



**Town of Weaverville
Planning Board
Regular Monthly Meeting
Tuesday, October 3, 2023, 6:00pm
Agenda**

- | | | |
|--|------|---|
| 1. Call to Order | | Attorney Jackson |
| 2. Election of Meeting Chair <i>(due to absence of Chair & Vice Chair)</i> | | |
| 3. Adoption of Agenda | | |
| 4. Approval of the Minutes – 9/5/2023 Regular Meeting | p.2 | Planning Director Eller |
| 5. Reems Creek Village Recombination Areas – Initial Zoning Request | p.6 | Planning Director Eller |
| 6. 300 Hamburg Mountain Road – Initial Zoning Request | p.11 | Planning Director Eller |
| 7. Northridge Farms – Initial Zoning Request | p.23 | Planning Director Eller |
| 8. Comprehensive Land Use Plan (CLUP) Update – Formal Recommendation | p.39 | Attorney Jackson &
Planning Director Eller |
| 9. Short-Term Rental – Stakeholder Input and Staff Direction | p.49 | Planning Director Eller |
| 10. Any Other Business | | Planning Director Eller |
| • Meeting Reminder – Next meeting is <u>Thursday</u> , 11/9/23 at 6pm | | |
| • Updated Roster | p.60 | |
| 11. Adjournment | | |

Town of Weaverville
Planning Board
Regular Monthly Meeting
Thursday, September 5, 2023, 6:00pm
Minutes

The Planning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Tuesday September 5, 2023 within Council Chambers at Town Hall.

Present Board Members: Bob Pace, Jane Kelley, Donna Mann Belt, Mark Endries, Stephanie Pupkiewicz-Busch, and alternate member Ryan Gagliardi. Town Council Liaison Michelle Wood, Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Planning Director James Eller and Town Clerk Tamara Mercer.

Call to Order – Chair Bob Pace called the meeting to order at 6:00 p.m.

1. Updated Planning Board Roster

Bob Pace noted that Town Council appointed Stephanie Pupkiewicz-Busch as a regular member and Michelle Ripon as an alternate member to their respective terms.

2. Election of Officers

Bob Pace called for officer nominations and Ms. Belt nominated Bob Pace as Chairman and Jane Kelley as Vice Chair and the motion carried 5-0 unanimously.

3. Adopt the Agenda

With no objections Chairman Pace adopted the agenda by consent.

4. Planning Board regular meeting minutes Aug 1, 2023

Mr. Endries moved to approve the Aug 1, 2023, meeting minutes as presented, and the motion carried 5-0 unanimously.

5. 492 Reems Creek Road Initial Zoning Request

5.1 Planning Board review and zoning recommendation of 492 Reems Creek Road

Planning Director Eller reviewed the voluntary annexation petition and noted that Town Council has referred the zoning request to the Planning Board. An initial zoning request for R-3 would be appropriate. The subject parcel would be combined to 480/488 Reems Creek Road and the authorized agent representative for the owner Mr. Warren Sugg was in attendance.

There was further discussion on the previous annexation request submitted by Mr. Sugg regarding the 17-acre parcel, the 139 dwellings units, the amenities planned, and the attached supporting documents in the staff report. Mr. Eller added that the subject site is approximately one acre and could support eight dwelling units per zoning allowance. Mr. Gagliardi noted the area is contiguous and is already zoned R-3 therefore is reasonable and consistent with land use.

Vice Chair Kelley motion to recommend R-3 zoning to the subject site as it is consistent with Comprehensive Land Use Plan compliance and the zoning analysis for future land use. The motion carried 5-0 unanimously.

6. Short Term Rentals

Mr. Eller reviewed the steps taken thus far on the topic of short-term rentals. The Planning Board seeks to gather more information from the stakeholders, and the following questions were crafted as a consensus of the Planning Board members to provide to the stakeholders in order to gage the community. There was a review of the process for other cities, roles and responsibilities, information gathering with the community, stakeholders, Planning Board and Town Council deliberations and direction.

Short-term rental questions:

Weaverville Business Association:

1. Can the WBA provide information on revenues and income data generated from short-term rentals and tourism housing to the WBA?
2. Does WBA have a position in-favor of STRs or against STRs?
3. Is the WBA in-favor of short-term rental regulations?
4. Does WBA measure impacts of STRs on the community?
5. Can the WBA provide other input, information and/or direction concerning tourism accommodations?

Tourism Development Authority:

1. Does TDA have a position in-favor or against short-term rentals being used as tourism accommodations?
2. Does TDA agree that regulations should be implemented?
3. Can the TDA provide occupancy rates for the volume of STR business countywide?
4. Can the TDA provide occupancy taxes collected in Weaverville?
5. What differences exist for business / regulatory fees and practices for STRs compared to Hotel & Bed and breakfasts?
6. The City of Asheville implemented short-term rental regulations. What impacts have the STRs had on occupancy rates at hotels both before and after the city implemented STR regulations?

Police Department:

1. Does approx. 100 homes transition from vacation rentals to full time residences put a strain on PD patrol enforcement?

2. What percentage of call volumes/complaints involve STRs?
3. Is there an impact / issues with STRs noise and out of town party complaints?

Public Works:

1. Does Public Works receive garbage procedure complaints at short-term rentals?
2. Have there been 'bear hits' complaints or clean-up fines on receptacles at STRs?

Short-term Rental Property Owners:

1. How many short-term rentals do you own?
2. Where/what towns do you own the STRs?
3. Is Weaverville your primary residence or do you reside outside of the town limits?
4. How long have you owned a STR in Weaverville?
5. What year did you purchase the STR?
6. What criteria was used to locate the property and purchase the dwelling in Weaverville?
7. If you own an STR in another city or town, are there STR regulations in that town?
8. What on-line platforms do you list your rental?
9. Approximately how many days per year is the rental occupied?
10. Has the STR bookings increased or decreased over last year?
11. Property was purchased specifically as an STR

Full-time Residents

Input from full-time residents will be gathered at a meeting scheduled at a future date.

Planning Department:

The Planning Department will provide the volume of housing stocks and home ownership rates for Weaverville and what percent of the housing stock is used for STRs. Mr. Eller will compile the information in the Town of Weaverville and for the area jurisdictions as per the census bureau data. The data should provide information if the dwelling is owner occupied or if it is a rental.

Mr. Eller explained that for multi-family developments there may be restrictions to tenant occupancy managed by the developer or property manager. Subdivisions may have restrictions in their covenants as per the HOA. The town does not enforce stricter covenants. Individual HOAs would enforce them.

Mr. Eller said that in 2017, the Town adopted the zoning ordinance standards for secondary dwelling units, which has been basically unused as less than one application a year is submitted for that permit. As a tool for additional housing, there has not been a large number of applicants

building a secondary unit. A facilitator cost was discussed and the Land of Sky Regional Council report on STRs is available and submitted. Staff will follow up by providing answers to the questions from the stakeholders at the next Planning Board meeting.

7. Other Business

1. Comprehensive Land Use Plan (CLUP) Goals and Priorities

The annual review of CLUP and open space conservation design will be placed on Town Council's September 19, 2023 workshop agenda as a joint meeting with the Planning Board. Chairman Pace requested a motion to set a special called meeting of the Planning Board.

Ms. Pupkiewicz-Busch made a motion for a Special Called joint meeting to be held on September 19, 2023, at 6:00 in Council Chambers. The motion carried 5-0 unanimously.

8. Adjournment

There being no further business, Chairman Pace adjourned the meeting at 7:35 p.m. without objection.

Tamara Mercer, Town Clerk

**TOWN OF WEAVERVILLE
PLANNING BOARD AGENDA ITEM**

MEETING DATE: October 3, 2023

SUBJECT: Initial Zoning – Reems Creek Village Recombination Area –
+/-2.513 Acres

PRESENTER: Planning Director

ATTACHMENTS: Tax Map Showing Property to be Annexed; Resolution
Concerning Voluntary Annexation Petition; Proposed
Recommendation

DESCRIPTION/SUMMARY OF REQUEST:

The owners of Lots 44 (Boyce Trusts), 46 (Elder), 47 (McVay), 49 (Siegel), and 50 (Siegel) within Reems Creek Village have each acquired additional land adjoining their respective lots. This additional property has been recombined with their existing lots so that the additional acreage has been added to those existing lots. These owners are all seeking annexation of this additional land to fix the split jurisdiction that has occurred due to the recombinations. Without annexation into the Town, the Town of Weaverville will have jurisdiction over some portions of the land and Buncombe County will have jurisdiction over other portions.

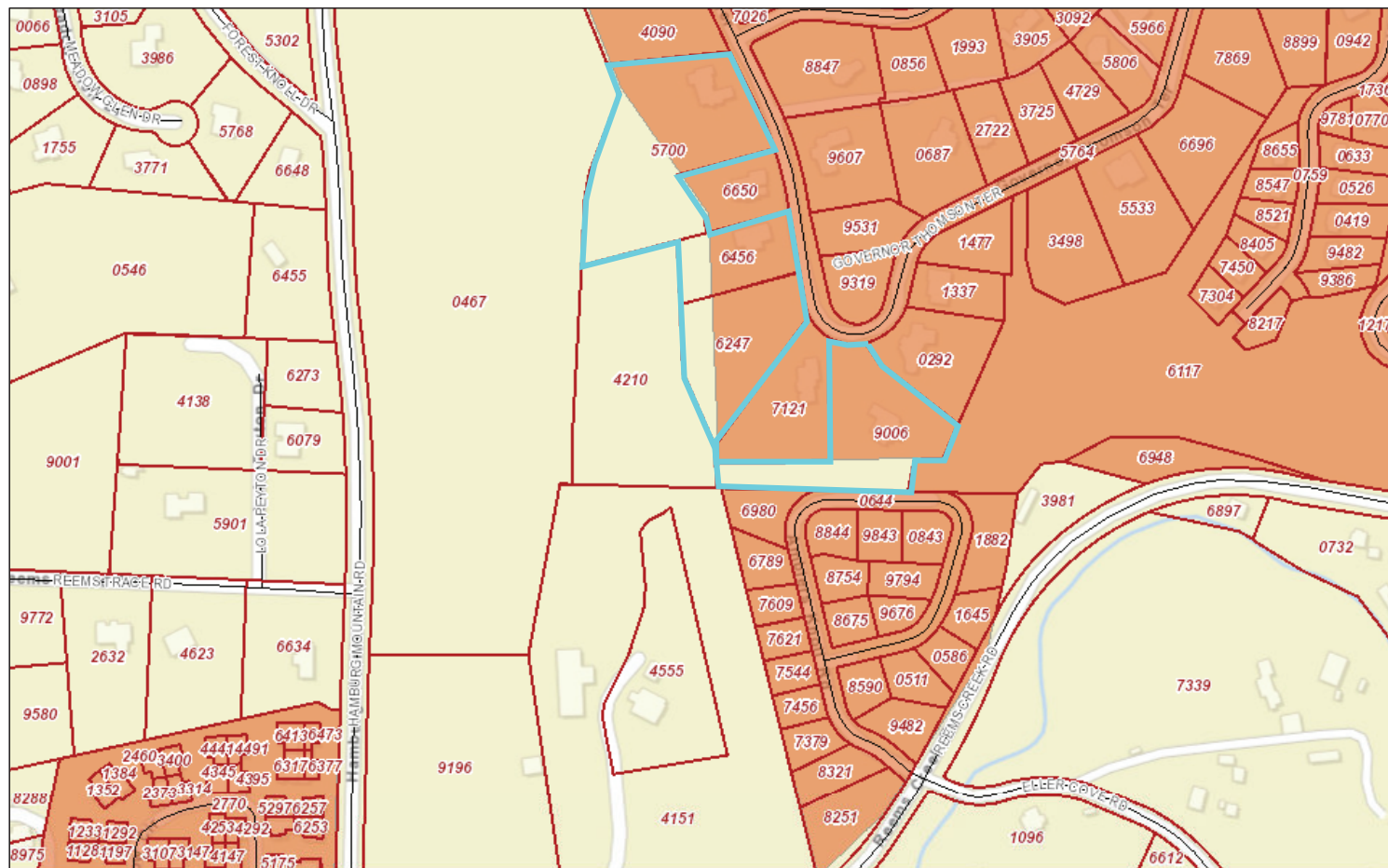
The property requesting annexation is contiguous to the Town's primary municipal limits. The petitioners are requesting an initial zoning designation of R-2, which is consistent with the zoning in Reems Creek Village.

