

TOWN OF WEAVERVILLE

AGENDA

**Weaverville Community Room at Town Hall
30 South Main Street, Weaverville, NC 28787**

**September 19, 2023 at 6:00 pm
Town Council Regular Workshop
Planning Board Special Called Meeting**

**Remote Access Option for General Public via Zoom (unless technical difficulties): <https://us02web.zoom.us/j/85948891960>;
Meeting ID: 859 4889 1960**

<i>Agenda Item</i>	<i>Presenter</i>
1. Call to Order	Mayor Fitzsimmons Chairman Bob Pace
2. New Ideas on Land Use Topics	Mayor Fitzsimmons
3. Comprehensive Land Use Plan Update Discussion	Mayor Fitzsimmons
a. Future Land Use Map Revisions	Planning Director Eller
b. Addition of Newly Adopted Plans	Planning Director Eller
c. New Items for Inclusion	Mayor Fitzsimmons
d. Open Space/Conservation Measures – Clarifying the Stated Goal	Planning Director Eller
e. Review and Update to Goals and Priorities	Town Council and Planning Board
4. Brief Update on Short Term Rental Project	Planning Director Eller Chairman Bob Pace Town Manager Coffey
5. Adjournment	Mayor Fitzsimmons Chairman Bob Pace

WEAVERVILLE TOWN COUNCIL REGULAR MEETING REMOTE ELECTRONIC MEETING LOGIN CREDENTIALS

The Weaverville Town Council has elected to continue to provide the general public with remote electronic access to its regular monthly meetings, unless technical issues prevent such access.

This **NOTICE OF REMOTE ELECTRONIC MEETING** is provided to inform the public that the **Weaverville Town Council regular monthly meeting will be held as an in-person meeting (Council Chambers/Community Room at Town Hall, 30 South Main Street) with remote attendance by the general public allowed via Zoom.** For those members of the public wishing to attend remotely via Zoom the following information is provided.

A virtual waiting room will be enabled and participants will be allowed entry into the meeting just prior to the start of the meeting. The instructions to access this meeting are:

To join the meeting by computer, go to this link <https://us02web.zoom.us/j/85948891960>
You may be asked for permission to access your computer's video and audio. If so, click "allow."
You will then be asked for the Meeting ID which is: 859 4889 1960. You will first enter a virtual waiting room. The host will admit you into the meeting just prior to the start of the meeting.

To join the meeting by phone, call: (253) 215-8782 or (301)715 8592
You will then be asked for the Meeting ID which is: 859 4889 1960 . There is no password for this meeting, so if asked for one just press the # button.

Guidelines and Instructions for General Public Comment: A portion of the meeting will be set aside for general public comments. Town adopted Rules for Public Comment will apply. Normal rules of decorum apply to all comments and duplicate comments are discouraged. Public comments may be submitted during the in-person meeting or in writing in advance, but will not be taken from those attending remotely. The public comments section of the meeting will be limited to approximately 20 minutes, but may be extended by Town Council if time allows. You must be recognized before giving your comment and must make comments from the podium. Individual comments during the meeting are generally limited to 3 minutes. Written comments timely received will be provided to Town Council and read into the record during the meeting as time allows. Written comments are limited to no more than 450 words and can be submitted as follows: (1) by emailing to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a drop box at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, (3) by mailing your written comment (received not later than with the mail delivery on the meeting day) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. For more information please call (828)645-7116.

To view the agenda and related materials, please visit the Town's website at <https://www.weavervillenc.org>.

Access to the Meeting Recording: A recording of the meeting will be available for one or two months, depending on storage capacity, beginning about 24 hours after the meeting. To access the recording visit the Town's website at <https://www.weavervillenc.org> or the Town's YouTube channel at https://www.youtube.com/channel/UcKbK1doIGY_O6_vJiqimFUQ, or call the Town Clerk at (828)645-7116.

