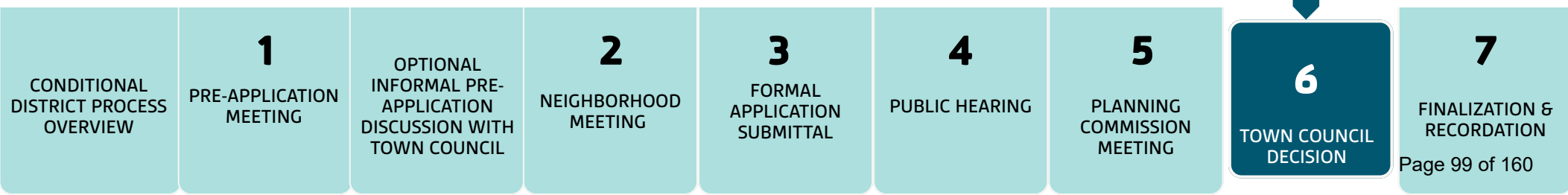


Council Action

- In deciding whether to approve a CD, the Council's central concern is whether the request advances public health, safety, or welfare. All other issues are irrelevant, and any information related to them at the public hearing may be declared irrelevant and excluded by the Mayor.
- Council may:
 - approve, approve with modifications, or deny the rezoning request,
 - continue its consideration of the request to a later date, or
 - refer the request back to Staff and/or the Planning Commission for such further consideration as Council may direct, including but not limited to a second public hearing.
- The rezoning request may be approved only by a majority affirmative vote. A failure to vote is not considered a vote in the affirmative.
- Council shall endeavor to take action within 60 days of the Planning Commission's recommendation. However, the rezoning shall be deemed denied if Council fails to act within 90 days of receiving the recommendation.

Reference Links

[Town of Boone Agenda and Minutes Portal](#)



7 Finalization and Recordation



Recorded Order

- If a CD rezoning is approved, the approval will be reduced to an official order signed by both the applicant and the Town.
- The signed order will be recorded with the Watauga County Register of Deeds, and a copy of the recorded order will be given to the applicant/property owner.
- A copy of the order, along with the approved site-specific plan, will be kept on file at the Planning and Inspections office.



Next Steps

- Once a CD has been approved, the next step is for the applicant to apply for zoning and building permits. Zoning and building permits can be reviewed concurrently; however, the building permit will not be issued until zoning has been approved.
- During the zoning permit process, the applicant will be required to submit detailed plans demonstrating compliance with the UDO, Town Code, and the CD approval.
- Once the zoning permit has been issued, site work may begin. Once the building permit has been issued, construction of any structures may begin.



Modification of Approval

- Proposed changes to an approval shall be processed as a new application.
- Except for a minor modification, an applicant cannot apply to amend a CD within six (6) months of the date of approval or within six (6) months of a previous hearing to amend.
 - A minor modification is one that does not significantly change the essential character of the use or activity previously authorized through the CD approval.

Questions? Please contact:

PLANNING AND INSPECTIONS

(828) 268-6960

planning@boonenc.gov

www.boonenc.gov/pi

680 W. King St., Suite C, Boone, NC 28607



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Neighborhood Meeting Notice on Rezoning

Date, Time

Complete Location Address

Dear Neighbor,

You are invited to a neighborhood meeting for a presentation of a proposed rezoning of property located at [insert address] (Watauga County Parcel Identification Number(s): (insert all property PINs). This rezoning process is called a Conditional District Zoning Map Amendment (CD). A CD request is based on a site-specific development plan that, if approved, restricts the development to what is specifically proposed on the presented plan.

In this case, we (the applicant) are requesting that the [insert size in acres] -acre site be rezoned from [insert current zoning including general use zoning districts and any overlay districts] to Conditional District [insert proposed zoning district(s) including any overlay districts] with a site-specific plan to allow the following potential uses: [insert specific uses being proposed].

As part of this CD process, the Town of Boone requires that we hold a neighborhood meeting prior to submitting a formal development application. All owners of property located within 300' of the proposed development are given notice of this meeting. The neighborhood meeting is required by the Town to provide a forum where the applicant presents the proposed development to neighboring property owners and can gather feedback, document concerns, and potentially work toward mitigation of any issues prior to submission of a formal application. We will be required as part of our application to provide the Town with information regarding this meeting including accurate meeting minutes with a list of all attendees, a description of any concerns expressed by attendees, and any commitments made by us, the applicant.

After this meeting we will have six months in which to file a formal application with the Town. Once we submit and are assigned a public hearing date, the Town of Boone Planning and Inspections Department will notify owners of property within 300' of the development by mail with the specifics of the scheduled public hearing. At this public hearing, any person may appear and provide public comment on our application.

Below is our contact information should you have questions of us either before or after the neighborhood meeting:

Name

Phone:

Email:

Sincerely,

Name

Project Name
Address/Street Name if Vacant
Watauga County PIN:

Project Narrative

[Applicant name](#) is submitting a Conditional District (CD) Zoning Map Amendment application for Conditional District [name of General Use Zoning District](#) with portions of the property located within the [name of any applicable zoning overlay districts](#).

This CD request includes a site-specific development plan for [insert overview of request](#). Site plans, elevations, and additional supporting materials are included with the application.

Pre-Application Meeting

Pursuant to UDO Subsection 9.09.02(A), the required pre-application meeting was held on [insert date](#) with [insert staff names](#).

Neighborhood Meeting

Please see below for information on the neighborhood meeting required pursuant to UDO Subsection 9.09.02(B).

Meeting Information:

Date & Time:

Location:

Mailed Notice:

Date Mailed:

Notice Info: Notice and address list attached

Meeting Details:

Applicant •
Representatives: •
Minutes: Attached

Proposed Uses

List all requested principal, accessory, and temporary uses from UDO Appendix B, Sections B1.01-B1.03.

- 1.
- 2.

Requested Deviations

List all requested deviations by Section/Subsection. For each requested deviation, please provide an explanation of the deviation and how the requested deviation would result in a development that is equal to or exceeds the quality and intent of the requested zoning district's established standards while remaining in alignment with adopted plans or other development goals of the town.

1. Deviation (1):
 - i. UDO subsection from which deviation is requested:

- ii. Applicable standard from which deviation is requested (describe):
- iii. Nature/extent of the requested deviation:
- iv. Explanation of compatibility/consistency with the UDO and applicable plans:

2. Deviation (2)

- i. UDO subsection from which deviation is requested:
- ii. Applicable standard from which deviation is requested (describe):
- iii. Nature/extent of the requested deviation:
- iv. Explanation of compatibility/consistency with the UDO and applicable plans:

.....

Mitigation of Impacts

For properties within 300 feet of any residentially zoned area, specify how the development is designed to effectively mitigate potential impacts. Address the following, at a minimum: noise, lighting, traffic, environmental concerns, and any other potential adverse effects based on site characteristics.

Conditions

Describe in detail any conditions (e.g., limitations of activities or operations, extra mitigation efforts, inclusion of affordable or workforce housing units, etc.) that the applicant is voluntarily offering as part of this application.

1.

Affidavit

Attached. NOTE: The attached Affidavit is required for submission. In the event the proposal is ultimately approved, an additional and more detailed Affidavit memorializing all matters agreed by the applicant as conditions for approval will be required, and this Affidavit will be filed as an attachment to the CD Order of approval.

STATE OF NORTH CAROLINA
COUNTY OF WATAUGA

AFFIDAVIT OF ACCEPTANCE OF CONDITIONS

TOWN OF BOONE CONDITIONAL DISTRICT ZONING MAP AMENDMENT

The Affiants, having been first duly sworn now depose and say:

1. My name is [insert name](#). I am over eighteen years of age. I am competent to make this Affidavit and I have personal knowledge of the facts stated herein, and such facts are true and correct.
2. I am duly authorized to execute and deliver this affidavit and otherwise act in connection with its above-referenced rezoning application (the Application”) to the Town of Boone (the “Town”) for the property located on [insert address](#), Watauga County PIN: [insert PIN](#) (the Property”).
3. This affidavit is submitted pursuant to Town of Boone Unified Development Ordinance Subsection 9.09.02(C), for the purpose of the Applicant acknowledging the following:
 - a. All zoning conditions are voluntarily proposed based solely on the applicant’s independent judgment; and
 - b. The applicant is not relying on any statements from Town staff, Council, or Planning Commission members regarding zoning conditions; and
 - c. Other interested parties in the rezoning process may rely on the validity of the proposed development proposal including any agreed upon conditions; and
 - d. All future property owners will be bound by the proposed development approval, including any agreed upon conditions and any commitments or representations made by the applicant.

Further Affiant sayeth not, this the [X](#) day of [Month](#), [Year](#).

Name, Title

[NOTARY ON FOLLOWING PAGE]



Town of Boone Agenda Item Action Request Form

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Jessica Mitchell, Advanced Planning Specialist

Department: Planning & Inspections

Contact Phone: 828-268-6960

Email: jessica.mitchell@boonenc.gov

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested: For Action

Item Title: Consideration of the Jones House Local Historic Landmark Designation Report

Summary of Information: The Historic Preservation Commission (HPC) started the Jones House Local Historic Landmark Designation in late 2023. Staff has now completed the report, and the HPC recommended forwarding it to the Town Council and to the NC State Historic Preservation Office (SHPO) for review at its August 11, 2026, advisory meeting.

This report is presented for the Council's consideration. Upon approval, staff will submit the report to SHPO for review. Following SHPO's feedback, the HPC will consider the feedback and make a recommendation for local historic landmark designation. The case will then be presented at an upcoming Public Hearing/Planning Commission meeting.

BOONE HISTORIC PRESERVATION COMMISSION LOCAL LANDMARK DESIGNATION REPORT

The John Walter Jones House 604 West King Street, Boone, NC 28607



Prepared by Riley Ziegler with assistance from Dr. Eric Plaag and
the Boone Historic Preservation Commission
Final Draft, June 6, 2025
Revised August 14, 2026



Cover Image: The front (south) exterior of the John Walter Jones House, August 2023, image courtesy of Riley Ziegler

Local Historic Landmark Designation Report: John Walter Jones House (WT0008)

I. General information

A. Common and Historical Property Names

John Walter Jones House

B. Physical Address or Location

604 W King St, Boone, NC 28607

C. Tax Parcel Identification Number (PIN)*

2900-89-5144-000

D. Current Owner(s) Name(s)

Town of Boone

E. Current Owner(s) Mailing Address(es)

567 West King St., Boone, NC 28607

F. Appraised Value of the Land ¹ (a copy of the most recent tax card will suffice)

\$1,426,500

G. Appraised Value of the Building

\$204,460

H. Date of Construction

The John Walter Jones House was originally built in 1908. After the death of John Walter Jones, his wife, Mattie, added an addition to the rear of the home (circa 1925-1930).

