

**Town of Weaverville  
Planning Board  
Regular Monthly Meeting  
Tuesday, October 1, 2024, 6:00pm  
Agenda**

	Pg#	
1. Call to Order .....		Chair Kelley
2. Adoption of Agenda .....		
3. Approval of Minutes – 9/3/2024 Regular Meeting .....	2	
4. Discussion Related to the Conditional District Request for 21 Parker Cove Road .....	5	
5. Discussion Related to Updating the Goals of the Comprehensive Land Use Plan, Future Land Use Map, and Growth Area Resolution.....	17	
6. Discussion Related to Parking Regulations .....	32	
7. Discussion Related to Tree Conservation.....	39	
8. Adjournment		

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

The Planning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Tuesday, September 3, 2024.

Present: Chair Jane Kelley, Vice Chair Mark Endries, Michelle Rippon and Michael Sollazzo and alternate member Jennifer Young, who voted as a regular member.

Absent: Jonathon Brown and Donna Mann Belt

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

1. Call to Order

Chair Kelley called the meeting to order at 6:00 p.m. and recognized newly appointed alternate member Jennifer Young as regular voting member.

2. Adoption of Agenda

*Without objection, Chair Kelley declared adoption of the agenda. The motion carried unanimously. 6-0.*

3. Approval of Minutes – 8/6/2024 Regular Meeting

*Mr. Sollazzo moved to approve the August 6, 2024, meeting minutes, and without objection the motion carried unanimously. 6-0.*

4. Discussion Related to Parking Regulations

Planning Director Eller reviewed the topic of 'parking regulations' and noted that 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, which has a medium priority within the CLUP giving staff the direction to accomplish or address the stated goal within twenty-four months.

Mr. Eller provided examples of non-conforming and existing facilities which generally have more impervious surface due to excess parking spaces, such as the Walmart parking lot. In the downtown commercial business district where parking is an issue there are no new spaces required. There was discussion about a limited specific district in general and new construction parking requirements such as in C1, commercial.

Mr. Eller said the code addresses this as: 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.

There was a review of the benchmark city table for: Black Mountain, Brevard, and Buncombe County's regulations. Further discussion by the Planning Board noted multi-family residential, density, lower minimum requirements, conditional district zoning, the requirements for the new hospital, medical use accessory businesses, variances and the Board of Adjustment cases, parking standards and objective variables.

There was a general consensus that Brevard's standards would be applicable to Weaverville. Mr. Eller use Brevard and present further verbiage to the Planning Board addressing parking standards for consideration. will pull the hospital and medical use stats to present next month

There was additional discussion regarding the construction and standards used for Ingles, variances which there were three from the BOA. The Administrative permitting process, reduction of parking standards based on objective variables, such as tree preservation and landscaping, and buy on-line pickup at box stores and EV station requirements. Such spaces should probably should not count towards required spaces, added Mr. Eller.

## **5. Discussion Related to Tree Conservation**

Town Clerk Mercer presented updates from the Tree Board thus far since the re-establishment of Tree Board by Town Council. She provided a timeline from June through August, noting that the Board is working on their priorities and goals.

There was discussion regarding pollinator habitats, ecosystem benefits from birds and butterflies, heat islands versus, plantings and tree islands in parking lots. Conservation subdivisions applicable to smaller areas, lots and acreage density, bonuses if certain open space is preserved, impervious surfaces and pavers, and benchmark city research. It was noted by Ms. Mercer that the Tree Board has been addressing the preferred tree species list as well as the vegetative list as provided by the Planning Department.

Mr. Endries noted the Buncombe County watershed protection regulations and to extend conservation subdivision regulations to existing R-1, R-2 districts without construction on them and to lower the threshold for conservation subdivision in large undeveloped parcels. He estimated it could approximate 146 acres of undeveloped land and to look to recommendations from the Tree Board.

## **6. Adjournment**

*There being no further business and without objection, Chairman Kelley adjourned the meeting at 7:12 p.m. Carried Unanimously. 5-0*

ATTEST:

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Tamara Mercer, Town Clerk

**TOWN OF WEAVERVILLE**  
**PLANNING BOARD AGENDA ITEM**

**Date of Meeting:** Tuesday, October 1, 2024

**Subject:** Conditional District Application for 21 Parker Cove Road

**Presenter:** Planning Director, Town Attorney

**Attachments:** Resolution Concerning Annexation, Section 20-1505 Planning Board Review and Comment, Section 20-3203 Conditional Districts, Conditional District Application, Site Plan, Staff Report

**Description:**

Town Council has referred this conditional district request to the Planning Board for the full review process as required by N.C.G.S. Chapter 160D. The Planning Board shall now review and offer comment on the proposal as per Sec. 20-1505.

Though not required, conditional districts have historically gone before the Board on two occasions prior to comment being offered to Town Council. Under current town ordinance, a community meeting is required to be held by the developer and the contents of this meeting recorded for the public record. It is typical that this community meeting be held between the two meeting of the Planning Board, so the Board may if they choose, incorporate comments from the public into their recommendation.

**Action Requested:**

The Board is being asked to consider the conditional district application and offer a recommendation to Town Council, when ready, on the proposal's consistency with the comprehensive land use plan and reasonableness of the proposed zoning amendment.

**RESOLUTION CONCERNING VOLUNTARY ANNEXATION PETITION  
FOR +/- 8.80 ACRES AT 21 PARKER COVE ROAD  
WEAVERVILLE ANNEXATION NO. 2024-4**

**WHEREAS**, a petition requesting annexation of that property located at 21 Parker Cove Road and bearing Buncombe County Parcel Identification Number 9752-44-2560 was received from William B. Crawford by the Town of Weaverville; and

**WHEREAS**, N.C. Gen. Stat. §§ 160A-31 and 160A-58.2 provide that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

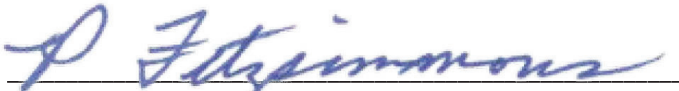
**WHEREAS**, the annexation petition includes a request for conditional district zoning for the property to be annexed; and

**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 a conditional district 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 23rd day of September, 2024.

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

**ATTESTED BY:**

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

### **Sec. 20-3203. Conditional districts.**

- (a) *Intent.* It is expected that, in most cases, a conventional district will appropriately regulate site-specific impacts of permitted uses and structures on surrounding areas, however conditional districts provide for those situations where a particular use, properly planned, may be appropriate for a particular site, but where the underlying conventional district has insufficient standards to mitigate the site-specific impact on surrounding area.
- (b) *Consideration for any use.* Any use may be considered for a conditional district and shall be established on an individual basis, upon petition of the property owner.
- (c) *Conditions.* Specific conditions may be proposed by the petitioner or by the town, but only those conditions approved by the town and consented to by the petitioner in writing may be incorporated into the zoning regulations. Unless consented to by the petitioner in writing, in the exercise of the authority granted by G.S. 160D-703(b) and this section, the town may not require, enforce, or incorporate into the zoning regulations any condition or requirement not authorized by otherwise applicable law, including, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702(b), driveway-related improvements in excess of those allowed in G.S. 136-18(29) and G.S. 160A-307, or other unauthorized limitations on the development or use of land. Conditions and site-specific standards imposed in a conditional district must be limited to those that address the conformance of the development and use of the site to town ordinances, plans adopted pursuant to G.S. 160D-501, or the impacts reasonably expected to be generated by the development or use of the site.
- (d) *Petition.* Property may be placed in a conditional district only in response to a petition by all owners of the property to be included. The petition must be signed by all property owners, or agents of the owners, of all of the property to be included in the district and shall be accompanied by a statement analyzing the reasonableness of the proposed rezoning request by the petitioner, the established fee, and documentation as required by the following:
  - (1) A preliminary plan or site plan that is substantially in compliance with the mapping standards set out in Code section 20-2504 and supporting information that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to all predetermined ordinance requirements, will govern the development and use of the property;
  - (2) The number and general location of all proposed structures;
  - (3) The proposed use of all land and structures, including the number of residential units or the total square footage of any nonresidential development;
  - (4) All yards, buffers, screening, landscaping, and sidewalks required by ordinance, and notations of any deviation from requirements;
  - (5) Proposed number and location of the signs;
  - (6) Proposed phasing, if any, and the approximate completion time for the project;
  - (7) Traffic, parking, and circulation plans, showing the proposed location and arrangement of parking spaces and ingress and egress to adjacent streets, existing and proposed;
  - (8) Information on the height of all proposed structures;
  - (9) Exterior features of all of the proposed development including but not limited to construction and finishing materials.
- (e) *Approval procedure.* Except as specifically modified by this section, the procedures to be followed by the planning board and town council in reviewing, granting, or denying any petition for a conditional district shall be the same as those established for zoning map amendments (see Code section 20-1504). The following additional procedures shall also apply for the approval of conditional districts:

