



Town of Blowing Rock

Date: Tuesday, August 13, 2019

Time: 6:00 p.m.

Location: Town Hall, 1036 Main Street,
Blowing Rock, NC 28605

Agenda

<i>Item</i>		<i>Present & Participants</i>
I.	CALL TO ORDER	Mayor Charles Sellers
II.	PLEDGE OF ALLEGIANCE	Mayor Charles Sellers
III.	CONSENT & REGULAR AGENDA ADOPTION 1. Tax Release 2018-12 – Martha J. Sumrell APPROVAL OF MINUTES 1. July 9, 2019 – Regular Meeting Minutes	Mayor & Council Mayor & Council
IV.	PUBLIC COMMENTS... <i>comments shall be limited to three (3) minutes</i>	Public
V.	PRESENTATIONS: 1. James H. Fisher Memorial Foundation Special Event	Maurice Ewing
VI.	PUBLIC HEARING: 1. Conditional Rezoning (R-15 to CZ-R-6M, Multi-family) – Multiple properties on Valley Boulevard #2019-07	Planning Director Kevin Rothrock
VII.	BUSINESS MATTERS: 1. Budget Amendment - #2019-08 2. South Side of Park Avenue Three Hour Parking - Discussion 3. Financial Report	Interim Public Works Director Matt Blackburn Mayor and Council Town Manager Shane Fox
VIII.	OFFICIALS REPORTS & COMMENTS: a. Mayor	Mayor Charlie Sellers

	b. Council Members c. Town Attorney d. Town Manager	Council Members Alan Mosley Shane Fox
IX.	CLOSED SESSION...NCGS 143-318.11. (a)(5)- Discussion of potential property acquisition and NCGS 143-318.11. (a)(3) – Attorney-Client Privilege	Mayor & Council
X.	ADJOURNMENT/RECESS...Mayor Charles Sellers entertains a motion and second to adjourn or recess the meeting.	



TOWN OF BLOWING ROCK

1036 Main Street • Post Office Box 47 • Blowing Rock, NC 28605

Release Request No: 2018-12

Property Owner: Martha J. Sumrell

Address: 7748 Globe Rd.

Parcel Number: 024W1510 Request Date: August 13, 2019

I Hereby Request Release of Tax Under G.S. 105-381 for the Following Year(s):

Assessment Release	Tax Release	Interest	Total	Tax Year
\$42,764	\$97.13			2018
\$42,764	\$94.57			2017
\$42,764	\$86.90			2016
\$42,764	\$84.35			2015
\$42,764	\$79.23			2014
\$42,764	\$71.57			2013

Account Number: 098557

County: Caldwell

Date: August 13, 2019

Release Amount: \$513.75

Specific Reason for Release: This property was discovered in the 2018 tax billing, was billed for 2018 and under a discovery billing for 2017-2013. When the 2019 tax scroll was sent from Caldwell County, it was determined the property was over billed, \$42,764 more than what the value for the property should be. I am asking for the following value amount to be released due to the clerical error. When the 2019 Tax Bills are sent out for this property it will be for the correct amount.

Approved By: _____ Date: _____

Draft
MINUTES
Town of Blowing Rock
Town Council Meeting
July 9, 2019

The Town of Blowing Rock Town Council met in regular session on Tuesday, July 9, 2019, at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock, N.C. Present were Mayor Charlie Sellers, Mayor Pro-tem Albert Yount and Council Members Jim Steele, Sue Sweeting, Doug Matheson and Virginia Powell. Others in attendance were Town Manager, Town Attorney Allen Moseley, Town Engineer Doug Chapman from McGill Associates, Finance Officer Nicole Norman, Interim Public Works and Utilities Director Matt Blackburn, Fire Chief Kent Graham, Interim Police Chief Aaron Miller, Planning Director Kevin Rothrock, Building Inspector John Warren, Parks & Recreation Director Jennifer Brown and Town Clerk Hilari Hubner, who recorded the minutes.

CALL TO ORDER

Mayor Sellers called the meeting to order at 6:00 p.m. and welcomed everyone.

THE PLEDGE OF ALLEGIANCE

REGULAR & CONSENT AGENDA ADOPTION

1. ABC Store Travel Policy

In accordance with North Carolina General Statute 18B-700 (g2), the ABC Store much have a personnel travel Policy in place. The travel policy must be approved by the board's appointing authority annually. Since the Town of Blowing Rock is the appointing authority for the ABC Board, it is necessary for the Blowing Rock Town Council to approve the policy. Also, as a result of the Town of Blowing Rock being the appointing authority, the Town of Blowing Rock travel policy may be used. The ABC Board has requested the Town of Blowing Rock Board of Commissioners approved this policy for their use.

2. Annual Tax Settlement Report and Order of Tax Collection

Consideration of the Tax Collector 2018 Settlement Report and approval of an order of the Town Council for the collection of 2019 taxes representing revenues for fiscal year 2019-2020. **Annual Tax Settlement Report and Order of Tax Collection – Attachment A**

Council Member Steele made a motion to adopt the agenda and approve consent agenda as presented, seconded by Council Member Sweeting. Unanimously approved.

MINUTE APPROVAL

Council Member Sweeting made a motion to approve the minutes from the June 3, 2019 Special Meeting, seconded by Council Member Matheson. Unanimously approved.

Council Member Sweeting made a motion to approve the minutes from the June 4, 2019 Budget Public Hearing/Budget Work Session, seconded by Council Member Matheson. Unanimously approved.

Council Member Powell made a motion to approve the minutes from the June 11, 2019 Regular and Closed Session meeting, seconded by Council Member Steele. Unanimously approved.

Council Member Sweeting made a motion to approve the minutes from the June 18, 2019 Budget Work Session, seconded by Council Member Powell. Unanimously approved.

Council Member Matheson made a motion to approve the minutes from the June 24, 2019 Budget Adoption/Mid Year Retreat, seconded by Council Member Sweeting. Unanimously approved.

SPEAKERS FROM THE FLOOR

NONE

PRESENTATION

Town Intern Dylan Powell presented a survey that was sent out by the Police Department in the July 2nd utility bills. Mr. Powell explained the reason for the survey and encouraged everyone to take the survey and submit back to the Town by July 31st.

PUBLIC HEARINGS

1. CUP 2019-02 Moody Building Renovation

Planning Director Kevin Rothrock presented the proposed request: RWL 1, LLC is requesting a conditional use permit to convert the old Moody Furniture building to a restaurant/retail establishment and add a surface parking lot. The subject property is located at 125 Sunset Drive, zoned CB, Central Business and located in the WS-IV-PA water supply watershed.

The applicable street setback along Sunset Drive is 15 feet, and the side and rear setback is 5 feet. The front of the existing building, including the porch, encroaches into the street setback. The front porch will be extended along the left front of the building to provide access ADA access to meet the NC Building Code. An elevated patio area will be added to the west side of the building. Both the patio and front porch extension access will encroach into the 15-foot street setback and be located approximately 6 feet from the back of the sidewalk.

Based on the proposed uses, the building square footage and any parking credits calculated on previous property uses, seven (7) parking spaces are required for this project. Restaurant use was used to calculate the parking. If retail is the ultimate use of the property, the parking will be more than sufficient to meet the Land Use Code.

The applicant is proposing twenty-four (24) parking spaces, one (1) being an ADA van-accessible space. The applicant is reserving parking spaces for off-site apartments and off-site retail within the excess spaces in the parking lot.

The parking lot access will be from Sunset Drive and is shown with a two-way driveway.

The site plan shows three (3) public spaces being removed along Sunset Drive to provide adequate site distance at the driveway.

Any lighting for the site will be provided by the coach light standard common to other projects in Town.

Storm water will be collected in the parking lot and directed to underground detention system designed to meet Town Code standards. The drainage from storm events will be detained and released to a new drainage system in Sunset Drive that will be installed from the parking lot, down Sunset Drive to Maple Street intersection.