I. Historical Significance

Areas of Significance:

Criterion B: Association with John Walter Jones: 1908-1925

Criterion C: Architecture Period of Significance: 1908-1925

¹ "The term "appraised" is standard NC State Historic Preservation Commission (NC SHPO) language listed in their required formatting for local landmark designation reports, but the listed figures do not reflect any formal appraisal by a licensed appraiser. These figures are assessed values pulled from Watauga County tax cards, as required by the NC SHPO.

II. Brief Statement of Significance

The exterior of the John Walter Jones House, one of the oldest surviving, residential, Queen Anne-influenced properties in Downtown Boone, has remained largely unchanged since its initial construction in 1908. It was built as a family home for Dr. John Walter Jones, one of Boone's first physicians. The house is significant at the local level under Criterion B because of its association with John Walter Jones (1908-1925). The John Walter Jones House is also significant under Criterion C as a rare and outstanding example of Queen Anne-influenced architecture within the town limits of Boone.

The Jones House retains an impressive amount of historical integrity, given its change in hands throughout the years and its loss of many acres on the original property. The house retains its original form and appearance, sans an early twenty-first century porch addition (circa 2009-2010) at the rear (north) elevation of the house. While there are also important interior elements that are reflective of the Jones House's period of significance, alterations to some of these elements has had an adverse impact on their integrity. While these interior elements are noted here for their historical importance, the proposed local landmark designation applies only to the exterior elements of the building.

The proposed designation includes the exterior of the John Walter Jones House, the house's adjoining grounds, and the two large, Civil War-era, sugar maple trees at the front (south) edge of the parcel on the bluff overlooking King Street.

III. Architectural Description

The Jones House originally was sited on six acres of land. However, due to expansions made to King Street and sales of parcels of land, the Jones House is now seated on a one-acre lot with many features scattered across the lawn. The lawn at the front (south) of the house features decorative iron fencing extending across the property's extreme front (south) end. Two composite lumber picnic tables and one solar shelter, together provide three outdoor seating areas on the southeast and east of the house. Two large historic sugar maple trees dating to the American Civil War period occupy the bluff over King Street at the extreme front (south) end of the property. These trees were previously part of a group of three, with one cut down due to poor health. Cables have been added to the two remaining trees to support the larger branches. A quarried stone and mortar retaining wall separates the property from the sidewalk along King Street. This retaining wall was added by the WPA in 1938 as a part of the cutting back of the property to facilitate the widening of Main Street. The lot on which the Jones House resides steeply rises about six feet above the retaining wall before leveling off.

The Jones House is positioned to the west of Grand Boulevard and overlooks King Street from the north. It is a classic example of a Queen Anne-influenced building. It is a two-story home with an attic and a small basement featuring projecting bays on three sides and an addition (circa 2009) to the rear. A pyramidal roof with gables to the sides and front covers the top of the building. Raked molding is present on these gables. The rear addition (circa 2009-2010) of the house, added in the mid-2000's for ADA accessibility, is not covered by the same pyramidal roof but by a gabled roof. The exterior of the house is clad in horizontal wood weatherboard and the roof is constructed of asphalt shingle not thought to be original to the house.

There are two entrances to the home: a door on the front (south) first-floor elevation and a door on the rear (north) first-floor elevation. One-over-one, double-hung sash wooden windows decorate the front (south), side (east), rear (north), and side (west) first and second-floor elevations. One of the most notable alterations to this home is an addition to the rear (north) elevation that is an enclosure of a sleeping porch (circa 1925-1930). Based on photographs of the home found in Digital Watauga's Mazie Jones Levenson Collection, we can estimate this addition was built sometime between 1925 and 1930.² As Mrs. Jones frequently housed boarders after the death of her husband, it was most likely added to accommodate these boarders.



Earliest known image of the full Jones House. A notation on the back says "about 1910", but this is probably too early. Standing on the front porch looks to be Mattie Jones with a young Mazie Jones, so possibly 1915 or 1916. Note the open porch on the back of the house and the barn in the east yard. Image Courtesy of the Mazie Jones Levenson Collection, Digital Watauga Project.²

The first-floor elevation at the front (south) of the house features a semi-circular wooden porch enclosed by wooden railings that present turned spindles for decoration. This railing has been cut at the sides to allow for its removal for live outdoor music. When not removed, it locks in place with metal latches. A double staircase constructed of wood allows access to the east end of the porch. The front steps are flanked on either side by wooden railings and host a center wooden railing, neither of which is thought to be original to the house. Six wooden Doric columns serve as support for the porch roof. The porch itself

² Image Courtesy of the Mazie Jones Levenson Collection, Digital Watauga Project. Image digitized and accessed in 2023.
The John Walter Jones House --Local Landmark Designation Report, Ziegler

sits on red brick piers that have been covered by a white lattice. This brick is not original. It was replaced in August 1985, matching the original brick both in color and dimension, likely as part of the effort to lift the house to install an HVAC system. The first-floor bay features a large, wooden one-over-one, double-hung sash window divided unevenly from top to bottom to provide a better view from the parlor. It is flanked by two single, one-over-one, double-hung sash wooden windows on either side. A paneled wooden door flanked by another single, one-over-one, double-hung sash wooden window, serves as the main entrance to the front (south) of the house. The wood door features three small vertical panels at the bottom and two horizontal panels above and below a square glass opening. The door frame features indents for the number 124 which has since been painted over but remain visible. The second-floor elevation at the front (south) features a wide dormer that houses a single, one-over-one, double hung sash window. Painted wooden shakes cover the dormer. Below it, an asphalt shingle pent roof juts out. A bay containing three single, one-over-one, double hung sash windows sits below the jut roof. To the east of the bay, two more single, one-over-one, double hung sash windows can be found sat directly next to one another.

The first floor of the side (west) elevation from north to south features four wooden one-over-one, double-hung sash windows lined in a row. These windows lie at the north end of the elevation where the porch had previously been filled in. Hooks lined above these windows once held a screen or awning that no longer exists. This suggests the area may have, at one time, been a three-season porch area. In the center of this side of the house is a three-section bay. The first-floor bay contains a one-over-one, double-hung sash wooden window, which shows water damage that has since been repaired and painted. A painted weatherboard fence and gate extend from the center of this gable to house an outdoor air conditioning unit. This fence and gate were a later addition by the Town of Boone between April and June of 2021. The gable extending over these windows is notably off-center and includes a single, one-over-one, double-hung sash wooden window, as well as painted wood shakes underneath the gable. To the south of the projecting bay, the primary elevation of the house features a single, one-over-one, double-hung sash wooden window. The secondary elevation of the side (west) elevation from north to south features a single, one-over-one, double-hung sash wooden window. A similar bay with two one-over-one, double-hung sash wooden windows sit in the center of the home. To the south of the projecting bay, the secondary elevation of the house features a single, one-over-one, double-hung sash wooden window.



The Jones House in the snow, after the cutting back of the embankment for the widening of King Street. 1939. Image Courtesy of the Mazie Jones Levenson Collection, Digital Watauga Project.²

The rear (northwest corner) portion of the house is part of the circa 1925-1930 addition most likely considered by Mrs. Jones after the passing of her husband. Photographs included in this report, those circa 1915-1916 and 1939, comparatively reveal a difference in the rear of the house and roof line indicating the addition occurred after photographic evidence of 1910 and before 1940. Recent renovations to the interior of the Jones House's kitchen have revealed portions of the original open porch that once sat here. This porch would most likely have included a flat or pitched roof that, when enclosed, was built into a gabled roof, as shown by melded seams in the roofing in the attic. Upon looking at the exterior, there is a visible, thin lintel that indicates the location of the previous porch roof and the addition (circa 1925-1930) that is the enclosure of the porch. To the side (west), there's a wooden storage area not original to the house. In the center of the wall is a shed roof portico supported by columns. At the lower elevation, the rear (north) end of the house features a wooden door capped by a painted transom in the center of the first elevation. To the east of this entrance is a concrete accessibility ramp extending towards the parking lot located at the rear of the house. The porch and accessibility ramp as they exist now were most likely added in the mid-2000s (circa 2009-2010) after the Town of Boone's acquisition of the house. The alteration involved moving the rear entrance, changing the back door entrance by moving a window opening to a door opening. The secondary elevation of the side (north) elevation features a gable with a single, one-over-one, double-hung sash at the center and painted wood shakes underneath. Beneath the gable sit two single, one-over-one, double-hung sash windows. They are notably out of line with the window featured in the gable.

The primary elevation southeast corner of the side (east) elevation features a single, one-over-one, double-hung sash, wooden window. A single one-over-one, double-hung sash, wooden window serving as a stairwell window also sits to the southeast of the prominent projecting bay. A projecting bay sits in the

center of both elevations, covered by an off-centered gable that features a single, one-over-one, double-hung sash, wooden window, and painted wood shakes underneath. The bay features three wooden one-over-one, double-hung sash, wooden windows on both the first and secondary elevations. To the right of the bay on the first elevation sits a one-over-one, double-hung sash, wooden window. The secondary elevation southeast corner of the side (east) elevation features a single, one-over-one, double-hung sash, wooden window. Centered between the windows on the primary and secondary elevation and to the far side (north) of the house sits another single one-over-one, double-hung sash, wooden window that serves as a window into the stairwell at the back (north) of the house.

Alterations to the interior have modified the space to make it feasible for Town operations for the Cultural Resources Department. Such alterations include closet and kitchen spaces at the rear circa 1925-1930 addition.

IV. Historical Background

The Jones House is significant at the local level as one of Boone's few remaining examples of pre-WWI Queen Anne influenced architecture. It also retains added significance for its association with Dr. John Walter Jones, one of the first and most prominent physicians in the town of Boone. Originally a native of Allegheny County, North Carolina, Dr. Jones moved to Boone in 1902 after attending Chattanooga College of Medicine. He intended to practice medicine with Dr. Thomas Blackburn, a member of one of Boone's most prominent families. It was through the Blackburn family that Dr. Jones would meet his wife, Mattie Mae Blackburn.