Patrick Fitzsimmons, Mayor

OPEN SPACE/CONSERVATION DESIGN CLARIFYING THE STATED GOAL

CURRENT STATED GOAL:

The current goals of the Comprehensive Land Use Plan (CLUP) include the following stated goal as a number 1 (highest) priority: *“Consider regulations that encourage open space or greenway dedication, conservation measures”*.

CLARIFICATION OF THE GOAL NEEDED:

Leaning upon the wording of “**encourage**” within the stated goal, staff’s interpretation was that Council wished to explore an incentive-based conservation design option. The Planning Board has discussed the matter in several meetings and their discussions are evolving towards requiring conservation design for projects both large and small.

Town Council is asked to clarify the stated goal on this topic so that staff and the Planning Board can focus their efforts appropriately.

EXPLANATION AND EXAMPLES:

What is Conservation Design?

Conservation design is where an applicant permanently sets aside open space or agricultural lands, sometimes in exchange for density bonuses or a reduction in dimensional requirements such as setbacks, lot width, and lot area.

Why Use Conservation Design?

Conservation design may serve to benefit wildlife habitat, biodiversity, and continued use of agricultural lands. Conservation design may also reduce unnecessary infrastructure, construction, and maintenance costs due to the clustering of lots.

Incentive-Based Regulations?

The vast majority of land development ordinances in North Carolina offering a conservation design concept are incentive based. This means that there are no development regulations that require open space to be set aside, but developers are encouraged to do so with the offering of incentives.

Common incentives include reductions in minimum lot size, minimum lot widths, and setbacks; increases in density; and increases in height limitations.

It is also common for incentive-based conservation design ordinances to be limited to single family residential projects of a particular size (such as 10 acres or more).

Example “Incentive” Provision:

For residential subdivisions consisting of 10 lots or more, in exchange for 50% [30%] of the total acreage to be set aside in a conservation easement, the minimum lot area, minimum lot width, and setbacks may be reduced by no more than 50% [30%] of those within the zoning district where the subject property is located.

[For information purposes, below is a copy of the Table of Dimensional Requirements which contains the minimum lot area, minimum lot width and setbacks]

Zoning District	R-1	R-2	R-3	R-12	C-1	C-2	I-1	MHO
Minimum Lot Area (sq. Ft.)	10,000	7,500	5,445	7,500	0	0	0	5,445
Minimum Lot Width(ft.)	100	75	75	75	0	50	0	75
Minimum Front Yard (ft.)	30	30	30	30	0	0	0	30
Minimum Side Yard (ft.) Abutting Residential District	10	10	10	10	0	30	40	10
Minimum Side Yard (ft.) Abutting Commercial or Industrial District	10	10	10	10	0	0	40	10
Minimum Rear Yard (ft.) Abutting Residential District	10	10	10	10	0	30	40	10
Minimum Rear Yard (ft.) Abutting Commercial or Industrial District	10	10	10	10	0	0	40	10
Height Limit (ft.)	35	35	35	45 and no more than 3 stories	Note 10	75	75	18

Requirement-Based Regulations?

A requirement-based regulation would incorporate requirements of open-space dedication or other conservation measures for certain development. Meaning that if your development is of a certain type and/or size then your project could only be approved if a certain amount of land was dedicated as open space or conservation measures (such as preservation of forested areas, water recharge areas, steep slopes), were undertaken.

Staff was only able to locate one ordinance which **required** conservation design and that was applicable to residential subdivisions proposing 35 lots or more.

Example “Requirement” Provision:

Residential subdivisions consisting of 35 or more lots are required to set aside 50% [30%] of the total acreage in a conservation easement.

