

TOWN OF WEAVERVILLE

AGENDA

Town Hall Council Chambers
30 South Main Street
Weaverville, N.C. 28787

February 26, 2017 at 7:00pm
Town Council Monthly Meeting

- 1. **Call to Order** Mayor Root
- 2. **Approval / Adjustments to the Agenda** Mayor Root
- 3. **Approval of Minutes** Mayor Root
 - A. January 22, 2018 Town Council Regular Meeting Minutes
- 4. **Consent Agenda**
 - A. Monthly Tax Report & Order to Advertise Tax Liens Finance Officer
 - B. Schedule a Special-Called Meeting for March 19, 2018 at 6:15pm for Public Hearings on Proposed Code Amendments Town Attorney
 - C. Set Public Hearing on Text Amendment related to Mobile Food Vendors for 6:30pm on March 19, 2018 Town Planner
 - D. Set a Public Hearing on Text Amendment for Additional Standards for Accessory Structures and Storage Containers for 6:15pm on March 19, 2018 Town Planner
 - E. Board Appointments – Board of Adjustment Alternate Mayor Root
- 5. **General Public Comments**
- 6. **Discussion & Action Items:**
 - A. Presentation of the Parks & Recreation Master Plan Kile Guie, Land of Sky Regional Council
 - B. Water Leak Protection Program Finance Director
 - C. Action on Amendments to Code of Ordinances concerning Initial Consideration by Town Council of Zoning Map and Text Amendments Town Planner
 - D. Waterline Extension for Blue Ridge Hospitality Ventures, LLC (Fairfield Inn) Public Works Director
 - E. Police Department Report Police Chief
 - F. Fire Department Report Fire Chief
- 7. **Town Manager's Report** Town Manager
- 8. **Closed Session:**
N.C.G.S. § 143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body...
- 9. **Adjournment** Mayor Root



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, January 22, 2018**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, January 22, 2018, at 7:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Mayor Al Root, Councilman Doug Jackson, Councilwoman Dottie Sherrill, Councilman Andrew Nagle and Councilman Patrick Fitzsimmons. Vice Mayor/ Councilman John Penley was absent.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Town Clerk Derek Huninghake, Police Chief Alan Wyatt, Fire Chief Ted Williams, Town Planner James Eller, Finance Officer Tonya Dozier and Public Works Director Dale Pennell.

1. Call to Order

Mayor Root called the meeting to order at 7:02 p.m.

2. Public Hearing: Code Amendments regarding Food Trucks CANCELLED

Mayor Root noted that the Public Hearing on Code Amendments regarding Food Trucks has been cancelled.

3. Public Hearing: Proposed Zoning Map Amendment for Weaverville Condos

Councilman Nagle made the motion to enter into Public Hearing; Councilman Fitzsimmons seconded and all voted in favor of opening the Public Hearing.

Town Planner James Eller mentioned that the Town has received a zoning map amendment application from HFW Endeavors requesting that the zoning of the three adjacent parcels of land (PIN 9733-70-0398, 9733-70-0050, and 9732-79-2660) be changed to R-12. The Town's Planning and Zoning Board has reviewed the application for zoning map amendment and voted to forward a favorable recommendation, via a 3-2 vote, to Town Council on the R-12 zoning designation for the three parcels. Town Planner Eller noted that this Public Hearing was noticed in the newspaper on January 1, 2018 and January 18, 2018.

Warren Suggs, Civil Design Concepts, mentioned that he is available to answer any questions that Town Council may have and can go into as much detail as they would prefer. They are just requesting a rezoning tonight. Owner and developer, Ken Jackson is available and here for questions as well.

Councilwoman Sherrill made the motion to close the Public Hearing; Councilman Jackson seconded and all voted in favor of closing the Public Hearing.

4. Approval/Adjustments to the Agenda

Mayor Al Root made the public aware that agendas for Town Council meetings are posted on the Town's website 72 hours before each meeting.

Councilman Jackson asked Town Manager Selena Coffey if she would mention the steps for finding the Town Council minutes and agendas on the new website, and if possible put them on the front page. He also asked her if the Town could put the new garbage pick-up date for snow days and holidays up on the front page too.

Town Manager Selena Coffey mentioned that to get to the agendas and minutes from the homepage of the website you will scroll over the Governing tab, then scroll over the Mayor and Town Council tab, and then click the Town Council Agenda/Minutes tab on the side. Town Manager Coffey also mentioned that we can put the agendas on the front page 72 hours before the meetings too.

Mayor Al Root asked Council for consent to move Consent Agenda item 7c (Setting Public Hearing on Zoning Text Amendment on Initial Consideration by Town Council) to Action Item 9g.

Town Manager Selena Coffey asked Council to move Consent Agenda item 7e (Final Plat Approval: The Hamlet – Phase 1 – Portions of Reems Creek) to Action Item 9h. She mentioned that there was a duplication in the agenda packet and not all the information was included for the final plat approval, so some documents were distributed to Town Council.

Councilwoman Sherrill made a motion to approve the agenda as amended. Councilman Fitzsimmons seconded and all voted in favor of the motion.

5. Community and/or Employee Recognition

Town Manager Selena Coffey introduced to the public the two new Town of Weaverville department heads, Public Works Director Dale Pennell and Police Chief Alan Wyatt.

- Dale Pennell is a professional engineer, who has worked for the Town of Weaverville as an external engineering position for a number of years. He has also worked for the City of Asheville and in the private sector working for the public. Mr. Pennell recently worked for the Town as the Street improvement engineer.
- Police Chief Alan Wyatt has worked for the Weaverville Police Department for 15 years, serving recently Assistant Police Chief and as Detective under former Police Chief Greg Stephens. Chief Wyatt has an advanced certificate in law enforcement and has previously worked for Mars Hill and Mars Hill College.

Town Manager Selena Coffey offered both of them a warm public welcome and thanked them for being members of the Town of Weaverville.

6. Approval of Minutes

Councilwoman Sherrill made the motion to approve the minutes from December 12, 2017 Town Council Workshop and December 18, 2017 Town Council meeting as presented. Councilman Fitzsimmons seconded the motion and all voted in favor on the approval of the minutes.

7. Consent Agenda

Councilman Jackson moved for the approval of the consent agenda. Councilman Nagle seconded the motion and all voted unanimously to approve all action requested in the consent agenda.

A. Monthly Tax Report – Information Only

B. Tax Refunds and Releases – Approved three tax releases from 2017 levy and one tax refund.

C. Final Plat Approval: Greenwood Park Phase I – Approval of Final Plat for Greenwood Park Phase I

8. General Public Comments:

Public comments were received as follows:

Aileen Fleming, 440 Kyfields, commented that three new homes were built at the end entrance to Kyfields and a large motorhome has been parked on the corner lot at Salem road and Kyfields drive, which is obstructing drivers view from oncoming and right away traffic, making it difficult and unsafe to enter into Kyfields.

9. Discussion and Action Items

A. Action regarding Proposed Zoning Map Amendment: Weaverville Condos

Mayor Al Root asked Council what action they would like to take, since they just held the Public Hearing for the proposed Zoning Map Amendment on the Weaverville Condos project and there is an Ordinance drafted.

Town Planner James Eller mentioned that he was available for any questions from Town Council.

Councilman Nagle mentioned that he has no issue with changing the Zoning Map. He knows that they are building 50 units, but under the zoning district they are permitted to do about 102 units.

Councilman Jackson made a motion to accept the Zoning Map Amendment to rezone PIN 9733-70-0398, 9733-70-0050, and 9732-79-2660 to R-12 as requested and adopt the Ordinance as presented. Councilman Fitzsimmons seconded the motion. The motion passed by a unanimous vote of Council.

B. Planning Department Report

Town Planner James Eller presented the Planning Departments Fourth Quarter and Year-end reports. The quarterly and year-end reports are attached.

C. Finance Departmental Report

Finance Officer Tonya Dozier presented the Finance Departments Revenue Expenditure Report from July 2017 – December 2017. She mentioned that this report helps reflect where the Town is with their yearly budget and the Town of Weaverville is in great financial shape. The first section reflects the revenue and the negative numbers are a good thing. Some of these items will come in at different times of the year so it is hard to judge like taxes. The second section reflects the expenditures by each department. The reports are attached.

D. Budget Amendment

Finance Officer Tonya Dozier mentioned that with the retirement of the Town's Police Chief, there were a few expenditures that arose that were not accounted for in the current year's budget. These expenses consist of separation allowance, FICA, retirement, 401K match and vacation payouts.

Mayor Al Root questioned if this was triggered by the state statute about \$100,000 thresholds. Town Manager Selena Coffey mentioned that back in 2014 there was a law enacted that employees who make over \$100,000 are a big expenditures within the retirement system. The State usually sends a notice out to notify you about increasing contributions to the system, but the Town was never notified so we have to handle these finances now. Town Manager Selena Coffey did inform Council that the Town has not received any notification yet about the other retired employee so we might be dealing with that soon as well.

Town Attorney Jennifer Jackson mentioned that annual wages over \$100,000 get flagged. The law is to help prevent intentional spiking of salaries to boost your retirement benefits. The Town just has to pay what the State calculates the annuity would be to payout the individual.

Town Manager Selena Coffey mentioned that there is a contingency account that the Town usually places \$15,000 into during the budget. She recommended that Council's seating arrangement is not the safest and she has gotten some quotes to invest in some new furniture.

Councilwoman Sherrill made a motion to accept the budget amendments as proposed . Councilman Jackson seconded the motion. The motion passed by a unanimous vote of Council.

E. Waterline Extension & Allocation Request: Weaverville Condos

Public Works Director Dale Pennell discussed that the Town has received a waterline extension and allocation request from Civil Design Concepts for their Weaverville Condo project of 50 units. This project will be served by waterline extensions from the 12” town water lines. The allocation request is for 20,000 GPD with peak demand of 100 GPM and will include fire protection. This demand will account for 1.5% of the current available water at the water treatment plant. Public Works Director Pennell is requesting that Town Council accept the allocation request and waterline extension and related improvements into the Town’s water system.

Warren Sugg, Engineer for Civil Design Concepts, commented that this will be a for sale, single family type of development. The project consists of around 50 units, all three-bedroom townhomes with fire protection. There are waterlines close to the property and sewer has been accepted for the property.

Councilman Nagle made a motion to accept the water allocation request and waterline extension and related improvements into the Town’s water system. Councilman Fitzsimmons seconded the motion. The motion passed by a unanimous vote of Council.

F. Authorization to Execute Consulting Agreement with Withers-Ravenel-Martin

Town Manager Selena Coffey mentioned that as Town Council will recall, Dennie Martin was in attendance at Town Council’s October 2017 workshop to speak to Council about the potential options for a water treatment plant expansion. As shown on the agreement, the scope of services proposed is to provide a preliminary engineering report that will compliment and take care of the issues that weren’t in the initial McGill study. It will take an in depth look at the alternative analysis, which has to be completed because of state law. Town Manager Selena Coffey reminded Council that there was \$7500 left over from the McGill study that she would like to use towards this contract which is \$8500. She recommended that Town Council authorize her to execute the agreement with Withers-Ravenel-Martin.

Councilman Jackson made a motion to authorize the Town Manager to execute the agreement with Withers-Ravenel-Martin as described and set forth within the agenda packet . Councilman Fitzsimmons seconded the motion. The motion passed by a unanimous vote of Council.

G. Set Public Hearing on Zoning Text Amendment on Initial Consideration by Town Council

Mayor Al Root commented that he would like to have Public Hearings prior to the 7 pm Town Council meetings. He did make Council aware that if the Public Hearing finishes early that they not dive into Town business before the meeting.

Town Attorney Jennifer Jackson mentioned that the Public Hearing tonight on the agenda was part of the regular meeting so there was no extra noticing for that. However, if you separate the Public Hearing outside of a regular meeting it becomes a special called meeting of Town Council, which the open meetings law requires noticing of and requires the Mayor or action of Council to call this meeting. Town Attorney Jackson noted that the Public Hearing for next meeting is scheduled for 7 pm on the Proposed Amendment of Code Related to Initial Town Council Review of Zoning Map and Text Amendments and the Mayor is trending towards scheduling this Public Hearing for 6:45 pm.

Councilman Jackson made a motion to set the Public Hearing for February 26, 2018 at 6:45 pm on a Proposed Amendment of Code Related Initial Town Council Review of a Proposed Zoning Map and Text Amendments . Councilman Nagle seconded the motion. The motion passed by a unanimous vote of Council.

H. Final Plat Approval: The Hamlet, Phase I – Portions of Reems Creek Village

Town Planner James Eller mentioned that the attached Major Subdivision Final Plat has been reviewed by the Fire Marshal, former Public Works Director Tony Laughter and himself and it has been found to comply with the Town's subdivision ordinance as it relates to major subdivisions. He is seeking approval of the final plat for The Hamlet Phase 1, a portion of Reems Creek Village.

Councilman Nagle made a motion to approve the final plat for The Hamlet Phase I. Councilman Fitzsimmons seconded the motion. The motion passed by a unanimous vote of Council.

10. Town Manager's Report

Town Manager Selena Coffey presented her Manager's report to Council including the new Town of Weaverville website is online and running now; the Administration Department held the first session of the 2018 Citizens Academy on Thursday, January 18; she will be in Winston Salem from Jan.31 - Feb.2, 2018 for the N.C. City-County Managers Association Seminar; there is a Council Retreat scheduled for Saturday, Feb. 3 at 9 am in the Town Hall, and the Town is beginning the process for receiving proposals for the annual audit.

Town Manager Selena Coffey also discussed the draft budget calendar with Town Council that was on the agenda. Town Council decided to schedule their Budget Workshops for March 13 at 6pm, April 23 at 6pm, and May 8 at 6pm. They noted that another workshop can be scheduled later if need be. This budget calendar is attached.

11. Closed Session

Councilman Fitzsimmons made the motion to enter closed session as per N.C. Gen. Stat. § 143-318.11(a) (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and public body, and N.C. Gen. Stat. § 143-318.11(a) (5) to establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property. Councilwoman Sherrill seconded the motion and by a unanimous vote Council entered into closed session.

[CLOSED SESSION]

Councilwoman Sherrill made the motion to exit closed session. Councilman Nagle seconded and all voted unanimously to exit closed session and re-enter open session.

12. Adjournment

Councilman Jackson made the motion to adjourn; Councilman Nagle seconded and all voted to adjourn the Council's meeting at 9:20 p.m.

Derek K. Huninghake, Town Clerk

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: February 26, 2018
SUBJECT: Monthly Tax Report and Order to Advertise Tax Liens
PRESENTER: Finance Officer/Town Attorney
ATTACHMENTS: Monthly Tax Report
Proposed Order to Advertise Tax Liens

DESCRIPTION/SUMMARY OF REQUEST:

The most current monthly tax report is attached for Town Council's information.

The attached monthly tax report provides the amount of FY 2017/2018 taxes collected to date and those that remain unpaid. The Tax Collector continues to utilize mailed notices, telephone calls, attachments and garnishments, and payment plans where appropriate to get the unpaid taxes collected. Foreclosure actions are only considered as a last resort.

In accordance with North Carolina law and in order to aid her collection efforts, the Tax Collector intends to advertise all outstanding tax liens during the first week in April in the Weaverville Tribune, the Town's website and e-Focus newsletter.

TOWN COUNCIL ACTION REQUESTED:

The Town Attorney advises that N.C. Gen. Stat. §105-369 requires Town Council to order the Tax Collector to advertise the tax liens. A proposed Order is attached for Council's consideration. A proposed motion is:

I move that we adopt the attached Order to Advertise Tax Liens

**Town of Weaverville
MONTHLY TAX REPORT
FY 2017-18**

AS OF 2/18/2018

Real Property:	731,858,579	
Real Property Discoveries:	4,382,100	
Total Real Property:	736,240,679	736,240,679
Personal:	68,272,808	
Personal Discoveries:	25,284	
Total Personal:		68,298,092
Public Utilities:		5,147,971
Exemption:		(9,394,737)
Releases:		(1,450,789)
Total Tax Value		798,841,216

Tax Levy @.38 cents per \$100

Real Property:		2,798,552.00
Personal Property:		242,859.00
Public Utilities:	19,563.00	
Less Under \$5 Adjustment		(61.00)
Total Public Utilities:	19,563.00	
Exemption:		(35,700.00)
Releases:		(5,513.00)
Total Levy (Total Billed)		3,019,700.00

Total Current Year Collections	2,906,934.00
% Collected	96.26%

Total Left to be Collected: 112,766.00

Prior Years Paid 2446

STATE OF NORTH CAROLINA

ORDER TO ADVERTISE TAX LIENS

TOWN OF WEAVERVILLE

TO THE TAX COLLECTOR OF THE TOWN OF WEAVERVILLE:

You are hereby ordered pursuant to N.C. Gen. Stat. § 105-369 to advertise the tax liens for all unpaid taxes within the Town of Weaverville in accordance with procedures set forth in Article 26 of Chapter of 105 of the North Carolina General Statutes.

WITNESS my hand and official seal, this 27th day of February, 2018.

TOWN OF WEAVERVILLE

By: _____
ALLAN P. ROOT, Mayor

ATTESTED BY:

DEREK K. HUNINGHAKE, Town Clerk

TOWN COUNCIL AGENDA ITEM

MEETING DATE: February 26, 2018
SUBJECT: Schedule Special Called Meeting for March 19, 2018 at 6:15pm to Hold Public Hearings on Code Amendments
PRESENTER: Town Attorney
ATTACHMENTS: None

DESCRIPTION/SUMMARY OF REQUEST:

At tonight's meeting Town Council will be asked to set two (2) public hearings on proposed Code Amendments, one on regulations pertaining to mobile food vendors and one on regulations pertaining to accessory and temporary structures. The Mayor has asked that these public hearings to be held prior to the regularly scheduled meeting of Council. To comply with open meetings law, it is proper for Town Council to schedule a special called meeting for this purpose.

ACTION REQUESTED/SUGGESTED MOTION:

I move that we schedule a special called meeting of Town Council for March 19, 2018, at 6:15pm in Council Chambers at Town Hall, located at 30 South Main Street, Weaverville, NC, in order to hold public hearings which might be set on proposed Code Amendments.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, February 26, 2018

Subject: Zoning Text Amendment Related to Additional Standards Placed on Mobile Food Vendors, Setting a Date for a Public Hearing

Presenter: Planning Director

Attachments: Recommendation of the Planning and Zoning Board, Proposed Revisions of Code, Zoning Text Amendment Application and Related Documents

Description:

Staff is in possession of an application to amend the text of the zoning ordinance of the Town of Weaverville. Said application proposes to change the additional standards applied to mobile food vendors within the C-1, C-2 and I-1 Zoning Districts.

It is important for Council to consider that an amendment to the text of the zoning ordinance would be applicable to the entire C-1, C-2 and I-1 Zoning Districts and would not be site specific.

Action Requested:

Staff is seeking the setting of a public hearing before Town Council on Monday, March 19 at 6:30pm.



**Town of Weaverville
Planning and Zoning Board**

On January 2, 2018, the Planning and Zoning Board reviewed the current provisions of the Town Code related to standards for mobile food vendors and considered an application for a text amendment which proposed amendments thereto. At the request of both the applicant and the Board the matter was continued to February 6, 2018, at which time the Planning and Zoning Board heard from several members of the public and continued its review and discussion on the matter.

On February 6, 2018, the Planning and Zoning Board voted unanimously to recommend Town Council's approval of the attached amendments to Town Code related to the regulation of mobile food vendors.

The Board believes that the recommended regulations are consistent with the Town's Comprehensive Plan, reasonable, and in the public interest in that the regulations provide a balance between protecting the residential districts and encouraging a wide range of commercial businesses necessary for a thriving economy within the Town.

Doug Theroux

Doug Theroux
Chairman, Planning and Zoning Board



Proposed Table of Uses
Proposed

Mobile Food Vendors, Permitted with Standards in C-1, C-2, I-1

Temporary Uses	R-1	R-2	R-3	R-12	C-1	C-2	I-1
Farmers Market	PS	PS	PS	PS	PS	PS	PS
Mobile Food Vendor	-	-	-	-	PS	PS	PS
Temporary Use	PS	PS	PS	PS	PS	PS	PS

Definition:

Mobile Food Vendor. Any mobile food unit, pushcart or motor vehicle, including all machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle, which is purposed for the sale for consumption of food and beverages. The sale of alcoholic beverages shall not be permitted by any mobile food vender absent the issuance of the requisite special event permit.

Additional Standards:

Chapter 36, Article V Additional Use Standards, Sec. 36-130. – Mobile Food Vendors

- A. No waste, wastewater or grease shall be distributed into the sanitary sewer system, stormwater system, or other public spaces.
- B. Mobile food vendors:
 - 1. shall be situated at least ten feet from all property lines, **excepting those separating contiguous parcels under common ownership**, and
 - ~~2. shall be situated at least ten feet any road right-of-way and~~
 - 3. shall not encroach onto any street or sidewalk and
 - 4. shall not obstruct any loading zone **or handicapped** parking space **made requisite by Article VII of Chapter 36.**
 - 5. shall not create a sight line obstruction
 - ~~6. This These requirements shall not apply to special events approved by the Town which take place on public streets, sidewalks or parking lots or any other public property.~~
- C. Mobile food vendors shall be located at least ~~200~~ **150** feet from any **primary** residential structure located within the R-1, R-2 or R-3 Zoning District.