Dr. Jones and Mattie Blackburn were married in May 1907. At this time, the newlywed Jones couple began their search for a place to build their home. They selected six acres near Boone's commercial district, one of the oldest sites in Boone, to build their home. The site had previously been occupied by a member of the Green family.³ It had also once been home to George N. Folk, a local lawyer.⁴

Building materials for the house were obtained through the bartering of materials for medical services. The Watauga Democrat reported that the house was quickly completed and that Dr. and Mrs. Jones intended to move into their newly constructed home in April of 1908.⁵ After Thomas Blackburn's move to Hickory, Dr. Jones took over the practice they started together. This successful practice is what funded Dr. Jones's changes to the home to subscribe to new trends and needs. Some of these additions included technology such as running water, an ice house, a barn, and a stable (following the purchase of livestock).⁶ Dr. Jones also invested in electricity as soon as it was available. Dr. and Mrs. Jones went on to raise two children, Mazie and John Walter Jones, Jr., in this home.⁷

Perhaps one of the most significant ways Dr. Jones was important to Boone was the part he played in the Watch Boone Grow Campaign. The Watch Boone Grow Campaign launched in 1919 following the arrival of the Linville River Railway. It intended to turn Boone into a thriving commercial district. Dr. Jones

³ John Preston Arthur. *A History of Watauga County, North Carolina: With Sketches of Prominent Families*. Richmond, VA: Everett Waddey, 1915.

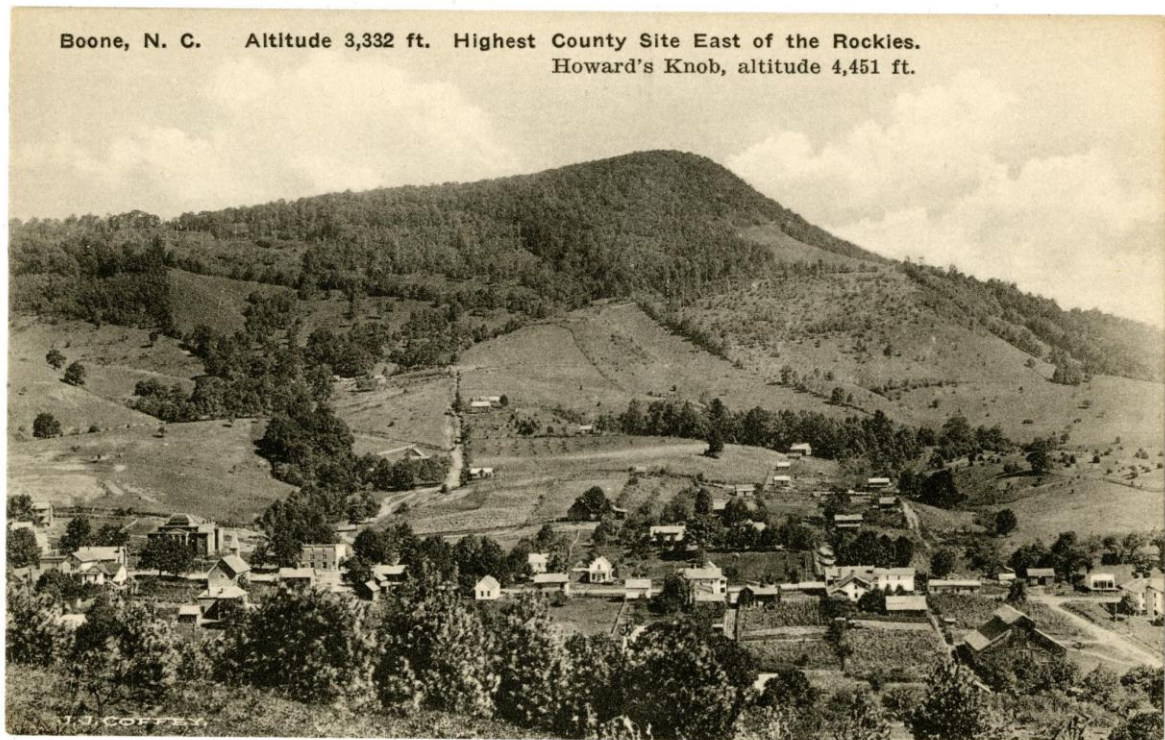
⁴ Ibid.

⁵ "Image 3 of Watauga Democrat (Boone, Watauga County, N.C.), April 23, 1908," Library of Congress, April 23, 1908, <https://www.loc.gov/item/sn82007642/1908-04-23/ed-1/>.

⁶ Rosalie Dorsey. "The Old Timey: Interview with Mazie Jones Levenson". *Mountain Living*, 1973.

⁷ Ibid.

contributed to this effort by electing to sell sections of his land to help create business blocks. The area he sold was called "the Jones Block" and included the area where the Mast General Store currently stands.



A black and white postcard depicting an aerial view of the town of Boone prior to the "Watch Boone Grow" Campaign. The intersection at the far right is Depot and King, with Dr. Jones's offices located near the northeast corner. Image courtesy of the Bobby Brendell Postcard Collection, Digital Watauga Project.⁸

One building included on this "Jones Block" that Dr. Jones played a role in founding was Boone Drug. Originally, Dr. Jones had donated space in his office for the pharmacy to work out of until the construction of their own building was completed.⁹ However, post-completion of the Boone Drug office on King Street, Dr. George Kelly Moose - founder - quickly moved out of the space Jones had provided.

Dr. Jones was an active citizen of the town of Boone in various other ways as well. He is noted by the Watauga Democrat as being a member of one of Boone's Public Health Committees in 1920 during an outbreak of the "flu".¹⁰ It's also suggested that Dr. Jones was an avid hunter and fisherman; many articles in the Watauga Democrat mention his escapades with other physicians and friends such as H.W. Horton to hunt both deer and boar.¹⁰ Dr. Jones is also noted as helping to keep Boone's ecological systems in check through applications to the government for the release of protected fish, particularly the population

⁸ Image Courtesy of the Bobby Brendell Postcard Collection, Digital Watauga Project. Note, this image is titled "Highest County Site East of the Rockies Postcard." When this image is enlarged, it can be inferred that where the Jones House is located, the front of the house is covered by three large trees.

⁹ "Image 3 of Watauga Democrat (Boone, Watauga County, N.C.), April 27, 1922," Library of Congress, April 27, 1922, <https://www.loc.gov/resource/sn82007642/1922-04-27/ed-1/?sp=3>; "Image 3 of Watauga Democrat (Boone, Watauga County, N.C.), August 14, 1919," Library of Congress, August 14, 1919, <https://www.loc.gov/resource/sn82007642/1919-08-14/ed-1/?sp=3>.

¹⁰ "Image 2 of Watauga Democrat (Boone, Watauga County, N.C.), March 25, 1920," Library of Congress, March 25, 1920, <https://www.loc.gov/resource/sn82007642/1920-03-25/ed-1/?sp=2>.

of brook trout.¹¹ An article by J.M. Downum found in the Watauga Democrat deemed that Dr. Jones was, "...a man far above average, of superior intellect, a kind heart, and a helpful hand for many a needy one."¹¹ It was noted that "a vast multitude" of people came to pay their last tributes to Dr. Jones at his funeral service, as "perhaps no doctor ever had a stronger hold on the people of this country than did he."¹²

In 1924, Dr. Jones became ill with what was diagnosed as pneumonia. He was taken to Knoxville, Tennessee to receive treatment, but ultimately died on January 14, 1925.¹³ Sales of portions of the six-acre lot of the Jones House began as early as 1920. This wasn't enough to keep the family afloat, however. Following the death of her husband, Mattie Jones began taking in boarders.¹⁴ She would continue this practice well into the 1960s, when she became unable to handle the household chores involved with running a boarding house. The Jones House property would continue to decrease in size, with one of the most important sales being that of two and a half acres behind the house in 1939.

V. Additional Historical Background

In the 1930s, the Jones family began to go their separate ways. John Jones, Jr., son of Dr. and Mrs. Jones, joined the Navy and died in 1938 following a failed operation. Mazie Jean, daughter of Dr. and Mrs. Jones, completed her bachelor's degree at Appalachian State Teaching College and then pursued her graduate degree at other institutions. Eventually, she and her husband, Harold Levenson, would live in Greensboro, North Carolina. The Jones House continued to be used by Mr. and Mrs. Levenson as a summer home after Mattie Jones moved to a nursing home in Greensboro and after her death in 1978.¹⁵

The Town of Boone purchased the home in 1983 in hopes of slowing rapid development in Boone's commercial downtown district. Several restrictions were placed on the house by Mazie Levenson, including the requirement to use the property as a cultural or historic center or park. Since then, restoration work has been completed on the house to help maintain its historic integrity. It is likely that since the Town purchased the home that it has been lifted to help with the installation of central air conditioning/HVAC system. This is visible through changes (cite changes in footnotes) seen in the basement of the home.

VI. Historical Significance

The John Walter Jones House is significant at the local level under Criterion B for its association with John Walter Jones, one of Boone's first physicians who was a part of Boone from 1902 to 1925. A native of Alleghany, Jones moved to Boone after attending Chattanooga College of Medicine. He practiced medicine with Dr. Thomas Blackburn, a member of one of Boone's most prominent families at that time, from the early 1900s until he died in 1925.¹⁶

Jones purchased the six acres of land on which the home resides in 1907; construction was completed

¹¹ "Image 1 of Watauga Democrat (Boone, Watauga County, N.C.), January 24, 1929," Library of Congress, January 24, 1929, <https://www.loc.gov/resource/sn82007642/1925-01-22/ed-1/?sp=1&r=-0.604,0.045,1.801,1.119,0>.

¹² J.M. Downum, "Watauga Democrat. (Boone, Watauga County, N.C.) 1888-Current, January 15, 1929, Image 1," 2023.

¹³ "Image 1 of Watauga Democrat (Boone, Watauga County, N.C.), January 15, 1925," Library of Congress, January 15, 1925, <https://www.loc.gov/resource/sn82007642/1925-01-15/ed-1/?sp=1&r=0.186,0.154,0.938,0.582,0>.

¹⁴ Rosalie Dorsey. "The Old Timey: Interview,".

¹⁵ Rosalie Dorsey. "The Old Timey: Interview,".

