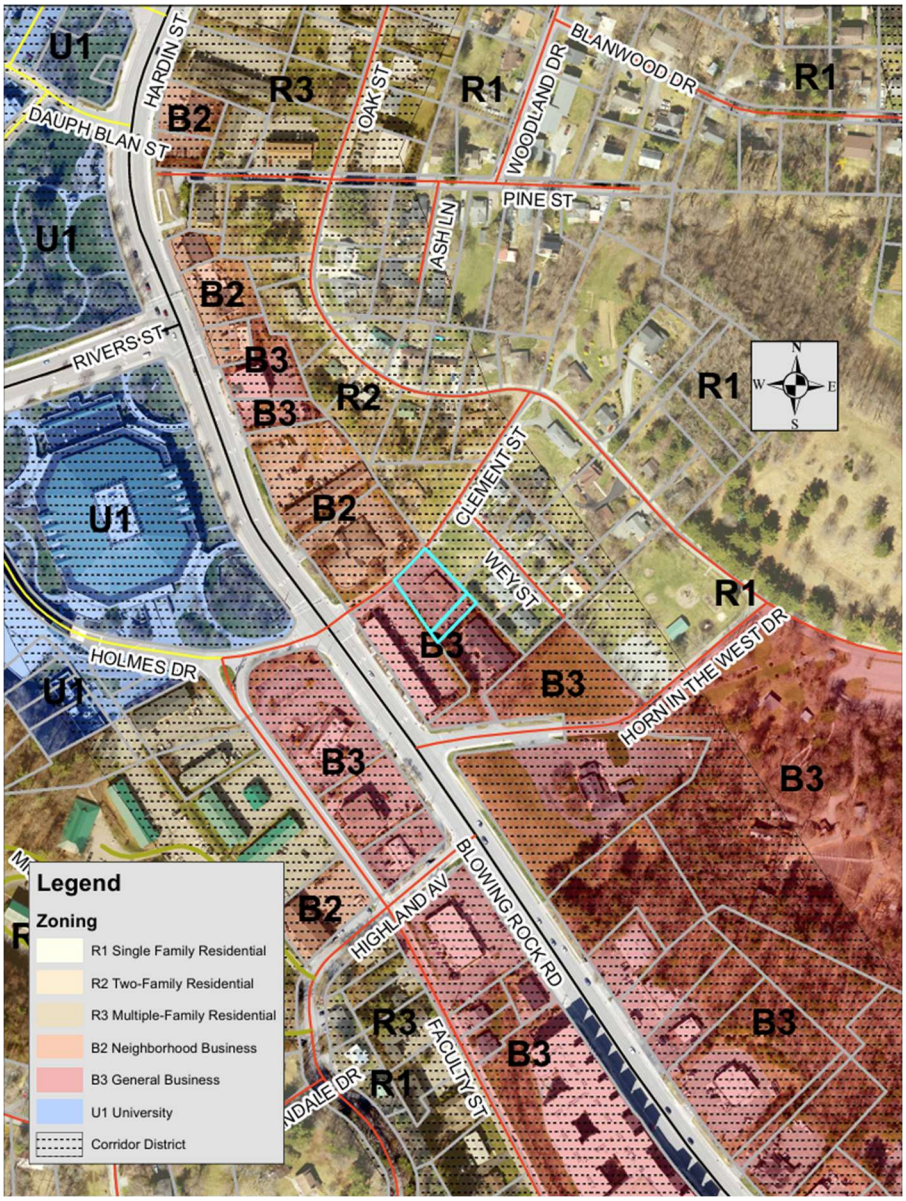
Staff Report has been updated with staff notes related to updated site plan and narrative supplied by the applicant prior to the October 28 Town Council Meeting. Updated notes are highlighted in blue.

Staff Report
Town Council
October 28, 2026
Case A26-0521 Clement Street Apartments, LLC– Conditional District Zoning Map Amendment

Request....2
Case Exhibits....3
Parcel Information....3
Parcel Specifics....3
Requested Zoning....4
Existing Site Characteristics....4
Zoning and Use of Adjacent Properties....6
Zoning Analysis....6
Procedural Analysis....10
Conditional District....10
Conformity to Adopted Plans....11
Boone Next: Our Town, Our Future....11
Conditions of Approval....18
Planning Board Report/Recommendations....19
Town Council Action Required....21
Staff Report Exhibit A: Ordinance #A26-0521....22



Request

Clement Street Apartments, LLC has submitted a Conditional District Zoning Map Amendment application to rezone property at 138 Clement Street. (Watauga County PINs: 2910-15-2928-000 & 2910-15-2953-000) from B3 General Business to Conditional District R3 Multiple-Family Residential District with a site-specific development plan for Use 1.11 Multi-Family Dwelling (up to 30 bedrooms). The request is for a 12-unit, 18-bedroom multi-family dwelling. The property is outlined in blue on the map above.