BOARD ACTION REQUESTED:

A motion establishing the Board's recommendation to Town Council on the proposed zoning of R-2 based upon a finding of compliance with the comprehensive land use plan and reasonableness of the zoning request.

A draft recommendation is provided for the Board's consideration if it finds that R-2 zoning is appropriate for this property.

Buncombe County



September 26, 2023

1:4,514



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

**RESOLUTION CONCERNING VOLUNTARY ANNEXATION PETITION SUBMITTED FOR
THE REEMS CREEK VILLAGE RECOMBINATION AREA
WEAVERVILLE ANNEXATION NO. 2023-4**

WHEREAS, a petition requesting annexation of Lots A, B, C, and E as shown on the attached map recorded in Map Book 233 and Page 67, Buncombe County Registry, was submitted to the Town of Weaverville on September 11, 2023; and

WHEREAS, the properties described in the annexation petition have been recombined with certain existing lots within the Reems Creek Village subdivision and the purpose of the voluntary annexation petition is to fix the split jurisdiction that has occurred as a result of that recombination;

WHEREAS, N.C. Gen. Stat. § 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the annexation petition requests R-2 zoning classification for the areas to be annexation for consistency with the adjoining properties; and

WHEREAS, the Town Council of the Town of Weaverville deems it advisable to proceed in response to this request for annexation and initial zoning;

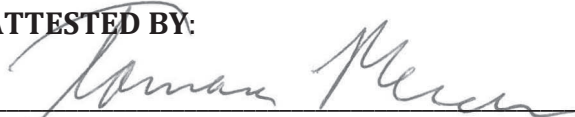
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Weaverville that:

1. With the assistance of the Town Attorney, the Town Clerk is hereby directed to investigate the sufficiency of the above-reference petition and to certify to Town Council the result of her investigation; and
2. The Town Planning Director is directed to place the application for initial zoning of R-2 on the next regular meeting of the Weaverville Planning Board's so that the Board can review the requested zoning for consistency with the Town's Comprehensive Land Use Plan and forward a recommendation to Town Council prior to or at a public hearing that may subsequently be held on this matter.

THIS the 25th day of September, 2023.



PATRICK FITZSIMMONS, Mayor

ATTESTED BY:


TAMARA MERCER, Town Clerk



The Town of Weaverville

NORTH CAROLINA

October 4, 2023

Mayor Patrick Fitzsimmons and
Weaverville Town Council

Re: *Reems Creek Village Recombination Areas - +/- 2.513 acres*
Proposed Zoning Map Amendment - R-2 Zoning
Statement of Consistency/Reasonableness and Recommendation

Dear Mayor and Council –

At the direction of Town Council, the Planning Board reviewed the application for a zoning map amendment that was submitted in conjunction with the pending annexation petition on the above-referenced properties, and submits this letter as its statement on plan consistency and reasonableness.

The property involved consists of four parcels shown as Lots A, B, C, and E on the attached map and located adjacent to Lots 44, 47, 49, and 50 within the Reems Creek Village subdivision. The properties have been added to those Reems Creek Village lots and are proposed for annexation to fix the split jurisdiction issues that occurred as a result of the recombinations. The property owners have requested R-2 zoning in order to be consistent with the zoning on the Reems Creek Village lots.

Town development regulations concerning zoning map amendments require the Planning Board to review the application for plan consistency and reasonableness. **At the meeting on October 3, 2023, the Planning Board reviewed the project for compliance with the Comprehensive Land Use Plan and the reasonableness factors contained in Town Code Section 20-1505(d) and submits a favorable recommendation on the requested R-2 zoning.**

In a **majority/unanimous** vote, the Planning Board found that R-2 zoning for these properties is consistent with the Town's Comprehensive Land Use Plan (CLUP). In making this finding the Board considered and found the requested zoning to be consistent with the future land use map and a consistent and compatible use when considering the zoning and current uses in the area, including properties within the Town and just outside its municipal limits.

In that same vote, the Planning Board also found that the proposed R-2 zoning is reasonable. To support this finding the Board found that the R-2 zoning is compatible with the current residential uses of the properties within the area, including existing single-family residences.

It is noted that this recommendation was largely based on these properties being within the Town's identified Growth Area 5 and Town Council resolution adopted on December 13, 2022, which indicated that R-2 zoning is consistent with Town Council's desired zoning for these properties. While it hasn't

been formally adopted as part of the CLUP, the Planning Board is taking into consideration this resolution in its review process and appreciates Town Council's action in this regard.

Please let me know if you need anything further from the Board on this matter.

Sincerely,

Bob Pace
Planning Board Chairman

cc: James Eller, Town Planner
Selena Coffey, Town Manager
Jennifer Jackson, Town Attorney

**TOWN OF WEAVERVILLE
PLANNING BOARD AGENDA ITEM**

MEETING DATE: Tuesday, October 3, 2023

SUBJECT: Initial Zoning – 300 Hamburg Mountain Rd – +/-9.488 Acres

PRESENTER: Planning Director

ATTACHMENTS: Property Tax Map Showing Property to be Annexed,
Resolution Concerning the Voluntary Annexation Petition of
300 Hamburg Mountain Road; Staff Report; Future Land
Use Map; Resolution Concerning Development

DESCRIPTION/SUMMARY OF REQUEST:

Joseph Penley and Reems Creek Village L.L.C. have both signed a voluntary annexation petition seeking to have a total of +/-9.488 acres located at 300 Hamburg Mountain Road annexed into the Town of Weaverville. The purpose of their annexation appears to be to obtain Town services, including water, to support a 35-lot single family lot subdivision that is proposed for development by Windsor Built Homes, Inc.

The petitioners are requesting an initial zoning designation of R-3 and Town Council has sent the initial zoning request to the Planning Board for review and recommendation. A resolution for this purpose is attached for consideration.

BOARD ACTION REQUESTED:

A motion establishing the Board's recommendation to Town Council on the proposed zoning of R-3 based upon a finding of compliance with the comprehensive land use plan and reasonableness of the zoning request.

A draft recommendation is provided for the Board's consideration and to aid the Board in its deliberations.

**RESOLUTION CONCERNING VOLUNTARY ANNEXATION PETITION SUBMITTED BY
JOSEPH PENLEY AND REEMS CREEK VILLAGE LLC FOR 300 HAMBURG MOUNTAIN RD
WEAVERVILLE ANNEXATION NO. 2023-5**

WHEREAS, a petition requesting annexation of that property located at 300 Reems Creek Road and bearing Buncombe County Parcel Identification Number 9752-24-6901 was received from Joseph E. Penley and Reems Creek Village LLC, by the Town of Weaverville; and

WHEREAS, N.C. Gen. Stat. § 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

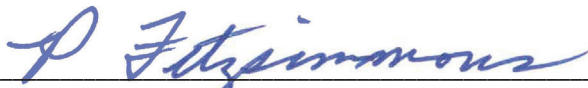
WHEREAS, the Town of Weaverville is also in receipt of an application for a zoning map amendment request for an R-3 zoning classification for the property to be annexed; and

WHEREAS, the Town Council of the Town of Weaverville deems it advisable to proceed in response to this request for annexation and initial zoning;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Weaverville that:

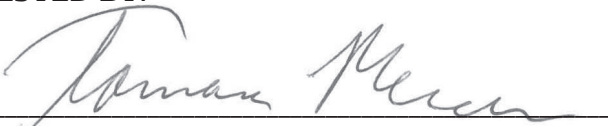
1. With the assistance of the Town Attorney, the Town Clerk is hereby directed to investigate the sufficiency of the above-reference petition and to certify to Town Council the result of her investigation; and
2. The Town Planner is directed to place the application for initial zoning of R-3 on the next regular meeting of the Weaverville Planning Board's so that the Board can review the requested zoning for consistency with the Town's Comprehensive Land Use Plan and forward a recommendation to Town Council prior to or at a public hearing that may subsequently be held on this matter.

THIS the 25th day of September, 2023.



PATRICK FITZSIMMONS, Mayor

ATTESTED BY:



TAMARA MERCER, Town Clerk



**300 Hamburg Mountain Road,
Initial Zoning, R-3**

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; Town of Weaverville; Resolution Regarding Development within Identified Growth Areas

Zoning Analysis

Town Council is set to consider a voluntary annexation of contiguous parcels at 300 Hamburg Mountain Road. The parcels consists of 9.5 acres and R-3 zoning is being applied for in order to house the desired development.

R-3 zoning will support a density of 8 units per acre in a single-family or multi-family configuration. When coupled with the acreage present this density will allow up to 76 units on a property of this size.

When considering the zoning of a property, the Board and Town Council should consider the totality of the uses allowed in the desired zoning district. However, a water allocation has also been submitted to Town Council along with the voluntary annexation petition suggesting the desired build out of the property is a 35 lot single-family home subdivision. The zoning of R-3 is desired at it presently offers the smallest lot area and lot width for single-family lots.

Comprehensive Land Use Plan Compliance

When considering compliance with the Town's Comprehensive Land Use Plan (CLUP), often the analysis begins with a consultation of the future land use map. Here it is found the future land use map identifies the properties as being within a gap area between a residential area and a mixed use area. As stated in the CLUP, "Gaps have been intentionally provided between areas on the future land use map as there is a need for flexibility to allow for the uncertainty of the future. ... The boundaries and gaps should be viewed as flexible rather than fixed lines and the final decision on land use types in these transitional areas should be left to the discretion and good judgment of the appointed and elected officials that are charged with establishing development policy and regulations in the Town." Mixed use areas, as specifically defined in the CLUP, are "where the town has experienced a variety of development pressures ranging from high density single family residential development and multifamily residential development to local retail establishments and restaurants."

The zoning being applied for is specifically to accommodate high density single-family residential development.

Town of Weaverville, North Carolina
Preliminary Staff Report:
300 Hamburg Mountain Road,
Initial Zoning, R-3

Prepared September 2023

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; Town of Weaverville; Resolution Regarding Development within Identified Growth Areas

Given the aforementioned variables, it is the opinion of staff that the initial zoning of the property as R-3 is not inconsistent with the Town's CLUP.

Reasonableness of the Proposed Zoning

When considering the reasonableness of the proposed zoning, Town Council and the Planning Board are provided with the following statutorily prescribed guidance.

Sec. 20-1505. Planning board review and comment.

(d) Reasonableness statement for rezonings. When conducting its review of proposed zoning map amendments, the planning board shall, as part of its plan consistency statement or separately, provide a statement analyzing the reasonableness of the proposed rezoning. Such analysis should consider, among other factors: (i) the size, physical conditions, and other attributes of the area proposed to be rezoned; (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community; (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If the zoning map amendment qualifies as a large scale rezoning the analysis of reasonableness may address the overall rezoning.

Resolution Regarding Development within Identified Growth Areas

It is noted that these properties are within the Town's identified Growth Area 5 and the Town Council resolution adopted on December 13, 2022, which indicated that R-3 zoning is consistent with Town Council's desired zoning for these properties. While it hasn't been formally adopted as part of the CLUP, the Planning Board should into consideration this resolution in its review process.

Given the aforementioned variables, it is the opinion of staff that the initial zoning of the property as R-3 is not inconsistent with this resolution.

