

**Town of Weaverville
Planning Board
Regular Monthly Meeting
Tuesday, January 7, 2025, 6:00pm
Agenda**

	Pg#	
1. Call to Order		Chair Kelley
2. Adoption of Agenda		
3. Approval of Minutes – 12/3/2024 Regular Meeting	2	Chair Kelley
4. Continued – Tree Conservation Regulations	8	Planning Director Eller
5. Continued – Parking Regulations	15	Planning Director Eller
6. Setback Regulations	22	Planning Director Eller
7. Adjournment		Chair Kelley



Planning Board Meeting - Dec 03 2024 Minutes

Tuesday, December 3, 2024 at 6:00 PM

The Planning Board met for a regularly scheduled meeting held on December 3, 2024, at 6:00 p.m. in the Town Council Chambers at Town Hall, 30 S. Main Street, Weaverville, N.C.

1. Call to Order

Planning Board members Present: Vice Chair Mark Endries, Donna Mann Belt, Michael Sollazzo, Jonathan Brown, and Jennifer Young.

Absent: Chair Jane Kelley (excused)

Staff Present: Interim Town Manager Scottie Harris, Attorney Jennifer Jackson, Planning Director James Eller, Planner Graham Crawford, Town Clerk Tamara Mercer.

- 1.1 Adopt or Amend Agenda
Mr. Sollazzo moved to adopt the agenda.

Carried unanimously. 5-0.

- 1.2 Approval of Minutes- 11/7/2024 Regular Planning Board Meeting
Mr. Sollazzo requested a typo correction, to strike the word 'under' on page 4, paragraph 2, 'the proposed project is below/under the Town's ordinance for density'.

Mr. Sollazzo moved to approve the November 7, 2024, Planning Board meeting minutes with the correction.

Carried unanimously. 5-0.

2. Continued- Request for a Conditional District zoning located at 21 Parker Cove Road

2.1 Conditional District Request for 21 Parker Cove Road

Attorney Jackson reviewed protocol and procedures for this request noting the planning review process separate from the Town Council procedures for holding a Public Hearing.

Planner Eller provided a summary of the conditional district request, including the Resolution concerning annexation from Town Council, section 20-1505 and section 20-3203 review, the conditional district application, and site plan layout description. The subject site consists of approximately 8.8 acres and preliminary staff report was submitted for the record. The developer held the community meeting on November 19th per requirements for a conditional district request, and the Staff zoning analysis for 45 units proposed at a density of approximately five units per acre.

There was further discussion regarding Growth Area 5, mixed use, zoning districts R-1, R-2, R-3, R-12 residential, C-2 commercial, Conditional Districts, and special use permits, Comprehensive Land Use Plan updates, revised Growth area uses and Town Council goals, density in single-family developments, neighborhood characteristics, floodplain and floodplain regulations, wetland delineation, stormwater runoff, Buncombe County inspections and regulations, County zoning districts, quasi-judicial hearings under special use permits, calculating density, current standards in the code, affordable housing and PUD (Planned Unit Developments), setbacks, and zero lot line use, which Mr. Eller stated is the catalyst for the subject site conditional district zoning request.

Mr. Eller explained the administrative procedure for minor development modifications such as changes to the footprints of homes. The ordinance allows a Conditional District minor or small adjustments, but cannot allow a higher density, so no zoning increased impacts stated Attorney Jackson.

Vice Chair Endries called the question as to the conditional district zoning consistency with Comprehensive Use Plan.

Mr. Endries moved that the conditional district zoning as presented for 21 Parker Cove Road is consistent with the Comprehensive Land Use Plan.

Motion Carried. 4-1, with Mr. Endries, Mr. Sollazzo, Ms. Young and Mr. Brown voted 'aye'. Ms. Mann Belt voted 'no'.

In response to Ms. Young's question regarding water service, Attorney Jackson reviewed the procedure for utility easements prior to receiving water and sewer service. She explained the infrastructure in the public rights-of-way.

There was renewed discussion regarding the appropriateness and reasonable under zoning for higher density in an area surrounded by R-1 and R-2 zoning or under the conditional district request, and if it is compatible with the surrounding communities such as the Maple Trace subdivision.