Requested Deviations (See Applicant Exhibit 1):

1. UDO Section 15.03.03(B): Deviation requested to remove the requirement of 25% of the units having a garage or carport.
2. UDO Section 15.03.03(C): Deviation requested to reduce the required livability space from .50 to the proposed 0.15, including balcony areas for upper floor units.

3. UDO Section 15.03.05(A): Deviation requested to remove the requirement of a common access bathroom in the upper floor two-bedroom units.
4. UDO 15.03.05(B): Deviation requested to remove the requirement of the primary bedroom to be larger and the minimum size of the bedrooms.
5. UDO 31.05.01(D): Deviation requested to reduce the required buffer yards on all three internal lot lines. The reduction is as much as 75% of the required buffer on the northeastern property boundary.
6. UDO 31.05.02: Deviation requested to remove the requirement for a street yard.

Updated Staff Note: A deviation of UDO Table 24.02 will be required if the project is approved as proposed in the updated site plan. Table 24.02 requires all 90-degree parking to have an aisle width of twenty-four feet (24'). This site plan does not meet that requirement so a deviation will have to be granted in order for the project to be approved as presented.

Case Exhibits

Applicant Exhibits (1-7) were submitted by the applicant. Staff generated materials are the Staff Report, in pack as Staff Exhibit 1, and includes Staff Report Exhibit A.

Exhibit #	Items
Applicant Exhibit 1	Applicant's Project Narrative – includes deviations, mitigations, proposed conditions, and affidavit
Applicant Exhibit 2	Supporting Materials
Applicant Exhibit 3	Site Survey
Applicant Exhibit 4	Floor Plans
Applicant Exhibit 5	Elevations
Applicant Exhibit 6	Neighborhood Meeting Notes and Notice
Applicant Exhibit 7	Geo Technical Report
Staff Report Exhibit A	Ordinance #A26-0357

Parcel Information

Parcel Specifics

Property Owner	Elvin M. Hundley	
Address	138 Clement Street	N/A
Watauga County PIN(s)	2910-15-2928-000	2910-15-2953-000
Use	Vacant	Vacant
Use Definition	Vacant	Vacant
Size	0.30 acres	0.07 acres
Access	Clement Street	N/A
Steep or Very Steep Slope	No	No

Existing Zoning:	**B3 General Business** The B3 General Business District is primarily intended to accommodate a wide range of office, restaurant, retail, service, and multi-family residential uses in a mixed-use environment. The regulations for this district are intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses. **Corridor District Overlay** The corridor districts are established overlay district intended to protect the main thoroughfares though Town. **US Highway 321:** Beginning at the intersection with US 421 (East King Street) and extending south along the centerline of US Hwy 321 to the farthest extent of the Town's planning jurisdiction.

Requested Zoning

District Descriptions	**Conditional District R3 Multiple-Family Residential District** The R3 Multiple-Family Residential District is established to provide a high-density area consisting of three or more dwelling units per lot plus limited-service use. The regulations for this district are intended to secure for the persons who reside there a comfortable, healthy, safe, aesthetically pleasing and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts.

Existing Site Characteristics

The combined parcels will be an approximate 0.37-acre site. The site fronts Clement Street to the north, an undeveloped lot to the east, a three-story apartment building to the south, and Winkler Square Mixed-Use development to the west. The parcels are fully developed with an existing one-story brick building and associated parking lot. The parking lot extends to near the property boundary on all sides with small greenspaces along the south, west, and eastern property boundaries. The site is flat with no water features on the lots.

Photo 1



Photo 2



Photo 3



Photo 4



Zoning and Use of Adjacent Properties

	District	Use
North	B2 with Corridor District Overlay	Appalachian State University
East	R1 Single Family Residential	Vacant
South	B3 General Business with Corridor District Overlay	Multi-Family Dwelling (15 Units)
West	B3 General Business with Corridor District Overlay	Mixed Use Development

North:



East:



South:



West:



Zoning Analysis

To streamline staff reports and avoid restating UDO standards, this analysis focuses only on items that require attention by the Planning Commission and Town Council. Below staff have outlined limited use requirements where applicable and any staff concerns.

Any items not clearly shown, and any standards not requested for deviations, are expected to meet all applicable requirements. If approved the applicant will be required to submit full plans and specifications demonstrating complete compliance.

Limited Use Analysis

The applicant has requested Use 1.11 Multi-Family Dwelling (up to 30 bedrooms). Pursuant to UDO Article 34 Definitions, a multi-family dwelling is a building or combination of buildings on a single lot which includes three or more dwelling units. Multi-Family dwellings are subject to Limited Use Requirements as detailed in UDO 15.03.

