

Town of Weaverville
Planning and Zoning Board
Minutes – Tuesday, April 4, 2017

The Planning and Zoning Board of the Town of Weaverville met for its regularly scheduled meeting at 5:45pm on Tuesday, April 4, 2017 within Council Chambers at Town Hall.

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

1. Call to Order.

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

2. Approval of Minutes from the March 7, 2017 Meeting of the Board.

Ms. Osborne motioned to approve the minutes with her and Chairman Theroux's suggested revisions. Mr. Burge seconded and all voted unanimously.

3. Discussion Related to the Proposed Table of Uses and Related Proposed Revisions of Code.

Mr. Eller reviewed the changes which had been made at the direction of the Board from the previous meeting.

Agriculture – Commercial:

A definition was provided linking the term to the state statute identifying bona fide farms. Consensus was granted that agriculture – commercial as defined should be permitted with standards within the C-1, C-2 and I-1 Zoning Districts while also adding “for commercial purposes to the provided definition.

Agriculture – Neighborhood:

A definition was provided establishing certain agricultural uses which may be allowed in residential zoning districts. Consensus was granted to use the current definition while striking for individual use and replacing with noncommercial purposes. Additionally it was determined that Agriculture – Neighborhood should be permitted with standards within all zoning districts with particular interest being paid to standards regulating the keeping of livestock.

Amusements – Indoor:

Language was added to the end of the definition which expressly prohibited gaming terminals from consideration under amusements - indoor.

Event Center:

A definition was provided for event center. Mr. Theroux suggested the term “including but not limited to” be added to create consistency with other terms and definitions. Consensus was granted that event centers should be permitted through a Conditional Zoning District within the C-1, C-2 and I-1 Zoning Districts.

Gaming Terminal:

The current definition of gaming terminal was provided for the Board’s consideration. Again, “including but not limited to” was added to the definition. Consensus was granted that gaming terminals should be permitted with standards in the C-2 and I-1 Zoning Districts.

Manufacturing, Heavy:

A minor modification of the definition was noted and no objections were made.

Manufacturing, Light:

A minor modification of the definition was noted. Mr. Theroux suggested an additional modification and no objections were made.

Multitenant Development:

Multitenant residential facilities were prohibited from consideration under this term.

Outdoor Storage Yard:

The definition was amended to allow the storage of motor vehicles as defined by Chapter 9 to be permitted under this use. Consensus was granted that outdoor storage yards should be permitted with standards within the I-1 Zoning District with attention paid to buffering, fencing and lighting.

Temporary Structure:

A definition of temporary structure was added to the list of definitions and no objection was noted.

Temporary Uses:

A definition of temporary uses was added to the list of definitions which linked temporary structure with same. Consensus was granted the temporary uses should be permitted with standards within the C-1, C-2 and I-1 Zoning Districts.

Theatre, Motion Picture:

Live performances was subtracted from the theatre use category and added to amusements indoor and outdoor.

The following uses which had been determined to be permitted with additional standards were discussed:

Automobile Services – Repair:

Additional standards were noted without objection as a majority of the language is already incorporated within present ordinance.

Banks, Credit Unions, Financial Services:

Private streets were added to the list of streets within standard B. Chairman Theroux noted that the number of stacking places required should be additionally described as per lane. Ms. Osborne noted that the use of numerals should be uniform throughout. Pharmacies and similar non-food related uses were subtracted from standard C.

Child Care Center:

Private streets were added to the list of streets within standard D.

Cultural or Community Facility:

Mr. Theroux noted that a sign of ten square feet may not be sufficient for identification of the facility. Consensus was granted that such attached sign shall be no larger than 10% of the surface area on which the sign is located within standard C. Mr. Chase noted that illumination of said signage shall be restricted to only brighten the face of the sign.

Drive-Thru Retail / Restaurant:

Due to previous conversations related to this use, consensus was granted that drive thru retail / restaurant should not be permitted within the C-1 Zoning District and the standards provided were removed from consideration.

Farmers Market:

The Board addressed several concerns regarding farmers markets being permitted with standards within all zoning districts. Mr. Eller noted that the difficulty in crafting these standards was related to the Weaverville Tailgate Market operating at the Lake Louise Community Center within the R-1 Zoning District. Consensus was granted that farmers markets should be limited to property under municipal ownership within all residential zoning districts. Additionally, it was determined that day and hour restrictions should be added and handmade crafts be added to the material which may be sold.

General Retail (10,000-24,999 sq.ft.):

Language lifted from the Unified Business Development Special Use Permit ordinance was presented to the Board without objection.

Home Occupation:

Consensus was granted that should a home occupation be permitted within an accessory structure, said occupation shall not account for more than 25% of the aggregate square footage of the dwelling and accessory structure.

4. Setting a Date and Time to Change the Next Regularly Scheduled Meeting of the Board.

Mr. Eller noted that he would be attending a class at the School of Government on the same day as the next regularly scheduled meeting and requested the Board change the date to accommodate this conflict.

Ms. Osborne motioned to change the date of the next regularly scheduled meeting to Monday, May 1st at 10am. Mr. Stanz seconded and all voted unanimously.

Chairman Theroux noted that a special called meeting should occur prior to the next regularly meeting.

Ms. Osborne motioned to hold a special called meeting of the Board on April 24th at 3pm. Mr. Chase seconded and all voted unanimously.

5. Any Other Business to Come Before the Board.

No further business for the Board was noted.

6. Adjournment.

Mr. Stanz motioned to adjourn. Mr. Burge seconded and all voted unanimously.

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

ATTEST:

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