

**Town of Blowing Rock**

**Planning Board**

**Agenda**

Thursday, December 17, 2020

**REMOTE VIA ZOOM**

5:30 p.m.

**Call to Order**

**Approval of Agenda**

**Approval of Minutes**

**Business**

1. CUP 2010-03 Amendment – Foggy Rock Restaurant
2. Review and discussion on 321 Visioning Recommendations from Planning Subcomittee

**Other Business**

**Adjournment**

## **DRAFT**

### **Planning and Zoning Board**

#### **Minutes**

**Thursday, November 19, 2020**

**5:30 p.m.**

The Blowing Rock Planning and Zoning Board met on Thursday, November 19, 2020 for their regularly scheduled meeting. Chairman Gherini called the meeting to order at 5:30 pm. Members present were Harrison Herbst, Wes Carter, Mike Page, Pete Page and Bill McCarter. Members Joe Papa, Kim Hartley and Sam Glover were absent. Staff members present were Planning Director Kevin Rothrock and Planning and Zoning Support Specialist Tammy Bentley.

Chairman Gherini asked if there were any changes to the agenda. Mr. McCarter made a motion to approve the agenda, seconded by Mr. Herbst. **All members were in favor of the motion.**

Chairman Gherini asked if there were any changes to the October 15, 2020 minutes. Mr. Pete Page made a motion to approve the minutes, seconded by Mr. McCarter. **All members were in favor of the motion.**

#### **1. Presentation by Mosaic Civic – Middle Fork Greenway Extension/Hwy 321 Visioning**

Chairman Gherini turned the meeting over to Mr. Tim Gupton with the Blowing Rock Civic Association. Mr. Gupton introduced Ms. Teresa Buckwalter and Ms. Taylor Broyhill of Mosaic Civic Design to the Board and thanked the Board for their time. Mr. Gupton said the Blowing Rock Civic Association wanted professional guidance on the extension of the Middle Fork Greenway for water quality and restoration of the stream banks and retained Mosaic's services. Ms. Buckwalter and Ms. Broyhill shared their presentation with the Board.

The Board appreciated the presentation and complimented Ms. Buckwalter and Ms. Broyhill on their work.

Mr. Gupton advised the Board that he serves on the Blue Ridge Conversancy Board and they considered these decisions as 'forever' decisions. Chairman Gherini thanked Mr. Gupton for engaging Ms. Buckwalter and Ms. Broyhill to get the ball rolling.

Chairman Gherini asked Mr. Rothrock how the Board should proceed. Mr. Rothrock said reviewing the Town's storm water standards are a big part of the visioning study. Mr. Rothrock said this can be combined with Mosaic's recommendations to focus on water quality.

Mr. Rothrock presented the 321 Visioning - Valley Blvd Study Implementation Strategies item by item and advised the Board of the subcommittee's recommendations. The Board discussed the items and how best to implement them. Mr. Marshall Sealey, representing the Blowing Rock Civic Association also commented. Mr. Rothrock said the Town Council will be provided an updated 321 Visioning - Valley Blvd Study Implementation Strategies report which will include the Board's comments.

Mr. Rothrock said the recommendations document needs to be cleaned up and that he will email that to the Board. Chairman Gherini asked when the Visioning Study should be presented to Town Council; than he hopes it can be in December. Mr. Rothrock said this may be on the Town Council retreat agenda.

The Board discussed when to have the public meeting. Mr. Sealey also contributed to the discussion. Mr. Rothrock said once the document is cleaned up, this meeting can be scheduled. Mr. Rothrock said that public notice can be sent, and the meeting format can take several forms.

## **2. Consideration of draft ordinance for Public Tree Ordinance – Precursor to Tree City USA Designation – BRAAC (Melissa Pickett)**

Mr. Rothrock advised the Board of the genesis of this request. Mr. Rothrock said BRAAC will act as the Tree Board. Mr. Rothrock shared the requirements for consideration for a Tree City USA Designation.

Ms. Melissa Pickett, BRAAC Board member, addressed the Board. Ms. Pickett said that it was a natural fit for BRAAC to be the Tree Board. Ms. Pickett said that this does not include trees on private property and that it will be used in conjunction with the Parks and Recreation Master Park Plan. Ms. Pickett said the funding to meet the \$2 per capita (\$2,600) required for Tree City USA Designation is not a problem and is in the existing budget. Ms. Pickett said the application is due by 12/31/2020.

Mr. Carter said that the Town's maintenance budget is strapped and that maintaining existing trees on the Glen Burney would be around \$100,000. Ms. Pickett said that she doesn't think being accepted for this would require forced implementation of pruning. Mr. Rothrock concurred with her. Mr. Rothrock said that not all tree maintenance is contained in the Parks & Recreation budget; that trimming private trees that encroach into public roads is the responsibility of the Public Works department and included in their budget.

Chairman Gherin asked if making the timeline is possible. Mr. Rothrock said this just came up, but he thinks it is possible. The Board discussed the timeline and how to proceed.

Mr. Carter inquired about the funding. Ms. Jennifer Brown, Parks & Recreation Director, said they have \$24,000 in their annual budget for the Glen Burney Trail maintenance and that there is a landscaping budget line item that deals with trees.

*Mr. Carter made a motion to approve the draft ordinance, seconded by Mr. Herbst. **All members were in favor of the motion.***

## **Other Business**

Chairman Gherini asked if there is anything in the pipeline for December and January. Mr. Rothrock said Foggy Rock is moving away from the arcade project and considering reworking the parking and adding outdoor dining.