[illegible]

- [illegible]

**TOWN OF WEAVERVILLE
RESOLUTION REGARDING DEVELOPMENT WITHIN
IDENTIFIED GROWTH AREAS**

WHEREAS, on May 14, 2022, Town Council held a workshop regarding growth pressures and land use and reached some consensus regarding these topics and wishes to formalize some of the matters achieving consensus by adopting a resolution which provide some guidance to staff, developers, and the general public;

WHEREAS, municipal growth through annexation is essential to sound urban development and continued economic stability in the Town of Weaverville; and

WHEREAS, managing growth by extending municipal services makes sense and annexation of properties ensures that new development is built to Town of Weaverville standards;

WHEREAS, influencing where and what commercial development occurs within the Weaverville area and providing balanced residential development is desirable to the Town of Weaverville;

WHEREAS, the Town of Weaverville would like to see growth that is well-designed and that complements the development that is already within the Town;

WHEREAS, the Town of Weaverville has identified certain properties along its municipal borders as having a high likelihood of development due to the presence of public water and sewer and has identified them as growth areas as described below;

WHEREAS, the Town wishes to indicate its willingness to consider the voluntary annexation of the properties included within these growth areas and to inform the public of the types of development that the Town believes is consistent with its Comprehensive Land Use Plan and reasonable when considering the surrounding area;

NOW, THEREFORE, BE IT RESOLVED, the Weaverville Town Council hereby declares and resolves as follows:

1. The Town has identified the following growth areas with maps being attached hereto:
 - a. Growth Area 1 – Gill Branch Valley Area
 - b. Growth Area 2 – Monticello Road West Area
 - c. Growth Area 3 – Ollie Weaver Road Area
 - d. Growth Area 4 – I-26 Corridor
 - e. Growth Area 5 – Reems Creek Road Area
2. The Town is likely to favorably consider voluntary annexation petitions received for the properties shown within these growth areas. It is noted, however, that some development, especially in Growth Area 3, may best proceed without annexation as the provision of municipal services may be difficult in certain locations and some areas may be ineligible for annexation

by the Town of Weaverville due to legal requirements regarding satellite annexation.

3. The following is valued, and as proposed development is considered on these properties, the Town would like to see an emphasis on:
 - a. Great streets and gathering places, where the pedestrian is prioritized;
 - b. Connections between adjoining developments and to gathering places;
 - c. Walkability through the installation of sidewalks, greenways, and other multi-modal trails, especially those that will connect to the existing or planned pedestrian network within Weaverville;
 - d. Preservation of natural spaces for public use;
 - e. Establishment of open spaces that provides recreational opportunities in the form of greenways, playing fields and/or playgrounds;
 - f. Protection of streams and creeks;
 - g. Preservation of mature trees and planting of street trees;
 - h. Landscape buffering and screening to protect views;
 - i. Reduction of stormwater runoff which threatens our water quality;
 - j. Energy conservation measures, such as EV charging stations and solar;
 - k. Inclusion of commercial uses that support compatible development.
4. Consistent with Town Council's prior discussions and consensus, the following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 1 [Gill Branch Valley Area]**:
 - a. mixed use development;
 - b. single family residential development;
 - c. duplexes;
 - d. townhouses;
 - e. multifamily development;
 - f. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

These uses are most consistent with the following zoning districts: R-1, R-3, R-12, C-2, and conditional district zoning.

5. Consistent with Town Council's prior discussions and consensus, the following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and Future Land Use Map, and may be desirable within **Growth Area 2 [Monticello Road West Area]**:
 - a. mixed use development;
 - b. single family residential development;
 - c. duplexes;
 - d. townhouses;

- e. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

These uses are consistent with the following zoning districts: R-1, R-3, C-2, and conditional district zoning.

- 6. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 3 [Ollie Weaver Road Area]:**

- a. single family residential development;
- b. duplexes;
- c. commercial development (especially those supporting residential neighborhoods).

- 7. These uses are consistent with the following zoning districts: R-1, R-3, C-2, and conditional district zoning. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 4 [I-26 Corridor]:**

- a. commercial development (especially medical services such as healthcare facilities and medical offices, small general retail, restaurants, hotels).

These uses are most consistent with the following zoning districts: C-2, and conditional district zoning.

- 8. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 5 [Reems Creek Road Area]:**

- a. mixed use development;
- b. single family residential development;
- c. duplexes;
- d. townhouses;
- e. multifamily development;
- f. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).


These uses are most consistent with the following zoning districts: R-1, R-3, R-12, C-2, and conditional district zoning.

- 9. The Town is willing to support compatible development within these growth areas by considering approval of public water requests for such development if current or anticipated capacity is available and such approval is in the best interest of the Town and/or its water system.
- 10. Town Council's recommended procedure for approvals is for property owners to present voluntary annexation petitions either prior to or simultaneously


with a water request and zoning request. Some deviations from this recommendation are anticipated in situations where a property is ineligible for municipal annexation or where provision of municipal services will prove difficult.

11. Nothing herein is binding on the Town of Weaverville and the review and approval of all annexation petitions, land use applications, and water extension or commitment requests will be made in Town Council's discretion following procedures as required by North Carolina law and local ordinance.

ADOPTED this the 13th day of December, 2022.



JAMES ELLER, Town Clerk



PATRICK FITZSIMMONS, Mayor



The Town of Weaverville

NORTH CAROLINA

October 4, 2023

Mayor Patrick Fitzsimmons and
Weaverville Town Council

Re: *Penley and Reems Creek Village LLC – 300 Hamburg Mountain Rd - +/- 9.5 acres*
Proposed Zoning Map Amendment - R-3 Zoning
Statement of Consistency/Reasonableness and Recommendation

Dear Mayor and Council –

At the direction of Town Council, the Planning Board reviewed the application for a zoning map amendment that was submitted in conjunction with the pending annexation petition on the above-referenced properties, and submits this letter as its statement on plan consistency and reasonableness.

The property involved consists of two separate parcels, encompassing approximately 9.5 acres and shown on the attached map, and located on Reems Creek Road near the intersection of Reems Creek Road and Hamburg Mountain Road. These properties are currently in the unincorporated portion of Buncombe County and zoned County R-2.

Town development regulations concerning zoning map amendments require the Planning Board to review the application for plan consistency and reasonableness. **At the meeting on October 3, 2023, the Planning Board reviewed the project for compliance with the Comprehensive Land Use Plan and the reasonableness factors contained in Town Code Section 20-1505(d) and submits a favorable recommendation on the requested R-3 zoning.**

In a **majority/unanimous** vote, the Planning Board found that R-3 zoning for these properties is **consistent with the Town's Comprehensive Land Use Plan (CLUP) and reasonable**. In making this finding the Board considered that the future land use map identifies the properties as being within a gap area between a residential area and a mixed use area. As stated in the CLUP, "Gaps have been intentionally provided between areas on the future land use map as there is a need for flexibility to allow for the uncertainty of the future. ... The boundaries and gaps should be viewed as flexible rather than fixed lines and the final decision on land use types in these transitional areas should be left to the discretion and good judgment of the appointed and elected officials that are charged with establishing development policy and regulations in the Town." Mixed use areas, as specifically defined in the CLUP, are "where the town has experienced a variety of development pressures ranging from high density single family residential development and multifamily residential development to local retail establishments and restaurants." The Board found that the requested R-3 zoning offers a moderate level of residential development, which was viewed as transitional between the single family zoning

that is prevalent in the residential area on the northern side of Reems Creek Road, including the Reems Creek Golf Course community, some limited existing commercial development, and the mixed use area shown on the southern side of Reems Creek Road, which can include high density residential development.

This proposed zoning district represents a consistent and compatible use when considering the zoning and current uses in the area, including properties within the Town and just outside its municipal limits, and could serve to diversify the housing stock within the Town's municipal limits.

To support the finding of reasonableness, the Board found that the R-3 zoning is compatible with the current residential uses of the properties within the area, including existing single-family residences and some limited multifamily development and a proposed townhouse development in the area.

Under current Buncombe County regulations, a wide array of residential uses can be accomplished on this property under County R-2 zoning, up to and including moderate density multifamily development. There is also a fair amount of County R-3 zoning in the immediate area which can support a residential density of up to 12 units per acre and residential development on smaller lots.

It is noted that this recommendation was largely based on these properties being within the Town's identified Growth Area 5 and Town Council resolution adopted on December 13, 2022, which indicated that R-3 zoning is consistent with Town Council's desired zoning for these properties. While it hasn't been formally adopted as part of the CLUP, the Planning Board is taking into consideration this resolution in its review process and appreciates Town Council's action in this regard.

Please let me know if you need anything further from the Board on this matter.

Sincerely,

Bob Pace
Planning Board Chairman

cc: James Eller, Town Planner
Selena Coffey, Town Manager
Jennifer Jackson, Town Attorney

**TOWN OF WEAVERVILLE
PLANNING BOARD AGENDA ITEM**

MEETING DATE: Tuesday, October 3, 2023

SUBJECT: Initial Zoning – Northridge Farms

PRESENTER: Planning Director

ATTACHMENTS: Property Tax Map Showing Property to be Annexed;
Resolution Concerning the Voluntary Annexation Petition for
Northridge Farms; Determination of Modified Site Plan; Zoning
Compliance Plan for Northridge Farms; Staff Report; Future
Land Use Map; Resolution Concerning Development; Proposed
Recommendation

DESCRIPTION/SUMMARY OF REQUEST:

The property owners comprising the properties on which the Northridge Farms development is approved have signed a voluntary annexation petition seeking to have a total of +/-88 acres located in the Gill Branch valley (south of the Northridge Commons shopping center) annexed into the Town of Weaverville.

The Northridge Farms development has been approved by Buncombe County and consists of approximately 568 dwelling units in a variety of housing types and styles including the following: apartments, townhouses, small lot single-family residences, and traditional single-family residences. The petitioners are claiming vested rights to develop the properties in accordance with the attached Buncombe County issued Special Use Permit and related approved master site plan. The Town will need to provide a zoning designation for the properties even though vested rights are claimed.

To aid the Board's conversation staff has drafted a sample recommendation that provides some zoning options for the Board to consider.

BOARD ACTION REQUESTED:

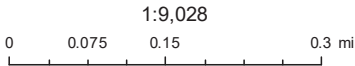
A motion establishing the Board's recommendation to Town Council on the proposed zoning based upon a finding of compliance with the comprehensive land use plan and reasonableness of the zoning request.

As you will see in the proposed recommendation, staff has prepared both traditional district and conditional district findings.

Buncombe County



September 28, 2023



**RESOLUTION CONCERNING VOLUNTARY ANNEXATION PETITION
SUBMITTED FOR THE NORTHRIDGE FARMS PROJECT PROPERTIES
WEAVERVILLE ANNEXATION NO. 2023-6**

WHEREAS, a petition requesting annexation of the properties that will be included in the Northridge Farms development has been received by the Town of Weaverville from DFK Development, LLC, First Victory, Inc., Danny C. Buckner, John Kilby, and others, and include the properties bearing the following Buncombe County Parcel Identification Numbers: 9732-77-7382, 9732-76-2936, 9732-76-5731, 9732-76-5475, 9732-66-5806, and 9732-78-9228; and

WHEREAS, N.C. Gen. Stat. § 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and


WHEREAS, the petitioners claim vested rights under a Buncombe County development approval for the attached site plan, but the property to be annexed will need to be given a zoning classification should the properties be annexed into the Town; and

WHEREAS, the Town Council of the Town of Weaverville deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Weaverville that:


1. With the assistance of the Town Attorney, the Town Clerk is hereby directed to investigate the sufficiency of the above-reference petition and to certify to Town Council the result of her investigation; and
2. The Town Planner is directed to place the properties on the next regular meeting of the Weaverville Planning Board's so that the Board can review the Town's Comprehensive Land Use Plan and forward a recommendation to Town Council on an appropriate zoning designation prior to or at a public hearing that may subsequently be held on this matter.
3. The Town staff is directed to provide a report analyzing the effect that this annexation might have on the provision of Town services and any additional resources that will be needed to extend Town services to these properties should they be annexed.
4. It is acknowledged that this voluntary annexation petition covers approximately 88 acres and involves a large development project and it will take staff time to provide the analysis, certifications, and recommendations required by this resolution. Staff is directed to provide an update at its November 2023 regular meeting, if not before.

THIS the 25th day of September, 2023.