Deliberations continued regarding Growth Area 5 corridor, density in the surrounding communities, zero lot line development, conservation in the sensitive Reems Creek area, the intent of this proposal for affordable housing, traffic, NCDOT future improvements on Reems Creek Road, floodplain, multi-family residential zoning, growth and development, and the future precedent for higher density in the area.

It was noted there were numerable Maple Trace subdivision residents in attendance who appeared to be against the project's annexation into the Town of Weaverville and that the Planning Board members recognized and considered the Maple Trace citizens.

Mr. Endries moved that the conditional district zoning request located at 21 Parker Cove Road is reasonable as proposed.

Motion Failed. Mr. Endries who voted 'aye'. Ms. Mann Belt, Mr. Sollazzo, Ms. Young and Mr. Brown who voted 'no'.

As a Conditional District zoning located at 21 Parker Cove Road is not reasonable, said Mr. Sollazzo, he moved that the Planning Board recommends traditional R-2 zoning as is reasonable and consistent with the Comprehensive Land Use Plan and is a compatible use within the town and outside its municipal limits for R-2 zoning.

Motion carried unanimously, with Mr. Endries, Mr. Sollazzo, Ms. Young, Mr. Brown, and Ms. Mann who voted 'aye'.

2.2 Conditional District Findings and Recommendations of the Planning Board

Town of Weaverville development regulations concerning zoning map amendments and North Carolina law require the Planning Board to review proposed zoning for plan consistency and reasonableness.

The property involved consists of approximately 8.80 acres located at the intersection of Parker Cove Road (SR 2106) and Water Leaf Drive. This property is currently in the unincorporated portion of Buncombe County and zoned R-1. No development approval has been obtained yet on this property so vested rights have not been claimed.

The developer has requested conditional district zoning on this property and the Planning Board has reviewed that request and provides its findings and recommendations. The Planning Board also thought it might be beneficial to Town Council to provide findings and recommendation on a traditional zoning district for this property as well and that is also contained in this letter so that Town Council could legally consider both without having to initiate a second Planning Board review. The Planning Board met on November 7 and December 3 to conduct its review and considered both options and reports the following findings and recommendations.

The conditional district request is for a development consisting of 45 residential dwelling units with small lots and reduced setbacks as shown on the Rezoning Plan dated 29 August 2024 that is attached to this recommendation. It is noted that the proposed unit density is approximately 5 per acre. The dwelling units are clustered and have lot sizes and setbacks that are smaller than what would be allowed under traditional

zoning districts. This provides a reason to consider conditional district zoning for the properties.

The Planning Board reviewed the project and, with a majority vote of 4 to 1, finds that the adoption of the conditional district with the suggested conditions noted below is consistent with the Comprehensive Land Use Plan. The Comprehensive Land Use Plan and Future Land Use Plan both contemplate single family residential development in the area. Both the current and anticipated version of the Resolution Concerning Growth Areas indicate that single family residential use would be appropriate for this area (Growth Area 5) and include conditional districts, R-1 and R-2 as desirable zoning districts in the Reems Creek Road Corridor. Additionally, the stated goals within the CLUP of “consider ways to increase housing affordability” was taken into account. The voluntary annexation petition states an anticipated average sales price of \$300,000 and the reduced lot area will aid in affordability.

The Planning Board failed to find that the conditional district as presented was reasonable and declined to provide a favorable recommendation on its adoption. To support this position, the Planning Board finds that a conditional district that incorporates the proposed rezoning plan is not reasonable in that the density is too high and that the small lot configuration that is proposed for the project is not consistent with the other residential uses within the area. It was also noted that Parker Cove Road connects to Reems Creek Road at an extreme angle and the Planning Board expressed concern that this intersection cannot safely handle the traffic load that is expected to be associated with this project. It was noted by some members that this project feels similar to multifamily projects and higher density zoning which were recently removed from the desirable uses in this Growth Area 5.

Concern was also expressed about the impact of this high density on the existing infrastructure and Town resources, and the tight clustering of the dwelling units was found to be undesirable in this location.