- (1) *Initial consideration by town council.* Petitions for conditional districts shall be initially reviewed by town council. After its initial consideration of a petition for a conditional district, town council shall refer the request to the planning board for the full review process as required by G.S. Chapter 160D. Initial consideration of such petitions are intended to provide town council with the opportunity to express their preliminary thoughts related to the petition but shall not serve as a final determination on same.
  - (2) *Community meeting.* Before a public hearing may be held by the town council on a petition for a conditional district the petitioner must file in the office of the town clerk a written report of at least one community meeting held by the petitioner. The report shall include, among other things, a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time, and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning petition made by the petitioner as a result of the meeting. In the event the petitioner has not held at least one meeting pursuant to this subsection, the petitioner shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of a meeting held or report filed pursuant to this subsection shall be considered by the town council but shall not be subject to judicial review. Notice of the community meeting shall be posted on the property and mailed to all the property owners within 200 feet of the property boundaries not more than 25 days nor less than ten days prior to the meeting.
- (f) *Approval and ordinance.* If a petition for a conditional district is approved, the development and use of the property shall be governed by the ordinance establishing the conditional district, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved conditional district. Each conditional district will be given a special number, distinguishing such conditional district from another zoning district. Each ordinance adopted by town council which establishes a conditional district within the town is hereby incorporated into this chapter as a separate and unique zoning district and shall be reflected on the town's zoning map. Copies of such ordinances shall be kept on file with the town clerk and may be reviewed upon request.
  - (g) *Time limits.* Time limits for the completion of the project's infrastructure and completion of construction may be established as conditions of the conditional district, subject to consent of the property owner. Extensions to established time frames shall be subject to the approval of town council.
  - (h) *Phasing of projects.* Project phasing must be reviewed and approved with the conditional district. Phases must be shown on the site plan that is adopted in conjunction with the ordinance approving the conditional district and the time periods related to the phasing must also be addressed in said ordinance.
  - (i) *Performance guarantees.* At the discretion of the town council, the property owner may be required to post performance guarantees to guarantee the successful completion of required improvements included in the approved conditional district. Such performance guarantees are subject to the provisions of G.S. 160D-804.1.
  - (j) *Judicial review.* Conditional district decisions under this section are legislative decisions that are presumed valid if there is a reasonable basis for the decision.
  - (k) *Future variance request.* Properties subject to a conditional district are not eligible for variances on the approved project.
  - (l) *Maintaining the conditional district.* A conditional district is a rezoning which represents both a text and map amendment and as such is must be maintained after the sale of the property district.
  - (m) *Modifications.* Minor modifications and major amendments to approved conditional districts shall be in accordance with Code section 20-1303.
  - (n) *Final plat approval process.* All water, sewer, stormwater infrastructure, and all street, sidewalk, and similar improvements must be installed and verified as complete by the appropriate authority prior to final plat review. Once the required infrastructure is complete, the final plat is to be reviewed by the zoning administrator and the technical review committee for compliance with the relevant portions of the



ordinance approving the conditional district for the project. Upon finding that the required infrastructure is complete and the final plat is in compliance with the ordinance, the planning director, or their designee, shall approve the final plat and authorize the recordation of same. Final plats must contain all applicable information as set out in Code section 20-2504 and Code section 20-2505.

- (o) *Issuance of zoning permits.* The zoning administrator shall not issue a zoning permit until a final plat has been approved and recorded.

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

- (a) *New development regulations.* The planning board shall review and comment upon a proposed development regulation, including the full text of such regulations and any proposed zoning maps associated with the regulations. The planning board may hold public meetings and legislative hearings in the course of preparing the regulation. Upon completion, the planning board shall make a written recommendation regarding adoption of the regulation to the governing board. The governing board shall not hold its required hearing or take action until it has received a recommendation regarding the regulation from the planning board. Following its required hearing, the governing board may refer the regulation back to the planning board for any further recommendations that the board may wish to make prior to final action by the governing board in adopting, modifying and adopting, or rejecting the regulation. The governing board is not bound by the recommendations, if any, of the planning board.
- (b) *Development regulation and zoning map amendments.* Subsequent to initial adoption of a any development regulation, all proposed amendments to the development regulation or zoning map shall be submitted to the planning board for review and comment. Upon completion, the planning board shall make a written recommendation regarding adoption of the regulation to the governing board. The governing board shall not hold its required hearing or take action until it has received a recommendation regarding the regulation from the planning board. Following its required hearing, the governing board may refer the regulation back to the planning board for any further recommendations that the board may wish to make prior to final action by the governing board in adopting, modifying and adopting, or rejecting the regulation. If no written report is received from the planning board within 90 days of referral of the amendment to the board, the governing board may act on the amendment without the planning board report. The governing board is not bound by the recommendations, if any, of the planning board.
- (c) *Plan consistency.* When conducting a review of proposed zoning text or map amendments pursuant to G.S. 160D-604 and this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the planning board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.
- (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.

- (e) *Separate board required.* Notwithstanding the authority to assign duties of the planning board to the governing board as provided in G.S. Chapter 160D, the review and comment required by this section shall not be assigned to the governing board and must be performed by the planning board.

**CONDITIONAL DISTRICT APPLICATION**

Planning and Zoning Department  
30 South Main Street, P.O. Box 338, Weaverville, NC 28787  
(828) 484-7002--- fax (828) 645-4776 --- jeller@weavervillenc.org  
**Application Fee Based Upon Size of Property**



**Conditional Districts address situations in which a particular use, properly planned, may be appropriate for a specific site but, the existing zoning district of the site has insufficient standards to mitigate the site-specific impact on the surrounding area. Uses which may be considered for a Conditional District shall be established on the Table of Uses found at Sec. 20-3205. Additional information related to Conditional Districts may be found at Sec. 20-3203.**

**At the discretion of the Town Council, it may be required of the property owner to guarantee performance or completion of conditions included in the Conditional Zoning Plan. Such guarantee may take the form of: (1) a surety performance bond made by a company licensed and authorized in North Carolina, (2) a bond of a developer with an assignment to the Town of a certificate of deposit, (3) a bond of developer 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 whereby the developer deposits cash, a note, or a bond with a federally insured financial institution into an account payable to the Town. The amount of the guarantee shall be determined by Town Council.**

OWNER/APPLICANT NAME:

Green Street Capital Partners LLC

APPLICATION DATE:

7/11/24

BRIEFLY DESCRIBE THE PROJECT: Development of 45 detached single family subdivision

PHONE NUMBER:

704-936-6676

PROPERTY ADDRESS:

21 Parker Cove Rd Weaverville

PIN:

97524425600000

DEED BOOK/PAGE:

4673/1806

LOT AREA (acres): **8.80**

ZONING DISTRICT:

*Kristin Pruitt*

SIGNATURE OF APPLICANT

DATE

**Application fees are due at the time of submittal. Withdrawal of an application after the public hearing has been advertised will result in the forfeiture of the application fee.**

# **CONDITIONAL DISTRICT APPLICATION**

Planning and Zoning Department  
 30 South Main Street, P.O. Box 338, Weaverville, NC 28787  
 (828) 484-7002--- fax (828) 645-4776 --- jeller@weavervillenc.org  
**Application Fee Based Upon Size of Property**

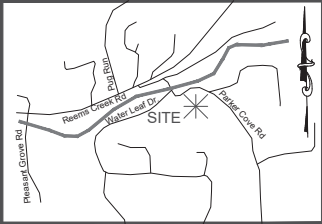


**A petition for a Conditional District must include a site plan and supporting information that specifies the intended uses for property. A complete site plan shall be substantially compliant with the mapping standards found within Sec. 20-2504. Additional information may be requested by members of staff, the Planning Board or Town Council.**