PATRICK FITZSIMMONS, Mayor

ATTESTED BY:



TAMARA MERCER, Town Clerk





BUNCOMBE COUNTY

PLANNING & DEVELOPMENT

September 22, 2023

Derek Allen
Attorney at Law
Allen Stahl + Kilbourne
20 Town Mountain Road, Suite 100
Asheville, NC 28801

Mr. Allen,

I am writing you in regards to your request for a determination that the revised/modified site plan for Northridge Farms (herein referenced as Exhibit A) is substantially similar to the plans that were approved by the Buncombe County Board of Adjustment.

The above mentioned project (ZPH2023-00038) was approved by the Board of Adjustment on February 8, 2023.

After careful review of the revised plans, it is my determination alongside the Zoning Administrator that the modifications to the plans do not constitute a change in uses permitted nor do they deviate from the overall density of the development as approved. I hereby provide administrative approval to the minor modifications made in the enclosed revised plans pursuant to N.C. Gen. Stat. § 160D-705(c). This statute alongside Section 78-677(j) of the Buncombe County Zoning Ordinance allow for minor modifications to approved special use permits.

Please let us know if you have additional questions.

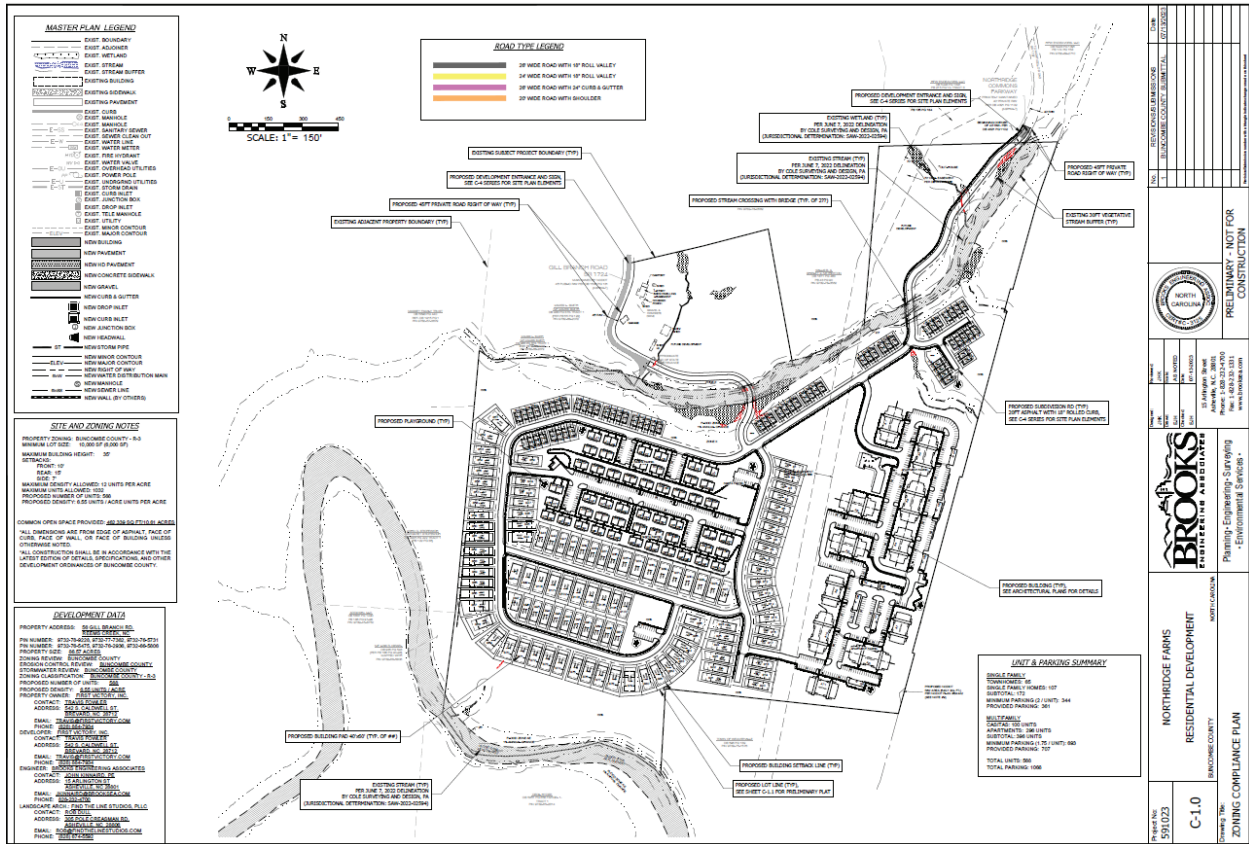
Respectfully,

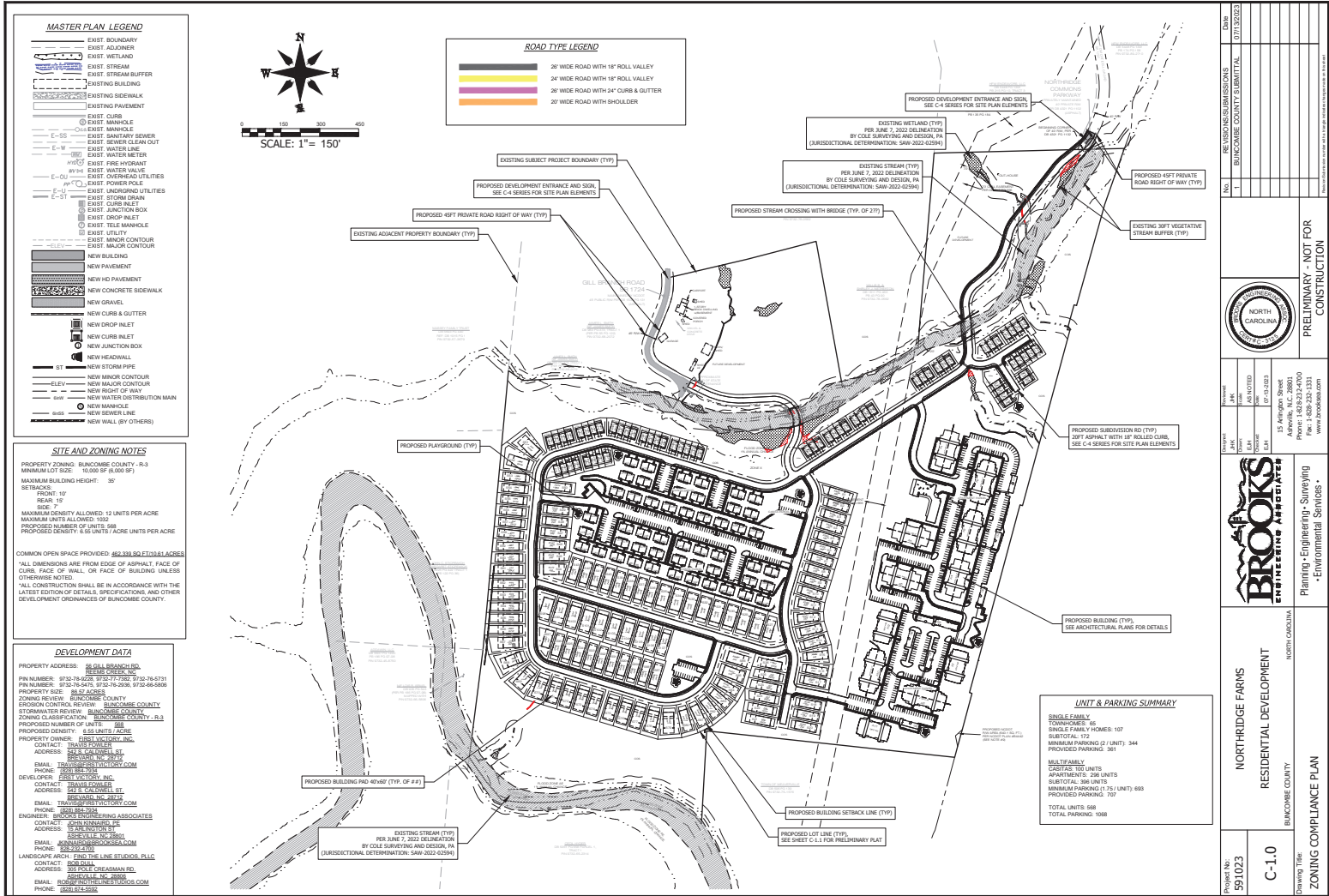
A blue ink signature of Nathan L. Pennington.

Nathan L. Pennington, CFM
Buncombe County Planning Director

Cc: Savannah Glance, CZO, Zoning Administrator
File

Exhibit A





Town of Weaverville, North Carolina
Preliminary Staff Report:
Northridge Farms,
Initial Zoning, Vested Rights Claim

Prepared September 2023

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; Town of Weaverville; Resolution Regarding Development within Identified Growth Areas; Buncombe County Development Approval

Zoning Analysis

Town Council is set to consider a voluntary annexation of contiguous parcels commonly known as Northridge Farms. The parcels consist of 88 acres and the site specific development plan, on which vested rights is being claimed, shows 568 dwelling units in a variety of housing types including apartments, townhomes, and single-family residences. With vested rights being claimed, the town must recognize the approved site specific development plan approved by Buncombe County should the property be annexed.

Comprehensive Land Use Plan Compliance

When considering compliance with the Town's Comprehensive Land Use Plan (CLUP), often the analysis begins with a consultation of the future land use map. Here it is found the future land use map identifies the properties as being within a gap area between a residential area and a mixed use area. As stated in the CLUP, "Gaps have been intentionally provided between areas on the future land use map as there is a need for flexibility to allow for the uncertainty of the future. ... The boundaries and gaps should be viewed as flexible rather than fixed lines and the final decision on land use types in these transitional areas should be left to the discretion and good judgment of the appointed and elected officials that are charged with establishing development policy and regulations in the Town." Mixed use areas, as specifically defined in the CLUP, are "where the town has experienced a variety of development pressures ranging from high density single family residential development and multifamily residential development to local retail establishments and restaurants."

Given the aforementioned variables, it is the opinion of staff that the Buncombe County Development approval, on which vested rights is being claimed, is not inconsistent with the Town's CLUP.

Reasonableness of the Proposed Zoning

When considering the reasonableness of the proposed zoning, Town Council and the Planning Board are provided with the following statutorily prescribed guidance.

Town of Weaverville, North Carolina
Preliminary Staff Report:
Northridge Farms,
Initial Zoning, Vested Rights Claim

Prepared September 2023

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; Town of Weaverville; Resolution Regarding Development within Identified Growth Areas; Buncombe County Development Approval

Sec. 20-1505. Planning board review and comment.