Mr. Carter asked how Rainey Lodge is progressing. Mr. Rothrock said they are in the process of submitting their bonds to restore the site, stormwater, utilities, etc. Mr. Rothrock said the site plans have been approved and the contractor is DE Looper Construction. Mr. Rothrock said the building plans were approved and all building fees submitted including the cost of the sidewalk on Highway 221 and about \$100,000 for water/sewer availability fees. Chairman Gherini noted that construction should begin soon. Mr. Sealey asked if the building will be consistent with plans provided by the developer. Mr. Rothrock confirmed.

*Having no further business Mr. Herbst made a motion to adjourn, seconded by Mr. Carter.*  
**All members in favor of the motion.**

Chairman Gherini adjourned the meeting at 6:48 p.m.

---

Chairman Gherini

---

Tammy Bentley  
Planning & Zoning Support Specialist

TO: Mayor Charlie Sellers and the Blowing Rock Town Council

FROM: Kevin Rothrock, Planning Director

SUBJECT: CUP 2010-03 Foggy Rock Restaurant – amendment

APPLICANT: Burt Myers

DATE: December 11, 2020

## **REQUEST**

Foggy Rock Restaurant is requesting an amendment to their conditional use permit to provide up to 40 seats of additional outdoor seating on the south side of the building. The arcade that was approved by Town Council in July 2020 will not be built and the basement will remain as storage. The gravel parking lot on the side and rear of the property will be paved with 43 parking spaces when complete. The property is located at 8180 Valley Blvd. The property is zoned GB, General Business. The subject property is in the WS-IV-PA water supply watershed. The property is further identified by Watauga County PIN 2817-05-9999-000.

The outdoor dining will be expanded on the front left of the building with a new covered porch area, and a seating area in front of the porch.

The required parking for the restaurant and proposed 40 outdoor seats is 40 parking spaces. The restaurant has 33 existing paved spaces and several gravel overflow parking spaces. Foggy Rock is proposing to formalize up to 14 gravel spaces and pave them for a total of 43 parking spaces. Some of the existing spaces in the upper lot will be removed and converted to landscaping.

A 16-foot opaque buffer is proposed along the rear of the lower parking area along the King's Ransom subdivision. In addition, a planted buffer will be added along the stream culvert headwall where the stream opens up behind the building.

Note also that the arcade that was approved in July 2020 will not be built. The downstairs of the restaurant will remain storage and equipment areas.

## **ATTACHMENTS**

1. Plan package with site plan and schematics of proposed building and seating area.



Blowing Rock, NC

Outdoor Dining  
Experience

Please hold all questions to the end of the presentation.  
Thank you!



# The Design Team



4 Forty Four  
General Contractor  
& Project Manager  
Preston Spencer



Municipal Engineering  
Services Company, P.A.  
Site & Civil Engineering  
Alan Crees



Arete Engineers  
Structural Engineering

# Agenda

Project Vision & Summary

Artistic Rendering of Proposed Site  
Plan

Artistic Renderings of Proposed Outdoor Space



## Our Vision:

As community members of beautiful Blowing Rock, it's important to us that we find ways for our business to participate in and promote the things that make this place so special.

Our vision for this project is to provide added visual appeal from Valley Boulevard, additional natural landscape, and a warm, welcoming entrance to our business. Our outdoor dining experience will allow our guests to enjoy the best of what our restaurant can offer, while piquing their curiosity to further explore the beauty of this place we call home.