Ordinance Requirement	Compliance
15.03.03(A): Townhouse style preferred and no one type of dwelling units, as defined by the number of bedrooms, shall comprise more than 50% of the total units.	Applicant intends to meet part of this requirement. The proposal is not a townhouse style but no one unit composes more than 50% of the total units as there are six (6) one-bedroom units and six (6) two-bedroom units.
15.03.03(B): Parking shall be limited to 2 spaces per unit; and a minimum of 25% of units shall have a garage or carport.	Deviation Requested, Applicant Exhibit 1 – Applicant is proposing no garages or carports and a minimum of one (1) parking spot per bedroom with a potential for six (6) extra spots for a potential maximum of 24 parking spots.
15.03.03(C): A livability space ratio of .50 must be met for the development. Fifty percent (50%) of the required livability space shall be designated to a defined area exclusively for the use of ground floor units. This space must consist of a common yard with accompanying private outdoor space for each ground level unit, or individual yards contiguous with the unit served. Either configuration must provide direct access from all ground floor units. The remaining livability space shall be designated for the use of the development as a whole as recreation space and shall be located so as to provide for direct auditory, visual, and physical access from the dwelling units served.	Deviation Requested, Applicant Exhibit 1 – Proposed livability space is .15 including external balconies for upper-level apartments.
15.03.03(D): On-site property management or an owner's association shall be required	Applicant intends to meet requirement. Applicant already owns and manages three other apartment buildings in town limits.
15.03.03(E): A minimum of 5% of the parcel shall be provided as recreation space for residents of the development.	Applicant intends to meet requirement. 5% of the current development would be approximately 800 square feet of recreation space.

15.03.04(A): Maximum building height shall be three (3) stories of occupied space and in no case shall the building exceed fifty feet (50') in total height including the roof or the maximum in the particular zoning district, whichever is less.	Applicant intends to meet requirement. Applicant is proposing a three-story building with a maximum height of under 50'.
15.03.04(B): If a pitched roof is proposed, the pitched roof area may be used as attic or storage space. If a flat roof is proposed, fifty percent (50%) of the roof area must be used as livability space.	Applicant is proposing a pitched roof to meet this requirement.
15.03.04(C): The front entrance of each unit on the first floor must be at ground level to the greatest extent particle.	Applicant intends to meet this requirement. Applicant proposes all first-floor units being built to ADA accessibility standards.
15.03.05(A): The bedroom to bathroom ratio of each unit within the development shall be limited as follows: 1. Efficiency unit and one (1) bedroom unit: one (1) bathroom. 2. Two (2) bedroom unit: one (1) or two (2) bathrooms, with no less than one bathroom with common access. 3. Three (3) bedroom unit: Two (2) bathrooms with no less than one (1) bathroom with common access. 4. Four (4) or more bedroom unit: Three (3) bathrooms with no less than two (2) bathrooms with common access from a hall.	Deviation requested, Applicant Exhibit 1 – The applicant is requesting a deviation of this standard in four of the six two-bedroom units. The applicant plans to meet the standard for the number of units; however, the four upper floor two-bedroom units will not have a bathroom with a common access.
15.03.05(B): In every unit with two (2) or more bedrooms, a designated master suite must be included and shall be at least twenty-five percent (25%) larger than every other bedroom and not less than 144 square feet excluding closet space.	Deviation requested, Applicant Exhibit 1 – The applicant is requesting a deviation of this standard to allow for the two-bedroom units to have two bedrooms of the same size and smaller square footage. The square footage of the bedrooms is proposed to be 108 square feet on the ground floor and 125-130 square feet on the upper floors.
15.03.05(C): Dedicated storage space of at least fifty square feet (50 ft^2) per unit must be provided for units without garages. Any storage space which is not within or attached to the building containing the units served by the space must be architecturally integrated with the development.	Applicant intends to meet this requirement.

Article 14 Zoning District Regulations

Staff Note: The minimum lot size in the R3 zoning district is 20,000 square feet. The parcels combined is approximately 16,117 square feet.

Article 21 Stormwater Management

Staff Note: There is no proposed increase in impervious surface, therefore no stormwater detention would be required to be installed as proposed. There is no stormwater proposed by the applicant and no existing stormwater detention on site.

Updated Staff Note: The applicant is proposing utilizing rain barrels at the gutter drains for the updated structure to decrease runoff velocity. There is still no proposed increase to impervious surface on this project.

Article 24 Parking

Staff Note: Per UDO Subsection 24.03.01, unless no other practicable alternative is available, vehicle accommodation areas shall be designed so that vehicles may exit the areas without backing into a public street. The four parking spots in front of the building would not meet this requirement.

Updated Staff Note: The applicant has modified the site plan for the four parking spaces in the front of the structure to no longer back into Clement Street. However, the proposed design would require a deviation of the standard set by UDO Table 24.02, as all 90-degree parking requires an aisle width of twenty-four feet (24') which is not met with the site design.

Article 31 Landscape Standards

Staff Note: The applicant notes that landscaping along the southeastern and southwestern boundary meets requirements. Upon review of the site, staff does not believe the existing vegetation in those buffers meets the requirement of this standard. Should this project be approved with deviations as requested, no plantings would be required unless a condition is placed on the approval by Town Council.

Comments from other Town Departments: In addition to the Planning review, the submitted plans were evaluated by other Town departments for compliance with applicable codes. Their comments are provided below.

