

**TOWN OF WEAVERVILLE  
Tree Board  
Wednesday August 7, 2024, 6:00 p.m.  
Agenda**

- |   |                  |
|---|------------------|
| 1. Call to Order  | Chairman Kantner |
| 2. Adoption of Agenda   | Chairman Kantner |
| 3. Approval of Minutes- 6/10/2024 & 7/2/2024  | Chairman Kantner |
| 4. Public Works Tree Maintenance, Director Pennell at 9/4/24  | Clerk Mercer     |
| 5. Powell Bill map, street information data, Town Rights-of-way   |                  |
| 6. GIS mapping, native species and acceptable vegetation  | Clerk Mercer     |
| 7. CODE: Ch. 32 & Ch. 2 Sec. 2-176 Duties and Limitations<br>Review Mission, Priorities, Duties & Timing Discussion | Chairman Kantner |
| 8. Adjournment  |                  |

## MINUTES

### TREE BOARD ORGANIZATIONAL MEETING

**Town of Weaverville  
State of North Carolina**

**Monday, June 10, 2024, 2024**

The Tree Board for the Town of Weaverville held an organizational meeting on June 10, 2024, at 6:00 p.m. in the Town Council Chambers, Town Hall, Weaverville, N.C.

Present: Russ Kantner, Peter Stanz, Pauline Griffith, Greg Sanfilippo, Jeff Colavecchia, Caroline Lourd, and Caleb Hudson.

Staff: Tamara Mercer, Town Clerk & Secretary

#### 1. Call to Order

It was noted by Ms. Mercer that an appointee by the Town Council had declined to serve the designated term on the Tree Board. This was due to the fact that she was moving out of the State of North Carolina, therefore was ineligible to accept the appointment. We will work towards filling the vacancy.

The Tree Board members proceeded to introduce themselves.

#### 2. Set date and time for meetings –

By general consensus of the members, meetings were set for the first Wednesday of the month at 6:00 p.m.

#### 3. Elect a Chair and Vice Chair to the Tree Board

*Ms. Griffith nominated Russ Kantner as Chairman. The motion was approved unanimously. 7-0.*

*Mr. Kantner nominated Mr. Stanz as Vice Chair. The motion was approved unanimously. 7-0.*

#### 4. Code of Ordinance

Ms. Mercer reviewed the Weaverville Tree Ordinance, Chapter 2 and 32 as adopted by Town Council on May 20, 2024.

Mr. Stanz questioned the topping of trees and Ms. Mercer noted that the Town communicates public service announcements on-line in the E-Newsletter and on social media, educating the public of the harm to trees if they are topped.

Mr. Stanz said it was on the Town's property, specifically at Town Hall. Ms. Griffith requested information on the landscaping procedures of the Public Works Department to which Ms. Mercer noted she will contact the Public Works Director regarding the landscaping procedures at Public Works and coordinate with Public Works to attend a Tree Board meeting to address landscaping questions.

Ms. Mercer will supply the Board with the municipal town limits, rights-of-way areas and mapping and parcel information from the Planning Department.

There was discussion on positive messages for Arbor Day, educating the public about reducing urban heat islands, lower energy costs, enhancements of the tree canopy overall, vertical green walls and green roofs, and education initiatives for the public.

#### 5. Tree City USA

Ms. Lord requested guidelines for tree protection and tree care.

Ms. Mercer explained the makeup of the Tree Board appointments by Town Council requires a majority of the membership to reside in town limits. A reappointment to the open vacancy needed to be someone who lives in-town, and the members all said they would recruit for the open term. It would also get reposted to the Town's social media accounts. A date for next Tree Board meeting was discussed since there is lack of a full Board for either July 3<sup>rd</sup> or the 10<sup>th</sup> due to the fourth of July holiday. The Clerk will send out notice for the next meeting.

There being no further business and without objection, Mr. Kantner adjourned the meeting at 7:14 p.m.

**MINUTES**  
**TREE BOARD**  
**Special Called MEETING**

**Town of Weaverville**  
**State of North Carolina**

**Tuesday, July 2, 2024, 2024**

The Tree Board for the Town of Weaverville held a Special Called meeting on July 2, 2024, at 6:00 p.m. in the Town Council Chambers, Town Hall, Weaverville, N.C.

Present: Chairman Russ Kantner, Vice Chair Peter Stanz, regular members Pauline Griffith, Greg Sanfilippo, Caroline Lord, Inger Stallmann-Jorgensen and alternate members Caleb Hudson and Gary Harmon.

Absent: excused Jeff Colavecchia

Staff: Jennifer Jackson, Town Attorney and Tamara Mercer, Town Clerk

1. Call to Order

Chairman Kantner called the meeting to order at 6:00 p.m.

2. Introductions: Revised Roster

Tree Board members proceeded to introduce themselves due to two new appointed members.

3. Code of Ordinance

Ms. Mercer reviewed the previous meeting agenda items including: USDA and North Carolina Forest Service Tree Protection Ordinance, GIS mapping of Town jurisdiction and Town owned properties were provided.

By general consensus the Board requested a list of town streets including the rights-of-way with information on street trees and town-maintained property.

Attorney Jackson added that staff will provide the Powell Bill map and excel spreadsheet with the street information data.

Review of Chapter 2 Tree Ordinance. Attorney Jackson noted that staff will send out Chapter 32, including the list of 'recommended native species and acceptable vegetation'. Public education on invasive species to be included.

Ms. Mercer will send out the Tree Boards 101 webinar to the members.

By general consensus the Board members requested information from Public Works Department on tree pruning and landscape maintenance.

The members addressed Duties and Limitation in Code of Ordinance section 2-176, particularly focusing on:

- 5) To designate heritage trees, which are understood to be individual trees with unique value based on age, rarity, size, and/or aesthetic, botanical, ecological, or historical value, and are considered irreplaceable;
- 6) To organize educational programs and workshops, sponsor information booths, and develop/distribute informational materials on topics related to planting, maintenance, health, and protection of trees within the urban and community forests of Weaverville;
- 7) To foster communication among citizens of the town that would provide community education programs, and increased awareness of urban forestry, protection of trees, and to coordinate active measures to support tree health and growth within the town;

&

10) To approve voluntary planting plans on Town property or in Town street rights-of-way by private citizens or groups.