<input checked="" type="checkbox"/>	Title block containing:
<input checked="" type="checkbox"/>	Name of owner & applicant
<input checked="" type="checkbox"/>	Property address
<input checked="" type="checkbox"/>	Buncombe County PIN
<input checked="" type="checkbox"/>	Date or dates survey was conducted or plan prepared
<input checked="" type="checkbox"/>	Scale of the drawing in feet per inch
<input checked="" type="checkbox"/>	Deed book and page reference of the deed
<input checked="" type="checkbox"/>	Zoning designation of property
<input checked="" type="checkbox"/>	Sketch vicinity map depicting the relationship between the proposed subdivision and the surrounding area
<input checked="" type="checkbox"/>	North Arrow and orientation
<input checked="" type="checkbox"/>	Lot area in acres and square feet
<input checked="" type="checkbox"/>	Existing topography of the site and within 300 feet of the site boundary in five (5) foot contours
<input checked="" type="checkbox"/>	Delineation of areas within the floodplain.
<input checked="" type="checkbox"/>	Names of owners of adjoining properties, Buncombe County PIN, and zoning designation
	Minimum building setback lines applicable to the lot, including drainage or utility easements
<input checked="" type="checkbox"/>	Proposed number and location of signs
<input checked="" type="checkbox"/>	Exact dimensions, location, height, and exterior features of proposed buildings and structures
N/A	Photographs of buildings on properties within 200 ft. of subject property
<input checked="" type="checkbox"/>	Utility easements
<input checked="" type="checkbox"/>	Existing and proposed sanitary sewer system layout and a letter of commitment
<input checked="" type="checkbox"/>	Existing and proposed water distribution system layout and a letter of commitment
N/A	Plans for individual water supply and sewerage/septic disposal system, if any
<input checked="" type="checkbox"/>	A statement as to whether or not natural gas, telephone, electric, and cable lines are to be installed, and whether they will be above or below ground
<input checked="" type="checkbox"/>	Exact dimension and location of all traffic, parking, and circulation plans showing the proposed location and arrangement of parking spaces.
<input checked="" type="checkbox"/>	Existing and proposed roads, driveways, ingress/egress, easements, and rights-of-way both private and public.
<input checked="" type="checkbox"/>	Existing and proposed encroachments into setbacks, rights-of-way, and/or easements, if any
N/A	Proposed phasing, if any, and expected completion date of the project.

**Upon reviewing the application, site plan, and supporting documents, the Planning and Zoning Board will issue statement of reasonableness of the proposed Conditional District.**

**Before a public hearing may be held by the Town Council, the petitioner must file in the Office of the Town Clerk, a written report of at least one community meeting held by the petitioner. The report shall include a list of those persons and organization notified of the meeting detailing the method and date of contact' the date, time, and location of the meeting; a roster of persons in attendance, a summary of issues discussed, and a description of any changes to the petition as a result of the meeting. In the event the petitioner has not held at least one meeting, the petitioner shall file a report documenting efforts that were made and the reasons such a meeting was not held.**



VICINITY MAP  
N.T.S.

REZONING PLAN DATA TABLE	
Site Address	21 Parker Cove Rd, Weaverville, NC 28787
Jurisdiction	Town of Weaverville
Parcel ID(s)	07524425600000
Deed Reference	DB 4872, Page 1608
Map Reference	MB 104, Page 171
Total Acreage	3.365-acres
Total Square Feet	458,908 sq. ft.
Survey Prepared By	Cloninger Bell Surveying and Mapping PLLC
Date Surveyed	08-15-2024
Principal Use(s)	Residential/Sustainable Development
Existing Zoning District	R1 - Bucombe County
Proposed Zoning District	CD - Town of Weaverville
Common Open Space (C.O.S.)	3.87 Acres
Tree Save/Passive Open Space (P.O.S.)	0.92 Acres
Imperious Area	1.87 Acres (18% total site area)
Total Number of Units	45 Single Family Detached
Total Density	4.79 units/acre

\*Natural Gas, telephone, electric, and cable lines are to be installed and shall be install underground.

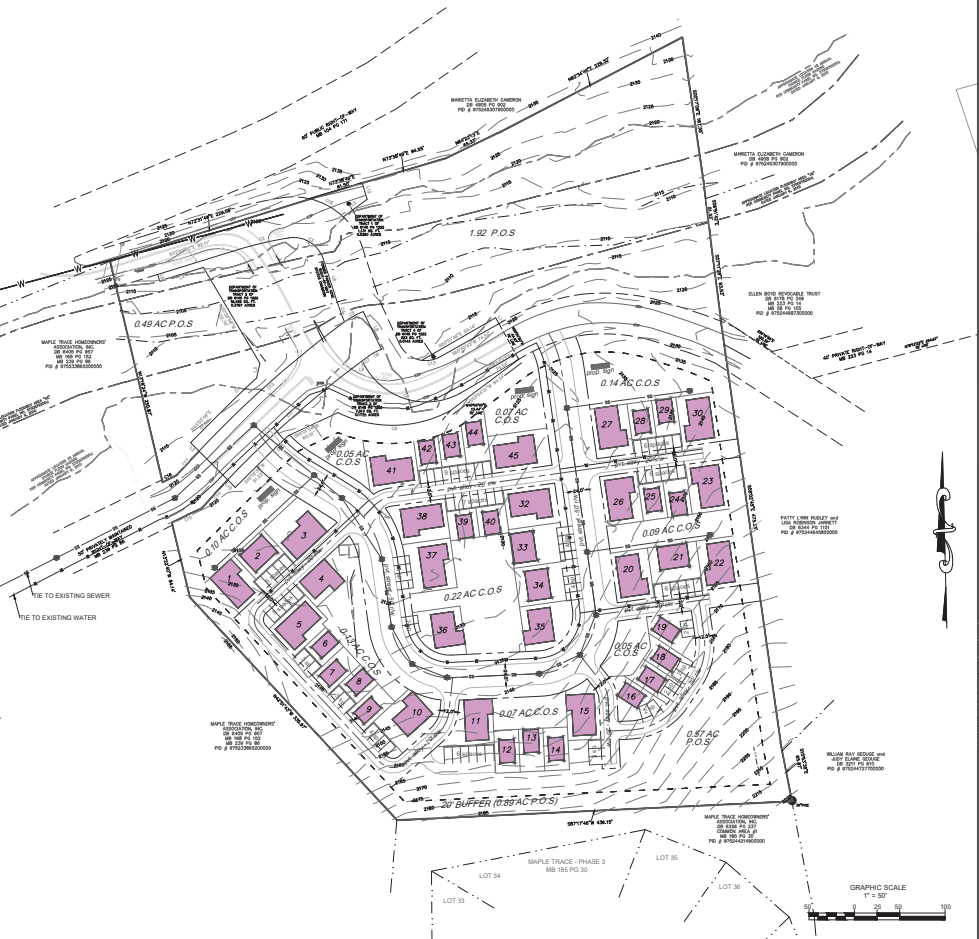
BEFORE YOU DIG STOP. CALL THE NC ONE-CALL CENTER AT 811. IT'S THE LAW.



LEGEND:

---	SUBJECT BOUNDARY
---	EXISTING SFP
---	COMMUNITY ALLOUARY
---	500-10 FOOT-UP
---	EXISTING TOPOGRAPHY
---	PROPOSED SFP
---	PROPOSED WATER

REMARKS: ALL PARCEL AND BOUNDARY INFORMATION ACQUIRED THROUGH PROPERTY DIMENSIONS, TOPOGRAPHY AND COORDINATES REFERENCED FROM A SURVEY BY CLONINGER BELL SURVEYING AND MAPPING, LLC.



Firm License # P-1191  
2725 Serris Drive  
Matthews, NC 28105  
Civil Site Design  
Low Impact Development  
SmartScale Estimating Design  
Telephone: 704-936-6676

PRELIMINARY  
NOT FOR  
CONSTRUCTION

THE SANCTUARY AT REEMS CREEK  
TOWN OF WEAVERVILLE  
BUCCOMBE COUNTY, NORTH CAROLINA  
FOR  
GREEN STREET CAPITAL PARTNERS, LLC  
2725 SERRIS DRIVE, SUITE 202  
MATTHEWS, NC 28105

Project Number	17-24-001
Date	08/29/2024
Drawn By	WSP
Checked By	WSP
Scale	AS SHOWN
Sheet Title	

Rezoning  
Plan

Sheet No:  
**RZ-1**

Town of Weaverville, North Carolina  
**Preliminary Staff Report:**  
**21 Parker Cove Road Annexation,**  
**Initial Zoning, Conditional District**

Prepared September 2024

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

**Zoning Analysis**

Town Council is set to consider a voluntary annexation of a satellite parcel adjacent to Reems Creek Road and Parker Cove Road. The parcel consists of 8.8 acres and conditional zoning is being applied for in order to house the desired development. 45 units are being proposed at a density of approximately 5 units per acre. The proposed minimum lot area is below what any standard district will accommodate creating the need for the conditional zoning request.