¹⁶ John Preston Arthur. *A History of Watauga County*.

shortly after in 1908.¹⁷ Originally, Jones ran his practice out of his home until he later moved to a professional office above the Mast General Store.¹⁸ When Thomas Blackburn moved to Hickory, Jones took over the practice they'd built together which allowed him to earn enough to make improvements to the home. These improvements, such as running water and electricity, helped modernize the home. While it might be viewed that Jones's office represents these modernizations, that office no longer maintains its historic integrity. Instead, the John Walter Jones House is the most obvious and direct representation of Jones's life and influence within the Town of Boone. Thus, justifying its designation as a local historic landmark based on their association with John Walter Jones.¹⁹

The Jones House is also significant under Criterion C for its representation of the domestic architecture of historic Downtown Boone during the late nineteenth and early twentieth centuries and its distinction as the only true Queen Anne-style home remaining in Boone. There are a variety of homes in Boone that contain Queen Anne-style elements; one such example is the Frank A. Linney House²⁰, noted for its wraparound porch and belonging to Frank Linney in the late nineteenth century. However, homes such as the Linney House aren't considered "true" Queen Annes, as these features were later improvements to the pre-built original building. Other homes in the Queen Anne style are not within the downtown district of Boone. The Jones house is a true Queen Anne-style home in the heart of downtown Boone in that it was originally built with features such as spindles, front-facing gables, and bay windows and maintains these features today.²¹

A few major alterations were made to the Jones house after its initial construction, including an addition (circa 1925-1930) to the rear of the home by Mattie Jones after her husband's death. The ground floor to the rear of the home originally housed an open porch covered by a second-floor enclosed space with a roof, which would have been considered the sleeping porch. This open porch would most likely have included a flat or slightly pitched roof that, when enclosed for the addition, was built up into a gabled roof. Evidence of this change includes sawn joists and cross members in the original rear slope of the Jones House roof that are visible in the attic where it is apparent that the roof had been cut away for these changes. These major modifications were done tastefully. Each was constructed using materials original to or similar to those included in the home. As a whole, the home maintains exterior historic integrity in terms of design, architecture, materials, feeling, and association. The house appears largely as it did at the time of John Walter Jones's death and retains most of its original materials.

V. Property Included in the Local Landmark Designation

The property to be designated includes the parcel containing the John Walter Jones House, which incorporates one acre of land divided from King Street by a retaining wall and the Queen Anne-style house residing there. The house has undergone minimal exterior alterations in the years since it was sold to the Town of Boone and overall maintains its historic integrity.

¹⁷ "Image 3 of Watauga Democrat (Boone, Watauga County, N.C.), April 23, 1908." The Watauga Democrat, (Boone, NC), Library of Congress, April 23, 1908. <https://www.loc.gov/item/sn82007642/1908-04-23/ed-1/>.

¹⁸ Rosalie Dorsey. "The Old Timey: Interview,".

¹⁹ Watauga County Records: Deed Book 47-308 and 48-519

²⁰ Eric W. Plaag, "Comprehensive Architectural Survey of Downtown Boone, North Carolina, FINAL REPORT," Town of Boone, North Carolina Downtown Boone Survey Report, Contributors Paul Fuller, Nicole Holladay, and Carson Hamilton, February 2021, Corrected Edition April 2025.

²¹ Plaag, "Comprehensive Architectural Survey."

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VII. Photographs

Riley Ziegler took the attached photos while surveying the property in August 2023.



