

# TOWN OF WAYNESVILLE

## Planning Board

9 South Main Street  
Suite 110  
Waynesville, NC 28786  
Phone (828) 456-8647 • Fax (828) 452-1492  
[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

Development Services  
Director  
Elizabeth Teague

**Planning Board Members**  
Susan Teas Smith (Chairman)  
Ginger Hain (Vice Chair)  
Stuart Bass  
John Baus  
R. Michael Blackburn  
Travis Collins  
Jan Grossman  
Tommy Thomas  
Blake Yoder

**Regular Meeting of the Planning Board**  
**Town Hall, 9 South Main Street, Waynesville, NC 28786**  
**Monday, September 16, 2024, 5:30 PM**

---

### A. CALL TO ORDER

1. Welcome/Calendar/Announcements
  - Summary of Council actions on recent Planning Board recommendations
2. Approval of Minutes as presented (or amended):
  - July 22, 2024 Special Called Meeting

### B. BUSINESS

1. Report from the Density Work Group with consultant Jake Petrosky of Stewart Engineering.
2. Discussion on text amendments related to accessory structures and manufactured housing, Land Development Standards sections 3.2.1, 3.2.6, 4.5, and 17.3.
3. Report and discussion on Short Term Rental draft ordinance and feedback from the workgroup.
4. Report and discussion on the use of ground mounted solar panels, private solar array installations within Town, and EV charging stations as a civic space option.

### C. PUBLIC COMMENT/CALL ON THE AUDIENCE

### D. ADJOURN

## Waynesville Town Council Votes on the Planning Board Items 2023-2024

### February 14, 2023

- Map Amendment for the property located at 465 Boyd Avenue (PIN 8605-96-8882) to create a Hazelwood Urban Residential MXO-3 District.
- Text Amendment to the LDS Section 17.3, Use Type Definitions, Personal Services to include tattoo parlors.

*The text amendments passed unanimously.*

### May 23, 2023

- Stormwater Ordinance text amendment, Section 12.5 of the LDS: design standards and safety measures for stormwater control measures with steep slopes and tall banks (such as ponds).

*Motion of Consistency with the 2035 Plan and Motion to adopt the text amendment passed unanimously.*

- Map Amendment for the property located at 237 Ratcliff Cove Road (PIN 8626-00-9246).

*The Council voted to rezone the property described as 237 Ratcliff Cove Road (PIN 8626-00-9246) from the Raccoon Creek Neighborhood Residential District to the Raccoon Creek Neighborhood Residential District Mixed-Use Overlay-2, to be enacted 10 days after the Haywood County School Board achieves ownership of the property, and to limit the additional uses extended by the overlay to Government Services, and in so doing amending the Comprehensive Plan, Future Land Use Map to re-designate this property as "Community Facilities" in its land use typology.*

### June 27, 2023

- Text amendment to the LDS Section 5.10.2, Mixed-Use/Commercial Building Design Guidelines, Façade Materials.

*The original text amendment was simply to add "metal panels and siding" to the list of permitted materials. The Town Council modified it by adding the following provisions:*

*Metal panels and siding may be used as a facade material on commercial buildings with the following restrictions:*

1. *Metal panels and siding may be used as a facade material only on commercial buildings located within Neighborhood Center, Business, and Regional Center Districts.*
2. *Such metal panels and siding must consist of architectural-grade metal without a high-gloss finish. Standing seam metal panels may not be used as a façade material.*
3. *The use of metal panels and siding as a façade material within a National Register Historic District or Local Historic District must be approved by the Historic Preservation Commission with the issuance of a Certificate of Appropriateness.*

*The text amendments passed unanimously.*

### September 12, 2023

- Addition of an "Event Space" as a stand-alone use to the Land Development Standards (LDS): definition and supplemental standards.
- Creation of a Railroad Overlay District: purpose, standards, uses.
- Definition of "Freight Hauling/Truck Terminals."

*The text amendments passed unanimously.*

**January 9, 2024**

- Rezoning request for the portion of the property at 1460 Russ Avenue from Dellwood Residential Medium Density Mixed-Use Overlay (D-RM MXO) to Russ Avenue Regional Center District (RA-RC) district.

*The map amendment passed unanimously.*

**March 12, 2024**

- The Town Council approved the Conditional District Rezoning for Biltmore Baptist Church with the following conditions:
  1. Comply with the façade standards and include architectural elements on the north and south side building elevations in accordance with Land Development Standards (LDS) section 5.10.
  2. Preserve existing street trees along Asheville Rd (LDS 8.4.1).
  3. Require 5-ft sidewalks along Asheville Rd and Ratcliff Cove Rd (LDS 6.6.2 B, D).
  4. Allow parking at the principal frontage, as proposed on the Master Plan (LDS 9.3).

The applicant submitted the Transportation Impact Analysis study at the hearing, and the Council accepted it with no further comments.

*The map amendment passed unanimously.*

**March 26, 2024**

The Town Council approved the Conditional District Rezoning for the 10.99-acre portion of the unaddressed parcels at Waynesville Inn and Golf Club PIN 8614-27-1901 and PIN 8614-27-7912, Greenview Conditional District Map Amendment (Rezoning), with the following conditions attached:

1. Lot width standards for CC-RL shall not apply
2. LDS standards for the proposed “Lane” within the subdivision shall not apply (LDS 6.6.2. E)
3. At both hydrant locations, the proposed “Lane” needs to be at least 26 ft wide. The plan needs to be adjusted prior to issuance of the building permit to comply with Fire and Building Codes.
4. The developer will pay payment-in-lieu for sidewalk construction with the easement granted to the Town to construct a sidewalk in order to fill the existing gaps in the neighborhood, per staff recommendations, with priority along the northern part of Longview Drive.
5. Civic space requirements of the LDS Chapter 7 shall not apply as the project claims credit for the existing amenities. Access to existing civic space must be guaranteed for all the residents of the development.
6. Landscape requirements of the LDS Chapter 8 shall not apply as the project will propose custom landscaping plan
7. Minimum spacing requirements between the driveways in CC-RL of the LDS Chapter 9 shall not apply

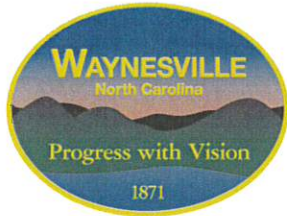
*The map amendment passed unanimously.*

**May 14, 2024**

1. The Council closed the public hearing on the Longview Conditional District Subdivision and directed the Town Attorney (Martha Bradley) and Development Services staff to negotiate some conditions of approval with the applicant to ensure better compliance with the LDS. The Council will vote on the application on May 28, 2024 with consideration of negotiated conditions.
2. The Council continued the public hearing on general 160-D corrections and tree preservation until June 11<sup>th</sup>, 2024.

