

TOWN OF WAYNESVILLE

Planning Board

9 South Main Street
Suite 110
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Development Services
Director
Elizabeth Teague

Planning Board Members
Susan Teas Smith (Chairman)
Ginger Hain (Vice Chair)
Stuart Bass
John Baus
R. Michael Blackburn
Travis Collins
Jan Grossman
Tommy Thomas
Blake Yoder

Regular Meeting of the Planning Board

Town Hall, 9 South Main Street, Waynesville, NC 28786
Monday, November 18, 2024, 5:30 PM

A. CALL TO ORDER

1. Welcome/Calendar/Announcements
 - Town Council Meetings are available on YouTube. The November 12, 2024, meeting includes final information on Hurricane Helene Recovery and Damage Assessments and may be viewed at: <https://www.youtube.com/@TownofWaynesville/streams>
 - Special Called Meeting of the Planning Board will take place on Thursday, December 5, 2024, at 5:30 pm.

B. BUSINESS

1. Public Hearing to consider text amendment to allow the use of temporary, alternative housing for victims of disaster, Land Development Standards (LDS) Sections 2.5.3, 4.6.4, and 17.3.
2. Public Hearing to consider text amendments related to signage and addressing, LDS Sections 11.3, 11.5.7, and 11.7.1
3. Public Hearing to consider a rezoning request from Pigeon Street Neighborhood Residential (PS-NR) to Ninevah Neighborhood Residential (N-NR) for a 0.61-acre property at 28 Addie Lane in Waynesville, NC (PIN 8615-42-0757).
4. Public Hearing to consider text amendment to the Flood Damage Prevention Ordinance, LDS Sections 12.3 and 17.5.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN

Waynesville Town Council Votes on the Planning Board Items 2024-2025

January 9, 2024

- Rezoning request for the portion of the property at 1460 Russ Avenue from Dellwood Residential Medium Density Mixed-Use Overlay (D-RM MXO) to Russ Avenue Regional Center District (RA-RC) district.

The map amendment passed unanimously.

March 12, 2024

- The Town Council approved the Conditional District Rezoning for Biltmore Baptist Church with the following conditions:
 1. Comply with the façade standards and include architectural elements on the north and south side building elevations in accordance with Land Development Standards (LDS) section 5.10.
 2. Preserve existing street trees along Asheville Rd (LDS 8.4.1).
 3. Require 5-ft sidewalks along Asheville Rd and Ratcliff Cove Rd (LDS 6.6.2 B, D).
 4. Allow parking at the principal frontage, as proposed on the Master Plan (LDS 9.3).

The applicant submitted the Transportation Impact Analysis study at the hearing, and the Council accepted it with no further comments.

The map amendment passed unanimously.

March 26, 2024

The Town Council approved the Conditional District Rezoning for the 10.99-acre portion of the unaddressed parcels at Waynesville Inn and Golf Club PIN 8614-27-1901 and PIN 8614-27-7912, Greenview Conditional District Map Amendment (Rezoning), with the following conditions attached:

1. Lot width standards for CC-RL shall not apply
2. LDS standards for the proposed "Lane" within the subdivision shall not apply (LDS 6.6.2. E)
3. At both hydrant locations, the proposed "Lane" needs to be at least 26 ft wide. The plan needs to be adjusted prior to issuance of the building permit to comply with Fire and Building Codes.
4. The developer will pay payment-in-lieu for sidewalk construction with the easement granted to the Town to construct a sidewalk in order to fill the existing gaps in the neighborhood, per staff recommendations, with priority along the northern part of Longview Drive.
5. Civic space requirements of the LDS Chapter 7 shall not apply as the project claims credit for the existing amenities. Access to existing civic space must be guaranteed for all the residents of the development.
6. Landscape requirements of the LDS Chapter 8 shall not apply as the project will propose custom landscaping plan
7. Minimum spacing requirements between the driveways in CC-RL of the LDS Chapter 9 shall not apply

The map amendment passed unanimously.

May 14, 2024

1. The Council closed the public hearing on the Longview Conditional District Subdivision and directed the Town Attorney (Martha Bradley) and Development Services staff to negotiate some conditions of approval with the applicant to ensure better compliance with the LDS. The Council will vote on the application on May 28, 2024 with consideration of negotiated conditions.