1.
NC_WataugaCounty_JohnWatlerJonesHouse_0001.J
PG



2.
NC_WataugaCounty_JohnWatlerJonesHouse_0002.J
PG



3.
NC_WataugaCounty_JohnWatlerJonesHouse_0003.J
PG



4.
NC_WataugaCounty_JohnWatlerJonesHouse_0004.J
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5.
NC_WataugaCounty_JohnWatlerJonesHouse_0005.J
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6.
NC_WataugaCounty_JohnWatlerJonesHouse_0006.J
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7.
NC_WataugaCounty_JohnWatlerJonesHouse_0007.J
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8.
NC_WataugaCounty_JohnWatlerJonesHouse_0008.J
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9.
 NC_WataugaCounty_JohnWatlerJonesHouse_0009.J
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10.
 NC_WataugaCounty_JohnWatlerJonesHouse_0010.J
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11.
 NC_WataugaCounty_JohnWatlerJonesHouse_0011.JP
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12.
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13.
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14.
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15.
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16.
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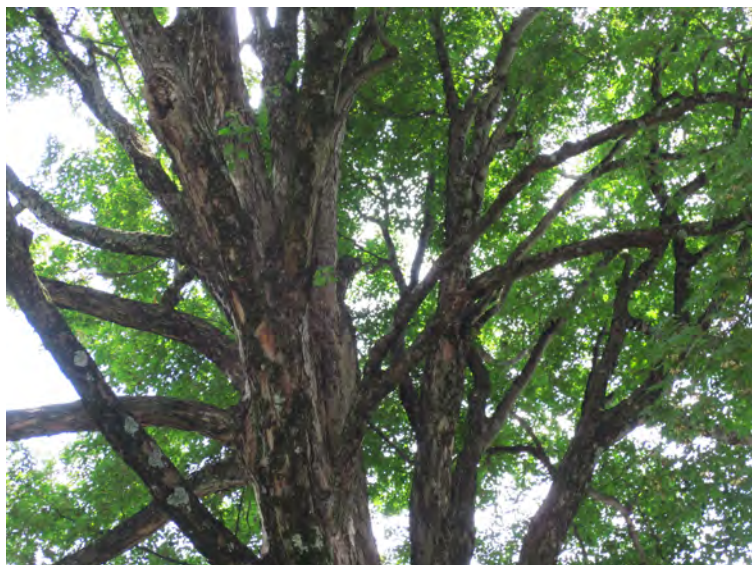
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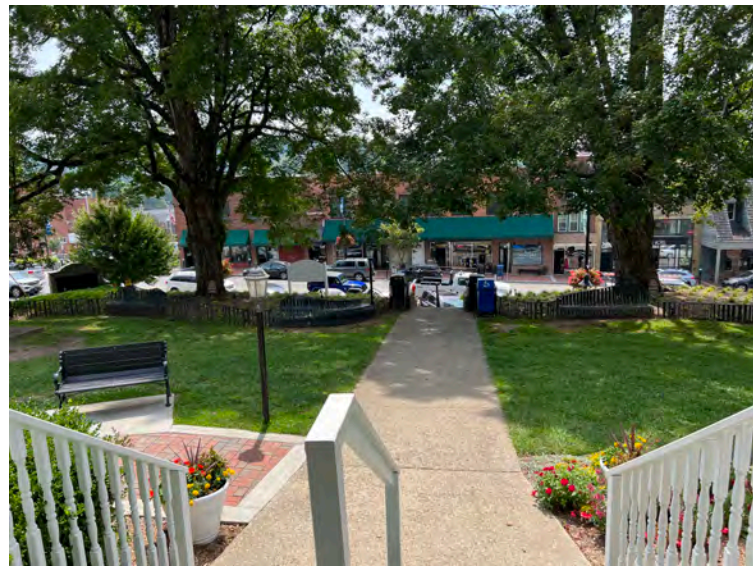
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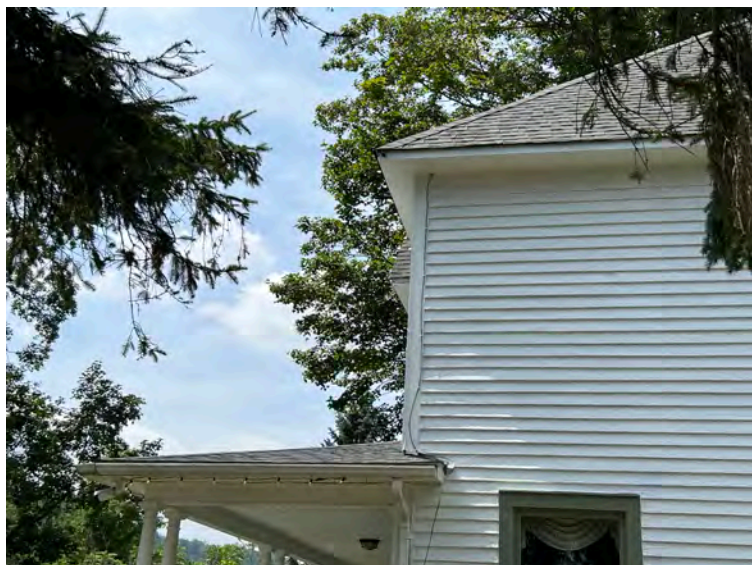
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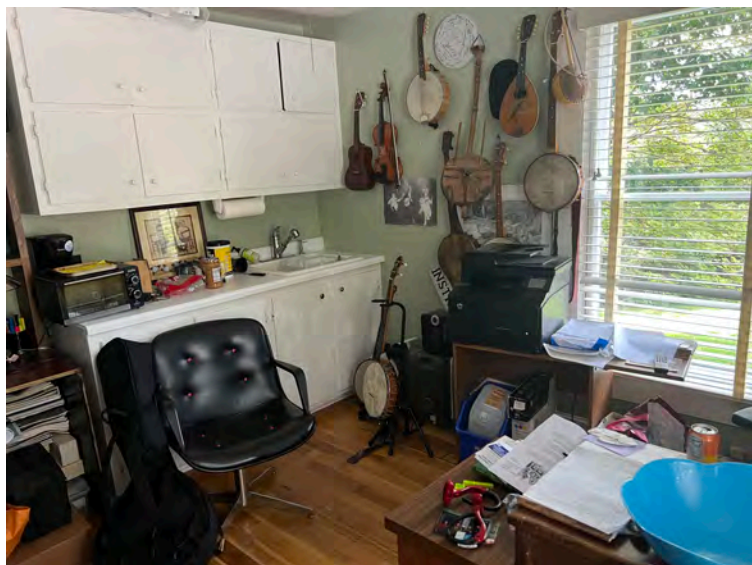
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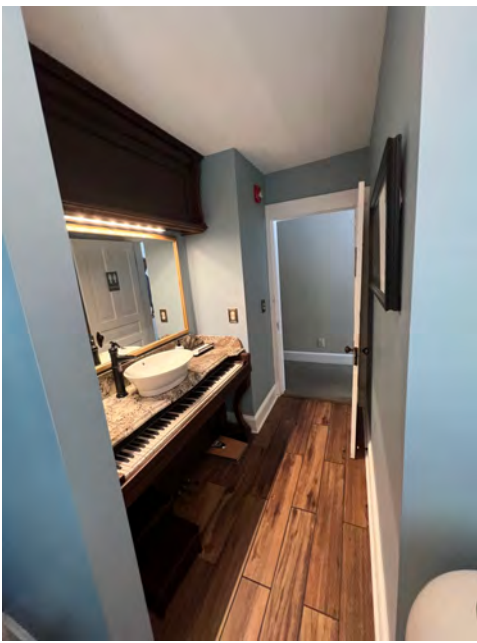
