

## MINUTES

**TOWN OF WEAVERVILLE  
STATE OF NORTH CAROLINA**

**TOWN COUNCIL SPECIAL-CALLED WORKSHOP  
WEDNESDAY, AUGUST 3, 2016**

A special called meeting of the Weaverville Town Council was held on August 3, 2016, at 5:30 pm in the Training Room of the Weaverville Fire Department located at 3 Monticello Road.

Present: Mayor Dottie Sherrill  
Council Members: Doug Dearth, Doug Jackson, Patrick Fitzsimmons and Andrew Nagle  
Town Attorney Jennifer Jackson and Planner/Zoning Administrator/Deputy Town Clerk James Eller  
Absent: Vice Mayor John Penley

Call to Order: Mayor Sherrill called the meeting to order at 5:33pm.

Planning & Zoning Board Chairman, Doug Theroux, was invited to sit at the table in order to better hear the discussion and to provide input where appropriate.

As the purpose of this special called meeting was to review and discuss the Town's land use regulations with a focus on residential development, the Town Attorney and Planner/Zoning Administrator provided Town Council with information concerning the following topics:

General matters such as types of governmental decisions, procedures and general land use regulations;

Roles of Town Council, Zoning Board of Adjustment, Planning & Zoning Board and Planning and Zoning Staff, including specifically the composition and duties of both the Zoning Board of Adjustment and the Planning & Zoning Board;

Regulation of subdivisions within the Town including an overview of North Carolina law and the provisions of the Town's Code, the definition of subdivision and the exceptions to that definition, the definition of minor subdivisions and major subdivision, the procedures for approval set out in the Town Code and the administrative nature of that approval process;

Residential Development permitted in the general use zoning districts with an emphasis on the R-1, R-2, R-3 and R-12 districts;

Traditional Neighborhood Development Districts with an overview, definition and approval process reviewed;

Conditional Zoning Districts with an overview, definition and approval process reviewed;

Unified Housing Developments with an overview, definition and approval process reviewed; and

Review of maps showing the municipal boundaries, current zoning districts specific areas where there is unimproved land.

*The Council's discussion included streamlining the approval process for minor subdivisions with the consensus that staff should work on drafting some language that could be reviewed as a Code amendment that would eliminate a concept plan step for minor subdivisions and allow Staff to approve minor subdivisions after review by the Planning & Zoning Board.*

*Council discussed the Traditional Neighborhood Development District. This district has never been used and the consensus of Council was to eliminate it from the Code. Staff is directed to work on drafting the Code Amendment to eliminate this district and all references to it so that such Code amendment can be considered by Town Council.*

*Unified Housing Districts were discussed with an emphasis on two options: eliminating them entirely or prohibiting them in R-1 districts. The Council's consensus was to eliminate them completely as they thought that the Conditional Zoning District would provide a similar opportunity for projects that fall outside the subdivision regulations but allow for greater flexibility and control by Town Council on these projects. Staff is directed to work on drafting the Code Amendment to eliminate this district and all references to it so that such Code amendment can be considered by Town Council.*

*Concerning the Conditional Zoning Districts, the Town Council likes this process and does not see any reason to limit its applicability to the entire municipal area. The consensus was to remove the restrictions found at § 36-84 (o) that prohibit the use of Conditional Use Districts in R-1 Zoning District unless they are contiguous to or have development's only access to Weaver Blvd, Main Street or Merrimon Avenue. Staff is directed to work on drafting the Code Amendment to eliminate this provision so that a Code amendment can be considered by Town Council.*

*Short-term rentals and regulating that use was discussed. It was noted that the law on hasn't caught up to the increase in the popularity of short-term rentals right now. A study is due out in September from the Asheville Short Term Rental Advocates that is expected to include some suggested recommendations concerning reasonable regulations of this use. The consensus of Council was to pick up this important discussion after that group provides its report.*

*The Council discussed briefly the composition of the Zoning Board of Adjustment and the Planning & Zoning Board. It was noted that some attention needs to be paid to the staggering of terms on these boards and that there is a critical need for an alternate to serve on the Zoning Board of Adjustment. Upon motion made by Council Member Fitzsimmons and seconded by Council Member Jackson, and all voting in favor, Jan Rector was moved from the Planning & Zoning Board to an alternate seat on the Zoning Board of Adjustment, effective immediately.*

*Council Member Nagle moved that the meeting be adjourned, Council Member Jackson seconded the motion, and all voted to adjourn the meeting at 7:30pm.*

  
Dottie Sherrill, Mayor  
Town of Weaverville

**ATTEST:**

  
James Eller  
Deputy Town Clerk