#### 4. Tree City USA

Ask for guidelines that Public Works Department has for tree care. Tree protection / tree care research.

#### 5. Set date and time for meetings –

By general consensus of the members, meetings were set for the first Wednesday of the month at 6:00 p.m.

There being no further business and without objection, Mr. Kantner adjourned the meeting at 7:14 p.m.

**TOWN OF WEAVERVILLE  
TREE BOARD AGENDA ITEM**

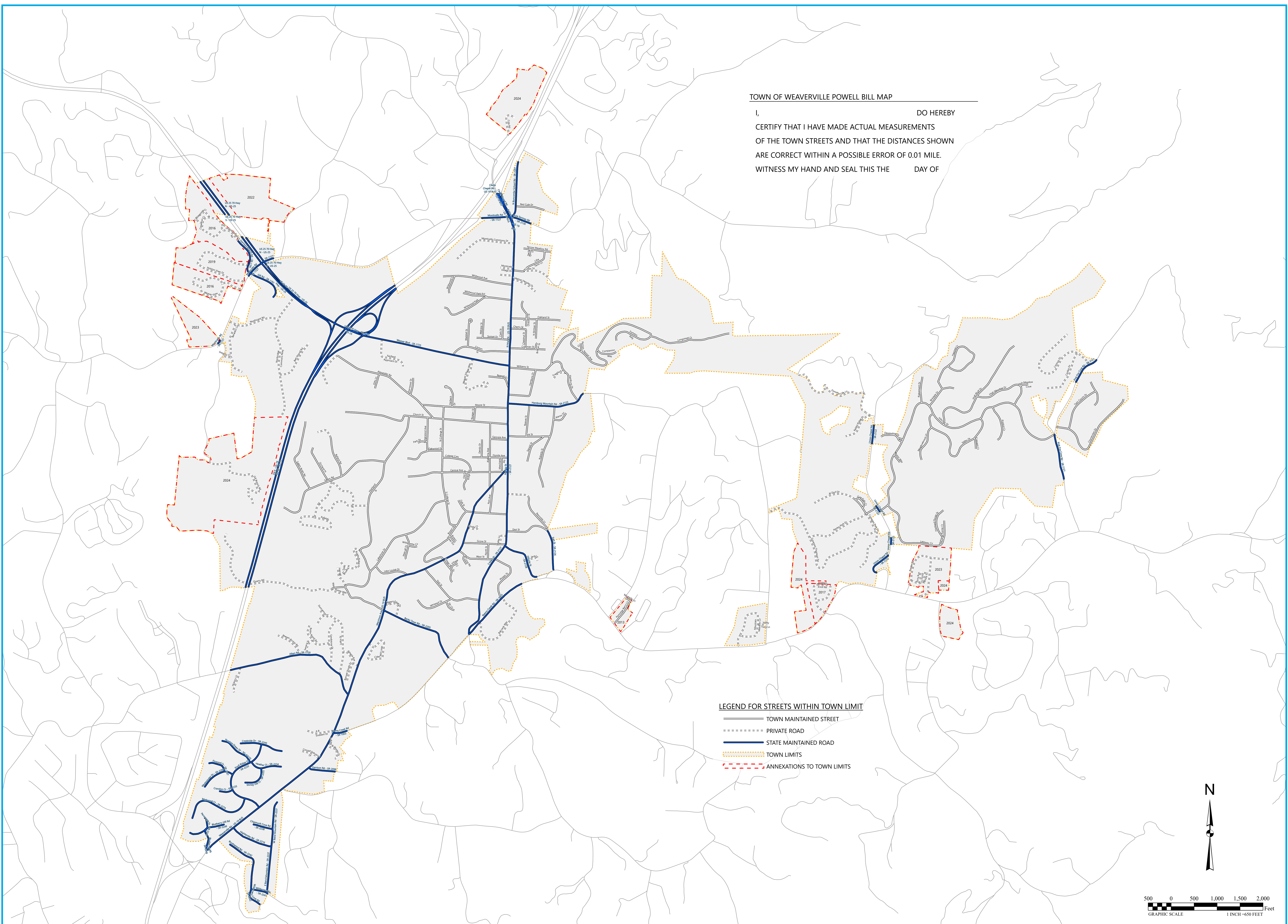
**Date of Meeting:** Wednesday, August 7, 2024  
**Subject:** Supporting documents requested  
**Presenter:** Town Clerk  
**Attachments:** 5

**Description:**

Powell Bill map, street information data, GIS mapping of Town's jurisdiction and Town owned property & rights-of-way, native species and acceptable vegetation

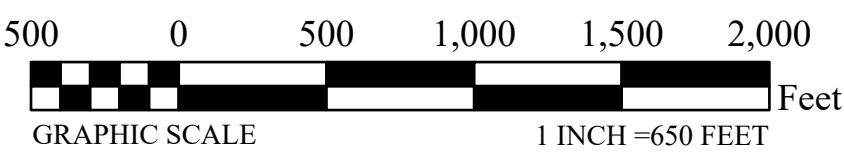
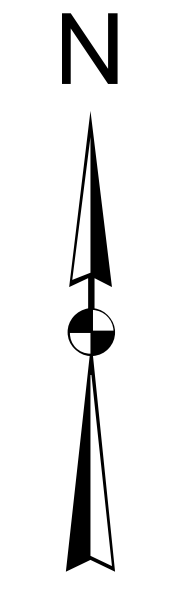
TOWN OF WEAVERVILLE POWELL BILL MAP

I, \_\_\_\_\_ DO HEREBY  
CERTIFY THAT I HAVE MADE ACTUAL MEASUREMENTS  
OF THE TOWN STREETS AND THAT THE DISTANCES SHOWN  
ARE CORRECT WITHIN A POSSIBLE ERROR OF 0.01 MILE.  
WITNESS MY HAND AND SEAL THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_



LEGEND FOR STREETS WITHIN TOWN LIMIT

- TOWN MAINTAINED STREET
- PRIVATE ROAD
- STATE MAINTAINED ROAD
- TOWN LIMITS
- ANNEXATIONS TO TOWN LIMITS



<p><b>2024</b> POWELL BILL MAP <b>TOWN OF WEAVERVILLE</b> BUNCOMBE COUNTY, NORTH CAROLINA</p>	<p>DATE: 7/2/2024 SCALE: 1"=650' DESIGNED BY: DEP GIS BY: MJE REVISION:</p>
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**2023 STREET LISTING  
TOWN OF WEAVERVILLE**