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)

Proposed –August/September 2023

1	2023	2022	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC
2	PRIORITIZATION							RESPONSIBILITY		
3		WATER								
4		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	Continue monitoring water production, allocations, usage, and availability	In progress by staff with quarterly reports	✓		
6		1	1	1	1	Continue reserving water allocation for infill development within the town	In progress by staff with quarterly reports	✓		
7		2	1.5	2	2	Development of Water System GIS Layer	Anticipated FY2024 or FY2025	✓		
8		STREETS AND SIDEWALKS								
9		1	1	1	1	Continue the Street Improvement Program	Program funded FY2024	✓		✓
10		-	1	1	1	Establish/support committee on Bike-Ped Plan	Bike-Ped Plan adopted 6/26/23	✓		✓
11		-	1	1	1	Develop priorities/timeline for Bike-Ped Plan	Bike-Ped Plan adopted 6/26/23	✓		✓
12		1	2	2	2	Establish/continue funding a Sidewalk Improvement Program for Bike-Ped priorities	Bike-Ped Plan adopted 6/26/23			✓
13		3	2.5	2	3	Review annual progress towards implementation of the Bike-Ped Plan	Bike-Ped Plan adopted 6/26/23	✓	✓	✓
14		2	2.5	3	2	Study possible adoption of driveway construction standards – steep slope, reduction of curb cuts, common driveways		✓	✓	✓
15		HOUSING								
16		1	0	0	0	Define and consider ways to achieve balanced residential development	TC consensus on 5/14/22; TC can do this anytime			✓
17		2	2	2	2	Consider broadening allowable housing types (duplexes, quadplexes) in residential. districts by allowing multifamily or establishing new districts		✓	✓	✓

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Proposed –August/September 2023

1	2023	2022	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC
18		2	3	3	2	Consider ways to increase housing affordability	TC considered in 2020	✓		✓
19		2	3	3	3	Consider expansion of the MH Overlay District		✓	✓	✓
20		GENERAL POLICY MATTERS								
21		1	1		1	Review & update economic development goals	WEDAC/TC working on this			✓
22		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	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	Engage in conversations with NCDOT about long-term planning for growth	TC consensus on 5/14/22	✓		✓
25		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	Comprehensive review of Future Land Use Map	TC workshop 5/14/22; in progress need GIS assistance	✓	✓	✓
27		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	3		2	Investigate possibility of reestablishing direct bus route between Weaverville and Asheville		✓		✓
29		-	2	2	2	Increase recreational opportunities, especially on Town properties	Eller Cove Watershed; Reems Creek Greenway	✓		✓
30		1	3	3	2	Review of overlapping land use authority	Take up when County initiates	✓		✓
31		1	2.5	3	2	Negotiate interlocal agreement(s) with County (Building Permits and Inspections)	Take up when County initiates	✓		✓
32		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	✓		✓
33		3	3	3	3	Evaluate need to strengthen regulations with regard to hazard mitigation	Buncombe-Madison Hazard Mitigation Plan dated 6/21	✓	✓	✓

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Proposed –August/September 2023

1	2023	2022	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC
34		3	3		0	Consider reestablishing the Town's extraterritorial jurisdiction		✓		✓
35		LAND DEVELOPMENT REGULATIONS								
36		1	1	1	1	Consider regulations that encourage open space or greenway dedication, conservation measures	Planning Board discussion 5/23, 7/23	✓	✓	✓
37		2	2	1	1	Review sign regulations for legal compliance and policy objectives	Legal compliance requires amendments	✓	✓	✓
38		2	1.5	1	1	Review hillside/steep slope regulations for legal compliance and policy objectives		✓	✓	✓
39		-	1	1	1	Study & consider downtown residential district with smaller lot size/width		✓	✓	✓
40		-	1	1	1	Study & consider regulation of short-term rentals		✓	✓	✓
41		-	1.5	2	1	Study & consider regulations on min/max parking and loading areas		✓	✓	✓
42		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	✓	✓	✓
43		2	2	2	2	Undertake a comprehensive review of zoning regulations		✓	✓	✓
44		2	2	2	2	Determine need or desire for Town grading regulations for projects between 1 acre and ½ acre		✓	✓	✓
45		3	3	2	2	Revise wireless telecommunication facility regulations for legal compliance and policy objectives		✓	✓	✓
46		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	✓	✓	✓
47		3	3	3	3	Study mountain ridge protection regulations for possible implementation		✓	✓	✓
48		-				Consider regulations concerning tree conservation/tree canopy preservation				