- D. Mobile food vendors shall not be located within ten feet of any fire hydrant.
- E. Hours of operation shall be consistent with ~~7am to 10pm~~ the hours of operation of the principal building or use of the property on which the mobile food vendor is located but in no instance shall such hours exceed 7am to 11pm. ~~This requirement shall not apply to special events approved by the Town which take place on public streets, sidewalks or parking lots or any other public property. Such hours may be established in conjunction with the special event.~~
- F. ~~In no instance shall a mobile food vendor be permitted to be the primary or principal use of a parcel of land.~~
- G. Each mobile food vendor shall supply at least one receptacle for waste which must be emptied regularly and removed upon conclusion of hours of operation. Municipal waste receptacles shall not be used.
- H. In addition to signage displayed directly on the vehicle, one sign attached to the ground, or menu board sign, which shall not exceed four feet in height or 8 square feet of surface area, ~~is permitted~~. Such a sign shall be placed within ten feet of the mobile food unit ~~and shall only be displayed during hours of operation~~.
- I. The sale of alcoholic beverages shall not be permitted by any mobile food vender absent the issuance of the requisite special event permit.
- J. Mobile food vendors are only permitted ~~in the C-1 Zoning District~~ on public property, including but not limited to any real property, parking spot or lot, or road or right-of-way under municipal or state control and ownership in conjunction with the issuance of a special event permit. ~~Mobile food vendors operating in conjunction with a special event permit issued by the Town of Weaverville are not subject to these regulations but are governed by the conditions placed upon the permit for approval.~~
- K. Such a use is also subject to standards of the Buncombe County Health Department as it relates to the permitting, inspection and grading of all regulated food service establishments.
- L. ~~A Zoning Permit is required for each parcel which proposes to establish a mobile food vendor. The fee for said permit may be found within the schedule of fees.~~

**TOWN OF WEAVERVILLE APPLICATION FOR
A ZONING MAP OR TEXT AMENDMENT**

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002--- fax (828) 645-4776 --- jeller@weaverville.org

OWNER/APPLICANT NAME: Jon Varner

APPLICATION DATE: 4 Dec 17

PHONE NUMBER: 828-484-2390

MAILING ADDRESS: 131 Jupiter Rd

Application is made to the Town Council of Weaverville to amend:

- The Zoning Map
- The text of the Zoning Ordinance (Ch 36 of Code of Ordinances)

APPLICATION TO AMEND ZONING MAP

PROPERTY ADDRESS: 11 Florida Ave

PIN:

LOT AREA (acres):

CURRENT ZONING DISTRICT: C-1

PROPOSED ZONING DISTRICT:

APPLICATION IS NOT COMPLETE WITHOUT A BOUNDARY SURVEY DEPICITING:

- Total acreage
- Current owner(s) and date of survey
- Property location relative to streets
- North arrow
- Existing easements, rights of way, or other restrictions on the property
- Areas located within the floodplain
- Natural terrain of 15% or greater grade
- Adjoining property owners, addresses, and Buncombe County PINs

APPLICATION TO AMEND TEXT

SECTION(S) OF CHAPTER 36 TO AMEND: Sec. 36-130.C and 36-130.I.

PROPOSED CHANGE TO TEXT (attach additional documentation if necessary): Sec. 36-130.C. – Replace current text with "Mobile food vendors shall be located at least 100 feet from any residential structure located within the R-1, R-2 or R-3 Zoning District" reducing the distant requirement from 200 feet to 100 feet.

Sec. 36-130.I – Remove this section, removing the special event permit requirement for mobile food vendors in C-1 zoning district.

**TOWN OF WEAVERVILLE APPLICATION FOR
A ZONING MAP OR TEXT AMENDMENT**

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002--- fax (828) 645-4776 --- jeller@weavervillenc.org

JUSTIFICATION OF PROPOSED AMENDMENT(S): These portions of the zoning text are detrimental not only to our business (Eluvium Brewing Company), but other business in the C-1 zoning district that could benefit from the additional traffic that accompanies mobile food vendors. Our entire business model revolves around mobile food vendors and the additional patrons that follow them. When we chose our location and started building our business in Weaverville these ordinances were not in place, we even constructed a special parking area with water and electrical hook ups. Many mobile food vendors bring with them a customer base that may not have come to Weaverville's business district had they not followed the mobile food vendor.

I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner.


SIGNATURE OF APPLICANT

4 December 2017
DATE

It is the applicant's responsibility to obtain a copy of the Town of Weaverville Zoning Ordinance and to be fully aware of the regulations detailed therein.

REZONING FEE SCHEDULE:

1 Lot < 1 acre	\$350.00
2-4 Lots or 1-3 acres	\$450.00
4-9 acres	\$550.00
10-25 acres	\$750.00
25+ acres	\$900.00

OFFICE USE ONLY

FEE: \$ <u>350</u>	DATE PAID:	CHECK	CASH
DATE OF INTIAL COUNCIL MEETING: <u>12.18.17</u>	ACTION TAKEN:		
DATE OF PLANNING BOARD MEETING: <u>1.2.18</u>	ACTION TAKEN:		
DATE OF PUBLIC HEARING & COUNCIL DECISION: <u>1.22.18</u>	FINAL ACTION:		



COUNTY OF BUNCOMBE, NORTH CAROLINA

Web Property Record Card

9742-27-9725-00000

[<< Back to Parcel Details](#)

Date Printed: 12/4/2017

Owner Information		Parcel Information	Total Property Value: 160,200
Owners:	OTR LLC	Status:	Active
Address:	1186 PATTON AVE ASHEVILLE NC 28806-2706	Deed Date:	9/23/2016
Property Location:	11 FLORIDA AVE	Deed Book/Page:	5471 / 1871
Taxing Districts		Plat Book/Page:	0164 / 0179
County:	Buncombe County	Legal Reference:	TRANSFER BY DEED
City:	WEAVERVILLE	Location:	11 FLORIDA AVE
Fire:		Class:	APT
School:		Neighborhood:	WEAVERVILLE
		Subdivision:	
		Sub Lot:	B
		Conservation/Easement:	N
		Flood:	N

Ownership History

Transfer Date	Price	Legal Reference	Deed Book/Page	Qualified	Vacant When Sold	Seller Names
09/23/16	\$1,300,000	TRANSFER BY DEED	5471 / 1871	No: A	No	SHOPE OF WEAVERVILLE LLC
10/25/13	\$0	TRANSFER BY DEED	5154 / 1457	No: C	No	NORMA GENEVIEVE G SHOPE
04/09/02	\$0	WILL OR ESTATE FILE	002E / 0524	No: C	No	W W SHOPE JR

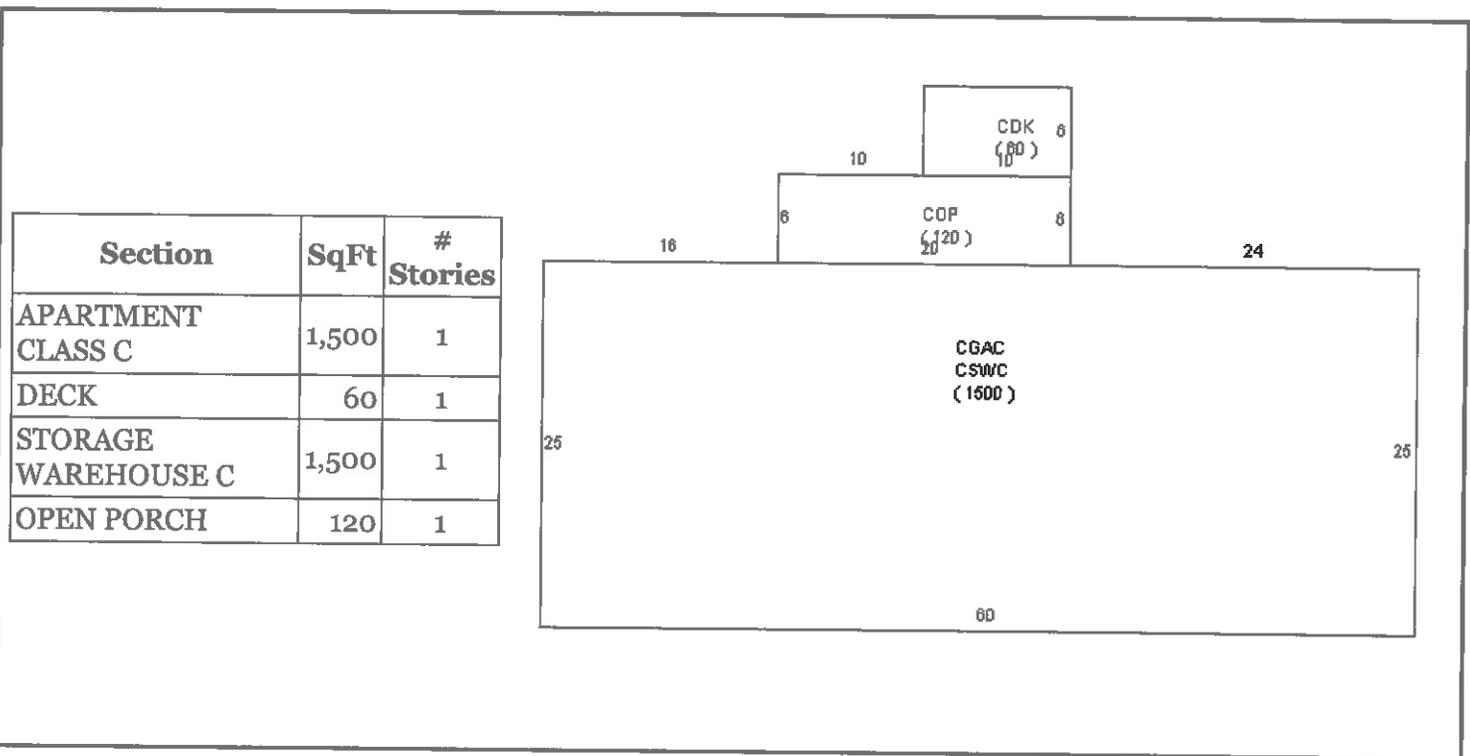
Assessment History

Year	Acres	Land	Bldgs	Other Impr	Assessed	Desc	Exemptions	Deferred	Taxable
2017	0.18	65,700	94,500	0	160,200		0	0	160,200
2016	0.18	63,000	95,900	0	158,900		0	0	158,900
2015	0.18	63,000	95,900	0	158,900		0	0	158,900
2014	0.18	63,000	95,900	0	158,900		0	0	158,900
2013	0.18	63,000	95,900	0	158,900		0	0	158,900
2012	0.18	201,700	54,700	0	256,400		0	0	256,400
2011	0.18	201,700	54,700	0	256,400		0	0	256,400
2010	0.18	201,700	54,700	0	256,400		0	0	256,400
2009	0.18	201,700	54,700	0	256,400		0	0	256,400
2008	0.18	201,700	54,700	0	256,400		0	0	256,400

2007	0.18	201,700	54,700	0	256,400	0	0	256,400
2006	0.18	201,700	54,700	0	256,400	0	0	256,400
2005	0.18	19,400	72,100	0	91,500	0	0	91,500
2004	0.18	19,400	72,100	0	91,500	0	0	91,500
2003	0.18	19,400	72,100	0	91,500	0	0	91,500
2002	0.18	19,400	72,100	0	91,500	0	0	91,500
2001	0.18	26,400	37,700	0	64,100	0	0	64,100

Land Data		Total Acres: 0.18	Land Value:	Other	Value: 0
		Acreage	65,700	Improvements	
Segment#	Units	Description			
1	0.18 Acreage	LOT IN AC			

Com. Bldg ID	Bldg Class	Sq Feet	Bsmt SqFt	Bsmt	Finished	Year Built	Grade	Condition	Value
1	MASONRY	3,000	0	0		1946	D	G	94,500

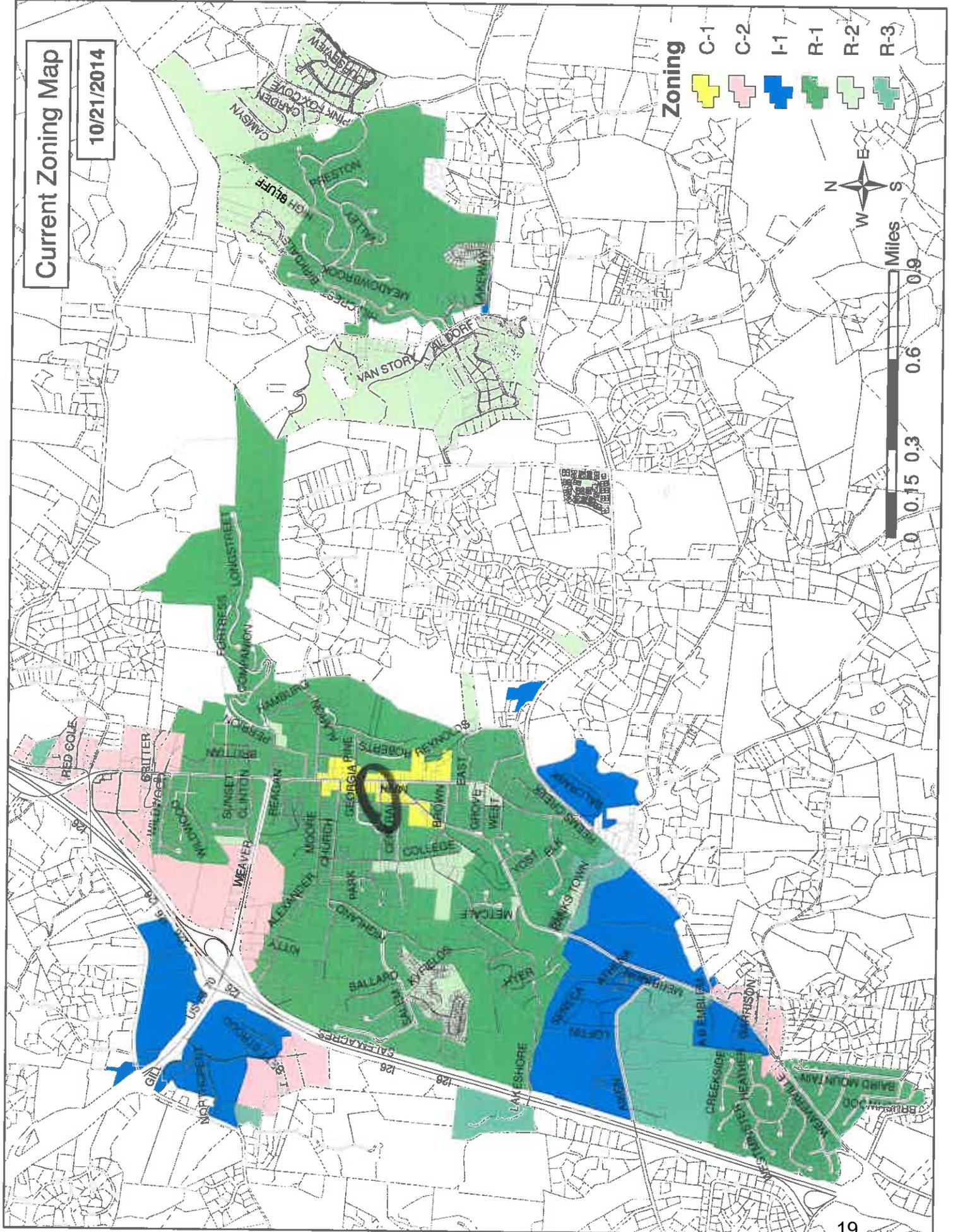
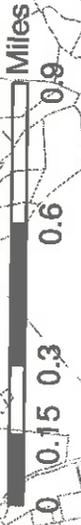


Total Building Value: 94,500

Current Zoning Map

10/21/2014

- Zoning**
- C-1
 - C-2
 - I-1
 - R-1
 - R-2
 - R-3

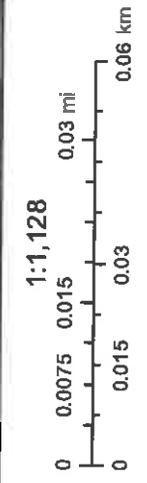


G-1
Buncombe County ↓

R-1 ↓



December 4, 2017



Mobile Food Vendor. Any mobile food unit, pushcart or motor vehicle, including all machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle, which is purposed for the sale for consumption of food and beverages. The sale of alcoholic beverages shall not be permitted by any mobile food vender absent the issuance of the requisite special event permit.

Mobile home. See "manufactured home", and "trailers or travel trailers".

Modular home. A dwelling unit constructed in accordance with the construction standards of the North Carolina Uniform Residential Building Code for One- and Two-Family Dwellings, and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly and placement on a permanent foundation. Without limiting the generality of the foregoing, a modular home may consist of two or more sections transported to the site on each's own chassis or steel frame, or a series of panels or room sections transported to the site on a truck and erected, assembled, or joined there. This unit is deeded, and not titled by the state department of motor vehicles.

Multiple tenant development. A development in which there exist a number of individual and/or separate establishments and in which there are appurtenant shared facilities such as parking areas or pedestrian ways, including but not limited to shopping and office centers. This definition does not include multi-family residential developments. **Nameplate sign.** A sign located on a particular premises which identifies a business or home occupation.

New construction. Structures for which the "start of construction" commenced on or after the effective date of this chapter.

Nonconforming occupied lot. A lot which contained a structure on the effective date of this chapter or at the time the lot was brought into the town's jurisdiction but which does not meet the minimum requirements for width, area, front, side, or rear yard, height and/or open space for the zoning district in which it is located.

Nonconforming open uses of land. An open use on a lot when the only structures are incidental and accessory to the principal open use which was in existence prior to the effective date of this chapter or at the time the lot was brought into the town's jurisdiction and which would not be permitted by this chapter in the zoning district in which it is located. Uses such as storage yards, used car lots, auto wrecking yards, and golf driving ranges are examples of open uses.

Nonconforming sign. Any sign which does not conform with the standards of this chapter.

Nonconforming structure. Any structure which does not conform with the requirements of the zoning district in which it is located, either at the effective date of the ordinance from which this chapter derives or as a result of subsequent amendments to this chapter.

Nonconforming use of structure. A use of a structure which existed prior to the effective date of this chapter, or at the time the lot on which the structure is sited was brought into the town's jurisdiction, and which would not be permitted in the zoning district in which it is located.

Nonconforming vacant lot. A lot which does not meet the dimensional requirements for the zoning district in which it is located, but which was recorded prior to the effective date of this chapter or prior to the time the lot was brought into the town's jurisdiction. This definition shall not be interpreted to include lots recorded prior to the adoption of this chapter which were in violation of any prior subdivision regulation of the town.

Noxious Uses. Any use that could be harmful to health or the environment if not properly regulated. Noxious uses include, but are not limited to, the following: power plants, water and sewage plants, landfills or recycling facilities, outdoor firing ranges, junk yards or salvage yards, rendering plants and slaughterhouses, asphalt or concrete plants or any extractive industry.

Nursing home. See group care facility.

summary of issues discussed at the meeting, and a description of any changes to the rezoning petition made by the petitioner as a result of the meeting. In the event the petitioner has not held at least one meeting pursuant to this subsection, the petitioner shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of a meeting held or report filed pursuant to this subsection shall be considered by the town council but shall not be subject to judicial review.

Notice of such a public hearing shall be given to all the property owners within 200 feet of the property boundaries and in accordance with the provisions of G.S. 160A-364.

(m) *Judicial review.* Conditional zoning district decisions under this section are a legislative process and not subject to judicial review.

In the event of noncompliance by a property owner or any subsequent resale or lease of a property for use other than that stipulated in the original CZD approval, the property owner would be in violation of the town zoning ordinance.

(n) *Approval procedures.* Except as specifically modified by this section, the procedures to be followed by the town council in reviewing, granting, or denying any petition for conditional zoning shall be the same as those established for general use district zoning petitions under G.S. ch. 160A, art. 19. Each ordinance adopted by town council which establishes a conditional zoning district within the Town of Weaverville is hereby incorporated into this chapter as a separate and unique zoning district and shall be reflected on the town's zoning map. Copies of such ordinances shall be kept on file with the town clerk and may be reviewed upon request.

(Ord. of 8-20-2007; Ord. of 11-17-2008, § 1; Ord. of 4-20-2009, § 3; [Ord. of 9-19-2016\(3\), § 1](#) ; [Ord. of 11-21-2016\(1\), § 6](#))

([Ord. of 5-16-2016\(1\), § 3](#) ; [Ord. of 9-19-2016\(3\), § 1](#) ; Ord. of [Ord. of 11-21-2016\(1\), § 3](#))

Secs. 36-86— 36-103. - Reserved.

ARTICLE IV. TABLE OF USES AND TABLE OF DIMENSIONAL REQUIREMENTS

Sec. 36-104. Notes on Table of Uses.

Notes:

1. See Article V (Sec. 36-116 *et seq.*) for additional standards for those uses identified on the Table of Uses as "permitted with standards."
2. If a proposed use can't be found on the table of uses herein established or is not specifically defined herein, then the regulations and restrictions governing the use which most closely resembles the proposed use shall apply.
3. The abbreviations and symbols shown in the Table of Uses have the following meanings:
 - "C" = Conditional Zoning District required
 - "P" = Permitted
 - "PS" = Permitted with Standards
 - "-" = Not Permitted

Sec. 36-105. – Table of Uses.

USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1
Residential							
Dwelling - Single Family	P	P	P	-	-	-	-
Dwelling – Duplex	-	P	P	P	-	-	-
Dwelling - Multifamily (4 or fewer units/building)	-	P	P	P	-	-	-
Dwelling - Multifamily (more than 4 units/building)	-	-	C	C	-	-	-
Dwelling – Secondary	PS	PS	PS	-	-	-	-
Family Care Home (6 or fewer residents)	P	P	P	-	-	-	-
Child Care Home (6 or fewer children)	PS	PS	PS	-	-	-	-
Home Occupation	PS	PS	PS	PS	-	-	-
Manufactured Home	-	-	PS	-	-	-	-
Manufactured Home Park	-	-	-	-	-	-	-
Recreational Vehicle	-	-	-	-	-	-	-
Recreational Vehicle Park, Campground	-	-	-	-	-	C	C
Bed & Breakfast	P	P	P	-	-	-	-
Hotel, Motel, Inn	-	-	-	-	C	C	C
Office / Service							
Animal Services, Veterinary Clinic	-	-	-	-	P	P	P
Automated Teller Machines	-	-	-	P	P	P	P
Automobile Services, Gas Station	-	-	-	-	P	P	P
Automobile Services, Repair					PS	PS	PS
Banks, Credit Unions, Financial Services	-	-	-	-	PS	P	P
Child Care Center (more than 6)	-	-	-	-	C	PS	PS
Community Service Organization	-	-	-	-	-	P	P
Equipment Rental (Exterior Storage)	-	-	-	-	-	-	P
Equipment Rental (Interior Storage)	-	-	-	-	-	P	P
Funeral Home	-	-	-	-	P	P	P
Group Care Facility (more than 6 residents)	-	-	-	-	C	P	P
Government Services	C	C	C	C	C	P	P
Kennels	-	-	-	-	-	PS	PS
Medical Services - Clinic, Urgent Care Center, Hospital	-	-	-	-	-	P	P
Medical Services - Doctor Office	-	-	-	-	P	P	P
Personal Services	-	-	-	-	P	P	P
Post Office	-	-	-	-	-	P	P
Professional Services	-	-	-	-	P	P	P

USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1
Studio - Art, Dance Martial Arts, Music	-	-	-	-	P	P	P
Retail / Restaurants							
Accessory Retail	-	-	-	-	P	P	P
Alcoholic Beverage Sales Store	-	-	-	-	P	P	P
Auto / Mechanical Parts Store	-	-	-	-	P	P	P
Bar / Tavern / Night Club	-	-	-	-	P	P	P
Drive-Thru Retail / Restaurant	-	-	-	-	-	P	P
General Retail (Under 10,000 sq. ft.)	-	-	-	-	P	P	P
General Retail (10,000 - 24,999 sq. ft.)					PS	PS	PS
General Retail (25,000 sq. ft. or more)	-	-	-	-	C	C	C
Multi-tenant Development (Under 25,000 sq. ft.)	-	-	-	-	C	PS	PS
Multi-tenant Development (25,000 sq. ft. or more)	-	-	-	-	C	C	C
Pawn Shop	-	-	-	-	-	P	P
Restaurant	-	-	-	-	P	P	P
Vehicle / Heavy Equipment Sales - Indoor	-	-	-	-	P	P	P
Vehicle / Heavy Equipment Sales - Outdoor	-	-	-	-	-	P	P
Entertainment / Recreation							
Amusements - Indoor	-	-	-	-	P	P	P
Amusements - Outdoor	-	-	-	-	-	P	P
Cultural or Community Facility	PS	PS	PS	PS	P	P	P
Recreation Facilities - Indoor	PS	PS	PS	PS	P	P	P
Recreation Facilities - Outdoor	PS	PS	PS	PS	PS	PS	PS
Theater - Motion Picture	-	-	-	-	-	P	P
Manufacturing / Wholesale / Storage							
Manufacturing, Heavy	-	-	-	-	-	-	P
Manufacturing, Light	-	-	-	-	-	P	P
Manufacturing, Neighborhood	-	-	-	-	P	P	P
Metal Product Fabrication, Machine or Welding Shop, Auto Body Shop	-	-	-	-	-	-	P
Mini-Warehouses	-	-	-	-	-	PS	PS
Outdoor Storage Yard	-	-	-	-	-	-	C
Warehousing and Distribution - Exterior Storage	-	-	-	-	-	-	P
Warehousing and Distribution - Interior Storage	-	-	-	-	-	P	P
Civic / Institutional							
Cemeteries	-	-	-	-	-	-	C
Public Safety Facilities	C	C	C	C	C	P	P
Religious Institutions	C	C	C	C	C	C	C

USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1
Schools	C	C	C	C	C	C	C
Utilities							
Wireless Telecommunication Facility - Stealth	PS	PS	PS	PS	PS	PS	PS
Wireless Telecommunication Facility - Tower	-	-	-	-	-	PS	PS
Miscellaneous Uses							
Adult Establishment	-	-	-	-	-	C	C
Agriculture - Commercial	-	-	-	-	PS	PS	PS
Agriculture - Neighborhood	PS	PS	PS	PS	PS	PS	PS
Crematories	-	-	-	-	-	-	C
Event Center	-	-	-	-	C	C	C
Gaming Terminals						PS	PS
Mixed-Use Building or Structure	-	-	-	C	C	C	-
Noxious Uses	-	-	-	-	-	-	C
Tattoo Parlors	-	-	-	-	-	P	P
Temporary Uses							
Farmers Market	PS	PS	PS	PS	PS	PS	PS
Mobile Food Vendor	-	-	-	-	PS	PS	PS
Temporary Use	PS	PS	PS	PS	PS	PS	PS

Sec. 36-106. - Table of dimensional requirements.

- C. Only noncommercial vehicles are permitted in conjunction with a home occupation.
- D. Business or product identification signs shall not be permitted.

Sec. 36-128. – Kennels

- A. Outside runs, holding pens, exercise areas or other open-air type enclosures or shelters, which are maintained in order to prevent the escape of animals, shall be located at least 200 feet from any dwelling, other than the property of the owner on which the structure is located, and at least 50 feet from adjoining property lines.
- B. Kennels shall be located in the side or rear yard area of any principal structure and must be on the same parcel of land.

Sec. 36-129. – Manufactured Home

- A. No new manufactured home shall be permitted within floodways and nonencroachment areas as determined by the Floodplain Administrator of Buncombe County.
- B. Each new manufactured home shall be placed on an individual lot.
- C. A manufactured home must be built to or exceed the Manufactured Home Construction Safety Standards as developed by the Housing and Urban Development Code of June 15, 1976.

Sec. 36-130. – Mobile Food Vendors

- A. No waste, wastewater or grease shall be distributed into the sanitary sewer system, stormwater system, or other public spaces.
- B. Mobile food vendors shall be situated at least ten feet from all property lines and any road right-of-way, shall not encroach onto any street or sidewalk and shall not obstruct any loading zone or handicapped parking space. This requirement shall not apply to special events approved by the Town which take place on public streets, sidewalks or parking lots or any other public property.
- C. Mobile food vendors shall be located at least 200 feet from any residential structure located within the R-1, R-2 or R-3 Zoning District.
- D. Mobile food vendors shall not be located within ten feet of any fire hydrant.
- E. Hours of operation shall be limited to 7am to 10pm. This requirement shall not apply to special events approved by the Town which take place on public streets, sidewalks or parking lots or any other public property. Such hours may be established in conjunction with the special event.
- F. Each mobile food vendor shall supply at least one receptacle for waste which must be emptied regularly and removed upon conclusion of hours of operation. Municipal waste receptacles shall not be used.
- G. In addition to signage displayed directly on the vehicle, one sign attached to the ground, or menu board sign, which shall not exceed four feet in height or 8 square feet of surface area. Such a sign shall be placed within ten feet of the mobile food unit or vehicle and must be removed when outside hours of operation.

- H. The sale of alcoholic beverages shall not be permitted by any mobile food vender absent the issuance of the requisite special event permit.
- I. Mobile food vendors are only permitted in the C-1 Zoning District in conjunction with the issuance of a special event permit.
- J. Such a use is also subject to standards of the Buncombe County Health Department as it relates to the permitting, inspection and grading of all regulated food service establishments.

Sec. 36-131. – Multi-tenant development (under 25,000 sq. ft.)

- A. Such a development shall abut an existing major thoroughfare maintained by the North Carolina Department of Transportation or the Town of Weaverville and shall have direct access thereto.
- B. Points of ingress and egress shall be located a sufficient distance from road intersections to minimize traffic hazard, inconvenience and congestion. Additionally, each development shall have a minimum of two such points of ingress and egress to facilitate the safe flow of traffic.
- C. Parking and loading spaces shall be provided as established by Chapter 36, Article VII.
- D. Such facilities with a drive-thru window are subject to additional regulations as defined by drive-thru retail / restaurant.

Sec. 36-132. – Recreational Facilities – Indoor

- A. Such facilities operating in conjunction with a single family dwelling which use is clearly incidental and secondary to the use of the dwelling for residential purposes and which use does not change the residential character of the dwelling shall be permitted as an accessory use or structure of the dwelling unit.
- B. Such facilities operating in conjunction with a school or religious institution as defined herein shall be permitted as an accessory use operating in conjunction with same.
- C. Such facilities operating in conjunction with a Conditional Zoning District, Special Use Permit, Major Subdivision or any other residential development within a residentially zoned district shall be allowed if presently in use or approved with the adoption process for each of the aforementioned forms of development.

Sec. 36-133. – Recreational Facilities – Outdoor

- A. Lighting fixtures for outdoor recreational facilities shall be mounted and aimed so that the illumination falls within the primary playing area and immediate surroundings so that no direct light illumination is directed off site. Lights shall be turned off at the conclusion of any activity.
- B. Such facilities operating in conjunction with a single family dwelling which use is clearly incidental and secondary to the use of the dwelling for residential purposes and which use does not change the residential character of the dwelling shall be permitted as an accessory use or structure of the dwelling unit.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, February 26, 2018

Subject: Zoning Text Amendment Related to Additional Standards
Placed on Accessory and Temporary Structures

Presenter: Planning Director

Attachments: Zoning Text Amendment, Recommendation of the Planning
and Zoning Board

Description:

At the request of Town Council, staff, in conjunction with the Planning and Zoning Board, has crafted additional standards related to accessory structures and temporary structures as a result of a storage container being permitted on the property commonly known as 34 Salem Road. While it is believed that the regulations crafted for your consideration is an improvement of existing code, it is important to note that they do not address the specific situation that caused the proposed revision due to statutory limitations placed upon structures covered by the North Carolina Building Code.

Action Requested:

Staff is seeking the setting of a public hearing before Town Council on Monday, March 19 at 6:15pm.



Town of Weaverville Planning and Zoning Board

On November 20, 2017, Town Council asked the Planning and Zoning Board and staff to work on zoning ordinance provisions related to the use of storage containers as accessory structures within residential districts. To that end the Planning and Zoning Board has spent a good portion of each of its last three meetings on this matter. The Planning and Zoning Board is now forwarding the attached amendments to Town Code to Town Council and, through a unanimous vote of the Planning and Zoning Board, recommends Town Council's adoption of same.

While the Board and staff have spent considerable time and effort in attempting to draft regulations that would have lessened the impact of the storage container now located on 34 Salem Road which affects the view from Kyfields, the amendments to Town Code that are recommended reflect the regulatory limitations that North Carolina law imposes on residences and their accessory structures (specifically NCGS 160A-381(h)). In other words, recommended regulations could not have prevented the placement of the storage container at 34 Salem Road. Landscape buffering, which is allowable, was discussed thoroughly; however, the Planning and Zoning Board found that any requirement that would have required landscape buffering for the storage container at 34 Salem Road would have to have been written so broadly that it would have required landscape buffers for essentially every storage container within residential districts in Town. The Planning and Zoning Board determined this to be too much regulation to be reasonable for Weaverville and dropped the landscape buffering from its recommended regulations.

The Board believes that the recommended regulations are consistent with the Town's Comprehensive Plan, reasonable and in the public interest in that the regulations better protect the residential communities within the Town by providing location, bulk and height restrictions on accessory structures within residential districts.

Doug Theroux

Doug Theroux
Chairman, Planning and Zoning Board



Table of Uses
Proposed

Accessory Structures, permitted with standards in all zoning districts

Miscellaneous Uses	R-1	R-2	R-3	R-12	C-1	C-2	I-1
Accessory Structures	PS	PS	PS	PS	P	P	P
Adult Establishment	-	-	-	-	-	C	C
Agriculture - Commercial	-	-	-	-	PS	PS	PS
Agriculture - Neighborhood	PS						
Crematories	-	-	-	-	-	-	C
Event Center	-	-	-	-	C	C	C
Gaming Terminals						PS	PS
Mixed-Use Building or Structure	-	-	-	C	C	C	-
Noxious Uses	-	-	-	-	-	-	C
Tattoo Parlors	-	-	-	-	-	P	P

Definition:

Accessory structure. A structure that is clearly incidental to and customarily found in connection with a principal building or use, is subordinate to and serves a principal building or use and is subordinate in area, extent and purpose to the principal building or principal use served. An accessory structure must be on the lot on which the principal use is located.

Additional Standards:

Chapter 36, Article V Additional Use Standards, Section 36-139 Accessory Structures

- A. The footprint of accessory structures within any residential zoning district shall not exceed the following maximum footprint(s).

Lot Size	One Structure	All Structures
Less than 1 acre	800 square feet	1,000 square feet
1 to 3 acres	1,200 square feet	1,600 square feet
More than 3 acres	No limit	No Limit

1. The footprint of any structure defined as *dwelling – secondary* shall not be included in the calculation of footprint for accessory structures but such structures shall meet the additional standards established by Sec. 36-124.
 2. The footprint of any accessory structure implemented with any use defined as *agriculture – commercial or agriculture – neighborhood* shall not be included in the calculation of footprint for accessory structures but such structures shall meet the additional standards established by Sec. 36-120 and Sec. 36-121.
- B. Accessory structures shall not exceed the height of the primary structure **and in no event exceed 25 feet.**
- C. Accessory structures, ~~on a non-corner lot,~~ shall only be located within the side or rear yard of the primary structure and shall only be permitted within the setbacks established by the applicable zoning district.
- D. ~~Accessory structures, located in the rear or side yard of a corner lot and where such yards are adjacent to the front yard of a neighboring lot, shall plant and maintain a ten foot buffer as defined herein in order to minimize visual impacts, mitigate light and noise trespass and to protect the privacy of neighbors.~~
- E. Accessory structures providing common facilities for residential developments, including but not limited to a clubhouse, mail receptacle facilities, pool house, rental or property management office, shall not be subject to the footprint limits established by Sec. 36-139A and location requirements established by Sec. 36-139D.



Table of Uses
Proposed

Temporary Uses, permitted with standards in all zoning districts

Temporary Uses	R-1	R-2	R-3	R-12	C-1	C-2	I-1
Farmers Market	PS						
Mobile Food Vendor	-	-	-	-	PS	PS	PS
Temporary Use	PS						
Storage Container	PS						

Definition:

Storage container. Any container, storage unit, shed-like container or other portable structure that can be or is used for the storage of personal property of any kind and which is located for such purposes outside of an enclosed building other than an accessory building or shed which complies with all applicable building and land use requirements.

Temporary structure. A structure intended to serve a specific event and to be removed upon the completion of that event. This term includes, but is not limited to, bleachers, perimeter fencing, vendor tents/canopies, judging stands, trailers, portable toilets, sound/video equipment, stages, platforms, and other impermanent devices, which do not involve grading or landform alteration for installation, and which are not permanently affixed to the ground.

Temporary use. An activity or use of land which, having met certain requirements and conditions, may be permitted for a period of limited duration, and which may utilize "temporary structures" for the duration of the event.

Additional Standards:

Chapter 36, Article V Additional Use Standards 36-134 Temporary Uses

- A. Temporary uses or structures may be permitted summarily in conjunction with a Special Event Permit issued by the Town Manager as described by Section 16-6 Special Events.
- B. ~~Construction offices and storage containers or facilities may be permitted provided the structure(s) are placed within the setbacks established by the applicable zoning district and a sunset date is established at which the structure(s) shall be removed from the property. Such structure(s) shall be directly related to the development of a lot and shall be permitted via a zoning permit obtained from the Zoning Administrator. When utilized in conjunction with any construction or renovation on the same parcel of land, storage containers shall only remain on the property for the duration of construction.~~
- C. Temporary vendors may be permitted only one structure which may not exceed 1,500 square feet. Temporary vendors operating in the parking lot associated with a primary use must not cause nonconformity with the parking requirements of this chapter. Temporary vendors may only operate in zoning districts in which general retail is also permitted. Those conducting yard sales on a property where they currently reside shall not be considered temporary vendors.
- D. Portable and on demand storage containers located within residential zoning districts are permissible for a period of 14 consecutive days not to exceed two occurrences per calendar year. Said containers are exempt from zoning permit requirement.
- E. Portable and on demand storage containers located within commercial or industrial zoning districts are permissible for a period of 60 consecutive days not to exceed two occurrences per calendar year. Said containers are exempt from zoning permit requirement.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, February 26, 2018
Subject: Board Appointment
Presenter: Mayor Root
Attachments: Application for Appointment to Town Boards or Commissions of Ms. Sylvia Valois

Description:

Ms. Sylvia Valois of 42 Loftin Street has submitted an application to serve on the Zoning Board of Adjustment. Said Board has two alternate positions open and Ms. Valois would fill one of the vacancies.

Action Requested:

Appointment of Ms. Valois to the position of alternate on the Zoning Board of Adjustment.

APPLICATION FOR APPOINTMENT TO TOWN BOARDS OR COMMISSIONS

Applicants are strongly urged to attend several meetings of a board or commission meeting prior to applying for appointment.

Name: Sylvia Valois Date of Application: 2.15.18
Address: 42 Loftin Street Weaverville, NC 28787
E-Mail Address(es): Svalois2000@yahoo.com
Phone: (504) 717.0275 Alternate Phone: _____

Do you live within Town limits? Yes No

Please name and rank Boards or Commissions on which you are applying to serve:

Zoning Board of Adjustment

Please list any special skills, interests, or qualifications that you feel would be an asset to these Boards or Commissions:

Good relationship builder. experienced in legal transactions, compliance and corporate governance. ability to work independently, quick study, and execute tasks with professionalism.

Why do you wish to serve on the named Board or Commission?

This town is my home now. I desire to be involved in managing its growth. I desire to learn about the town's management, strategies and be a part of my community by serving and applying my skill set.

Please return this application to the Town Manager's Office at the address above, along with a copy of your resume.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: February 26, 2018
Subject: Presentation of Parks & Recreation Master Plan
Presenter: Kyle Guie, Land of Sky Regional Council
Attachments: Parks & Recreation Master Plan

Description:

Attached is the final Parks & Recreation Master Plan developed by Land of Sky Regional Council. Kyle Guie, Planner for the regional council will be in attendance to present the master plan. Town Council will be asked to adopt the Master Plan. This is scheduled for the March meeting, but Council may adopt it at this meeting.

Council Action Requested:

The Town Manager recommends adoption of the Parks & Recreation Master Plan at this meeting or next month's meeting.

PARKS & RECREATION MASTER PLAN





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Dottie Sherrill, Council Member
Doug Jackson, Council Member
Patrick Fitzsimmons, Council Member
Andrew Nagle, Council Member

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Dale Pennell, Public Works Director, Engineer
Tony Laughter, Public Works Director-Retired
James Eller, Planning Director
Jennifer Jackson, Town Attorney
Tonya Dozier, Finance Director

INTRODUCTION

In September of 2017, the Town of Weaverville partnered with Land of Sky Regional Council to develop a community directed, town-wide Masterplan for Parks and Recreation. This Plan creates a vision for a comprehensive approach to recreation facilities, recreational programming, open space, and trails to meet the needs of the community.

Going through a town-wide planning process is important for several reasons. The process provides a forum for residents to share:

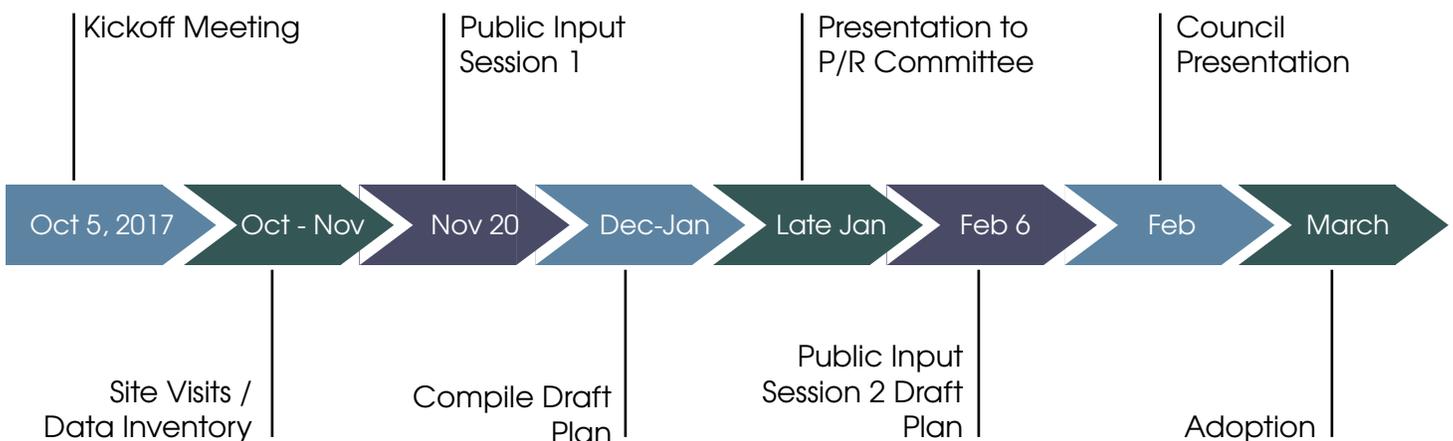
1. Their vision and priorities for their community;
2. Updates on current projects underway or needs for upcoming efforts;
3. Recommendations for programming and facilities.

The Plan also describes key factors and issues that may play a role in the development of the Weaverville Parks and Recreation system, such as facility condition or how frequently a site is used. This information will provide the foundation for the analysis of the existing park system and assessment of future community needs.

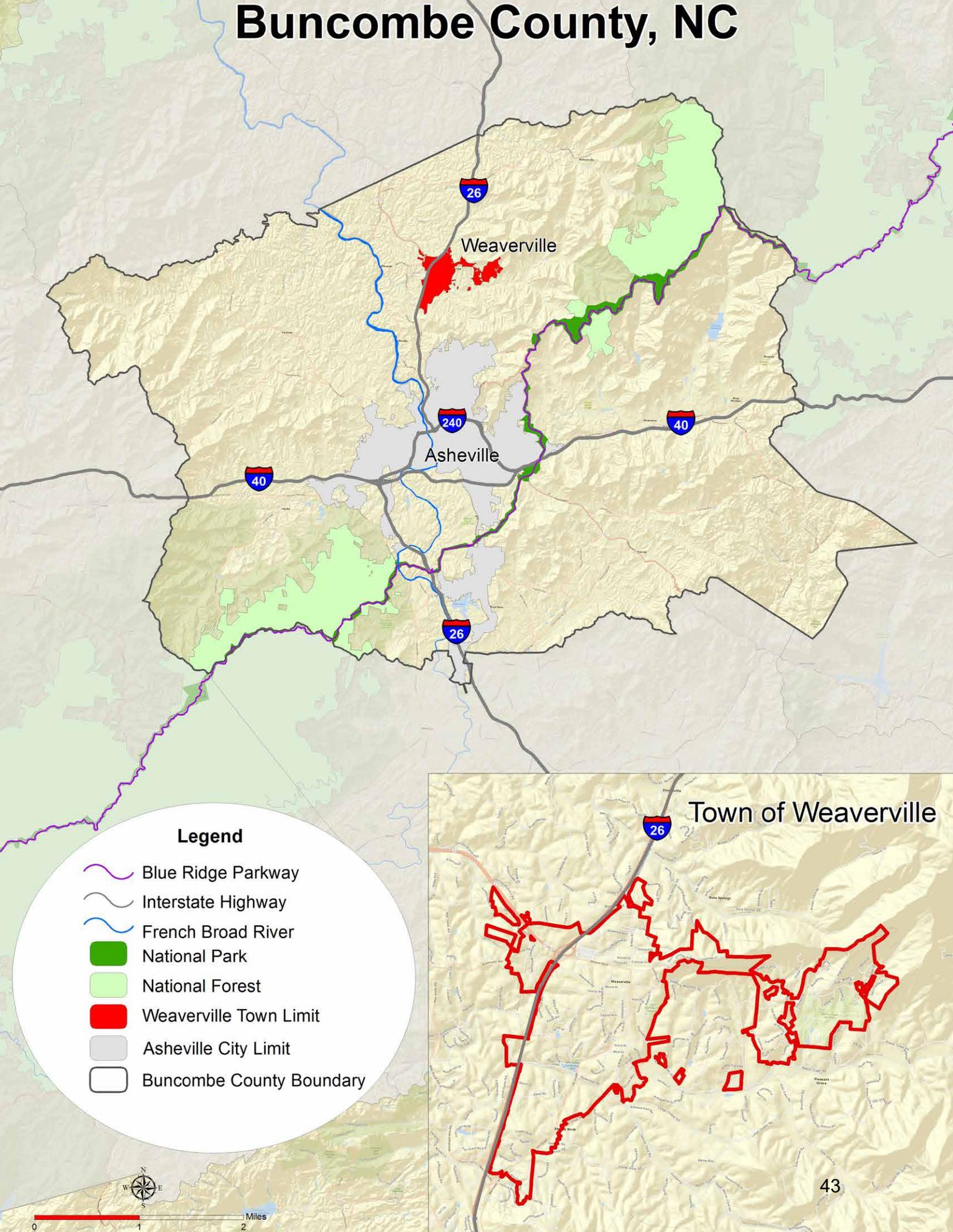
Finally, the Plan should be a living document and revisited annually to ensure priorities are still consistent with the needs and desires of the community.