Traditional District Findings and Recommendation

As an alternative to the proposed conditional district the Planning Board also considered which traditional zoning district was most appropriate for this property. When considering a traditional district the Planning Board was urged to consider the appropriateness of all uses allowable within a requested zoning district. With this in mind the Planning Board focused on the R-2 zoning districts as it seemed to be most closely aligned to the existing residential development in the Reems Creek Road corridor, including Maple Trace Subdivision.

In a unanimous vote, the Planning Board found that R-2 zoning for this property is consistent with the Town’s Comprehensive Land Use Plan (CLUP) and reasonable and forwards a favorable recommendation to Town Council on R-2 zoning. In making this finding the Board considered the

future land use map, current and proposed uses within the area, including the mix of residential uses. This proposed R-2 zoning district represents a consistent and compatible use when considering the zoning and current uses in the area, including properties within the Town and just outside its municipal limits. To support the finding that R-2 zoning is reasonable the Board found that the R-2 zoning district is compatible with the current residential uses of the properties within the area, including existing and permitted single-family residences.

It is noted that this recommendation was largely based on this property being within the Town's identified Growth Area 5 and Town Council Resolution Concerning Growth Areas which indicates that R-2 zoning is consistent with Town Council's desired zoning for this property.

3. Continued - Conditional District Request for AdventHealth

Planning Director Eller presented the conditional district request as provided by the application for AdventHealth Hospital facility and the Town Council adopted Resolution concerning the voluntary annexation petition. The Planning Board shall provide a recommendation on whether the conditional district is consistent with the Comprehensive Land Use Plan as to the reasonableness of the proposed zoning amendment and address findings in the analysis.

The subject site consists of approximately 33 acres located along Ollie Weaver Road (SR 1730) near the intersection of US Highway 25/70. The developer has requested conditional district zoning on these properties. The Planning Board conducted an initial review at the November 7th meeting.

The conditional district request is for a healthcare facility complex consisting of a 67-bed hospital with an additional 26-bed hospital wing, emergency department, medical office buildings, and ambulatory surgery center. The project is proposed to be developed in phases, and developmental approval is sought on the master plan. Medical services facilities, such as what is proposed, are permitted by right in the Town's C-2 zoning district; however, the plan shows parking spaces that are below the minimum of what is permitted within the C-2 district and the proposed building height exceeds what would be permitted under C-2. For these two reasons a conditional district has been proposed for this project.

In response to questions regarding connectivity and pedestrian access, Mr. Steve Potter representative for AdventHealth Buncombe Campus, noted that they can provide a conduit and commit to walkability, but do not want to install sidewalks that go nowhere. They are agreeable to commit to connectors along the Ollie Weaver Road extension. Mr. Burwell described the campus and pedestrian paths for patients and employees as planned for the facility. He said accessibility is strongly encouraged and connectors to and from the hospital campus are planned.

There were further discussions regarding the Comprehensive Land Use Plan and Growth Area 3 and supporting medical uses, the conditions for minimum parking standard reductions, and building height code increase of the maximums. The hospital plans to mitigate any negative aspects of increase traffic but must work with NCDOT and noted the discussion of long-term planning for construction of sidewalks along 25/70.

Ms. Young moved to approve the Conditional District request for AdventHealth as it is consistent with the Town's Comprehensive Land Use Plan and is appropriate and

reasonable for rezoning and in the public interest for the surrounding regional medical complex as an AdventHealth Buncombe County Hospital.

Carried Unanimously, 5-0.

4. Adjournment

- 4.1 There being no further business, and without objection, Vice Chair Endries adjourned the meeting at 7:17 p.m.