2. The Council continued the public hearing on general 160-D corrections and tree preservation until June 11 th , 2024.
May 28, 2024 1. The Council unanimously voted to deny the Longview Conditional District Map Amendment.
June 12, 2024 1. Text amendment related to 160D corrections, definition of townhomes, elimination of protest petitions, and tree preservation. <i>The text amendment passed unanimously.</i>
June 25, 2024 1. Railroad Overlay Map Amendment (RR-O) to the official Waynesville Land Development Map (a.k.a. zoning map). The overlay district is applied to 111 properties, with 81 of them being in the Frog Level area and 30 in Hazelwood. <i>The map amendment passed unanimously.</i>
August 13, 2024 1. Zoning map amendment at 225 Church Street, Waynesville, NC 28786 (PIN 8615-27-0218) from Main Street Neighborhood Residential (MS-NR) to Main Street Neighborhood Residential Mixed-Use Overlay (MS-NR-MXO). <i>The map amendment passed unanimously.</i>
September 10, 2024 1. The Council returned the text amendment on accessory dwellings and manufacturing housing to the Planning Board for further analysis of its potential impacts on properties.
November 12, 2024 1. Text amendment related to accessory structures and manufactured housing, LDS sections 3.2.1, 3.2.6, 4.5, and 17.3. <i>The text amendment passed unanimously.</i>

You can access previous minutes and agendas by visiting the following site: <http://www.egovlink.com/waynesville/>.

Planning Board Staff Report

Subject: Text amendment to allow use of temporary housing
Ordinance Section: Land Development Standards (LDS) sections 4.6.4 and 17.3
Applicant: Staff initiated text amendment, Development Services Department
Meeting Date: November 18, 2024
Presenter: Elizabeth Teague Development Services Director

Background:

In the Land Development Standards, the Town prohibits campgrounds (Section 2.5.3, Table of Permitted Uses), and the use of manufactured housing, campers, recreational vehicles, and travel trailers, as accessory dwelling units (Section 3.2, Supplemental Standards).

For the purpose of Hurricane Helene recovery, and future events in which a residential dwelling is severely damaged by a natural disaster or fire, this text amendment would allow temporary housing and on-site storage while homes are being repaired or replaced. Temporary housing could be in the form of a “FEMA trailer” issued by FEMA or other agency after an emergency (which could be of modular, manufactured, or RV design), or a camper, travel trailer, or recreational vehicle owned by the resident. As accessory to the emergency housing, a storage trailer or container, such as a “Pod,” should be allowed with approval in certain cases.

Staff requested Town Council feedback at the October 8, 2024 meeting and was directed to develop a policy to allow temporary, emergency housing. Guidance from the School of Government indicates that emergency housing should be covered within municipal zoning as a land use in order to be clearly permitted. An initial version of a potential ordinance went before the Planning Board for discussion and feedback at the October 21, 2024 regular meeting, resulting in the attached ordinance for public hearing.

Staff Recommended Text Changes:

The proposed text amendments would add to the list of “temporary uses with specific requirements” (LDS 4.6.4) to allow for temporary use of RVs, travel trailers, campers, or FEMA trailers as alternative housing after a home has been destroyed or severely damaged by a natural disaster or fire. It includes a definition and placement on the Table of Permitted Uses.

Consistency with the 2035 Comprehensive Land Use Plan:

Staff submits that the proposed text amendments to the LDS are consistent with the following 2035 Comprehensive Plan Goals:

Goal 1: Create a range of housing opportunities and choices.

Also, that the proposal is reasonable and in the public interest, because it will provide an interim housing solution for people in need after a disaster, allowing them continued use of their property.

Attachments:

- Proposed text amendment
- Consistency worksheet
- Sample application form

Recommended Motions:

1. To find that the ordinance is consistent with the Comprehensive Plan and is reasonable and in the Public interest.
2. To recommend (or not recommend) to Town Council the approval the ordinance as presented (or as amended).

Ordinance No.