As the Town continues to grow, maintaining and improving the quality of life offered to residents will be essential to preserving the character that makes Weaverville an attractive community.

FIGURE 1: MASTER PLAN TIMELINE



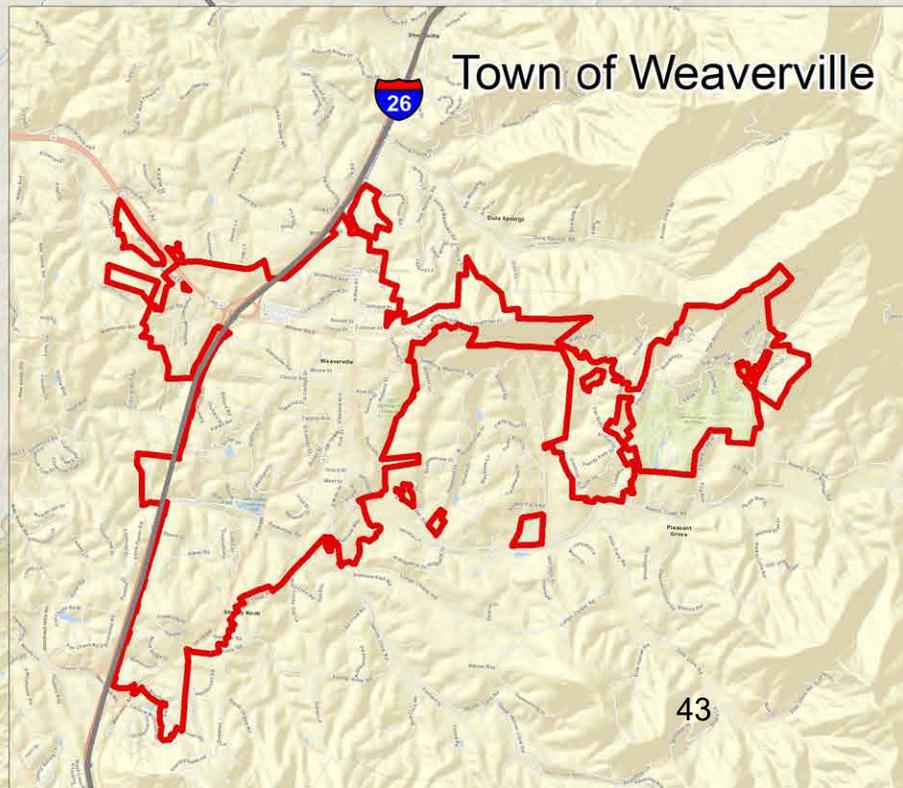
Buncombe County, NC



Legend

-  Blue Ridge Parkway
-  Interstate Highway
-  French Broad River
-  National Park
-  National Forest
-  Weaverville Town Limit
-  Asheville City Limit
-  Buncombe County Boundary

Town of Weaverville



DEMOGRAPHICS

Weaverville is a small, fast-growing town in northern Buncombe County. Nestled in the Appalachian Mountains of Western North Carolina, Weaverville has established itself as a popular small-town in close proximity to a number of regional destinations, including the Blue Ridge Parkway, Pisgah National Forest, and Downtown Asheville. And like much of the rest of the region, Weaverville has seen its population increase.

POPULATION GROWTH

In the last 25 years, Weaverville has experienced significant population growth. Between 1990 and 2015, Weaverville grew from a population of 1,959 to 3,886 - an increase of an estimated 1,927 new residents. As shown in Figure 2, before 1990 the population growth rate was relatively slow and steady until it grew by 98% after 1990.

It should be noted that the population growth is not limited to the town limits. Asheville, Woodfin, and unincorporated areas near Weaverville are growing at similar - sometimes higher - rates. In particular, census tracts north and west of Weaverville have grown at more than twice the rate of the census tract that contains Weaverville. In terms of demand for parks and recreation opportunities, this is likely to translate to demand for park assets that outpaces population growth within the Town.

OLDER ADULTS IS A GROWING DEMOGRAPHIC

As of 2016, the largest age segment is between 65 and 69 (11.2%), and reflects Weaverville's attractiveness for retirees. While the five-county region has become an attractive destination for seniors, Weaverville has become a particular hot spot for seniors within the region. In 2016, 32% of Weaverville's population is 65 years and over - more than the five-county average of 20%.

With such a significant population of seniors, it's important to incorporate design features and

recreational opportunities that offer something for all ages. Many retirees desire communities that offer high quality recreational opportunities in order to maintain physical well-being. Some communities offer specific programming such as yoga, walking groups, and exercise classes. Park facilities that incorporate universal design principles and meet or exceed the American's with Disabilities Act compliance requirements are important so that the needs of populations of all ages and abilities can be met.

Weaverville has also established itself as a relatively high-income community with low poverty rates. In 2016, Weaverville had 1,757 households, with a median income of \$53,079 - higher than the Buncombe County median of \$46,902. Similarly, the poverty rate for individuals in Weaverville (5.3%) is much lower than the rate for Buncombe County (14.8%).

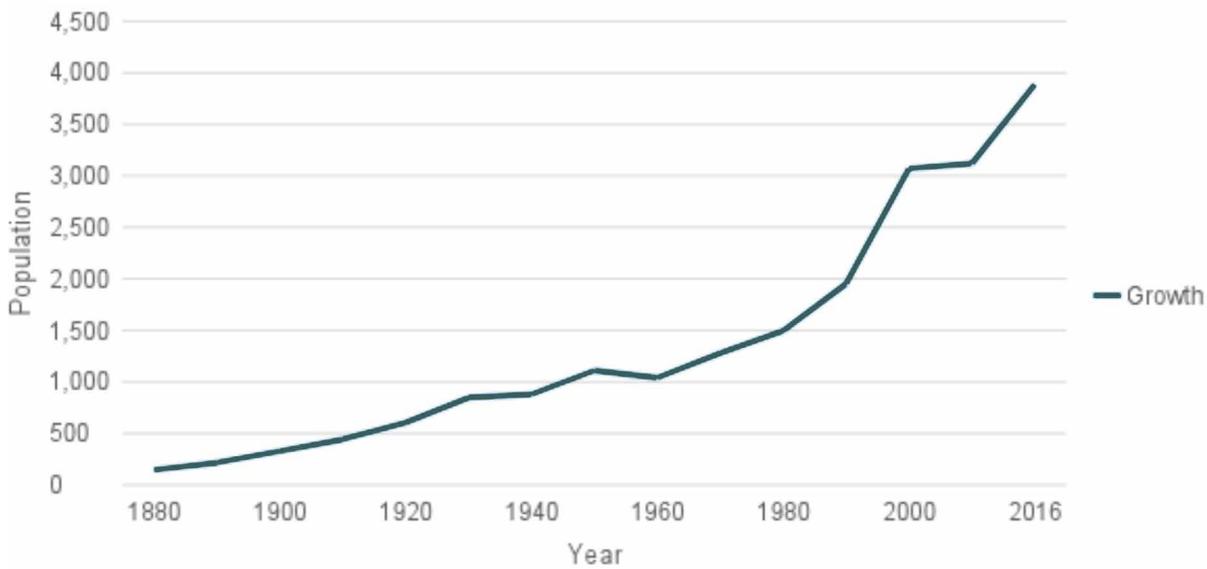
The Town of Weaverville and surrounding area are also home to one of the most vibrant and active art communities in North Carolina. Each spring and fall, local artists welcome the public into their studios to show off their craft during the Weaverville Art Safari. Each September local artists host Art in Autumn - a juried show for artists. Many members of the Southern Highlands Craft Guild are also based in Weaverville and the surrounding area.

KEY POINTS

- Population growth will increase demand for parks and recreation facilities and services.
- The growing aging demographic may require facilities that meet the needs of older adults including ADA compliant facilities and age appropriate amenities.



FIGURE 2: POPULATION 1880 - 2016



MAP 1: BUNCOMBE COUNTY POPULATION GROWTH 2000 - 2015





FIGURE 3: POPULATION BY AGE CATEGORY 2016

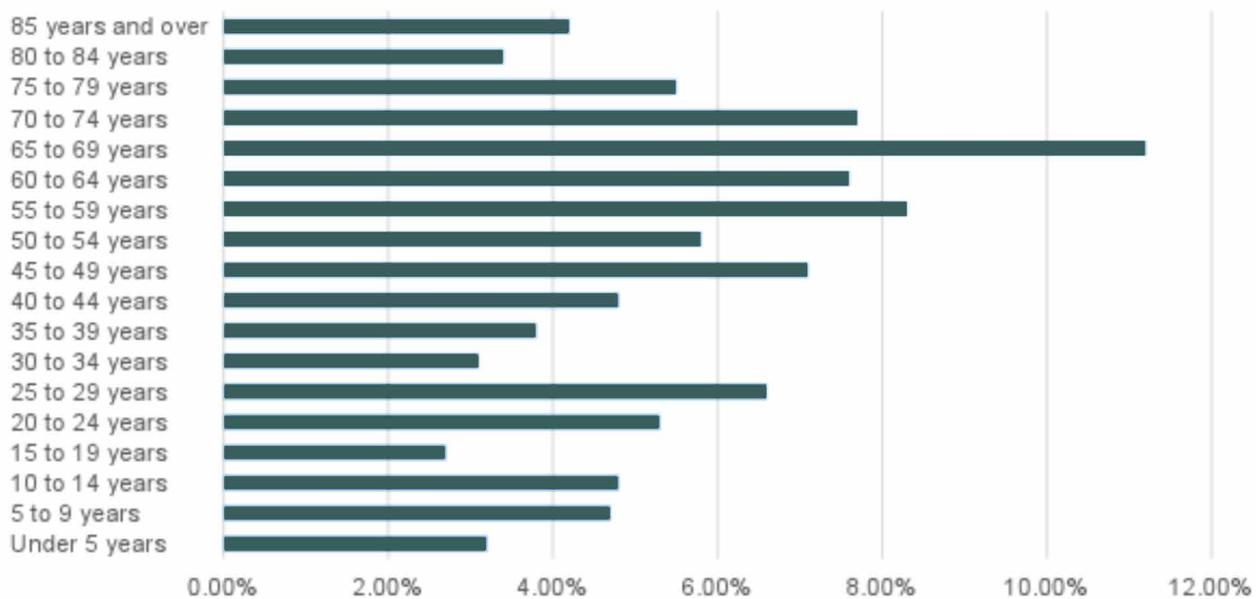


FIGURE 4: SENIOR POPULATION PERCENTAGE





PARK FACILITIES

The Town of Weaverville currently provides a number of recreational opportunities to its citizens and visitors through two major park facilities: Lake Louise and the Main Street Nature Park.

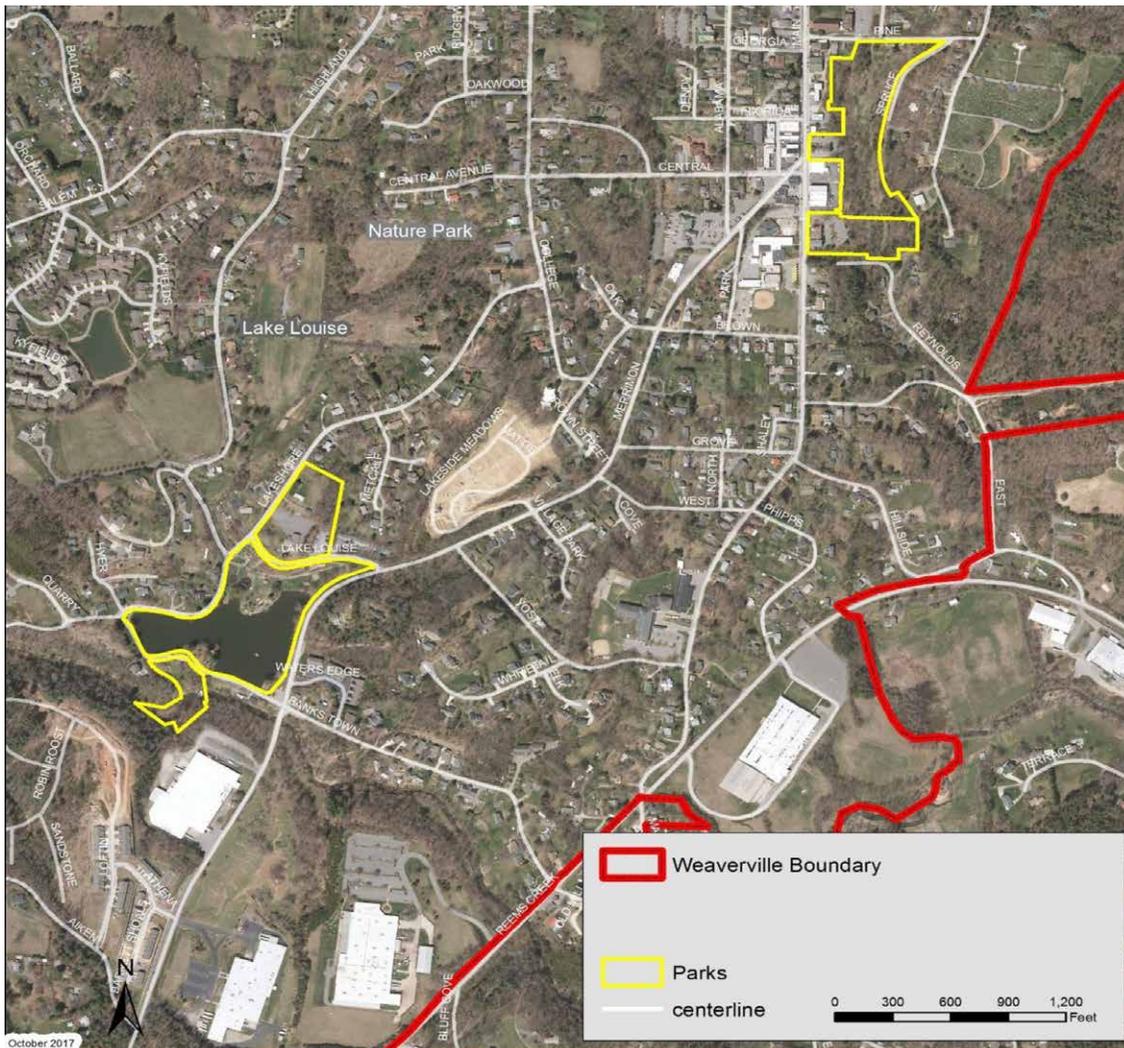
There are a wide range of other recreational opportunities in the surrounding region. Western North Carolina is well known for its bountiful recreational assets, including Pisgah National Forest, the Blue Ridge Parkway and Mountains-to-Sea Trail, and Great Smoky Mountains National Park.

For those looking for more sports-oriented or urban recreation, many of the neighboring municipalities have a range of opportunities.

For example the Karpen Soccer Fields, maintained by Buncombe County, are just outside town limits. The City of Asheville and Buncombe County also have a number of parks, playgrounds, and greenways that support a much larger population of residents and visitors.

To ensure the parks remain safe and in good condition for those of all ages, the Recreation Division of the Public Works Department is responsible for maintenance of the facilities. In order to help with maintenance, the Town has implemented rules to keep parks in good condition and ensure everyone's safety and enjoyment.

MAP 2: WEAVERVILLE BOUNDARY





LAKE LOUISE

weavervillenc.org/recreation

The Town owns and maintains Lake Louise as the centerpiece of its park facilities. The park, easily accessible and visible from Merrimon Avenue, showcases a stunning lake with walking trails, picnic shelters, and grills.

Those who have both a NC fishing license and a permit from the Town of Weaverville may fish in Lake Louise. Lake Louise is the perfect spot for a youngster to catch their first fish.

The Lake property was donated to the Town in 1936. The area was extensively renovated and improved in 1987 to become the park you see today. It has become a gathering place for residents of all ages.

Weaverville recently installed new exercise equipment at Lake Louise in 2017.

The 0.61-mile walking trail around Lake Louise is predominantly an ADA accessible gravel surface. From November 2nd until November 8th, 2017, the French Broad River MPO

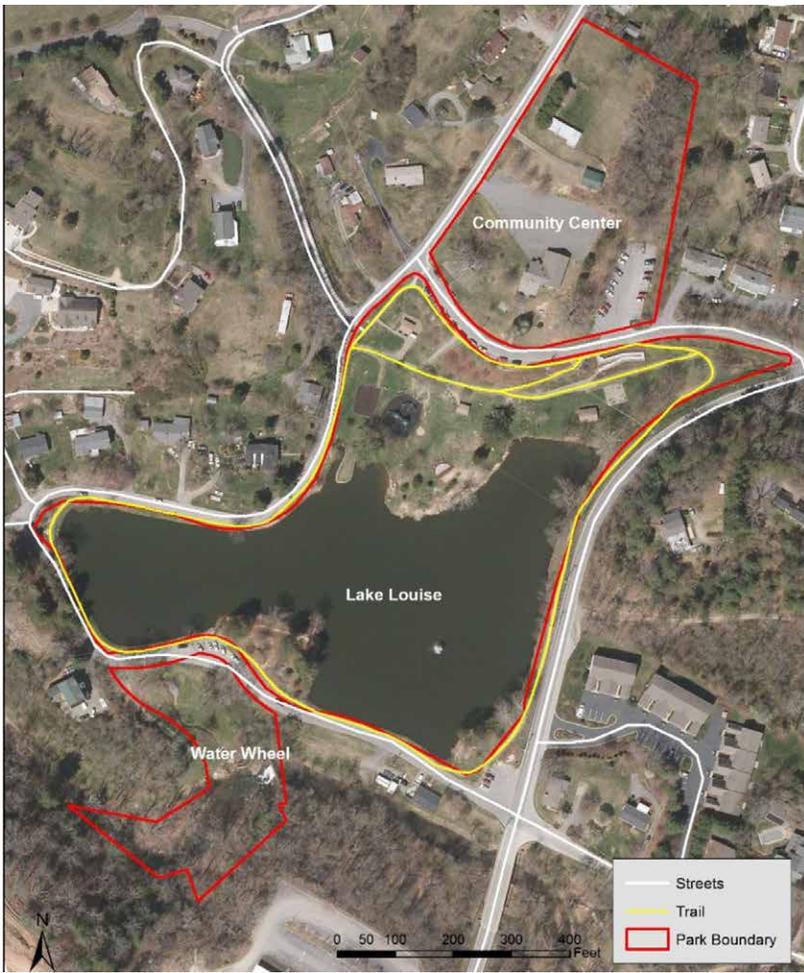
conducted pedestrian counts on the trail that surrounds Lake Louise. As the data highlights in Appendix A, this trail is used frequently.

FORMER RECREATION CENTER

Until recently, Lake Louise was also home to the Weaverville Recreation Center. Due to a number of structural issues, the recreation center was demolished in December of 2017. During the demolition, much of the wormy chestnut and stone was salvaged by volunteers and town staff so that it may be used in the future center. Town staff is currently evaluating options for replacement.

The parking lot is currently used by the Weaverville Tailgate Market. The market operates on Wednesdays from 2:30PM to 6:30PM, April - December annually.

MAP 3: LAKE LOUISE PARK



MAP 4: RECREATION CENTER AT LAKE LOUISE PARK





MAIN STREET NATURE PARK

[weavervillenc.org/
recreation](http://weavervillenc.org/recreation)

11 Pine Street
Weaverville, NC 28787

The Main Street Nature Park is located behind Town Hall and runs parallel to Main Street. The park provides 7.54 acres of passive recreation and wildlife viewing opportunities for residents. The unique characteristics of the park's natural beauty make it a place of solitude in town. There are several benches and sitting areas around the park for bird watching and relaxation. This facility has a walking trail that allows dogs on leash and is maintained by the Weaverville Public Works Department in cooperation with involvement by Conservation Board volunteers.

The sign shown above marks one of the trailheads at the parking lot of the Weaverville Town Hall. The nature park consists of natural surface trails that meander along the stream. Sculptures created by local artists are set throughout the park and provide a sense of community connection.

This park has been purposefully developed and maintained in a more natural condition such that area wildlife habitats are protected. It also serves as a demonstration facility creating natural habitats for flora and fauna.

KEY POINTS

- Main Street Nature Park's proximity to the thriving downtown creates opportunities to connect the two areas through events and culture.





PROPOSED REEMS CREEK GREENWAY

From the French
Broad River

To Beech
Community Club

During the development of the Buncombe County Greenways Master Plan in 2012, a potential segment of greenway was identified along Reems Creek, partially within the town limits of Weaverville. The planned greenway would connect the French Broad River to Weaverville and points east toward the Vance Birthplace and Beech Community, with a southern spur along Merrimon Avenue towards Woodfin. This section has been designated a “Primary Greenway Corridor” by Buncombe County and is part of the Connect Buncombe greenways initiative.