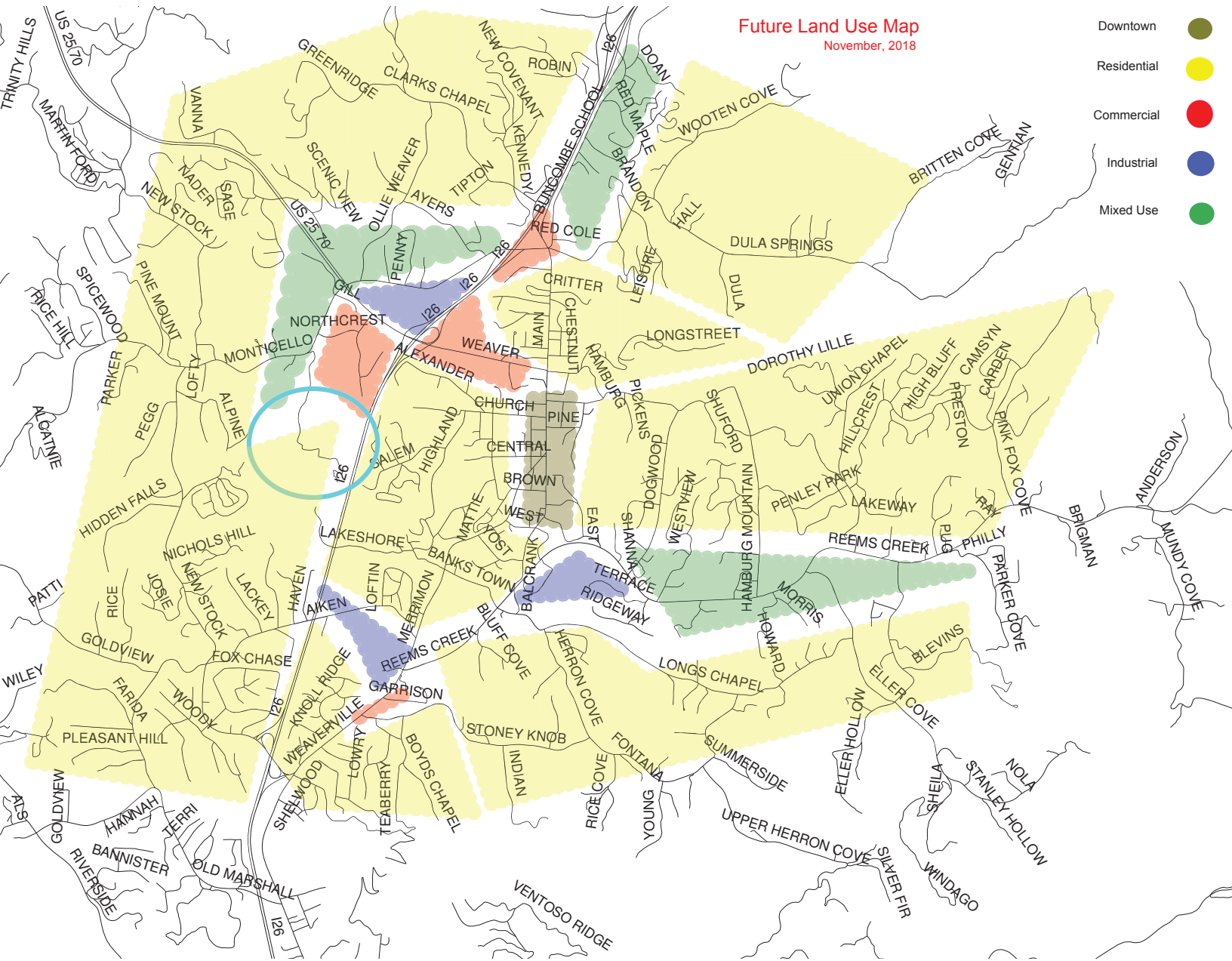
(d) *Reasonableness statement for rezonings. When conducting its review of proposed zoning map amendments, the planning board shall, as part of its plan consistency statement or separately, provide a statement analyzing the reasonableness of the proposed rezoning. Such analysis should consider, among other factors: (i) the size, physical conditions, and other attributes of the area proposed to be rezoned; (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community; (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If the zoning map amendment qualifies as a large scale rezoning the analysis of reasonableness may address the overall rezoning.*

Resolution Regarding Development within Identified Growth Areas

It is noted that these properties are within the Town's identified Growth Area 1 and the Town Council resolution adopted on December 13, 2022, which indicated that single-family residential development, duplexes, townhouses, and multi-family development is consistent with Town Council's desired uses of land for these properties. While it hasn't been formally adopted as part of the CLUP, the Planning Board should take into consideration this resolution in its review process.

Given the aforementioned variables, it is the opinion of staff that the Buncombe County Development approval, on which vested rights is being claimed, is not inconsistent with this resolution.

- Downtown
- Residential
- Commercial
- Industrial
- Mixed Use



**TOWN OF WEAVERVILLE
RESOLUTION REGARDING DEVELOPMENT WITHIN
IDENTIFIED GROWTH AREAS**

WHEREAS, on May 14, 2022, Town Council held a workshop regarding growth pressures and land use and reached some consensus regarding these topics and wishes to formalize some of the matters achieving consensus by adopting a resolution which provide some guidance to staff, developers, and the general public;

WHEREAS, municipal growth through annexation is essential to sound urban development and continued economic stability in the Town of Weaverville; and

WHEREAS, managing growth by extending municipal services makes sense and annexation of properties ensures that new development is built to Town of Weaverville standards;

WHEREAS, influencing where and what commercial development occurs within the Weaverville area and providing balanced residential development is desirable to the Town of Weaverville;

WHEREAS, the Town of Weaverville would like to see growth that is well-designed and that complements the development that is already within the Town;

WHEREAS, the Town of Weaverville has identified certain properties along its municipal borders as having a high likelihood of development due to the presence of public water and sewer and has identified them as growth areas as described below;

WHEREAS, the Town wishes to indicate its willingness to consider the voluntary annexation of the properties included within these growth areas and to inform the public of the types of development that the Town believes is consistent with its Comprehensive Land Use Plan and reasonable when considering the surrounding area;

NOW, THEREFORE, BE IT RESOLVED, the Weaverville Town Council hereby declares and resolves as follows:

1. The Town has identified the following growth areas with maps being attached hereto:
 - a. Growth Area 1 – Gill Branch Valley Area
 - b. Growth Area 2 – Monticello Road West Area
 - c. Growth Area 3 – Ollie Weaver Road Area
 - d. Growth Area 4 – I-26 Corridor
 - e. Growth Area 5 – Reems Creek Road Area
2. The Town is likely to favorably consider voluntary annexation petitions received for the properties shown within these growth areas. It is noted, however, that some development, especially in Growth Area 3, may best proceed without annexation as the provision of municipal services may be difficult in certain locations and some areas may be ineligible for annexation

by the Town of Weaverville due to legal requirements regarding satellite annexation.

3. The following is valued, and as proposed development is considered on these properties, the Town would like to see an emphasis on:
 - a. Great streets and gathering places, where the pedestrian is prioritized;
 - b. Connections between adjoining developments and to gathering places;
 - c. Walkability through the installation of sidewalks, greenways, and other multi-modal trails, especially those that will connect to the existing or planned pedestrian network within Weaverville;
 - d. Preservation of natural spaces for public use;
 - e. Establishment of open spaces that provides recreational opportunities in the form of greenways, playing fields and/or playgrounds;
 - f. Protection of streams and creeks;
 - g. Preservation of mature trees and planting of street trees;
 - h. Landscape buffering and screening to protect views;
 - i. Reduction of stormwater runoff which threatens our water quality;
 - j. Energy conservation measures, such as EV charging stations and solar;
 - k. Inclusion of commercial uses that support compatible development.
4. Consistent with Town Council's prior discussions and consensus, the following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 1 [Gill Branch Valley Area]:**
 - a. mixed use development;
 - b. single family residential development;
 - c. duplexes;
 - d. townhouses;
 - e. multifamily development;
 - f. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

These uses are most consistent with the following zoning districts: R-1, R-3, R-12, C-2, and conditional district zoning.

5. Consistent with Town Council's prior discussions and consensus, the following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and Future Land Use Map, and may be desirable within **Growth Area 2 [Monticello Road West Area]:**
 - a. mixed use development;
 - b. single family residential development;
 - c. duplexes;
 - d. townhouses;

- e. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

These uses are consistent with the following zoning districts: R-1, R-3, C-2, and conditional district zoning.

- 6. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 3 [Ollie Weaver Road Area]:**

- a. single family residential development;
- b. duplexes;
- c. commercial development (especially those supporting residential neighborhoods).

- 7. These uses are consistent with the following zoning districts: R-1, R-3, C-2, and conditional district zoning. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 4 [I-26 Corridor]:**

- a. commercial development (especially medical services such as healthcare facilities and medical offices, small general retail, restaurants, hotels).

These uses are most consistent with the following zoning districts: C-2, and conditional district zoning.

- 8. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 5 [Reems Creek Road Area]:**

- a. mixed use development;
- b. single family residential development;
- c. duplexes;
- d. townhouses;
- e. multifamily development;
- f. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

These uses are most consistent with the following zoning districts: R-1, R-3, R-12, C-2, and conditional district zoning.


- 9. The Town is willing to support compatible development within these growth areas by considering approval of public water requests for such development if current or anticipated capacity is available and such approval is in the best interest of the Town and/or its water system.

- 10. Town Council's recommended procedure for approvals is for property owners to present voluntary annexation petitions either prior to or simultaneously


with a water request and zoning request. Some deviations from this recommendation are anticipated in situations where a property is ineligible for municipal annexation or where provision of municipal services will prove difficult.

11. Nothing herein is binding on the Town of Weaverville and the review and approval of all annexation petitions, land use applications, and water extension or commitment requests will be made in Town Council's discretion following procedures as required by North Carolina law and local ordinance.

ADOPTED this the 13th day of December, 2022.



JAMES ELLER, Town Clerk



PATRICK FITZSIMMONS, Mayor



The Town of Weaverville

NORTH CAROLINA

October 4, 2023

Mayor Patrick Fitzsimmons and
Weaverville Town Council

Re: *Northridge Farms – +/- 88 acres*
Proposed Zoning Map Amendment – Conditional District and R-3
Statement of Consistency/Reasonableness and Recommendation

Dear Mayor and Council –

At the direction of Town Council, the Planning Board reviewed the properties proposed for the Northridge Farms development and submits this letter addressing its findings and recommendation concerning an appropriate zoning designation for the properties should they be annexed.

Town development regulations concerning zoning map amendments and North Carolina law require the Planning Board to review proposed zoning for plan consistency and reasonableness.

The property involved consists of six separate parcels, encompassing approximately 88 acres located to the south of Northridge Commons and Gill Branch Road. These properties are currently in the unincorporated portion of Buncombe County and zoned R-3. This development has obtained development approval pursuant to the Special Use Permit issued by Buncombe County on February 8, 2023, and as amended by letter dated September 22, 2023. Vested rights are claimed to develop the project in accordance with that Special Use Permit, as amended (hereinafter SUP).

With the legally claimed vested rights to proceed based on the SUP, the Planning Board acknowledges that the zoning that is applied will not likely have much impact on the development that occurs, but will directly affect the way in which amendments to that development are processed. If a traditional zoning district is approved, then any major amendments would proceed through Weaverville's Board of Adjustment for hearing and decision. If a conditional district is approved, then such major amendments will go through the Planning Board for recommendation and Town Council for a decision.

The Planning Board met on October 3 to conduct its review and, at Town staff's suggestion, the Planning Board has considered both options and reports the following findings and recommends that two options be consider for zoning the properties.

Traditional District Findings and Recommendation

When considering a traditional district the Planning Board is urged to consider the appropriateness of all uses allowable within a requested zoning district. With this in mind the Planning Board focused on

the R-3 zoning district as it represents the zoning district that is most closely aligned to the project that was approved.

In a **majority/unanimous** vote, the Planning Board found that R-3 zoning for these properties is consistent with the Town's Comprehensive Land Use Plan (CLUP) and reasonable and forwards a favorable recommendation to Town Council on R-3 zoning. In making this finding the Board considered the future land use map, current and proposed uses within the area, including the mix of commercial uses and residential uses. This proposed R-3 zoning district represents a consistent and compatible use when considering the zoning and current uses in the area, including properties within the Town and just outside its municipal limits, and could serve to diversify the housing stock within the Town's municipal limits. To support the finding that R-3 zoning is reasonable the Board found that the R-3 zoning is compatible with the current residential uses of the properties within the area, including existing single-family residences, townhouses, and multifamily development.

It is noted that this recommendation was largely based on these properties being within the Town's identified Growth Area 1 and Town Council resolution adopted on December 13, 2022, which indicated that R-3 zoning is consistent with Town Council's desired zoning for these properties. While it hasn't been formally adopted as part of the CLUP, the Planning Board is taking into consideration this resolution in its review process and appreciates Town Council's action in this regard.

Conditional District Findings and Recommendation

Under the Special Use Permit, as amended, the project consists of 296 apartment units, 100 casitas/duplexes, 65 townhomes, and 107 single-family homes, all as shown on the Zoning Compliance Plan that is attached to this recommendation. It is noted that the unit density is compatible with the Town's R-3 district, but the lot sizes are smaller than what the Town's R-3 district would allow, so a conditional district would have been used if this project had been reviewed initially by the Town. This provides a reason to consider conditional district zoning for the properties.