<p><b>May 28, 2024</b></p> <p>1. The Council unanimously voted to deny the Longview Conditional District Map Amendment.</p>
<p><b>June 12, 2024</b></p> <p>1. Text amendment related to 160D corrections, definition of townhomes, elimination of protest petitions, and tree preservation.</p> <p><i>The text amendment passed unanimously.</i></p>
<p><b>June 25, 2024</b></p> <p>1. Railroad Overlay Map Amendment (RR-O) to the official Waynesville Land Development Map (a.k.a. zoning map). The overlay district is applied to 111 properties, with 81 of them being in the Frog Level area and 30 in Hazelwood.</p> <p><i>The map amendment passed unanimously.</i></p>
<p><b>August 13, 2024</b></p> <p>1. Zoning map amendment at 225 Church Street, Waynesville, NC 28786 (PIN 8615-27-0218) from Main Street Neighborhood Residential (MS-NR) to Main Street Neighborhood Residential Mixed-Use Overlay (MS-NR-MXO).</p> <p><i>The map amendment passed unanimously.</i></p>
<p><b>September 10, 2024</b></p> <p>1. The Council returned the text amendment on accessory dwellings and manufacturing housing to the Planning Board for further analysis of its potential impacts on properties.</p>

You can access previous minutes and agendas by visiting the following site: <http://www.egovlink.com/waynesville/>.



# TOWN OF WAYNESVILLE Planning Board

9 South Main Street  
Suite 110  
Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

Development Services  
Director  
Elizabeth Teague

Assistant Development  
Services Director  
Olga Grooman

Susan Teas Smith (Chair)  
Ginger Hain (Vice Chair)  
Stuart Bass  
John Baus  
Michael Blackburn  
Travis Collins  
Jan Grossman  
Tommy Thomas  
Blake Yoder

## MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

### Special Called Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786

Monday July 22<sup>nd</sup>, 2024, 5:30 p.m.

THE WAYNESVILLE PLANNING BOARD held a Special Called Meeting on Monday, July 22<sup>nd</sup>, 2024, at 5:30 p.m. in the board room of the Town Hall at 9 South Main Street, Waynesville, NC 28786.

### A. CALL TO ORDER

#### 1. Welcome/Calendar/Announcements

The following members were present:

Ginger Hain (Vice Chair)  
John Baus  
Michael Blackburn  
Jan Grossman  
Tommy Thomas  
Blake Yoder

The following board member was absent:

Stuart Bass  
Travis Collins  
Susan Teas Smith (Chair)

The following attorney was present:

Ron Sneed, Board Attorney

The following staff members were present:

Elizabeth Teague, Development Service Director  
Olga Grooman, Assistant Development Service Director  
Alexander Mumby, Land Use Administrator

Planning Board Minutes  
Regular meeting  
July 22<sup>nd</sup>, 2024

6

Esther Coulter, Administrative Assistant

Vice Chair Ginger Hain welcomed everyone and called the meeting to order at 5:30 p.m.

Ms. Hain asked Development Services Director Elizabeth Teague if she had any announcements.

Ms. Teague thanked Tommy Thomas for the comments regarding the receipt of the agenda packet on Friday morning for Monday meeting.

Ms. Hain then asked for a motion to approve the minutes from the May 20th, 2024 meeting.

*A motion was made by Board member Jan Grossman and seconded by Board member Blake Yoder to approve the minutes from the May 20, 2024, Planning Board meeting as presented or amended. The motion passed unanimously.*

Ms. Hain read through the process for the hearing.

## **B. BUSINESS**

1. *Public Hearing for a major subdivision application to create 10 residential lots from a 6.46-acre portion of the parcel (PIN 8604-99-9023) within Waynesville Inn and Golf Club property, adjacent to Longview Drive.*

Ms. Hain opened the public hearing at 5:36 p.m.

Assistant Development Service Director Olga Grooman presented the staff report for a major subdivision of 10 single-family homes on the 6.46-acre portion of the Waynesville Inn and Golf Club (PIN 8604-99-9023). Per LDS 15.9.2, "the major subdivision review process is required for those divisions of land into eight (8) or more lots." The preliminary plat review for a major subdivision is an administrative procedure, and the Planning Board is the Administrator.

For the major subdivision review, the Planning Board must find that each of the following facts to be true in order to approve, or approve with conditions the application for a Major Subdivision (LDS 15.9.3(H)):

1. The plan is consistent with the adopted plans and policies of the Town;
2. The plan complies with all applicable requirements of this ordinance; and
3. The plan has infrastructure as required by the ordinance to support the plan as proposed

The proposed major subdivision will consist of single-family homes that are allowed outright in the Country Club Residential Low Density District (CC-RL). LDS 17.3 provides the following definition of a single-family dwelling:

”Dwelling—Single-Family. A free-standing building designed for and/or occupied by one household. These residences may be individually owned as residences or residences owned by rental or management companies. Also includes factory-built, modular housing units that comply with NC State Building Code.”

Ms. Grooman explained that the Future Land Use Map of the 2035 Comprehensive Land Use Plan designates this subject property as Residential- Medium to High Density. The proposed project is consistent with the following goals of the Comp. Plan:

Goal 1: Continue to promote smart grown principles in land use planning and zoning.

- Encourage infill, mixed-use and context-sensitive development.
- Promote conservation design to preserve important natural resources.

Goal 2: Create a range of housing opportunities and choices.

- Encourage new housing inside Waynesville’s city limits and Extraterritorial Jurisdiction (ETJ).
- Promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households.

The preliminary plat shows general compliance with the ordinance. The approval of this major subdivision does not exempt it from the requirements of the Building, Fire Codes, and any other laws, rules, or regulations. The plan also has infrastructure as required by the ordinance to support the plan as proposed.

The proposed subdivision enhances the economic opportunities of the existing country club and golf course through the re-use of a portion of the golf course for the purpose of creating additional housing and will serve golf course members and visitors.

### **Applicant**

Derick Allen, Attorney for Civil Design Concepts, compared the previous application with the current one and reiterated that the current one was an administrative review. He also mentioned that he had contacted Attorneys Ron Sneed and Clint Cogburn. According to Mr. Allen, the staff report supports the decision based on the research results, and he stated that the plan complies with the ordinances.

Patrick Bradshaw answered questions from board members who were concerned about whether the fairway was included within the property boundaries.

### **Public Comment**

Harry McCracken stated that he attended the Town Council meeting on May 28<sup>th</sup>, 2024, and the Council unanimously determined that the plan was inconsistent with the 2035 Comprehensive Land Use Plan and was not in the public interest.

Planning Board Minutes

Regular meeting

July 22<sup>nd</sup>, 2024



Gerry Gilbert noted that he did not see much change from the previous application and stated that Lot 8 extends across the fairway. He expressed concern about safety on Longview, mentioning that it is already a very busy road.

Annette Brun expressed concerns about the timeline of the development, the height of the houses, and the type of trees and their height. She stated that the width of the properties was not compatible with the surrounding neighborhood.