Tamara Mercer

TOWN OF WEAVERVILLE
PLANNING BOARD AGENDA ITEM

Date of Meeting: Tuesday, January 7, 2025
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 the previous 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_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 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: Parking Standards

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

Other Jurisdictions

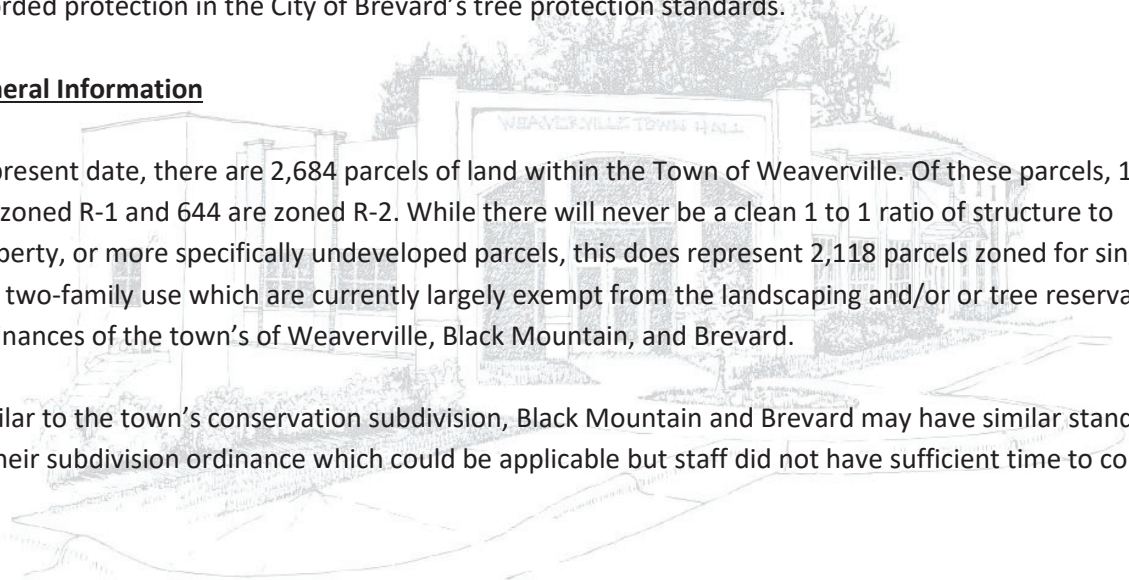
Similar to the town's regulations, The Town of Black Mountain does not apply their landscape regulations to single- and two-family residential uses and provide an exemption to properties located in their central business district. They also allow variances from their landscaping requirements based upon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



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.

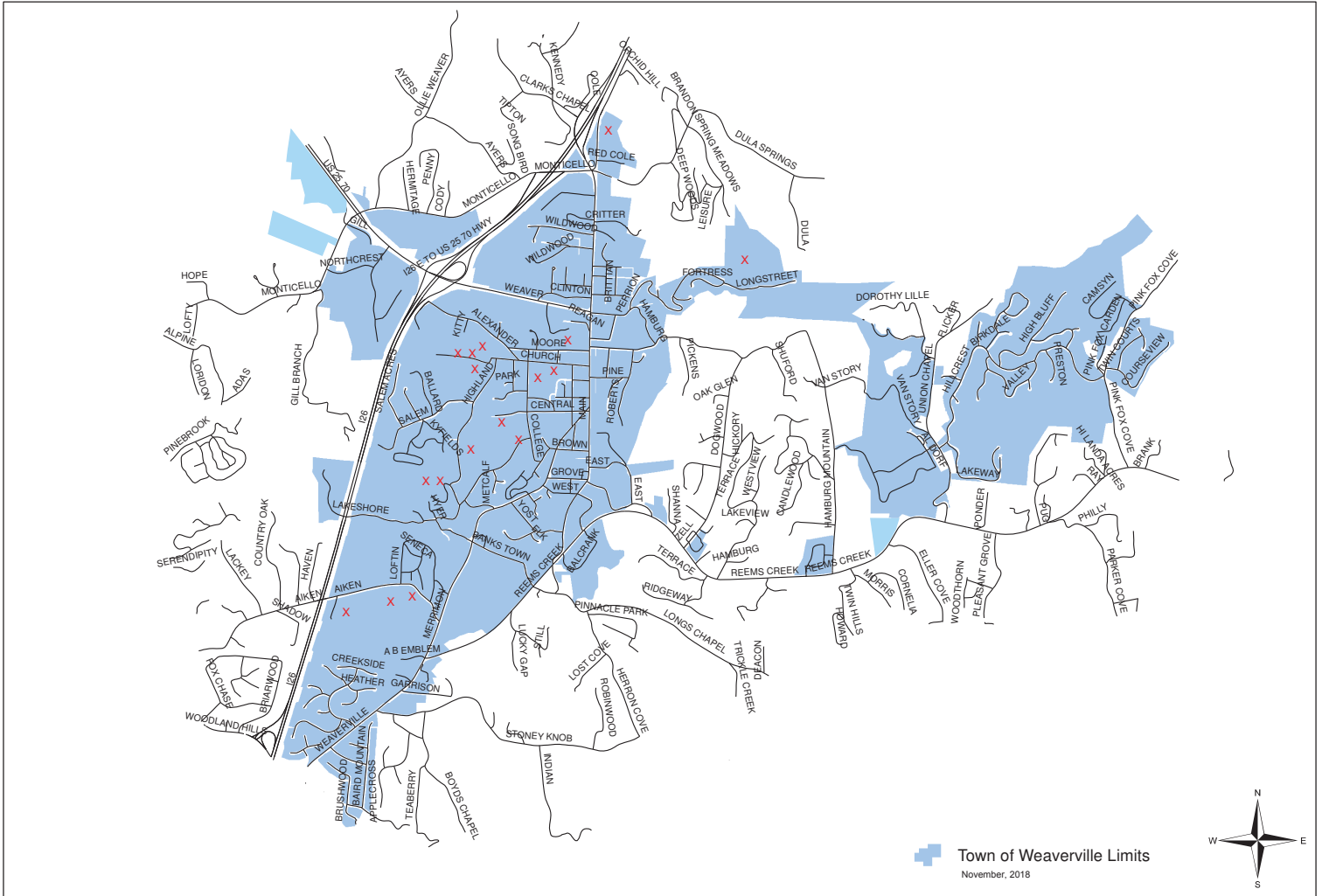
(Ord. of 1-22-2024(1), § 8)



