

## Planning and Zoning Board

### Minutes

Thursday, April 21, 2022

5:30 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, April 21, 2022, for their regularly scheduled meeting. Members present were Joe Papa, Sam Hess, Bill McCarter, Chris Squires, Catherine Perry and Harrison Herbst. Members absent were Sam Glover and Pete Page. Staff members present were Planning Director Kevin Rothrock and Support Specialist Taylor Miller.

Chairman Bill McCarter called the meeting to order at 5:32 p.m.

Chairman McCarter asked if there was a motion to approve the March 17, 2022, minutes. *Member Barrett made a motion to approve the minutes, seconded by Member Squires. All members were in favor of the motion.*

#### **1. Review and consideration of draft ordinance to remove Short-Term Rental permitting**

Mr. Kevin Rothrock provided a presentation to give the Planning Board members a brief overview of why the Short-Term Rental permitting process is being lifted and the language in the ordinance regarding permits for Short-Term Rentals is being removed. After explaining, he opened up the floor to any questions regarding the changes.

Member Barrett confirmed that the essence of what's being done is that we are cleaning up the language in the ordinances but that it does not affect the existing STR's in the community. Mr. Rothrock confirmed that.

Member Herbst pointed out that the town, in the past, has been able to revoke a permit after 3 complaints regarding a Short-Term Rental – he wanted to know if there will still be a way to limit or take away someone's ability to rent after this change.

Mr. Rothrock advised that revoking a permit was only in regards to a direct issue with the permit – not the Short-Term Rental function itself.

Member Joe Papa questioned the ability to be able to know if people are updating the STR properties in the ways that they are supposed to if we don't require a permit for the rental.

Mr. Rothrock advised that up to code requirements for STRs is the responsibility of the owner. We will still have the ability enforce requirements but will lose the ability to know

exactly which properties are STRs through paperwork but stated that observance of the property will result in knowing it is being used as a STR.

Chairman McCarter asked if there was a motion to approve the changes regarding Short-Term Rentals to go to Town Council. *Member Herbst motioned to approve, seconded by Member Sam Hess. All members were in favor of the motion.*

## **2. Discussion on Outdoor Dining/Downtown Parking**

Mr. Rothrock provided an introduction to the topic of Outdoor Dining/Parking. The conversation was started at last month's meeting where Pete Page, Chris Squires, Catherine Perry and Joe Papa were picked to serve on a subcommittee to further discuss and bring recommendations to the Planning Commission Board for a solution to the Outdoor Dining/Downtown Parking dilemma.

Mr. Rothrock invited many local restaurant owners to the Board Meeting to give them a chance to voice their perspectives and ideas on the topic. Mr. Rothrock opened the floor to public comment.

Jeff Walker, co-founder of The Blowing Rock Ale House, spoke to the board and gave insight to what their restaurant has endured in the last couple years. He pointed out that the crowd drawn to their environment are people who come up here to enjoy Blowing Rock for what it is – which means being outdoors. People bring their dogs and kids and want to be outside. He mentioned how difficult it has become to explain to patrons why they can't be sat outside or why their outdoor seating is very limited. He noted that the required payment to add more outdoor tables is unattainable for a restaurant due to the high cost – he suggested that maybe if the payment was lower, it could make it more attainable. He speculated whether or not requirements for parking should be something a restaurant should be held accountable for due to the "walking-nature" of the town.

David Barker, owner of Blowing Rock Market took a turn to speak to the Board. He emphasized how important outdoor seating is to give clientele the experience people look for when they come to Blowing Rock. He advised that allowing for more seating will lower wait times for guests, which will also allow them to turn tables over faster and get people back to their cars quicker, thus helping the parking problem. When there are 1.5-2 hour wait times, cars that are parked are people who are waiting to be seated places so they can eat.

Mr. Rothrock asked if the town were to allow unlimited outdoor seating, would there be a 'tipping point' for what the restaurant could handle?

Mr. Barker advised that most restaurants know their limitations for their kitchens and the rate at which they can properly cook and serve people. He advised restaurant ABC provide other limitations for capacity and control. Dining limits come from the kitchen. Another limitation for them are bathrooms.

Mr. Rothrock questioned restaurant owners about how they would feel if code/ordinances (such as fire codes, bathroom requirements, etc) were changed in relation to size of building and regulations.

Mr. Barker advised that he thinks that's all the restaurants are looking for. That they can do whatever they need to do to meet their guests needs as long as they are meeting building and code requirements.

Mr. Walker asked about exact requirements for bathrooms in restaurants.

Mr. Rothrock advised that each establishment must have 1 female toilet and 1 male toilet per 75 people.

Mr. Barker advised that meeting those requirements are more attainable due to the nature. Paying a parking spot/outdoor table fee is not as reasonable where as adding more bathroom space or building space is more reasonable due to the investment aspect of the money being spent.

Member Sam Hess questioned why so much responsibility for parking falls on the restaurants when retail stores, hotels, and other Main Street properties don't have the same responsibility. He advised pinpointing restaurants exclusively seems unfair.

Mr. Rothrock advised that restaurants are not pinpointed exclusively. They just hold more responsibility due to the higher volume of guests they attract.

Mr. Barker brought up the fact that it seems like finding a parking spot holds less importance to visitors to the town than getting a seat at a restaurant as of recently.

Erica, co-owner of Speckled Trout spoke to the Board. She advised that the pandemic shed a lot of light on the need for outdoor seating and that people enjoy being outdoors more than they do indoors. Restaurants need outdoor seating for flexibility. She also noted that just because there would be more outdoor seating, does not mean the indoors will be filled too. They have to exchange one for the other because there are still staffing and kitchen limitations that they encounter.

It was also noted that some restaurants like Speckled Trout and Blowing Rock Ale House have many guests that stand and drink or want somewhere to sit and drink, not necessarily dine with food. There is speculation over whether or not that is considered "dining" guests. Nevertheless, they still need space for those guests too.

Mr. Barker made the suggestion that when presenting to the board, it is approached from a coding standpoint for regulations, meaning making sure that establishments meet fire codes, standing room requirements, bathroom requirements, etc.

Erica questioned the board about how they felt during 2020 and 2021 when the restrictions were more relaxed and restaurants were allowed to do more outdoor dining/seating.

Mr. Rothrock noted that codes are still in place. We can change them or better them but it is part of his job to enforce those codes as long as they are existing. He advised that we can work together to find a solution and this is a great time to make changes. He acknowledged the duress restaurants have been under since the pandemic and wants to find a way to continue to support all that they do in the best way that we can.

Mr. Barker advised they appreciate everything the Town Manager, Shane Fox and Mr. Rothrock have done to try and work with the restaurants to make changes and improvements.

Member Barrett advised that after observing many of the restaurants and their seating situations, they seem to be all over the board in regards to consistency, every place is different and there needs to be some uniformity. He also advised that he believes outdoor dining and parking are directly related to each other but hearing everyone's perspective is very important.

Mr. Rothrock closed with stating that the conversation about the topic has been good and will all be taken into consideration.

*Having no further business, Chairman McCarter adjourned the meeting.*

Chair McCarter adjourned the meeting at 7:08 p.m.

---

Chair Bill McCarter

---

Taylor Miller  
Planning & Zoning Support Specialist