	<b>STREET NAME (PAVED)</b>	<b>LENGTH IN MILES</b>
1	Alabama Avenue	0.27
2	Alaron Drive	0.07
3	Al Dorf Drive	0.12
4	Alexander Road	0.49
5	Ballard Road	0.17
6	Birkdale Drive	0.14
7	Brown Street	0.31
8	Brown Street	0.23
9	Brown Street Extension	0.03
10	Central Avenue	0.25
11	Central Avenue	0.14
12	Cherry Street	0.06
13	Chestnut Street	0.08
14	Chestnut Street Extension	0.03
15	Church Street	0.43
16	Church Street	0.26
17	Clinton Street	0.25
18	Coleman Street	0.14
19	College Crescent	0.15
20	College Street Extension	0.05
21	College Street - North	0.22
22	College Street - South	0.24
23	Companion Way	0.08
24	Courseview Drive	0.43
25	Crescent Court	0.04
26	Critter Trail	0.02
27	Declan Drive	0.03
28	Dendy Drive	0.19
29	Devonshire Drive	0.09
30	East Street	0.17
31	Elk Lane	0.05
32	Florida Street	0.11
33	Fortress Ridge	0.19
34	Gale Kelly Court	0.06
35	Georgia Avenue	0.10
36	Grove Street	0.17
37	Hamburg Drive	0.48
38	Harbeck Drive	0.12
39	Hawtree Court	0.04
40	Hawtree Court	0.39
41	High Bluff Drive	0.14



42	High Bluff Drive	0.36
43	Highland Drive	0.72
44	High Meadow Drive	0.28
45	High Meadow Cove	0.03
46	Highland Point Drive	0.23
47	Highland Point Court	0.07
48	Hillcrest Drive	1.24
49	Lakeshore Drive	0.80
50	Lake Louise Drive	0.14
51	Lakeway Circle	0.27
52	Lillie Farm Lane	0.13
53	Longstreet Court	0.33
54	Manor Way	0.04
55	Maybelle Lane	0.03
56	Meadowbrook Lane	0.15
57	Merchant Alley	0.06
58	Metcalf Drive	0.13
59	Moore Street	0.35
60	North Street	0.06
61	Oak Street	0.07
62	Oakland Street	0.13
63	Oakland Street	0.04
64	Oakwood Drive	0.17
65	Old Dry Ridge Circle	0.08
66	Orchard Place	0.15
67	Park Avenue	0.11
68	Park Drive	0.04
69	Partridge Berry Lane	0.12
70	Penley Park Drive	0.05
71	Perrion Drive	0.76
72	Perrion Court	0.04
73	Phipps Street	0.22
74	Pine Street	0.17
75	Preston Court	0.16
76	Quarry Road	0.06
77	Reagan Street	0.06
78	Reeves Street	0.13
79	Ridgemont Drive	0.10
80	Ridgewood Avenue	0.14
81	Roberts Street	0.28
82	Salem Acres Drive	0.30
83	Salem Road	0.52
84	Sherwood Drive	0.06
85	Sunset Drive	0.14
86	Twin Courts Drive	0.30
87	Valley Drive	0.46
88	Village Court	0.04

89	Village Park Drive	0.10
90	Waddell Street	0.11
91	Webster Street	0.08
92	West Cove	0.04
93	West Street	0.03
94	West Street	0.03
95	Whitetail Drive	0.16
96	Wildwood Avenue	0.27
97	Wildwood Lane	0.07
98	Wildwood Park	0.25
99	Williamette Circle	0.06
100	Williams Street	0.11
101	Yarrow Meadow Road	0.11
102	Yost Street	0.29

**TOTAL PAVED** 19.06



	<b>STREET NAME (UNPAVED)</b>	<b>LENGTH IN MILES</b>
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1	Brittain Street - North	0.08
2	Brittain Street - South	0.02
3	Reynolds Lane	0.16
4	Spruce Street	0.09
5	West Street	0.09

**TOTAL UNPAVED** 0.44



	<b>STREET NAME (WIDTH LESS THAN 16')</b>	<b>LENGTH IN MILES</b>
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1	Chestnut Street - North	0.09
2	Clark Street	0.05
3	Hamburg Lane	0.07
4	Reagan Lane	0.09
5	Wildwood Park Knoll	0.07

