

**Town of Weaverville
Planning Board
Regular Monthly Meeting
Tuesday, September 3, 2024, 6:00pm
Agenda**

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**Town of Weaverville
Planning Board
Thursday, August 6, 2024, 2024
Meeting Minutes**

The Planning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Tuesday, August 6, 2024.

Present: Vice Chair Jane Kelley, Donna Mann Belt, Mark Endries, Michelle Rippon and alternate members Michael Sollazzo and Johnathan Brown.

Absent: Stefanie Pupkiewicz Busch

Staff Present: Acting Town Manager Scottie Harris, Planning Director James Eller, and Town Clerk Tamara Mercer

1. Call to order Vice Chair Kelley

Vice Chair Kelley called the meeting to order at 6:00 p.m.

2. Election of Officers

Ms. Mann Belt nominated Jane Kelley as Chair, without objection the motion carried unanimously. 4-0.

Ms. Mann Belt nominated Mark Endries as Vice Chair, without objection the motion carried unanimously. 4-0.

Ms. Kelley nominated Tamara Mercer as secretary, without objection the motion carried unanimously. 4-0.

After establishing officers Chair Kelley recognized Michael Sollazzo as a voting member in place of Stephanie Pupkiewicz Busch with new alternate member, Johnathan Brown attending.

3. Adoption of Agenda

Without objection Chair Kelley declared the agenda approved, the motion carried unanimously. 5-0.

4. Approval of Minutes – 6/6/2024 Regular Meeting

Ms. Rippon expressed that she did not agree with the minutes referring to the short-term rental topic.

Chair Kelley moved to approve the meeting minutes for June 6, 2024. The motion carried 4-1.

5. Downtown Residential Zoning Districts Discussion

Planning Director Eller presented the topic on downtown residential zoning districts and said the current goals of the Comprehensive Land Use Plan (CLUP) was last updated in November 2023, and at the direction of Council, the Planning Board is to study and consider a downtown residential district with smaller lot sizes and/or lot widths. The goal of studying a downtown residential district was also given number 1 (highest) priority within the CLUP giving staff the direction to accomplish or address the stated goal within 12 months.

At issue is the volume of lots within the downtown residential area which are preexisting nonconforming lots. As the Board of Adjustment had routinely been granting variances for construction on such lots, in early 2023 language related to nonconforming lots was amended to allow for more approvals of construction on nonconforming lots to be approved administratively rather than quasi-judicially.

Director Eller reviewed historic zoning map and the zoning ordinance which contained the standard recorded 50-foot by 50-foot lot width. He pointed out some are 100-feet, so they are non-conforming lots. The non-conforming lots contain non-conforming protections within the zoning map.

Mr. Eller pointed out the minimum lot areas and lot widths, property rights of owners due to lot protections, and BOA variances approved. Due to various discrepancies, he explained the reasons for achieving a variance for a buildable lot. This was addressed in 2023, so the change from 20% to 50% discrepancy allows the Planning Department to administratively approve the building permits to allow for buildable lots.

There was further question-and-answer period regarding density, the CLUP, large lots and large acreage, current zoning and pre-existing conditions on a property, R-1 residential, preserving and enhancing downtown, vacant parcels in-town versus built-out land around town, and residential character as well as reduction of minimum lot width for higher density.

Chief Harris stated that the departments are addressing economic and population growth and strategic planning to maintain infrastructure and services as necessary for double the population as well as funding, budget enhancements, and forecast planning that includes an increase of staffing positions for departments for the long-term planning.

In response to Mr. Brown's question regarding Fire Department services, Mr. Harris said the town is already planning to build a new fire house. The town has fire and emergency services agreements in place with other area departments such as the Reems Creek Fire Department which adheres to district guidelines for response times.

Director Eller continued to address zoning map and zoning text amendments for R-1, C-1, mixed-use development which has commercial on the bottom floor and housing above. Height restrictions were discussed as well looking at the downtown comprehensively and holistically as possible added Chair Kelley. Vice Chair Endries stated that he could provide a rendering of possible infill projects of higher density, pulling the historic plat with the existing lots as a template, and adding the higher density lot dimensions.

There was general consensus of the members that they were not comfortable increasing density without further specific directions from the Town Council.

No action was taken by the Planning Board.

6. Special Called Joint Town Council and Planning Board Meeting Chairman Pace

Chair Kelley noted that she would be able to attend the August 20th meeting.

