

Planning and Zoning Board

Minutes

Thursday, January 16, 2020

7:00 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, January 16, 2020 for their regularly scheduled meeting. Vice-Chairman Carter called the meeting to order at 7:00 pm. Members present were Kim Hartley, Sam Glover, Pete Gherini, Mike Page, and Harrison Herbst. Staff members present were Town Manager Shane Fox, Planning Director Kevin Rothrock and Planning and Zoning Support Specialist Tammy Bentley.

Vice-Chairman Carter asked if there were any changes to the agenda. *Ms. Hartley made a motion to approve the agenda, seconded by Mr. Herbst. All members were in favor of the motion.*

Vice-Chairman Carter asked if there were any changes to the November 21, 2019 meeting minutes. *Mr. Gherini made a motion to approve the minutes, seconded by Mr. Page. All members were in favor of the motion.*

Discussion of topics from the Town Council Retreat

Mr. Rothrock told the Board there is much to do to comply with NCGS 160D and the items from the Town Council Retreat. Mr. Rothrock advised the Board that NCGS 160D is sweeping legislation intended to clean up Land Use Codes across the state. Mr. Rothrock said that one change is to eliminate Conditional Use Permit and use Special Use Permit across all Land Use Codes effective 1/1/2021. Mr. Rothrock advised there are other procedural items that must be updated and that he will attend a workshop in Asheville next week presented by the School of Government regarding these changes. Mr. Rothrock advised that as he gets more information, he will update the Board on how to implement NCGS 160D.

Mr. Rothrock distributed to the Board the Town Council's Top Ten list from the recent 2020 retreat. The Board discussed the downtown code amendments and areas that need to be clarified including 75% green space, building height, density and parking credits. Mr. Gherini said it was insightful that, at the retreat, some Town Council members indicated that they would be willing to revisit this and asked for Mr. Rothrock's opinion. Mr. Rothrock agreed adding that the timing before was bad. Mr. Rothrock said the process may need to be like the ad hoc committee process for Valley Boulevard, in which stakeholders were involved and community input sought. Mr. Gherini asked if the Board should send the proposal back to Town Council. Mr. Rothrock said no and that the process should be open to more public input, and the Board may need to form an ad hoc committee for this. Mr. Page said he thinks the Blowing Rock Civic Association's (BRCA) objections to the downtown code amendments were instrumental in the amendment not being adopted. Mr. Page added that BRCA should be part of the dialogue and participate in the process. Mr. Marshall Sealey with BRCA agreed. Ms. Hartley said it is important to educate where and why the code applies and to eliminate soundbites and misinformation. Mr. Rothrock said it

was stated that the Zoning Administrator could approve all requests, and that was never part of the draft ordinance.

Mr. Rothrock said the Board has three baskets, NCGS 160D, downtown code amendments, and 321. Vice-Chair Carter said we need very specific written directions from Town Council regarding what they want the Planning Board to accomplish. Mr. Rothrock said they can pull the draft downtown ordinance and look at it again. Mr. Rothrock said they can look over the 321 study over the next 3 months. Mr. Rothrock added that the Town Council said, at the January Town Council meeting, that they want the Planning Board to present recommendations in April. Mr. Rothrock added that some code amendments are outside the Planning Board's control, but they can work on eliminating subjectivity in the Land Use Code. Mr. Gherini noted he was on the 321 ad hoc committee and added that it would be helpful for Mr. Rothrock to share the final ad hoc report, then the group could form another committee. Mr. Rothrock said he will get the 321 ad hoc committee report to the Planning Board. Mr. Gherini asked if the Town Council wanted feedback by April. Mr. Rothrock confirmed, adding they really want the Boards' thoughts on the study—what does the Planning Board recommend that the Town Council pursue.

The Board discussed the timing of the sub-committee assignments and if those should be done now, before new members join the Board in March. Mr. Rothrock said he thinks there is enough time to wait until March but wants to hear the current members' thoughts via email, adding that he would get the new Board members a copy of the information in February.

Mr. Rothrock said he thinks the downtown ordinance should be considered after new members are on board in March. Mr. Rothrock said he will bring NCGS 160D changes to the Board as he can. Mr. Glover asked if there is any advantage to splitting up the downtown ordinance into smaller segments of building height, green space. He added this will be a longer process, but smaller bits may be more easily adopted. Mr. Page concurred.

Mr. Page noted that the sub-committee looked to the 2014 Comprehensive Plan and the draft downtown ordinance was not done in a vacuum. Mr. Page added that perhaps the fact that the ordinance was crafted using the 2014 Comprehensive Plan as a guide was not well supported. Mr. Rothrock advised that the draft ordinance must have language relative to the 2014 Comprehensive Plan. Ms. Hartley said that workshops and education will help moving forward as there was much inaccurate information disseminated about the draft ordinance.

The Board discussed the best way to get clear direction from the Town Council as to what is expected of them and how public input workshops would be handled. Mr. Rothrock explained how public input workshops were done in 2005. Mr. Rothrock added that having graphics will be helpful. Mr. Gherini said that Benchmarks Presentations are great examples of how graphics can impact the process. Mr. Rothrock said the subcommittee can act as a team and take ownership of the process, adding that interaction will be sought.

Mr. Page said that he did not fully understand the opposition to the proposed ordinance. Mr. Rothrock said that he did not either. Mr. Sealey said that to the BRCA, the ordinance felt like it was developer-driven and not town-driven. Mr. Page said that part of the goal was to make the ordinance and development process clearer to developers. Mr. Page said the intended result was to make the development process more expeditious while also keeping the character of Blowing Rock. Vice-Chair Carter said the ordinance was not driven by developers. Mr. Page agreed and added that they were cognizant of developers in drafting the ordinance. Mr. Rothrock noted that, in fact, had the draft ordinance been

adopted that Rainey Lodge could not have been approved. Vice-Chair Carter asked that the Board Members' comments be received by the week before the February Planning Board meeting.

New Business

Mr. Rothrock updated the Board on a potential short-term rental loophole having to do with the 28-day minimum occupancy period. Mr. Rothrock said if the property is not occupied for the entire 28-day period, should any other occupancy during that same period be prohibited.

Mr. Gherini inquired about the Frazier appeal. Mr. Rothrock advised that it would be heard by the Board of Adjustment on January 23, 2020.

Mr. Rothrock noted the Town Council's Top Ten list from the retreat. Mr. Rothrock also advised that there may be a subdivision request at the February Planning Board meeting.

Other Business

*With no other business, Mr. Page made a motion to adjourn, seconded by Mr. Herbst. **All members were in favor of the motion.***

Vice Chairman Carter adjourned the meeting at 8:05 p.m.

Vice-Chairman Wes Carter

Tammy Bentley
Planning & Zoning Support Specialist