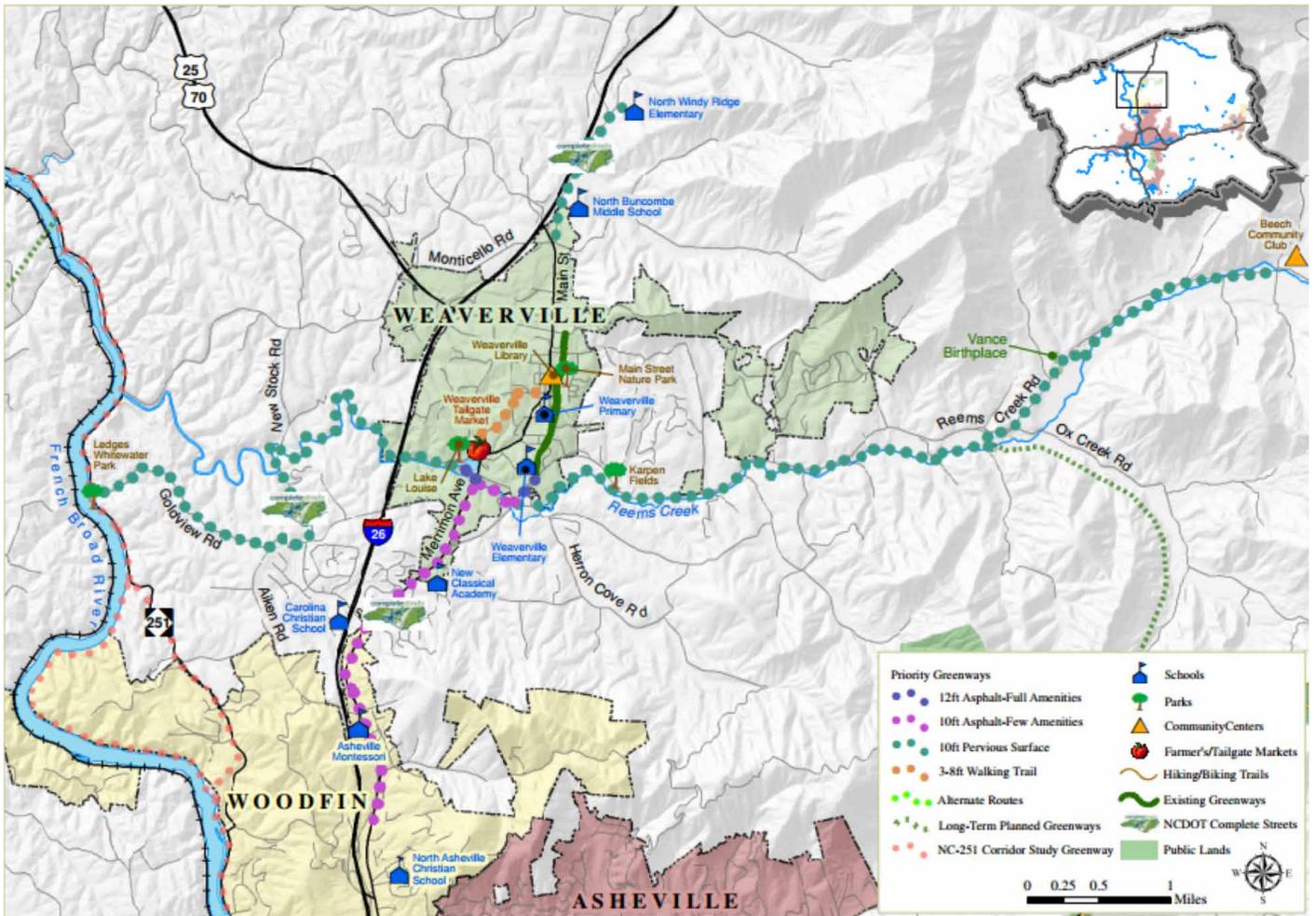
Since its inclusion in the Buncombe County Greenways Master Plan, the Reems Creek Greenway had a feasibility study completed in 2014 and Buncombe County has acquired federal funding from the French Broad River MPO to begin work on preliminary engineering in 2019 for a segment from the

western town limits to the Karpen Soccer Fields. There are no construction or right-of-way funds currently allocated to the project.

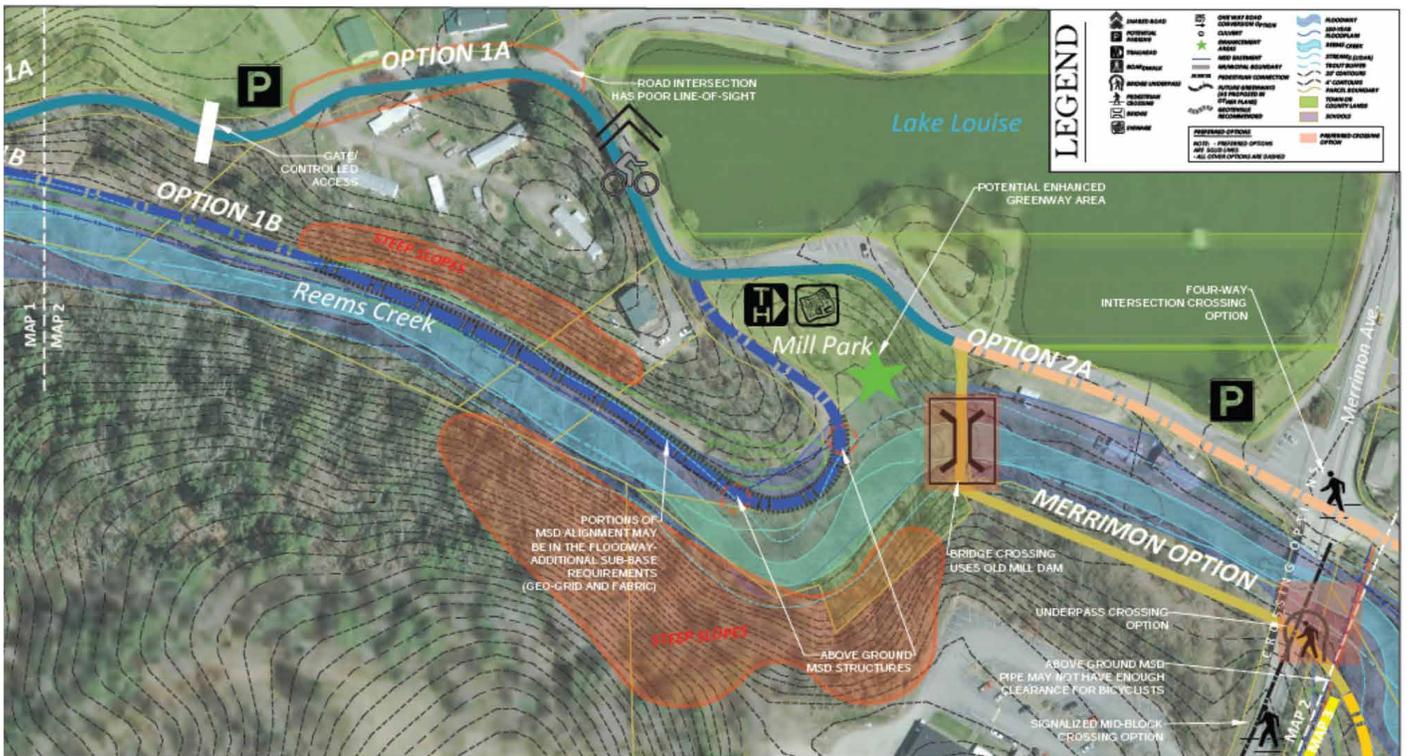
The Reems Creek Greenway will be a strategic addition to Lake Louise Park. It will provide enhanced pedestrian access to points east and west of the park while providing more recreational opportunities. The 2014 feasibility study analyzed various alignment options. Figure 8 below is taken from the Buncombe County Greenways Master Plan and shows the entire planned greenway corridor. Figure 9 is taken from the Reems Creek Greenway Feasibility Study and illustrates options for the greenway alignment through Lake Louise Park.

Weaverville is an active participant in the greenway project with staff support and financial contributions.

MAP 5: BUNCOMBE COUNTY GREENWAY MASTER PLAN



MAP 6: REEMS CREEK GREENWAY AT LAKE LOUISE - 2014 FEASIBILITY STUDY



FOCUS AREA MAP 2 | Lake Louise Area |





RECREATION NEEDS ASSESSMENT

OVERVIEW

A survey was conducted for the Parks and Recreation Masterplan to engage residents and make recommendations that are community-driven. This section provides a summary and analysis of the responses received. The central goal of the survey was to gauge interest, behaviors, and demographics from the Town of Weaverville's residents and visitors regarding parks and recreation and, more precisely, to act as a needs assessment to influence the development of a three to five-year Parks and Recreation Master Plan for the Town.

METHODS

The self-administered survey was available in print, hard-copy format, as well as online via the Town's electronic newsletter distribution list of 377 contacts, and accessible via the Town's website and social media sites. Approximately 96 percent of the completed surveys were submitted via the online survey mechanism. The online survey was initiated on September 18th, 2017 and closed on October 20th, 2017. Three reminders were delivered between initiation of the survey and closing of the survey on October 20th, 2017. The printed survey was available at the Buncombe County – Weaverville Library branch and was distributed to schools within the Town's jurisdiction. A copy of the four-page survey instrument is included in Appendix B and a detailed survey summary is available in Appendix C. A total of 424 surveys were collected. This represents just over 11 percent of the Town's population. All Census comparisons within this report are attributed to the United States Census American Communities Survey unless otherwise noted.

RESULTS

A set of 6 questions was designed to elicit demographic information from respondents including age, employment status, household income, gender identity and race or ethnicity. These questions were included to provide information about the Town's makeup and potential recreation needs or desires.

In addition to responding to the formal survey, respondents were given the opportunity to make general comments regarding the Town's parks and recreation amenities. These were reviewed and assimilated along with the formal questions to inform the key points on the next page.

PUBLIC INPUT

The Town of Weaverville hosted an open house on November 20th, 2017 at the Weaverville Town Hall. Approximately 20 residents attended to provide input on existing park facilities and needs for the future. During the session, residents were able to answer a series of questions. Table 1 provides an overview of the responses to those questions.

As reflected in both the survey results and the public input session, most residents visit Lake Louise more often. There is also strong need for indoor recreation space according to the input session. Residents were also given the opportunity to provide open ended input. Below is a list of the comments received.

- Improved public restrooms
- Dog Park
- Tennis courts
- Outdoor movies
- Ball fields
- Greenway connections
- Make farmers market more visible

KEY POINTS

- The vast majority of the survey respondents (76%) prefer Lake Louise Park for active recreation, while Main Street Nature Park is the preferred park for solo recreation and use for nature-related activities.
- Approximately 95 percent of survey respondents indicated that they would like to have indoor recreation space for adult and children’s activities such as fitness, yoga, martial arts and health classes.
- The majority of respondents indicated that they would support the renovation or new construction of the recreation center, formerly known as the Clubhouse.
- The survey indicated support, based on informal comments and formal survey questions, for permitting leashed dogs in both parks, but strong support for allowing leashed dogs on the walking paths at Lake Louise Park. These responses also included the need for additional waste stations throughout the park. Further, there was moderate indication within the informal survey comments that survey respondents would like to see a dog park within or near Town limits.
- Many of the survey respondents were aware of the Connect Buncombe greenway initiative and responded overwhelmingly positively to the Town’s active participation in this initiative.
- The survey responses indicated that the Town should continue to fund improvements and maintenance for both the Main Street Nature Park and the Lake Louise Park.
- The survey results indicated strong support for the construction of sidewalks down Merrimon Avenue from downtown to Lake Louise Park.
- The survey indicated strong support for improvements to the Main Street Nature Park with the addition of water fountains and restrooms, and improvements to existing trails.

TABLE 1: PUBLIC INPUT SESSION OVERVIEW

	Count
Most Visited Most Often	
Lake Louise	7
Main Street Nature Park	3
Facility Needs at Main Street Nature Park	
Accessibility	2
Rental Space	2
Special Events	4
Picnic Shelters	2
No New Facilities	1
Other: Awareness	4
Common Activities at Main Street Nature Park	
Picnics	1
Walking	5
Common Activities at Lake Louise	
Walking	7
Events	5
Market	3
Fishing	3
Need for Indoor Space?	
Yes	8
No	1
Comments	
Senior citizen space, Community space, After school programs	

On Tuesday, February 4, 2018, Land of Sky Regional Council presented the draft master plan to Town residents. Approximately 15 residents attended the session. During and after the presentation, residents asked questions regarding greenways, PARTF grant, indoor recreation space, dog policy, bikes, music stage, and events. The Town Manager, Planning Director, and Public Works Director were on hand to answer questions.





RECOMMENDATIONS

Based on the demographic analysis, public input, evaluation of existing facilities, and Town staff input, the following recommendations were developed.

1

Develop Maintenance Plan

2

Construct Indoor Recreation Space

3

Implement Recreation Programming

4

Build Multisport Surfaces

5

Support Greenways

6

Enhance Marketing Efforts



1: DEVELOP MAINTENANCE PLAN

The purpose of the Maintenance Plan is to clearly define the requirements and actions of the Town of Weaverville for maintaining parks, open spaces, trails, and recreation sites and assets over the next 10 years. The Maintenance Plan is intended to enable the Town of Weaverville to improve the identification, justification, and prioritization of maintenance requirements for park and recreation sites and assets.

Common elements of a maintenance plan:

- Parks and Recreation Department Maintenance Objectives
- Recommended Best Practices
- Site and Facility Design Issues
- Specific Design Issues at Existing Parks
- Regular Maintenance
- Current Regular Maintenance Resource Requirements
- Projecting Future Requirements Capital Repair and Replacement
- Park Maintenance, Trail Maintenance, Open Space Maintenance, Facility Maintenance
- Priorities for Levels of Service

2: CONSTRUCT NEW RECREATION CENTER

Based on survey results, the majority of residents appeared to be pleased with the Town's outdoor recreation spaces, but did not agree that the Town has sufficient indoor recreation activity space.

A well-functioning recreation center can act as a hub for events, activities, and civic occasions. The former recreation center had a number of building code and safety health hazard issues and was demolished in December 2017. Based on survey results and community input, there is a strong interest in a new community building for indoor recreation and event space. The survey results and public input session also indicated that there is a need for better restroom facilities at Lake Louise. This issue can be addressed by including publicly accessible restrooms on the inside and outside of a new recreation center.

Some possible uses for a new recreation center include:

- Arts and crafts for all ages
- Sports and fitness classes for all ages
- Tennis and pickleball
- Summer camp
- Youth sports clinics
- Yoga and Martial arts
- Civic group meetings
- Farmers market
- Public restrooms
- Computer and internet access for the public and/or school students
- Community/bulletin board

3: IMPLEMENT PROGRAMMING

Programming can play a vital role in providing residents with recreational opportunities and engaging them in parks. The programs do not have to be run by the Town. The Town can partner with community organizations to lead the activities. The Town's main role can be to provide the indoor and/or outdoor space. For example, during the public input session, some residents expressed an interest in having a community movie night in one of the parks. The



coordination and marketing of such an event can be handled by community members and the Town can provide access to the park for the event, general oversight and maintenance.

Generally, park programming falls within the following categories:

- Mind body/balance programs
- Fitness programs
- Educational programs
- Day camps & summer camps
- Environmental education
- Teen programming
- Adult sports teams
- Active older adult programs
- Holidays & other special events
- Nutrition & diet counseling
- Outdoor movies

4: BUILD MULTISPORT SURFACES FOR BASKETBALL AND TENNIS AT LAKE LOUISE PARK

Hard playing surfaces are limited on Town-owned facilities. Consider installing a multipurpose court that can be used for basketball, tennis, or kickball. The surface could also be used for activities and events, particularly if it is located near public restrooms and/or a new recreation center.

5: CONTINUE TO SUPPORT GREENWAYS

Continue to work with Buncombe County Recreation Services to expedite the process of creating the Reems Creek Greenway. The Greenway will provide enhanced bike and pedestrian access to Lake Louise Park and provide added recreational amenities

for residents. Consider forming a Greenway Committee or active group to assist the town plan and implement connections and foster interest in residents. Stay informed and in contact with the French Broad River Metropolitan Planning Organization about funding opportunities.

6: ENHANCED MARKETING EFFORTS

Most of these marketing efforts build on existing Town resources. The Town has a website which can include more parks and recreation materials like maps and more details about amenities. The Town also has social media that can be updated more frequently with parks and recreation information. The recreation software is a longer term goal and may only be needed if the Town starts to manager park programming.

1. Utilize the Town's recreation software – Software, such as the new CivicRec, provides the option to communicate with current or past registrants via mass email or text alerts.
2. Social Media – Facebook, Twitter, Pinterest and other social media platforms are all easy, free ways to communicate with citizens.
3. Targeted flyers/postcards – Post flyers around town.
4. Discounts – Do special offers for event and space rentals. If the Town offers programs that charge a fee, then the town could offer discounted rates for special occasions.
5. Website – Provide more detailed information about each park, and also detailed maps. It is recommended to have a large format web page and smaller maps that residents can print out.

PARKS AND RECREATION IMPLEMENTATION CHECKLIST

- Renovate and improve existing facilities for all ages and abilities.
- Develop a maintenance plan for both the Nature Park and Lake Louise Park.
- Develop programming specific to the needs of the community. Identify who the responsible entities will be if not town staff.
- Identify opportunities for playground improvements.
- Identify financing options for facility improvements.
- Develop a marketing plan for parks and programs.
- Update the website with more park information and maps.
- Coordinate with Buncombe County Recreation Services to expedite the development of the Reems Creek Greenway.

APPENDIX A

PEDESTRIAN COUNT DATA

Pedestrian Counter Location: On the Lake Louise walking trail, south of the playground, directly east of Lakeshore Drive.

Equipment: EcoCounter Pyro Counter

The Counter is able to count bicyclists, pedestrians, skateboarders, rollerbladers, or anyone who passes within approximately 16.5 feet of the equipment. However, the device is unable to differentiate between users and simply counts them in one category.

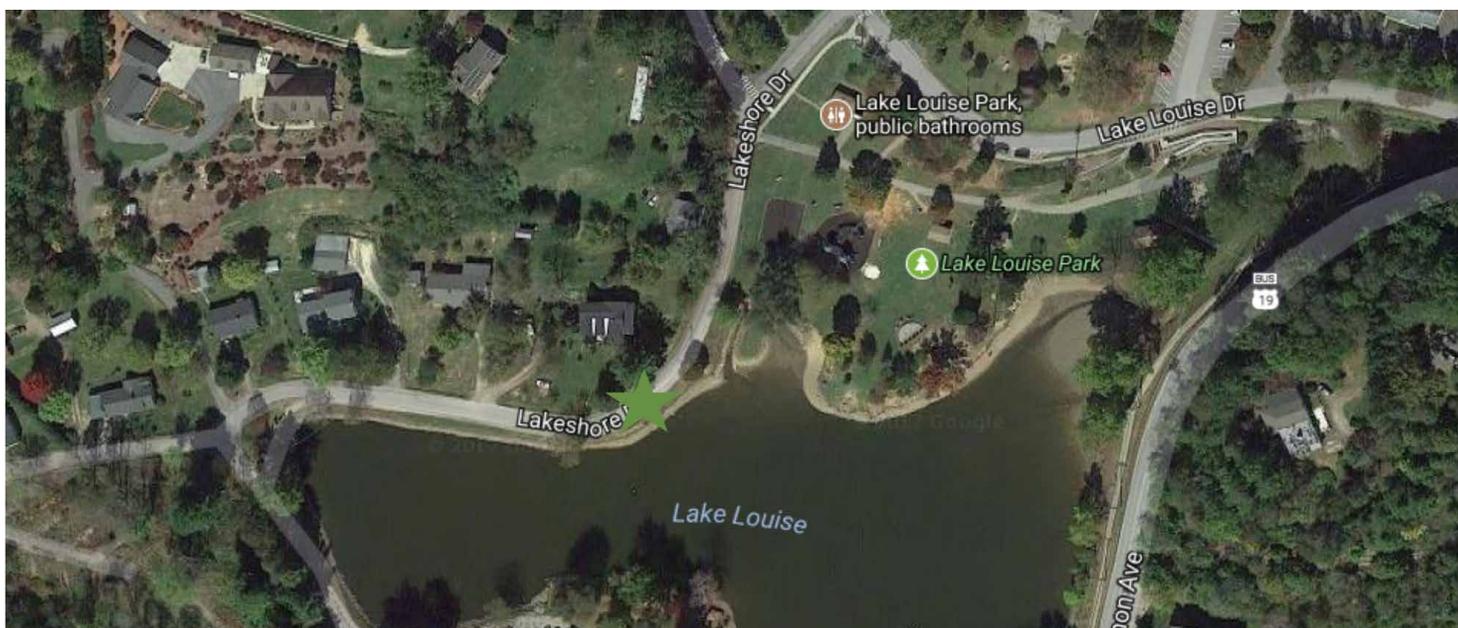
Possible sources of error include facility users walking side-by-side or very close to each other; this is likely to include people walking or running side-by-side, children being held by a parent or walking along side of them, or dense groups of users. It is unclear how many users are likely to have been missed due to these circumstances and there has been no effort to make up for this likely discrepancy.

Results:

TABLE 1: PEDESTRIAN COUNT OVERVIEW

Total Users	1,691
Users/Hour	10.1
Peak 24-Hour Usage	361
Peak Day	Sunday, November 5th
Peak 2-Hour Usage	95
Peak 2-Hour Day & Time	3:00 – 5:00 P.M. Sunday, November 5th

MAP 1: LOCATION OF PEDESTRIAN COUNTER. IMAGE SOURCE: GOOGLE MAPS.



APPENDIX B

WEAVERVILLE PARKS AND RECREATION MASTER PLAN NEEDS ASSESSMENT SURVEY

The Town of Weaverville maintains two beautiful parks, Lake Louise Park and Main Street Nature Park, each unique in its characteristics. While the Town does not fund recreational program staffing, it offers passive recreation opportunities in both parks. For this purpose, we define passive recreation as those activities such as trails for walking or hiking, playground equipment and open spaces for picnics.

This survey will provide the foundation for the Town's first Parks and Recreation Master Plan. While the Town already has many recreational opportunities within its own parks, we want to make them even better! By completing this survey, you will help us understand what you like, don't like, and what we can do better. Even if you don't use our parks and trails, your feedback is valuable!

