

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

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

Present: Chair Bob Pace, Board Members Jane Kelley, Donna Mann Belt and Alternate Member, Stephanie Pupkiewicz-Busch. Town Council Liaison Michelle Wood, 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.**

Chairman Pace appointed the Town Clerk as Secretary to the Planning Board without objection. Chairman Pace recognized alternate member, Stephanie Pupkiewicz-Busch as a voting member without objection.

**Adopt the Agenda** With no objections Chairman Pace adopted the agenda by consent.

**Planning Board regular meeting minutes June 6, 2023**

Jane Kelley moved to approve the June 6, 2023, meeting minutes as presented, and the motion carried 4-0 unanimously.

**Discussion Related to the Potential Implementation of a Conservation Design Concept**

Potential conservation design concepts have been drawn from the NC Forestry Service addressing the urban conservation design ordinance and was presented by Planning Director, James Eller. Mr. Eller reviewed its history as the proposed ordinance applies to single-family development. The North Carolina State agency recommends the incentives apply only to major subdivisions.

In response to Ms. Kelley's question regarding impacts to development, Mr. Eller noted that 'conservation designs' are incentives to improve conservation and would be applicable to development less than four lots as defined in the code. As discussed in the previous meeting, Staff is presenting an incentive program. If the Board wishes to propose regulations instead, that is at the discretion of the Board, stated Mr. Eller.

Attorney Jackson explained the incentives for creating open space and conservation areas in the design plan. Mr. Eller further defined subdivisions and how it could apply to multi-family development. He explained Conditional District approval terms versus spot zoning, which is not allowed, and the Staff technical site review process was addressed. A developer would agree to including conservation areas and open space per the allowable incentives for a development as per the incentive plan.

Discussion included minimum lot acreage requirements, infrastructure, and public utilities, rural versus urban definitions, minor and major developments, tree inventory, the watershed in cluster developments and environmentally sensitive areas. Mr. Eller noted that four lots or less, and whether infrastructure is in place, constitutes a minor subdivision. If a major subdivision had five or more lots and infrastructure did not exist, it would have to be installed.

Chairman Pace noted that Ms. Kelley and the other members were concerned with tree conservation, so they should not implement an incentive program, but should require stricter regulation requirements. Attorney Jackson reiterated that for next month, Town Council will be asked for the Board's direction and their priorities list. It was the Planning Board consensus not to pursue an incentive approach to conservation but a regulatory approach, and Staff will consult the Town Council for further guidance.

### **Short Term Rentals**

- Review of Next Steps Provided in the Presentation by the Land of Sky Regional Council

Mr. Eller reviewed the options and next steps as provided by Staff and the Sky Regional Council report on STRs and as directed by Town Council. A facilitator cost was discussed, and Councilmember Wood noted she can provide Brevard's research as they had a large task force in the process of implementing regulations. Attorney Jackson provided the task force/stakeholders list which included: the WBA, short term rental property owners, law enforcement which includes law enforcement data, Public Works and Planning Staff, Buncombe County Tourism Development Authority, who can provide data on the occupancy tax dollars collected, and realtors.

Chairman Pace suggested adding special meetings on STRs and Attorney Jackson provided options for meeting and gathering public input with the stakeholders. She added that Staff has researched the benchmark cities and provided that data in the report.

Councilmember Wood wanted to include the City of Brevard discussion points and data and determine how to implement enforcement and the Board wished to include the jurisdictions of Asheville, Woodfin, Hot Springs, and Buncombe County. Attorney Jackson stated Staff will send the discussion points which will include: general description and definitions of short-term rentals, STR statuses, legal challenges, regulations that worked well, and what procedures were changed, and enforcement of short-term rentals. We will invite them to respond in writing and/or attend in person or remotely at the August 2<sup>nd</sup> Planning Board meeting.

### **Any Other Business**

Mr. Eller provided an update on Various Development Projects, specifically the Buncombe County Board approval of a Conditional District multi-tenant commercial mixed-use development.

Attorney Jackson provided the Board with a priority project list and requested members to rank and/ or include priority projects of their own. The list and rankings will provide guidance and input for the next Planning Board agenda. The recommendations from the Planning Board would go before Town Council.

### **Adjournment**

There being no further business, Chairman Pace adjourned the meeting at 7:51 p.m. without objection.



Tamara Mercer, Town Clerk