Fire: The application has been reviewed with the following comments:

- A FDC or PIV for the sprinkler system will be required if approved.

Public Works

Services - The application has been reviewed with the following comments:

- Sidewalk will be required along Clement Street.

Updated Staff Note: The applicant has revised the narrative to include the side walk along Clement Street.

Utilities - The application has been reviewed with the following comments:

- Utility plan will have to be reviewed as part of the approved plan sets if approved.

- Backflow preventor will be required if approved.

Procedural Analysis

This request involves one procedural action for zoning. The process ensures that the actions are considered holistically in light of Boone Next. The process will continue as scheduled unless delayed.

Date	Step	Guidance
September 28, 2026	Zoning Public Hearing	• A public hearing before the Council and the Planning Commission is held on zoning. • The Planning Commission provides a required zoning recommendation.
October 28, 2026	Final Council Decisions	• Council votes on zoning consideration.

Conditional District

Pursuant to UDO Subsection 9.09.01 (A), the CD process is established to provide tailored regulations to address specific circumstances or development goals. This process permits the application of additional conditions to proposed developments to ensure compatibility with neighboring uses and alignment with adopted plans or other development goals of the town, while also allowing deviations from existing standards where such serves the town's development goals. By incorporating tailored standards, the CD process offers a degree of flexibility not always achievable through a general use zoning map amendment. Specific procedural steps are mandated and applications must include more detailed information than might otherwise be required.

Procedural Requirements (UDO Subsection 9.09.02)

Standard	Comments	Compliance
9.09.02(A) Pre-Application Meeting(s)	June 1, 2026	Yes
9.09.02(B) Neighborhood Meeting: June 29, 2026		
Notice	Mailed on June 2, 2026 and posted on Town website, Exhibit 6	Yes
Location	Town of Boone Council Chambers, 1500 Blowing Rock Road	Yes
Presentation Info	Exhibit 6	Yes
Minutes	Exhibit 6	Yes
Time Limitation	The application was submitted within 6 months of the neighborhood meeting.	Yes
9.09.02(C) Application Submittal		
Allowable Uses	Exhibit 1, Project Narrative - includes Deviations, Mitigations, and proposed Conditions	Yes
Deviations		
Mitigation		

Conditions		
Affidavit	Exhibit 1, Affidavit	Yes

Conformity to Adopted Plans

Boone Next: Our Town, Our Future

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

Planning Principles: The Boone Next Planning Principles are intended, as a collective, to provide a core vision to guide planning, zoning, and development decisions. These principles should be carefully considered with respect to all zoning map amendments, ordinance text amendments, and other development decisions as well as other town planning and policy initiatives.

Planning Principle 1
Prioritize thoughtfully designed development of underutilized land within the town's existing built-upon areas over development of undeveloped land on the town's outer limits. It is preferable to accommodate growth in locations within the existing town limits that are appropriate for, can support, and would be enhanced by, new development. Infill and redevelopment will occur in a strategic manner that considers community needs like provision of and access to goods, services, transit, and quality public space.
Planning Principle 2
Emphasize quality design to create an attractive, inspiring public and private realm— architecture, streetscape, corridors, gateways, and edges—that is uniquely Boone. Public areas (streetscapes, sidewalks, parks, plazas, etc.) and private areas (building facades, landscaping, parking facilities, etc.) will be planned, arranged, and designed with quality materials to celebrate a sense of place and character by balancing function, appearance, and affordability, while fostering creativity, innovation, and human-scale design that is true to Boone.
Planning Principle 3
Encourage compact, human-scale development that integrates a vertical mix of uses (residential, commercial, office, institutional, civic, etc.) and connects with existing developed areas. Places will be created with multiple uses in proximity to each other, perhaps on the same site and/or in the same structure. Close attention will be given to the compatibility of those uses and their surroundings. Uses will be arranged in a manner that maximizes pedestrian activity and create "communities within our community."
Planning Principle 5
Employ planning policies to accommodate growth while promoting an equitable town and protecting the most vulnerable residents and small businesses against economic displacement.

Planning and zoning policies and practices seek to limit the negative and undesired effects of gentrification and displacement. Current residents and small businesses that are in Boone today and want to remain here should be able to afford to stay while people who work in Boone should be able to afford to live within the town limits. Robust engagement and communication with residents and small businesses is key to promoting equitable planning in Boone.

Planning Principle 7

Support the town's established neighborhoods and new residential developments through neighborhood-level engagement and planning.
Neighborhoods may include a variety of land uses (residential, commercial, civic, and recreational areas), building types, and housing types. They may have an identifiable center that offers basic services such as cafés, childcare, specialty stores, and grocery options. Neighborhoods will support a variety of travel options and be well-connected to adjacent neighborhoods and parks. They will seamlessly integrate the members of diverse, multi-generational communities living in proximity to one another.