# PROJECT SUMMARY

---

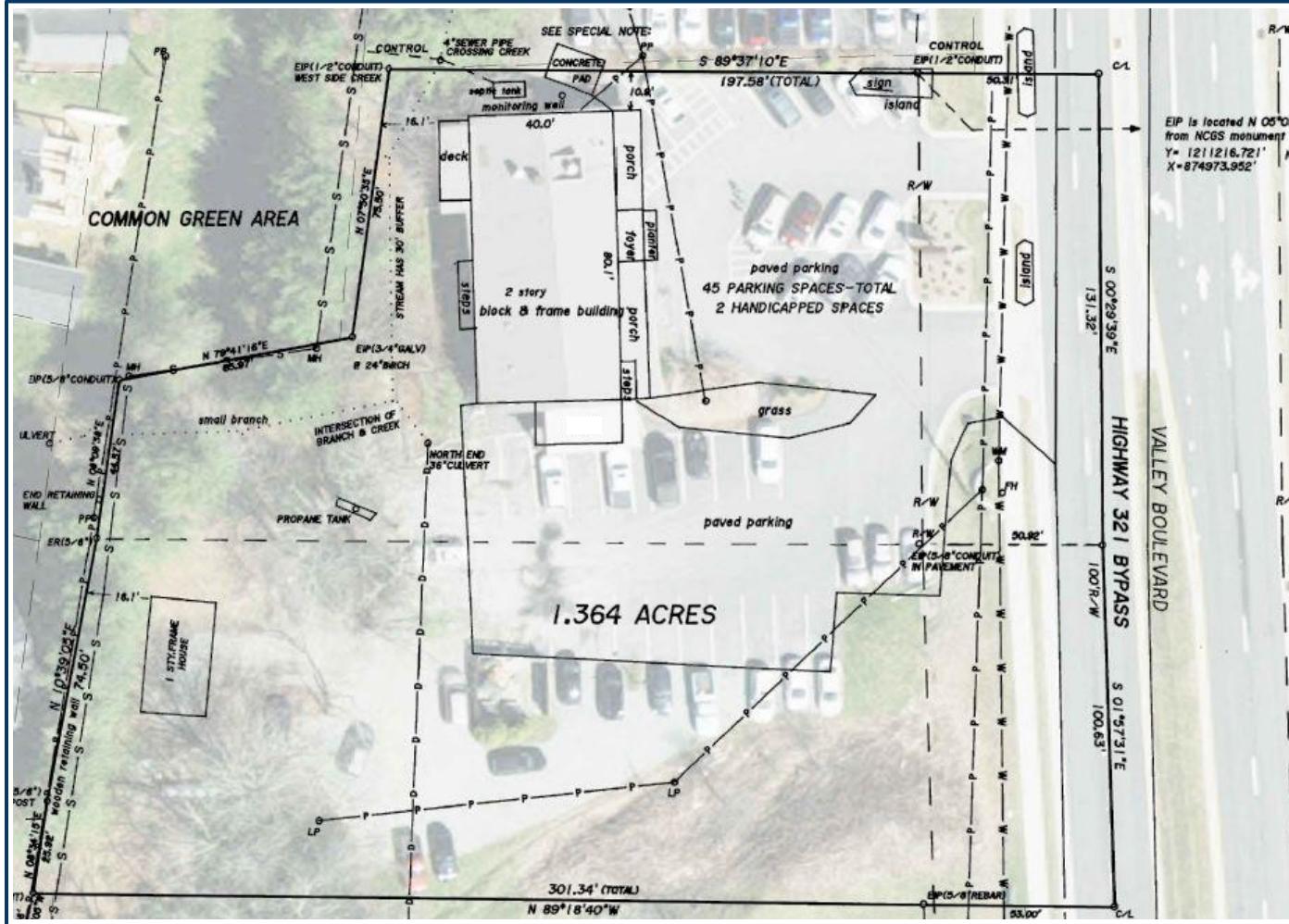
## Our Community (Comprehensive Plan)

- Protect the character of our neighborhoods (LC-2)
- Protect & enhance the aesthetic quality & unique architectural character of Blowing Rock (LC-4)
- Meet parking needs (T-3)
- Protecting our Natural Landscape (ENR-2)

## Our Requested Modifications to Current C.U.P.

- Abandon plans for a Game Room. Lower level remains as storage.
- Add outside seating as an approved use.
- Add paved parking to support outdoor seating, relocating parking to side of the building