The Code requires a four (4) foot buffer between the site and the adjacent properties and shade trees in and around the parking lot perimeter. The current site and landscape plan show the rear buffer being less than four (4) feet along the property line. As designated, the project will require a waiver of the rear buffer yard width, or an adjustment in the site plan to maintain the minimum 4-foot buffer.

The west side of the property will have sidewalk from the rear parking area to the front of the building and Sunset Drive. This sidewalk connection is proposed directly along the property line. Any buffers along this property line can be provided in the landscape area adjacent to the west side of the building.

The majority of the changes to the exterior of the building have been completed in the past several months in an effort to secure and stabilize the building doors, windows, and roofing. The Applicant is proposing a garage door on the west side of the building that will serve as access to the patio.

Some entry way awnings are also being proposed at the rear entrance and new west side entrance.

The applicant is requesting a waiver of nine (9) feet of the 15-foot street setback along Sunset Drive to allow expansion of the existing porch and the addition of a dining patio. A recommendation from Town Council specific to this setback waiver request is required.

Mr. Rothrock advised at the June 26th meeting, Planning Board recommended approval of the CUP with the setback waiver as requested.

Council Members discussed options for the dumpster access.

Mayor Pro-Tem Yount asked for clarification about the sidewalk. Mr. Rothrock advised since this is a new project the applicant is responsible for paying for the sidewalk. Since the Sunset Streetscape is in the process the applicant will reimburse the Town for the funds.

Council Member Powell asked if the applicant was going to give the Town three (3) parking spaces since he would be taking three (3) of the Town's spaces. Mr. Rothrock advised that is not part of the current plan, but Council could make that recommendation to the applicant. Council Member Powell expressed her concern in losing three (3) spaces for this project and three (3) spaces from the Sunset streetscape project. She advised that would be a total of six (6) spaces lost and she was concerned about losing that many spaces.

Mr. Rothrock explained the logic behind the reason for this plan is the overall benefit of the off-street parking, being private or designated there would be more than there is today.

The Applicant, Bob Lovern advised he didn't look at it as a loss of three (3) parking spaces, he sees it as a gain of twelve (12) spaces.

Council discussed the parking further and discussed the option of Mr. Lovern giving three (3) spaces to the Town to replace the three (3) spots that would be eliminated.

Mr. Lovern stated that was a door he wasn't willing to open. Council discussed parking further as well as options to provide a access to connect his parking lot to the public parking lot on Maple Street.

Council Member Powell restated her main concern was losing three (3) parking spaces.

Mayor Sellers reiterated Council can make the stipulation that Mr. Lovern needs to designate three (3) parking spaces in his lot to replace the three (3) that would be lost on Sunset Drive. Mr. Lovern restated he would not be willing to do that.

Council Member Sweeting advised the other retail business owners along Sunset Drive that don't have their own parking are concerned about losing parking spaces.

Mayor Pro-Tem Yount asked Mr. Lovern when Council could expect the project to be completed. Mr. Lovern admitted he had been negligent in moving the project forward in the past. He advised he has a contractor ready to start, has worked with Iron Mountain Construction as well and that his schedule is the Town's schedule. Mr. Lovern explained he would be following suit with the Town and all the work will be done in sync with the Town's work on the Sunset project.

Mr. James Brown spoke advising that and his wife own an adjacent property to Mr. Lovern's property. Mr. Brown stated this project would hurt his easement to access his property from Sunset Drive. Mr. Brown asked that Mr. Lovern put a one-way driveway with parallel parking on either side of the building rather than his current plan.

Council Member Matheson made a motion to close the public hearing, seconded by Council Member Sweeting. Unanimously approved.

Council Member Powell made a motion to disapprove due to the loss of three (3) parking spaces. Nobody seconded the motion.

Council Member Sweeting made a motion to approve the project as presented with the condition that Mr. Lovern designate, at his discretion, three (3) parking spaces in his parking lot for public parking, seconded by Council Member Matheson. Unanimously approved.

2. CUP 2019-03 Cambria Car Lot – Amendment to CUP 1996-02

Planning Director Kevin Rothrock advised Ron and Diane Cambria are requesting an amendment of their CUP 1996-02 for the Mountain Motors car lot to expand the potential uses of the property from vehicle sales to retail sales, office, and restaurant. The subject is located at 7855 Valley Blvd, zoned GB, General Business and located in the WS-IV-PA water supply watershed.

The original CUP was approved in 1996 which allowed for motor vehicle sales. The property has been used for that purpose since the CUP was approved, but over the past several years it has been used less and less. The most recent use was for moped sales, rental and service. The Applicant would like to have more flexibility and have additional uses permitted for the property. The Applicant has requested retail sales, office use and restaurant sales.

The building is approximately 400 square feet after adding a bathroom in 2018 to comply with the NC Building Code.

Access to the property is through a driveway cut on Hwy 321 and a driveway on Sunset Drive. There is also a small driveway connection through the back of the property onto Maple Drive.

There are nine (9) parking spaces on the site including an ADA van-accessible space added in 2018. Based on the available parking and the building square footage of 400 square feet, all the proposed uses could be permitted, and the Land Use Code would be satisfied with parking.

Mr. Rothrock advised at the June 26th meeting, Planning Board recommended approval of the CUP Amendment.

Council discussed a few potential business options the building could be used for. Mr. Rothrock reminded Council that since it's a CUP any changes to the building would have to come back before them for approval.

The Applicant, Mr. Ron Cambria spoke and advised he was making this request to have a better option to be able to hopefully rent the property and make it a better look for the Town.

Mayor Pro-Tem Yount made a motion to close the Public Hearing, seconded by Council Member Powell. Unanimously approved.

Council Member Matheson made a motion to approve as presented, seconded by Mayor Pro-Tem Yount. Unanimously approved.

3. CZ 2017-02 – Inn on Cornish – Amendment to Master Plan

Planning Director Kevin Rothrock advised Mr. John Winkler is requesting an amendment to the site plan of the Inn on Cornish project located on the corner of Main Street and Cornish Road. The approved Master Plan allowed three encroachments into the street setback on Cornish Road. The architect has revised the plans to show an additional balcony and covered porch adjacent to a front corner of the building that was approved to encroach into the street setback when the project was approved by Town Council. The Applicant is requesting the balcony/deck addition to be approved to complete the functionality of the guest rooms and the overall aesthetics of the building.

The applicable street setbacks for Central Business is fifteen (15) feet and is measured from the back of the existing/proposed sidewalk along each street. The approved site plan indicates that three (3) corners of the building will encroach into the Cornish Road setback. The proposed balcony and covered porch will also encroach 7.41 feet into the street setback and will be 7.59 feet from the back of the sidewalk. The concrete patio is already in place but if left as a patio, is not subject to the setback requirements.

Council Member Sweeting asked Mr. Rothrock if Council had approved the concrete pad that had recently been constructed. Mr. Rothrock advised it was not on the original plan. Council Member Powell advised there was another balcony as well that was recently constructed and was not on the construction rendering sign in front of the property. Mr. Rothrock advised that was not on the original plan but had been added as a add on feature to improve the functionality of the rooms. Mr. Rothrock further advised because this balcony encroaches on the setback that is why the request is being brought back to council for specific approval.

Council Member Sweeting asked who approved the other balconies. Mr. Rothrock advised he had approved because it followed the guidelines.

Council Member Powell questioned the balconies and them not being displayed on the rendering sign in front of the property.

Mr. Rothrock explained the balconies were add on features decided after the initial plan to improve the functionality of the rooms. Mr. Rothrock further explained because this specific balcony encroaches on the setback it requires Council's approval.

Council Member Sweeting asked for clarification about the balconies and who approved them to begin with. Mr. Rothrock advised he had approved the two under the revised plan submitted by the applicant as they followed the guidelines. Council Members Sweeting and Powell discussed further.

Mr. Rothrock advised they thought the one in question was in the initial plan, but once they started building realized it wasn't.

Council Member Powell stated it's not on the big sign in front of the building and didn't understand why they would have thought it was originally presented. Mr. Rothrock advised that would be a question for the applicant.