Planning Principle 10

Encourage appropriate development to meet the town's urgent need for housing or other specific community needs by means of density bonuses or other mechanisms.
Encourage construction of affordable housing, public infrastructure, or other identified community needs by means of density bonuses or other incentives in appropriate areas of the town. For example, increased building height or additional units may be allowed in exchange for incorporating affordable housing units in a development.

Growth Management Tiers Map: The Growth Management Tiers Map is a policy tool intended to help Boone manage the growth of its corporate limits. The map identifies areas inside and outside the corporate limits that are likely to face development pressures, and it identifies those areas that are most appropriate for the town to consider serving by means of annexation within the next 10 to 15 years. The Growth Management Tiers Map is supplemented by and should be applied in concert with the Future Land Use Map, where applicable. The overall purposes of the map are to:

- Promote better interjurisdictional and long-range planning between and among the town, Watauga County, and utility providers.
- Encourage long-term fiscally and environmentally sustainable growth by carefully managing the extension of taxpayer-funded town services
- Encourage infill development
- Inform developers, landowners, farmers, and residents with respect to the town's priorities and approach to the growth of its corporate limits
- Provide policy guidance to town decision-makers regarding annexations, town service provision, fees and incentives, and locations for capital improvements

This property is located within the **Priority Growth Area**.

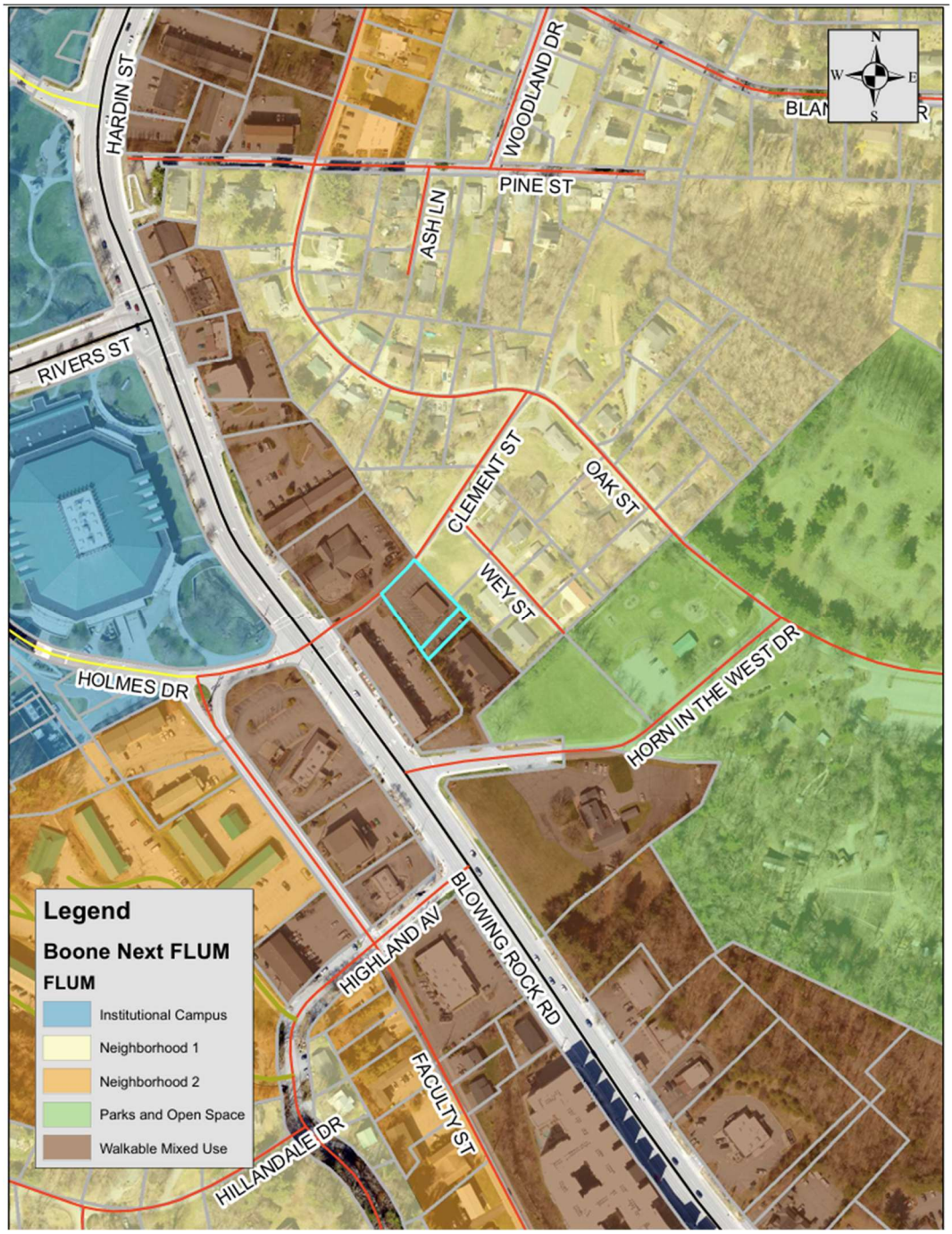
Priority Growth Area is land where growth is most encouraged; designated as Downtown, Downtown Edge, and Walkable Mixed Use on the Future Land Use Map.