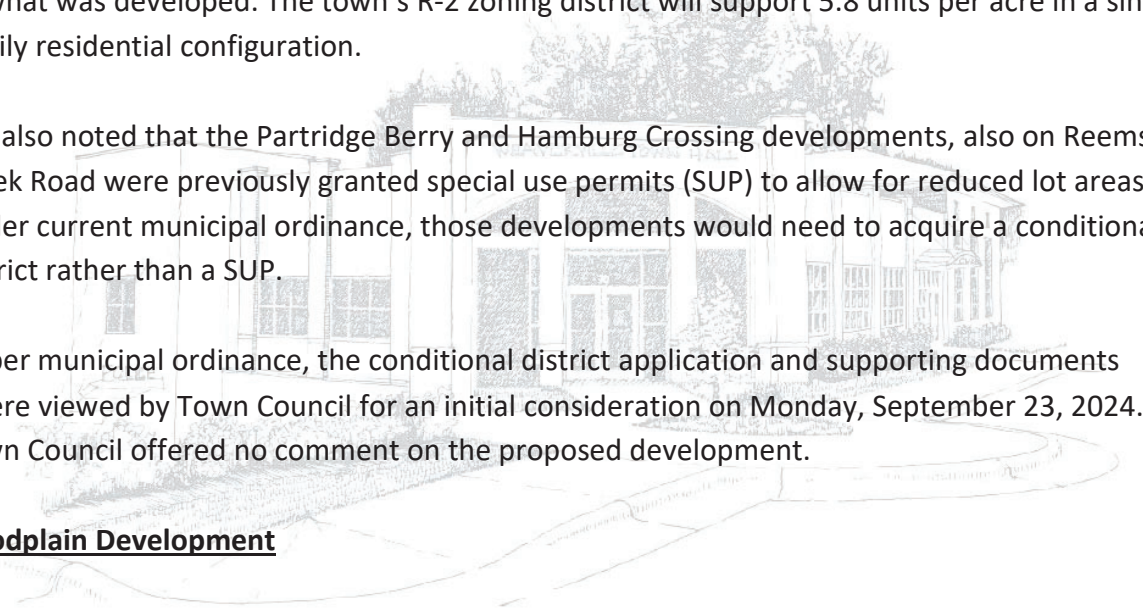
It is noted that the annexation of the neighboring Maple Trace subdivision is continuing to progress. A zoning district of R-2 was recommended for Maple Trace as being the closest match to what was developed. The town’s R-2 zoning district will support 5.8 units per acre in a single family residential configuration.

It is also noted that the Partridge Berry and Hamburg Crossing developments, also on Reems Creek Road were previously granted special use permits (SUP) to allow for reduced lot areas. Under current municipal ordinance, those developments would need to acquire a conditional district rather than a SUP.

As per municipal ordinance, the conditional district application and supporting documents were viewed by Town Council for an initial consideration on Monday, September 23, 2024. Town Council offered no comment on the proposed development.

**Floodplain Development**

It is noted that a portion of the subject property is within the floodplain. As noted in previous meetings, Buncombe County administers the Flood Damage Prevention Ordinance within our municipal borders. This development will be fully compliant with floodplain standards and be permitted, as it relates to the floodplain, through the county.



Town of Weaverville, North Carolina  
**Preliminary Staff Report:**  
**21 Parker Cove Road Annexation,**  
**Initial Zoning, Conditional District**

Prepared September 2024

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

**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 that the future land use map has identified the area in question is within Growth Area 5.

Growth Area 5, both in its present form and an upcoming update once adopted by Town Council, specifically enumerates single family residential development as compatible with the Town’s Comprehensive Land Use Plan.

The conditional zoning being applied for is specifically to accommodate single family residential development.

Additionally, the stated goal within the CLUP of “*consider ways to increase housing affordability*” should be taken into account. The voluntary annexation petition states and anticipated average sales price of \$300,000 and the reduced lot area will aide in affordability.

Given the aforementioned variables, it is the opinion of staff that the voluntary annexation and desired conditional zoning 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*

**Preliminary Staff Report:**  
**21 Parker Cove Road Annexation,**  
**Initial Zoning, Conditional District**

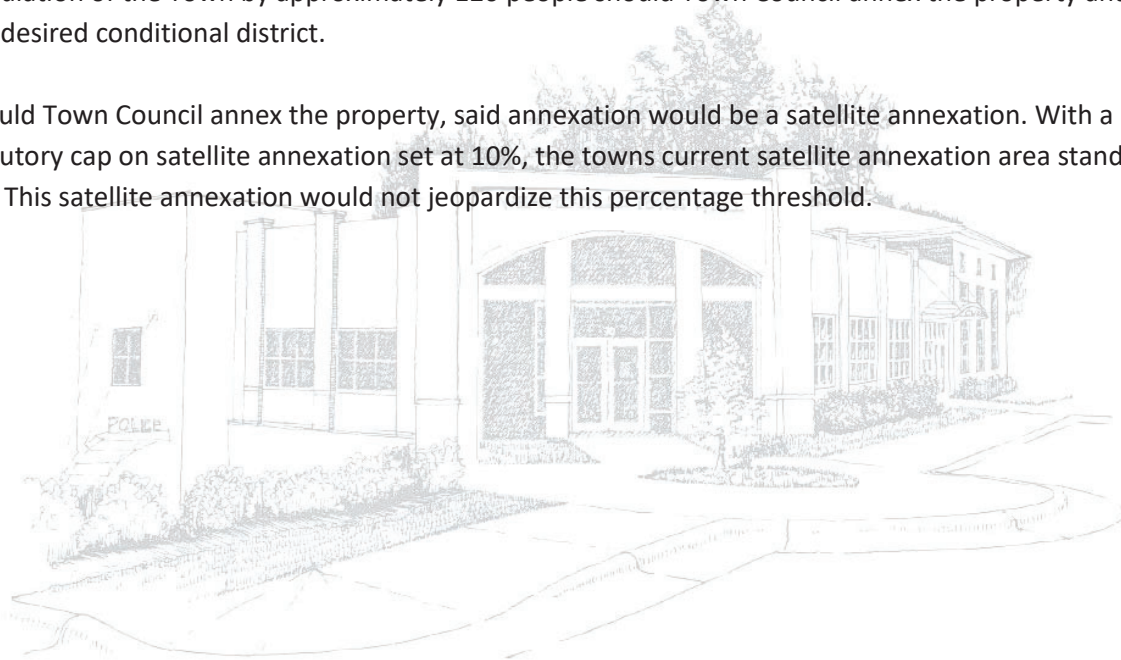
Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; Town of Weaverville Fact Sheet

*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.*

**Other Considerations**

The 2021 American Community survey provided the Town with a household size of 2.8 persons per household. This figure applied to the proposed 45 dwelling units suggests that this project will grow the population of the Town by approximately 126 people should Town Council annex the property and grant the desired conditional district.

Should Town Council annex the property, said annexation would be a satellite annexation. With a statutory cap on satellite annexation set at 10%, the towns current satellite annexation area stands at 2%. This satellite annexation would not jeopardize this percentage threshold.





**TOWN OF WEAVERVILLE**  
**PLANNING BOARD AGENDA ITEM**

**Date of Meeting:** Tuesday, October 1, 2024  
**Subject:** Annual Update of the Comprehensive Land Use Plan  
**Presenter:** Planning Director  
**Attachments:** Action Plan Table with Priorities, Resolution Regarding Development within Identified Growth Areas, Future Land Use Map

**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 is appropriate at this time.

Each of these documents have been updated as a result of the conversations during the joint meeting of Town Council and the Planning Board.