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.



TOWN OF WEAVERVILLE
PLANNING BOARD AGENDA ITEM

Date of Meeting: Tuesday, January 7, 2025
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 upcoming current goals of the Comprehensive Land Use Plan (CLUP), to be adopted in January 2025, call for the study and consideration of parking regulations. The goal of considering parking regulations will be given number 1 (high) priority within the CLUP giving staff the direction to accomplish or address the stated goal within 12 months.

The Board held conversations related to this goal in October and staff has updated the staff report and proposed ordinance revisions as a result of these discussions. Parking space reductions are being proposed for the enumerated uses: dwelling – multifamily, medical services, general retail, multi-tenant development, manufacturing, and warehousing and distribution.

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
Residential	
Dwelling - Single Family	Two spaces
Dwelling - Duplex	Two spaces for each dwelling unit
Dwelling - Multifamily (four or less units/building)	Two 1.5 spaces for each dwelling unit
Dwelling - Multifamily (more than four units/building)	Two 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
Office / Service	
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
Retail / Restaurants	
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 300 400 feet of gross floor space
General Retail (10,000 - 24,999 sq. ft.)	One space for each 300 400 feet of gross floor space
General Retail (25,000 sq. ft. or more)	One space for each 300 400 feet of gross floor space
Multi-tenant Development (Under 25,000 sq. ft.)	One space for each 300 400 feet of gross floor space
Multi-tenant Development (25,000 sq. ft. or more)	One space for each 300 400 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
Entertainment / Recreation	
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
Manufacturing / Wholesale / Storage	
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	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
Manufacturing, Neighborhood	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
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	One space for each 300 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
Warehousing and Distribution - Interior Storage	One space for each 300 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
Civic / Institutional	
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.
Utilities	
Wireless Telecommunication Facility - Stealth	-
Wireless Telecommunication Facility - Tower	-
Miscellaneous Uses	
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
Temporary Uses	
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, January 7, 2025
Subject: Setback Requirements for Certain Lots
Presenter: Planning Director
Attachments: Staff Report Including Proposed Ordinance Amendment,
Recorded Plats

Description:

The upcoming current goals of the Comprehensive Land Use Plan (CLUP), to be adopted in January 2025, call for the study and consideration of altered setback requirements for certain lots. The goal of considering these regulations are anticipated to be given a number 1 (high) priority within the CLUP giving staff the direction to accomplish or address the stated goal within 12 months.