1. Which park do you visit most often?
2. Do you use recreation facilities offered by a private provider (i.e. Golds Gym, YMCA, etc.)?
3. If yes, please tell us why you use other recreational facilities.
4. Please respond to the following statements:
5. Agree
6. Disagree
7. Don't Know
 - I feel that the Town's parks, equipment and facilities are maintained well.
 - I feel safe in visiting the Town's parks.
 - Parking is adequate at the parks.
 - The Town offers enough special events at its parks.
 - The Town's existing park facilities need renovations or improvements. (Examples:

restrooms, playground equipment, recreation center, picnic pavilions, outdoor exercise equipment.)

- Indoor recreation and activity spaces are sufficient within the Town.
 - Outdoor recreation spaces are sufficient within the Town.
8. The Main Street Nature Park provides opportunities for walking, dog walking, and bird watching. It also serves as a demonstration facility for creating natural habitats for flora and fauna. The Town's Conservation Board has, in recent history, been responsible for making recommendations to the Town regarding the use of park facilities, development of park infrastructure and restoration of the native plant community. The following questions are directly related to the Main Street Nature Park.
 9. Do you or anyone in your household visit the Main Street Nature Park in downtown Weaverville?
 10. If you answered no to the previous question, please indicate why not below.
 11. I'm not interested.
 12. I lack information about the park.
 13. The park is too crowded.
 14. There is a general lack of parking.
 15. There are better opportunities elsewhere.
 16. The park is not pet friendly.
 17. How often do you (or anyone in your household) visit the Main Street Nature Park?
 18. How would you rate the Main Street Nature Park for passive recreation (i.e. walking, dog walking, bird watching, etc.)?
 19. Please indicate which activities your or anyone in your household participates in at the Main Street Nature Park. You may check multiple activities.
 20. Please check any of the following new facilities that you feel are needed at the



Main Street Nature Park, given that it will remain the Town's primary open space for nature-related types or recreation activities.

21. The Town of Weaverville maintains Lake Louise Park, which consists of the lake itself, which may be used for fishing, children's playground equipment, outdoor exercise equipment, a gravel walking trail, picnic pavilions/shelters, access to Reems Creek for passive recreation including hiking/walking, dog walking, photography, bird watching, etc. A beautiful waterwheel and fountain accent this property. The park also houses a recreation center, historically known as the Clubhouse. The Town cannot permit full use of the recreation center at this time because the structure does not meet building codes and is not accessible for those with disabilities (i.e. it is not ADA accessible).
22. Do you or anyone in your household visit Lake Louise Park?
23. If you answered no to the previous question, please indicate why not below.
24. How often do you (or anyone in your household) visit Lake Louise Park?
25. How would you rate the Town's current

amenities at Lake Louise Park?

26. Please check any of the following activities you or anyone in your household participates in at Lake Louise Park.
27. Please check any of the following new facilities that you feel are needed at Lake Louise Park.
28. Would you like to provide additional comments regarding the Town's parks and recreation amenities?
29. About you (optional)
30. Are you a resident and/or own property in the Town of Weaverville
31. What is your age?
32. Which of the following best describes your employment status?
33. What is your household income?
34. Which of the following best describes your gender identity?
35. Which of the following best describes your race and ethnicity?
36. How many people, including yourself, currently live in your household?

APPENDIX C

RECREATION NEEDS ASSESSMENT

Demographics

Seventy-seven percent (77%) of the survey respondents answered that they live or own property within the Town’s jurisdiction.

Age

The majority of survey respondents (61.3%) categorized themselves as 55 years of age or older, while 38.2 percent categorized themselves as under 55 years of age, and less than one percent of respondents were noted as under the age of 18. The following table depicts a summary of survey respondents:

TABLE 1: AGE OF SURVEY RESPONDENTS

Age Category	Percentage
18 – 44 years	21.2%
45 – 54 years	17.0%
55 – 64 years	23.1%
65 – 69 years	17.9%
Over 70 years	20.3%

Employment Status

Approximately 51.9 percent of respondents listed their employment status as employed full-time, part-time or self-employed, while 40.1 percent were retired. Approximately 2.4 percent categorized themselves as unemployed, which is less than the 3.2 percent unemployment rate for Buncombe County as reported by the United States Department of Labor in April 2017.

TABLE 2: EMPLOYMENT STATUS OF SURVEY RESPONDENTS

Employment Status Category	Percentage
Employed full-time	31.6%
Employed part-time	7.1%
Self-employed	13.2%
Unemployed – Looking for work	1.2%
Unemployed – Not looking for work	1.2%
Retired	40.1%
Student	0.5%
Military	0.5%
Prefer not to answer	0.9%
No response / Other	3.8%

Household Income

Approximately two percent of survey respondents had a household income of less than \$24,000, another ten percent between \$24,000 and \$49,999 annually, 34.4 percent between \$50,000 and \$99,000 and over 27 percent above \$100,000. Approximately 26 percent of respondents chose not to provide information regarding household income.

TABLE 3: ANNUAL HOUSEHOLD INCOME OF SURVEY RESPONDENTS

Household Income Category	Percentage
Under \$24,000	1.9%
\$24,000 - \$49,999	10.4%
\$50,000 - \$74,999	17.2%
\$75,000 - \$99,000	17.2%
\$100,000 - \$124,999	12.7%
\$125,000 - \$149,999	5.4%
\$150,000 - \$174,999	3.8%
Over \$175,000	5.2%
No response / Prefer not to say	26.2%

Gender Identity

Approximately 59 percent of the survey respondents identified themselves as female, 35.4 percent as male and approximately five percent responded with other or they preferred not to answer.

Race or Ethnicity

The vast majority (86%) of survey respondents characterized themselves as Caucasian. Just over three percent identified themselves as Latino and/or Native American. Less than one percent of the survey respondents categorized themselves as African American and ten percent provided no response or preferred not to answer this question.

TABLE 4: AGE OF SURVEY RESPONDENTS

Race or Ethnicity	Percentage
African American	0.5%
Asian	0.0%
Caucasian	86.1%
Latino/Hispanic	1.7%
Native American	1.4%
No response / Prefer not to say	10.3%

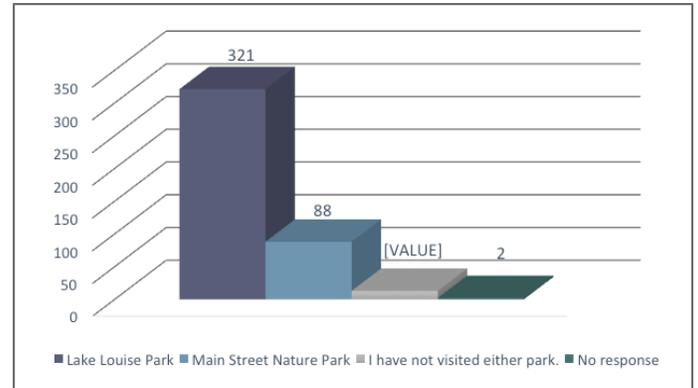
General Findings

The survey was developed to focus on 1) General parks and recreation use, 2) Usage of the Town’s Main Street Nature Park and 3) Usage of Lake Louise Park. Questions in the survey were ordered in this manner.

Findings on General Parks and Recreation Use

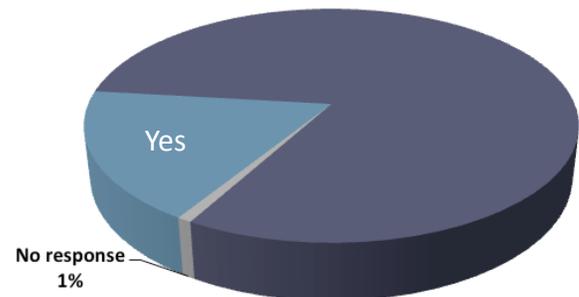
When asked which Town park they visited most often, the vast majority, 76 percent, answered that they visit Lake Louise Park most often, while 21 percent visit the Main Street Nature Park most often. The remaining 3.6 percent stated they have not visited either park or chose no response.

FIGURE 1: WHICH PARK DO YOU VISIT MOST OFTEN?



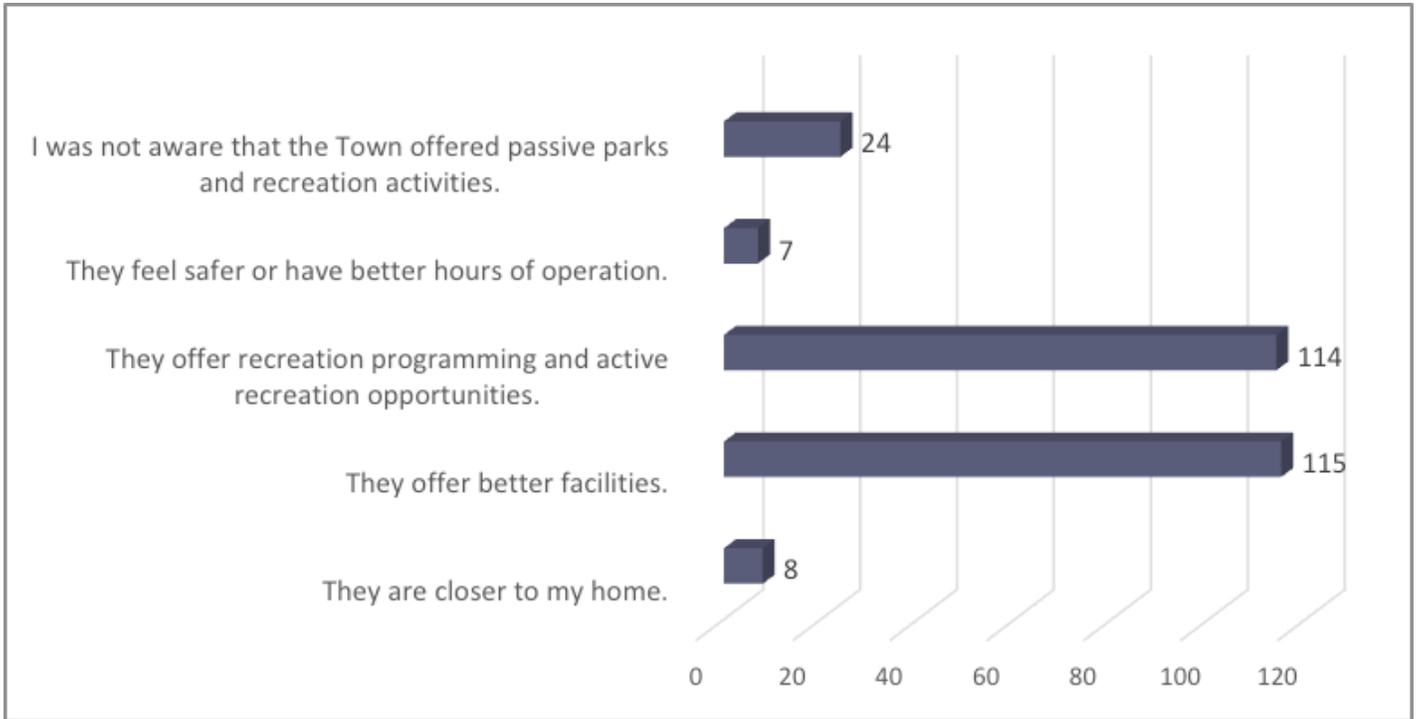
Next, the survey focused on gathering information regarding whether the survey respondents use private facilities, such as privately-owned gyms, non-profit recreation services, etc. If respondents replied yes, the survey set out to determine the reason for using other recreation opportunities to better assess how the Town’s parks and recreation amenities may be lacking. Figures 2 and 3 depict these findings.

FIGURE 2: DO YOU USE RECREATION FACILITIES OFFERED BY A PRIVATE PROVIDER (I.E. GOLDS GYM, YMCA, ETC.)?



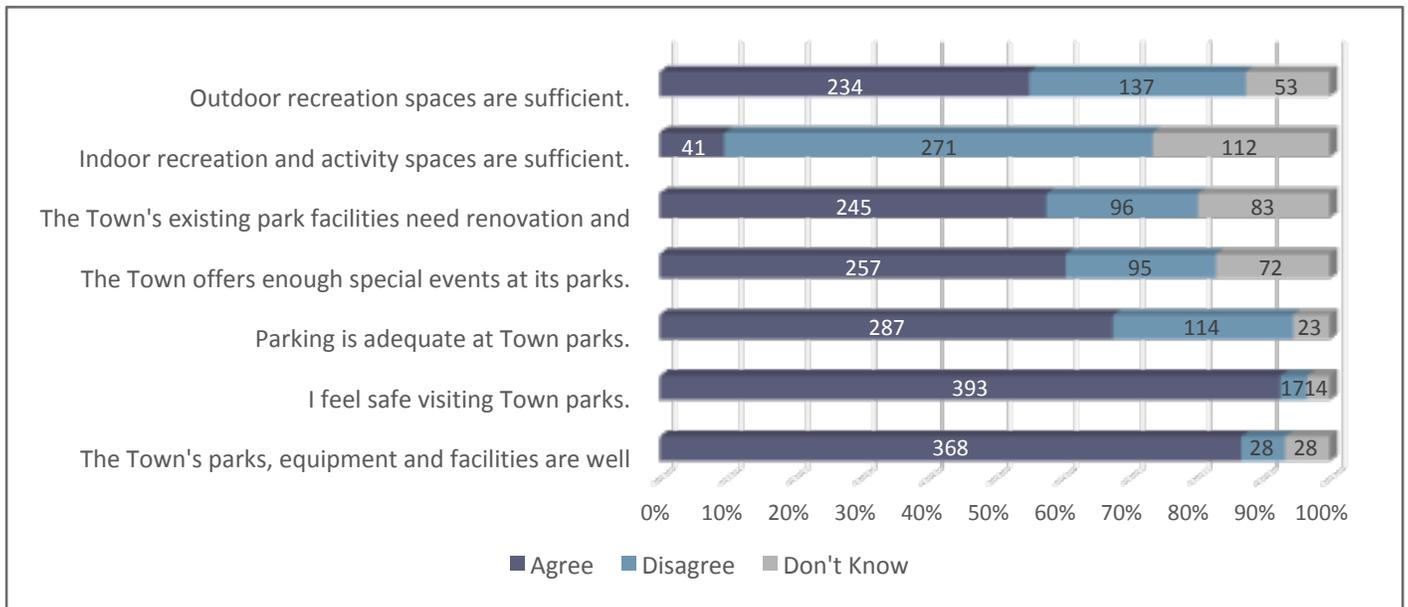
Of the 81 percent who do utilize a private provider for recreation services, the reasons are depicted in Figure 13.

FIGURE 3: IF YOU ANSWERED YES TO THE PREVIOUS QUESTION, WHY DO YOU USE OTHER RECREATIONAL FACILITIES?



As Figure 4 shows, the majority of survey respondents appeared to be pleased with the Town’s outdoor recreation spaces, but did not agree that the Town has sufficient indoor recreation activity spaces and that the existing facility (i.e. the recreation center) is in need of renovation and improvements.

FIGURE 4: HOW DO YOU RATE THE TOWN’S CURRENT RECREATIONAL FACILITIES?



that they visit Lake Louise Park most often, while 21 percent visit the Main Street Nature Park most often. The remaining 3.6 percent stated they have not visited either park or chose no response.

To determine how the Town could improve upon its recreation options, survey respondents were asked to answer why they use external recreational facilities. Of the respondents, 56 percent answered that other providers offer better facilities and recreation programming, fitness classes and active recreation opportunities. The Town does not currently offer these options due to lack of space and staffing. The majority of survey respondents agreed that the Town’s parks and equipment are well maintained and they feel safe when visiting the parks. Approximately 68 percent surveyed responded that parking is adequate at the parks and 61 percent responded that the Town offers enough special events at the parks.

Of all survey respondents, approximately 59 percent answered that they have visited Weaverville’s Main Street Nature Park located in downtown Weaverville. Forty percent responded that they have not, while less than one percent provided no response (Figure 5). For those who responded that they have not visited the Main Street Nature Park, the majority (42% aggregate) responded that they lacked information about the park and they found better recreational opportunities elsewhere (Figure 6). When asked how often survey respondents or those in their households visited the Main Street Nature Park (Figure 7),

70 percent responded that they visit the park monthly, while 23 percent responded that they visit the park weekly. Only 6.4 percent of respondents stated that they visit the park daily. In rating the Main Street Nature Park for passive recreation opportunities, survey respondents who visit the park rated the park as good and approximately 16 percent rated the park as excellent (Figure 8). Walking and general nature viewing were the top two activities that survey respondents participate in at the park (Figure 9).

The final survey question specific to the Main Street Nature Park was used to identify perceived needs for the park (Figure 10). Of those responses, 27 percent responded that the park meets their needs, while 24 percent responded that they would like to see picnic shelters at the park. The next largest percentage of 17 percent responded with ‘other’.

FIGURE 5: DO YOU OR ANYONE IN YOUR HOUSEHOLD VISIT THE MAIN STREET NATURE PARK IN DOWNTOWN WEAVERVILLE?

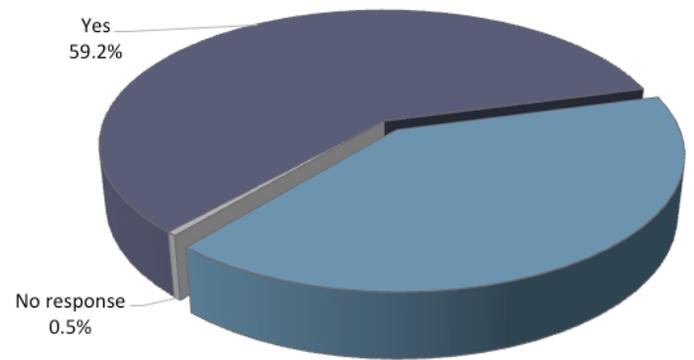


FIGURE 6: IF YOU ANSWERED NO TO THE PREVIOUS QUESTION, PLEASE INDICATE WHY NOT BELOW.

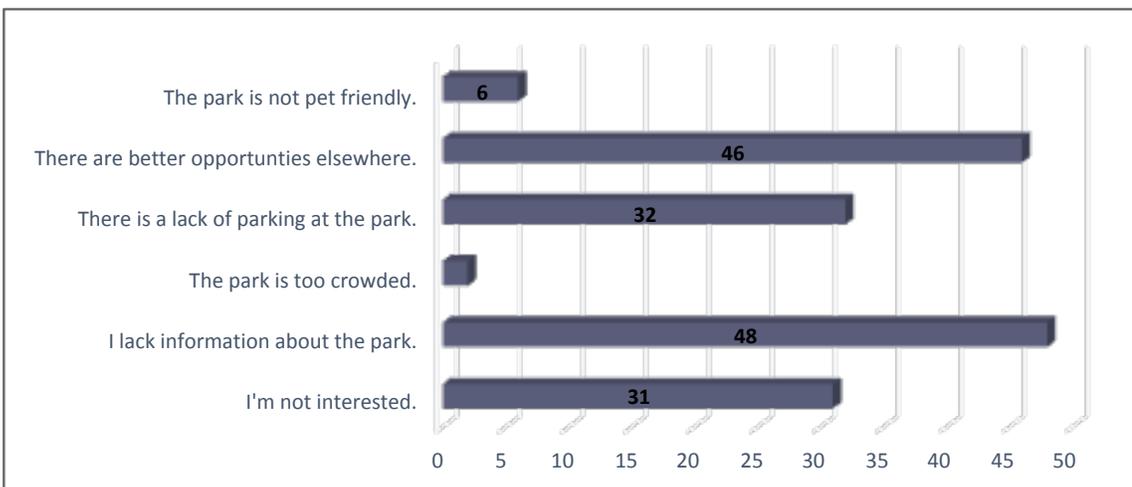


FIGURE 7: HOW OFTEN DO YOU OR ANYONE IN YOUR HOUSEHOLD VISIT THE MAIN STREET NATURE PARK?

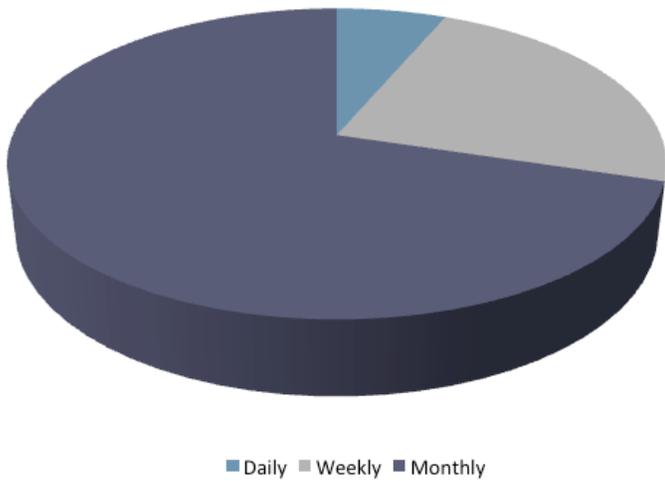


FIGURE 8: HOW WOULD YOU RATE THE MAIN STREET NATURE PARK FOR PASSIVE RECREATION (I.E. WALKING, DOG WALKING, BIRD WATCHING, ETC)?

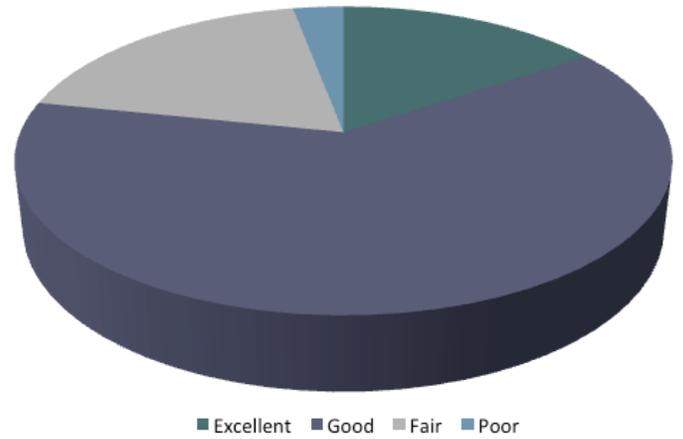


FIGURE 9: PLEASE INDICATE WHICH ACTIVITIES YOU OR ANYONE IN YOUR HOUSEHOLD PARTICIPATE IN AT THE MAIN STREET NATURE PARK.