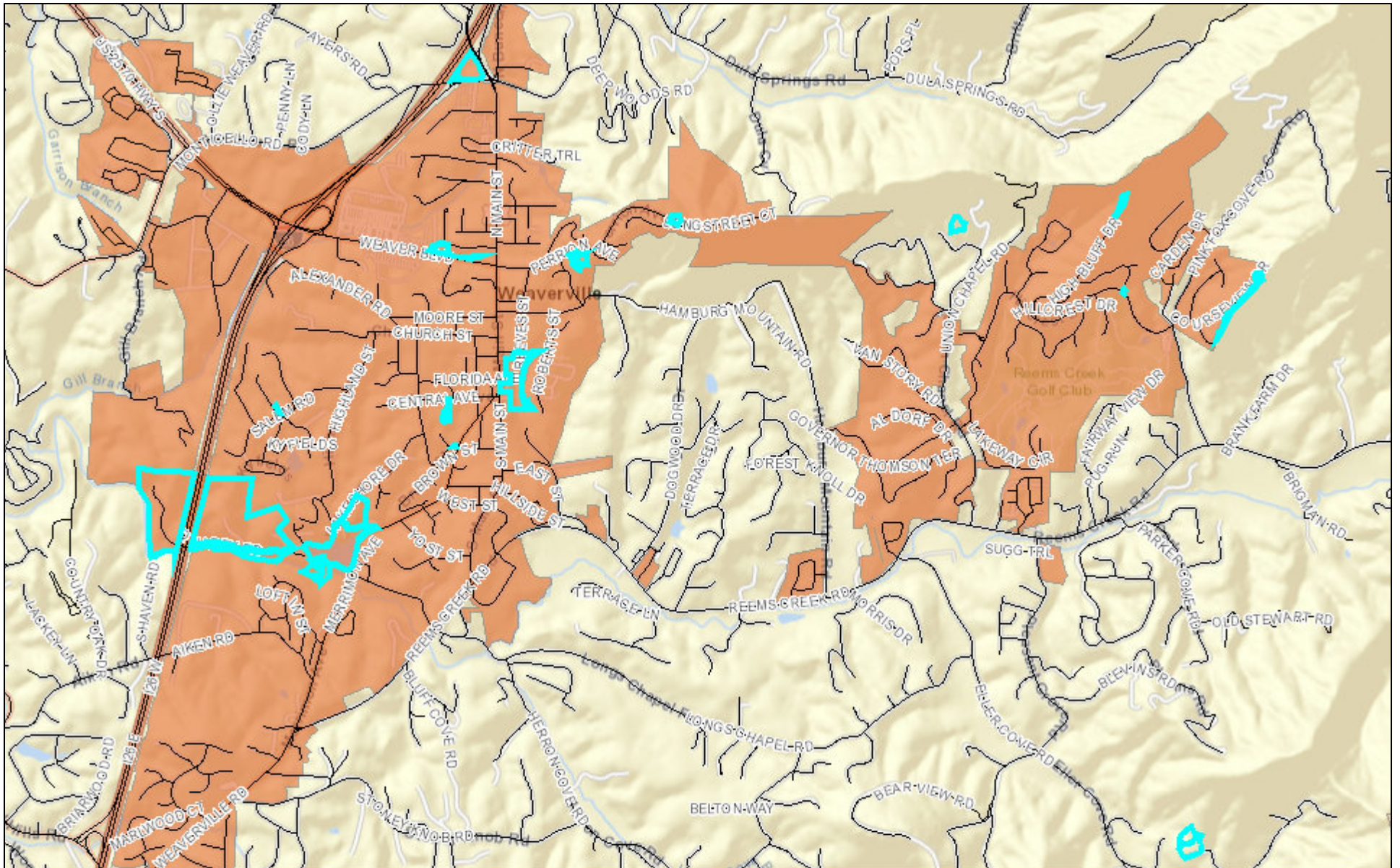
**TOTAL LESS THAN 16' WIDE** 0.37



**TOTAL MILEAGE** 19.87

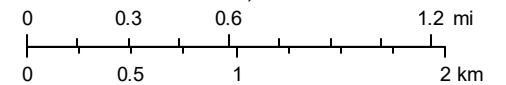


# Buncombe County

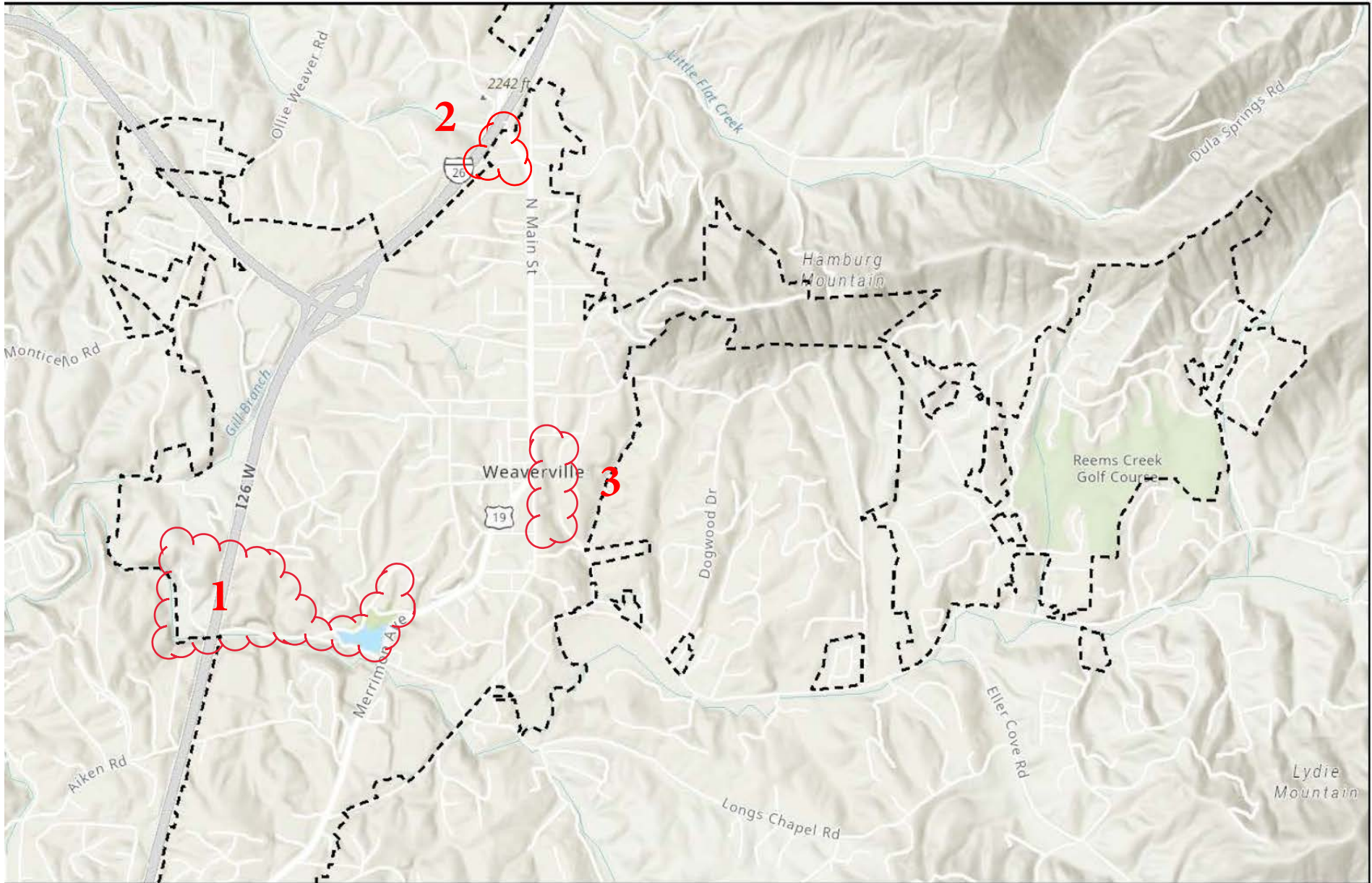


June 11, 2024

1:36,112



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

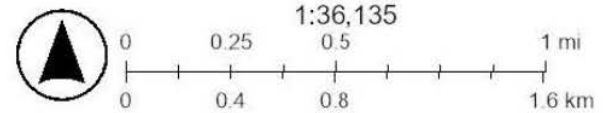


2024, 10:37:13 AM

 Weaverville Town Limits

**Municipal Properties**

- 1. Public Work, Lake Louise, Community Center**
- 2. Fire Department**
- 3. Town Hall, Main Street Nature Park**