Clint Cogburn, attorney for several neighbors, stated that the subdivision was inconsistent with the 2035 Comprehensive Plan and did not meet the lot size standards.

William Whalen stated that the golf course had a soil report done and did not share the results with the public. He stated that the Town Council voted down this project on May 28<sup>th</sup>, 2024.

Vice Chair Ginger Hain closed the public hearing at 6:06 p.m.

Attorney Ron Sneed explained to the board that such lot configuration was allowed and was legal.

The board deliberated.

***A motion was made by Board member Jan Grossman and seconded by Board member John Baus to decline the major subdivision application on the grounds that it did not meet the criteria, our goals, and was similar to a previous design that had been denied. The motion failed, with 2 votes in favor and 4 against.***

***A motion was made by Board member Michael Blackburn and seconded by Board member Tommy Thomas to approve the major subdivision as presented by staff. The motion passed, with 4 members voting in favor and 2 against.***

- 2. Public Hearing on a zoning map amendment application to rezone a property at 225 Church Street (PIN 8615-27-0218) from Main Street Neighborhood Residential to Main Street Neighborhood Residential Mixed-Use Overlay.*

Elizabeth Teague, Development Service Director, read the staff report. She explained that this 1930-s building was sitting empty with potential uses for multiple tenants. It provided an infill and mixed-use redevelopment opportunity for the property. Ms. Teague stated that the rezoning would create a “makerspace” that would provide business opportunities for local and small business owners, crafts people, and artisans. It was in proximity to the business centers of Frog Level and Main Street and fell within the “mixed-use community” designation on the Future Land Use Map.

The board recommended that the Town Council approve the request with the overlay, which would be limited to a restaurant and general commercial uses. The board found that the application was both consistent with the 2035 Comprehensive Plan and reasonable and in the public interest because it meets the 2035 Comprehensive Plan’s goals 1, 4, and 5.



The application was reasonable and in the public interest because:

- The overlay zoning would create new business opportunities within a 1930-s old school building.
- The building has classrooms, parking, sidewalks, and outdoor space to accommodate the proposed uses in the overlay district.
- The property has historically been in use commercially as a school and daycare.
- The property is located on a corner lot that is over 1 acre and along a thru-street that connects the business districts of Main Street and Frog Level.

### **Applicant**

Shereen Malek, Harmony Haus owner, told the board she was happy to answer any questions. Ms. Malek said she was requesting a small kitchen for the coffee shop to make scones, sandwiches, as an amenity to the community. The project will allow local artists to make their art and sell it. It would also promote small business. The site has an old outside playground to allow for outdoor activities.

### **Public Comment**

Rebecca Cronk is a neighbor and approves the project. She has a few concerns: How late will the establishment be open? How much parking does it have, and if more is needed? Will people park on the street? Are the diseased trees a concern? Will the outside space be a park or a drum circle? She said she was excited, and the project would be great.

Tonya Harwood, Executive Director of the Haywood County Arts Council, stated that a lot of the artists in the county are excited about the project. She would like to work with Shereen to write grants to help keep the rent down for tenants. She said the Arts Council had no space left to hold the meetings.

Vicki Ashley, MBA Director for the HCC Small Business Center, said she supported this project and had been working with Shereen over the last few weeks to help with the projects. Ms. Ashley stated the project would benefit the community.

Vice Chair Ms. Hain closed the public hearing at 6:55p.m.

The Board deliberated.

***A motion was made by Vice Chair Ginger Hain, seconded by Board member Michael Blackburn that the map amendment, which would be limited to the mixed-use overlay with retail and restaurant uses only, was consistent with the Town's Comprehensive Land Use Plan's goals 1,4, and 5 and reasonable and in the public interest. The motion passed unanimously.***

*A motion was made by Board member John Baus, seconded by Board member Jan Grossman to recommend the map amendment to the Town Council. The motion passed unanimously.*

Ms. Hain called a 5-minute recess.

3. *Report and discussion on potential text amendment related to accessory structures and manufactured housing.*

Assistant Development Service Director Olga Grooman discussed with the board the proposed text amendments to introduce more flexibility in number, type, and placement of accessory dwelling units. Recognizing the need for attainable housing, particularly for families on existing lots, the Development Services Department has encountered situations where zoning regulations prevented families from accommodating relatives in accessory dwellings, even though such units did not increase density, violate setbacks, or change permitted housing types for the district. These amendments seek to remove such barriers and promote affordable, smaller housing options.

Ms. Grooman said another proposed change is the refined definition of a manufactured home park. Currently, the definition considers two (2) or more homes on a single parcel as a park. However, instances have occurred where homes on separate lots were deemed as a park. This discrepancy has led to confusion in applying the LDS standards related to manufactured housing design guidelines, which differ between manufacturing home parks and standalone homes.

Ms. Grooman stated that a family was there to speak about their situation.

### **Public Comment**

Judy Gentry stated that her lot was 1.46 acres and her family lived in the primary residence, which was located in the back of the lot. Ms. Gentry's sister and family lived in the single-wide in the front of the property. Ms. Gentry said what she wanted to help her son with housing. She said the current housing was not affordable for young adults starting out on their own. Ms. Gentry stated that under the current zoning, putting another single-wide on the property would define it as a mobile home park. However, this was just a family's land, and they were not a park.

Dylan Gentry said he was not asking for much and just wanted to place a 3<sup>rd</sup> mobile home on the property to afford and support his family in this economy.

Vice Chair Ms. Hain stated that this was a nationwide issue, and she would like to know what other mountain communities are doing.

Ms. Grooman confirmed the board's recommendation to return in September with research results and the drafted amendment.

The board had brief discussions about short-term rentals, emphasizing the need for a definition, parking, signage, protection of trash from wildlife, and a local manager. The board decided to

Planning Board Minutes

Regular meeting

July 22<sup>nd</sup>, 2024

continue the discussion on short-term rentals, as well as other agenda items- solar panels within the town and placement of EV chargers.