# Site Layout; Current



# Site Plan; Artistic Rendering



## PARKING

EXISTING SPACES	=	33
SPACES ELIMINATED	=	4
SPACES ADDED	=	14
<hr/>		
TOTAL SPACES PROVIDED	=	43

## OUTDOOR SETTING

MAXIMUM ALLOWED = 40

# Building; Current



Building;  
Artistic  
Rendering



# Building; Artistic Rendering



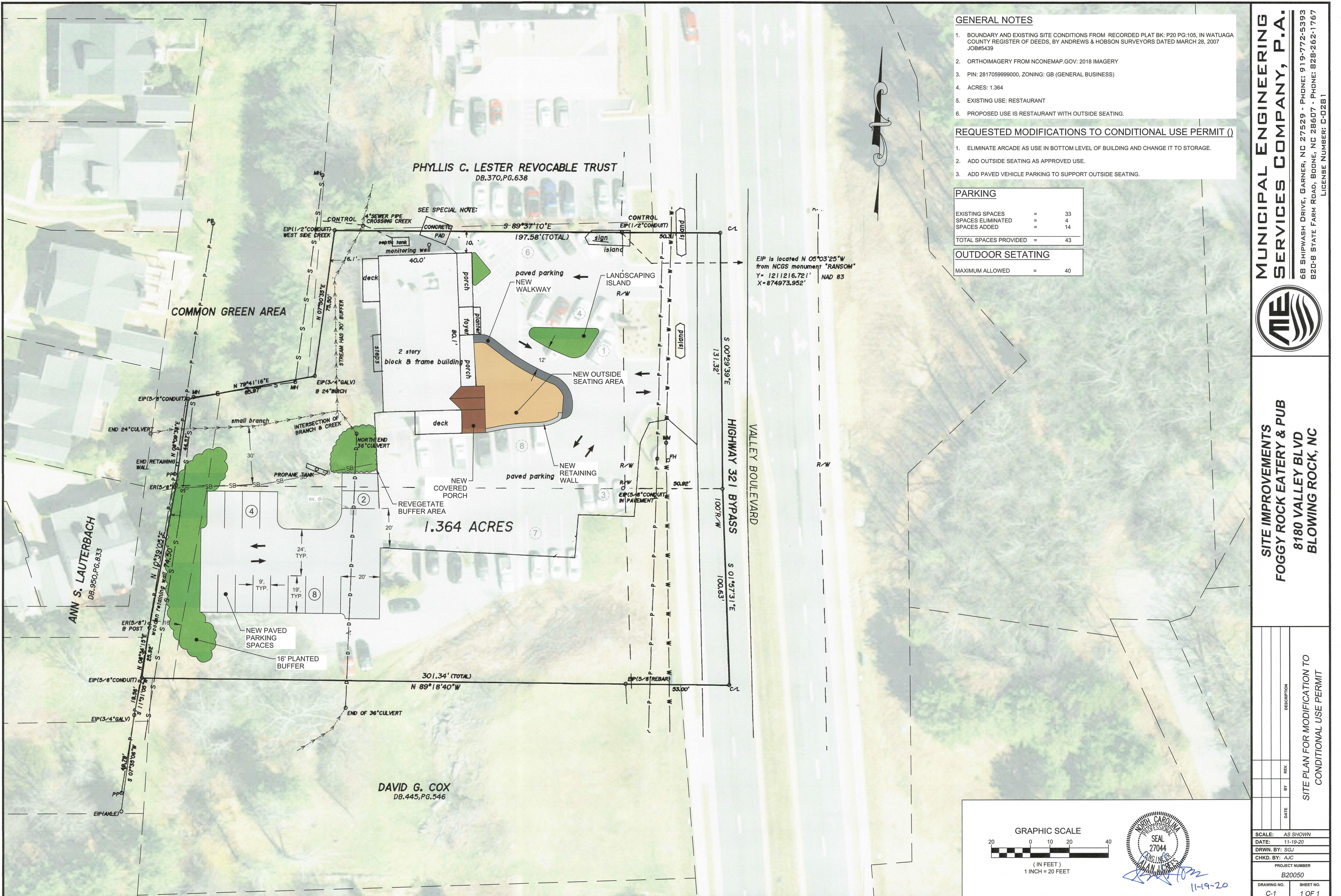


# Thank you for your consideration

Please direct all questions related to this submission to:

Project Manager  
Preston L. Spencer | 4 Forty Four  
[Preston@4fortyfour.com](mailto:Preston@4fortyfour.com)  
828.295.8929





## **321 Visioning - Valley Blvd Study Implementation Strategies**

### **Planning Board - Subcommittee Recommendations December 2020 – Update with Attachments**

#### **INTRODUCTION**

In 2019, the Town Council established an Ad Hoc Committee to study Valley Blvd for past development patterns and to work toward a desired vision for the corridor. Benchmark Planning was hired to assist the public involvement process and a Valley Boulevard Study was completed by January 2020. The Study identified 19 Implementation Strategies consisting of 11 Design Modifications, 2 Procedural Modifications, 1 Permitted Use Modification, and 5 Supplementary Recommendations to help achieve the Vision for Valley Boulevard.

The Planning Board created a Valley Blvd subcommittee to dig deeper into the implementation strategies and how they could be codified in the Land Use Ordinance if needed to support the Vision.

The following listed Implementation Strategies have updates where noted in **red**. Attachments are provided for specific Land Use Ordinance amendments.

- Specific actions to be finalized at this time include:
  3. Limits to Exterior Building Materials – Attachment A
  4. Reduce Maximum Building Height – Attachment B
  5. Reduce the Required Front Setbacks – Attachment B
  2. Remove Permission for Subjective Modifications – Attachment D

**1. CREATE STANDALONE DESIGN REQUIREMENTS FOR VALLEY BOULEVARD.** Consider making a more explicit distinction in the Land Use Code between Valley Boulevard, Downtown and other areas by creating a separate set of design criteria for Valley Boulevard. Currently, the design regulations pertain to all commercial buildings, regardless of their location (with some minor distinctions). This approach will allow for a more tailored approach to design issues along Valley Boulevard that are not relevant to downtown.

- The Board agreed that there is no need for an overlay district as the current zoning, General Business, applies only to Valley Boulevard. Mr. Rothrock noted that the current Land Use Code could be amended for needed changes.

**2. NARROW SCOPE OF THE COLOR PALETTE.** Amend the Town's Color Palette to limit the range of permitted colors to a more narrow set that is more consistent with the subdued/earth tones desired by the community. For example, specific colors that may conflict with the Blowing Rock vision include P (2103-50), T (1233), T (2098-60), A (194), A (2090-30), and P (925). Examples of colors that align with the Blowing Rock vision include T (1540), P (1530), A (1468), and T (1028). In addition to these examples, all colors should be reviewed prior to draft Land Use Code amendments. See the Appendix for the Town's current Color Palette. **Refers to Section 16-21.5.1.**

- Planning Staff is currently in the process of reviewing the color palette and will update the Planning Board with draft changes to the approved colors.

**3. LIMIT EXTERIOR BUILDING MATERIALS.** Amend the Land Use Code to limit the permitted primary cladding materials to wood and stone and further limit secondary materials. Based on public responses and evaluation by the committee, materials such as brick and stucco are not preferred along Valley Boulevard. Currently, the Land Use Code permits “natural stone found in the area, brick of a color and texture as manufactured in the southeast United States, natural wood siding, or other equivalent materials that are specifically approved by the Planning Board.” The committee recommends removing the allowance of brick and “other equivalent materials.” In addition, a well defined list of “equivalent materials” should be established. Further limiting the use of secondary materials will assist in achieving the aesthetic vision. *Refers to Section 16-21.4.*

- The subcommittee has provided a draft recommendation for review. See Attachment A.