Mr. Rothrock advised if the applicant were not allowed to finish this, they would just back fill, grade and landscape. Mr. Rothrock further advised the intent is to match this balcony with the other two.

Council briefly discussed further.

Council Member Sweeting made a motion to open the public hearing, seconded by Council Member Powell. Unanimously approved.

Mr. Brent Davis, Architect for the applicant, advised the applicant feels the request being made is very important because, if approved, it will give a covered porch entrance for the multi-purpose room. He further advised not only will it give curb and street appeal, but also give the guest a nice area to come out on the balcony and enjoy.

Council Member Powell asked Mr. Davis how this was built without knowing it hadn't already been approved. Mr. Davis advised the rendering was done so far in advance that they hadn't really had a chance to look at a lot of the operational issues.

Council Member Sweeting advised the concern of the residents is the balcony being open would attract noise and felt that was something Council need to be conscious of.

Mr. David Bryan, one of the builders, advised the rooms will be king suites and won't have large parties in the room that would create a lot of noise.

Council Member Matheson made a motion to close the Public Hearing, seconded by Council Member Sweeting. Unanimously approved.

Council Member Sweeting made a motion to approve as presented, seconded by Mayor Pro-Tem Yount.

Further Discussion:

Council Member Powell asked Mr. Rothrock if there was a fine for someone who doesn't follow the Town's plan. Mr. Rothrock advised there's not fines either they would have to build it the way it's supposed to be built or they would have to stop construction.

Mr. Bryan asked to speak to that statement, he stated he felt it was very accusatory. Council briefly discussed and agreed the Public Hearing had been closed.

Mr. Rothrock reiterated there isn't a fine, the applicant would build the building according to the building code, and if there were small changes those will be brought before Council.

Council Member Steele advised he knew Council had received emails about noise but agreed that noise is all over that area and didn't feel adding a balcony would cause any additional noise.

With no further discussion, Council Member Sweeting's motion to approve as presented stood, seconded by Mayor Pro-Tem Yount. Unanimously approved.

AGENDA ITEMS:

1. TDA Bylaws and TDA Establishment Ordinance Amendment

Planning Director Kevin Rothrock advised the TDA has requested some clarifying language in the TDA Establishment Ordinance (No. 2003-15) that would provide flexibility for Town Council membership on the TDA Board.

Currently, the TDA membership requires a Town Council member to be on the TDA. The language states, "b) At least one member of the (5) member Tourism Development Authority shall be a Town of Blowing Rock elected official, which based on qualification, may represent any one of the three classifications."

There could be potential conflicts with filling the TDA Board with a Council member if the member doesn't fit into one of the three categories- lodging, business/tourism, or at-large, particularly if a current TDA Board member is the at-large member and the Town Council member does not fit into the lodging or business/tourism category. If the Town Council member doesn't fit into either lodging or business/tourism category, the minimum number required for those categories can be waived during that term. Proposed language is shown below to reflect these changes with new language underlined. A final ordinance amendment will be drafted if approved.

Section 2. Appointment of Membership

b) "At least one member of the five (5) member Tourism Development Authority shall be a Town of Blowing Rock elected official, which based on qualification, may represent any one of the three classifications. If the elected official does not represent either the lodging or business/tourism-related classifications, the membership representation requirement of the classifications shall be waived during the term of the elected official."

Council Member Sweeting advised she felt it was important for someone from Town Council to be on that board. She suggested changing; Group one – Lodging to two (2) appointees, because they are the ones that get the occupancy tax, Group two – Business/Tourism from two (2) appointees to one (1) appointee, Group three – one (1) appointee, she advised she liked having someone at large that way if one of the business people could also be at large there would still be five (5) and it wouldn't matter if someone on the board is a member of tourism. She restated she just felt it was important to have someone from Council on the Tourism Board.

Council Member Powell asked if doing it that way the Council Member wouldn't have to follow any of the guidelines except being a Council Member. Council Member Sweeting advised that is correct.

Council Member Sweeting made a motion to change the Bi-laws, seconded by Council Member Steele. Unanimously approved. The Bi-laws were changed as follows:

Group One – Lodging; two (2) appointees

Group Two – Business/Tourism Related; one (1) appointee

Group Three – At Large; one (1) appointee

Group Four – Town Council Representative; one (1) appointee

2. First Baptist Church – Sidewalk/Parking

First Baptist Church is requesting an agreement with the Town to formalize sidewalk, curb/gutter, landscaping, parking, parking lot, and cross walk commitments related to the Sunset Drive Streetscape project.

The Church is planning to build a small gravel parking lot on the property at 411 Sunset Drive with steps to connect to the sidewalk. The Church is requesting the Town pay for the steps and install a crosswalk on Sunset Drive. A preliminary cost estimate for the steps is \$12,000.

Council Member Powell asked how much the Church had paid for the sidewalk on their property. She further advised it was free.

Council discussed and the majority agreed the side walk is a replacement from the Sunset Streetscape project.

Mayor Pro-Tem Yount advised the church is willing to give the Town a parking area, excluding Sunday's and Wednesday nights. Council Member Powell asked if the Town had that in writing. Mayor Pro-Tem Yount advised he felt the Town could get it in writing. He further advised he felt it was a viable option that the Town should look at further.

Council Member Powell asked if the diagonal parking in front of the church belongs to the Town. Mr. Rothrock advised that parking belongs to the church, but the Town can use it on week days.

Council Member Sweeting advised the concern she had was the repetitive comments of everything being the “church’s property”, for example the church’s asphalt, the church’s sidewalk etc. She felt that needed to be cleared up.

Manager Fox advised what is presented before Council is an agreement that is more than just parking. He advised he would ask for the agreement to be tabled for a later discussion once he has had the chance to meet with the church to discuss further.

Council Member Powell advised she would like all agreements to be in writing and not just a verbal understanding.

Council discussed they have an interest for the church’s offer, taking under advisement meeting with the Town Manager and go from there.

Council directed Manager Fox to meet with the church and to also discuss the possibility of additional parking.

Council Member Sweeting made a motion to table until Manager Fox has further discussion with the church, seconded by Council Member Steele. Unanimously approved.

3. Ad Hoc Committee – Discussion

Planning Director Kevin Rothrock advised the Ad Hoc Committee had met on three (3) occasions since the inception of the group in April 2019. The committee discussed the Comprehensive Plan, visioning for Hwy 321 Bypass (Valley Blvd), visioning for downtown, current commercial design and sign ordinances, and the overall scope and purpose of the

Mr. Rothrock asked for Council’s recommendation. Council Member Powell advised when the Ad Hoc Committee was formed she recalled the members were going to look at the properties along Valley Blvd and give a vision. She advised Main Street and Sunset have already been done and felt that her understanding was for the Ad Hoc Committee to look at Valley Blvd only. She further advised she felt this was getting bigger and sounded more like a strategic plan for the whole Town.

Council Member Sweeting advised that the committee wanted to incorporate the current comprehensive plan from 2014 and look at that partly to gain knowledge and vision about Valley Blvd. She further advised it was the perfect opportunity to pull in Main Street and Sunset from what’s already been discussed in the comprehensive plan. She explained that needs to be looked at as well, but the concentration needs to be Valley Blvd.

Council Member Steele stated he felt enough money had already been spent on Sunset and that the Town doesn't need another consultant or anybody else to look at that. He advised in the last eight (8) years it's been clear what the decision was for Main Street with the building heights, what the buildings are going to look like etc. He further advised in his opinion Main Street is finished so he doesn't understand the planning for that.

Council Member Sweeting stated she didn't feel it is planning, but instead being able to look at what the Town currently has there and what the people want. The vision and written part will then be for Valley Blvd.

Council Member Powell advised she liked the purpose but would like to remove the verbiage about Sunset and Main Street. She further advised she thought the purpose of the Ad Hoc Committee was to produce a document with all the property owners and what the potentials were for them along Valley Blvd.