**C. ADJOURN**

*At 8:00 p.m., Board member Michael Blackburn moved to adjourn the meeting, and Vice Chair Ginger Hain seconded.*

---

Ginger Hain, Vice Chair

---

Esther Coulter, Administrative Assistant

DRAFT

## Planning Board Staff Report

**Subject:** Discussion on proposed amendments related to accessory structures and manufactured housing

**Ordinance Section:** Land Development Standards (LDS) sections 3.2.1, 3.2.6, 4.5, and 17.3.

**Applicant:** Staff initiated text amendment; Development Services Department

**Meeting Date:** September 16, 2024

### Background:

At the Call for the Public Hearing for this text amendment, Council asked for the Planning Board to re-examine their recommendation. The purpose of the text amendment proposed by staff was to:

- **Allow manufactured housing to be used as accessory dwelling units in the zoning districts where manufacturing housing is allowed.** This would therefore only effect 8 residential districts: the Francis Cove and Hall Top Low Density Districts, the Chestnut Park, Dellwood, and South Waynesville Medium Density Districts, and the Allens Creek, Ninevah, and Raccoon Creek Neighborhood Residential District. (8 out of 29 zoning districts in which residential use is allowed).
- **Update the definition of a manufactured home park** which considers two (2) or more homes on a single parcel as a park, to state that 4 or more homes on a single parcel is considered a park. Additionally, the proposed definition sought to clarify that manufactured home parks that are deeded and subdivided into individual lots, still fall within the definition of a park. Manufactured home parks as a new land use are only allowed in the Allens Creek Neighborhood Residential District as a Special Use Permit.
- **Increase the number of Accessory Dwelling Units (ADU) allowed from 1 per parcel regardless of lot size, to 1 - 3 ADUs as lot size increases.** This would apply to all 29 districts which allow residential uses, including all of the commercial districts except for commercial-industrial (C-I) where residential is not allowed unless part of the railroad overlay district.
- **Clarify that ADUs could only be located on lots with an existing single-family dwellings (or duplexes). This would prohibit a multi-family, townhome, tri-plex, or a commercial building, from adding a stand-alone ADU onto their lot.** This too would apply to all 29 districts which allow residential uses, including all of the commercial districts except for commercial-industrial (C-I) where residential is not allowed unless part of the railroad overlay district.
- **Propose that ADUs are *in addition to* the maximum number of accessory structures (sheds, carports, etc) allowed on a lot as shown on Accessory Uses and Structures Chart LDS 4.5.2.** This would have the effect of keeping the number of accessory structures currently permitted and their square footages the same, but to combine ADUS into the chart. This chart applies to all 30 districts in how accessory structures are allowed.

This last bullet was the point of discussion with the planning board and revealed confusion in the relationship between minimum lot size and density as shown in LDS 2.4.1, table of dimensional standards. Concern was expressed for over-crowding of lots with accessory structures and that ADUs would increase density in established neighborhoods.

Additionally, the way the current ordinance reads implies that ADUs are part of the total allowed number of accessory structures. Staff was looking to allow ADUs in addition to the number of accessory structures such as garden sheds, workshops or carports.

At the Planning Board hearing, an alternative version of the ordinance was proposed which added lot-size tiers for accessory dwelling units, and which definitively counted ADUs toward the total amount of accessory structures and square footage allowed. The Planning Board version of the ordinance did not change the proposed use of manufactured homes as ADU's or the proposed changes in the definition of manufactured home parks. However, staff was concerned because planning board revisions to the ordinance would take away some existing rights of properties, creating hardships for the community:

- a. Lots under .2 acre would lose the ability to have ADUs regardless of the underlying zoning district and the allowable density of that district.
- b. Commercial districts that have no base density, would lose the ability to have ADUs altogether.
- c. Lots less than 1 acre and up to 1.2 acres would have reduced square footage for accessory structures from 2,500 sf to 1,800 sf in aggregate.

Under the directive of the Council, the Planning Board has been asked to revisit the ordinance. The Council also inquired whether it would make the families who need this change wait longer. After today's discussion and board's feedback, staff plans to bring the amendment for the Planning Board public hearing on October 21<sup>st</sup>. The text amendment could go to Council as soon as November, 2024.

During the discussion, the Planning Board members should keep in mind that:

1. There is agreement to allow manufactured housing as accessory dwelling units in those districts where manufactured housing as single family homes are already allowed. Manufactured homes and manufactured home ADUs have to meet the architectural guidelines that are already a part of the Ordinance ((LDS Section 5.9).
2. There is agreement that the definition of a manufactured home park can be updated to increase the minimum number from 2 to 4 homes that constitute a "park," and to include those parks that are established with individual deeded lots.
3. There is agreement that ADUs may only be established on a lot with an existing single-family dwelling. Note that structures and accessory dwellings that are attached to the principle structure (such as a garage apartment over an attached garage) are considered part of the principle structure.
4. Accessory dwelling units remain subject to all LDS standards, including setbacks, density, height, parking, design, minimum pervious surface on site, and other land development standards. The addition of an ADU on a residential lot may only be allowed if it meets the allowable density for the district in which it is located.
5. Once you exceed 3 residential units on a parcel, then additional driveway standards apply and may be subject to requirements imposed by the Town's Fire Code Official. This would include a case in which an existing duplex adds an ADU, totaling 3 units.
6. Accessory Dwelling units have supplemental standards (LDS 3.2.1) that require ADUs to meet the same yard setbacks as established for the principle structure, and must be "clearly subordinate" in size and height to the principle structure, and compatible in appearance.



Acres	Square feet	10% of lot in sf	15% of lot in sf
1/6 (.16) UR/NR Minimum lot	6,970	697	1,045
1/5 (.20)	8,712	871.2	1,306.8
1/4 (.25) RM minimum	10,890	1,089	1,568
1/2 (.5) RL minimum	21,780	2,178	3,267
3/4 (.75)	32,670	3,267	4,900.5
1 acre	43,560	4,356	6,534

If over-crowding of smaller lots with accessory structures and dwelling unit is a concern, an option that governs by percentage of the overall lot area may be helpful. The overarching goals of the text amendment, however, should not be lost in this discussion. Those goals are to encourage infill, mixed use, and context sensitive development and to encourage new housing and a variety of housing.

**Staff Recommended Text Changes:**

The proposed changes in this version of the ordinance seek to retain the areas of agreement in the original text amendment and from the planning board’s discussion at the last meeting, and to provide options for agreement related to the accessory structure table so that the text amendment that can be forwarded back to Town Council.

**Consistency with the 2035 Comprehensive Land Use Plan:**

Staff submits that the proposed text amendments to the LDS are consistent with the following 2035 Comprehensive Plan goals:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use and context-sensitive development.

Goal 2: Create a range of housing opportunities and choices.

- Encourage new housing inside Waynesville’s city limits and Extraterritorial Jurisdiction (ETJ)
- Promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households.

Furthermore, the need for a variety of housing options, especially affordable ones, is emphasized throughout the 2035 Comp. Plan:

- “In 2016 Haywood County created a task force to examine affordable housing issues.” The Affordable Housing Assessment concluded that:
  - ✓ “Haywood County’s population growth is dependent on immigration and a supply of housing, in a range of income categories, and will be needed to attract new residents, including young families. Single family homes constitute the majority of the county’s housing supply (72.6%); followed by mobile homes (18.3%).” (p. 92)
  - ✓ “By 2030, 29% of the county’s population will be age 65 or older. These households, especially those on fixed incomes, may face issues with housing affordability and accessibility.” (p. 92)



- ✓ “Housing is said to be “affordable” when housing costs are 30% or less of household income. Households that pay 30% or more of their household income in rent are said to have a housing cost burden. In Haywood County, over half of all renters and 35% of homeowners are “housing cost burdened.” (p. 93)
- “On the survey, over 68 percent of respondents selected small, single-family homes as their preferred affordable or workforce housing type.” (p. 134)

**Public Notice:**

This is a discussion only.