**4. REDUCE MAXIMUM BUILDING HEIGHT.** Amend the Land Use Code to create a maximum building height and associated setbacks to better align building height with the vision for the corridor. Currently, buildings in the GB Zoning District may not exceed 50 feet and eave heights shall not exceed 35 feet. Based on the public response and committee evaluation, there is a preference for smaller scale buildings on Valley Boulevard. The committee recommends the consideration of two options to implement this recommendation in the Land Use Code; 1) develop a sliding scale that establishes a maximum height based on the building setback - permitting taller buildings when setbacks from the street are increased; or 2) reduce the maximum building height of all structures to 35 feet (as measured from finished grade at the front of the building to the top of the roof). *Refers to Section 16-12.6.7.*

**5. REDUCE THE REQUIRED FRONT SETBACKS.** Amend the front setback requirement to permit better use of lots on the east side of Valley Boulevard and eliminate excess front open space to permit better utilization of rear lot areas along the west side. A reduction along the eastern side of the road will better facilitate redevelopment while also maintaining the desired character of the Town. *Refer to Section 16-12.4.*

- The Board recommended staggering the building height based on the front and side setbacks. Mr. McCarter asked from where the building height is measured. Mr. Rothrock advised at the adjacent grade at the primary entrance to the peak of the roof. Mr. Mike Page and Mr. Carter both indicated that they want to look at this in more depth. Mr. Carter asked given the new highway and new look to the bypass if development can be uniform relative to the sidewalk.
  - The subcommittee does not recommend adjusting the setbacks on the East side of Hwy 321 and has provided a draft recommendation for review. See Attachment B.
- The Board reiterated the need for a sliding height to setback scale and to look at the side setback which is currently just 8 feet. The Board also discussed limiting roof-top mechanical equipment when reasonable.
  - The subcommittee has provided a draft recommendation for review. See Attachment B.

**6. EXTEND THE GREENWAY.** Develop a plan to extend the greenway along the western side of Valley Boulevard. Once the plan is developed, amend the Land Use Code to require the preservation of the adopted greenway corridor. In order to ensure that the future greenway becomes integrated into the design and activity on Valley Boulevard, it should be preserved through easements and related regulations similar to right-of-way requirements for roadways.

**7. ACTIVATE THE GREENWAY.** Develop amendments to the Land Use Code that will require buildings be designed with “active” orientation (customer facing elements) along the greenway. As shown in Figure 21, requiring new buildings to front the greenway will help increase activity, and thus safety, on the path while also providing economic advantages to those businesses located along the greenway.

- Related to items 6 and 7, BRCA has contracted with Mosaic Planning to study placement of a greenway in this area. I have reviewed some draft language so far, but Mosaic is still preparing this information for review at a later date.

**8. INTEGRATE STONE WALLS INTO THE LANDSCAPE.** Consider requiring stacked stone walls along street frontages and in landscaped areas to better integrate the corridor with the established character of Blowing Rock’ built environment. Such walls could, for instance, be used to help screen parking and utility areas, help to define the public and private realms, and help to break the monotony of planted landscaped areas. The stone wall requirements should be coordinated with revisions to the landscaping requirements. **Refer to Section 16-21.10, Section 16-21.13, Section 16-21.14, Section 16-21.15, and Section 16-22.2.**

**9. CLARIFY NATURAL LANDSCAPING DESIGN.** Better define “natural” landscaping in the Land Use Code. This may include better defining the use of native landscaping materials, requiring planting patterns that mimic natural / forested landscapes, or similar requirements that will improve the visual appearance of planted areas. The current landscaping on Valley Boulevard varies greatly in appearance and a number of sites have designs which may not be defined as “natural.” **Section 16-21.9.**

**10. LIMIT ROOF MOUNTED MECHANICAL EQUIPMENT.** Eliminate options for placing mechanical equipment on rooftops or above eaves / roof lines. Allowing mechanical equipment to be located above the roof lines / eaves of buildings distracts from the intent of the sloped roof requirement, by permitting penetrations and additions to sloped roofs, which are integral to the architectural style and aesthetic that is desired. In those situations where a variance is appropriate, such equipment should be designed, located, and integrated into the roof structure in such a manner that causes the minimum amount of disruption to the integrity of the sloped roof requirement. **Section 16-21.5.2**

- After review, the subcommittee believes the current language Section 16-21.5.2 of the Land Use Ordinance is sufficient to address the concern of screening rooftop equipment.

**11. REQUIRE ADDITIONAL ARCHITECTURAL ELEMENTS.** Consider developing a point based system to require the inclusion of specific architectural elements on buildings. This would include establishing a minimum number of points required to be met by each site plan / architectural plan in order to be approved. Such a system is intended to give both flexibility to designers, while also encouraging the inclusion of desirable architectural features on new buildings and, where practical, existing buildings when renovated. For example, if the town identified a list of 10 elements (such as covered porches, exposed wooden beams, stone chimneys, slate roofs, etc.) it could then assign a number of points to each element, based on their desirability, difficulty

and cost of inclusion. A developer would then be required to meet some point threshold by selecting and including some number of these elements in their building design. **Section 16-21.4.3.**

- The subcommittee reviewed some draft language from Benchmark Planning on the topic of a point-based formula to incentive and encourage more use of mountain-style architectural elements in commercial building design. Please refer to Attachment C for some possible consideration of architectural elements to include in commercial building design evaluation. NOTE: This item is not finalized and needs additional work.

**1. REMOVE PERMISSION FOR SUBJECTIVE MODIFICATIONS.** Amend the Ordinance to remove permission for alteration or deviation from design standards by the Town Council or Planning Board. Statements within the code which permit deviations from these regulations, such as **Section 16-12.8 and Section 16-21.18**, reduce the overall effect of the design standards by allowing development which does not meet the Town's Vision.

- The subcommittee agrees the current language in these two sections is valuable in having a "relief valve" for commercial design or dimensional standards to achieve a good project for the community. The subcommittee strongly urges these sections to remain.