**Action Requested:**

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

**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)  
Approved –October 2023

1	2024	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC	
2	PRIORITIZATION				RESPONSIBILITY					
3	<b>WATER</b>									
4	N/A		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	Continue monitoring water production, allocations, usage, and availability	In progress by staff with quarterly reports	✓		
6	✓		1	1	1	Continue reserving water allocation for infill development within the town	In progress by staff with quarterly reports	✓		
7	✓		1.5	2	2	Development of Water System GIS Layer	Completed in 2024	✓		
8	<b>STREETS AND SIDEWALKS</b>									
9	✓		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; committee formed 11/23	✓		✓
11			1	1	1	Develop priorities/timeline for Bike-Ped Plan	Bike-Ped Plan adopted 6/26/23; committee working on this	✓		✓
12			2	2	2	Establish/continue funding a Sidewalk Improvement Program for Bike-Ped priorities	Bike-Ped Plan adopted 6/26/23			✓
13			2.5	2	3	Review annual progress towards implementation of the Bike-Ped Plan	Bike-Ped Plan adopted 6/26/23	✓	✓	✓
14			2.5	3	2	Study possible adoption of driveway construction standards – steep slope, reduction of curb cuts, common driveways		✓	✓	✓
15	<b>HOUSING</b>									

**COMPREHENSIVE LAND USE PLAN  
STATED GOALS, RESPONSIBILITIES, AND PRIORITIES**

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1		2024	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC
16			2	2	2	Consider broadening allowable housing types (duplexes, quadplexes) in residential. districts by allowing multifamily or establishing new districts		✓	✓	✓
17			3	3	2	Consider ways to increase housing affordability	TC considered in 2020	✓		✓
18			3	3	3	Consider expansion of the MH Overlay District		✓	✓	✓
19	<b>GENERAL POLICY MATTERS</b>									
20			1		1	Review & update economic development goals	WEDAC/TC working on this			✓
21	✓		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 & last amended 5/20/24			✓
22	✓		1	1	1	Continue to work with Buncombe County on planning issues, esp. in areas near Town limits	TC consensus on 5/14/22	✓		✓
23	✓		1		1	Engage in conversations with NCDOT about long-term planning for growth	TC consensus on 5/14/22	✓		✓
24	✓		1		1	Engage in conversations with MSD about long-term planning for growth	TC consensus on 5/14/22; MSD Update on ???	✓		✓
25	✓		1	1	1	Comprehensive review of Future Land Use Map	TC workshop 5/14/22; adopted 11/20/23	✓	✓	✓
26	✓		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 10/23/23			✓
27			2	2	2	Increase recreational opportunities, especially on Town properties	Eller Cove Watershed (study complete 2/24, grant application pending 3/24); Reems Creek Greenway (study pending)	✓		✓
28			3		2	Investigate possibility of reestablishing direct bus route between Weaverville and Asheville		✓		✓
29			3	3	2	Review of overlapping land use authority	Take up when County initiates	✓		✓
30			2.5	3	2	Negotiate interlocal agreement(s) with County (Building Permits and Inspections)	Take up when County initiates	✓		✓

**COMPREHENSIVE LAND USE PLAN**  
**STATED GOALS, RESPONSIBILITIES, AND PRIORITIES**

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1	2024	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC
31		3	3	3	Evaluate need to strengthen regulations with regard to hazard mitigation	Buncombe-Madison Hazard Mitigation Plan dated 6/21	✓	✓	✓
32	<b>LAND DEVELOPMENT REGULATIONS</b>								
33				1	Review residential uses for consistency and compatibility with policy directives	PB Recommended 5/24	✓	✓	✓
34				1	Determine how to regulate Condominiums		✓	✓	✓
35	✓			2	Study & consider regulation of short-term rentals	TC Consensus to Delay 8/20/24	✓	✓	✓
36	✓	1	1	1	Consider regulations that encourage open space or greenway dedication, conservation measures / Link with Tree Conservation Consider regulations concerning tree conservation/tree canopy preservation	Planning Board consensus on 9/3/24 Active Item	✓	✓	✓
37				1	Study & consider regulations on min/max parking and loading areas	Active Item	✓	✓	✓
38				1	Setbacks when property line crosses a road				
39	2	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	✓	✓	✓
40	2	2	2	2	Undertake a comprehensive review of zoning regulations		✓	✓	✓
41	2	2	2	2	Determine need or desire for Town grading regulations for projects between 1 acre and ½ acre		✓	✓	✓
42	3	3	2	2	Revise wireless telecommunication facility regulations for legal compliance and policy objectives		✓	✓	✓
43	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	✓	✓	✓

**COMPREHENSIVE LAND USE PLAN  
STATED GOALS, RESPONSIBILITIES, AND PRIORITIES**

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1	2024	TC	PB	Staff	STATED GOAL	NOTES	Staff	PB	TC
44	<b>PLAN CONSISTENCY REVIEW - LEGALLY REQUIRED</b>								
45	-		-	-	Consult plan priorities if inconsistencies develop in the implementation of this Plan		✓	✓	✓
46	-		-	-	Consult the Future Land Use Map and use descriptions for Plan consistency review	Legally required	✓	✓	✓
47	-		-	-	Consult Action Plan and stated goals for Plan consistency review	Legally required	✓	✓	✓
48	-		-	-	Consult additional approved plans for Plan consistency review	Legally required	✓	✓	✓
49	<b>MAINTENANCE OF PLAN AND REGULATIONS – LEGAL COMPLIANCE AND ACCOUNTABILITY</b>								
50	-		-	-	Conduct an annual review of progress towards accomplishment of Plan goals	July/August each year	✓	✓	✓
51	-		-	-	Update appendix to this Plan when new plans or amendments are adopted	To keep Plan up-to-date and usable	✓		
52	-		-	-	Conduct an annual review of zoning regulations to ensure statutory compliance and consistency with stated goals	For legal compliance and progress towards Plan goals	✓		
53	-		-	-	Undertake annual review of the Table of Uses	For legal compliance	✓		
54	-		-	-	Conduct an annual review of subdivision regulations to ensure statutory compliance and consistency with stated goals	For legal compliance and progress towards Plan goals	✓		
55	-		-	-	Consider development of or amendment to regulations consistent with law and Plan	For progress towards Plan goals	✓	✓	✓
56	-		-	-	Undertake a comprehensive update to the Plan in 2025 or at such time as substantial legislative or other changes are experienced	2025 is proposed in order to provide for 5-year updates that better align w/ Census	✓	✓	✓

**COMPREHENSIVE LAND USE PLAN  
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COMPLETED									
✓		2	1	1	Review sign regulations for legal compliance and policy objectives	Code Amendments adopted 6/24/24	✓	✓	✓
✓		1.5	1	1	Review hillside/steep slope regulations for legal compliance and policy objectives	Code Amendments adopted 3/25/24	✓	✓	✓
✓		1	1	0	Study & consider downtown residential district with smaller lot size/width	TC and PB consensus 8/20/24 Continue to treat as nonconforming lots	✓	✓	✓
✓	3	3	3	3	Study mountain ridge protection regulations for possible implementation	Code Amendments adopted 3/25/24	✓	✓	✓
✓	1				Investigate interconnection with Asheville for supplemental water	TC resolution adopted 6/27/22; completed	✓		
n/a	1				Negotiate interlocal agreement with Asheville for purchase of supplemental water	Investigated and TC decided not to pursue	✓		✓
✓	1				Develop annexation guidelines that include consideration of how quality municipal services will be provided	Resolution adopted 12/13/2022			✓
✓	1				Establish Priority List for Sidewalk Installation	Sidewalk priority list adopted 10/24/22	✓	✓	✓
✓	1				Development of Stormwater System GIS Layer	Completed 5/23; LOSRC grant funding	✓		
✓	1				Comprehensive review of Table of Uses	PB review 3/23 through 5/23; amendments proposed	✓	✓	✓
✓	1				Review regulations for non-conforming lots	Adopted 4/23	✓	✓	✓
✓	1				Initiate small area studies for growth areas: Gill Branch Valley, Monticello Rd West, Ollie Weaver Rd, I-26 Corridor, Reems Creek Rd	Related to TC workshop 5/14/22	✓	✓	✓
✓	1				Consider adoption of land use regulations which provide greater control of retail development in Main Street area (C-1)	Adopted 10/24/22	✓	✓	✓
n/a	0				Study removal of floodplain areas from density calculation		✓	✓	✓

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n/a	0				Initiate special area studies: Downtown, North Main Street-“Five Points” Area, Monticello Road corridor, and Reems Creek Road corridor	Proposed for deletion; see line 43	✓	✓	✓
✓	-				Conduct an annual review of progress towards accomplishment of Plan goals	7/5/22 – PB Review; 7/19/22 Jt Mtg b/w TC and PB	✓	✓	✓
✓	-				Update appendix to this Plan when new plans or amendments are adopted	August 2022	✓		
✓	1				Consider simplification of outdoor lighting regulations	Amendments proposed for adoption 7/25/22	✓	✓	✓
✓	1				Continue the Street Improvement Program	Program funded FY2023	✓		✓
✓	1				Implementation of GIS system and Zoning Layer	Implemented April 2022	✓		
✓	1				Provide educational information on parking availability in downtown area	Website posting	✓		
✓	1				Continue monitoring water production, allocations, usage, and availability	In progress by staff with quarterly reports	✓		
✓	1				Continue reserving water allocation for infill development within the town	In progress by staff with quarterly reports	✓		
✓	1				Negotiate interlocal agreement(s) with County (Stormwater and Sedimentation/Erosion Control Permitting and Enforcement)	Agreements approved by TC June 2022	✓		✓
✓	1				Review use of flag lots	Implemented Nov 2021	✓	✓	✓
✓	1				Study solar collector regulation for possible implementation	Implemented May 2022	✓	✓	✓
✓	-				Conduct an annual review of progress towards accomplishment of Plan goals	August 2021	✓	✓	✓
✓	-				Update appendix to this Plan when new plans or amendments are adopted	August 2021	✓		
✓	1				Implementation of Chapter 160D Amendments	Implemented July 2021	✓	✓	✓
✓	1				Consider Implementation of a Manufactured Home Overlay District	Implemented Feb 2021	✓	✓	✓
✓	1				Undertake a comprehensive review of subdivision regulations	Implemented July 2021	✓	✓	✓