**Attachments:**

1. Draft Ordinance with options
2. Images of manufactured housing
3. LDS 5.9 Guidelines for manufactured homes on individual lots.

**Recommended Motion:**

This is a discussion only. The Planning Board public hearing on this text amendment could be scheduled for October 21, 2024.



Clayton

August 15, 2023

The 1434 Carolina "Southern Belle" will have you dreaming of everything farmhouse. 🏡 Don't miss seeing today's Floor Plan Favorite: <https://bit.ly/3OBBEL9>



Clayton







We use cookies on this website. By using this website, you consent to all cookies. You can review our [privacy policy](#) to learn more. [ACCEPT](#)





OVERVIEW TOURS & VIDEOS SPECS PHOTOS



## TOWN OF WAYNESVILLE POLICY ON MANUFACTURED HOUSING

### 5.9 – Land Development Standards - Manufactured Housing Design Guidelines For Homes on individual lots (allowed in Francis Farm, Hall Top, Chestnut Park, South Waynesville, Allens Creek, Ninevah, Raccoon Creek)

#### 5.9.1 Applicability.

All **manufactured** homes permitted shall comply with the requirement of [5.6](#) above (General Building standards, unless the standards below conflict and shall therefore take precedence) and **must comply with the standards established by the United States Department of Housing and Urban Development under the National Manufactured** Housing Construction and Safety Act of 1974, [42](#) U.S.C. § 5401 et seq. and that satisfies each of the following additional criteria:

#### 5.9.2 Standards.

A. The tongue, axles, running lights and removable towing apparatus must be removed prior to the issuance of a certificate of occupancy.

B. Except for units within permitted Manufactured Home Parks, the manufactured home shall be attached to a permanent foundation of brick, stone, concrete, framing or block that is unpierced except for required ventilation and access as required by the North Carolina State Building Code or for flood hazard construction. Units within permitted manufactured home parks may use a vinyl skirting or other material to enclose the structural supports.

C. The pitch of the roof of the manufactured home shall have a minimum vertical rise of three (3) inches for every twelve (12) inches of horizontal run.

D. Except for units within permitted Manufactured Home Parks, the roof must be covered with a material that is customarily used on site-built dwellings. Aluminum or metal roofing is not permitted unless standing seam metal roofing or metal shingles are utilized.

E. The roof shall have a minimum eave projection and roof overhang of ten (10) inches, not including the gutter except when the unit is located in a Manufactured Home Park where this requirement shall apply only to double wide units.

F. Exterior siding shall be of a material customarily used on site-built dwellings which does not have a high gloss finish, such as wood, conventional vinyl or metal siding, brick, stucco or similar materials. Smooth, ribbed or corrugated metal or plastic panels are not permitted.

G. Except for units within permitted Manufactured Home Parks, the length of the home shall not exceed four (4) times the width, excluding additions.

H. Architectural and aesthetic standards specified in this section shall be applicable to all additions.

I. At the main entrance door there shall be an entryway transition that is a minimum six (6) feet by six (6) feet.

**All Building Codes, Federal HUD Codes, and other local LDS regulations apply.**

**Town of Waynesville Planning Board Staff Report**

Subject: Report and Discussion on possible short-term rental ordinance  
Ordinance Section: 2.5. Permitted Uses; 3.3 Supplemental Standards; 17.3 Definitions  
Staff and Board Re-initiated Discussion  
Meeting Date: September 16, 2024 (Note: this is the same ordinance as provided in the last two agenda packets.)

**Background**

This discussion carries over past discussions regarding a possible STR ordinance. The Planning Board has discussed regulations pertaining to STRs, at the January 22, 2024 and March 15, 2024, October 21, 2019, and March 20, 2023 meetings. On April 15, 2024, the Planning Board held a public hearing on the Short Term Rental (or “STR”) ordinance and decided to constitute a working group to consider the need, impact, and pros/cons of a STR ordinance before taking any action.

The STR working group consisted of Planning Board Members Travis Collins, Micheal Blackburn, and John Baus, and community volunteers of Linnea McAden, Patrick McDowell, Jackie Cure, and staff members Olga Grooman, David Kelley, and Elizabeth Teague. The group met on May 16 and June 5, 2024, and can meet again depending on the feedback and direction of the Planning Board in regards to the potential ordinance. The ordinance draft presented (version 4) includes revisions based both on the comments from the public hearing on April 15, and the discussion of the STR working group, as well as the court precedence of Schroeder vs. the City of Wilmington.

**Staff Comment and Recommendation**

The input of the Working group made clear the differences of opinion and complexity of the STR topic. STR’s are important in our tourism industry and as a source of income for local property owners. The revised ordinance is significantly changed from the original draft which was brought forward. This “STR” draft ordinance seeks to meet several administrative needs while preserving the rights of property owners.

- Because the Land Development Standards does not define or categorize them at all, Town development services has no way of permitting STRs (or not permitting them).
- Without any definition, there are no guidelines to determine where and how they are allowed under the Town’s Zoning Code and what sort of associated regulations should apply.
- If not managed well, STRs can impact neighbors in terms of noise, overflow parking onto streets, trash management, signage, or potential safety concerns.
- There is tension in the interest to allow local residents to be able to make full use and gain income from their private property, and the concern for the infiltration of commercial use into traditional neighborhoods.
- There is diverse opinion in regards to the impact that STR investment has on both the local real estate inventory and housing affordability. However, when a site plan is approved for consistency with the 2035 Plan because it meets the goal of “creating housing,” then that goal

statement is diminished if the new units approved in that development are then used for STRs instead of for longer term rental or sale.

The proposed ordinance is written to:

1. Distinguish occupied properties in which a portion of the property or dwelling structure is rented short-term as a "Homestay," from properties in which there is no management presence on-site during rental;
2. Provide protection under the zoning ordinance to allow "Homestays," in which a person may rent a portion of their home or property on which they live or have a full-time resident in place, for short terms under 30 days in any neighborhood within the Permitted Uses Table (LDS Section 2.5.3).
3. Place future STRs as defined (and distinct from Homestays) in the Permitted Uses Table (LDS Section 2.5.3) and designate neighborhoods where they are allowed or prohibited, which is still to be determined.
4. Provide regulatory parameters for management of Homestays and STRs to minimize impacts on surrounding neighbors, particularly trash management and parking. These types of guidelines are already required in reputable platforms such as VRBO, and AirBandB.
5. Create an exemption clause under the pre-existing nonconformity rules (LDS Section 13.2 and 13.5), so that if STRs are restricted from any zoning district, those property and business owners that already have an active STR may continue that use un-restricted.

Notably, the STR workgroup discussion made evident several key points that the Planning Board should take into consideration.