Council Member Sweeting stated she felt there was a misunderstanding of what the intent is. She explained the committee isn't talking about changing what Sunset looks like, but instead the person whom will be chosen to do the vision needs to know what Sunset is going to look like to be able to see the vision they will create for Valley Blvd.

Council Member Steele restated the document he has explaining the purpose clearly states the committee's recommendation includes Main Street and Sunset. Council Member Powell restated if the committee would take that verbiage off, she was liked the rest. Council Member Steele concurred.

After further discussion, Manager Fox stated the purpose of discussing the topic is to essentially approve the purpose and the next action steps. Manager Fox further stated the next step would be to bring options from individuals or entities to offer their service to the Town.

Mayor Pro-Tem Yount asked if that settled Council Member Powell's concern and stated he agreed with her.

Council Member Sweeting restated she didn't feel the committee was going to make any recommendations to change Sunset or Main Street. Council majority agreed the only concern was the verbiage about Sunset and Main Street and would like that to be taken out of the purpose.

Council Member Powell made a motion to approve the purpose with the removal of Sunset and Main Street, seconded by Council Member Steele. Unanimously approved. The Ad Hoc Committee Purpose is as follows:

The purpose of the Ad Hoc Committee is to begin the process to address quality growth that will enhance the Town, while minimizing negative consequences. With community input, the Committee will develop a Vision for Valley Blvd.

The Committee will design a visual product to present to residents and business owners. This product should show good and bad changes to Valley Blvd. The Committee will attempt to gain consensus in the community to incorporate the desired suggestions.

4. Financial Report

Finance Officer Nicole Norman gave the Financial report for May 2019. Council thanked Ms. Norman for the update.

OTHER BUSINESS

- Mayor Pro-Tem Yount – thanked Manager Fox for his command presences and quick take on the Towns current issues. He explained in discussions with Manager Fox he had inquired about the possibility of the Town migrating toward Conditional Zoning vs. Conditional Use Permits. Mayor Pro-Tem Yount asked Planning Director Kevin Rothrock to give a brief overview what he had learned from the School of Government on the topic. After discussion it was the consensus among the Council to allow the Planning Board to look at the positive and negatives of eliminating the Conditional Use Permit process.
- Council Member Steele – mentioned his concern over the safety of Cornish Road. The street is very narrow and a cut through street off Main Street by the new Inn at Cornish. He asked to have someone look at that street and mentioned the possibility of making that a one-way street. He asked Manager Fox to look at the water sewer fund and see why there is a current 13% deficit. To his knowledge this hadn't been an issue before.
- Council Member Matheson – the shuttle has had 129 riders in June. He will be meeting with the driver who has some ideas that may enhance the ridership. Council thanked Council Member Matheson for his hard work on this project.
- Council Member Powell asked for an update on the STR Registration from. Manager Fox explained discussions have been made between the School of Government and there are two different thoughts between the School of Government and the NC League of Municipalities. Manager Fox and Mr. Rothrock have reached out for clarification and will continue the process as the Town has been doing it until the clarification is given.

Manager Fox briefed Council on the following:

- Update on Legacy Trail – Discussions with NC DOT for them to install and pay for pedestrian crossing signage and the Town is waiting on a quote for a handrail and gate for the bottom of the stairs off the trail. No funds have been obligated or spent to date on this issue.
- Sunset Drive's retaining walls are complete, all sewer taps are complete at this time and water work and water taps taking place the following week. Binding has

been put down throughout Sunset and Ransom and the binding will be put down as water taps are done. This should help with the gravel dust issue that was a problem in the past.

- Commended staff on their work preparing, during and after the 4th of July parade and festival. Council Member Sweeting asked Manager Fox to thank staff for their hard work.

EXECUTIVE SESSION

None

ADJOURNMENT

There being no further business to discuss, Council Member Matheson made a motion to adjourn at 8:35 p.m., seconded by Council Member Powell. Unanimously approved.

MAYOR _____
Charlie Sellers

ATTEST _____
Hilari Hubner, Town Clerk

ATTACHMENTS

- Annual Tax Settlement Report and Order of Tax Collection – Attachment A**
- CUP 2019-02 Moody Building Renovation – Attachment B**
- CUP 2019-03 Cambria Car Lot – Amendment to CUP 1996-02 – Attachment C**
- TDA Bylaws and TDA Establishment Ordinance Amendment – Attachment D**



James Fisher
MEMORIAL FOUNDATION

SAVE THE DATE

\$50,000
JAMES H. FISHER
INTERNATIONAL
GRAND PRIX

Saturday, September 21
Broyhill Equestrian Preserve



**FRIDAY
NIGHT GALA**



**FOOD
TRUCKS**



**CALCUTTA
AUCTION**



**LIVE
MUSIC**

Tickets fb.me/JHFisherfdn

Exhibitor Information info@JHFisherfdn.com

IN SUPPORT OF



TO: Mayor Charlie Sellers and the Blowing Rock Town Council

FROM: Kevin Rothrock, Planning Director

SUBJECT: CZ 2019-01 Conditional Rezoning from R-15 to CZ- R6M, with STR Overlay

APPLICANT: Lisa Harris, Paul Armbruster, Patsy Ebert, Cherry Point Properties, LLC, Dennis Dagenhardt and Andrew Allison

DATE: August 7, 2019

REQUEST

Lisa Harris, Paul Armbruster, Patsy Ebert, Cherry Point Properties, LLC, Dennis Dagenhardt and Andrew Allison are requesting a conditional rezoning of their three properties from R-15, Single-family to CZ-R-6M, Multi-family with a Short-term Overlay District. The properties are located at 8836, 8850, 8860, 8866, and 8874 Valley Blvd. The Applicants are requesting the zoning change with the overlay district to allow short-term rental. The properties are further identified by Caldwell County PINs 2817-23-2226, 2817-23-3243, 2817-23-4253, 2817-23-5249, and 2817-23-6244.

BACKGROUND

The Applicants are requesting the rezoning to allow short-term rental at their residences. The conditions of the rezoning would limit the property to single-family uses only, prohibiting duplex or multi-family construction. Any short-term rentals would be compliant with the Town Land Use Code and the STR permit application.

Applicant Proposed Conditions

The Applicant has provided conditions and stipulations for short-term rentals that would be conditions of the rezoning if approved.

Other specific conditions in the ordinance include:

1. Limited property uses to single-family with short-term rental allowed.
2. Can use setback standards of R-6M, 25 ft street setback and 8 ft sides and rear.
3. All parking spaces must be provided for each bedroom to be rented.
4. 911 addresses posted to meet Town Code.
5. Construction authorized through zoning permits.

ATTACHMENTS

1. Ordinance No. 2019-07
2. Exhibit A – Zoning Map
3. Exhibit B – Specific Conditions

4. Aerial Map
5. Photos of subject properties
6. Hybrid zoning proposal – Lisa Harris and Paul Armbruster
7. “Our Commitment to You” – Lisa Harris and Paul Armbruster
8. Short-term Rental ordinance
9. Short-term Overlay ordinance

ORDINANCE NO. 2019-07**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE
TOWN OF BLOWING ROCK;
CREATING THE LISA HARRIS
CONDITIONAL ZONING DISTRICT
(CZ-R-6M, WITH SHORT-TERM RENTAL OVERLAY))**

WHEREAS, the Town of Blowing Rock has the authority, pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, this Ordinance is consistent with NC General Statutes 160A-381, establishing conditional zoning districts in local zoning jurisdictions; and

WHEREAS, this Ordinance is consistent with the Town's 2014 Comprehensive Plan Update for the reasons set out herein; and

WHEREAS, the Town of Blowing Rock has reviewed the proposed ordinance and recommends its enactment by the Board of Commissioners;

NOW, THEREFORE, THE TOWN OF BLOWING ROCK BOARD OF COMMISSIONERS, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, HEREBY ORDAINS THE FOLLOWING.