In short, current regulations require that all setbacks are to be measured from the property line. This standard is typical, but does not anticipate the scenario where a property line extends into or across a road and therefore, allowing construction closer to a road than would otherwise be allowed.

Action Requested:

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

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), to be updated in January 2025, call for the consideration of altering setback requirements for certain lots. The goal of considering altering setback requirements for certain lots is to be given number 1 (highest) priority within the CLUP giving staff the direction to accomplish or address the stated goal within 12 months.

Current Conditions

Sec. 20-1202. Specific definitions.

Unless otherwise provided in this chapter or any other development regulations adopted by the town, the following definitions shall apply in the administration of all development regulations adopted by the town:

Setback means:

- (1) The required minimum horizontal distance between the building line and the related front, side, or rear property line.
- (2) For the sign regulations found in article 1 of part IV of this chapter, setback shall mean the horizontal distance between the leading face of the curb of a street and the closest point of a sign or sign structure on such lot. Where there is no curb, the measurement shall be made from the edge of the pavement.

Sec. 20-3208. Miscellaneous provisions.

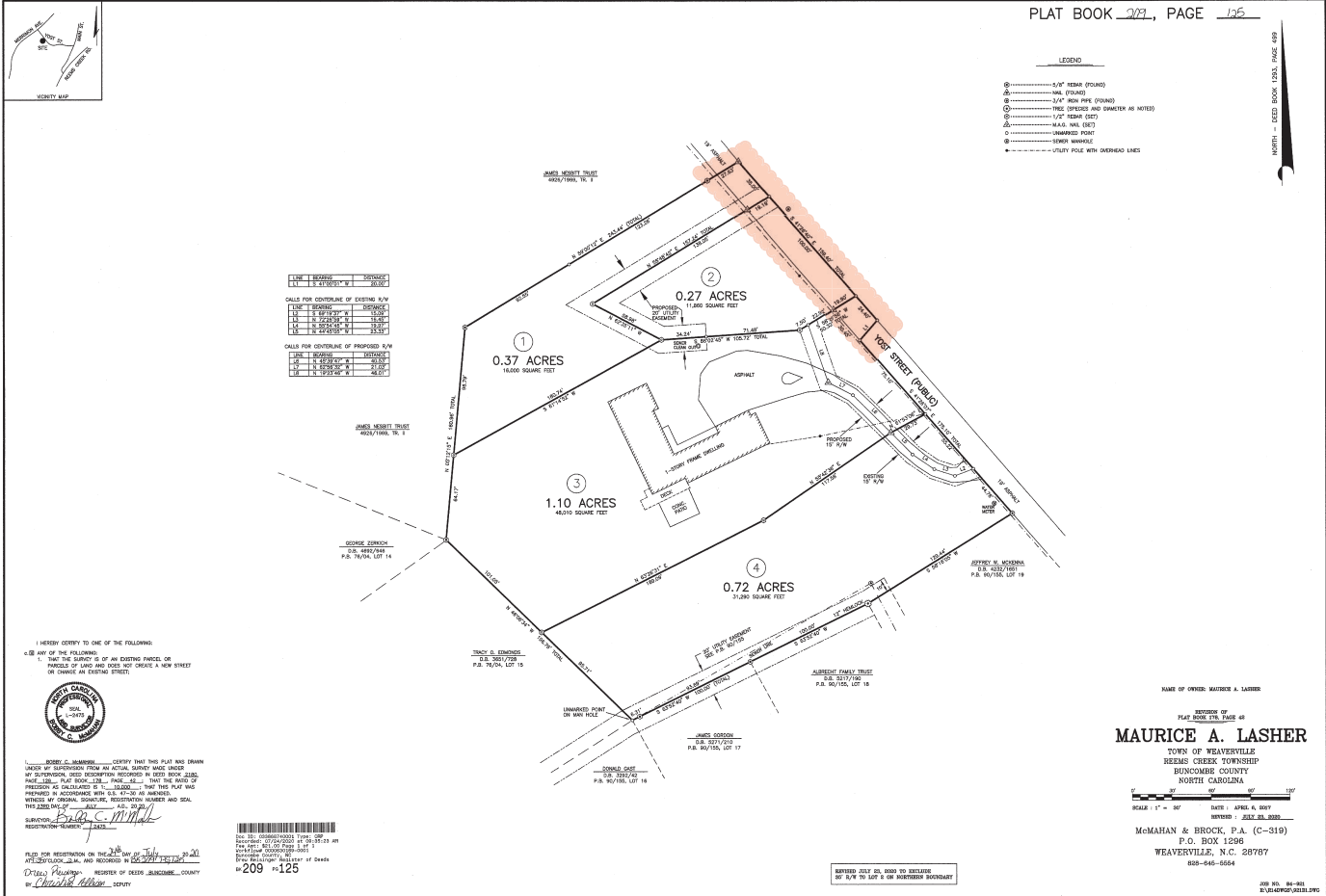
(c) *Setback calculations.* All setbacks shall be calculated from the property line.