**COMPREHENSIVE LAND USE PLAN  
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✓	1				Clarify legally required exemptions to subdivision regulations and reexamine the definitions of minor subdivisions and major subdivisions	Implemented July 2021	✓	✓	✓
✓	1				Streamline the subdivision review process	Implemented July 2021	✓	✓	✓
✓	1				Determine when sidewalks and other improvements are required with development approvals	Implemented July 2021	✓	✓	✓
✓	-				Conduct an annual review of zoning regulations to ensure statutory compliance and consistency with stated goals	With 160D Project	✓		
✓	-				Undertake annual review of the Table of Uses	With 160D Project	✓		
✓	-				Conduct an annual review of subdivision regulations to ensure statutory compliance and consistency with stated goals	With 160D Project	✓		
✓	1				Continue monitoring water production, allocations, usage, and availability	Staff quarterly reports 2020/2021	✓		
✓	1				Continue reserving water allocation for infill development within the town	Staff quarterly reports 2020/2021	✓		
✓	-				Update appendix to this Plan when new plans or amendments are adopted	August 2020	✓		
✓	-				Conduct an annual review of progress towards accomplishment of Plan goals	August 2020	✓	✓	✓
✓	1				Continue monitoring water production, allocations, usage, and availability	In progress by staff with quarterly reports	✓		
✓	1				Continue reserving water allocation for infill development within the town	In progress by staff with quarterly reports	✓		
✓	1				Consider land use regulation that better provides for mixed use development	Regulations amended in May 2020	✓	✓	✓
✓	1				Consider land use regulation that provides for high density single family residential development	Studied in 2019; no new regulation desired	✓	✓	✓
✓	2				Review the current policy on street standards for private streets	Private street standards adopted May 2020	✓	✓	✓



**COMPREHENSIVE LAND USE PLAN  
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✓	2				Consider ways to address housing affordability	Workshop presentation in January 2020	✓		✓
✓	2				Consider land use regulation that provides for transition districts	Accomplished 2020 with mixed use amdmts	✓	✓	✓
✓	2				Implement a staff-led Technical Review Committee for development reviews	TRC amendments adopted in May 2020	✓	✓	✓
✓	3				Develop and distribute a downtown parking map	Map available on website and Town Hall in 2019	✓		

**TOWN OF WEAVERVILLE  
AMENDED AND RESTATED RESOLUTION  
CONCERNING GROWTH AREAS**

**WHEREAS**, on October 23, 2023, Town Council adopted a resolution concerning identified growth areas and, at a joint meeting with the Planning Board on August 20, 2024, several desired changes to the desired uses in the growth areas were discussed;

**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;

**WHEREAS**, Town Council now wishes to amend and restated such resolution;

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

1. The Town has identified the following growth areas which are now shown on the Town's GIS map, a copy of which is attached hereto:
  - a. Growth Area 1 – Gill Branch Valley Area
  - b. Growth Area 2 – Monticello Road West Area
  - c. Growth Area 3a – Ollie Weaver Road Area – Commercial (portion of the area near and along Monticello Road and 25/70 which is more commercial in nature)
  - d. Growth Area 3b – Ollie Weaver Road Area – Residential (portion that is more rural and residential in nature).
  - e. Growth Area 4 – I-26 Corridor
  - f. Growth Area 5 – Reems Creek Road Area
  - g. Growth Area 6 – US Highway 25/70 Corridor

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-2, 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-2, 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 3a [Ollie Weaver Road Area - Commercial]**:

- a. commercial development (especially medical services such as healthcare facilities and medical offices; small general retail, restaurants, professional services; and other commercial uses supporting residential neighborhoods).

These uses are consistent with the following zoning districts: C-2, conditional district zoning, and any neighborhood commercial or light commercial district.

7. 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 3b [Ollie Weaver Road Area - Residential]**:

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

These uses are consistent with the following zoning districts: R-1, R-2, R-3, 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 4 [I-26 Corridor]**:

- a. mixed use development;
- b. single family residential development;
- c. duplexes;
- d. townhouses;
- e. multifamily development;
- f. 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: R-1, R-2, R-3, R-12, C-2, and conditional district zoning.

9. 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-2, ~~R-3, R-42~~, C-2, and conditional district zoning, and any neighborhood commercial or light commercial district.

10. 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 6 [US Highway 25/70 Corridor]:**

- a. light commercial development (especially medical services such as healthcare facilities and medical offices; small general retail supporting residential neighborhoods; professional offices).

These uses are consistent with the following zoning districts: C-2, conditional district zoning, and any neighborhood commercial or light commercial district.

11. 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.

12. 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.

13. 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.

14. The Town's Comprehensive Land Use Plan is hereby automatically amended to include this amended and restated resolution concerning growth areas.

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2024.

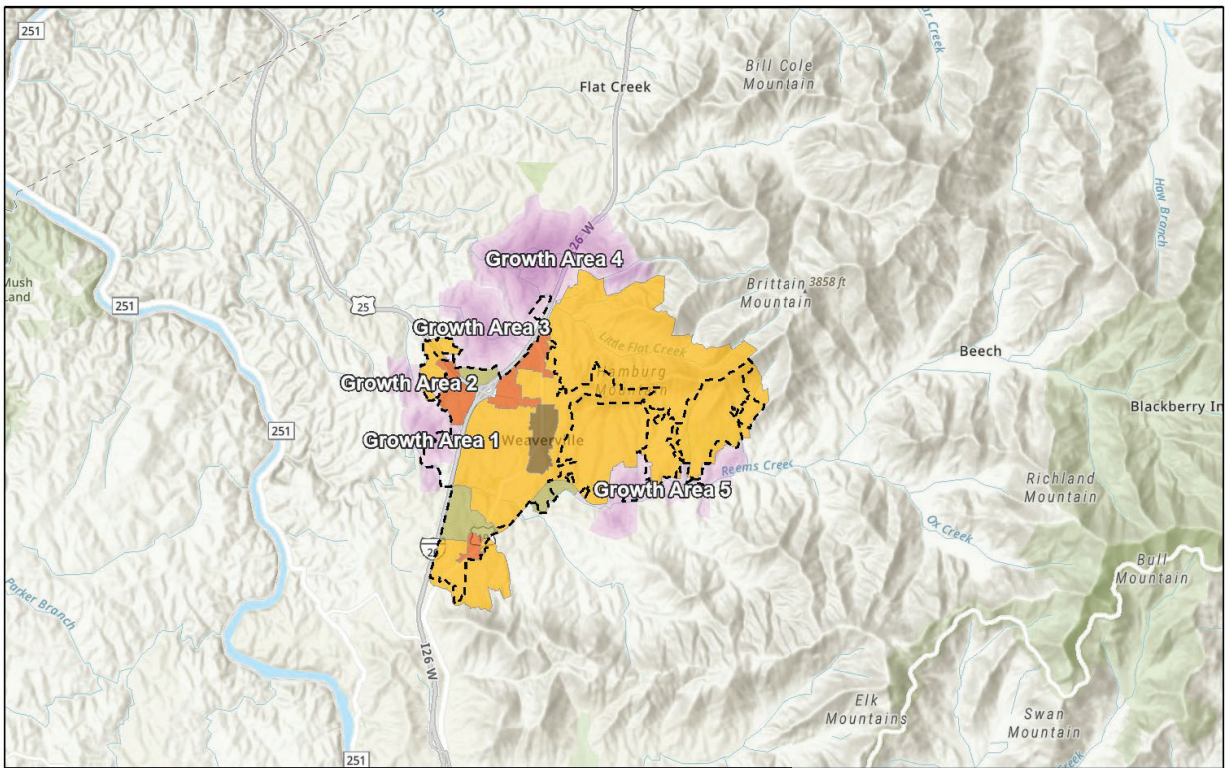
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**PATRICK FITZSIMMONS**, Mayor

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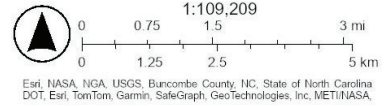
**TAMARA MERCER**, Town Clerk

## Town of Weaverville Zoning



9/24/2024, 3:07:18 PM

- Weaverville Town Limits
- Downtown
- Residential
- Industrial
- Weaverville Growth Areas
- Commercial



**TOWN OF WEAVERVILLE**  
**PLANNING BOARD AGENDA ITEM**

**Date of Meeting:** Tuesday, October 1, 2024  
**Subject:** Parking Requirements  
**Presenter:** Planning Director  
**Attachments:** Staff Report with Proposed Ordinance Amendments

**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 the use of flag lots 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:**

An amended ordinance is presented for review and recommendation to Town Council.