Section One. Upon petition of Lisa Harris, Paul Armbruster, Patsy Ebert, Cherry Point Properties, LLC, Dennis Dagenhardt and Andrew Allison, the Official Zoning Map of the Town of Blowing Rock is hereby amended to create the Lisa Harris Conditional Zoning District (CZ-R-6M, with STR Overlay) as more particularly set forth herein.

Section Two. This Ordinance is found to be consistent with the Town of Blowing Rock 2014 Comprehensive Plan Update, particularly with the following policies contained therein:

- LC-6.4: Encourage the use of the Conditional Zoning process to address situations where rezoning to an existing base zoning district would not be compatible with surrounding development in the absence of conditions tailored to the particular nature of the proposed use or development.

- EDT-4.2 Explore the market potential for expanding the availability and diversity of short-term rentals in the town as a means of attracting tourists whose needs may not be met by existing lodging facilities or the current short term rental supply.

Section Three. The zoning classification of that certain real property shown on the aerial photo map, attached hereto as **Exhibit A** and made a part hereof, is hereby changed from R-15, Single-family to CZ-R-6M, Multi-family with a Short-term Rental Overlay District. Said property is also identified as Caldwell County PINs 2817-23-2226, 2817-23-3243, 2817-23-4253, 2817-23-5249, and 2817-23-6244.

Section Four. The Lisa Harris Conditional Zoning District is a conditional zoning district established pursuant to the Land Use Ordinance of the Town of Blowing Rock by means of authority granted by the North Carolina General Statutes. Future development and use of lands situated within the Lisa Harris Conditional Zoning District, and the processing of applications to develop and use such lands, shall comply with the conditions set forth on the document entitled, Lisa Harris Conditional Zoning District: List of Standards & Conditions, which is attached to this ordinance as **Exhibit B** and incorporated herein. The aforementioned List of Standards & Conditions, made a part thereof, shall run with and shall be binding the properties and lands of Lisa Harris, Paul Armbruster, Patsy Ebert, Cherry Point Properties, LLC, Dennis Dagenhardt and Andrew Allison, its heirs and assigns.

Section Five. Pursuant to Section 16-9.6 of the Town of Blowing Rock Land Use Ordinance, a Master Plan typically replaces all conflicting development regulations set forth in the Land Development Standards, and such development regulations are varied to the extent they conflict with the Master Plan and List of Standards & Conditions. In this particular conditional rezoning ordinance, there is not a Master Plan for development as each lot is already individually developed for single-family uses only, or will be developed for single-family uses only with the option to use the homes for short-term rental.

- (a) This ordinance authorizes each lot to be developed with single-family homes only through a zoning permit application and will be authorized to use the building setbacks applicable to R-6M zoning district.
- (b) If the homes are used for short-term rentals, all parking required by the Land Use Ordinance must be provided and 911 addresses must be posted according to the Town Code. Other specific conditions are detailed in **Exhibit B**.
- (c) The Short-Term Rental Overlay District standards in Section 9.3 of the Land Use Ordinance requiring a homeowner's association to be established are not required with this Conditional Zoning District.

Any substantial change to these provisions shall be reviewed by the Planning Board and approved or denied by the Town Council as an amended conditional zoning district. The following changes to the properties shall require approval by the Town Council:

- (a) Land area being added or removed from the conditional district.
- (b) Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance.

(c) A change in land use or development type beyond that permitted by the approved provisions herein.

All other changes to the provisions in this Section shall receive approval by the Administrator. However, if in the judgment of the Administrator, the requested changes alter the basic development concept of the Conditional Zoning District, the Administrator may require concurrent approval by the Town Council.

Section Six. The Office of the Zoning Administrator is hereby authorized and directed to modify the Town’s Official Zoning Map consistent with this Ordinance.

Section Seven. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

Section Eight. All ordinances or portions thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section Nine. This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this _____ day of _____, 2019.

Mayor

ATTEST:

Town Clerk

**CZ 2019-01 Harris Rezoning from R-15 to R6M
with Short-Term Overlay**

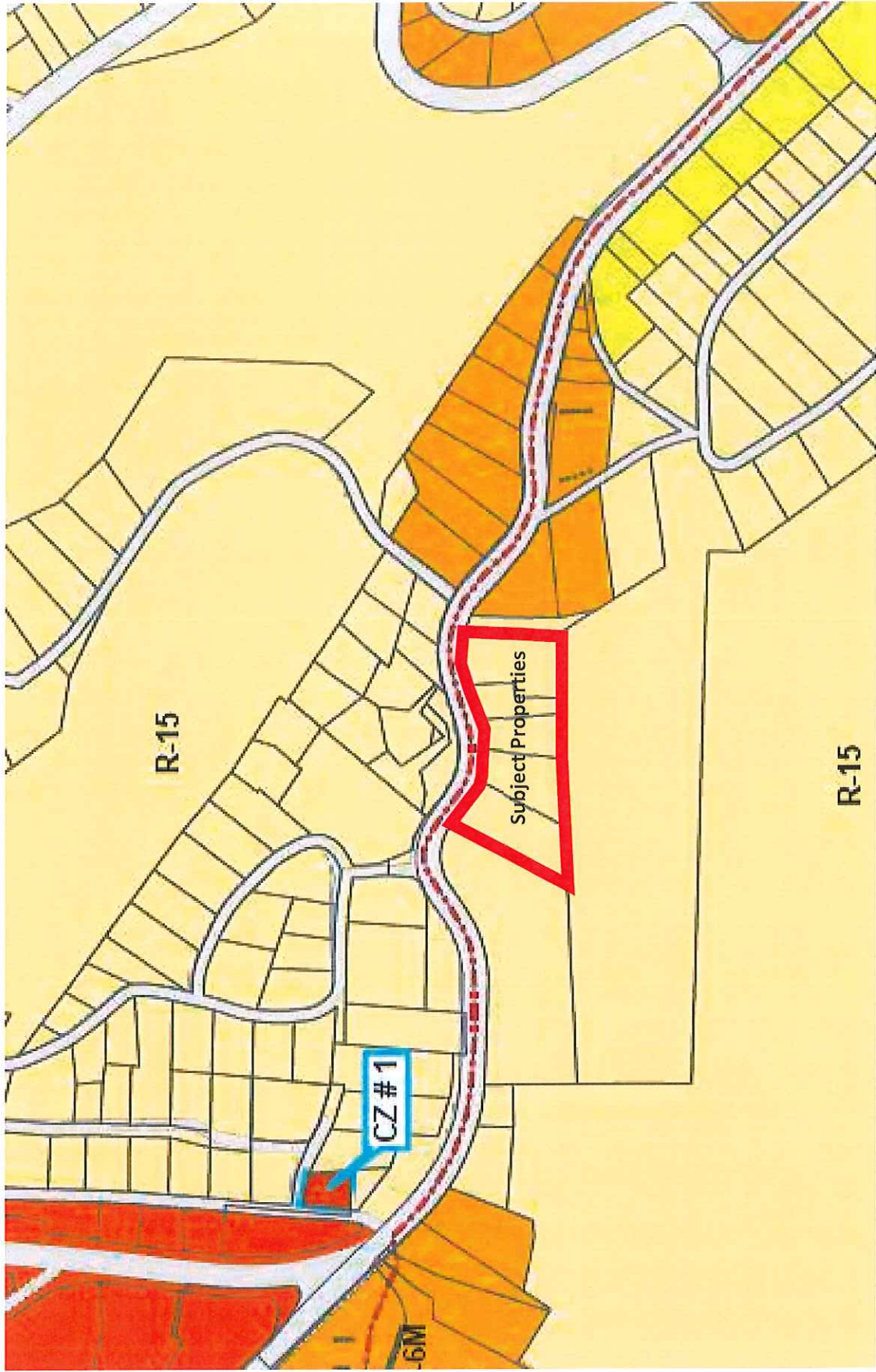


Exhibit A

Exhibit B

Ordinance No. 2019-07
Lisa Harris Conditional Zoning District
Conditional Zoning – R-6M with STR Overlay
Caldwell County PINs 2817-23-2226, 2817-23-3243, 2817-23-4253,
2817-23-5249, and 2817-23-6244
8836, 8850, 8860, 8866, and 8874 Valley Blvd