**ORDINANCE AMENDING THE LAND DEVELOPMENT STANDARDS
OF THE TOWN OF WAYNESVILLE, NORTH CAROLINA TO
ALLOW TEMPORARY, ALTERNATIVE HOUSING FOR VICTIMS OF DISASTER**

WHEREAS, Hurricane Helene impacted properties within the Town of Waynesville and its extra-territorial jurisdiction and the Town's Development Services and Building Inspections staff have conducted damage assessments throughout Town; and

WHEREAS, Several residential structures were damaged by the storm and are in significant need of repair to the extent that they should not be occupied until work is completed to ensure safety; and

WHEREAS, the Land Development Standards currently do not have provisions for temporary shelters or housing in the case of emergencies if a resident should lose the ability to stay in their home after a disaster such as a fire, accident or storm, or if there is need to house workers providing aid to the community; and

WHEREAS, the Town prohibits campgrounds (Section 2.5.3, Table of Permitted Uses), and the use of campers, recreational vehicles, and travel trailers, as accessory dwelling units (Section 3.2, Supplemental Standards); and

WHEREAS, North Carolina General Statutes, 166A-19.14, allows the Governor to allocate funds in the event of a declared state of emergency, and to include the provision of temporary housing; and

WHEREAS, The Waynesville 2035 Comprehensive Land Use Plan states as Goal 2, "to create a range of housing opportunities and choices," and the ability of property owners to repair and rebuild after a disaster is essential to maintaining the Town's existing housing stock;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, TO ADD THE FOLLOWING TEXT AMENDMENT TO THE LAND DEVELOPMENT STANDARDS:

2.5.3 Table of Permitted Uses

Add " Temporary Emergency Housing" as a Permitted Use ("P") in all districts except the Commercial-Industrial District as a new row under the Residential Use Type.

4.6.4 Temporary Uses with Specific Requirements.

E. Temporary emergency housing pending repair or replacement of a home.

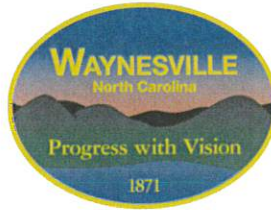
1. Temporary use of a travel trailer, FEMA-issued temporary, transportable housing unit, or Recreational Vehicle or camper, shall be allowed as temporary housing in any district in cases where a permanent home has been destroyed or damaged so that it is no longer safe as a dwelling, or when there is need for emergency housing because of a natural disaster or fire.

7.

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Town of Waynesville Planning Board
 From: Elizabeth Teague, Development Services Director
 Date: November 18, 2024
 Subject: Text Amendment Statement of Consistency
 Description: Text amendments related to Emergency Housing
 Ordinance Section: Land Development Standards (LDS) sections 4.6.4 and 17.3
 Address: Town of Waynesville Planning Department ("Development Services Department")

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

☐

The zoning text amendment **is approved and is consistent with the Town's Comprehensive Land Use Plan** because: _____

The zoning text amendment **is reasonable and in the public interest because:**

☐

The zoning text amendment **is rejected because it is inconsistent with the Town's Comprehensive Land Plan and is not reasonable and in public interest** because _____

☐

In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town's Comprehensive Land Use Plan**. The changes in conditions considered in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____

Planning Board Member _____, made a motion, seconded by _____

The motion passed _____. (*unanimously or vote results here*)

 Susan Teas Smith, Planning Board Chair Date

 Esther Coulter, Administrative Assistant Date



TOWN OF WAYNESVILLE TEMPORARY USE PERMIT:
EMERGENCY HOUSING

9.

ADDRESS WHERE UNIT(S) PROPOSED : _____

PIN: _____

ZONING DISTRICT: _____

TYPE OF UNIT: _____

APPLICANT NAME: _____

PHONE: _____ EMAIL: _____

PROPERTY OWNER NAME IF DIFFERENT FROM ABOVE: _____

PHONE: _____ EMAIL: _____

NAME OF ALTERNATE CONTACT IN CASE OF EMERGENCY: _____

PHONE: _____ EMAIL: _____

START DATE: _____ END DATE: _____

Note: Permit is good for 180 days and can only be extended with approval of administrator

REQUIREMENTS ATTACHED:

WRITTEN PERMISSION OF PROPERTY OWNER IF DIFFERENT FROM APPLICANT:

☐

COPY OF HEALTH DEPARTMENT PERMIT OR CONCURRENCE (If applicable):

☐

PUBLIC LEASE/ENCROACHMENT AGREEMENT (If applicable):