# 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 the use of flag lots 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

# Town of Weaverville, North Carolina

## Staff Report: Parking Standards

Prepared August 2024

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.

### Variances

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.

### October Update – Hospital/Medical Parking Requirements

	Weaverville	Black Mountain	Brevard	Buncombe Co.
Medical-Hospital	1 per 200 sq. ft.	6 spaces per doctor =+ 1 per employee	2.5 per patient room	1 per 2 beds + 1 per doctor + per 2 employees

# Town of Weaverville, North Carolina

## Staff Report: Parking Standards

Prepared August 2024

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

### Proposed Ordinance Amendments

#### **Sec. 20-3501. 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.

Uses	Required Parking
<b>Residential</b>	
Dwelling - Single Family	Two spaces
Dwelling - Duplex	Two spaces for each dwelling unit
Dwelling - Multifamily (four or less units/building)	<del>Two</del> 1.5 spaces for each dwelling unit
Dwelling - Multifamily (more than four units/building)	<del>Two</del> 1.5 spaces for each dwelling unit
Dwelling - Secondary	One space
Family Care Home (6 or fewer residents)	Two spaces
Child Care Home (6 or fewer children)	-
Home Occupation	-
Manufactured Home	Two spaces
Manufactured Home Park	-
Recreational Vehicle	-
Recreational Vehicle Park, Campground	One space for each RV/camp site
Bed & Breakfast	One space for each bedroom
Hotel, Motel, Inn	One space for each room plus one space for each employee working on the shift of greatest employment
<b>Office / Service</b>	
Animal Services, Veterinary Clinic	One space for each 200 square feet of gross floor space
Automated Teller Machines	Two spaces
Automobile Services, Gas Station	One space for each 300 feet of gross floor space
Automobile Services, Repair	Five spaces for each service bay
Banks, Credit Unions, Financial Services	Five spaces for each employee
Child Care Center (more than 6 children)	One space for each room plus one space for each employee working on the shift of greatest employment
Community Service Organization	One space for each 200 square feet of gross floor space
Equipment Rental (Exterior Storage)	One space for each 300 feet of gross floor space
Equipment Rental (Interior Storage)	One space for each 300 feet of gross floor space
Funeral Home	One space for each four seats in the principal assembly room
Group Care Facility (more than 6 residents)	One space for each room plus one space for each employee working on the shift of greatest employment

# Town of Weaverville, North Carolina

## Staff Report: Parking Standards

Prepared August 2024

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

Government Services	One space for each room plus one space for each employee working on the shift of greatest employment
Kennels	One space for each 200 square feet of gross floor space
Medical Services - Clinic, Urgent Care Center, Hospital	One space for each 200 square feet of gross floor space 2.5 per patient room
Medical Services - Doctor Office	Five spaces for each office 2.5 per patient room
Personal Services	One space for each 200 square feet of gross floor space
Post Office	One space for each 200 square feet of gross floor space
Professional Services	One space for each 200 square feet of gross floor space
Studio - Art, Dance Martial Arts, Music	One space for each 200 square feet of gross floor space
<b>Retail / Restaurants</b>	
Accessory Retail	One space for each 300 feet of gross floor space
Alcoholic Beverage Sales Store	One space for each 300 feet of gross floor space
Auto / Mechanical Parts Store	One space for each 300 feet of gross floor space
Bar / Tavern / Night Club	One space for each 300 feet of gross floor space
Drive-Thru Retail / Restaurant	One space for each 200 square feet of gross floor space
General Retail (Under 10,000 sq. ft.)	One space for each <del>300</del> 400 feet of gross floor space
General Retail (10,000 - 24,999 sq. ft.)	One space for each <del>300</del> 400 feet of gross floor space
General Retail (25,000 sq. ft. or more)	One space for each <del>300</del> 400 feet of gross floor space
Multi-tenant Development (Under 25,000 sq. ft.)	One space for each <del>300</del> 400 feet of gross floor space
Multi-tenant Development (25,000 sq. ft. or more)	One space for each <del>300</del> 400 feet of gross floor space for the entire facility
Pawn Shop	One space for each 300 feet of gross floor space
Restaurant	One space for each three seats plus one space for each employee working on the shift of greatest employment
Vehicle / Heavy Equipment Sales - Indoor	One space for each 300 feet of gross floor space
Vehicle / Heavy Equipment Sales - Outdoor	One space for each 300 feet of gross floor space
<b>Entertainment / Recreation</b>	
Amusements - Indoor	One space for each 200 square feet of gross floor space
Amusements - Outdoor	One space for each 200 square feet of gross floor space
Cultural or Community Facility	One space for each two hundred square feet within the principal assembly room
Recreation Facilities - Indoor	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
Recreation Facilities - Outdoor	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
Theater - Motion Picture	One space for each four seats in the principal assembly room
<b>Manufacturing / Wholesale / Storage</b>	
Manufacturing, Heavy	One space for each 200 square feet of gross floor space One space for each 750 square feet of administrative space + one space for each 4,000 square feet of industrial space

# Town of Weaverville, North Carolina

## Staff Report: Parking Standards

Prepared August 2024

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

Manufacturing, Light	<del>One space for each 200 square feet of gross floor space</del> One space for each 750 square feet of administrative space + one space for each 4,000 square feet of industrial space
Manufacturing, Neighborhood	<del>One space for each 200 square feet of gross floor space</del> One space for each 750 square feet of administrative space + one space for each 4,000 square feet of industrial space
Metal Product Fabrication, Machine or Welding Shop, Auto Body Shop	One space for each 200 square feet of gross floor space
Mini-Warehouses	One space for each 300 square feet of gross floor space
Outdoor Storage Yard	One space for each 200 square feet of gross floor space
Warehousing and Distribution - Exterior Storage	<del>One space for each 300 feet of gross floor space</del> One space for each 750 square feet of administrative space + one space for each 4,000 square feet of industrial space
Warehousing and Distribution - Interior Storage	<del>One space for each 300 feet of gross floor space</del> One space for each 750 square feet of administrative space + one space for each 4,000 square feet of industrial space
<b>Civic / Institutional</b>	
Cemeteries	-
Public Safety Facilities	One space for each 200 square feet of gross floor space
Religious Institutions	One space for each four seats in the principal assembly room
Schools	Two spaces for each classroom and for each administrative office or one space for each four pupils for high schools or higher.
<b>Utilities</b>	
Wireless Telecommunication Facility - Stealth	-
Wireless Telecommunication Facility - Tower	-
<b>Miscellaneous Uses</b>	
Adult Establishment	One space for each 200 square feet of gross floor space
Agriculture - Commercial	One space for each 200 square feet of gross floor space
Agriculture - Neighborhood	-
Crematories	One space for each 200 square feet of gross floor space
Event Center	One space for each four seats in the principal assembly room
Gaming Terminals	-
Tattoo Parlors	One space for each 200 square feet of gross floor space
Mixed-Use Building or Structure	Match parking requirements with closest uses
Noxious Uses	One space for each 200 square feet of gross floor space
<b>Temporary Uses</b>	
Farmers Market	-
Mobile Food Vendor	-
Temporary Use	-

- (b) Extension of parking space into a residential district. Required parking space may not extend from a commercial district (C-1 and C-2) or from a conditional district that contains any commercial or office use into any residential use district.

# Town of Weaverville, North Carolina

## Staff Report: Parking Standards

Prepared August 2024

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

- (c) Notwithstanding the foregoing, 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 in which event the parking regulations of this section shall be fully applicable to said property.
- (d) Joint use of parking lots. The required parking space for any number of separate uses may be combined in one lot, but the required number of spaces assigned to one use may not be assigned to another for use during the same hours.
- (e) Remote parking. For any use except residential, if the off-street parking spaces required by this division cannot be reasonably provided on the same lot on which the use is located, such spaces may be provided on any land within 800 feet walking distance of any entrance to such use, provided that the district use regulations for the district in which the remote parking spaces are located permit the use which the parking space serves.
- (f) **Parking spaces may be occupied by electric vehicle charging stations and online order pick up and shall not count against minimum parking spaces required.**



**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, Sec. 20-2309 Conservation Subdivision Standards,  
Report on Undeveloped Parcels

**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.

Continuing on last month's conversation, additional information is being provided related to recently enacted conservation subdivision standards and large undeveloped or underutilized parcels within municipal borders.