**2. ELIMINATE NONRESTRICTIVE LANGUAGE.** Eliminate subjective / permissive / non-mandatory language from the Ordinance. Similar to Procedural Modification 1, removing permissive language, such as that found in **Section 16-21.9 and Section 16-21.10**, will force better adherence to the design standards and improve the overall view of the corridor.

- The subcommittee recommended some changes in Section 16-21.9 but did not find much language as permissive in Section 16-21.10. See Attachment D.

#### *Permitted Use Modifications*

**DISCOURAGE CERTAIN PERMITTED USES.** Consider amending the table of permitted uses to specifically state that uses such as video / skills arcades, tattoo parlors, palm readers, and similar uses that are incongruent with the vision of the corridor are not permitted in the GB district.

- The best way to accomplish this task is to list unwanted permitted uses in the Table of Permissible Uses, but not assign them to any zoning district. Work is not yet completed on this item.

#### *Supplementary Recommendations*

**1. IMPLEMENT WAYFINDING.** Implement a unified wayfinding signage plan and implement the installation of the gateway improvements and signage at strategic points along the corridor. Establishing a cohesive aesthetic element throughout Valley Boulevard will help define the roadway as a key entrance to Blowing Rock.

- Staff will work to identify a wayfinding organization that can assist in this task.

**2. ACQUIRE REMNANT PARCELS.** Work with NCDOT to identify and acquire remnant parcels that may be suitable for public uses and implement plans to improve them as public parks, places for art, or similar

attractions. As mentioned by the public and the Land Use Ad Hoc Committee, a number of the remnant parcels from NCDOT's widening of US 321 are undevelopable. While a few may serve maintenance purposes for NCDOT, the others should be used to assist in beautifying the corridor and benefiting the public.

- The Board agreed that the Town should not purchase the DOT property on the east side of Valley Boulevard, in part because two tracts have been sold or are under contract.

**3. BEAUTIFY VALLEY BOULEVARD.** Install additional landscaping and complementary features such as steep slope stabilization landscaping and stacked rock knee walls along the corridor. Similar to Supplementary Recommendation 2, these improvements should be done on undevelopable properties or portions of properties which are difficult to construct buildings. These projects, similar to those shown in Figures 24, 25 and 26, should be low maintenance solutions to areas that may not currently meet the Town's intended vision for the appearance of the corridor.

- With a point-based system for commercial design review, stacked rock knee walls can be encouraged through awarding substantial points during the review for inclusion in the plans. This can be added to Attachment C for consideration.

**4. PURSUE PRIVATE BEAUTIFICATION EFFORTS.** Pursue additional private beautification efforts through programs such as landscaping grants, building facade grants, and partnerships with a non-profit for administration. As only a small portion of the area along the corridor will be within the public right of way or acquired by the Town, pursuing beautification efforts on public land will only impact a small portion of views. To further strengthen Supplementary Recommendation 3, the Town should make an active effort to assist private land owners in implementing similar improvements on properties on Valley Boulevard.

**5. PARTNER FOR STORMWATER MANAGEMENT.** The Town should identify opportunities to partner with property owners to install stormwater best management practices consistent with the watershed management plan. This may include depressed grassed swales with landscape plants to filter surface runoff (rain gardens), infiltration trenches and level spreaders, vegetated filter strips (riparian buffers), practices that capture upstream drainage at specific locations, or a combination of all best management practices. These practices would aim to reduce the erosion of stream banks, limit the impact of flooding events, and improve water quality. These best management practices can also be incorporated into the Town's existing stormwater regulations.

- McGill is currently working on a comprehensive storm water study incorporating a focus on water quality. The summary will be presented in a few weeks.

## ATTACHMENT A

**Section 16-21.4 Exterior Walls and Facades of Commercial Buildings.** The exterior walls of commercial buildings shall be designed to reflect, enhance, and promote the desired image of a “mountain village”. Historic structures and other buildings in the Blowing Rock area that provide important examples of the “mountain village” image are contained in Appendix F. The examples that are contained in Appendix F shall be used as a guide for building design.

**16-21.4.1** Exterior building materials that are used on each building elevation that is adjacent to a street, whether public or private, shall be natural stone found in the area, ~~or equivalent cultured stone products, brick of a color and texture as manufactured in the southeast United States,~~ natural wood siding, or other equivalent materials that are specifically approved by the Planning Board or the Town Council.

**16-21.4.2** Exterior building materials that are used on other elevations of the building may include, in addition to the ~~stone, brick, or natural wood siding materials specified in subparagraph 4.1.B above, stucco in warm color tints, architectural or textured block,~~ or other equivalent materials that are specifically approved by the Planning Board or the Town Council. ~~In the Town Center and Central Business Districts, Stucco and architectural or textured block may not be used to cover or replace old historic brick on existing buildings, and the use of stucco and architectural block shall be minimized on new buildings.~~

**16-21.4.3** All elevations of a building’s exterior design shall be coordinated with regard to color, materials, architectural form, and detailing. The design of a building must wrap around the sides to present a continuity of design on all exposed sides. No more than ~~two~~ ~~three~~ primary building materials may be used on any building side. The use of different primary materials on the sides of a building from those that are used on the building facade shall be discouraged.

**16-21.4.4** Except to the extent prohibited by the State building codes, the wall area on the first floor of a building fronting a street shall have the following percentage of windows and doors:

- a) At least 30 percent windows and doors within the General Business District
- b) At least 50 percent windows and doors within the Town Center and Central Business Districts.