☐

DRAWING/DESCRIPTION OF UNIT ON LOT AND SEWER CONNECTION

☐

APPROVED ELECTRICAL CONNECTION

☐

OTHER: _____

APPLICANT SIGNATURE: _____ DATE: _____

TOWN OFFICIAL SIGNATURE: _____ DATE: _____

OFFICE USE ONLY: Date of issuance: _____ Event: _____ Building Permit # _____

This institution is an equal opportunity provider

Planning Board Staff Report

Subject: Text amendments related to signage and addressing
Ordinance Section: Land Development Standards (LDS) sections 11.3, 11.5.7, and 11.7.1
Applicant: Staff initiated text amendment, Development Services Department
Meeting Date: November 18, 2024
Presenter: Olga Grooman, Assistant Development Services Director
 David Kelley, Codes Administrator
 Darrell Calhoun, Fire Marshall

Background:

The proposed text amendment is requested by the Town Fire Marshall to require street addressing as part of ground signs. Staff presented the draft text amendment to the Planning Board for discussion and feedback on October 21, 2024. Based on the Board's feedback, the amendment now clarifies that addressing would not count toward the sign face size calculation. However, incorporation a street address as a part of the business name, does not allow an increase in the area of the sign face. Additionally, the text amendment cross-references Fire Code standards for premises identification, such as requirements for size, stroke, and visibility for address numbers, as specified in the Town of Waynesville Fire Prevention and Protection Ordinance.

Staff Recommended Text Changes:

The proposed text amendments would amend the sign ordinance and improve public safety. By requiring visible addressing as part of ground signage, emergency vehicle personnel can better locate properties within commercial districts as part of response operations.

The proposed changes to the Land Development Standards **are in red**.

Consistency with the 2035 Comprehensive Land Use Plan:

Staff submits that the proposed text amendments to the LDS are consistent with the following 2035 Comprehensive Plan Goals:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use and context-sensitive development.

And that the proposal is reasonable and in the public interest because it promotes public safety and the efficiency of emergency operations.

Attachments:

- Draft Ordinance
- Consistency Statement Worksheet
- Newspaper notice

Recommended Motions:

1. Motion to find the recommended text amendment as attached (or amended) as being consistent with the 2035 Land Use Plan and reasonable and in the public interest.
2. Motion to recommend the text amendment as attached (or as amended) to the Town Council.

DRAFT ORDINANCE FOR BOARD CONSIDERATION

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE TEXT OF THE
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town Council adopted the North Carolina Fire Code and North Carolina State Building Code and enforcement of these provisions in Article III- Fire Code of the Town of Waynesville Code of Ordinances; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- Goal 1: Continue to promote smart growth principles in land use planning and zoning.
- The proposed text amendment promotes public safety and efficiency of emergency operations.

WHEREAS, the Town Council adopted the 2035 Comprehensive Plan to “enable the growth of a vibrant, healthy, and successful community,” and recognizes that clearly visible street address numbers aid emergency and fire services in promptly locating properties and better assisting residents; and

WHEREAS, clearly displayed address numbers increase visibility and ensure better safety in emergencies; and

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Town Council; and

WHEREAS, the Town Council find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

WHEREAS, after notice duly given, a public hearing was held on **November 18, 2024** at the regularly scheduled meeting of the Waynesville Planning Board, and on ____ at the regularly scheduled meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows:

1. Add to section 11.3 Computation of Signage Area and amend it as follows:

11.3.1 Computation of Sign Face.

E. Street addressing does not count toward the calculation of the sign face, but use of the street address in the business name does not allow an increase in the area of the sign face.

2. Amend section 11.5 Signs Not Requiring a Permit as follows:

11.5.7 Occupant/Street Number Signs.

Signs affixed to structures, mailboxes, decorative light posts, driveway entrances, etc., which serve to identify the address of the structure or occupant. All such signs must be placed in such a manner as to be visible from the street and as specified in Sec. 30-7.- Premises Identification of the Town of Waynesville Code of Ordinances.