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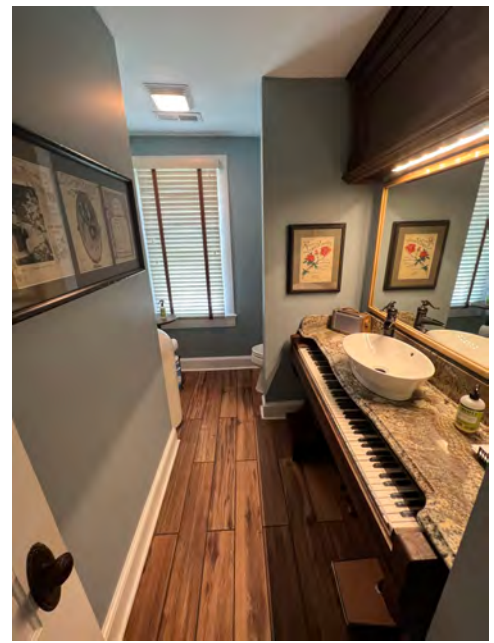
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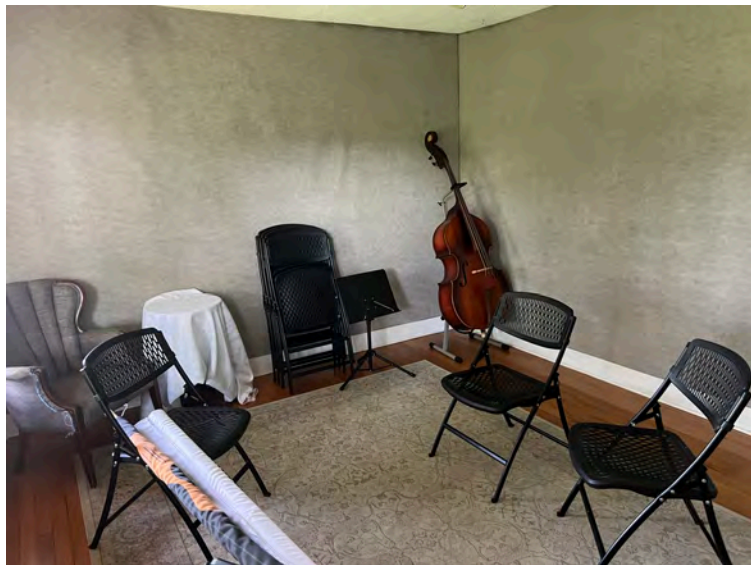
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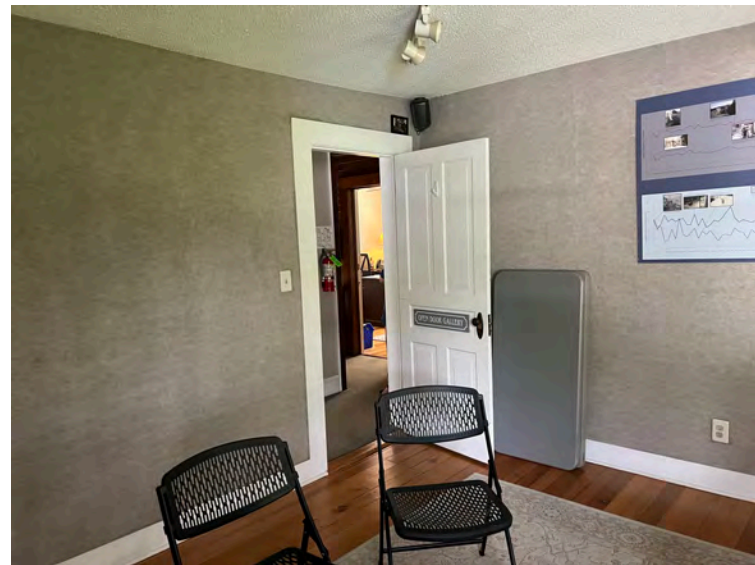
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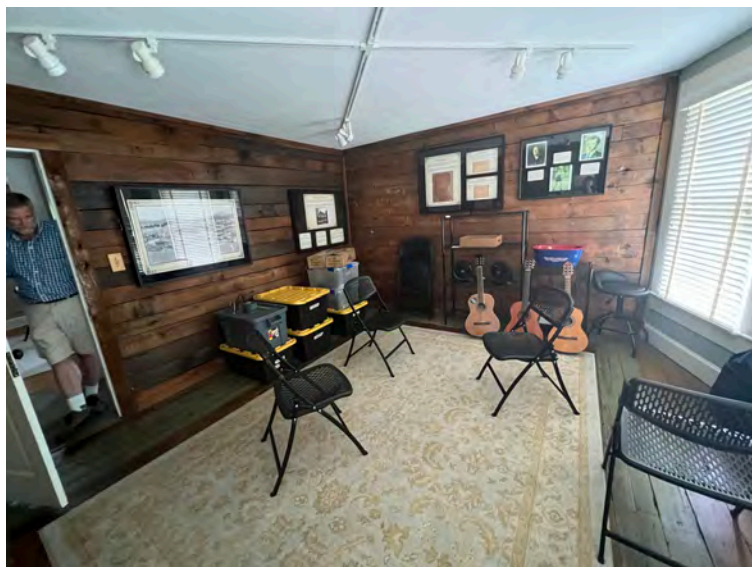
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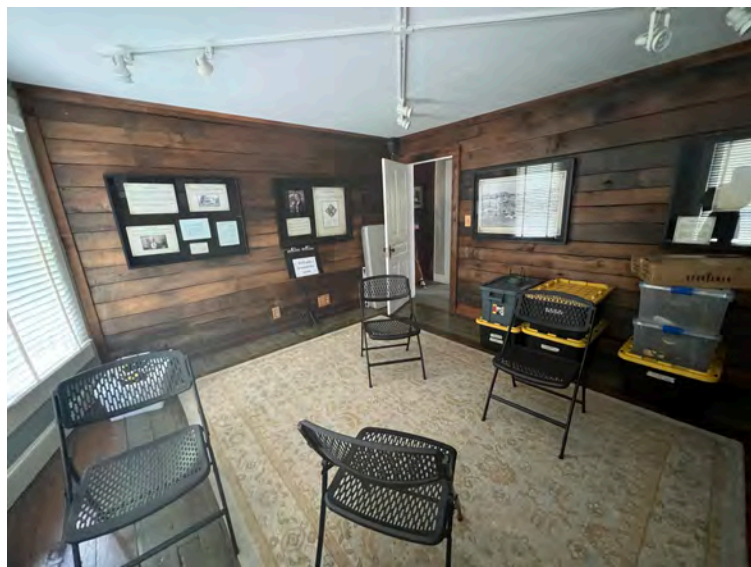
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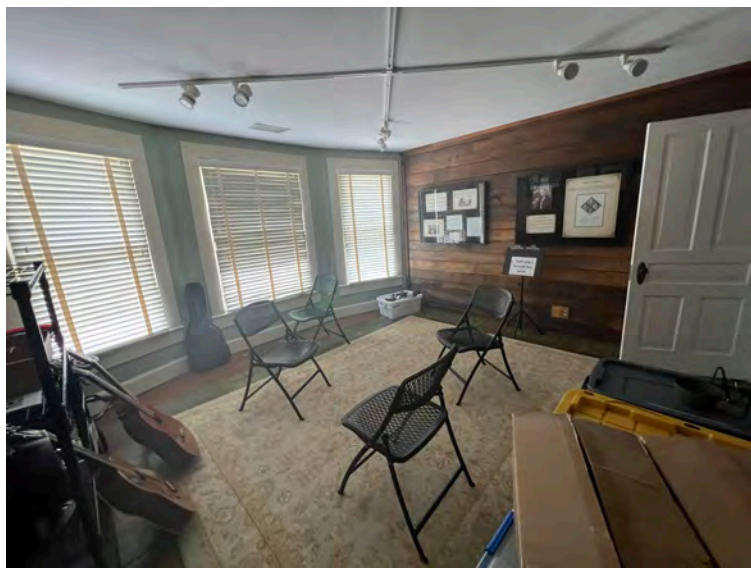
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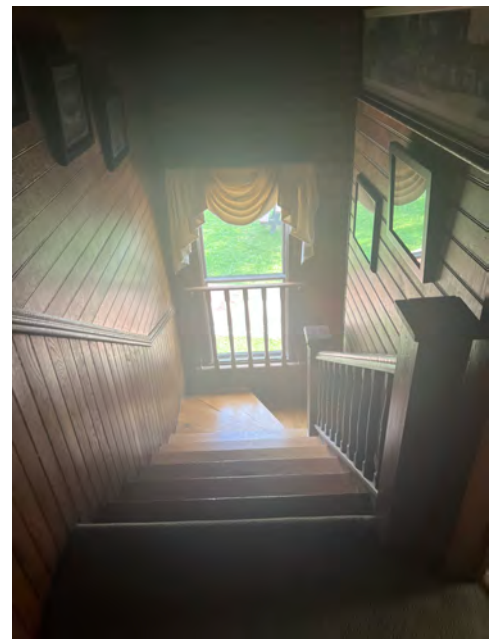
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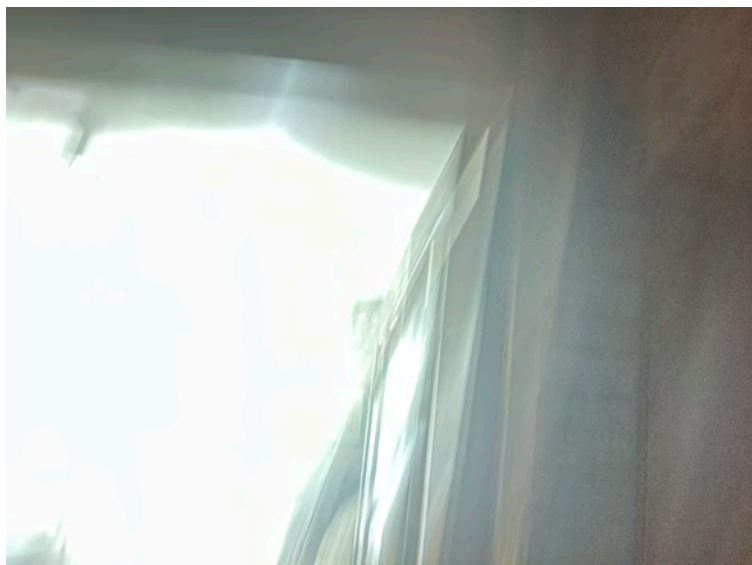
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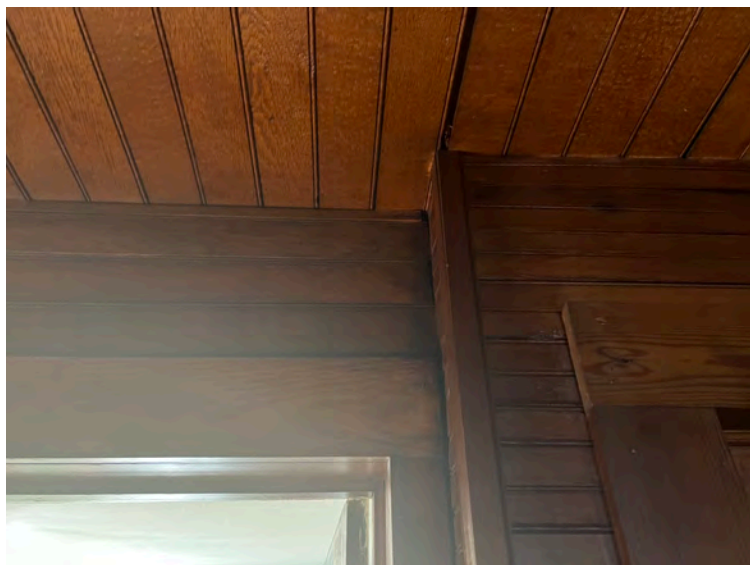
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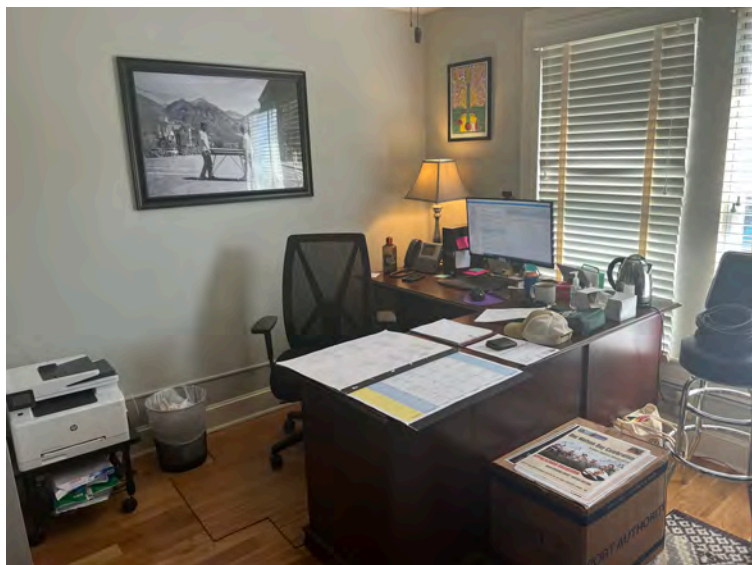
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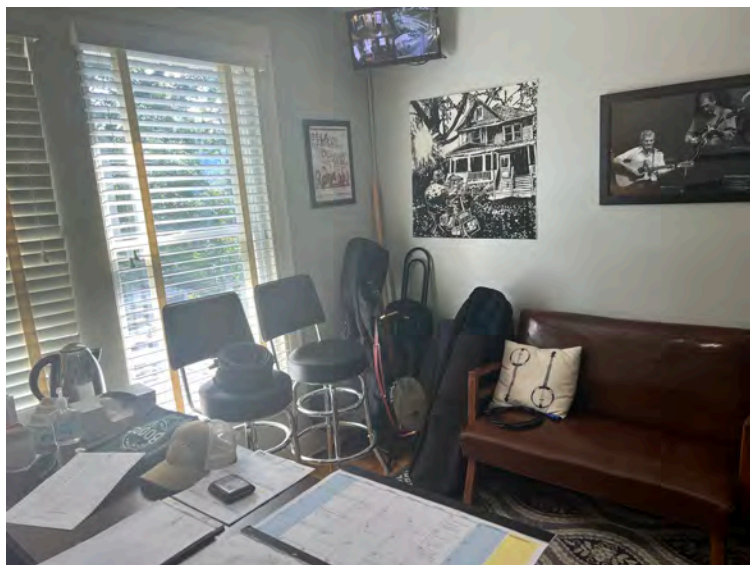
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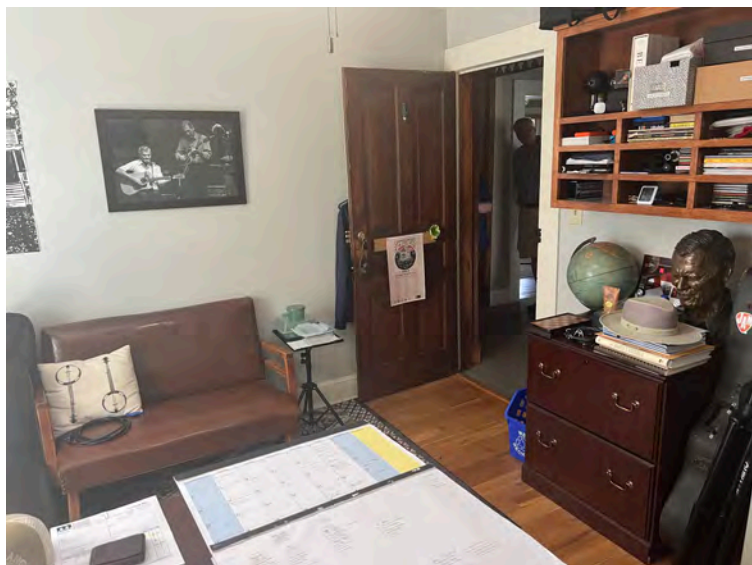
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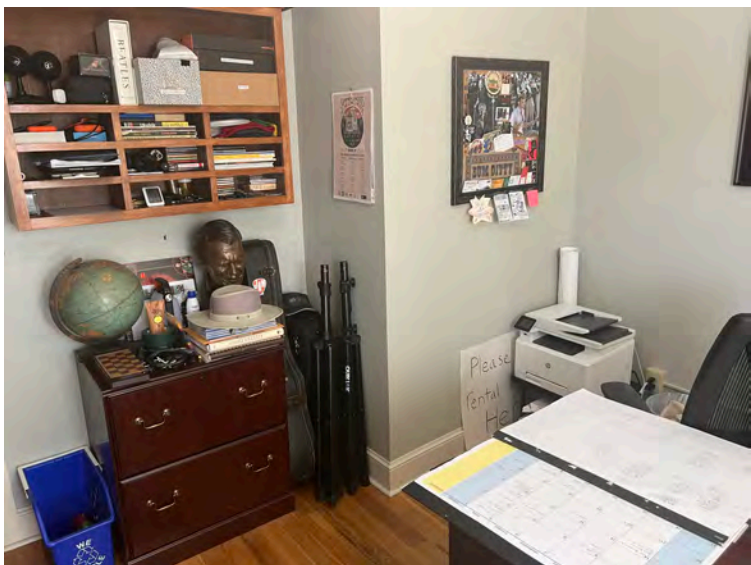
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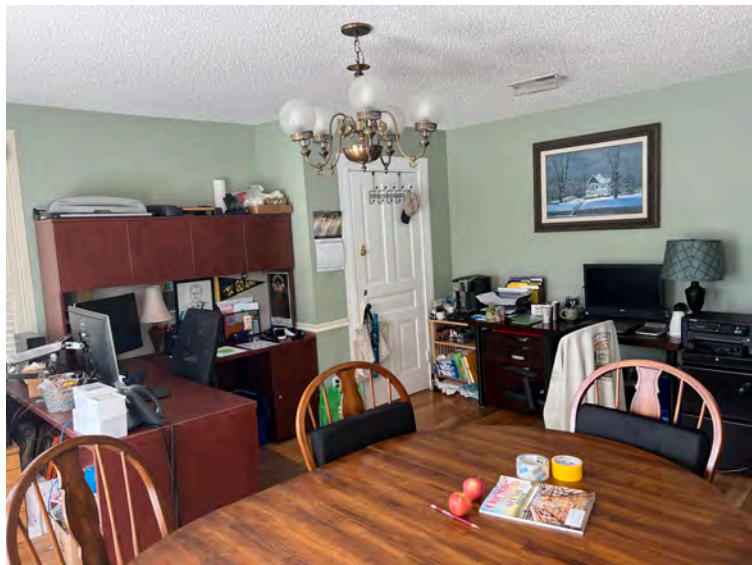
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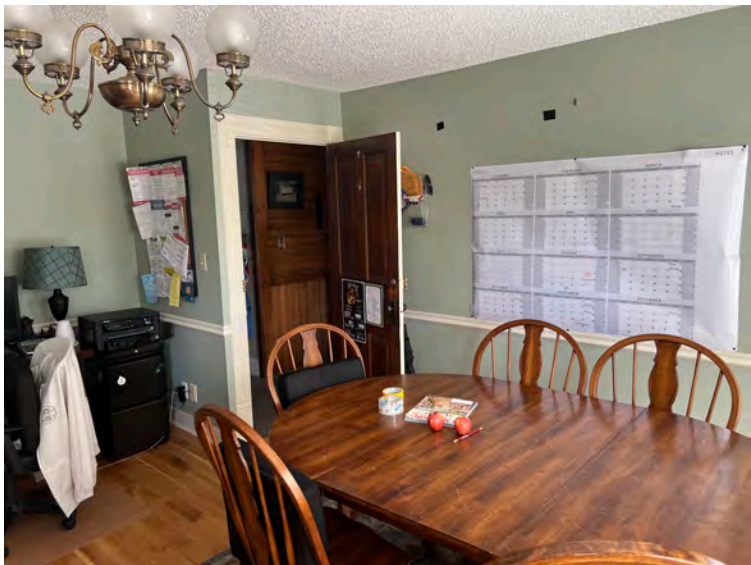
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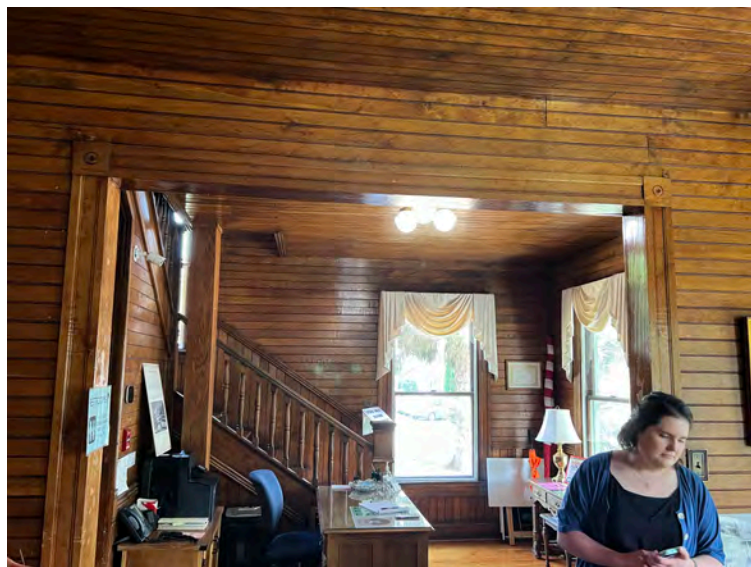
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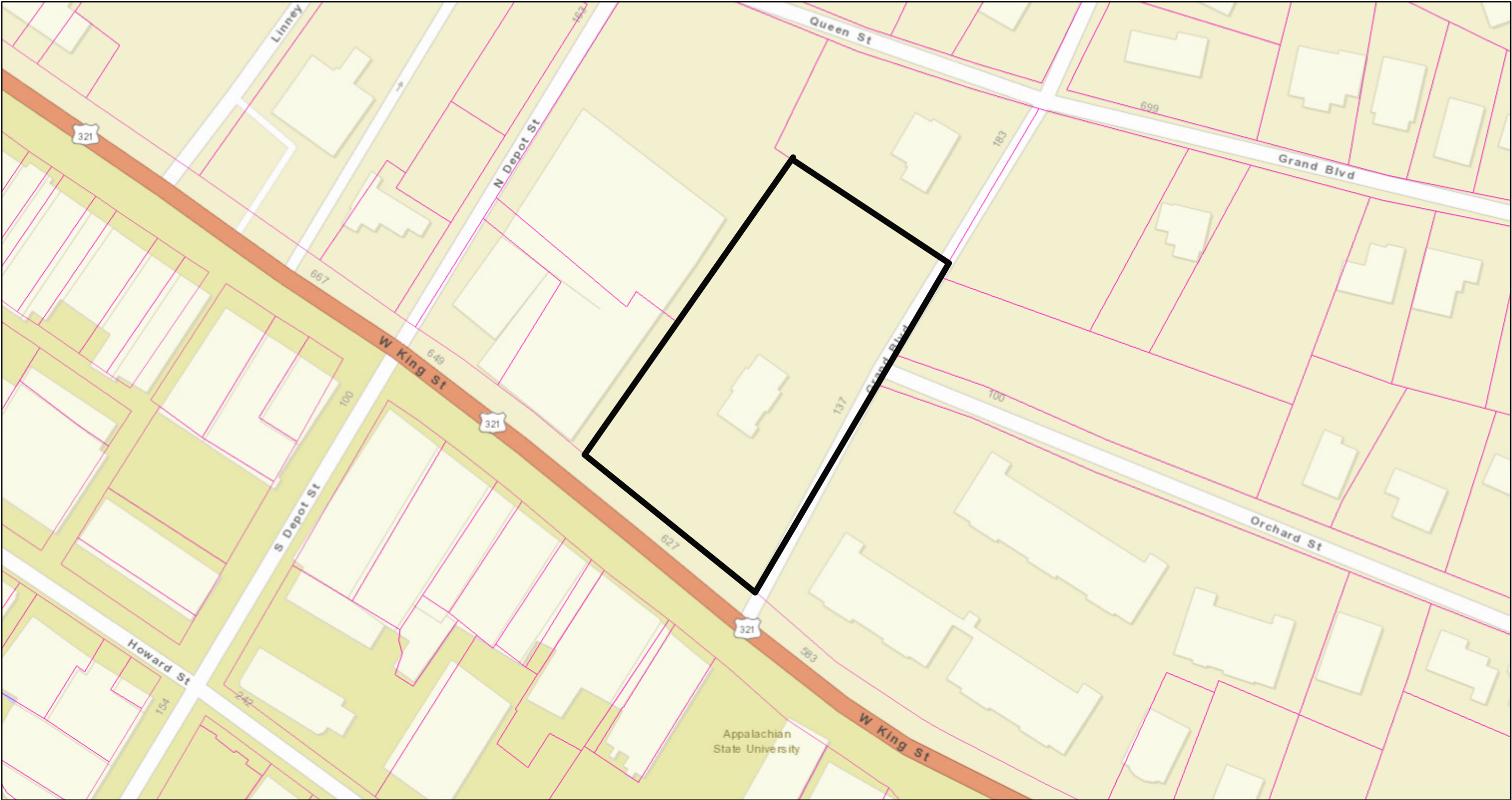