Though rarely encountered, staff has experienced a scenario where the property lines for a certain lot extend into or across a roadway. In this scenario, a structure is permitted to be constructed closer to the roadway than would otherwise be allowed. A simple text amendment is being proposed to address this issue.

Proposed Ordinance Amendment

Sec. 20-3208. Miscellaneous provisions.

(c) *Setback calculations.* All setbacks shall be calculated from the property line. **If the property line extends into a roadway, the setback shall be measured from the edge of the road or back of curb.**



CALLS FOR CORNERLINE OF EXISTING R/W

1.1.1.1	1.1.1.1	1.1.1.1	1.1.1.1
1.1.1.2	1.1.1.2	1.1.1.2	1.1.1.2
1.1.1.3	1.1.1.3	1.1.1.3	1.1.1.3
1.1.1.4	1.1.1.4	1.1.1.4	1.1.1.4

CALLS FOR CORNERLINE OF PROPOSED R/W

1.1.1.1	1.1.1.1	1.1.1.1	1.1.1.1
1.1.1.2	1.1.1.2	1.1.1.2	1.1.1.2
1.1.1.3	1.1.1.3	1.1.1.3	1.1.1.3
1.1.1.4	1.1.1.4	1.1.1.4	1.1.1.4

- LEGEND
- ⊙.....5/8" IRON (FOUND)
 - ⊙.....1/4" IRON (FOUND)
 - ⊙.....3/4" IRON PIPE (FOUND)
 - ⊙.....TREE (SPECIES AND DIAMETER AS NOTED)
 - ⊙.....1/2" CEMENT CURE
 - ⊙.....M.A.D. NAIL (SET)
 - ⊙.....UNGRADED POINT
 - ⊙.....SEWER MANHOLE
 - ⊙.....UTILITY POLE WITH OVERHEAD LINES

NORTH - DEED BOOK 1256, PAGE 499

I HEREBY CERTIFY TO ONE OF THE FOLLOWING:
 - AS ANY OF THE FOLLOWING:
 1. THAT THE SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.



I, BOBBY C. MANNING, CERTIFY THAT THIS PLAN AND DRAWING WAS PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF NORTH CAROLINA. I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NORTH CAROLINA SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING.

FILED FOR REGISTRATION ON THE 20th day of July 2020
 P.L. 209-125 AND RECORDED IN PLAT BOOK 209, PAGE 125
 DEED BOOK 209, PAGE 125

NAME OF OFFICIAL MAURICE A. LASHER
 EXTENSION OF
 PLAT BOOK 209, PAGE 48
MAURICE A. LASHER
 TOWN OF WEAVERVILLE
 REEMS CREEK TOWNSHIP
 BUNCOMBE COUNTY
 NORTH CAROLINA
 SCALE: 1" = 50'
 DATE: APRIL 6, 2020
 REVISION: JULY 23, 2020
 McMAHAN & BROCK, P.A. (C-319)
 P.O. BOX 12296
 WEAVERVILLE, N.C. 28787
 828-646-6664
 JOB NO. 04-001
 8/18/2019/001/001.DWG

BURNED JULY 23, 2020 TO RELEASE
 20' R/W TO LOT 2 ON NORTHERN BOUNDARY