3. Add to section 11.7 Signage Types and amend it as follows:

11.7.1 Ground Signs

F. All businesses with ground signs must display their street address number prominently on the sign:

- The address number may be located on any portion of the ground sign that is clearly visible and readable from the street or road during both day and night.
- The address number must comply with the standards of Section 30-7.- Premises Identification of the Town of Waynesville Code of Ordinances.
- The address number must be maintained in a clean and legible condition at all times, and any damaged elements must be promptly repaired or replaced.

ADOPTED this _____ Day of _____, 2024.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Town of Waynesville Planning Board
From: Olga Grooman, Assistant Development Services Director
Date: November 18, 2024
Subject: Text Amendment Statement of Consistency
Description: Text amendments related to signage and addressing
Ordinance Section: Land Development Standards (LDS) sections 11.3, 11.5.7, and 11.7.1
Address: Town of Waynesville Planning Department ("Development Services Department")

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

☐ The zoning text amendment **is approved and is consistent with the Town's Comprehensive Land Use Plan** because: _____

The zoning text amendment **is reasonable and in the public interest because:**

☐ The zoning text amendment **is rejected because it is inconsistent with the Town's Comprehensive Land Plan and is not reasonable and in public interest** because _____

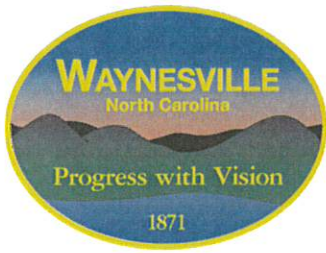
☐ In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town's Comprehensive Land Use Plan**. The changes in conditions considered in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____

Planning Board Member _____, made a motion, seconded by _____

The motion passed _____. (*unanimously or vote results here*)

Susan Teas Smith, Planning Board Chair Date

Esther Coulter, Administrative Assistant Date



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

14.

FOR PUBLICATION IN THE MOUNTAINEER: October 30nd and November 6th (Wednesday) editions

Date: October 10, 2024

Contact: Olga Grooman, ogrooman@waynesvillenc.gov, (828) 356-1172

Notice of Public Hearing

Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a public hearing on **Monday, November 18, 2024, at 5:30 pm** in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider text amendments related to street addressing on ground signs.

For more information, contact the Development Services Department at: (828) 456-8647; email: ogrooman@waynesvillenc.gov; mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

Planning Board Staff Report

Meeting Date: November 18, 2024
Subject: Map Amendment (Rezoning) Request
Process Type: Legislative
Location: 28 Addie Lane, Waynesville, NC 28786 (PIN 8615-42-0757).
Area: 0.61 ac
Requested Rezoning: Pigeon Street Neighborhood Residential (PS-NR) to Ninevah Neighborhood Residential (N-NR) District
Applicants: Owner-initiated map amendment: ADGERWOOD HOLDINGS LLC A NC LLC (John Mason- Manager of Adgerwood Holdings, LLC) and applicant's attorney Samuel P. Hyde

Background:

This is a legislative hearing on the proposed zoning map amendment for the property at 28 Addie Lane, Waynesville, NC 28786 (PIN 8615-42-0757). Chapter 160D-102 defines rezoning as “an amendment to a zoning regulation for the purpose of changing the zoning district that is applied to a specified property or properties.” Section 15.14.2 of the Waynesville Land Development Standards (LDS) states that: “The Planning Board shall conduct a public hearing and receive public input on the proposed amendment and shall make recommendations to the Town Council...”

The subject property is approximately 0.61 ac. The property is not in the floodplain. There is an abandoned manufactured home that appears to be in a deteriorated condition on the property. The lot is surrounded by manufactured homes on three sides, and there is a manufactured home park approximately 300 ft to the northeast (“Meadows and Mountain Views Mobile Home Park”). The 119-acre property to the east contains a single-family home facing Pigeon Street.

The subject property is currently located within Pigeon Street Neighborhood Residential District (PS-NR), where manufacturing housing is not allowed. The applicant is seeking to rezone the property to the adjacent Ninevah Neighborhood Residential District (N-NR), where manufacturing housing is allowed. The existing single-wide on the property represents a pre-existing non-conformity. Rezoning would potentially allow for improvement of the property and placing different or additional manufactured housing on it. Besides this one use, there is no difference between these districts for the uses that are allowed.

