

Town of Weaverville

Planning and Zoning Board
Minutes – Tuesday, January 3, 2017

The Planning and Zoning Board of the Town of Weaverville met for its regularly scheduled monthly meeting at 5:45pm on Tuesday, January 3, 2017 within Council Chambers at Town Hall.

Present: Chairman Doug Theroux, Vice Chairman Gary Burge, Board Members Catherine Cordell, Terry Dawson and Leslie Osborne, Town Attorney Jennifer Jackson and Town Planner James Eller. Alternate Board Member Peter Stanz absent.

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 5:45pm.

Mr. Eller presented the Board with a schedule of meetings for the 2017 Calendar year noting conflicts with the regularly scheduled dates in July, November and December. Ms. Cordell noted a correction of dates in February and March and Chairman Theroux requested that the location of the meeting be placed on the agenda. Mr. Burge motioned to approve the schedule of regular meetings of the Board. Ms. Cordell seconded and all voted unanimously.

2. Approval of the Minutes from the December 6, 2016 Meeting of the Board.

Mr. Dawson made a motion to approve the minutes as presented. Ms. Osborne seconded and all voted unanimously.

3. Discussion Related to a Zoning Map Amendment Application for properties in the Vicinity of Garrison Branch and Monticello Roads.

Mr. Eller described to the Board that the application called for the conversion of a portion of a parcel previously zoned R-12 to C-2. Mr. Eller also noted that the proposal would eliminate two apartment buildings consisting of 48 dwelling units from the previously approved plan approved by Buncombe County and recognized by the Town as a vested right.

Wilder Wadford spoke to the Board on behalf of the application and as manager of all properties involved. Mr. Wadford noted that with the recommendation of the Board and approval of Council, the effect would be six acres of commercially zoned properties at the intersection of Monticello Road and US 25/70.

Chairman Theroux noted that should the rezoning be passed, the newly zoned property would be entirely under the purview of the Town's Zoning Ordinance.

4. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Zoning Map Amendment Application.

Ms. Cordell noted that the change would not conflict with the Town's comprehensive land use plan and motioned to favorably recommend the zoning map amendment application of the 2.43 acres noted on the plan presented to Town Council. Mr. Burge seconded and all voted unanimously.

5. Discussion Related to Recent Amendments to the Fire Code.

Fire Chief Ted Williams, Deputy Fire Chief Jayson Harwood and Fire Marshall Kile Davis were present to address the Board regarding recent Fire Code amendments adopted by Council. Mr. Davis noted that absent the express necessity of a second point of ingress and egress, the Fire Code still possesses language which would allow him, as the Fire Marshall, to require additional such points of a projects. Chief Williams noted the history of the Fire Code from its adoption by the Town to the aforementioned recent amendments, specifically that the Town was one of only a few in the State which adopted the entire Code. Chairman Theroux asked if the Fire Code amendments had a negative effect on insurance rates and Chief Williams denied.

6. Discussion Related to the Proposed Table of Uses

- In various sections of the proposed Table of Uses, the following uses were discussed in order to incorporate present language related to unified business development special use permits:

General Retail:

Chairman Theroux recommended General Retail under 10,000 sq. ft. be permitted in C-1, C-2 and I-1; General Retail between 10,000 and 25,000 sq. ft. be permitted with standards in C-1, C-2 and I-1; and General Retail over 25,000 sq. ft. be permitted through a Conditional Zoning District in C-1, C-2 and I-1 as defined. A consensus of the Board was granted toward Chairman Theroux's recommendation.

Shopping Center, Multi-Tenant Development:

Consensus was granted that Shopping Center, Multi-Tenant Development under 25,000 sq. ft. be permitted through a Conditional Zoning District in C-1, and permitted with standards in C-2 and I-1 as defined.

Two Principal Buildings on the Same Parcel of Land:

Consensus was granted that Two Principal Buildings on the Same Parcel of Land be permitted through a Conditional Zoning District in R-12, C-1, C-2 and I-1 as defined.

- In the Residential section of the proposed Table of Uses the following uses were addressed:

Chairman Theroux noted that a definition for household or dwelling unit should be added for further clarification and instructed staff to develop same for next meeting.

Dwelling – Single Family:

Consensus was granted that dwelling – single family should be permitted in the R-1, R-2 and R-3 Zoning Districts as defined.

Dwelling – Duplex:

Consensus was granted that dwelling – duplex should be permitted within the R-2, R-3 and R-12 Zoning Districts as defined.

Dwelling – Multifamily:

Ms. Osborne noted that there should be further distinction made between Two or More Primary Structures on the Same Parcel of Land and Dwelling – Multifamily. A consensus was reached that further distinction should be made for multifamily housing as presently defined, as an apartment complex would be treated the same as a triplex. Staff was instructed to craft language to be presented at the next meeting.

Dwelling – Secondary:

Chairman Theroux suggested that the number of people permitted to live within a secondary dwelling be stricken from the definition of Dwelling - Secondary. Consensus was granted that dwelling – secondary should be permitted within the R-1, R-2 and R-3 Zoning Districts as defined.

Home Occupation:

Consensus was granted to strike the word professional from the definition and to add the prohibition of any retail sales from within the definition of Home Occupation. Additionally it was agreed that Home Occupations should be permitted with standards within the R-1, R-2, R-3 and R-12 Zoning Districts with the revised definition.

Manufactured Home:

Consensus was granted that a manufactured home should be permitted with standards within the R-3 Zoning Districts as defined.

Manufactured Home Park:

Consensus was granted that manufactured home parks should be prohibited in any zoning district as defined.

Recreational Vehicle:

Consensus was granted that a recreational vehicle shall not be used as a permanent dwelling unit in any zoning district.

Recreational Vehicle Park, Campground:

Consensus was granted that a Recreational Vehicle Park, Campground should be permitted by a Conditional Zoning District in the C-2 and I-1 Zoning Districts as defined.

Boarding House:

Consensus was granted that a Boarding House should be permitted within the R-1, R-2 and R-3 Zoning Districts as defined.

Hotel, Motel, Inn:

Consensus was granted that a Hotel, Motel, Inn should be permitted by a Conditional Zoning District in the C-1, C-2 and I-1 Zoning Districts.

7. Any Other Business to Come Before the Board.

The Board determined that an additional meeting will need to be held on the third week of January and will be coordinated by Mr. Eller. Once a date and time is determined Chairman Theroux will be contacted so the Special Called meeting may be organized and noticed.

8. Adjournment.

Ms. Cordell made a motion to adjourn. Ms. Osborne seconded and all voted unanimously.

**Doug Theroux, Chairman
Planning and Zoning Board**

ATTEST:

**James W. Eller
Town Planner / Deputy Town Clerk**