- Successful STRs are generally self-regulating. Business owners who succeed are good stewards of their STRs and those who don't manage their STRs well, will generally not last long. The rating system and requirements of the online platforms will mitigate poorly managed STR properties out of competition.
- Tourism and rental markets fluctuate in a way that directly impacts STRs. In one year it may be profitable to run an STR, and then in another, it may be more profitable to convert that STR into a rental, or into the real estate sales inventory. Property owners may choose to put their property into an online STR program for part of the year, but then use their property differently the other part of the year. Therefore, while STRs may contribute to the lack of housing inventory by creating additional competition in the market, they also may contribute towards new housing being built, bought, renovated, or rented.
- Members of the STR working group discussed pros and cons of STRs in neighborhoods as a group and expressed a sense of conflict between the potential impacts of STRs on traditional neighborhoods, and limiting anyone's ability to utilize their property as an economic resource. On one hand it might make sense to prohibit STRs in neighborhoods that have small lots, and which historically house the community workforce because they are more affordable. On the other hand, it might be detrimental to property owners, especially low to moderate income owners, to limit their ability to maintain an STR as a source of revenue.



- STRs are already present in Waynesville Neighborhoods. There have been no complaints logged by Waynesville Police Department that are specifically related to an STR use.
- The Wilmington case indicated that municipalities cannot require any sort of registration or additional fees for STRS. Any ordinance would be, therefore, complaint driven.
- STRs and Homestays are both subject to North Carolina taxes that pertain to overnight stays, a.k.a “the room tax.” Most online platforms are structured so that taxes are collected from the reservation platform.

### **Consistency with the 2035 Comprehensive Land Use Plan**

Staff submits that the proposed text amendments to the LDS are consistent with the following 2035 Comprehensive Plan goals and objectives:

Goal 1: Continue to promote smart grown principles in land use planning and zoning.

- Encourage infill, mixed-use and context-sensitive development.
- Reinforce the unique character of Waynesville.

Goal 2: Create a range of housing opportunities and choices.

- Encourage new housing inside Waynesville’s city limits and Extraterritorial Jurisdiction (ETJ).
- Promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households.

Goal 5: Create Opportunities for a sustainable economy.

- Encourage creatively designed, mixed use, walkable centers and commercial districts that appeal to residents and visitors.

The text amendment is reasonable and in the public interest because:

- It creates a practical administrative approach to permitting Homestays and Short Term Rentals as a legal land use within the Town’s Zoning Ordinance.
- It creates legal zoning protections by defining and allowing Homestays and Short Term Rentals within the LDS Table of Permitted Uses.

### **Attachments:**

Proposed text amendment for discussion.

Staff Analysis on Zoning Districts that may be considered for restricting STRs.

### **Recommended Motions:**

This is a discussion to get Planning Board’s feedback only.

*REVISED D R A F T (# 4) For Planning Board Discussion  
July 22 – September 16, 2024*

ORDINANCE NO.

AN ORDINANCE AMENDING THE TEXT OF THE  
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS  
TO DEFINE AND REGULATE HOMESTARS AND SHORT TERM VACATION RENTALS

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and amend such regulations from time to time in the interest of the public health, safety and welfare; and

WHEREAS, the Town of Waynesville Planning Board reviewed the proposed text amendments to the Land Development Standards (LDS) designed to define and regulate the use of residential properties as short term vacation rentals and recommends that the proposed ordinance and text amendments be found consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because they support the following goals as set out in the Comprehensive Plan:

Goal 1: Continue to promote smart growth principles in land use in planning, particularly to reinforce the unique character of Waynesville by preserving the character of neighborhoods.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Board of Aldermen at their April 15, 2024 regular meeting and at their \_\_\_\_\_ meeting; and

WHEREAS, the Waynesville Town Council find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan as stated above and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with the North Carolina General Statutes” that will help achieve such goals; and

WHEREAS, after notice duly given, a public hearing was held on \_\_\_\_\_, at the regularly scheduled meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON \_\_\_\_\_, 2024, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows:

Section 17.4 Definitions, General, is hereby amended to add the following definitions:

**Homestay:** Homestay means a short-term rental use that occurs within a resident-occupied, single-family dwelling, duplex, or an accessory dwelling unit on the same property as a resident-occupied dwelling, wherein parts of the home or property are rented to transients for a period of less than thirty days; where the use is incidental and subordinate to the primary, full-time residential use of the property; where hosts remain onsite during the guests' stays, and no meals or other services are provided by the owner or host. This use is subject to North Carolina Occupancy Tax regulations which apply to stays up to 90 days, and subject to Town ordinances that apply to residential uses.

**Short Term Vacation Rental:** Short-term vacation rental means a short-term rental use within a dwelling unit for transient occupancy for a period of less than thirty days, and does not have an owner-occupant, resident, or manager on-site. A short-term vacation rental is considered a "Lodging" that is distinct from a bed and breakfast, boardinghouse, inn, or hotel/motel, and encompasses commercial home-sharing platforms such as VRBO, AirBandB, Flipkey, or other platforms on properties that do not qualify as a *homestay*. This use is subject to North Carolina Occupancy Tax regulations which apply to stays up to 90 days, and subject to Town ordinances that apply to lodging.

Section 2-5-3 Table of Permitted Uses is amended as follows:

Homestay is hereby added as a permitted use ("P") as a residential use type, and the table is amended to show that homestays are allowed in all districts where Residential Dwelling Uses are allowed on the Table of Permitted Uses.

Short term vacation rental is hereby added as a use permitted with supplemental standards as a lodging use type ("PS"), and the table is amended to show that short term vacation rentals are allowed (*in all districts where Residential Dwelling Uses are allowed on the Table of Permitted Uses*) OR (*in all districts except for the following: .....*)

Section 3.3 Supplemental Standards – Lodging is amended to add:

#### 3.3.4 Short Term Vacation Rentals

##### A. Parking

1. Short-term rentals must comply with the Town parking standard for lodging of 1 space per bedroom with a minimum of two spaces per unit, except in the Central Business and Hazelwood Business Districts.

**B. Signs**

- 1. Only one on-premise sign may be placed to identify/advertise a short term vacation rental, and it must comply with the maximum square footage for home occupations of 8 square feet.

**C. Property owner responsibilities:** Any property owner operating a STR lodging, as well as any host, shall:

- 1. Ensure compliance with all federal, state, and local laws, including but not limited to, tax code, North Carolina State Building Code, fire code and environmental health regulations for the level of occupancy of the lodging.
- 2. Ensure that all refuse is stored in appropriate containers and set out for collection on the proper collection day(s) and the carts or cans are removed from the street or alley on the scheduled collection day. For units not served by the Town, arrangements must be made for a private service to manage solid waste collection from the site, and in a way that does not attract animals.
- 3. Post in a conspicuous location inside each lodging unit a notice setting forth the following information:
  - a. The name and telephone number of the operator and property manager.
  - b. The address of the lodging, the maximum number of overnight occupants, and the day(s) established for garbage collection.
  - c. Phone number of the Town of Waynesville Police Department

Section 13.5 Nonconforming Uses and Structures is amended to add

**13.5.1 Definition and Applicability**

**C. Short Term Vacation Rentals:** Residential structures used for short-term vacation rentals prior to the adoption of the Town Ordinance \_\_\_\_\_ are exempt from the standards for nonconforming uses and accessory uses. Owners of Short Term Rentals may continue or discontinue use of a residential living space without penalty or subsection to non-conformity rules.