Additionally, the purpose and intent statements for both existing and proposed districts reflect a shared vision, as described in the Land Development Standards (LDS 2.3.3.D-E):

- Both districts aim to maintain and enhance their residential character
- Mix of housing types
- High density development
- Residential scale
- Accommodating growth
- Urban-style development with proximity to downtown
- Connectivity through well-developed street system and pedestrian amenities

The full purpose and intent of the current zoning district- PS-NR is (LDS 2.3.3.E):

“The Pigeon Street Neighborhood District (PS-NR) is a residential community enjoying proximity to Downtown Waynesville and a strong neighborhood center of its own. A mix of medium to high density

residential development will continue to occur in this area which already has a strong street system. An attractive pedestrian realm will be established as new development occurs, as will connections between the various neighborhoods in this district and the neighborhood center. The establishment of such connections and the management of traffic to make the area more conducive to pedestrians are important considerations as any improvements to Pigeon Street are made in the future.”

The full purpose and intent of the proposed N-NR District is (LDS 2.3.3.D) is:

“The Ninevah Neighborhood District (N-NR) is a well-established residential community containing a mix of housing types. As sufficient urban facilities are available in this district, it is proposed to develop more densely, but still at a small residential scale. Sidewalk development will be required to establish connectivity throughout the neighborhood. The public center of the community (at the intersection of Oakdale Road, Crymes Cove Road and Country Club Drive) should be enhanced and should allow for uses which would serve the daily needs of the residents of the area as well as those uses that serve as community gathering places.”

Staff Comment:

Both existing PS-NR and proposed N-NR districts fall under the same "umbrella"/category of Neighborhood Residential. In addition to their similar purpose and intent, there is no difference in dimensional standards, such as density, minimum lot size, required pervious surface (green area of the site), lot width, building setbacks, building height, and accessory structure standards (height, setbacks) between them (LDS 2.4.1).

The districts are directly adjacent to each other and allow identical uses, except for one: manufactured housing. The existing manufactured home represents a legal nonconformity (i.e. “grandfathered-in”) in the PS-NR District. The applicant has applied for rezoning to allow for improvement of the property and potentially placing different or additional manufactured home on the lot, replacing the existing single-wide that has been abandoned and deteriorated. Apart from this specific use, the two districts are identical in terms of allowed uses by right (LDS 2.5.3).

The LDS section on nonconformities allows the replacement of existing manufactured homes but prohibits any expansion of nonconforming uses. Per LDS 13.6.1.B:

“Expansions Prohibited: A nonconforming manufactured home on an individual lot may not be enlarged or altered externally in any way except where such alteration is required by law or an order from the Building Inspector, Fire Chief or the Administrator to ensure the safety of the structure, or where such alteration increases the degree of conformance of the home.”

If the zoning is amended to N-NR, the applicant would be able to replace the existing deteriorated home with a newer unit and potentially place additional homes there. While the existing manufactured home represents a legal nonconformity, the proposed use aligns with the purpose of the proposed N-NR district. The proposed use is also in harmony with the existing manufactured homes that surround the property.

The underlying goal of the applicant is to preserve the ability to replace and expand upon the pre-existing non-conforming use of manufactured housing. This would enable redevelopment of the lot with 1-2 manufactured homes which are a more affordable option than stick-built or modular homes. The rezoning would bring the property into greater conformance and promote the development of a safer neighborhood, improved housing options, and aesthetically pleasing residential area.

Consistency Statement Information:

The property is designated as Residential Low to Medium Density on the Land Use Map. The Staff recommends that the Planning Board finds that this map amendment consistent with the Town of Waynesville's 2035 Comprehensive Land Use Plan and that reasonable and in the public interest because it meets the following goals of the Comp. Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use, and context-sensitive development.

Goal 2: Create a range of housing opportunities and choices.

- Encourage new housing within Waynesville's city limits and Extraterritorial Jurisdiction (ETJ).
- Promote a diverse housing stock including market rate, workforce housing, and affordable options that appeal to a variety of households.

The rezoning of this property will remain consistent with the purposes of the proposed zoning district, Ninevah Neighborhood Residential (N-NR), as described in Section 2.3.3.D of the Land Development Standards (LDS):

- A well-established residential community containing a mix of housing types.
- It is proposed to develop more densely, but still at a small residential scale.

