

Town of Weaverville
Planning and Zoning Board
Minutes – Tuesday, February 4, 2020

The Planning and Zoning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Tuesday, February 4, 2020 within the Council Chambers at Town Hall.

Present: Chairman Gary Burge, Board Members John Chase and Peter Stanz , Alternate Member Rachael Bronson, Town Attorney Jennifer Jackson and Planning Director James Eller. Vice-Chairman Catherine Cordell, Board Member Steve Warren and Alternate Board Member Tom Balestrieri were absent.

1. Call to Order.

Chairman Gary Burge called the meeting to order at 6:00 pm. Upon calling the meeting to order, Chairman Burge noted that Ms. Bronson would be serving as an acting member of the Board due to the absence of two Board Members.

2. Approval of the Agenda.

Mr. Stanz motioned to approve the agenda as amended with the removal of a previously stated conversation related to a major subdivision commonly known as Greenwood Park. Mr. Chase seconded and all voted unanimously.

3. Approval of the Minutes from the January 7, 2020 Meeting of the Board and the December 12, 2019 Joint Meeting with Town Council.

Mr. Stanz motioned to approve the minutes from the January 7 meeting of the Board. Mr. Chase seconded and all voted unanimously.

Mr. Chase motioned to approve the minutes from the joint meeting with Town Council as amended by the comment of Chairman Burge. Ms. Bronson seconded and all voted unanimously.

4. Discussion Related to a Proposed Minor Subdivision Located at 29 Reynolds Lane.

Mr. Eller presented to the Board the particulars of the proposed minor subdivision including the desire to create two additional lots from the underlying 4.5 acres found at the property commonly known as 29 Reynolds Lane.

Ms. Bronson noted her residence's close proximity to the subject property. Ms. Jackson noted that the action of the Board in this matter is not likely to have a direct, substantial, and readily identifiable financial impact on Ms. Bronson and due to Ms. Bronson not having a close familial, business or other associational relationship to the owners of the subject property, no conflict of interest exists.

5. Consideration of a Motion Establishing a Recommendation to the Planning Director on the Aforementioned Minor Subdivision.

Ms. Bronson motioned to offer a positive recommendation to the Planning Director for approval of the aforementioned minor subdivision. Mr. Stanz seconded and all voted unanimously.

6. Discussion and Direction to Staff Related to Mixed Use Development.

Mr. Eller presented to the Board a set of proposed additional standards to be placed upon mixed use buildings or structures in the C-1, C-2 and R-12 zoning districts. The additional standards, if ultimately adopted by Town Council would allow the use defined as mixed use building or structure to be permitted with standards rather than via a conditional zoning district, thus better accommodating such development as called for in the Comprehensive Land Use Plan. Said standards would permit dwelling units on the second or higher floor of any structure within certain zoning districts where the ground or street level floor is occupied by a use or uses otherwise permitted by right or with additional standards or via a conditional zoning district in certain underlying zoning districts.

Other proposed additional standards are related to the dimensional requirements of the underlying zoning district; the density requirements of the underlying zoning district; street lighting requirements; a requirement to contract garbage removal services; and the condition of containment devices for waste and recycling. Specifically related to the proposed additional standards for mixed use building or structures within the C-1 zoning district, there exists a possible waiver of the aforementioned contracted garbage removal and a density bonus for dwelling units for the provision of additional off-street parking places otherwise not required by ordinance both in special recognition of the unique nature of the downtown area.

Per the discussion and ultimate consensus of the Board, the proposed requirement for additional off street parking applicable to the density bonus to be public parking is stricken as being viewed as unenforceable. Consensus was gained in support for all other proposed additional standards.

Though staff had not anticipated for the Board to offer a recommendation on this matter, the conversation had trended toward a positive recommendation.

Mr. Stanz motioned to offer a positive recommendation to Town Council on the proposed additional standards applicable to mixed use buildings or structures within the C-1, C-2 and R-12 zoning districts. Said motion also included a finding that the proposed text amendment is compliant with the Town's Comprehensive Land Use Plan in that the plan calls for land use regulations which provide for transition district and/or mixed use development and an additional finding that the Board considers the proposed text amendment both reasonable and in the public interest as the Town's Strategic Plan calls for a transition between residential and commercial districts and mixed use development regulations. Mr. Chase seconded and all voted unanimously.

7. Discussion Related to Chapter 160D.

Mr. Eller described to the Board that he and Ms. Jackson had the opportunity to attend a regional workshop related to the new Chapter 160D. Ms. Jackson described that the changes to statutes affect the language of local ordinances, the options for local decision processes, and the administrative practices related to development regulations.

Ms. Jackson presented the Board with a G.S. Chapter 160D checklist of changes to local ordinances, policies and practices provided by the School of Government. The document was broken down into three categories being; legislative changes for which local governments must take action; permissive legislative changes for which local governments may take action; and notable legislative changes that do not require local action but of which local governments must be aware.

Mr. Eller noted that he wished for the main topic of the March joint meeting of the Board and Town Council to be Chapter 160D.

8. Any Other Business to Come Before the Board.

Mr. Eller further described the report on undeveloped or underutilized parcels of size within municipal borders originally presented to the Board at their previous meeting and asked the Board if they would support the creation of an overlay district to further restrict the permitting of mobile homes by right in the R-3 zoning district given the number of mobile homes which could be permitted by right. The Board affirmed.

Ms. Jackson noted that Town Council is likely to take action on ordinance revisions related to Chapter 24: Streets and Sidewalks and Chapter 28: Traffic. Said revisions may extend into Chapter 25: Subdivision and Chapter 36: Zoning and, therefore, require review and comment from the Planning and Zoning Board.

9. Adjournment.

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



Gary Burge, Chairman
Planning and Zoning Board

ATTEST:



James W. Eller
Planning Director / Deputy Town Clerk