List of Standards & Conditions

Applicant Proposed Conditions:

1. A zoning permit must be initially obtained for each dwelling unit that is to be rented for a minimum weekly or 7 night period. The zoning permit for Hybrid medium term (7 night) rental must be renewed annually through the Planning and Inspections office by paying any required fee and requesting an inspection. The permit is not valid until a satisfactory inspection is completed.
2. A local contact person and/or management company must be listed and available to respond to complaints or emergencies within two hours.
3. Sufficient off street parking must be provided for each bedroom to be rented. The parking space must meet the minimum dimensional requirements in Section 16-20.6
4. Adequate trash and recycling containers must be provided. Collection containers should be kept in a discreet location or in an enclosure bin. The bin must meet minimum design standards defined in the Town code (ex. placed in opaque screening bins at least four feet high etc. Because of the sensitive nature of the Hybrid Zone which includes residential residences, trash must necessarily be removed after each tenant or on a weekly basis if tenants are staying more than 7 days. In addition it is recommended that guests are aware that they can call for additional trash removal if needed by contacting the owner/property manager by phone or text. This would be a private trash pick up and not the responsibility of the regular Town trash pick up.
5. The dwelling unit must be equipped with operable smoke and carbon monoxide detectors consistent with the NC Building Code. Fire extinguishers must be placed in a obvious location near each kitchen, fireplace or wood stove and on each floor of the residence.
6. The 911 address must be posted on the front of the house of dwelling unit with 3.5 inch reflective numbers (6 inch reflective number if commercial or multi-family) or on the property according to Section 7-17 of the Town Code. The 911 addresses must be clearly posted in the interior of the dwelling unit to notify tenants in case of

emergency. Other emergency numbers for the various emergency responders must be clearly posted in the same area such as the fire department and police.

7. Permits may be revoked upon repeated substantiated complaints resulting in violations of the Town Code rented as to noise, trash, pets, parking etc. If the Town receives three (3) complaints within one year that lead to violations of the Town Code, the permit may be revoked for a period of one (1) year.
8. Occupancy taxes must be paid in a timely manner on a monthly basis and are due by the 20th of each month after the occupancy by the tenants.
9. No parties, excessive noise or events of any kind are allowed.
10. In order to maintain property values the new Conditional Hybrid Zone medium term rental has to be kept and maintained to the highest condition in terms of maintenance of the property both inside and out.
11. Maximum occupancy will be determined by the amount of bedrooms and is not to exceed the number of tenants that can be housed in beds/ sofa beds. No additional temporary bedding including air mattresses etc., are allowed. "Pack and Plays" provided by the guests are permitted for toddlers or infants to provide temporary sleeping arrangements.
12. Damage insurance including property and liability insurance must be maintained on the property for the safety of both tenants and landlord.
13. A signed lease agreement will be obtained for each tenant, as well as guests background information such as driver's license and current status/ratings as provided by VRBO.
14. Minimum rental age is 27 years.

CZ 2019-01 Harris – R-15 to CZ R6M, Multi-family with STR Overlay District



- 8836 Valley Blvd – Dagenhardt – PIN # 2817-23-2226
- 8850 Valley Blvd – Cherry Point LLC – PIN # 2817-23-3243
- 8860 Valley Blvd – Ebert - PIN # 2817-23-6244
- 8866 Valley Blvd – Allison – PIN # 2817-23-4253
- 8874 Valley Blvd – Harris – PIN # 2817-23-5249



Hybrid Zoning Proposal
8866 Valley Blvd.
Blowing Rock NC 28605

1

We are asking your advice and input concerning the Conditional Zoning of our property on 8866 Valley Blvd., Blowing Rock NC 28605. We are exploring and requesting the Town Council and the Planning and Inspection Department of Blowing Rock consider allowing a new Conditional Hybrid Zoning designation for the Caldwell County side of the 321 bypass which connects to the General Business and By Pass areas.

This zone is located in Caldwell County beside the Ridgeline restaurant and across the street from the Blowing Rock Country Club. The Green Park Inn and several condominiums are in this zone as well. The area is a mixed business zone/residential area.

We are asking for a conditional map amendment to include a new Conditional Hybrid Zone that is both residential and allows for 7 night or weekly rentals in a limited capacity. We are asking for your input on how best to structure the conditions in which Blowing Rock, as a tourist destination town, and the residents in this area can best be served. The following are some of the standards that could be applied for this new Zoning ordinance.

- a) A zoning permit must be initially obtained for each dwelling unit that is to be rented for a minimum weekly or 7 night period. The zoning permit for Hybrid medium term (7 night) rental must be renewed annually through the Planning and Inspections office by paying any required fee and requesting an inspection. The permit is not valid until a satisfactory inspection is completed.
- b) A local contact person and/or management company must be listed and available to respond to complaints or emergencies within two hours.
- c) Sufficient off street parking must be provided for each bedroom to be rented. The parking space must meet the minimum dimensional requirements in Section 16-20.6
- d) Adequate trash and recycling containers must be provided. Collection containers should be kept in a discreet location or in an enclosure bin. The bin must meet minimum design standards defined in the Town code (ex. placed in opaque screening bins at least four feet high etc. Because of the sensitive nature of the Hybrid Zone which includes residential residences, trash must necessarily be removed after each tenant or on a weekly basis if tenants are staying more than 7 days. In addition it is recommended that guests are aware that they can call for additional trash removal if needed by contacting the owner/property manager by phone or text. This would be a private trash pick up and not the responsibility of the regular Town trash pick up.
- e) The dwelling unit must be equipped with operable smoke and carbon monoxide detectors consistent with the NC Building Code. Fire extinguishers must be placed in a obvious location near each kitchen, fireplace or wood stove and on each floor of the residence.

Hybrid Zoning Proposal
8866 Valley Blvd.
Blowing Rock NC 28605

2

f) The 911 address must be posted on the front of the house of dwelling unit with 3.5 inch reflective numbers (6 inch reflective number if commercial or multi-family) or on the property according to Section 7-17 of the Town Code. The 911 addresses must be clearly posted in the interior of the dwelling unit to notify tenants in case of emergency. Other emergency numbers for the various emergency responders must be clearly posted in the same area such as the fire department and police.

g) Permits may be revoked upon repeated substantiated complaints resulting in violations of the Town Code related to noise, trash, pets, parking etc. If the Town receives three (3) complaints within one year that lead to violations of the Town Code, the permit may be revoked for a period of one (1) year.

h) Occupancy taxes must be paid in a timely manner on a monthly basis and are due by the 20th of each month after the occupancy by the tenants.

i) No parties, excessive noise or events of any kind are allowed.

j) In order to maintain property values the new Conditional Hybrid Zone medium term rental has to be kept and maintained to the highest condition in terms of maintenance of the property both inside and out.

h) Maximum occupancy will be determined by the amount of bedrooms and is not to exceed the number of tenants that can be housed in beds/ sofa beds. No additional temporary bedding including air mattresses etc., are allowed. "Pack and Plays" provided by the guests are permitted for toddlers or infants to provide temporary sleeping arrangements.

i) Damage insurance including property and liability insurance must be maintained on the property for the safety of both tenants and landlord.

j) A signed lease agreement will be obtained for each tenant, as well as guests background information such as drivers license and current status/ratings as provided by VRBO.

k) Minimum rental age is 27 years.