**16-21.4.5** The building shall be oriented so that a principal or primary facade faces each street on which the building fronts. The design of the principal or primary facade shall enhance the pedestrian environment by the use of such architectural elements as doorways, dormers, gables, porches, columns, and cornices. Upper story features such as balconies, mezzanines, and atriums, shall be encouraged provided that they are in proportion to the scale of the rest of the building.

**16-21.4.6** Special attention shall be given to the design of windows. Reflective glass and band windows are prohibited. Windows shall not be flush with the building facade or shall otherwise add variety to the streetscape.



## ATTACHMENT B – Building Height/Setback Limitations Amendment - draft

**Section 16-12.6.7 Building Height Limitations.** Subject to the remaining provisions of this section, the height of a building or structure in any residential district (R-15, R-10, R-6, or RMH), may not exceed 35 feet. Similarly, the eave height of a building or structure in the R-A district or any non-residential district (GB, HMC, HSG, OI, or PGS) may not exceed 35 feet and the overall height of the building or structure shall not exceed 50 feet.

In the General Business District, the overall height of the building or structure shall not exceed 35 feet if the building meets the standard 20-foot street setback and 8-foot side and rear setbacks. The overall building height may be increased to 50 feet if the building meets a street setback of 40 feet and side and rear setbacks of 16 feet.

**16-12.6.7.1** Subject to Section 16-12.6.7.2 the following features are exempt from the district height limitations set forth in Section 16-12.6.7.

- a) Chimneys, church spires, elevator shafts, and similar structural appendages not intended as places of occupancy or storage;
- b) Flagpoles and similar devices;
- c) Heating and air conditioning equipment, solar collectors, and similar equipment, fixtures and devices.

**16-12.6.7.2** The features listed in Section 16-12.6.7.1 are exempt from the height limitations set forth in Section 16-12.6.7, if they conform to the following requirements:

- a) Not more than one-third of the total roof area may be consumed by such features.
- b) The features described in Section 16-12.6.7.1.c) above must be set back from the edge of the roof a minimum distance of one foot for every foot by which such features extend above the roof surface of the principal building to which they are attached.
- c) The permit-issuing authority may authorize or require that parapet walls be constructed (up to a height not exceeding that of the features screened) to shield the features listed in Section 16-12.6.7.1.a) & c) from view.

**16-12.6.8** The permit-issuing authority may authorize the construction of a building one or more sides of which exceed the building height limitations set forth in Section 16-12.6.7 if it finds that:

- a) The height of the building measured at the front side does not exceed the building height limitations set forth in section 16-12.6.7 and
- b) Other sides of the building exceed building height limitations because the building is constructed on a severe grade, and
- c) The building is not in violation of the Mountain Ridge Protection Act of 1983.

**16-12.6.9** With respect to developments in the non-residential zoning districts that require a conditional use permit, the Board of Commissioners may authorize the construction of a building one or more sides of which exceed the building height limitations set forth in section 16-12.6.7 if it finds that:

- a) It would be impractical to construct on the lot a building that suits the reasonable needs of the proposed use (such as a gymnasium, theater, etc.) without the height exception; and
- b) The building will be designed, located, and constructed so that it does not unreasonably obstruct the view of owners or occupants of other property and is not otherwise substantially out of character with the size, scale, and appearance of other buildings within the immediate neighborhood; and
- c) The building is not in violation of the Mountain Ridge Protection Act of 1983.

## ATTACHMENT C – Point-Based Architectural Review Scoring System - **draft**

- A. All new construction and substantial exterior modifications of existing structures (including additions that add the lesser of 10% of the gross floor area or 200 square feet) shall comply with the Valley Boulevard design standards.
- B. General Standards – insert all of the general material, roof pitch/type, glazing standards here.**
- C. In addition to compliance with the General Standards in Section B., all structures shall include a combination of the following elements so that it achieves a minimum of 10 points based on the number of points assigned to each of the elements in the list below:
  - a. 50% of all vertical wall surfaces (excluding glazed areas) clad in natural stone quarried within 100 miles of Blowing Rock (5 points)
  - b. Natural stone wall with a height of between 24" and 36" extending along a minimum of 60% of the width of the lot. (4 points)
  - c. Covered porch with a minimum depth of 6 feet extending a minimum of 80% of the width of the front façade (3 points)
  - d. Slate roof (3 points)
  - e. Cedar shake roof (4 points)
  - f. Stone chimney (2 points +1 point for two or more chimneys)
  - g. Building foundation extending around the entire structure (minimum 30" height) clad in natural stone quarried within 100 miles of Blowing Rock (for buildings with wall cladding other than stone) (2 points)
  - h. 50% of all vertical wall surfaces (excluding glazed areas) clad in cedar shake shingles (2 points)
  - i. Covered porch with a minimum depth of 6 feet extending a minimum of 80% of the width of a side building façade (2 points)
  - j. Exposed natural wood beams used as supports for exterior building elements (1 point)
  - k. Walkways and steps composed of natural stone (1 point)
  - l. Preservation of an existing architectural feature listed above (1 point in addition to the credit for the element)
  - m. Residential style windows (ex: grilles, double hung) (2 points)

Examples:

New Building:      50% stone cladding (5 points)  
                        Covered front porch (3 points)  
                        Stone chimney (2 points)  
                        TOTAL: 10 points

Existing Building: PRESERVE slate or shake roof (3 points + 1 point)  
                        ADD Covered front porch (3 points)  
                        ADD 75% cedar shake wall cladding (2 points)  
                        ADD Exposed wood beams (1 point)   TOTAL: 10 points

## ATTACHMENT D – Permissive Language removal - draft

**Section 16-21.9 General Landscaping.** ~~Natural appearing landscape forms are strongly encouraged.~~ Landscaping shall be required between a building and the adjacent sidewalk, parking lot, and driveway. The scale of the proposed landscaping shall be in proportion to the building.