Future Land Use Map

The Future Land Use Map is a critical tool intended to give shape to and help implement Boone's vision for the next 15-20 years. The map and associated land use types provide a framework for development and other land use-related decisions, including decisions on public infrastructure and transportation.

In legislative decision-making cases, Council and the Planning Commission will review Boone Next and the Future Land Use Map to ensure that the request:

- is consistent with the goals and policies set forth in this plan; and
- is consistent with the land use type as shown on the Future Land Use Map;
- and if not ensure that the requested change of zoning will not negatively impact the intent of the mapped land use type; and
- is supported by existing or planned infrastructure.



The property included in the request is mapped in the Walkable Mixed Use land use type. Please see below for more details on this land use type.

Description	Objectives	Primary Uses
Walkable Mixed-Use areas are envisioned as places that should evolve from existing auto-oriented patterns into green, walkable, mixed-use corridors and destinations.	- Eliminate curb cuts on arterials through rear access parking and new	- Vertical mixed-use with ground floor commercial and upper story residential and/or appropriate

New street and alley grids may be established, fostering a more urban environment while maintaining a commitment to well-designed, green, and visually-engaging building patterns. Buildings in these areas are oriented toward the street and generally up to four stories in height; in some cases, on appropriately sized and located lots, they may reach up to six stories. Parking and drive aisles in the front are minimized and the majority of parking placed to the sides and rear. Ground floors should feature ample transparent windows and doors. Ground floors should create an inviting atmosphere for pedestrians by, for example, incorporating features like generous transparent windows and inviting entryways. Where appropriate, wider sidewalks and street trees enhance the pedestrian experience and promote a sense of place. The overall vision behind the Walkable Mixed-Use Land Use Type is to foster vibrant, self-sufficient communities where everything is just a short stroll away – a true realization of the "15-minute city" or "city within a city" concept. Here, residents enjoy access to local businesses, services, and amenities that cater to their daily lives, while commercial spaces thrive on the support of a connected residential environment.	alley construction and dedication - Evaluate opportunities for neighborhood scale-businesses that enhance neighborhoods with accessible resources such as cafes, small grocers/bodegas, and childcare facilities - Mixed-use buildings provide a variation in layout and size for ground floor non-residential uses - Encourage and facilitate public spaces like plazas, playgrounds, and other public amenities	commercial uses; or a mix of single-use commercial and/or residential buildings within a single development - Multi-family - Limited light industrial/manufacturing uses with minimal external impacts

Goals & Policies

Goal 1.1 A SUSTAINABLE BUILT PATTERN

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

Policy 1.1.1 Use the Future Land Use Map

Use the Future Land Use Map to guide development, growth, and conservation decisions. Additionally, use the Focus Area Plans for more detailed policy direction within each of those areas.

Policy 1.1.2: Use Best Design Practices in New Development

All new growth should move Boone toward creating a network of "communities within a community" - a polycentric pattern of walkable, human-scale activity centers located within short distances of residents across the town. This pattern is key to supporting sustainability by aiming to reduce vehicle trips and their associated emissions, improving human health by supporting active utilitarian modes of transportation, and guiding growth away from natural areas. Where feasible, new growth should establish short blocks and connected rights-of-way, prominent civic spaces, stream daylighting and protected natural resources, front-facing buildings with transparent and welcoming first floors and public spaces, a diversity of housing types, income-restricted housing units, neighborhood-serving and context-sensitive nonresidential uses, rear parking and alleys, front porches (residential), and safe multimodal transportation infrastructure design.

Goal 1.2 DEVELOPMENT TRUE TO BOONE'S VISION

Boone's development and redevelopment will enhance the best of the town's existing built environment and reinforce the vision set forth in this plan.

Policy 1.2.1 Build the Town for People

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

Policy 1.2.2 Infill Development Enhances the Town

Infill development is important because it directs growth away from natural areas, but it must be done well. Infill development shall enhance and not detract from the building character of the town by replicating key elements of Boone's cherished historic design features (like building scale, proportion, setbacks, character) with high quality, pedestrian-oriented design and providing public goods like plazas, wide sidewalks, public art, and affordable spaces for living, artists, and small businesses. Rules for new development should avoid financially incentivizing displacement of vulnerable populations.

Policy 1.2.3 Coordinate Land Use and Transportation Planning

Ensure transportation infrastructure supports walkable development and multimodal transportation options — including connections to activity centers. Important considerations include the width and design of sidewalks, street trees, physically protected bike lanes, tight curb radii at intersections, traffic calming devices, appropriate lane widths that create safer design speeds, and other features that enhance the safety and comfort of all travelers.

Policy 1.2.5: Use Appropriate Transitions Between Different Scales and Intensities

Use appropriate transitions between different building uses and intensities by stepping down building heights and scale from areas allowing taller buildings to primarily residential neighborhoods.