Paul Armbruster and Lisa Harris

October 29, 2018

Our Commitment to You

1. To be good stewards of the Village and add tourism dollars into the community by providing a highly maintained, 5 star rated experience for the community and our clientele.
2. We promise to keep in open and close communication with our neighbors and strive to keep the property in a well maintained state at all times. We will remove all trash after each rental, and maintain the yard regularly. We intend to continue to be good partners with our neighbors when trees and bushes need to be trimmed, cut or added.
3. We will be available to discuss any concerns and strive to resolve any problems or issues whenever possible.
4. We will maintain high nightly rates that are competitive but that ensure the highest clientele worthy of our neighborhood. We will encourage and be a partner to our closet retail partners by providing a service and experience for our guests from out of town that may be involved with the country club during tournaments or other special activities in the area.
5. We understand the importance of maintaining the property values of the neighborhood and have a proven track record of enhancing the property values in other areas such as in Hickory NC where we enhanced the value of our lake home by providing documentation of the investment potential to our buyers resulting in a 61k over asking price valuation in this current year of 2018.
5. We will maintain a 7 night minimum to support the peace of our neighborhood by minimizing the disruption due to check in/out times and cleaning and maintenance support.
6. We require that all of our guests be vetted through VRBO and have high ratings by other owners. They must be a least 27 years old and we do not allow events or parties at any time! We require the purchase of damage insurance policy and maintain our own special "Lords of London" CBIZ property insurance created exclusively for vacation properties to ensure coverage for damage and liability.
7. We only allow 6 Adults maximum in the house. There are only 3 bedrooms in the house so this allows for 2 per bed or sofa bed. "Pack and Plays" are allowed for infants and toddlers (provided by the guests) and provide temporary sleeping arrangements for them.
8. We have local emergency numbers posted in the house and keep the fire extinguishers and Fire and Carbon monoxide alert systems up to date.
9. We intend to retire in this beautiful home and desire currently to supplement our income and cover some of the expenses.

Section 16-10.11 More Specific Use Controls. Whenever a development could fall within more than one use classification in the *Table of Permissible Uses*, the classification that most closely and most specifically describes the development controls. For example, a small doctor's office or clinic clearly falls within the 3.110 classification (Office and service operations conducted entirely indoors and designed to attract customers or clients to the premises). However, classification 3.130, "Physicians and dentists offices and clinics occupying not more than 10,000 square feet of gross floor area" more specifically covers this use and therefore is controlling.

Section 16-10.12 Short-Term Rentals. The Board finds that short-term rentals (STRs) are an appropriate use given the residential/resort character of Blowing Rock's planning jurisdiction, provided that specific controls are in place to regulate parking, trash, noise, tenant safety, and other related effects thereby protecting neighborhood property values, and the health, safety, and the general welfare of Town citizens and visitors.

Short-term rentals are defined as the rental, lease, or use of an attached or detached residential dwelling unit for a duration that is less than 28 consecutive days. Rental agreements and contracts for less than 28 days are not permitted in zoning districts where short-term rentals are not allowed. The following standards shall apply to all short-term rentals with the Town's planning and zoning jurisdiction:

- a) A zoning permit must be initially obtained for each dwelling unit that is to be rented for a period of less than 28 days. The zoning permit for short-term rental must be renewed annually through the Planning and Inspections office by paying any required fee and requesting an inspection. The permit is not valid until a satisfactory inspection is completed.
- b) A local contact person or management company must be listed and available to respond to complaints or emergencies within two (2) hours.
- c) Sufficient off-street parking must be provided for each bedroom to be rented. The parking space must meet the minimum dimensional requirements in Section 16-20.6. Short-term rental units that exist on July 1, 2018 are grandfathered with respect to parking, but each bedroom added after this date requires an additional parking space.
- d) Adequate trash and recycling containers must be provided. If collection containers are kept in an enclosure bin, the bin must meet minimum design standards defined in the Town Code (ex. Placed within 6 to 12 feet of the edge of the street, opaque screening at least four feet high, etc.).
- e) The dwelling unit must be equipped with operable smoke detectors and carbon monoxide detectors consistent with the NC Building Code.
- f) The 911 address must be posted on the front of the house or dwelling unit with 3.5-inch reflective numbers (6-inch reflective number if commercial or multi-family) or on the property according to Section 7-17 of the Town Code. The 911 address must

be clearly posted on the interior of the dwelling unit to notify tenants in case of emergency.

- g) Permits may be revoked upon repeated substantiated complaints resulting in violations of the Town Code related to noise, trash, pets, parking, etc. If the Town receives three (3) complaints within one (1) year that lead to violations of the Town Code, the permit may be revoked for a period of one (1) year.

16-10.12.1 In addition to those areas zoned to allow short-term rentals (CB, TC, GB, OI), there are other areas where short-term rentals are permissible including Chetola Resort and Royals Oaks Condominiums (Overlay District). There are other properties that were previously operating short-term rentals or had permitted vested rights through Watauga or Caldwell County prior to being annexed or added to the Extraterritorial Jurisdiction. These properties have a legal nonconforming status that provides the opportunity for short-term rental. Each property owner that applies for a zoning permit for short-term rental use in areas not permitted by right or listed herein must provide historical documentation that the nonconformity has been legally obtained or a vested right has been legally established.

activities, including offices, schools, churches, libraries, clubs and lodges, and government buildings.

- d) The HMC district is designed to accommodate the hospital and related offices and facilities that are designed to provide a continuum of care, including facilities that provide independent living, assisted living/CCRC, home health care, adult day care, intermediate care, skilled nursing care, and acute care.
- e) The HSG district is designed to accommodate equestrian activities such as horse shows.
- f) The PGS district is designed to accommodate public and private outdoor recreational facilities, including parks, trails, athletic fields, golf courses, tennis courts, swimming pools, etc.
- g) The TC district is designed to accommodate a wide variety of commercial activities (particularly those that are pedestrian oriented) that will result in the most intensive and attractive use of the town's central business district, while protecting the historic character of the downtown core primarily along Main Street.

Section 16-9.3 Overlay Districts.

16-9.3.1 Short-Term Rental Overlay District. The purpose of the short-term rental overlay district is to provide areas within the underlying multi-family residential zoning districts that are appropriate for short-term residential rental uses. As an overlay district, the Short Term Rental Overlay District does not replace or restrict the range of uses allowed in the underlying zoning district, but allows for additional uses within the boundaries of the overlay district.

- a) *Designation of Overlay District.* Following approval by the Board of Commissioners of an area to be included in the Short-Term Rental Overlay District, the area so designated shall be labeled as "STR" on the Official Zoning Map.
- b) *Permitted Uses.* In addition to the uses permitted within the underlying zoning district, short-term rental of a dwelling unit is allowed within the Short-Term Rental Overlay District.
- c) *Adoption Criteria.* A Short-Term Rental Overlay District may be established if the proposed map amendment application meets the following standards, criteria, and conditions:
 - 1) The map amendment may only be initiated by the Board of Commissioners, the Planning Board, the Town Administration, or an owner of property located within the proposed district. Unless a map amendment is Town-initiated (by the Board of Commissioners, the Planning Board, or the Town Administration), an application for a map amendment must be endorsed by a majority of the property owners of all lots, parcels, and units to be included within the boundary area of the proposed map amendment. The public notice, public hearing, and procedural requirements for the map amendment shall be as provided in Article 23.
 - 2) The area proposed for the short-term rental district must be located within an

existing R-10M or R-6M zoning district.

- 3) The area proposed for the short-term rental district may only include an existing or proposed multi-family residential complex that has a homeowner's or property owner's association with the authority to regulate or manage short-term rental uses within the complex.
- 4) The proposed short-term rental use must be compatible with established land uses in the immediate vicinity of the lots or parcels to be designated STR.
- 5) The proposed short-term rental use will not result in so many additional vehicle trips that adverse traffic impacts will be felt upon the streets and within the neighborhoods bordering the proposed STR district.
- 6) In addition to the requirements contained in Article 22 (Screening and Trees), the Council may require that the STR district be screened from any other adjacent residential use if it finds that any existing screening is inadequate or that there is insufficient separation between the proposed STR district and the adjacent residential uses.

16-9.3.2 Floodplain and Floodway Districts. The floodplain and floodway districts are hereby established as "overlay" districts, meaning that the following districts are overlaid upon other districts and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent such use is also permitted in the applicable overlay district. The floodplain and floodway districts are further described in Section 16-16 of this chapter.