As an alternative to a traditional zoning district, such as the recommended R-3 district, the Planning Board reviewed the project and submits a favorable recommendation for the creation of a conditional district which incorporates as conditions the provisions of the Special Use Permit adopted February 8, 2023, with the amendments approved on September 22, 2023, and the approved plans, and a specific preservation of the vested rights that are claimed. In support of that recommendation, the Planning Board finds that a conditional district which incorporates the approved project is reasonable in that it provides for a wide variety of housing options ranging from multifamily apartment units to single family lot and the project is consistent with the Comprehensive Land Use Plan in that the planned unit development is compatible with the future land use map and the resolution adopted by Town Council on December 13, 2022, which shows this property as Growth Area 1.

It is noted that this recommendation was also based Town Council resolution adopted on December 13, 2022, which identified a wide variety of residential uses as desirable and indicated that conditional district zoning is consistent with Town Council's desired zoning for these properties.

Please let me know if you need anything further from the Board on this matter.

Sincerely,

Bob Pace
Planning Board Chairman

cc: James Eller, Town Planner
Selena Coffey, Town Manager
Jennifer Jackson, Town Attorney

TOWN OF WEAVERVILLE
PLANNING BOARD AGENDA ITEM

Date of Meeting: Tuesday, October 3, 2023

Subject: Annual Update of the Comprehensive Land Use Plan

Presenter: Attorney Jackson and Planning Director Eller

Attachments: Proposed Recommendation; Action Plan Table with Priorities;
Resolution Regarding Development within Identified Growth
Areas

Description:

Town Council is slated to consider an annual update of the CLUP. As such, a recommendation on the update, including an action plan table with priorities, updated Future Land Use Map, and the inclusion of the resolution concerning development within identified growth areas and Pedestrian and Bicycle Plan, is appropriate at this time.

The Future Land Use Map referenced in the proposed recommendation is attached and may also be found by selecting view zoning map at the following link:

<https://weavervillenc.org/town-council-government/planning-and-zoning/>

The Pedestrian and Bicycle Plan referenced in the proposed recommendation may be found at the following link:

<https://weavervillenc.org/downloads/active-weaverville-plan-bike-ped-plan/>

Action Requested:

A motion establishing a recommendation to Town Council on the update of the CLUP.



**Town of Weaverville
Planning Board**

**Recommendation and Plan Consistency Statement for
Updates to the Comprehensive Land Use Plan**

On October 3, 2023, the Planning Board reviewed and, in a **majority/unanimous** vote, recommends that the Comprehensive Land Use Plan be amended to include (1) the attached updated Table of Stated Goals, Responsibilities, and Priorities, (2) the attached updated Future Land Use Map, (3) the resolution adopted by Town Council on December 13, 2022, concerning growth areas, and (4) the Active Weaverville Bike-Ped Plan that was adopted by Town Council on June 26, 2023, and any priorities that are established under that plan. It is recommended that the 2018-2021 Strategic Plan be removed as it has expired and that any Strategic Plan that is adopted by Town Council be automatically included in the Plan. It is also recommended that the Comprehensive Land Use Plan be amended to provide for the automatic inclusion of updated demographic data.

The Planning Board found that the annual review of progress towards accomplishment of Plan goals and the establishment of new ones is consistent with the Comprehensive Land Use Plan and reasonable in that it allows the Plan to be adapted to the changes within the Town and surrounding areas and related shifts in priorities. Demographic data is important information that is used by the Planning Board in some of its analysis.

Bob Pace, Chairman of the Planning Board

October 4, 2023

COMPREHENSIVE LAND USE PLAN

STATED GOALS, RESPONSIBILITIES, AND PRIORITIES

(1=high priority, addressed in 12 months; 2=medium priority, addressed in 24 months; 3=lower priority, addressed in 36 months; 0=proposed deletion)
Recommended –October 2023

1	2023	2022	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC
2	PRIORITIZATION							RESPONSIBILITY		
3		WATER								
4	1	1	1	1	1	Update Plan and regulations to slow land use development if water treatment plant expansion is postponed or terminated and water usage and commitments reach 70% of available water supply	WTP Expansion project underway; commitments and usage reported quarterly	✓	✓	✓
5	1	1	1	1	1	Continue monitoring water production, allocations, usage, and availability	In progress by staff with quarterly reports	✓		
6	1	1	1	1	1	Continue reserving water allocation for infill development within the town	In progress by staff with quarterly reports	✓		
7	2	2	1.5	2	2	Development of Water System GIS Layer	Anticipated FY2024 or FY2025	✓		
8		STREETS AND SIDEWALKS								
9	1	1	1	1	1	Continue the Street Improvement Program	Program funded FY2024	✓		✓
10	1	-	1	1	1	Establish/support committee on Bike-Ped Plan	Bike-Ped Plan adopted 6/26/23	✓		✓
11	1	-	1	1	1	Develop priorities/timeline for Bike-Ped Plan	Bike-Ped Plan adopted 6/26/23	✓		✓
12	2	1	2	2	2	Establish/continue funding a Sidewalk Improvement Program for Bike-Ped priorities	Bike-Ped Plan adopted 6/26/23			✓
13	2	3	2.5	2	3	Review annual progress towards implementation of the Bike-Ped Plan	Bike-Ped Plan adopted 6/26/23	✓	✓	✓
14	3	2	2.5	3	2	Study possible adoption of driveway construction standards – steep slope, reduction of curb cuts, common driveways		✓	✓	✓
15		HOUSING								
16	2	2	2	2	2	Consider broadening allowable housing types (duplexes, quadplexes) in residential. districts by allowing multifamily or establishing new districts		✓	✓	✓
17	3	2	3	3	2	Consider ways to increase housing affordability	TC considered in 2020	✓		✓

COMPREHENSIVE LAND USE PLAN

STATED GOALS, RESPONSIBILITIES, AND PRIORITIES

(1=high priority, addressed in 12 months; 2=medium priority, addressed in 24 months; 3=lower priority, addressed in 36 months; 0=proposed deletion)

Recommended –October 2023

1	2023	2022	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC
18	3	2	3	3	3	Consider expansion of the MH Overlay District		✓	✓	✓
19	0	1	0	0	0	Define and consider ways to achieve balanced residential development	TC consensus on 5/14/22; TC can do this anytime			✓
20		GENERAL POLICY MATTERS								
21	1	1	1		1	Review & update economic development goals	WEDAC/TC working on this			✓
22	1	1	1		1	Continue to annex properties along the Town's borders in order to impose the Town's land use regulations	TC consensus on 5/14/22 and resolution dtd 12/13/22			✓
23	1	1	1	1	1	Continue to work with Buncombe County on planning issues, esp. in areas near Town limits	TC consensus on 5/14/22	✓		✓
24	1	1	1		1	Engage in conversations with NCDOT about long-term planning for growth	TC consensus on 5/14/22	✓		✓
25	1	1	1		1	Engage in conversations with MSD about long-term planning for growth	TC consensus on 5/14/22	✓		✓
26	1	1	1	1	1	Comprehensive review of Future Land Use Map	TC workshop 5/14/22; in progress need GIS assistance	✓	✓	✓
27	1	1	1		1	Make decisions on annexation based on the ability to provide quality municipal services to proposed land uses to same extent and under current policy	TC consensus on 5/14/22 and resolution dtd 12/13/22			✓
28	2	-	2	2	2	Increase recreational opportunities, especially on Town properties	Eller Cove Watershed; Reems Creek Greenway	✓		✓
29	2	2	??		3	Investigate possibility of establishing a "Park and Ride" in Weaverville to provide a shared ride option to Asheville	Existing lot located on I-26 near Town limits; available as not at usage capacity	✓		✓
30	3	2	3		2	Investigate possibility of reestablishing direct bus route between Weaverville and Asheville		✓		✓
31	3	1	3	3	2	Review of overlapping land use authority	Take up when County initiates	✓		✓
32	3	1	2.5	3	2	Negotiate interlocal agreement(s) with County (Building Permits and Inspections)	Take up when County initiates	✓		✓
33	3	3	3	3	3	Evaluate need to strengthen regulations with regard to hazard mitigation	Buncombe-Madison Hazard Mitigation Plan dated 6/21	✓	✓	✓

COMPREHENSIVE LAND USE PLAN

STATED GOALS, RESPONSIBILITIES, AND PRIORITIES

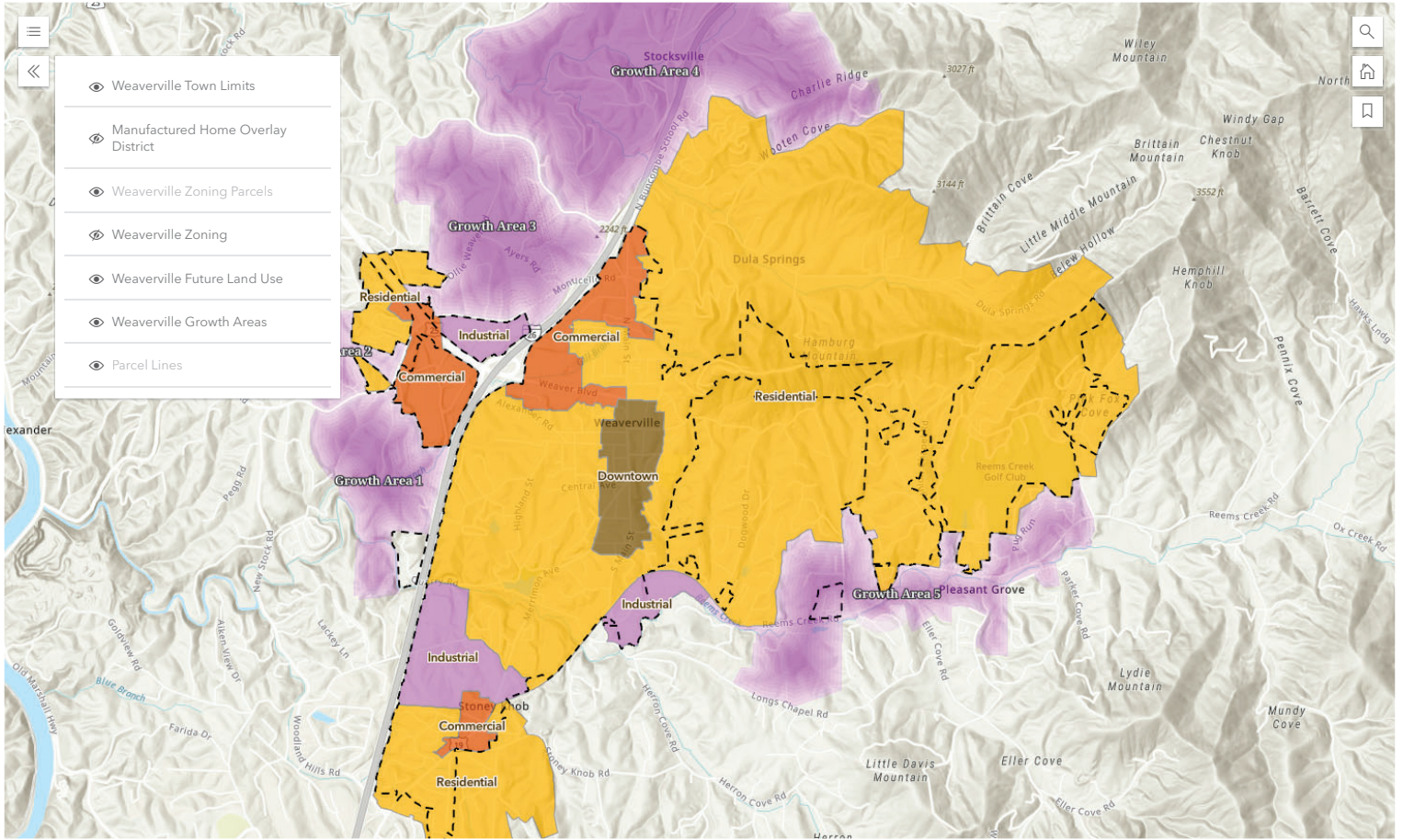
(1=high priority, addressed in 12 months; 2=medium priority, addressed in 24 months; 3=lower priority, addressed in 36 months; 0=proposed deletion)