**16-21.9.1** All pruning ~~should shall~~ be done in accordance with standard horticultural practice to preserve the natural character of the plant.

**16-21.9.2** The Town finds that all existing vegetation that can be retained on the site in a healthy condition enhances native wildlife habitat and the visual character of the Town, and helps control surface water runoff, temperature, and pollution. Preservation of existing vegetation, especially specimen trees, is therefore encouraged. All existing vegetation that meets the landscape buffer requirements of this Article, or that is located in a preservation area designated on the approved site plan, shall be preserved on the site. Existing vegetation that is to remain on the site shall be clearly delineated and identified on all relevant plans.

**16-21.9.3** The owner of the property shall have the following responsibilities with regard to general landscaping:

- a) protecting and maintaining the plants in the designated preservation area or buffer area in a healthy, growing condition;
- b) replacing them when necessary; and
- c) keeping the area free of refuse and debris.

The proposed methods of protection of existing vegetation during the construction process shall be reviewed and approved as part of the site plan approval process, shall be installed prior to the issuance of a land disturbance permit, and shall be maintained until all site work is complete.

**16-21.9.4** All significant vegetation that is damaged or removed during construction shall be replaced with like species and sizes. If one-for-one replacement with trees of equal size is impossible, then the number and size of all of the replacement trees combined shall equal the total diameter at breast height (dbh) of the trees damaged and/or removed. Where it is impractical to provide one-for-one replacement or an equivalent number of trees equal to the sizes of the trees removed, the Administrator shall determine the minimum quantity of trees required. In no case shall replacement trees have a caliper of less than three (3) inches. Replacement trees shall be planted, or adequate surety given to the Town to guarantee that the trees will be planted, before an occupancy permit will be issued for the property or development.

**16-21.9.5** As an incentive for the protection and preservation of existing vegetation: a five percent reduction in the number of required parking spaces will be allowed to the extent that the reduction of required pavement will preserve existing healthy trees.

**Section 16-21.10 Landscape Buffer.** Proposed development along a major highway corridor (US Route 321) in the General Business District shall provide a minimum landscape buffer adjacent to any road right-of-way. The purpose of the buffer is to soften the appearance of structures and parking lots from the corridor, to screen vehicular headlight glare, and to lessen the spillover of on-site lighting. The buffer shall have an average width of eight feet and a minimum width of five feet as measured from the right of way line. The prescribed width may be reduced by the Town Council at the time of site plan or preliminary plat approval. The factors to be considered in reducing the width of the landscape buffer are:

- a) Existing topography.
- b) The type, amount, and location of existing vegetation.
- c) The size and configuration of the parcel.
- d) The location and extent of underground and overhead utilities.
- e) Natural barriers to the installation or maintenance of the landscape barrier, such as waterways, rock formations, steep slopes, and soil conditions.

**16-21.10.1** No development, clearing, grading, or construction activity is permitted within the buffer area except:

- 1) Driveway that is perpendicular (or within 20 degrees of perpendicular where topography limits or prohibits a perpendicular driveway) to the street right-of-way.
- 2) Installation of public utilities.
- 3) Pedestrian and bicycle paths.
- 4) Lighting fixtures.
- 5) Signs.
- 6) Sight distance triangles.

**16-21.10.2** If the buffer area already has trees of protected size and species, their preservation is required. In order to maintain the screening effect, the lowest branches of existing vegetation may not be pruned off more than five feet from the ground, except where necessary to maintain traffic visibility.

**16-21.10.3** Street trees, which will have when fully mature a trunk at least twelve inches in diameter, are required to be planted within the streetscape. Credit will be given for existing trees located within 15 feet of the street pavement or trees with canopies extending to the right-of-way line. Trees may be on public or private property and must be 3-inch caliper, or greater, when planted. On average, the property owner/developer shall install or maintain one street tree for each 30 linear feet of street frontage. When trees are planted by the property owner/developer pursuant to this section, the developer shall choose trees that meet the standards set forth in Appendix E.

**16-21.10.4** Street trees may be installed in linear fashion, or in clusters or groupings with associated plantings, so as to enhance the visual appearance of the streetscape. Any planting area bounded by impervious surface shall be at least eight feet wide.

**16-21.10.5** Where there is a parking area that is directly visible from the street right-of-way, the streetscaping shall provide a semi-opaque screen or barrier between the right-of-way and the parking area. The screen or barrier may consist of trees, plants, earthen berms, fences, walls, or any combination thereof.

**16-21.10.6** The owners of property are responsible for the installation, preservation, and maintenance of all plantings and physical features. Any dead, unhealthy, or missing vegetation, or vegetation disfigured by severe pruning, shall be replaced with locally-adapted vegetation. In the event that any vegetation is severely damaged due to an unusual weather occurrence or natural catastrophe, the owner shall have six months or the next growing season, whichever is sooner, to replace or replant.