Section 16-9.4 Official Zoning Map. There shall be a map known and designated as the Official Zoning Map, which shall show the boundaries of all zoning districts within the city's planning jurisdiction. This map shall be drawn on acetate or other durable material from which prints can be made, shall be dated, and shall be kept in the office of the land use administrator. A copy of the zoning map shall also be filed in the Office of the Register of Deeds for Watauga County and Caldwell County.

Should the Official Zoning Map be lost, destroyed, or damaged, the administrator may have a new map drawn on acetate or other durable material from which prints can be made. No further Board authorization or action is required so long as no district boundaries are changed in this process.

Section 16-9.5 Amendments to Official Zoning Map. Amendments to the Official Zoning Map are accomplished using the same procedures that apply to other amendments to this chapter, as set forth in Article 23.

16-9.5.1 The administrator shall update the Official Zoning Map as soon as possible after amendments to it are adopted by the Board. Upon entering any such amendment on the map, the administrator shall change the date of the map to indicate its latest revision. New prints of the updated map may then be issued, and a copy of the updated map shall be



Town of Blowing Rock

1036 Main Street ★ Post Office Box 47 ★ Blowing Rock, NC 28605

To: Mr. Shane Fox, Mayor Sellers, and Members of Town Council
From: Nicole Norman, Finance Officer
Subject: Budget Amendment Ordinance to Account for Various Items
(Ordinance #2019-08)
Date: August 13, 2019

Enclosed please find a Budget Amendment Ordinance for the fiscal year 2019-2020 for your consideration.

Section 1 (General Fund) is to appropriate general fund fund balance to complete drainage improvements associated with the Laurel Ln. Drainage Improvement project proposed by the Public Works Department as a part of this Town Council meeting agenda.

Section 2 (General Capital Projects Fund) allocates the fund balance transferred from the General Fund to the Laurel Ln. Drainage Improvements project.

Please let me know if you need further details on the proposed amendment.

2019-2020
Budget Amendment Ordinance 2019-08

Be it ordained by the Town Council of the Town of Blowing Rock, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2020:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
10-00-4200-505	Transfer to Capital Projects	\$ 13,943	\$ -	\$ 13,700	\$ 27,643
			<u>\$ -</u>	<u>\$ 13,700</u>	

This will result in a net increase of \$13,700 in the appropriations of the General Fund. As a result, the following revenue will be increased.

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
10-00-3400-399	Fund Balance Appropriation	\$ 120,000	\$ -	\$ 13,700	\$ 133,700
			<u>\$ -</u>	<u>\$ 13,700</u>	

Section 2. To amend the General Capital Fund, the appropriations are to be changed as follows:

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
20-20-5000-355	Laurel Ln. Drainage Improvements- 2019	\$ -	\$ -	\$ 13,700	\$ 13,700
			<u>\$ -</u>	<u>\$ 13,700</u>	

This will result in a net increase of \$13,700 in the appropriations of the General Capital Fund. As a result, the following revenue will be increased.

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
20-00-3400-331	Transfer From General Fund	\$ 1,286,488	\$ -	\$ 13,700	\$ 1,300,188
			<u>\$ -</u>	<u>\$ 13,700</u>	

Section 3. Copies of this budget amendment shall be furnished to the Clerk to the Town Council and to the Finance Officer for their implementation.

Adopted this 13th day of August, 2019.

Attested by:

Charles Sellers, Mayor

Hillary Hubner, Town Clerk

FINANCIAL REPORT AS OF JULY 31, 2019

Financial Overview

We are 8% into fiscal year 2019-20. Final year end totals for the previous fiscal year will be presented in the FY 2018-19 audit around December.

The 2019 property tax billing is expected at this time to occur by late August, as Watauga County tax scrolls have not yet been received. However, we have received Caldwell's tax information. With collections being one month in arrears, we have not yet collected any motor vehicle taxes for the new fiscal year.

Sales tax revenues are collected two months in arrears, so we have not yet received any funds for this fiscal year. Building permit fees to date total \$7,355 or 15% and zoning fees total \$759 or 8%.

The first utility billing of the new fiscal year will occur in late August, so there are no collections for the current fiscal year and some adjustments granted causing revenues to be negative at this time. Water and sewer connection fees to date total \$3,000 for water and \$3,000 for sewer.

Overall expenditures for the General Fund are at 5% and 5% for the Water/Sewer Fund. Overall revenue for the General Fund is less than 2% and less than 1% for the Water/Sewer Fund. Since many of our revenues are collected in arrears and the property tax and utility billings have not yet occurred, these totals are expected at this point in the fiscal year. All department expenditures are in line with budget at this time. See the attached report for departmental breakdowns.

Department Activity Notes

The main focus of the department has been on audit activities with Town Auditors Martin Starnes & Associates, CPAs, P.A., have commenced, with final field work taking place this week.

Town Hall carpeting is in the process of being replaced. This project was funded out of FY 2018-19 and is expected to be complete by the end of August.

We are also currently working on collecting department quotes for FY 2019-20 Capital Equipment approved in the adopted budget to bring before Council for official quote approval and financing in September 2019.

Attached is the monthly financial report in numbers. Please let me know if you have any questions on these reports.

Thank you,

Nicole M. Norman
Finance Officer

TOWN OF BLOWING ROCK
FINANCIAL SUMMARY REPORT
As of July 31, 2019, 8% of Fiscal Year 2019-20

GENERAL FUND

REVENUES	Annual Budget	Actual to Date	Y-T-D % Collected
Current Year Levy of Property Taxes	\$ 4,359,606	\$ 3,038	0.07%
Motor Vehicle Taxes	84,572	9,838	11.63%
Utilities Franchise Taxes	374,400	-	0.00%
Local Option Sales Taxes	1,821,591	-	0.00%
Fund Balance Appropriated	120,000	-	0.00%
All Other Revenues	1,857,904	117,930	6.35%
	<u>\$ 8,618,073</u>	<u>\$ 130,806</u>	<u>1.52%</u>

EXPENDITURES	Annual Budget	Actual to Date	Y-T-D % Spent
Governing Board	\$ 56,181	\$ 4,001	7.12%
Central Government	1,805,407	169,690	9.40%
Public Buildings	599,880	6,558	1.09%
Administrative/Finance	457,122	25,238	5.52%
Police	1,422,170	68,173	4.79%
Emergency Services	1,088,664	51,882	4.77%
Planning and Inspections	300,550	13,627	4.53%
Street	1,415,126	32,908	2.33%
Sanitation	406,463	13,218	3.25%
Parks and Rec/Landscaping	1,066,510	61,986	5.81%
	<u>\$ 8,618,073</u>	<u>\$ 447,281</u>	<u>5.19%</u>

Y-T-D FUND BALANCE INCREASE (DECREASE)	<u>\$ -</u>	<u>\$ (316,475)</u>	
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Property Tax Collection As a Percentage of Total Levy (Motor Vehicles Not Included)	FY 2020	FY 2019	FY 2018	FY 2017
	0.08%	100.05	98.49%	99.13%

WATER AND SEWER FUND

REVENUES	Annual Budget	Actual to Date	Y-T-D % Collected
Water Revenue	\$ 928,200	\$ (753)	-0.08%
Sewer Revenue	773,680	(1,775)	-0.23%
Connection Fees	42,000	6,000	14.29%
Fund Balance Appropriation	40,000	-	0.00%
All Other Revenues	201,625	1,153	0.57%
	<u>\$ 1,985,505</u>	<u>\$ 4,625</u>	<u>0.23%</u>

EXPENDITURES	Annual Budget	Actual to Date	Y-T-D % Spent
Administrative	\$ 620,464	\$ 46,457	7.49%
Plant Operations	814,503	35,698	4.38%
Field Operations	477,596	10,830	2.27%
Contribution to Fund Balance/Contingency	72,942	-	0.00%
	<u>\$ 1,985,505</u>	<u>\$ 92,985</u>	<u>4.68%</u>

Y-T-D FUND BALANCE INCREASE (DECREASE)	<u>\$ -</u>	<u>\$ (88,360)</u>	
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