Recommended –October 2023

1	2023	2022	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC
34	0	3	3		0	Consider reestablishing the Town's extraterritorial jurisdiction		✓		✓
35		LAND DEVELOPMENT REGULATIONS								
36	1	2	2	1	1	Review sign regulations for legal compliance and policy objectives	Legal compliance requires amendments	✓	✓	✓
37	1	2	1.5	1	1	Review hillside/steep slope regulations for legal compliance and policy objectives		✓	✓	✓
38	1	-	1	1	1	Study & consider downtown residential district with smaller lot size/width		✓	✓	✓
39	1	-	1	1	1	Study & consider regulation of short-term rentals		✓	✓	✓
40	1	1	1	1	1	Consider regulations that encourage open space or greenway dedication, conservation measures	Planning Board discussion 5/23, 7/23	✓	✓	✓
41	2	-				Consider regulations concerning tree conservation/tree canopy preservation				
42	2	-	1.5	2	1	Study & consider regulations on min/max parking and loading areas		✓	✓	✓
43	2	1	2	2	2	Consider Town-initiated rezonings to better align established uses with underlying zoning districts or to address long dormant properties	Focusing on long dormant properties	✓	✓	✓
44	2	2	2	2	2	Undertake a comprehensive review of zoning regulations		✓	✓	✓
45	2	2	2	2	2	Determine need or desire for Town grading regulations for projects between 1 acre and ½ acre		✓	✓	✓
46	3	3	3	2	2	Revise wireless telecommunication facility regulations for legal compliance and policy objectives		✓	✓	✓
47	3	3	3	3	3	Continue to analyze ways to provide standard regulations in order to reserve use of conditional zoning for unique development	Areas improved: Mixed Use Development Apartments	✓	✓	✓
48	3	3	3	3	3	Study mountain ridge protection regulations for possible implementation		✓	✓	✓



Town of Weaverville Zoning App



Esri, NASA, NGA, USGS, FEMA | Buncombe County, NC, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



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**TOWN OF WEAVERVILLE
RESOLUTION REGARDING DEVELOPMENT WITHIN
IDENTIFIED GROWTH AREAS**

WHEREAS, on May 14, 2022, Town Council held a workshop regarding growth pressures and land use and reached some consensus regarding these topics and wishes to formalize some of the matters achieving consensus by adopting a resolution which provide some guidance to staff, developers, and the general public;

WHEREAS, municipal growth through annexation is essential to sound urban development and continued economic stability in the Town of Weaverville; and

WHEREAS, managing growth by extending municipal services makes sense and annexation of properties ensures that new development is built to Town of Weaverville standards;

WHEREAS, influencing where and what commercial development occurs within the Weaverville area and providing balanced residential development is desirable to the Town of Weaverville;

WHEREAS, the Town of Weaverville would like to see growth that is well-designed and that complements the development that is already within the Town;

WHEREAS, the Town of Weaverville has identified certain properties along its municipal borders as having a high likelihood of development due to the presence of public water and sewer and has identified them as growth areas as described below;

WHEREAS, the Town wishes to indicate its willingness to consider the voluntary annexation of the properties included within these growth areas and to inform the public of the types of development that the Town believes is consistent with its Comprehensive Land Use Plan and reasonable when considering the surrounding area;

NOW, THEREFORE, BE IT RESOLVED, the Weaverville Town Council hereby declares and resolves as follows:

1. The Town has identified the following growth areas with maps being attached hereto:
 - a. Growth Area 1 – Gill Branch Valley Area
 - b. Growth Area 2 – Monticello Road West Area
 - c. Growth Area 3 – Ollie Weaver Road Area
 - d. Growth Area 4 – I-26 Corridor
 - e. Growth Area 5 – Reems Creek Road Area
2. The Town is likely to favorably consider voluntary annexation petitions received for the properties shown within these growth areas. It is noted, however, that some development, especially in Growth Area 3, may best proceed without annexation as the provision of municipal services may be difficult in certain locations and some areas may be ineligible for annexation

by the Town of Weaverville due to legal requirements regarding satellite annexation.

3. The following is valued, and as proposed development is considered on these properties, the Town would like to see an emphasis on:
 - a. Great streets and gathering places, where the pedestrian is prioritized;
 - b. Connections between adjoining developments and to gathering places;
 - c. Walkability through the installation of sidewalks, greenways, and other multi-modal trails, especially those that will connect to the existing or planned pedestrian network within Weaverville;
 - d. Preservation of natural spaces for public use;
 - e. Establishment of open spaces that provides recreational opportunities in the form of greenways, playing fields and/or playgrounds;
 - f. Protection of streams and creeks;
 - g. Preservation of mature trees and planting of street trees;
 - h. Landscape buffering and screening to protect views;
 - i. Reduction of stormwater runoff which threatens our water quality;
 - j. Energy conservation measures, such as EV charging stations and solar;
 - k. Inclusion of commercial uses that support compatible development.
4. Consistent with Town Council's prior discussions and consensus, the following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 1 [Gill Branch Valley Area]**:
 - a. mixed use development;
 - b. single family residential development;
 - c. duplexes;
 - d. townhouses;
 - e. multifamily development;
 - f. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

These uses are most consistent with the following zoning districts: R-1, R-3, R-12, C-2, and conditional district zoning.

5. Consistent with Town Council's prior discussions and consensus, the following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and Future Land Use Map, and may be desirable within **Growth Area 2 [Monticello Road West Area]**:
 - a. mixed use development;
 - b. single family residential development;
 - c. duplexes;
 - d. townhouses;

- e. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

These uses are consistent with the following zoning districts: R-1, R-3, C-2, and conditional district zoning.

- 6. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 3 [Ollie Weaver Road Area]:**

- a. single family residential development;
- b. duplexes;
- c. commercial development (especially those supporting residential neighborhoods).

- 7. These uses are consistent with the following zoning districts: R-1, R-3, C-2, and conditional district zoning. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 4 [I-26 Corridor]:**

- a. commercial development (especially medical services such as healthcare facilities and medical offices, small general retail, restaurants, hotels).

These uses are most consistent with the following zoning districts: C-2, and conditional district zoning.

- 8. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 5 [Reems Creek Road Area]:**

- a. mixed use development;
- b. single family residential development;
- c. duplexes;
- d. townhouses;
- e. multifamily development;
- f. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

These uses are most consistent with the following zoning districts: R-1, R-3, R-12, C-2, and conditional district zoning.


- 9. The Town is willing to support compatible development within these growth areas by considering approval of public water requests for such development if current or anticipated capacity is available and such approval is in the best interest of the Town and/or its water system.

- 10. Town Council's recommended procedure for approvals is for property owners to present voluntary annexation petitions either prior to or simultaneously


with a water request and zoning request. Some deviations from this recommendation are anticipated in situations where a property is ineligible for municipal annexation or where provision of municipal services will prove difficult.

11. Nothing herein is binding on the Town of Weaverville and the review and approval of all annexation petitions, land use applications, and water extension or commitment requests will be made in Town Council's discretion following procedures as required by North Carolina law and local ordinance.

ADOPTED this the 13th day of December, 2022.



JAMES ELLER, Town Clerk



PATRICK FITZSIMMONS, Mayor



TOWN OF WEAVERVILLE
PLANNING BOARD AGENDA ITEM

Date of Meeting: Tuesday, October 3, 2023
Subject: Short-Term Rentals
Presenter: Planning Director
Attachments: Stakeholder Question Responses

Description:

Attached you will find responses to questions for stakeholders arrived at during the last meeting of the Board. You will find responses from planning, police, and public works departments, and the Weaverville Business Association. The Buncombe County Tourism Development Authority was contacted, expressed a willingness to participate, but has not yet responded to the questions posed.

Stakeholders have also been invited to tonight's Board meeting and their input should be allowed if anyone is in attendance for that purpose.

Action Requested:

Any direction to staff to assist the Board in it's further study of short-term rentals.

Staff would like specific direction on whether to schedule input from Town citizens and neighbors for the Board's November 9th meeting so that appropriate advertising of that opportunity can be made.

	Population*	Housing Units*	Median Gross Rent**	Home Ownership Rate**	Median Household Income**	Estimated Housing Used as STR
North Carolina	10,439,388	4,708,710	\$1,026	66.9%	\$61,972	
Buncombe County	269,452	129,141	\$1,141	64.1%	\$64,532	
Asheville	94,598	47,606	\$1,150	54.8%	\$59,758	
Biltmore Forrest	1,409	683	\$1,201	92.1%	\$173,750	
Black Mountain	8,426	4,476	\$1,187	64.1%	\$68,333	
Montreat	901	618	\$1,026	100%***	\$61,972	
Weaverville	4,567	2,354	\$1,614	76.2%	\$71,538	3.4%
Woodfin	7,936	3,689	\$1,253	51.8%	\$52,732	
Henderson County	116,281	56,434	\$983	76.4%	\$59,669	
Flat Rock	3,486	2,176	\$1,026	98.1%	\$87,700	
Fletcher	7,987	3,642	\$1,129	79.0%	\$64,478	
Hendersonville	15,137	8,371	\$1,018	47.3%	\$46,309	
Laurel Park	2,250	1,310	\$925	89.7%	\$80,250	
Mills River	7,078	3,177	\$1,088	82.6%	\$68,735	
Madison County	21,193	11,045	\$688	75.1%	\$51,396	
Hot Springs	520	315	\$470	55.1%	\$43,382	
Marshall	777	462	\$1,026	60.8%	\$45,375	
Mars Hill	2,007	725	\$909	58.5%	\$67,125	
Transylvania County	32,986	19,025	\$787	76.7%	\$57,830	
Brevard	7,744	3,935	\$738	58.3%	\$46,058	
Rosman	701	283	\$731	27.1%	\$45,466	

*2020 Decennial Census

**2021 American Community Survey

***Margin of error listed as +/- 100

Jurisdictions listed include the State of North Carolina and each member government of the Land of Sky Regional Council.

From: [Ron Davis](#)
To: [James Eller](#); [Dale Pennell](#)
Subject: RE: Request for Information Related to Short-Term Rentals
Date: Tuesday, September 12, 2023 3:15:51 PM
Attachments: [image002.png](#)

James,

As you know we did research on this topic before it was brought to council at the regular workshop on March 21, 2023. I'm not sure of the numbers since March but my assumption is, they are also minimal. As you also know short-term rentals are difficult to track but, from July 2021 to February 2023, we were able to confirm a total of four (4) police related calls within the town limits.

I've responded to each of these questions below in **red**.

Please let me know if you have any other questions.

Chief Ron Davis

Weaverville Police Department
30 South Main Street
Weaverville, NC 28768
828.645.5700 office
rdavis@weavervillenc.org

From: James Eller <jeller@weavervillenc.org>
Sent: Tuesday, September 12, 2023 1:20 PM
To: Ron Davis <rdavis@weavervillenc.org>; Dale Pennell <dale.pennell@weavervillenc.org>
Subject: Request for Information Related to Short-Term Rentals

All,

In short, the Town's Planning Board is actively studying short-term rentals and has identified stakeholders who they wish to receive information from including the Police and Public Works Departments. At the September 5 Planning Board meeting consensus was achieved on certain questions to be posed to specific stakeholders. The following questions are those arrived at for Police and Public Works. If you could take a few moments to answer the questions provided it would be greatly appreciated and please let me know if you'd like to discuss further.

Police

-

1. Does approximately 100 homes transitioning from full-time residences to vacation rentals put a strain on Police Department patrol enforcement?

No. We do not have any past information or data to suggest short-term rentals would more burdensome than a full-time residence from a police perspective.

2. What percentage of call volumes / complaints involve short-term rentals?

The police department averages around 2000 calls every quarter. So this percentage is VERY low since we could only tack 4 calls at short-term rentals from July 2021 to February 2023.

3. Is there an impact and/or issues with short-term rentals noise and/or party complaints?

1 citizen called about loud music in the area of a short-term rental. The complaint did not want to meet with an officer and the officer didn't hear noise violation (We think the noise might have been from a short-term rental but we can't be certain).