Goal 1.3 A PRESERVED HERITAGE

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

Policy 1.3.4: Encourage Reuse and Rehabilitation

Support and encourage adaptive reuse and rehabilitation of existing homes and buildings. Where appropriate, minimum building code standards should be applied in a manner compatible with historic preservation efforts.

Goal 1.5 INTENTIONAL GROWTH MANAGEMENT

Boone will manage growth thoughtfully and intentionally within its borders and at its edges to enhance the town's livability and meet the needs of a growing community.

Policy 1.5.1: Manage Growth to Balance Protection of Community Character and Natural Areas While Directing Desired Growth to Identified Centers

The town will manage growth in a manner that balances the protection of community character and natural lands while accommodating future population. Change in the community will be carefully managed to protect critical natural lands, provide a variety of housing options for a diversity of households, support economic development, support fiscal balance, ensure adequate public safety services, and utilize growth patterns that support regional and local transit services. Lands within the town's current corporate limits are priorities for infill and redevelopment. New development areas contiguous with the town and in identified activity centers should be secondary priorities for development and ahead of areas outside centers.

Policy 1.5.3: Guide Growth Using the Growth Management Tiers Map

The Growth Management Tiers Map serves as a guide for development and investment decisions. The map's purpose is to ensure Boone accommodates growth consistent with the Boone Next Planning Principles, intentionally directs growth to desired areas, manages the pace of development, and aims for fiscal balance. This map is intended to be used when considering zoning and development approvals, utility service extensions, annexations, incentives, and capital investments. This map should be used in coordination with the Utility Service and Annexation Criteria. The Growth Management Tiers Map will be updated from time to time to reflect changing planning conditions.

Goal 1.6 AN AFFORDABLE TOWN TO LIVE IN

Boone will facilitate sustainable affordable housing for low- to middle-income residents.

Policy 1.6.1: Support Income-Restricted Housing

Support permanently affordable housing for low- and middle-income residents geographically located throughout the town. Prioritize permanent affordability, particularly for those at or below 60 percent of the area median income, through community land trusts, nonprofit ownership and management, the Housing Authority, town ownership, and restricted deeds and covenants. Consider programs that fund home improvements for low income homeowners in exchange for right of first refusal to purchase homes for affordable housing partners.

Policy 1.6.2: Use Innovative Tools to Expand Affordable Housing

Using incentives like density bonuses, regulations, and other strategies, strive to achieve a minimum of 5-10 percent income-restricted units in new multi-unit residential construction projects.

Policy 1.6.4: Make Daily Needs More Accessible Across Boone

Consider both the cost of housing and the cost of transportation as the town develops, recognizing that transportation costs rise as distances to daily needs like grocery stores, daycare, work, and school increase. Focus on distribution of uses and services using walkable urban design principles

that make daily needs more accessible to all ages and abilities. Measure and track progress toward increasing the proportion of residents living within a comfortable 5-10 minute walk, bike, or transit ride to daycare facilities; grocery stores; parks, greenways, or playgrounds; and employment destinations.

Goal 4.4 LONG-TERM FISCAL BALANCE

Long-term fiscal balance will be achieved through land use and growth decisions that are informed by long-term fiscal impacts of development.

Policy 4.4.1: Promote Use of Existing Resources

Promote infill, redevelopment, and adaptive use as a way to maximize use of existing services, infrastructure, and utilities.

Policy 4.4.2: Proactively Manage Growth and Development

Anticipate and guide future growth and development using the planning principles, frameworks, and maps in this Comprehensive Plan to ensure that new development can be supported by town infrastructure and services while protecting open space.

Policy 4.4.3: Promote Smart Growth

Ensure new growth and development is fiscally balanced in the long run while directing more growth to areas with existing services and infrastructure. Some types of developments and land uses are necessary to the social needs of the town and do not necessarily directly improve the town's fiscal balance, such as recreation and cultural facilities or affordable housing. Encourage compact development that can be more efficiently served, especially as indicated on the Future Land Use Map.

Policy 4.4.4: Consider Community Priorities and Long-Term Impacts

Consider community priorities and long-term impacts in decision-making, with the understanding that some community priorities may not have positive fiscal impacts and some decisions may not provide short-term benefits.

Conditions of Approval

1. Where there is a conflict between the original application information and the plans (received on June 10, 2026), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO. For application elements not depicted on the plans but included in the written materials provided by the applicant and considered at the public hearing held on July 27, 2026, those details shall be considered part of the approved plan except as may be specifically provided otherwise in these conditions or was represented otherwise by the applicant at the public hearing.
2. Any commitments and representations concerning the proposed development made by the applicant at the public hearing shall also become a condition of the permit and a basis for a stop work order and/or permit revocation if violated.
3. The applicant shall submit the necessary applications, plans, details, and specifications meeting the requirements of the Town Code, UDO, Building Code, and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.
4. Any other condition agreed upon…

Planning Board Report/Recommendations – September 28, 2026

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

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

Planning Principle 1: Prioritize thoughtfully designed development of underutilized land within the town's existing built-upon areas over development of undeveloped land on the town's outer limits. It is preferable to accommodate growth in locations within the existing town limits that are appropriate for, can support, and would be enhanced by new development. Infill and redevelopment will occur in a strategic manner that considers community needs like provision of and access to goods, services, transit, and quality public space.