Esri, NASA, NGA, USGS, FEMA, Buncombe County, NC, State of North Carolina DOT, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc.

will be completed, in accordance with the approved landscaping plan at the developer/owners expense. Such guarantee shall be in one of the following forms:

- (1) A surety performance bond issued by a surety bonding company licensed and authorized to do business in North Carolina;
- (2) A bond of the developer/owner with an assignment to the town of a certificate of deposit as collateral security for the bond;
- (3) A bond of the developer/owner secured by an official bank check drawn in favor of the town and deposited with the town clerk;
- (4) Cash or an irrevocable letter of credit;
- (5) A bank escrow account and agreement whereby the developer/owner deposits cash, a note, a bond or some other instrument readily convertible to cash for a specific face value, with a federally insured financial institution in an amount payable to the town. The developer/owner, in using such escrow account, shall file with the town an agreement between the financial institution and himself guaranteeing that the account shall be held in trust until released by the town and that the account may not be used or pledged by the developer/owner for any other matter during the term of the escrow agreement.

Any of the above forms of guarantee shall be in an amount equal to 150 percent of the cost of the landscaping and buffering as estimated by the developer/owner or his contractor and approved, as to amount and form, by the zoning administrator who may consult with persons with responsible knowledge of landscaping costs who are not associated with the project in order to determine the proper amount of the guarantee. All such guarantees shall be reviewed by the town attorney prior to acceptance by the zoning administrator. All such guarantees shall remain in full force for the town's benefit until the zoning administrator determines, and certifies to the town council, that all of the landscaping and buffering requirements as shown on the approved landscaping plan have been completed, at which time the town council shall take action to release said guarantees.

(Ord. of 6-19-1978, Art. X, § 17-1070; Ord. of 8-8-94; [Ord. of 11-18-2013, § 2](#); [Ord. of 9-19-2016\(3\), § 1](#))

Sec. 36-157. - List of recommended species.

All landscape plantings materials required by this article shall be selected from the following "List of recommended species" or as otherwise approved on a case by case basis by the zoning administrator.

**APPROVED SHRUBS TOWN OF WEAVERVILLE**

Botanical Name	Common Name	Expected Height
<b>Shrubs</b>		
<b>Small Shrubs (up to approximately 4' tall)</b>		
Ceanothus americanus	New Jersey Tea	3
Diervilla lonicera	Northern Bush-honeysuckle	3
Fothergilla gardenii	Dwarf Witchalder	4

Hypericum frondosum	Cedarglade St. Johnswort	3
Hypericum prolificum	Shrubby St. Johnswort	4
Xanthorhiza simplicissima	Yellowroot	2
<b>Medium Shrubs (approximately 5-10' tall)</b>		
Aronia arbutifolia	Red Chokeberry	8
Aronia melanocarpa	Black Chokeberry	5
Callicarpa americana	American Beautyberry	6
Calycanthus floridus	Sweetshrub	9
Corylus americana	Hazelwood	10
Cornus amomum	Silky Dogwood	7
Euonymus americanus	Hearts-a-Bustin'	8
Fothergilla major	Mountain Witchalder	6
Hydrangea arborescens	Wild Hydrangea	6
Hypericum densiflorum	Bushy St. Johnswort	6
Itea virginica	Virginia Sweetspire	10
Kalmia latifolia	Mountain Laurel	6
Lindera benzoin	Spicebush	10
Photinia melanocarpa	Black Chokeberry	8
Photinia pyrifolia	Red Chokeberry	5
Physocarpus opulifolius	Ninebark	10

Rhododendron calendulaceum	Flame Azalea	10
Rhododendron carolinianum	Carolina Rhododendron	6
Rhododendron catawbiense	Catawba Rhododendron	8
Rhododendron cumberlandense	Cumberland Azalea	8
Rhododendron periclymenoides	Pinxterbloom	8
Rhus copallina	Shining Sumac	8
Rosa carolina	Carolina Rose	5
Rosa palustris	Swamp Rose	8
Sambucus canadensis	Elderberry	10
Spiraea virginiana	Virginia Meadowsweet	8
Viburnum acerifolium	Mapleleaf Viburnum	6
Viburnum dentatum	Southern Arrowwood	10
Viburnum nudum	Possumhaw Viburnum	8
<b>Tall Shrubs (over approximately 10' tall)</b>		
Alnus serrulata	Hazel Alder	12
Castanea pumila	Allegheny Chinquapin	14
Cephalanthus occidentalis	Buttonbush	15
Clethra acuminata	Cinnamon Clethra	12
Hamamelis virginiana	Common Witchhazel	15
Ilex decidua	Possumhaw	30

<i>Ilex montana</i>	Mountain Winterberry	30
<i>Lindera benzoin</i>	Spicewood	12
<i>Prunus virginiana</i>	Chokecherry	20
<i>Rhododendron arborescens</i>	Sweet Azalea	18
<i>Rhododendron maximum</i>	Rosebay Rhododendron	20
<i>Rhododendron vaseyi</i>	Pinkshell Azalea	12
<i>Rhododendron viscosum</i>	Swamp Azalea	15
<i>Rhus glabra</i>	Smooth Sumac	12
<i>Rhus typhina</i>	Staghorn Sumac	20
<i>Vaccinium corymbosum</i>	Highbush Blueberry	12
<i>Viburnum cassinoides</i>	Witherod	15
<i>Viburnum prunifolium</i>	Blackhaw Viburnum	16
<i>Viburnum rufidulum</i>	Rusty Blackhaw Viburnum	15