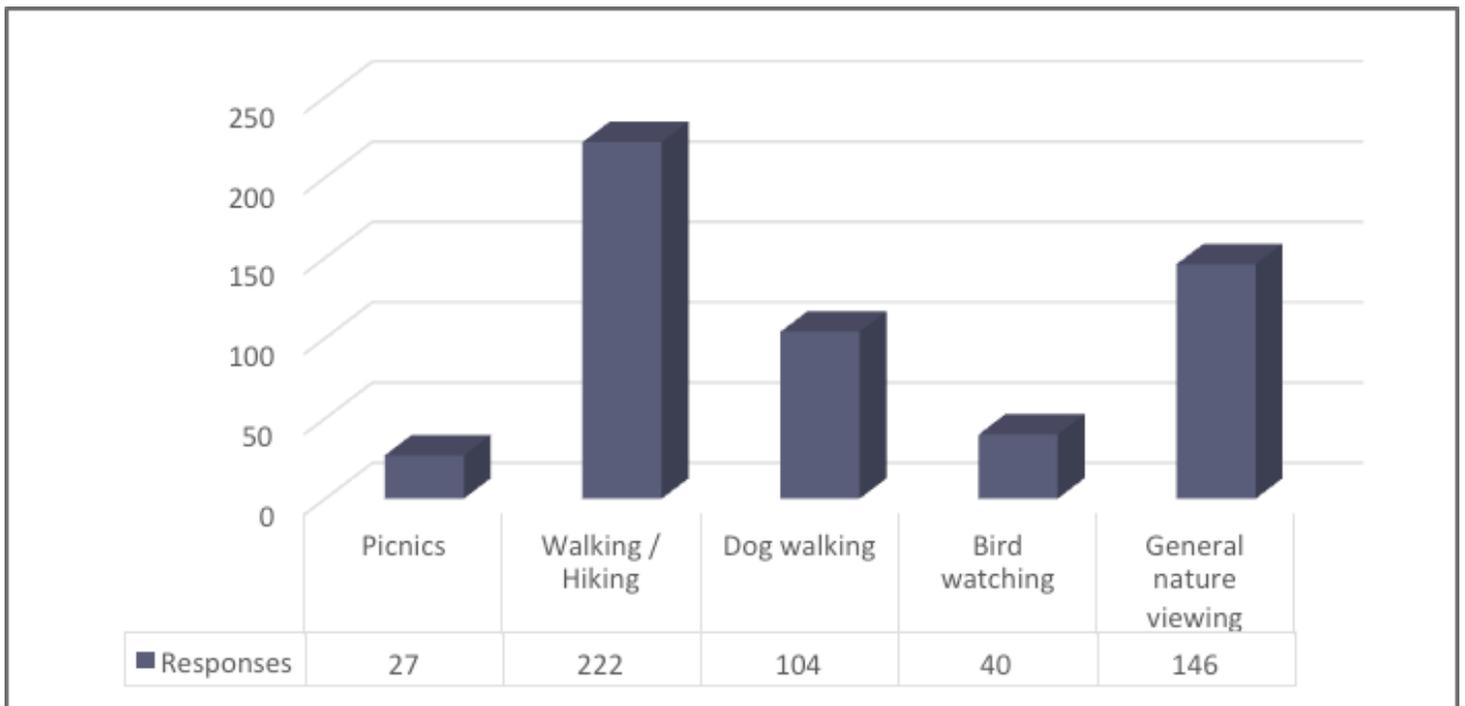
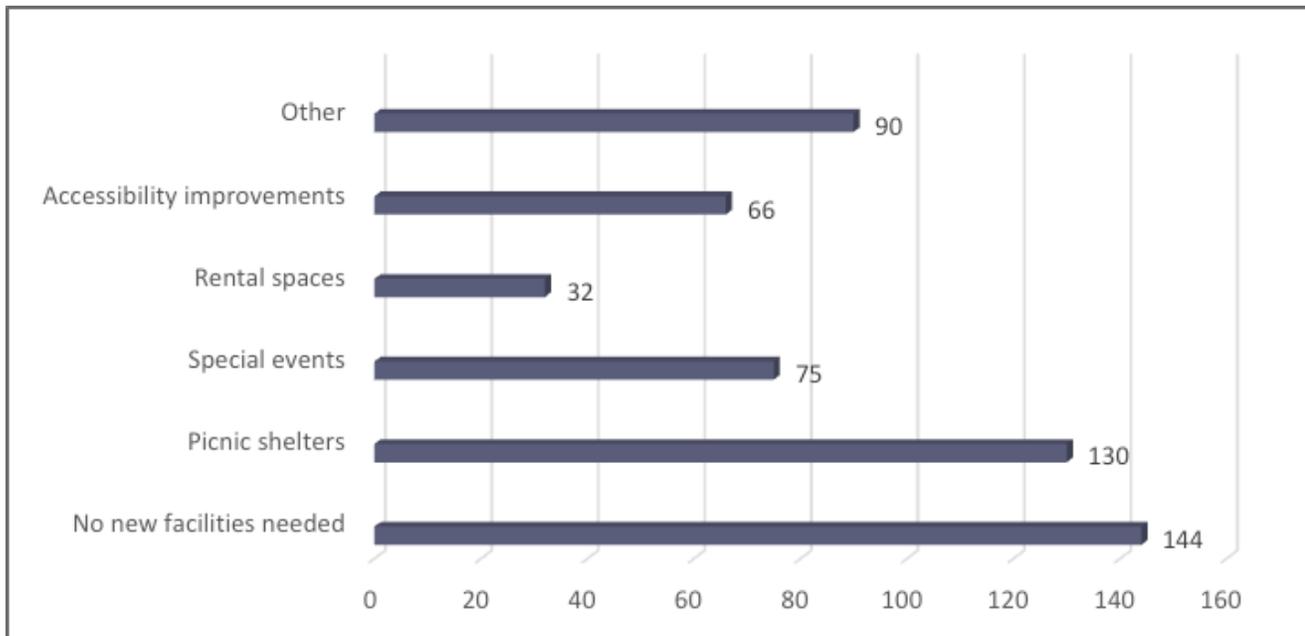


FIGURE 10: PLEASE CHOOSE FROM THE FOLLOWING NEW FACILITIES NEEDED AT THE MAIN STREET NATURE PARK, GIVEN THAT IT WILL LIKELY REMAIN THE TOWN'S PRIMARY OPEN SPACE FOR NATURE-RELATED RECREATION ACTIVITIES.



Other Comments Regarding Main Street Nature Park (Grouped into Similar Categories):

TABLE 6: OTHER AMENITIES NEEDED IN THE MAIN STREET NATURE PARK PER SURVEY RESPONDENTS

Other Amenities Summarized & Ranked
<ul style="list-style-type: none"> • Restrooms • Water fountains • Paved walkways • Wider trails / Improvements to trails • Off-leash dog park area

Findings Specific to Lake Louise Park

Of all survey respondents, approximately 92 percent answered that they have visited Weaverville's Lake Louise (Figure 11). For those who responded that they have not visited the park, 36 percent indicated that they do not perceive the park as pet friendly. Another aggregate majority responded with 'there are better opportunities elsewhere' and 'there is a lack of parking' (Figure 12). This survey question also gave the opportunity for respondents to provide comments. These comments centered around dogs not being allowed on the trails and the lack of sidewalks to and around the park.

Forty-three percent (43%) of survey respondents answered that they visit Lake Louise Park weekly and 40 percent answered that they

visit monthly (Figure 13). In rating the park, 63 percent of survey respondents who visit the park rated the park amenities as 'good', 19 percent rated them as 'fair' 15 percent rated them as 'excellent' (Figure 14). Of the survey respondents who utilize Lake Louise Park, the majority (approximately 22%), use the trails for walking, followed by respondents who visit the park for Town-sponsored events and the Tailgate Market at 16 percent and 12 percent respectively. The next highest ranked activities include general nature viewing, the use of the children's playground equipment and picnics (Figure 15).

The final question in the survey asked respondents to choose any 'new facilities or amenities needed at the Lake Louise Park'. Multi-purpose indoor spaces for recreation and fitness was the top-ranked amenity at 13 percent. This was followed closely with 12 percent suggesting the addition of multi-purpose sports courts, such as tennis, pickleball, basketball, etc. The third in ranking, with approximately 11 percent, was the addition of more restrooms. Finally, additional parking and open outdoor spaces for yard recreation and greenways/greenspace followed with 10 percent and 9 percent respectively. See Figure 16.

FIGURE 11: DO YOU OR ANYONE IN YOUR HOUSEHOLD VISIT LAKE LOUISE PARK?

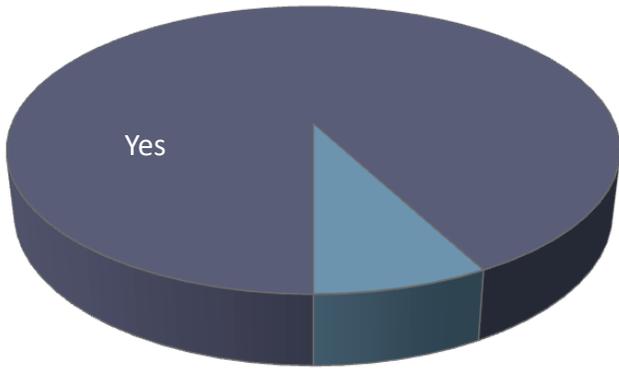


FIGURE 14: HOW WOULD YOU RATE THE TOWN'S CURRENT AMENITIES AT LAKE LOUISE PARK?

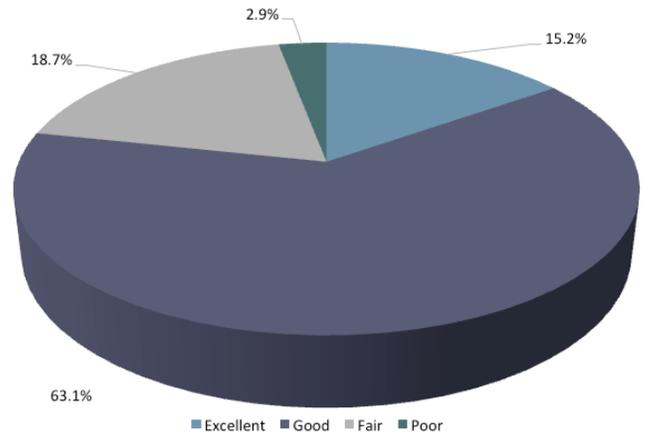


FIGURE 13: HOW OFTEN DO YOU OR ANYONE IN YOUR HOUSEHOLD VISIT LAKE LOUISE PARK?

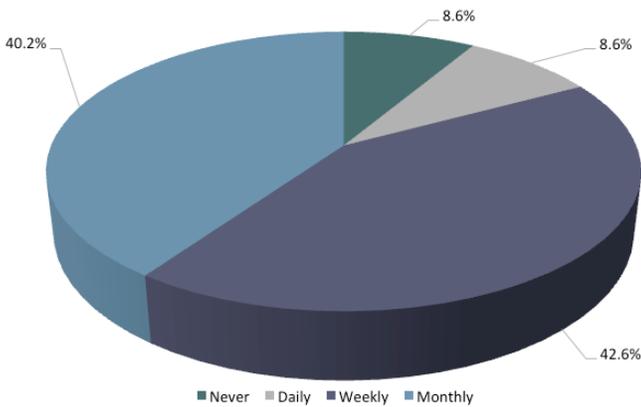


FIGURE 12: PLEASE INDICATE WHICH ACTIVITIES YOU OR ANYONE IN YOUR HOUSEHOLD PARTICIPATE IN AT THE MAIN STREET NATURE PARK.

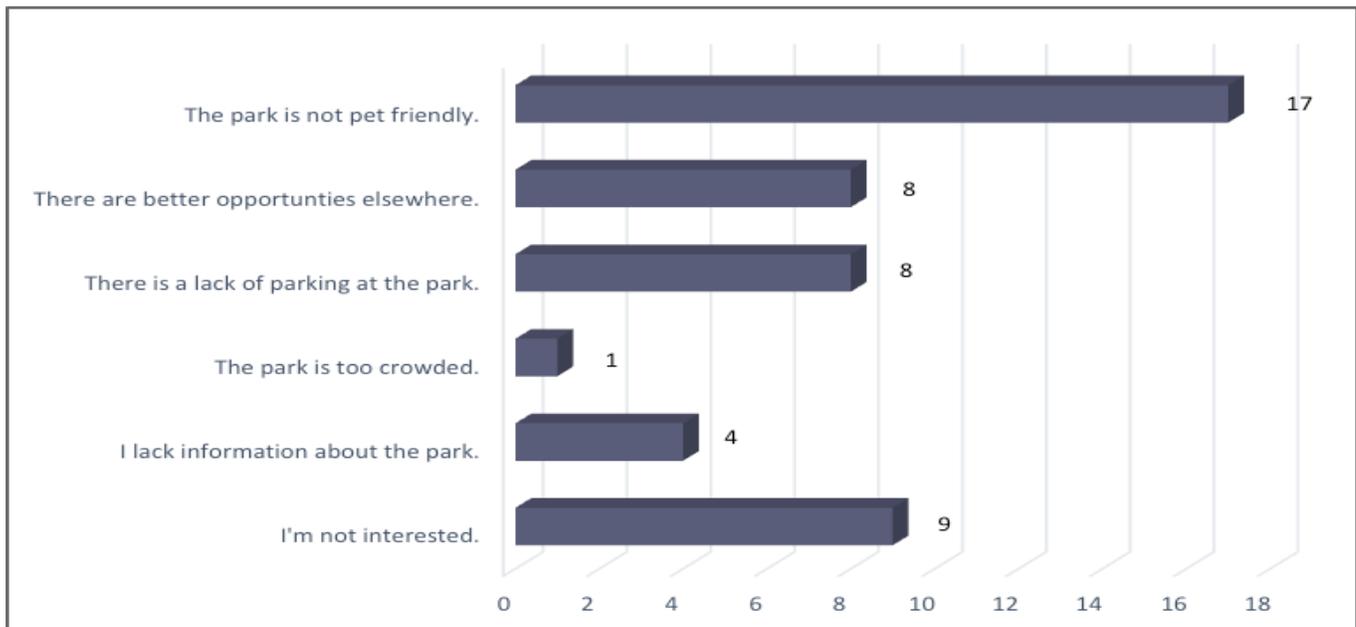
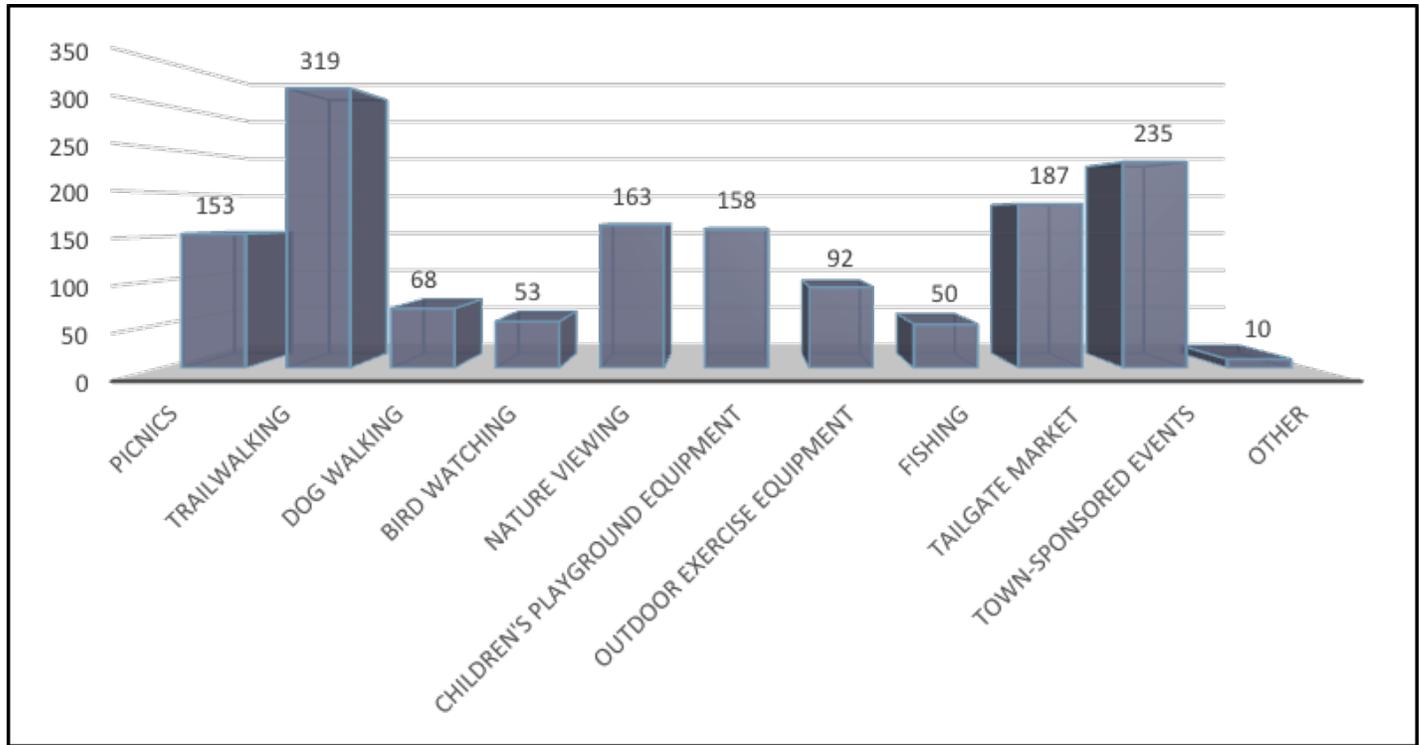
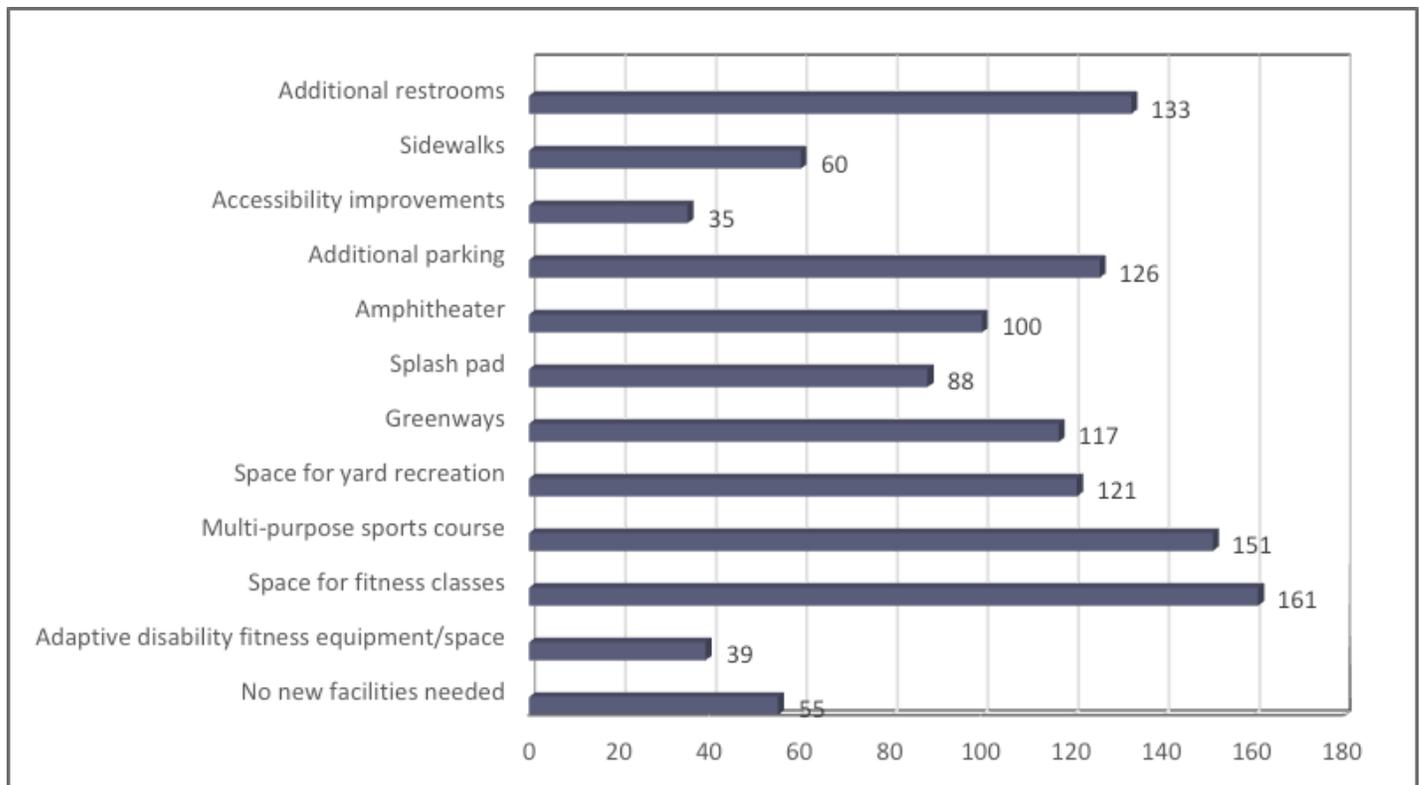


FIGURE 15: PLEASE INDICATE WHICH ACTIVITIES YOU OR ANYONE IN YOUR HOUSEHOLD PARTICIPATE IN AT LAKE LOUISE PARK.



16: PLEASE CHECK ANY OF THE FOLLOWING NEW FACILITIES OR AMENITIES THAT YOU FEEL ARE NEEDED AT LAKE LOUISE PARK.



Other Comments Regarding Lake Louise Park (Comments Grouped into Similar Categories):

Amenities listed under other not captured in the previous survey questions for new amenities, are summarized below:

TABLE 7: OTHER AMENITIES NEEDED AT LAKE LOUISE PARK PER SURVEY RESPONDENTS

Other Amenities Summarized
<ul style="list-style-type: none">• Construction of a new "Clubhouse" / Recreation Center• Improvements to trails / Paved trails• Dog walking permitted throughout the park, including on the trails• Spaces for toddlers / Improvements to children's outdoor play areas• Connection to future greenways• Improvements to restrooms / Extended hours for restrooms to be open



**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

DATE OF MEETING: February 26, 2018
SUBJECT: Water Leak Protection Program
PRESENTER: Finance Officer
ATTACHMENT: Current Water Adjustment Request Form
Sample Policy

DESCRIPTION:

The Town Manager and Finance Officer have been speaking with representatives from ServLine about an insurance product that could be beneficial to the Town’s water customers who might otherwise face large and unexpected water bills as a result of a water leak or water line break.