Policy 1.2.2: Infill Development Enhances the Town: Infill development is important because it directs growth away from natural areas, but it must be done well. Infill development shall enhance and not detract from the building character of the town by replicating key elements of Boone's cherished historic design features (like building scale, proportion, setbacks, character) with high quality, pedestrian-oriented design and providing public goods like plazas, wide sidewalks, public art, and affordable spaces for living, artists, and small businesses. Rules for new development should avoid financially incentivizing displacement of vulnerable populations.

Policy 1.3.4: Encourage Reuse and Rehabilitation: Support and encourage adaptive reuse and rehabilitation of existing homes and buildings. Where appropriate, minimum building code standards should be applied in a manner compatible with historic preservation efforts.

Policy 4.4.1: Promote Use of Existing Resources: Promote infill, redevelopment, and adaptive use as a way to maximize use of existing services, infrastructure, and utilities.

The development will provide multi-family housing as a primary use in the walkable mixed-use designation.

Commission Member Paz-Miranda wished to amend the motion to add:

Planning Principle 7: Support the town's established neighborhoods and new residential developments through neighborhood-level engagement and planning. Neighborhoods may include a variety of land uses (residential, commercial, civic, and recreational areas), building types, and housing types. They may have an identifiable center that offers basic services such as cafes, childcare, specialty stores, and grocery options. Neighborhoods will support a variety of travel options and be well-connected to adjacent neighborhoods and parks. They will seamlessly integrate the members of diverse, multi-generational communities living in proximity to one another.

Commission Member Luther accepted the amendment.

Commission Member Paz-Miranda seconded the motion.

VOTE: Aye – 5

Nay – 0

Absent – 1 (Kight)

The motion passed.

Second Motion and Vote: Commission Member Luther made a motion, seconded by Commission Member King, that the Planning Commission recommends approval of Ordinance A26-0521 within Staff Report Exhibit A and approval is reasonable and in the public interest as an adaptive reuse that adds housing within walking distance of a campus without new impervious surface, and that replaces the full range of B3 commercial uses with a residential use of lower traffic and noise impact, subject to the following conditions:

1. Where there is a conflict between the original application information and the plans (received on June 10, 2026), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO. For application elements not depicted on the plans but included in the written materials provided by the applicant and considered at the public hearing held on July 27, 2026, those details shall be considered part of the approved plan except as may be specifically provided otherwise in these conditions or was represented otherwise by the applicant at the public hearing.
2. Any commitments and representations concerning the proposed development made by the applicant at the public hearing shall also become a condition of the permit and a basis for a stop work order and/or permit revocation if violated.
3. The applicant shall submit the necessary applications, plans, details, and specifications meeting the requirements of the Town Code, UDO, Building Code, and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.
4. Units shall be leased by the unit, not by the bedroom.
5. Provide parking that does not impede traffic on Clement Street, including those spaces that back into the street.
6. The applicant must work with town staff on a solid waste collection plan that defines the container location and collection access before site plan approval.
7. Existing trees on the site must be retained.

VOTE: Aye – 5
Nay – 0
Absent – 1 (Kight)

The motion passed.

Town Council Action Required

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the Town Council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning administrator shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently.

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

_____

_____

_____

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

Vote 2: The Town Council ☐**approves** OR ☐**denies** Ordinance A26-0521 within Exhibit A and believes ☐**approval** OR ☐**denial** is reasonable and in the public interest because:

_____

_____

_____

Note 2: *briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.*

Staff Report Exhibit A: Ordinance #A26-0521

ORDINANCE # A26-0521

AN ORDINANCE TO REZONE PROPERTY WITHIN THE TOWN OF BOONE

WHEREAS, pursuant to N.C. Gen. Stat. §160D-601, the Town may amend its zoning map after giving proper public notice and holding a public hearing; and

WHEREAS, the Planning Commission and Town Council has received the request to amend the Official Zoning Map of the Town of Boone, North Carolina to zone the property below as presented:

Address: 138 Clement Street

Watauga County PINs: 2910-15-2928-000 & 2910-15-2953-000

Property Owner: Elvin M. Hundley

Zoning: Conditional District R3 Multiple-Family Residential District with a site-specific development plan for Use 1.11 Multi-Family Dwelling (up to 30 bedrooms). The request is for a 12-unit, 18-bedroom multi-family dwelling.

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

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The Boone Town Council hereby approves and adopts the modifications to the Town Zoning Map as set forth herein.

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

SECTION 3. This Ordinance shall be effective immediately upon its adoption by Town Council.

Adopted this day October 28, 2026.

The Honorable Dalton George, Mayor

Attest:

Nicole Harmon-Church, Town Clerk