APPROVED TREES TOWN OF WEAVERVILLE

Botanical Name	Common Name	Expected Height (in feet)
<b>Small to Medium Trees (to approximately 50 ft. tall)</b>		
<i>Amelanchier arborea</i>	Downy Serviceberry	25
<i>Amelanchier laevis</i>	Allegheny Serviceberry	25



<i>Asimina triloba</i>	Pawpaw	25
<i>Carpinus caroliniana</i>	American Hornbeam	30
<i>Cercis canadensis</i>	Redbud	25
<i>Chionanthus virginicus</i>	Fringetree	25
<i>Cladrastis kentukea</i>	Yellowwood	50
<i>Cornus alternifolia</i>	Alternatelyleaf Dogwood	25
<i>Cornus florida</i>	Flowering Dogwood	25
<i>Cornus kousa x florida*</i>	Chinese x Flowering Dogwood hybrid	25
<i>Crataegus phaenopyrum</i>	Washington Hawthorn	25
<i>Frangula caroliniana</i>	Carolina Buckthorn	35
<i>Halesia tetraptera</i>	Mountain Silverbell	40
<i>Ilex opaca</i>	American Holly	30
<i>Juniperus virginiana</i>	Eastern Red Cedar	50
<i>Malus angustifolia</i>	Southern Crabapple	25
<i>Malus coronaria</i>	Sweet Crabapple	20
<i>Magnolia acuminata</i>	Mountain magnolia	40
<i>Magnolia tripetala</i>	Cucumber Tree	30
<i>Ostrya virginiana</i>	Eastern Hophornbeam	40
<i>Oxydendrum arboreum</i>	Sourwood	30
<i>Prunus americana</i>	American Plum	25

Ptelea trifoliata	Hoptree	20
Robinia viscosa	Clammy Locust	40
Salix sericea	Silky Willow	12
Sassafras albidum	Sassafras	40
Stewartia ovata	Mountain Stewartia	20
Symplocos tinctoria	Horse Sugar	30
<b>Medium to Large Trees (over approximately 50 ft. tall)</b>		
Acer negundo	Boxelder	60
Acer rubrum	Red Maple	70
Acer saccharinum	Silver Maple	80
Acer saccharum	Sugar Maple	80
Aesculus flava	Yellow Buckeye	70
Betula alleghaniensis	Yellow Birch	75
Betula nigra	River Birch	70
Carya cordiformis	Bitternut Hickory	75
Carya glabra	Pignut Hickory	80
Carya ovata	Shagbark Hickory	75
Carya pallida	Sand Hickory	90
Carya tomentosa	Mockernut Hickory	85
Castanea dentata**	American Chestnut	115 (potential)

<i>Celtis occidentalis</i>	Hackberry	60
<i>Diospyros virginiana</i>	Persimmon	55
<i>Fagus grandifolia</i>	American Beech	80
<i>Fraxinus americana</i>	White Ash	80
<i>Fraxinus pennsylvanica</i>	Green Ash	80
<i>Juglans nigra</i>	Black Walnut	100
<i>Liquidambar styraciflua</i>	Sweetgum	75
<i>Liriodendron tulipifera</i>	Tuliptree	100
<i>Magnolia fraseri</i>	Umbrella Tree	60
<i>Morus rubra</i>	Red Mulberry	60
<i>Nyssa sylvatica</i>	Black Gum	60
<i>Pinus echinata</i>	Shortleaf Pine	100
<i>Pinus strobus</i>	Eastern White Pine	80
<i>Pinus virginiana</i>	Virginia Pine	70
<i>Platanus occidentalis</i>	Sycamore	100
<i>Prunus serotina</i>	Black Cherry	80
<i>Quercus alba</i>	White Oak	90
<i>Quercus coccinea</i>	Scarlet Oak	70
<i>Quercus falcata</i>	Southern Red Oak	75
<i>Quercus imbricaria</i>	Shingle Oak	80

Quercus montana	Chestnut Oak	75
Quercus muehlenbergii	Chinkapin Oak	70
Quercus rubra	Red Oak	75
Quercus stellata	Post Oak	80
Quercus velutina	Black Oak	90
Salix nigra	Black Willow	80
Tilia americana	American Linden or Basswood	80
Tsuga canadensis***	Eastern Hemlock	90
Tsuga caroliniata***	Carolina Hemlock	65
Ulmus alata	Winged Elm	80

OTHER LANDSCAPING PLANTS

<b>Vines</b>	
Bignonia capreolata	Cross Vine
Campsis radicans	Trumpet Flower
Clematis virginiana	Clematis (Virgin's Bower)
Lonicera sempervirens	Coral Honeysuckle
Parthenocissus quinquefolia	Virginia Creeper
Wisteria frutescens	American Wisteria
<b>Ground Covers</b>	

Antennaria plantaginifolia	Pussytoes
Asarum canadense	Wild Ginger
Carex sp.	Sedges (see below)
Chrysogonum virginianum var. australe	Green-and-Gold
Iris cristata	Dwarf Crested Iris
Meehanian cordata	Creeping Mint
Pachysandra procumbens	Allegheny Spurge
Phlox stolonifera	Creeping Phlox
Tiarella cordifolia	Heartleaf Foamflower
Viola sp.	Violets
<b>Grasses &amp; Sedges</b>	
Andropogon gerardii	Big Bluestem
Andropogon virginicus	Broomsedge
Arundinaria gigantea	Giant Cane
Carex flaccosperma	Blue Wood Sedge
Carex platyphylla	Blue Satin Sedge
Carex plantaginea	Seersucker Sedge
Carex stricta	Tussock Sedge
Carex pensylvanica	Oak Sedge
Carex appalachica	Appalachian Sedge

Chasmanthium latifolium	River Oats
Danthonia compressa	Oat Grass
Deschampsia flexuosa	Wavy Hair Grass
Elymus hystrix	Bottle Brush
Muhlenbergia capillaris	Muhly Grass
Panicum virgatum	Switch Grass
Saccharum giganteum	Giant Plume Grass
Schizachyrium scoparium	Little Bluestem
Sorghastrum nutans	Indian Grass
Tridens flavus	Purple Top
Tripsacum dactyloides	Eastern Gamma Grass
<b>Ferns</b>	
Adiantum pedatum	Maidenhair Fern
Athyrium filix-femina	Southern Lady Fern
Dryopteris marginalis	Marginal Wood Fern
Matteuccia struthiopteris	Ostrich Fern
Osmunda cinnamomea	Cinnamon Fern
Osmunda regalis	Royal Fern
Polystichum acrostichoides	Christmas Fern
Thelypteris noveboracensis	New York Fern

- \* Hybrid is resistant to dogwood anthracnose that can infect Comus florida.
- \*\* Experimental hybrids with a high percentage American chestnut genes now available.
- \*\*\* Requires treatment to protect from hemlock wooly adelgid.