ADOPTED this \_\_\_\_\_ Day of \_\_\_\_\_, 2024.

TOWN OF WAYNESVILLE

\_\_\_\_\_  
J. Gary Caldwell, Mayor

ATTEST:

\_\_\_\_\_  
Candace Poolton, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Martha Bradley, Town Attorney

## Town of Waynesville Planning Board Staff Report

**Subject:** Report and Discussion on Solar and Electric Vehicle Installations in the LDS  
**Ordinance Sections:** Multiple  
**Applicant:** Request for possible text amendment from the Environmental Sustainability Board  
**Meeting Date:** September 16, 2024  
**Presenter:** Alex Mumby, Land Use Administrator

### Background:

Solar panels and Electric Vehicle use are some of the best ways to reduce your power bill and protect the environment. We are seeing increased use of Electric Vehicles and more homes are placing solar panels on their roofs. The Development Services Department was asked by Council member Chuck Dickson, on behalf of the Environmental Sustainability Board, to look in to how the Land Development Standards could be applied to allow the use of ground mounted solar panels on residential lots, and how free-standing solar arrays might be added into commercial parking lots or other types of lots. Additionally, staff would like to incentivize the installation of electric vehicle charging stations, and want to get the Planning Board's input on possibly integrating EV Charging into common and civic space areas in major site plans.

Roof-mounted solar panels are allowed, and are permitted and inspected by the Town's Building Inspections under the North Carolina Building Codes as part of a structure. EV charging ports can also be installed onto existing structures. Ground-mounted solar panels (GMSPs), are not connected structurally to buildings however and are becoming popular, allowing homeowners to utilize more of their property for generating solar energy. The land use question for the planning board is if we need to write an ordinance to determine how ground mounted solar panels are treated. Some questions that arise regarding the installation of GMSPs are whether they are considered accessory structures, whether they fit with the character of the neighborhood, and how much impervious surface they create. There has been interest among homeowners to install them in their front, side, and rear yards.

There are two major categories which GMSPs can fall into. First, there are standard ground-mounts. These panels sit on a metal frame that is driven into the ground. They sit at a fixed angle, but can be manually adjusted throughout the year in accordance with the seasonal shift of the sun. There are alternative forms of mounting in the case where the ground is too hard. Another common form of GMSPs are pole mounts. These can support multiple panels on a single pole which elevates them off the ground. They can automatically adjust to capture the optimal amount of solar energy.

Nearby municipalities that regulate GMSPs include Asheville and Weaverville. In both cities, GMSPs are treated as accessory structures and are regulated under these guidelines. Generally, GMSPs are only allowed to be constructed in the side and rear yards. Asheville provides a variance option for placement in the front yard to achieve optimal energy capture. The applicant must show that no other configuration could achieve that level, and this would have to be determined by the zoning board of adjustment.

Two major factors for determining regulations surrounding GMSPs are related to height and square footage. Surrounding homes and large trees can restrict the effectiveness of solar panels. Weaverville does not allow the height of solar panels to exceed the height of the primary structure or up to 15 feet. Asheville allows for the height of the structure to scale with the setback from the property line. In terms of square footage and

impervious surfaces, both cities regulate them in the same way they regulate all other accessory structures. In addition, Weaverville does not allow the square footage of a GMSP to exceed 25% of the footprint of the primary structure. A standard ground mount would create a large amount of impervious surface while a pole mount would create much less impervious surface with potentially the same or better energy collection.

If a standard GMSP is not be preferable in the front yard, there are some placement alternatives within the ordinances. They include carports, pergolas, and gazebos. A carport allows for a GMSP to be placed in front of the house without obscuring the front yard, providing additional benefit for the homeowner.

A complex aspect of GMSPs which should be considered is how they interact with the property lines and setbacks. A standard ground mount is a self-contained structure with clearly defined boundaries. However, because some pole mounts can automatically rotate throughout the day and year on the pole, they technically can violate setbacks at some angles. It should be considered during their placements on the lot.

In terms of fire safety and wind resistance, the regulations shall be the same for both roof-mounted and GMSP panels. Many jurisdictions, where hurricanes and tornados are common, require panels be able to withstand up to 175 mph winds. Due to elevations, we are considered a special mountain region by the 2018 NC Building Code. Therefore, solar panels need to be designed accordingly.

### **Staff Recommendation**

Staff recommends that the Town develop an ordinance that allows GMSPs. Pole mounts could be treated like flag poles if they stay within a certain dimension, depending on the square footage of the panels and the height. Ground mounts could be handled as an accessory structure with placement in the side and rear yard would be preferable with some setback and height limitations. Front yard placement should be allowed through a variance, showing that the proposed placement is the optimal location for panel performance and that it does not interfere with the neighboring properties or take away from the character of the neighborhood. Waynesville already differentiates how accessory uses and structures are treated and this can be applied to GMSPs. There should be a cap on the height of pole mounts, but a variance can allow for extended height where the height of neighboring structures and trees prevent the collection of solar energy. The variance criteria should also relate to the preservation of tree cover.

### **Consistency with Comprehensive Plan**

Goal 3 of the 2035 Comprehensive Plan is to “protect and enhance Waynesville’s natural resources.” This includes the goal “to engage in and promote the best management practices related to energy use...” Goal 5 of the Plan is to “create opportunities for a sustainable economy.” This includes, “Support 21<sup>st</sup> century technology and infrastructure by broadening the availability of high-speed internet, modernizing wireless communication facilities, and promoting green building and the use of solar and wind technologies.

### **Recommended Motion**

Staff seeks Planning Board input and direction at this time in order to develop a draft ordinance.

## Planning Board Staff Report

**Subject:** Text amendments related to clean energy  
**Ordinance Section:** Land Development Standards (LDS) sections 7.2.1 and 17.3  
**Applicant:** Staff initiated text amendment, Development Services Department  
**Meeting Date:** September 19, 2024  
**Presenter:** Alex Mumby, Land Use Administrator

### Background:

The proposed text amendment introduces an additional civic space option – an electric vehicle (EV) charging station. This amendment promotes the use of electric vehicles and encourages new developments to install EV infrastructure as a civic space. A major barrier to increased adoption of electric vehicles is a convenient access to charging stations, and this amendment aims to reduce this barrier.

In addition, the attached memo outlines how Waynesville could address ground-mounted solar panels on individual lots. Residents have inquired about their treatment under existing ordinances, and this text amendment is the first step to establish clear guidelines. The use of solar panels as standalone structures should be weighed against the removal of tree canopy and creation of large amounts of impervious surfaces.