-

Public Works

-

1. Does Public Works receive garbage procedure complaints at short-term rentals?
2. Have there been bear complaints or clean-up fines for receptacles at short-term rentals?

James Eller

Planning Director

Town of Weaverville

Email: jeller@weavervillenc.org

Phone: (828) 484-7002, (828) 645-7116



From: [Dale Pennell](#)
To: [James Eller](#); [Ron Davis](#)
Cc: [Dale Pennell](#); [Eric Cutshall](#)
Subject: RE: Request for Information Related to Short-Term Rentals
Date: Wednesday, September 13, 2023 8:04:06 PM
Attachments: [image001.png](#)

James and Ron,

In regards to your question below about garbage collection at short-term rentals, I am aware of only one issue. A short-term rental on Sunset Street had invested in a bear-proof enclosure for small garbage cans prior to our delivery of the 64-gallon Toters, which will not fit into their enclosure. I think this issue has been resolved by the sale of the home and its conversion back to a full-time residence. Otherwise, problems are few and far between.

Thanks,
Dale

From: James Eller <jeller@weavervillenc.org>
Sent: Tuesday, September 12, 2023 1:20 PM
To: Ron Davis <rdavis@weavervillenc.org>; Dale Pennell <dale.pennell@weavervillenc.org>
Subject: Request for Information Related to Short-Term Rentals

All,

In short, the Town's Planning Board is actively studying short-term rentals and has identified stakeholders who they wish to receive information from including the Police and Public Works Departments. At the September 5 Planning Board meeting consensus was achieved on certain questions to be posed to specific stakeholders. The following questions are those arrived at for Police and Public Works. If you could take a few moments to answer the questions provided it would be greatly appreciated and please let me know if you'd like to discuss further.

Police

-

1. Does approximately 100 homes transitioning from full-time residences to vacation rentals put a strain on Police Department patrol enforcement?
2. What percentage of call volumes / complaints involve short-term rentals?
3. Is there an impact and/or issues with short-term rentals noise and/or party complaints?

-

Public Works

-

1. Does Public Works receive garbage procedure complaints at short-term rentals?
2. Have there been bear complaints or clean-up fines for receptacles at short-term rentals?

James Eller
Planning Director
Town of Weaverville

From: [Weaverville Business Association](#)
To: [James Eller](#)
Cc: [Phil's Gmail](#)
Subject: Re: Town of Weaverville Planning and Zoning
Date: Tuesday, September 19, 2023 5:44:50 PM
Attachments: [image001.png](#)

You don't often get email from visitweaverville@gmail.com. [Learn why this is important](#)

Hello James,

Thanks for reaching out. I have spoken with the board as of this morning regarding your inquiry.

As a general note, We (Weaverville Business Association) have members who fit long-term, short-term, and lodging categories. We are unable to quantify their financial position as this is not an area of focus for the WBA.

We do not have any position to show favor toward any business.

I would like to put you in touch with Phil Barnett, who is the chair of the Weaverville Economic Development Advisory Committee. He is copied on this message.

Phil, do you have any data regarding short/long-term rentals in Weaverville. Would WEDAC be interested in researching this topic?

Thank you both,

Priscilla Anderson
Administrator
Weaverville Business Association
visitweaverville@gmail.com



On Tue, Sep 12, 2023 at 11:16 AM James Eller <jeller@weavervillenc.org> wrote:

To Whom It May Concern,

I spoke briefly to Beth Mangum this morning who has pointed me in the direction of this email address for an inquiry from the Town of Weaverville to the Weaverville Business Association.

From: [James Eller](#)
To: [Ashley Greenstein](#)
Subject: RE: Town of Weaverville Inquiry
Date: Wednesday, September 13, 2023 1:47:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Ashley,

Thank you for your prompt response. The following are questions being posed by our Planning Board to the TDA.

1. Does the TDA have a position in-favor or against short-term rentals being used as tourist accommodations?
2. Does the TDA agree that regulations should be implemented?
3. Can the TDA provide occupancy rates for the volume of short-term rentals countywide?
4. Can the TDA provide occupancy taxes collected in Weaverville?
5. What differences exist for business / regulatory fees and practices for short term rentals compared to hotels or bed and breakfasts?
6. What impacts have short term rentals had on occupancy rates at hotels both before and after the City of Asheville implemented short-term rental regulations?

Hopefully this helps and please feel free to contact me at any time.

James Eller
Planning Director
Town of Weaverville
Email: jeller@weavervillenc.org
Phone: (828) 484-7002, (828) 645-7116



From: Ashley Greenstein <agreenstein@exploreasheville.com>
Sent: Wednesday, September 13, 2023 11:06 AM
To: James Eller <jeller@weavervillenc.org>
Subject: RE: Town of Weaverville Inquiry

Hi James,

Thank you for reaching out and inviting Explore Asheville to participate as a stakeholder in the Weaverville short-term rental study. What type of information are you looking for, and are there any other commitments required to participate?

We can select a representative from our organization once we have more information.

Thank you!

Best,

Ashley S. Greenstein

She/Her ([what is this?](#))

Public Information Manager



POWERED BY

**Buncombe County Tourism
Development Authority**

Explore Asheville | Buncombe County Tourism Development Authority

27 College Place | Suite 200 | Asheville, NC 28801

P: 828.318.8960

agreenstein@exploreasheville.com

[ExploreAsheville.com](https://www.exploreasheville.com)

Correspondence to and from this email address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: James Eller <jeller@weavervillenc.org>

Sent: Tuesday, September 12, 2023 1:12 PM

To: Ashley Greenstein <agreenstein@exploreasheville.com>

Subject: Town of Weaverville Inquiry

Ashley,

I'm not sure where to begin so please feel free to let me know who is appropriate to field a request for information from the Town of Weaverville.

In short, the Town's Planning Board is actively studying short-term rentals and has identified stakeholders who they wish to receive information from including the TDA. At the September 5 Planning Board meeting consensus was achieved on certain questions to be posed to specific stakeholders. Should the TDA wish to participate in this effort to gather information it would be greatly appreciated.

Please let me know who I should communicate with to advance this inquiry. Thank you.

James Eller

Planning Director

Town of Weaverville

Email: jeller@weavervillenc.org

Phone: (828) 484-7002, (828) 645-7116

Weaverville Business Association

1. What industry or primary service does your business offer the community?
2. How much of your revenue is generated by tourists/non-locals (*e.g. those who live more than 50 miles away*)?
 - a. Would you consider this a subjective estimate or objective reality with data to back it up?
3. What gap(s), if any, does WBA believe currently exist in the Weaverville area from a housing perspective - for locals and tourists?

Tourism Development Authority

1. What gaps does TDA believe currently exist in the Buncombe county area as it pertains to housing? How about specifically as it pertains to tourist accommodations?
2. What is TDA's stance on area housing being used for residents who serve the tourists (*large service industry*) vs. being an additional option for out of towners?
3. What differences, if any, exist for business/regulatory fees and practices for short term rentals compared to hotels + bed & breakfasts?
4. What impact, if any, have short term rentals had on occupancy rates with hotels inside Asheville city limits? Both before and after the city's homestay legislation.
 - a. Is there data to back up hotel occupancy rate(s) by year and tracking of tourism industry growth (*e.g. number of visitors per year, how many stayed in hotels vs. short term rentals vs. homestays vs. day trips*)?
 - b. What about outside of city limits?

Police

1. How does the town currently determine staffing levels (*population, incident volume year over year, etc*)?
2. Does ~100 homes transitioned from vacation rentals to full-time residences put a strain on the current Police Department headcount? Does it require any changes to the town budget?
 - a. Tangential question to present staff - is there any different treatment to the taxation of short term rentals vs. long term rentals vs. full time residents?

Public Works

1. Can you remind the planning board of what level of capacity our water service is at?
2. Does ~100 more full-time families represent any concern to our capacity?
3. Similar to the Police department, does 100 more homes being full-time residents put any strain on your team(s)? Impact to town budget?

Planning

1. What data do we have on the rental rates in Weaverville over the past 10 years? We would expect these to increase over time just as the general population increases, but is it to a degree that is sustainable with wages in the area?
2. What kind of community does the town want?

3. Thinking 10-15 years ahead, does continued short term rental growth decrease the vibrancy of the town (*Nature Park concert series, July 4th attendance, Music on Main (WBA), Art in Autumn (WBA), etc*)?
 - a. Does it affect local business revenues?
 - b. *Note - theoretically, Weaverville should expect a fair amount of housing turnover given the town's older demographic compared to surrounding areas (U.S. Census American Community Survey (2016-2020), 12/7/2022 email from Bob Pace)*
4. Is there any actual evidence that sales tax data can provide about the origin of revenues (*e.g. 65% of Weaverville business revenue is sourced by credit cards or bank accounts with a 28787 zip code*)?

Short Term Rental Owner(s)

1. How many short term rentals do you own?
2. Where / what towns do you own short term rentals in?
3. Where do you, personally, reside?
4. How long have you owned a short term rental(s) in Weaverville?
5. What year(s) did you purchase your short term rental(s)?
 - a. ***note - to evaluate whether Asheville's 2018 homestay legislation was a main driver*
6. What prompted you to purchase in Weaverville?
7. What platforms do you list your rental(s) on?
8. What name(s) do your rentals go by on these platforms?
 - a. ***note - for creeping the listings to see if they focus mostly on the proximity to Asheville or the local nature of Weaverville*
9. How many days per year is your rental(s) occupied?
10. Did you purchase a Weaverville property specifically with the intention of having a vacation rental, or did you ever live in or rent the property long term?
 - a. ***note - also to gauge impact of Asheville's 2018 legislation*

Full-time Resident - expected to be a mostly subjective point of view, so all questions will end in requesting specific examples

1. Have you noticed more locals having a hard time finding available and affordable housing close to town as the number of short term rentals has increased? Please provide specific examples.
2. How has the increase in short term rentals impacted your community/neighborhood? Please provide specific examples.
3. Has the increase of short term rentals impacted safety, cleanliness, traffic, noise, or other types of disturbance in your community/neighborhood? Please provide specific examples.

4. Have you had to communicate your concerns about the impact of short term rentals directly with the owners of STR's in your neighborhood? How have those concerns been received/addressed by the owners of STR's? Please provide specific examples.

WEAVERVILLE PLANNING BOARD				
Regularly meets 1 st Tuesday of the month at 6 pm in Community Room/Council Chambers at Town Hall				
NAME AND POSITION	CONTACT INFORMATION	FIRST APPT	DATE OF APPT	TERM (3 YEARS)
Bob Pace Regular Member Chair	116 Mountain Meadow Circle 919-434-6938 ncstman@gmail.com	2020	September 2022	September 2022 – 2025
Jane Kelley Regular Member Vice Chair	31 Moore Street 843-801-5100 jane.kelley2@yahoo.com	2021	August 2023	September 2023 – 2026
Mark Endries Regular Member	9 Grove Street 828-423-0035 (cell) markendries@hotmail.com	2021	March 2022	March 2022 – Sept 2024
Donna Mann Belt Regular Member	53 Highland Street 903-530-2967 (cell) donnaleemann@gmail.com	2021	August 2023	September 2023 – 2026
Stefanie Pupkiewicz-Busch Regular Member	11 Clinton Street 619-674-6021 stefaniepupkiewicz@gmail.com	2023	August 2023	September 2023 – 2025
Ryan Gagliardi Alternate Member	21 Wildwood Avenue 919-649-3931 ryanagagliardi@gmail.com	2022	October 2022	October 2022 – Sept 2024
Michelle Rippon Alternate Member	179 Holston View Drive, Apt 108 828 775-1677 mrrippon@constangy.com pmichellerippon@gmail.com	2023	August 2023	September 2023 – 2025
	<hr/>			
James Eller Town Planner	828-484-7002 (direct line) jeller@weavervillenc.org			
Jennifer Jackson Town Attorney	828-442-1858 (cell) jjackson@weavervillenc.org			
Tamara Mercer Clerk/Bd Sec.	828-484-7003 (direct line) tmercerc@weavervillenc.org			

Last updated September 2023