7. Adjournment -

There being no further business and without objection, Chairman Kelley adjourned the meeting at 6:55 p.m. Carried Unanimously. 5-0

ATTEST:

Tamara Mercer, Town Clerk

TOWN OF WEAVERVILLE
PLANNING BOARD AGENDA ITEM

Date of Meeting: Tuesday, September 3, 2024
Subject: Study of Parking Requirements
Presenter: Planning Director
Attachments: Staff Report

Description:

As noted during the recent joint meeting of Town Council and the Planning Board, the town's land use regulations currently require more parking spaces for certain uses than other jurisdictions.

The current goals of the Comprehensive Land Use Plan (CLUP), last updated in November 2023, call for the study and consideration of parking regulations. The goal of considering parking requirements was also given number 2 (medium) priority within the CLUP giving staff the direction to accomplish or address the stated goal within 24 months.

Action Requested:

Staff is seeking a conversation with the Board related to several aspects of the town's parking regulations so an amended ordinance may be presented for review at a future meeting.

Town of Weaverville, North Carolina

Staff Report: Parking Standards

Prepared August 2024

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan

Comprehensive Land Use Plan Stated Goal and Background Information

The current goals of the Comprehensive Land Use Plan (CLUP), last updated in November 2023, call for the study and consideration of parking regulations. The goal of considering parking regulations was also given number 2 (medium) priority within the CLUP giving staff the direction to accomplish or address the stated goal within 24 months.

General Observations

As noted during the recent joint meeting of Town Council and the Planning Board, the town’s land use regulations currently require more parking spaces for certain uses than other jurisdictions. This has led to existing facilities being nonconforming upon annexation and generally created more impervious surface than is being used for parking.

New Parking Spaces in C-1

The town’s current parking regulations do not require additional off street parking spaces for most new uses established in the district. Subparagraph 20-3501(c) states in part “no additional off street parking other than the parking currently available in the C-1 district shall be required except where the structures currently located on an existing lot of record containing more than 1,875 square feet are razed and the lot of record is put to a new use.”

Other Jurisdictions

The following is a chart showing what certain town parking requirements are in other jurisdictions.

	Weaverville	Black Mountain	Brevard	Buncombe Co.
Multifamily Res.	2 per unit	2 per unit	1.5 per unit	1.75 per unit
Gen. Retail	1 per 300 sq. ft.	1 per 300 sq. ft.	1 per 300 sq.ft	1 per 300 sq. ft.
Multitenant	1 per 300 sq. ft.	1 per 300 sq. ft.	1 per 300 sq. ft.	1 per 300 sq. ft.
Manufacturing	1 per 200 sq. ft.	1 space per employee (max shift)	1 per 750 sq. ft. of admin space / +1 per 4,000 sq. ft. of industrial space	2 per 3 employees + 1 per company vehicle
Warehousing	1 per 300 sq. ft.	1 space per employee (max shift)	1 per 750 sq. ft. of admin space / +1 per 4,000 sq. ft. of industrial space	2 per 3 employees + 1 per company vehicle

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan

The parking regulations for multifamily residential, manufacturing and warehousing most often appear to be problematic.

The apartment complexes along Monticello Road were each established at two spaces per unit while the impending Maribel complex was granted a reduction in parking spaces in the conditional district which was granted to govern the project. All others noted that less parking would be required in most other jurisdictions.

Manufacturing and warehousing have also been problematic in that the town requires parking spaces for the aggregate of the entire facility. This does not take into account, what is like to be the case, that a massive amount of space within the facility is not occupied by vary many people. For instance, in the case of Brevard, more parking is required for a portion of the facility occupied by administrative space, while requiring less parking for the portion of the facility occupied by industrial space.

Variiances

Over the years, the Board of Adjustment have heard and granted variances from the town's parking requirements. In each case, the applicant for the variance substantiated that they did not desire, and/or would use, the number of spaces required by the town. Ingles alone has achieved three such variances related to parking (construction of garden center, fuel center and carwash, conversion of garden center to Ace Hardware). It may be worth looking into reducing the amount of spaces required for general retail and multitenant developments as well.