### Staff Recommended Text Changes:

The proposed text amendments are:

- Allow electric vehicle chargers as a form of civic space
- Add a definition for electric vehicles

The proposed changes to the Land Development Standards are in red.

### Consistency with the 2035 Comprehensive Land Use Plan:

Staff submits that the proposed text amendments to the LDS are consistent with the following 2035 Comprehensive Plan Goals:

Goal 1: Continue to promote smart growth principles in land use planning and zoning

- Promote conservation design to preserve important natural resources

Goal 3: Protect and enhance Waynesville's natural resources

- Continue to engage in and promote best management practices related to energy use, efficiency, and waste management

### Attachments:

- Proposed text amendment
- Informative memo
- Related images

### Recommended Motions:

This is a discussion to get Planning Board's feedback.



DRAFT FOR THE TOWN COUNCIL

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE TEXT OF THE  
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

**WHEREAS**, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

**WHEREAS**, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- Goal 1: Continue to promote smart growth principles in land use planning and zoning
  - Promote conservation design to preserve important natural resources
- Goal 3: Protect and enhance Waynesville’s natural resources.
  - Continue to engage in and promote best management practices related to energy use, efficiency, and waste management

**WHEREAS**, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Town Council; and

**WHEREAS**, the Town Council find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

**WHEREAS**, after notice duly given, a public hearing was held on \_\_\_\_\_, 2024 at the regularly scheduled meeting of the Waynesville Planning Board, and on \_\_\_\_\_ 2024 at the regularly scheduled meeting of Town Council;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON \_\_\_\_\_, 2024 AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:**

That the Land Development Standards be amended as follows (in red):


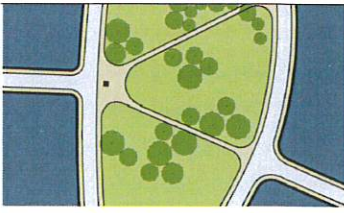

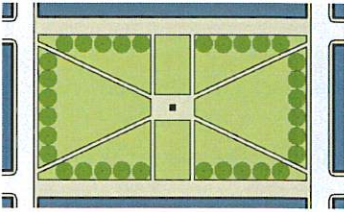
1. Amend Section 7.2. Civic Space Standards as follows:

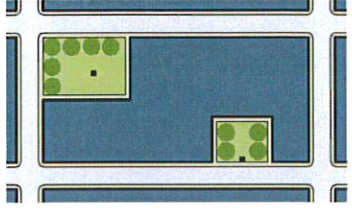
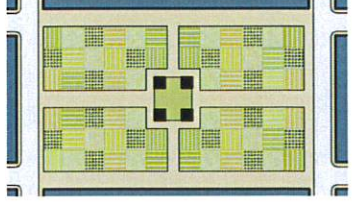



**7.2 Civic Space Standards.**

All land dedicated for required civic spaces shall meet the criteria below in this section. Stormwater facilities cannot be counted towards civic space. Delineated wetlands and required stream buffers can be counted towards civic space only when adjacent to, or a part of, a greenway or designated preserve.

**7.2.1 Required Civic Space Types.**

Civic space, as required by the district provisions, shall conform to one or more of the following typologies.

<p><b>A. Park/Greenway:</b> A natural preserve available for unstructured recreation. Its landscape shall consist of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be linear, following the trajectories of natural corridors as part of a greenway. The minimum size shall be .16 acre (except with Greenways where there is no minimum).</p>	
<p><b>B. Green:</b> An open space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be .16 acre.</p>	
<p><b>C. Preserve:</b> Natural preserves include any area of existing or restored open lands such as riparian corridors and wetlands, unique geological formations, important habitats, or substantial groupings of important plant types. The goal is to protect and maximize intact and undisturbed spaces that provide valuable ecosystem services for the community, support preservation goals, and enhance the aesthetics and amenities of the area. Active recreation, such as trails and paths, can be a part of these areas. The minimum size is 1 acre of contiguous preserved area.</p>	
<p><b>D. Square:</b> An open space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important streets. The minimum size shall be .16 acre.</p>	

<p>E.</p>	<p><b>Playground:</b> An open space designed and equipped for the recreation of children. A playground shall be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a block. Playgrounds may be included within other civic spaces. There shall be no minimum or maximum size.</p>	
<p>F.</p>	<p><b>Community Garden:</b> A grouping of garden plots available for small-scale cultivation, generally to residents of apartments and other dwelling types without private gardens. Community gardens should accommodate individual storage sheds. There shall be no minimum or maximum size.</p>	
<p>G.</p>	<p><b>Greenway:</b> A linear parcel of land set aside to contain a trail for non-motorized transportation and/or recreation, usually connecting to a planned corridor. There shall be no minimum or maximum size.</p>	
<p>H.</p>	<p><b>Dog Park:</b> An off-leash dog area. A dog park shall be enclosed with a galvanized or coated chain link fence or metal fence measuring four (4) to six (6) feet in height and include a double gate entry system (like a sally port). The dog park shall also have a designated waste disposal facility, signage with applicable rules, a shade area (with either a structure or mature shade trees). The area may also include a plumbed drinking water station. There shall be no minimum or maximum size.</p>	
<p>I.</p>	<p><b>Community Area:</b> Designated indoor or outdoor facilities to support social and recreational activities of the residents. Examples include a pavilion, fire pit, picnic area, grill area, gym, pool, community building, club house, basketball court, tennis court, golf course, or similar amenities determined to be appropriate by an Administrator. There shall be no minimum or maximum size.</p>	



<p><b>J. Electric Vehicle (EV) Charging Space:</b> Dedicated parking spaces with installed EV charging equipment. A minimum of 1 space must be ADA accessible. All spaces must be clearly marked with signage, green striping, and bollards at the front of the space to protect the equipment. The HOA shall be responsible for maintaining and repairing the charging stations. Each EV charging space will result in an X% reduction in the minimum required civic space area. There shall be no maximum number of spaces.</p>	 A green icon depicting an electric vehicle (EV) on the left, connected by a charging cable to a charging station on the right. The station has a lightning bolt symbol on its front panel.
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2. Add a definition to the section 17.3-Definitions, General:

**Electric Vehicle (EV).** any vehicle that operates, either partially or exclusively, on electrical energy from the grid or an off-board source. "Electric vehicle" includes:

- (a) A battery electric vehicle;
- (b) A plug-in hybrid electric vehicle;
- (c) A neighborhood electric vehicle;
- (d) A medium-speed electric vehicle.

ADOPTED this \_\_\_\_\_ Day of \_\_\_\_\_, 2024.

TOWN OF WAYNESVILLE:

\_\_\_\_\_  
J. Gary Caldwell, Mayor

ATTEST:

\_\_\_\_\_  
Candace Poolton, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Martha Bradley, Town Attorney