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Local Historic Landmark Boundary Map & Site Plan



5/27/2024, 5:37:10 PM

Parcels
Local Historic
Landmark Boundary

WT0008 John Walter Jones House
604 West King Street
Boone, Watauga County, NC

Map created by Eric Plaag
Carolina Historical Consulting, LLC
May 27, 2024



1:1,128
0 0.01 0.02 0.04 mi
0 0.02 0.04 0.07 km

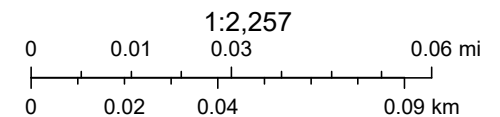
State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, NGA, USGS, NC Center for Geographic Information and Analysis (NCCGIA), NC County Governments, US EPA

Local Historic Landmark Designation for WT0008 John Walter Jones House



7/10/2026, 11:19:05 AM

- Local districts & boundaries
- ★ Local HD Center Point
- Local individual resources & centerpoints
- Local Landmark



State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

North Carolina State Historic Preservation Office
State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, NGA, USGS



BOONE TOWN OF
Parcel #:2900-89-5144-000
Physical Address:604 W KING ST

MAP IS NOT TO BE USED FOR SALES OR
CONVEYANCES. THIS IS NOT A SURVEY
NO FIELD SURVEY WAS PERFORMED!

0 55 110 220 330
Feet



July 10, 2026

Profile

Parcel:	2900895144000	Land Use Code:	E01
Map #:	2900-89-5144-000	LUC Description:	GOVERNMENT (278.1)
PIN:		Municipality:	290089 290089
Tax Year:	2026	Neighborhood:	05C6 - DOWNTOWN BOONE BUSINESS
Address:	604 W KING ST	Jurisdiction:	MS1 - MUNICIPAL SERVICE
Owner Details:	BOONE TOWN OF	Zoning:	D081
Mailing Address:	567 W KING ST	Land Acres:	1.076
	BOONE NC 28607	Topography:	1 - 1
Description:	JONES HOUSE	Utilities	-
			-

Value Summary

Appraised Land:	1426500	Exempt:	1630650	Market Land:	1426500
Appraised Building:	204150	Taxable:	0	Market Building:	204150
Appraised Total:	1630650	Def:	0	Market Total:	1630650

Primary Residential Card

Card:	Basement:	Fireplace Pref.:
Stories:	Square Feet:	Fireplace OP:
Use:	HT/AC: -	Fireplace ST:
Type:	Fuel:	Bsmt Gar.:
Year Built:	System:	Grade:
Year Remod.	Attic: -	Cond (CDU):
Total Rooms:	Finished Basement:	Percent Complete:
Bedrooms:	Recreation Room:	Family Room:
Full Bath:	Half Bath:	Ext. Material:

Primary Commercial Card

Card: 1	Stories:	Structure:
Year Built 1908	Gross Flr. Area 2600	Grade B
Eff. Yr. Built:	Units	Cost Value: 184550

LAND

Classification	Size(Eff. Front/Acres)	Type	Value
S1-S1	/ 1.076	S	1426500

AGRICULTURE

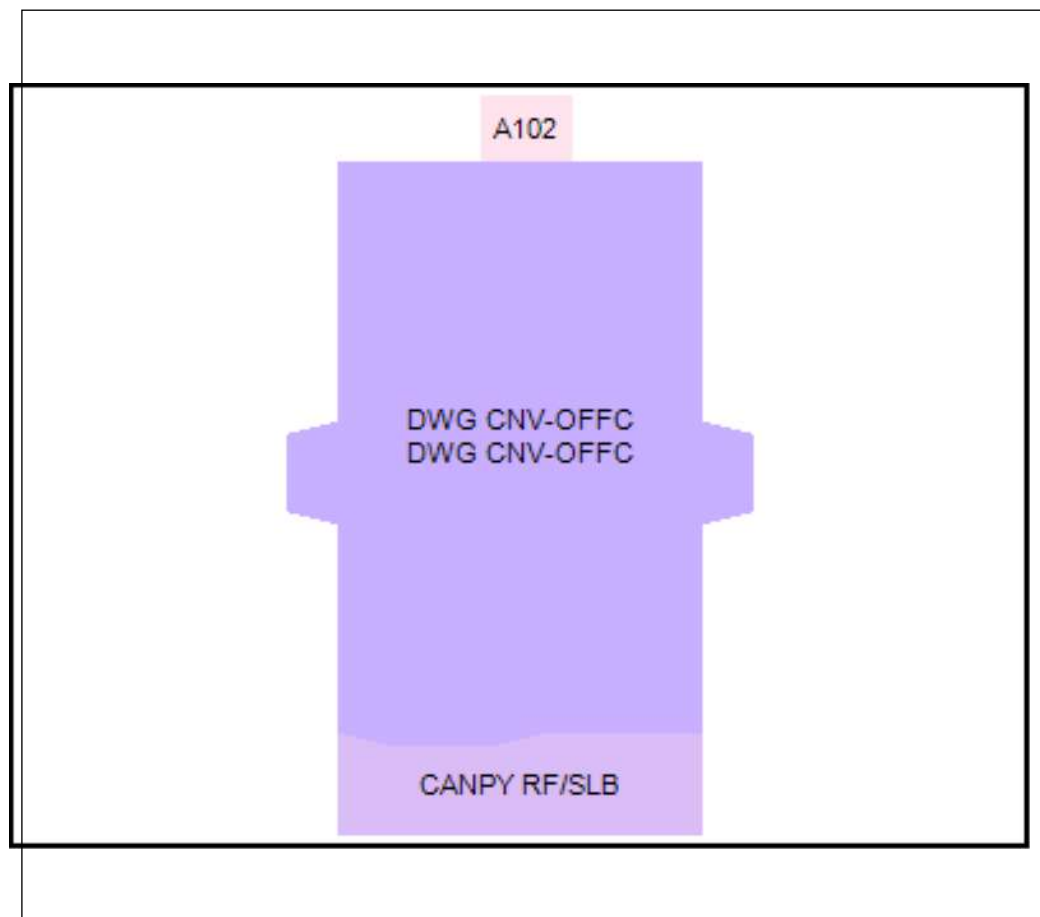
Classification	Acres	Value (Soil Value)
		0
	1.076	1426500