(Ord. of 6-19-1978, Art. X, § 17-1080; Ord. of 8-8-1994; Ord. of 11-17-2008, § 3; Ord. of 2-16-2009, § 1; Ord. of 2-16-2009, § 1; [Ord. of 9-21-2015, § 1](#))

Secs. 36-158—36-175. - Reserved.

ARTICLE VII. - OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 36-176. - Off-street parking.

(a) Off-street automobile storage or parking space shall be provided on every lot on which any of the following uses are hereafter established. Each parking space shall have an all weather surface with minimum dimensions of nine by 18 feet. The number of parking spaces provided shall be at least as great as the number specified below for various uses. Each space shall be provided with vehicular access to a street or alley.

**Commented [JJ99]:** New table showing parking requirement replacing old table; existing requirements haven't changed but new uses added and matched to closest use

Use	Required Parking
Any residential use	Two spaces for each dwelling unit.
Rooming and boarding houses	One space for each bedroom.
Hotels and motels	One space for each unit, plus one space for each employee working on the shift of greatest employment.
Medical or dental offices or clinics	Five spaces for each doctor, or five spaces for each office, whichever is greater.
Places of public assembly, including funeral homes, churches, and similar places of worship with fixed seating	One space for each four seats or one space for each seven feet of seating capacity in the principal assembly room.
Places of assembly or recreation without fixed seating	One space for each seven feet of seating capacity dedicated to patron use and one space for each employee working on the shift of greatest employment.

**Formatted Table**

- **Chapter 32 - VEGETATION<sup>[1]</sup>**

**Footnotes:**

--- (1) ---

**Cross reference**— *Environment, ch. 10; parks and recreation, ch. 18; planning and development, ch. 20; streets and sidewalks, ch. 24; injuring trees, shrubs or flowers on streets, parks or squares, § 24-6.*

**State Law reference**— *Cutting, injuring or removing another's timber, G.S. 14-135; setting fires, G.S. 14-136—14-140.1.*

- **ARTICLE I. - IN GENERAL**

- **Sec. 32-1. - Purpose.**

(a)

The purpose of this chapter is to regulate the planting, maintenance and removal of trees on municipally owned property and rights-of-way within the town and on municipally owned property wherever located. In order to protect and conserve trees on public property and rights-of-way, this chapter provides for pruning, treatment and removal of trees and shrubs as is deemed necessary by the town council or a person acting under the authority of the town council. This chapter is also intended to provide for the trimming or removal of trees on public land when they obscure streetlights, interfere with utility lines, or constitute a hazard to pedestrian or vehicular traffic, or otherwise endanger the public health, safety or welfare.

(b)

Another purpose of this chapter is to encourage the protection of trees and express the town's intent to use trees to create a more natural and amenable human environment. This chapter is not intended to be punitive nor to cause hardship to any person who uses utmost care and diligence to protect trees within the town or on town property.

(c)

This chapter shall further provide for the establishment of an advisory committee known as the tree board, who shall be responsible for promoting trees and tree care throughout the town and for developing a town tree plan.

(Ord. of 6-18-1989, § 1)



- **Sec. 32-2. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Park trees* means trees, shrubs and bushes in public parks having individual names, and all areas owned by the town or to which the public has free access as a park.

*Street trees* means trees, shrubs and bushes on land lying within right-of-way on either side of all streets, avenues or ways within the town.

(Ord. of 6-18-1989, § 2)

**Cross reference**— Definitions generally, [§ 1-2](#).

- **Sec. 32-3. - Public tree care.**

(a)

The town shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

(b)

The town tree board may remove or cause or order to be removed, any publicly owned tree or part which is in an unsafe condition or which by reason of its nature is injurious to sewers, electrical power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or other pest. This section does not prohibit the planting of street trees by adjacent property owners providing that the selection and location of such trees is in accordance with the guidelines for planting and spacing developed by the tree board. The tree board has the right to approve any plantings that take place in the right-of-way areas.

(Ord. of 6-18-1989, § 4)

- **Sec. 32-4. - Tree topping.**

It shall be unlawful as a normal practice, except as described below, for any person, firm or town department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other

causes, or certain trees that interfere with or are an imminent threat to utility wires or other obstructions where other pruning practices are impractical may be exempted from this section at the determination of the town tree board.

(Ord. of 6-18-1989, § 5)

- **Sec. 32-5. - Removal of stumps.**

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

(Ord. of 6-18-1989, § 6)

- **Sec. 32-6. - Interference with town tree board.**

It shall be unlawful for any person to prevent, delay or interfere with the town tree board, or any of its agents, while engaging in and about the planting, cultivation, mulching, pruning, spraying or removing of any street trees, park trees or trees on public grounds, as authorized in this chapter.

(Ord. of 6-18-1989, § 7)

- **Sec. 32-7. - Permits required.**

It shall be unlawful for any person to prune, treat or remove any street tree or park tree within the town without first filing an application and procuring a permit from the town manager or his designee. The town maintains the right to review the application and the tree(s) in question in determining whether or not to issue a permit.

(Ord. of 6-18-1989, § 8)

- **Sec. 32-8. - License and bond.**

It shall be unlawful for any person to engage in the business or occupation of pruning, treating or removing street or park trees within the town without first applying for and procuring a license. The license fee shall be set from time to time by the town council and payable annually in advance; however, no license shall be required of any public service company or town employee doing such work in the pursuit of his public service endeavors. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of \$300,000.00 for bodily injury and \$100,000.00 property damage indemnifying the town or any person injured or damaged resulting from the pursuit of such endeavors as described in this section.