Just about every week a water customer faces a water bill that includes water usage that is unexpectedly high due to a water leak or a break in a water line on the customer’s property. Under current Town policy, customers experiencing high water bills due to qualifying leaks can apply to the Town Manager for a water bill adjustment once every 24 months. Water bill adjustments under the current policy result in the Town’s cost of producing and distributing potable water being uncompensated (on average \$8,000 per year).

In lieu of continuing with the current water adjustment policy, ServLine offers insurance products that are inexpensive on a monthly basis but could provide great assistance for large bills associated with water leaks. Coverage under this plan alleviates the customer’s responsibility for high water bills resulting from qualifying leaks and results in direct payment to the Town for those water bills. The monthly rates for up to \$1,000 in coverage each year, the cover amount recommended by the Town Manager, are as follows:

Type of Meter	Monthly Fee
Residential (Single Meter)	\$1.25
Commercial (Single Meter)	\$3.45
Commercial (Master Meter)	\$6.90

Those Town customers opting out of the leak coverage would be fully responsible for all water bills, including bills resulting from a water leak or line break, as the current water adjustment provisions would be eliminated.

The Town Manager recommends that Town Council eliminate the current water billing adjustment policy and add ServLine water leak coverage to all water bills with a customer opt-out provision. Opt-in coverage for reimbursement of line break repairs of up to \$10,000 can also be offered by Servline.

COUNCIL ACTION REQUESTED:

The Town Manager, Finance Officer, and a ServLine representative will be at tonight’s meeting to discuss this product with Town Council and answer questions concerning cost and coverage. Town Council discussion and direction concerning this water leak insurance coverage is requested. If Town Council wishes to proceed with this water leak protection program staff will place the necessary action items on Council’s March agenda. Those items will include amendments to Town Code and the Town’s Fee Schedule, and adoption of the appropriate program policies.

**TOWN OF WEAVERVILLE
WATER ADJUSTMENT REQUEST**

The Weaverville Town Council has established a policy **NOT** to adjust water bills except in rare and unusual cases. See below for Code of Ordinance regarding water bill adjustments.

Sec. 30-107. – Billing Adjustments.

The town will consider adjustments to customer's water bills based on the provisions contained in the town's customer service policy (Section 30-83), as adopted and amended by town council. The town will not make more than one adjustment in a 24-month period. (Ord. of 8-18-2008, § 3.7; Ord. of 4-16-2012, § 4)

Please describe your problem in detail and attach any documentation for repair of this problem, such as plumbers' billing, equipment, etc.

Acknowledgment:

I am requesting this water bill adjustment pursuant to Section 30-107 of the Town's Code of Ordinances and agree that I will not request additional adjustments with the next 24 months (2 years) from the date of the Town's approval of this water adjustment and that all information within this request is accurate.

Printed Name of Requesting Party Signature Date

Town Manager Approval: Yes No Notes _____

Town Manager Signature Date

Water Leak Protection Program

LOGO HERE

_____ Water Utility is changing our leak adjustment policy effective _____
_____.

The following are the qualifications for leak adjustments for the _____ Water Utility:

1. It is the customer's responsibility to keep his plumbing system in good working order.
2. No customer shall receive more than one leak adjustment that could incorporate a maximum of two billing cycles during any twelve (12) month period.
3. In order to qualify for a leak adjustment, the eligible plumbing leak must generate a minimum additional charge of _____ times the average 12-month bill.
4. Adjustment on water bills will NOT be made on the following:
 - a. Residential customers who do not have their own water meter.
 - b. ~~Commercial or Industrial Customer.~~
 - c. Premises left or abandoned without reasonable care for the plumbing system.
 - d. Leaks on irrigation systems or irrigation lines; leaks in water features such as fountains, etc.; leaks on any water lines coming off of the primary water service line; plumbing leaks in any structure other than the primary residence or primary commercial/industrial structure.
 - e. Dripping faucets, leaking commodes, or negligent acts such as leaving the water running.
 - f. Excess water charges not directly resulting from a qualifying plumbing leak.
 - g. Filling of swimming pools or leaks in swimming pools.
 - h. Watering of lawns or gardens.
5. The UTILITY shall not be obligated to make adjustments of any bills not submitted for adjustment within ninety (90) days from the billing date.
6. Customers must present proof that a leak has been repaired before an adjustment will be made (i.e. copy of invoice for materials or bill from plumber).
7. In any case where a customer might incur a leak before there is three months of average usage, an adjustment will not be made until they have established three months of average usage.

Any customer may decline to participate in our ServLine Leak Protection Program by calling _____. Any customer declining to participate in the program will be responsible for the full amount of their water bill with no adjustments being made. Our new _____ ServLine Program is the only way qualifying leak adjustments will be made for leaks occurring after _____.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, February 26, 2018

Subject: Action Related to a Proposed Amendment of Code Related Initial Town Council Review of a Proposed Zoning Map and Text Amendments

Presenter: Planning Director

Attachments: Chapter 36-358, Initial Review by Town Council, Recommendation of the Planning and Zoning Board, Proposed Ordinance

Description:

On Tuesday, January 2, 2018 the Planning and Zoning Board reviewed and recommended to Town Council a proposed revision of code which calls for certain zoning map amendments to be first reviewed at the Planning Board level. Such amendments would only be applicable to a proposed change between two standard zoning districts such as R-1, R-2, R-3, R-12, C-1, C-2 and I-1.

Due to the scope and complexities of conditional zoning districts and text amendments, Town Council would retain the initial consideration under this proposal in order to give direction to staff, the Planning and Zoning Board and the applicant.

A Public Hearing was held related to this matter at 6:45pm on Monday, February 26, 2018.

Action Requested:

Staff is seeking the adoption of the aforementioned revision of municipal code through Town Council adoption of the attached ordinance.

Current

Sec. 36-358. - Initial review by the town council.

After its initial consideration of the application, the town council shall refer the request to the planning board for the full review process.

Proposed

Sec. 36-358. – Initial review by town council.

After its initial consideration of ~~the~~ an application for a conditional zoning district or zoning text amendment, town council shall refer the request to the planning board for the full review process as required by state statute. Initial considerations of such applications are intended to provide town council the opportunity to express their preliminary thoughts related to the applications but shall not serve as a final determination on same.

Map amendments which propose a change between two standard zoning districts are not required to go before town council prior to being considered by the Planning and Zoning Board. Such an application for a map amendment may be subject to an initial review by town council at the request of the applicant.



**Town of Weaverville
Planning and Zoning Board**

On Tuesday, January 2, 2018 the Planning and Zoning Board reviewed and unanimously recommended to Town Council the attached revision to Section 36-358, Initial review by Town Council.

It has been found that the aforementioned revisions to the Town's ordinances would not conflict with the Town's Comprehensive Plan. The Planning and Zoning Board considers approval both reasonable and in the public interest to better facilitate certain zoning map amendments.

A handwritten signature in cursive script that reads "Doug Theroux". The signature is written over a horizontal line.

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

ORDINANCE AMENDING WEAVERVILLE TOWN CODE SECTION 36-358 CONCERNING INITIAL REVIEW OF ZONING TEXT AND MAP AMENDMENTS BY TOWN COUNCIL

WHEREAS, Town Staff is continually reviewing the operation of Town Code and has identified a provision within the Town’s subdivision regulations that they recommend for amendment;

WHEREAS, the recommended amendment changes the way a map amendment requesting a standard zoning district is handled;

WHEREAS, on January 2, 2018, the Town’s Planning and Zoning Board reviewed these proposed amendment and submitted a unanimous favorable recommendation on its adoption;

WHEREAS, after proper notice the Town Council held a public hearing on January 22, 2018, in order to receive input from the public on these proposed amendments;

WHEREAS, we find that the amendments to Town Code do not conflict with the Town’s Comprehensive Land Use Plan and that the adoption of said amendments are reasonable and in the public’s interest in that the amended language will allow for a more streamlined process for citizens to request zoning map amendments;

NOW, THEREFORE, BE IT ORDAINED by Town Council of the Town of Weaverville, North Carolina, as follows:

1. Section 36-358 of the Town’s Code of Ordinances is hereby amended as follows with the stricken language denoted with strike-throughs and added language underlined:

Sec. 36-358. - Initial review by the town council.

After its initial consideration of ~~the an~~ application for a conditional zoning district or zoning text amendment, the town council shall refer the request to the planning board for the full review process as required by state statute. Initial consideration of such applications are intended to provide town council with the opportunity to express their preliminary thoughts related to the application but shall not serve as a final determination on same.

Map amendments which propose a change between two standard zoning districts are not required to go before town council prior to being considered by the planning board. Such an application for a map amendment may be subject to an initial review by town council at the request of the applicant.

2. It is the intention of Town Council that the sections and paragraphs of this Ordinance are severable and if any section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of

the remaining paragraphs or sections of this Ordinance, since they would have been enacted by Town Council without the incorporation in this Ordinance of any such unconstitutional or invalid section or paragraph.

3. These amendments shall be effective immediately upon adoption.

ADOPTED THIS the 26nd day of February, 2018, by a vote of ___ in favor and __ against.

ALLAN P. ROOT, Mayor

ATTESTD BY:

APPROVED AS TO FORM:

DEREK HUNINGHAKE, Town Clerk

JENNIFER O. JACKSON, Town Attorney

TOWN COUNCIL AGENDA ITEM

MEETING DATE: February 27, 2018

SUBJECT: Waterline Extension for Blue Ridge Hospitality Ventures, LLC
(Fairfield Inn)

PRESENTER: Public Works Director

ATTACHMENTS: Water Commitment Letter dated September 28, 2016
Site Plan

DESCRIPTION/SUMMARY OF REQUEST:

Blue Ridge Hospitality Ventures, LLC, is taking steps to begin construction on the Fairfield Inn that is approved for the property behind Bojangles on Weaver Boulevard (PIN 9742-09-4780) which is shown as Lot 1 on the plat attached. It was originally expected that this project would be able to connect to the Town's existing 8-inch water main. Due to the topography, some shifting of the footprint of the hotel, and the anticipated height of necessary retaining walls, the Fire Marshal has required a reconfiguration of the water plans resulting in the need for a +/-350-foot waterline extension to adequately provide domestic water and fire protection to the hotel. The extension that will be necessary is for a 6-inch ductile iron waterline and at least one fire hydrant for a proposed maximum committed capacity of 13,500 gallons per day for the hotel on Lot 1.

A water commitment was originally issued for 17,500 gallons per day (13,500 for the hotel (Lot 1) and 4,000 for an outparcel restaurant (Lot 2)) but was based on a 3-inch metered connection directly off of the Town's water line. It is recommended that the water commitment be revised to reflect the new plan of a 6-inch waterline extension, fire hydrant and meter, and re-issued to the hotel for a 13,500 gallon per day.

The Public Works Director and Town Manager have reviewed the request in light of the Town's Water System Management Plan and recommend its approval. They will both be present at tonight's meeting to answer any questions that Town Council might have regarding this matter.

ACTION REQUESTED:

Town Council discussion and action to approve the waterline extension as requested and to revise and reissue the water commitment. A proposed motion is as follows:

I move that we approve the waterline extension request and revise and re-issue the water commitment to reflect the 6-inch waterline extension and fire hydrant and 13,500 gallon per day allocation for Lot 1.

Dottie Sherrill
Mayor

The Town of
Weaverville
NORTH CAROLINA

Doug Dearth
Council Member

Patrick Fitzsimmons
Council Member

Doug Jackson
Council Member

Andrew Nagle
Council Member

John Penley
Council Member

September 28, 2016

Mr. Bob Hodges
PO Box 1686
Clemmons, NC 27012
(336)989-9900

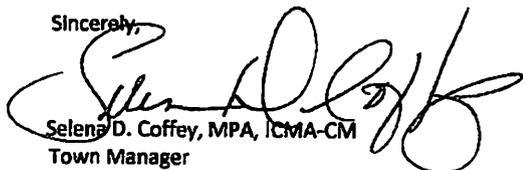
Re: **Commitment Letter for Fairfield Inn Weaverville, behind Bojangles off of Weaver Blvd.**

Dear Mr. Hodges,

Your request for municipal water service to the proposed Fairfield Inn -Weaverville NC 28787, PIN NO: 9742-09-6618 has been approved by Weaverville Town Council at the September 19th 2016 regular scheduled meeting. Conditions that must be met to provide water to the project water include:

1. This property is currently served by the Town of Weaverville Water System via an 8" water main that ends shortly after entering your property boundary. However, the existing 5/8 x 3/4 meter & tap is inadequate to serve the proposed projects domestic water need. A new 3" domestic water service and fire protection service was approved for this project. The 3 inch domestic and fire line tap will be installed onto the existing 8" waterline located on the property. Installation of the water services must be coordinated through Weaverville Public Works Director, Tony Laughter. His office needs to approve the materials used to accommodate the services and whether it be vault or hot box configurations. I recommend you have your design engineer meet with the Weaverville Fire Marshall for site plan requirements for the fire protection on the private side. All water services shall be in accordance with Weaverville Water Policies and Procedure which is available online.
2. The existing 5/8 x 3/4 water meter located on the property may be sufficient to meet your request for irrigation. Verification of flow requirements to meet your Irrigation need must be submitted and approved by Tony Laughter, Weaverville Public Works Director before the existing water service is transferred to irrigation status. The existing service can be activated for construction water supply. Domestic Meter and Fire Detection Meter location and configurations shall be agreed upon by design engineer and Weaverville Public Works Director. A waterline extension will not be required to serve this property. Owner/developer is to pay all cost associated with the installation of the new taps, meters, valves, and/or any other related appurtenances. Work shall be performed by a NC Licensed Utility Contractor. Work shall be supervised by Town Staff. Fire line tap size is to be determined.
3. Components submittals shall be provided to the Public Works Director for approvals. Installation shall be in accordance with Town Code, Specifications and Ordinances.
4. The owner/developer shall be responsible for providing deeded easement, 10' (feet) in all directions around the new meter installations, if needed, to provide access to the Town for permanent maintenance as part of the Town system.
5. Tap Fee is not required where taps, meters and associated appurtenances are provided and installed by developer. Capacity Depletion Fees, Service Charges, and Deposits will be assessed at the time water service is to be turned on.
6. This Water Commitment is valid only for the specific project submitted to the Town, and is valid only upon payment of the Commitment Fee of \$ 300.00 for a 3" inch meter inside Town Limit. Commitments are valid for one year and may be renewed in accordance with Weaverville Water Policies and Procedures Ordinance.
7. Water service commitment does not indicate the Towns approval and acceptance of the proposed project.

Sincerely,



Selena D. Coffey, MPA, ICMA-CM
Town Manager

cc: Tony Laughter, Public Works Director
Marvin Mercer P.E. for Bob Hodges

30 South Main Street • Weaverville, NC 28787 (PO Box 338)

(828) 645-7116 • Fax (828) 645-4776

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TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: February 26, 2018
Subject: Departmental Quarterly Report
Presenter: Police Chief
Attachments: Quarterly Report

Description:

Attached please find the quarterly report.

Council Action Requested:

No action requested.



Department Report

November 2017-January 2018

Police Activity Report

<u>Activity</u>	<u>November</u>	<u>December</u>	<u>2017 Total</u>	<u>January</u>
Vehicle crashes	19	23	268	19
Parking Citations	13	3	73	9
Written Warnings	26	21	295	27
Verbal Warnings	7	9	98	12
Misdemeanor Charges	82	56	510	91
Felony Charges	19	5	135	15
Officer Assist	98	102	1,156	114
Alarm Response	23	16	310	17
Disturbances	33	27	473	15
Escorts / Deliveries	60	51	818	43
Business Checks	4,501	4,569	58,061	3,857
Residential Checks	291	258	2,996	220
Unsecured Buildings	22	14	370	7
Pedestrian Assist	53	34	583	45
Citizen Checks	98	108	1,315	99
Assist Motorist	7	9	119	14
Suspicious Person/Vehicle	27	18	479	17
Traffic Safety	53	52	1,002	33
Citations Issued	67	56	450	77
Drug Charges	9	11	91	8
D.W.I. Charges	1	3	17	1
Reports Taken	50	46	618	55
Court Appearance	1	1	48	2
Investigation Follow-up	37	47	638	34
Vehicle Stop	82	64	650	90
C.O.P.P.S. Activities	<u>204</u>	<u>169</u>	<u>2,767</u>	<u>126</u>
Totals	5,883	5,772	74,340	5,047

Total activity for November 2017-January 2018

16,702

Part I Offenses

(Nov. to Jan. Compare)

<u>Part I Offense</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>+/-</u>	<u>% Change</u>
Murder	0	0	0	0	0%
Rape	0	0	0	0	0%
Robbery (Commercial)	0	0	0	0	0%
Robbery (Individual)	0	0	0	0	0%
Assault	1	0	0	0	0%
Violent Total:	1	0	0	-1	-100%
Breaking & Entering	0	0	0	0	0%
Residential	0	0	0	0	0%
Non-Residential	0	0	0	0	0%
Commercial	0	0	0	0	0%
Other	0	0	0	0	0%
Larceny	22	17	26	4	18%
Auto Theft	0	0	1	1	-
Arson	0	0	0	0	0%
Part I Total:	23	17	27	4	17%

Part II Offenses

(Nov. to Jan. Compare)

<u>Part II Offense</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>=/-</u>	<u>% Change</u>
Drug	24	11	13	-11	-46%
Assault Simple	3	1	1	-2	-67%
Forgery/ Counterfeit	0	0	4	4	-
Fraud	7	3	7	0	0%
Embezzlement	0	1	0	0	0%
Stolen Property Incidents	1	0	2	2	-
Vandalism/Damage to prop.	2	3	1	-1	-50%
Weapons Offenses	0	0	1	1	-
Sexual Offense	0	0	0	0	0%
Gambling	0	0	0	0	0%
D.W.I.	1	3	1	0	0%
Liquor Law Violations	0	0	0	0	0%
Disorderly Conduct	1	0	0	-1	-100%
Obscenity	0	0	0	0	0%
Kidnap	0	0	0	0	0%
All Other Offenses	19	10	31	12	63%
Part II Total	58	32	61	3	5%

➤ **Traffic Crash Data**

Department personnel investigated 61 traffic crashes during the period of November 2017-January 2018 which included the following:

Property Damage	\$90,925
Persons Injured	3
Fatalities	0

➤ Response time in minutes to 1. *Dispatched Calls*

	<u>November</u>	<u>December</u>	<u>January</u>
*High priority calls.....	4.97	3.54	4.81
**Average priority calls.....	5.65	5.28	6.01
***Low priority calls	5.63	6.18	4.04

* Response to the scene is **urgent** (in progress calls, weapons, assaults, etc.)

** Response to the scene necessary but **not urgent**

*** Action on this type of call is sometimes handled by telephone thus the short response time.

1. This applies only to the calls dispatched by the Buncombe County Sheriff's Department to the Weaverville Police Department by radio dispatch. However, a majority of our calls are phoned in directly to the Weaverville Police Department and the officer responds to the scene of the call.

Incident Seized Drug Totals

01/01/2017 – 01/01/2018

Marijuana	6.5 ounces
Cocaine	454 grams
Methamphetamine	10 grams
Heroin	97 grams
Morphine	6 ml
Other Opioids	17 Dosage Units
Hallucinogens	1 ounce
Depressants	117 Dosage Units
Steroids	37 Dosage Units (Stanozolol)
	1 ml (Boldenone)

Totals include incidents of possession, manufacturing, selling, and delivering offenses.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: February 26, 2018
Subject: Departmental Quarterly Report
Presenter: Fire Chief
Attachments: Quarterly Report

Description:

Attached please find the quarterly report.

Council Action Requested:

No action requested.

Weaverville Fire Department

November 1, 2017 through January 31, 2018 Activites

Fire	Inside City	Property Loss	Outside City	Property Loss
Brush / Woods	1	0	4	0
Vehicle	0	0	0	0
Structure	2	108,000	3	78,000
Investigation	15	0	30	0
Haz-mat Incident	8	0	1	0
Mutual Aid	0	0	46	0
Fire Alarm Activation	10	0	14	0
Public Assistance	6	0	3	0
TOTAL (Fire)	42	108,000	101	78,000
Rescue				
MVA \ MCA	7	0	33	0
EMS \ FR \ Rescue	151	0	157	0
Mutual Aid	2	0	6	0
Search	0	0	0	0
TOTAL (Rescue)	160	0	196	0
TOTAL Fire & Rescue	202	108,000	297	78,000

Remarks: Total Fire\Rescue Alarms: 499
Total Fire Loss: \$186,000 Total Saved: 1,767,100
Total Inspections: 65

Date: 2/6/2018 TW



Town Manager's Report

Selena D. Coffey, MPA, ICMA-CM

February 26, 2018

- 1. Weaver Boulevard Speed Limit:** As a public update, NCDOT has agreed to revise the speed limit on Weaver Boulevard from 55 mph to 35 mph out to Monticello Road.
- 2. Improvements to the Main Street Nature Park & Elimination of Contract for Town Hall Landscaping:** I wanted to inform Town Council that I have eliminated the contract with Leapfrog Landscaping for Town Hall and Public Works will be maintaining the grounds now. They have already made significant improvements to the Town Hall property and to the park. I'm very excited about the department's plans.
- 3. Request for Energy Efficiency Proposal from Duke Energy:** I have met with Jason Walls, our district representative with Duke Energy. I have asked for a proposal to upgrade our lighting at Town Hall to become more energy-efficient. According to information I've read, this should also be a cost-savings long-term.
- 4. Certified Community Wildlife Habitat:** The Town has again met the requirements to be re-certified as a National Wildlife Federation Community Wildlife Habitat. Thanks to Jill Totman for her work on this!
- 5. Water Updates:** Staff is meeting with Dennie Martin on February 27 move forward on system development fees. The agreement has been signed and Withers-Ravenel-Martin is moving forward with their work in completing the engineering report on the water treatment plant expansion. They are estimating this to be complete no later than June, but hopefully earlier. On that note, Dale Pennell and I have met and been in conversation with the manager for Mars Hill regarding potential for partnering, allowing their jurisdiction an allocation of water estimated at 200,000-400,000 gdp. This conversation is ongoing, as he has not presented this formally to his Board of Alderman, but has shared that he believes there to be interest. I will keep Council updated as I know more.
- 6. Greenways:** Buncombe County is in the process of entering into an agreement with NCDOT to begin the planning process for the Reems Creek Greenway initiative. They will be sending us a Memorandum of Understanding for Council's approval in the near future. As a reminder, we did set aside \$60,000 in the current year budget for this planning process.