Administrative Reductions of Parking Requirements

Other ordinances allow for the administrative reduction of parking standards based upon objective variables. These variables include tree preservation, bicycle parking, BOPIS (buy online, pickup in store) spaces, and EV (electronic vehicle) parking spaces. The town's current parking requirements do not permit such a reduction or even the acknowledgement that BOPIS or EV spaces do not reduce the number of required parking spaces.

TOWN OF WEAVERVILLE
PLANNING BOARD AGENDA ITEM

Date of Meeting: Tuesday, September 3, 2024
Subject: Study of Tree Conservation Regulations
Presenter: Planning Director
Attachments: Staff Report

Description:

The current goals of the Comprehensive Land Use Plan (CLUP), last updated in November 2023, call for the consideration of tree conservation regulations. The goal of considering the tree conservation regulation was also given number 2 (medium) priority within the CLUP giving staff the direction to accomplish or address the stated goal within 24 months.

Town Clerk Mercer also serves as clerk to the recently reestablished Tree Board and will be able to speak regarding the role of the Board, their concentration on public properties, and public rights-of-way.

Action Requested:

Staff is seeking a conversation with the Board related to potentially implementing tree conservation regulations so an ordinance may be presented for review at a future meeting.

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan

Comprehensive Land Use Plan Stated Goal and Background Information

The current goals of the Comprehensive Land Use Plan (CLUP), last updated in November 2023, call for the study and consideration of tree conservation regulations. The goal of considering tree conservation regulations was also given number 2 (medium) priority within the CLUP giving staff the direction to accomplish or address the stated goal within 24 months.

Exiting Conditions – Landscaping Regulations, Conservation Subdivision, and Vegetation

Current town ordinance requires development of a certain type or scope to comply with landscape regulations. These regulations include the submittal of a landscape plan, landscaping requirements that require at least 5% of the subject property to be landscaped, street tree requirements, and landscaping requirements for off street parking and loading areas. These landscape regulations do provide a credit for existing trees of a certain size to be preserved instead of planting new required trees so there exists a built in incentive if it is chosen by the property owner.

Not included for spatial considerations, the landscaping regulations may be found at the following link: https://library.municode.com/nc/weaverville/codes/code_of_ordinances?nodeId=PTIICOOR_CH20PLDE_PTIIIZORE_ARTIVLARE

These landscape regulations are not applicable to land used for the following purposes.

- Single-family residences
- Duplex residences
- Properties located within the C-1 central business district

In January 2024 the town implemented conservation subdivision standards which were incorporated into the subdivision ordinance. These standards now require that all subdivisions of 25 lots or more be comprised of at least 25% of conservation area and set the standards for how this open space may be used. These standards, in part, require that this open space may be used for the conservation of natural resources; and/or agriculture, horticulture, or silviculture.

The town also has a vegetation ordinance which is overseen by a combination of municipal staff and the Tree Board. The primary focus of the vegetation ordinance is on trees and vegetation within public street rights-of-way, town parks, and town owned property. These regulations are not applicable to private property. The newly reestablished Tree Board meets on a monthly basis to discuss public tree care. A Tree Board is a requirement of the Arbor Day Foundation which administers the Tree City USA program the town has applied for and received for many years now.

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan

Not included for spatial considerations, the landscaping regulations may be found at the following link: https://library.municode.com/nc/weaverville/ordinances/code_of_ordinances?nodeId=1291170

Other Jurisdictions

Similar to the town's regulations, The Town of Black Mountain does not apply their landscape regulations to single- and two-family residential uses and provide an exemption to properties located in their central business district. They also allow variances from their landscaping requirements based upon subjective standards which are heard by the Board of Adjustment.

The Town of Brevard also exempts properties developed for single family and duplex uses. Where Brevard and Weaverville differ is that Brevard has a Main Street National Historic District, which is administered by Transylvania County Planning and Development. Trees within this historic district are afforded protection in the City of Brevard's tree protection standards.

General Information

At present date, there are 2,684 parcels of land within the Town of Weaverville. Of these parcels, 1,474 are zoned R-1 and 644 are zoned R-2. While there will never be a clean 1 to 1 ratio of structure to property, or more specifically undeveloped parcels, this does represent 2,118 parcels zoned for single- and two-family use which are currently largely exempt from the landscaping and/or tree reservation ordinances of the town's of Weaverville, Black Mountain, and Brevard.

Similar to the town's conservation subdivision, Black Mountain and Brevard may have similar standards in their subdivision ordinance which could be applicable but staff did not have sufficient time to confirm.