(Ord. of 6-18-1989, § 9)

- **Sec. 32-9. - Penalty.**

Any person violating any provision of this chapter shall be, upon conviction or plea of guilty, subject to a fine not to exceed \$50.00.

(Ord. of 6-18-1989, § 11)

**ORDINANCE AMENDING WEAVERVILLE TOWN CODE  
CHAPTERS 2 AND 32 CONCERNING THE TREE BOARD**

**WHEREAS**, pursuant to authority granted by N.C. Gen. Stat. § 160A-174 and as a participant in the Tree City USA program, the Weaverville Town Council wishes to reorganize and reestablish its Tree Board;


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

1. The attached Division 4, entitled "Tree Board", is hereby added to Article IV of Chapter 2 of the Town's Code Ordinances.
2. That Article II of Code Chapter 32 is hereby repealed.
3. It is the intention of Town Council that the sections and paragraphs of this Ordinance are severable and if any section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining paragraphs or sections of this Ordinance, since they would have been enacted by Town Council without the incorporation in this Ordinance of any such unconstitutional or invalid section or paragraph.
4. These amendments shall be effective immediately upon adoption and codified.

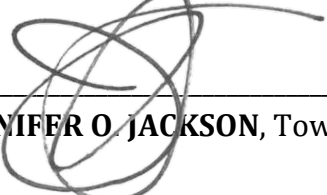
**ADOPTED THIS** the 20th day of May, 2024, by a vote of 7 in favor and 0 against.

  
\_\_\_\_\_  
**PATRICK FITZSIMMONS**, Mayor

**ATTESTED BY:**

  
\_\_\_\_\_  
**TAMARA MERCER**, Town Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**JENNIFER O. JACKSON**, Town Attorney



**CHAPTER 2 – ADMINISTRATION**  
**ARTICLE IV – BOARDS, COMMISSIONS AND COMMITTEES**  
**DIVISION 4. TREE BOARD**

**Sec. 2-171. Establishment.**

- (a) The town council establishes a tree board of the town, which board shall consist of seven (7) regular members and up to two (2) alternate members who shall all serve at the pleasure of town council. The tree board members shall primarily consist of residents of the Town of Weaverville, with a majority of the board being residents of the Town of Weaverville. Members shall be appointed by town council.
- (b) Except as provided for the first tree board or a newly constituted tree board, the term of office of each member of the tree board shall be for three years. To provide for staggered terms, in appointing original members or in filling vacancies caused by the expiration of the terms of existing members, town council may appoint certain members for less than three years so that the terms of all members do not expire at the same time. Vacancies occurring on the tree board shall be filled for the unexpired term only.
- (c) Members of the tree board shall receive no compensation for their services.
- (d) Any member of the tree board who is absent without good cause from three consecutive meetings of the board shall be reported to the mayor and may be removed from the board and replaced in the manner prescribed for appointments.
- (e) In addition to the seven members appointed to the tree board, the town manager or their designee, shall serve as an ex officio non-voting member of the board.

**Sec. 2-172. Records.**

The tree board shall keep records of its meetings and proceedings and may certify attendance of board members to the town council.

**Sec. 2-173. Officers.**

The tree board shall elect a chair and a vice-chair from its membership, who shall each serve for one year or until reelected or until their successors are elected. The town staff member to the board shall serve as secretary and provide staff support to the tree board.

**Sec. 2-174. Rules of procedure.**

The tree board may adopt appropriate rules of procedure for transaction of its business, as long as the same are not inconsistent with North Carolina law, and shall keep a record of its members' attendance, and of its resolutions, discussions, findings and recommendations in the form of meeting minutes and, as appropriate, formal recommendations and reports. All records of the tree board shall be subject to public records law.

**Sec. 2-175. Purpose.**

The tree board is intended to be a citizen led group, that works with town public officials and staff to improve the health of the urban and community forest within the municipal limits of Weaverville through tree plantings, advocacy, education, management and maintenance activities.

**Sec. 2-176. Duties and Limitations.**

The tree board shall primarily act in an advisory capacity to town council and town staff is primarily responsible for the planning, implementation, and coordination with other agencies and boards regarding projects undertaken by the board.

The tree board is to be primarily focused on trees and vegetation within public street rights-of-way, town parks, and town-owned property and shall have the following duties and responsibilities:

- (1) To periodically review the regulations within the town's code of ordinances related to trees and vegetation, including specifically Code Chapter 32, and make recommendations concerning revisions, additions, and/or repeal;
- (2) To study and make recommendations on land use regulations, such as a tree canopy or protection ordinances and other conservation minded regulation, with the goals of enhancing aesthetics, reducing urban heat islands, reducing stormwater run-off, providing wildlife habitats, lowering building energy costs, and increasing property values;
- (3) To seek advice, as needed, from qualified landscape architects, arborists, foresters, horticulturists, or other knowledgeable individuals;
- (4) To consult with certified residential and commercial arborists and foresters on an inventory of existing trees within town street rights-of-ways and on town-owned property with data collected on species, size, and general health of each tree;
- (5) To designate heritage trees, which are understood to be individual trees with unique value based on age, rarity, size, and/or aesthetic, botanical, ecological, or historical value, and are considered irreplaceable;
- (6) To organize educational programs and workshops, sponsor information booths, and develop/distribute informational materials on topics related to planting, maintenance, health, and protection of trees within the urban and community forests of Weaverville;
- (7) To foster communication among citizens of the town that would provide community education programs, and increased awareness of urban forestry, protection of trees, and to coordinate active measures to support tree health and growth within the town;
- (8) To investigate available grants, loans, or contributions from other governmental agencies, public or private corporations, or individuals, and to recommend the

- expenditures of any proceeds toward the accomplishment of the tree board's duties and responsibilities;
- (9) To study, investigate, counsel, develop and/or update periodically a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas once a tree inventory has been completed. The plan is to be presented to the Town Council and its acceptance and approval constitutes the official comprehensive Town tree plan.
  - (10) To approve voluntary planting plans on Town property or in Town street rights-of-way by private citizens or groups.
  - (11) To submit an annual report of its activities and recommendations to town council;
  - (12) To perform any other related duties that town council may direct, either through ordinance or action.