**Action Requested:**

Staff is seeking a conversation with the Board so an ordinance amendment may be drafted 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 build 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\\_PTIIZORE\\_ARTIVLARE](https://library.municode.com/nc/weaverville/codes/code_of_ordinances?nodeId=PTIICOOR_CH20PLDE_PTIIZORE_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 stands, 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 semi-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.



# Town of Weaverville, North Carolina

## Staff Report: Tree Conservation

Prepared August 2024

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](https://library.municode.com/nc/weaverville/ordinances/code_of_ordinances?nodeId=1291170)

### **Other Jurisdictions**

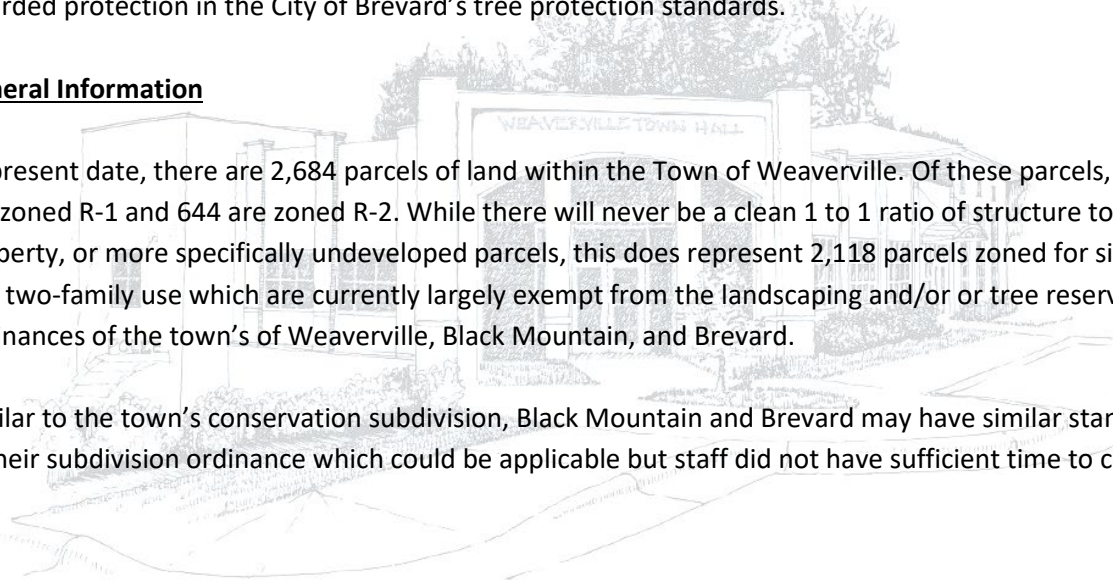
Similar to the town's regulations, The Town of Black Mountain does not apply their landscape regulations to single- and two-family residential uses and provide an exemption to properties located in their central business district. They also allow variances from their landscaping requirements based upon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



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## Sec. 20-2309. Conservation subdivision standards.

The following additional standards shall apply to all subdivisions proposing 25 lots or more:

- (a) Open space shall:
  - (1) Comprise a minimum of 25 percent of the project area. Floodplain areas are allowed to be calculated for both density and open space requirements.
  - (2) Be composed of (in order of which lands should be designated as open space first): primary conservation area, secondary conservation area, and any remaining lands necessary.
  - (3) Be designated so that a minimum of 50 percent of the proposed open space is contiguous and, where possible, adjoins open space or other protected areas (including protected forests or wildlife areas) outside the project area.
  - (4) Be accessible by safe and convenient pedestrian access from all adjoining lots (except in the case of farmland or other resource areas vulnerable to trampling damage or human disturbance).
  - (5) Be used as follows:
    - i. Conservation of natural resources, archaeological resources or historical resources;
    - ii. Agriculture, horticulture or silviculture, provided all applicable best management practices are used to minimize environmental impacts;
    - iii. Passive recreation
    - iv. Active recreation provided impervious surfaces are limited to a maximum of 12 percent of the total open space area;
    - v. Nonstructural stormwater management practices;
    - vi. Easements for drainage, access, and utility lines; and
    - vii. Water, septic and sewer systems.
- (b) Open space ownership. The applicant must identify current and future owners of open space responsible for maintaining the area and/or facilities. The responsibility for maintaining the open space and its facilities shall be borne by the owner. If a homeowners' association is the owner:
  - (1) Membership in the association shall be mandatory and automatic for all homeowners in the subdivision and their successors; and
  - (2) The association shall have lien authority to ensure the collection of dues from all members.
- (c) Open space management. The applicant shall submit an open space management plan which includes:
  - (1) A statement allocating maintenance responsibilities and establishing guidelines for the upkeep of open space and its facilities.
  - (2) Cost estimates for maintenance, operation and insurance needs for the open space.
  - (3) A means by which funds will be obtained for all management expenses.
  - (4) A provision allowing the subdivision administrator to approve plan change; and
  - (5) Criteria for plan enforcement.
- (d) Legal instrument for permanent protection. Open space shall be protected in perpetuity by a binding legal document recorded with the deed. The document shall be one of the following:

- 
- (1) Permanent conservation easement in favor of either:
    - (i) A land trust or similar conservation oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
    - (ii) A governmental entity with an interest in pursuing goals consistent with the intentions of this section.
  - (2) Permanent restrictive covenant for conservation purposes.
  - (3) Equivalent legal tool providing permanent protection, subject to approval by the Town Attorney. The instrument shall include all restrictions contained in Section 20-2309 conservation subdivision standards and any further restrictions the applicant chooses to place on the use of the open space.
  - (e) Open space density bonus. Base density is determined by the zoning district in which the subdivision is located. Conservation subdivisions proposing more than the minimum required open space may be eligible for increased densities. The following table outlines the criteria for density bonuses. Lands under conservation easement shall not be counted when determining density bonuses.

Open Space Density Bonuses:

Percent Open Space (%)	25-30	31-40	41-50	>50
Percent Housing Density Increases (%)	N/A	10	15	20

- (f) Structure Placement. Structures should be placed as closely to internal roads as permitted. Structures may be:
  - (1) Located in the side yard setback of other structures within the development required by the zoning district; and
  - (2) Placed as closely together as permitted by the North Carolina State Building Code.

(Ord. of 1-22-2024(1), § 8)



Undeveloped or Underutilized Parcels of Size within Municipal Borders				
Address	PIN	Zoning District	Acres	Units
105 Church	9742-08-0900	R-1	3.55	15
11 Lakeshore	9742-16-0551	R-2	5.51	32
123 Highland	9732-95-2862	R-1	12.22	53
210 Aiken	9732-83-8176; 9732-83-6223	R-3	5.96	48
300 Aiken	9732-82-3831	R-3	12.66	101
41 N. Buncombe School	9743-33-5799	R-3	3.47	28
68 Highland	9742-06-4501	R-1	7.11	31
93 Church	9742-08-6733	R-1	2.93	13
96 Church	9742-98-9331	R-1	4.87	21
99 Church	9742-08-3833	R-1	3	13
Unaddressed Central	9742-06-9911	R-1	6.5	28
Unaddressed Church	9742-28-1340; 9742-27-2925	R-1	2.56	11
Unaddressed College	9742-17-9929	R-1	2.1	9
Unaddressed Highland	9732-96-8026	R-1	5.07	22
Unaddressed Moore	9742-28-5986	R-1	2.29	10
Unaddressed Perrion	9743-61-3054	R-1	33.32	145
Unaddressed Hickory	9732-72-5148	R-3	33.75	270
			Total Acres:	146.87
			Total Units:	850

Listed units are a theoretical maximum based solely upon the minimum lot area of the zoning district and the acreage present on the subject parcel. Other variables such as minimum lot width, minimum street frontage, setbacks, existing easements, road construction or topography have not been accounted for. Hence the need for preliminary plat engineering. For instance, 108 Church Street recently before the Board carried a theoretical maximum of 12 lots but was only able to achieve 5. 50% of the units listed probably represents a more accurate assessment of units that may translate to the ground.

Properties previously subject to some form of development approval have not been included.