Other Items

Code	Description	Yr Blt	Sq Ft	Grade	Value
FN3 -	FNC PRIVACY	2000	.4.5	C	0
PA1 -	PAVING-	1971	8464.1.	C	13800
LT1 -	LGHT	1990	1.1.1	C	1800
SH3	SHED FINISHED	2016	4000..	C	4000

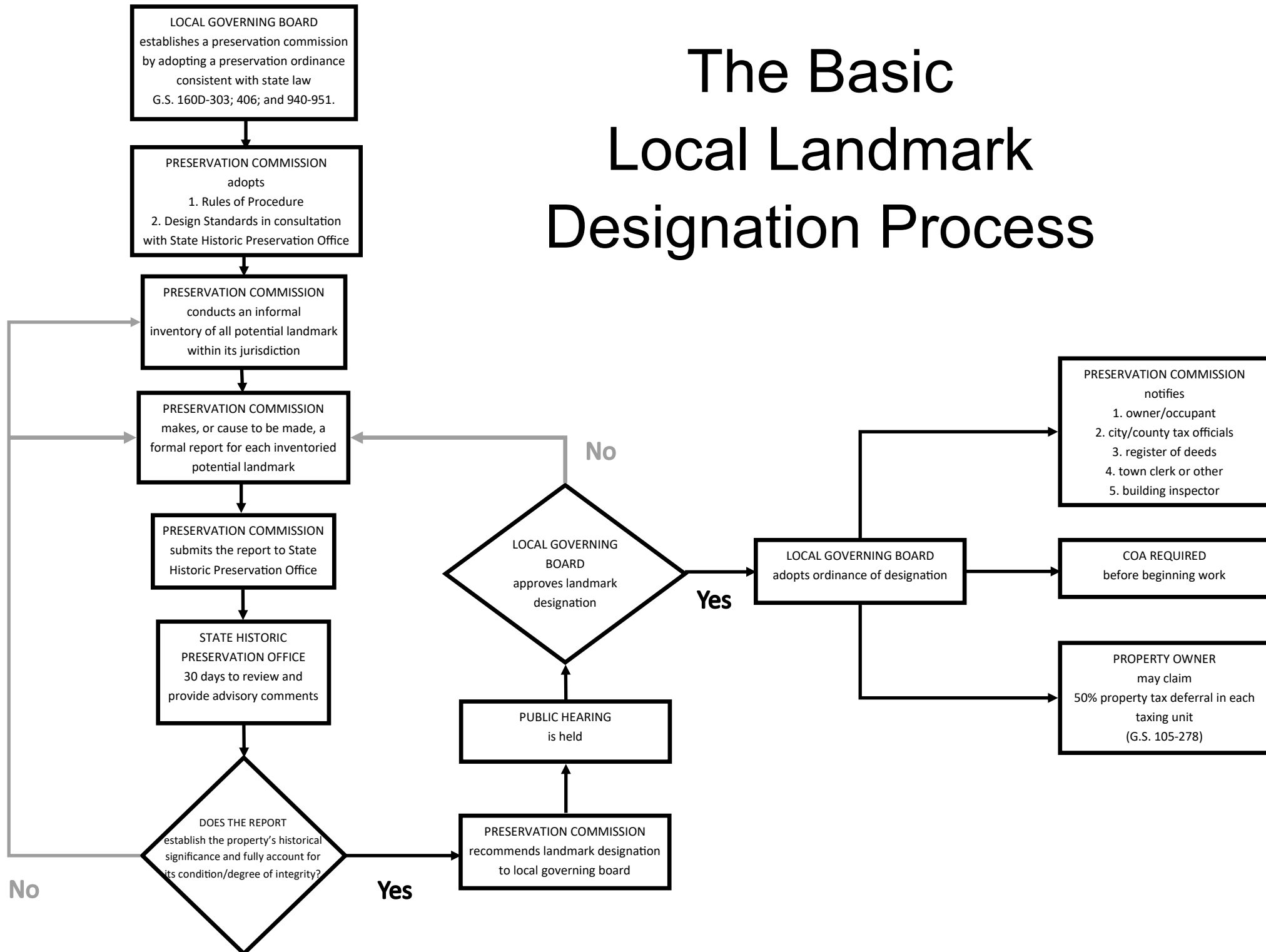
Sales History

Date	Book-Page	Grantor	Sale	Desc	Parcels	Amount
01-JAN-1985	241--660					

SKETCH**Sketch**

- 1 DWG CNV-OFFC - 025:DWG CONV-OFFICE 1300 Sq. Ft.
- 2 DWG CNV-OFFC - 025:DWG CONV-OFFICE 1300 Sq. Ft.
- 2 CANPY RF/SLB - CP6:CANOPY ROOF/SLAB 35 Sq. Ft.
- 3 CANPY RF/SLB - CP6:CANOPY ROOF/SLAB 212 Sq. Ft.
- 1 - RP1:PORCH OPEN 224 Sq. Ft.
- 2 - PA1:PAVING-ASPHALT PA 8464 Sq. Ft.
- 3 - SH3F:SHED FINISHED MET 4000 Sq. Ft.
- 4 - LT1:LGHT MER-WL-MTD-F 1 Sq. Ft.
- 5 - FN3:FNC PRIVACY

The Basic Local Landmark Designation Process





Town of Boone Agenda Item Action Request Form

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon, Town Clerk

Department: Administration

Contact Phone: 828.268.6200

Email: nicole.harmon@boonenc.gov

Date of Council Meeting to consider this item: 8/26/2026

Council Action Requested: For Action

Item Title: Appointment to Human Relations Commission

Summary of Information: Alex Castillo's first term on the Human Relations Commission expires on September 10th. After advertising in my usual venues, I received one application for consideration (A. Castillo - reappointment). Also attached is the board roster.

Print

Town of Boone Board Application - Submission #7827

Date Submitted: 8/11/2026

Name*

Alexander Castillo

Email:*

ajcastillo2019@gmail.com

Address*

134 Kimberly Dr Unit 4

City*

Boone

State*

NC

Zip Code*

28607

Is this Address Your Preferred Address?*

Yes

Address

City

State

Zip Code

Phone Number*

9513455443

Jurisdiction of Residence*

- ☒ Town of Boone (Inside Town Limits)
- ☐ Watauga County
- ☐ Other

Please Specify:*

How Long Have You Been a Resident in Your Jurisdiction?*

7 years

Do Yow Own Real Property (Land) in the Town of Boone?*

No

Name of Board, Commission, Task Force, Advisory Board, or Committee Appointment Sought*

Human Relations Commission

Only choose one (1)

Why Do You Wish to Obtain this Appointment?*

Currently serving, applying for reappointment

Are Your Familiar with the Town of Boone's Comprehensive Plan - Boone Next?*

Yes

[Boone Next \(Adopted June 25, 2025\)\(PDF\)](#)

Rate Your Support for Boone Next (1 Being Not Supportive at All and 10 Being Extremely Supportive)*

☐ 1

☐ 2

☐ 3

☐ 4

☐ 5

☐ 6

☐ 7

☐ 8

☐ 9

☒ 10

Please Explain Your Level of Support for Boone Next:*

Love it especially growing/expanding areas already in town

Please Explain Your Support for the Community Climate Action Plan (If applying for a position on the Sustainability Committee):*

[Community Climate Action Plan](#) (Adopted March 13, 2024)(PDF)

What Skills, Education, Training, Experience or Area(s) of Expertise Would You Bring to the Appointment?*

Served multiple NPOs in area, regional planner at the COG

Have You Had Issues With the Town of Boone Which Relate to the Work of the Body to Which You Seek Appointment?*

No

Do You Know of Any Known or Potential Conflicts of Interest (Including Membership in Any Organization, Your Employment and the Memberships and Employment of Family Members) that Might Arise if You're Appointed?*

No

Explain:

Have You Previously Served on any Town Board, Commission, or Committee?*

Yes

Explain:

Currently serve on HRC, applying for reappointment

Please Include the Name of Board, Commission, Task Force, Advisory Board, or Committee Appointment, the Approximate Date(s) Served and a Brief Description of the Quality of Your Service

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which impairs my ability to participate fairly in the deliberations and actions in question.*

Alexander Castillo

Signature

Date*

8/11/2026

Human Relations Commission
Up to 10 Members

1 3-Year Term	Trevor Moody 7286 Old US Highway 421 Zionville, NC 28698 Moody.t2009@gmail.com Appointed: 03.26.25 Expires: 03.26.28		7 1-Year Term	Brian Juneau 265 Deer Meadows Lane Boone, NC 28607 helenejunebug@gmail.com 719.7110 Appointed: 07.08.2026 Expires: 07.08.2027
2 3-Year Term	Sean Morris 334 George Wilson Road Boone, NC 28607 Seanmorris928@gmail.com 678.382.7949 Appointed: 9.13.23, 1.22.25 Expires: 9.13.24; 1.22.28		8 1-Year Term	Alex Castillo 275 E. King Street, Unit 310 Boone, NC 28607 Ajcastillo2019@gmail.com Appointed: 09.10.25 Expires: 09.10.26
2 3-Year Term	Drew Finley 2016 US Hwy 421 S. Apt. 2107 Boone, NC Dfinley845@gmail.com Appointed: 2.12.25 Expires: 2.12.28		9 1-Year Term	Joan Lacefield 241 Shadowline Drive Boone, NC 28607 Appointed: 03.11.26 Expires: 03.11.27
4 2-Year Term	Joanne Puliatti 275 Chestnut Drive Boone, NC 28607 veganslp@gmail.com Appointed: 03.26.25 Expires: 03.26.27		10 3-Year Term	Dr. Kirstin Morgan 639 Country Place Dr. Boone, NC 28607 morgan.kirstin3@gmail.com Appointed: 3.13.24; 5.13.25 Expires: 6.14.26; 5.13.28
5 2-Year Term	Camila Aranda 614 Howard Street Box 05415 Boone, NC 28607 Camila.e.aranda@gmail.com Appointed: 05.13.26 Expires: 05.13.28			
6 2-Year Term	Tori Rodriguez 1240 Old Bristol Road Boone, NC 28607 Rodrigueztori3@gmail.com Appointed: 4.9.25 Expires: 4.9.27			Todd Carter Anitra Ball

The HRC shall consist of up to 10 members, appointed by the Town Council for staggered terms. 3 members shall be appointed to 3-year terms, 3 members shall be appointed to 2-year terms, and 3 members shall be appointed to 1-year terms.