Public Notifications

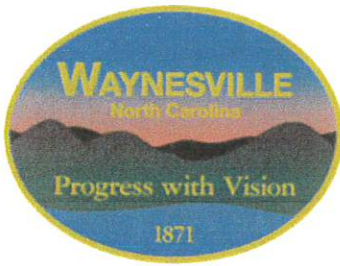
The applicant submitted the application on 10/28/24. Public notices of the public hearing were provided with the site posting (10/31/24), letters to adjacent property owners within 100 ft via first class mail (10/30/24), and the Mountaineer newspaper (11/3/24 and 11/10/24). The notice was also emailed to the local media on 11/4/24.

Requested Actions:

1. Motion to find the rezoning request as being consistent/inconsistent with the 2035 Land Use Plan and reasonable and in the public interest.
2. Motion to recommend the map amendment for approval/denial by the Town Council.

Attachments:

1. Rezoning application
2. Payment
3. Draft Ordinance
4. Property images: aerial view, zoning map, street view
5. Public notices: 100-ft mailing list, letters, newspaper notice, sign on property
6. Consistency Statement Worksheet



TOWN OF WAYNESVILLE
Development Services Department
PO Box 100
9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

18.
Rezoning
Application
1 of 3

Application for Land Development Standards Map Amendment

Application is hereby made on October 28, 20 24 to the Town of Waynesville for the following map amendment:

Property owner of record: Adgerwood Holdings LLC a NC LLC

Address/location of property: 28 Addie Lane, Waynesville, NC 28786

Parcel identification number(s): 8615-42-0757

Deed/Plat Book/Page, (attach legal description): Deed Book - 1113 Page - 447

The property contains 0.6104 acres.

Current district: Pigeon Street Neighborhood Residential

Requested district: Nineva Neighborhood Residential

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary):

See Exhibit A

Applicant Contact Information

Applicant Name (Printed): John Mason - Manager of Adgerwood Holdings, LLC.

Mailing Address: 127 Balsam Drive, Waynesville, NC 28786

Phone(s): 941.374.7660

Email: masonmdmba@gmail.com

Signature of Property Owner(s) of Record Authorizing Application:

Note: Map Amendment Requests require a fee based on the size and number of lots being requested for amendment. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Development Services Department, 9 South Main Street, Waynesville, NC 28786.

Exhibit ARezoning
Application 2 of 3

I am requesting that the planning board allow my property, located at 28 Addie Lane, to be included in the Nineva Neighborhood district so that I may replace the abandoned and dilapidated manufactured home that is currently on this property with 3 manufactured homes.

Waynesville is currently suffering from a lack of affordable housing that has only been made worse by Hurricane Helene. In fact, residents of Haywood County are struggling to find housing of any kind after so many of them have lost their homes. Residents are finding it difficult to buy or lease affordable homes and are either forced to leave the area or are forced to commute longer and longer distances if they want to work in Waynesville.

The property at 28 Addie Lane is currently in the Pigeon Neighborhood, and as such, I am only allowed to 1) replace the current single family manufactured home with a similar one as a grandfathered option, 2) repair the manufactured home that is currently on the property, or 3) remove this manufactured home and replace it with a stick build home. None of these options will provide meaningful solutions for our ongoing affordable housing needs in Waynesville since these options do not increase the number of affordable homes for the people of Waynesville and Haywood County. The Pigeon Neighborhood currently does not allow manufactured homes that have not been previously grandfathered.

The property at 28 Addie Lane abuts the Nineva Neighborhood which allows Manufactured homes in the manner and method recently adopted by this Planning Board and is directly across the street from the Nineva Neighborhood.

I am therefore asking the Planning Board to include 28 Addie Lane as part of the Nineva Neighborhood which would allow me to install 3 affordable manufactured houses within the city limits of Waynesville. This would be done by following all the existing set back, permitting, and acreage requirements.

This variance will not affect the local neighborhood since there are already many manufactured homes on Addie Lane and surrounding streets.

Respectfully submitted for your consideration.

Adgerwood Holdings, LLC.

John Mason MD MBA – Manager



20.

Rezoning
Application
3 of 3

DO NOT REZONE

Search Results Layers

Results List

Details

View Tax Card (taxhandler.aspx?id=8615-42-0757)

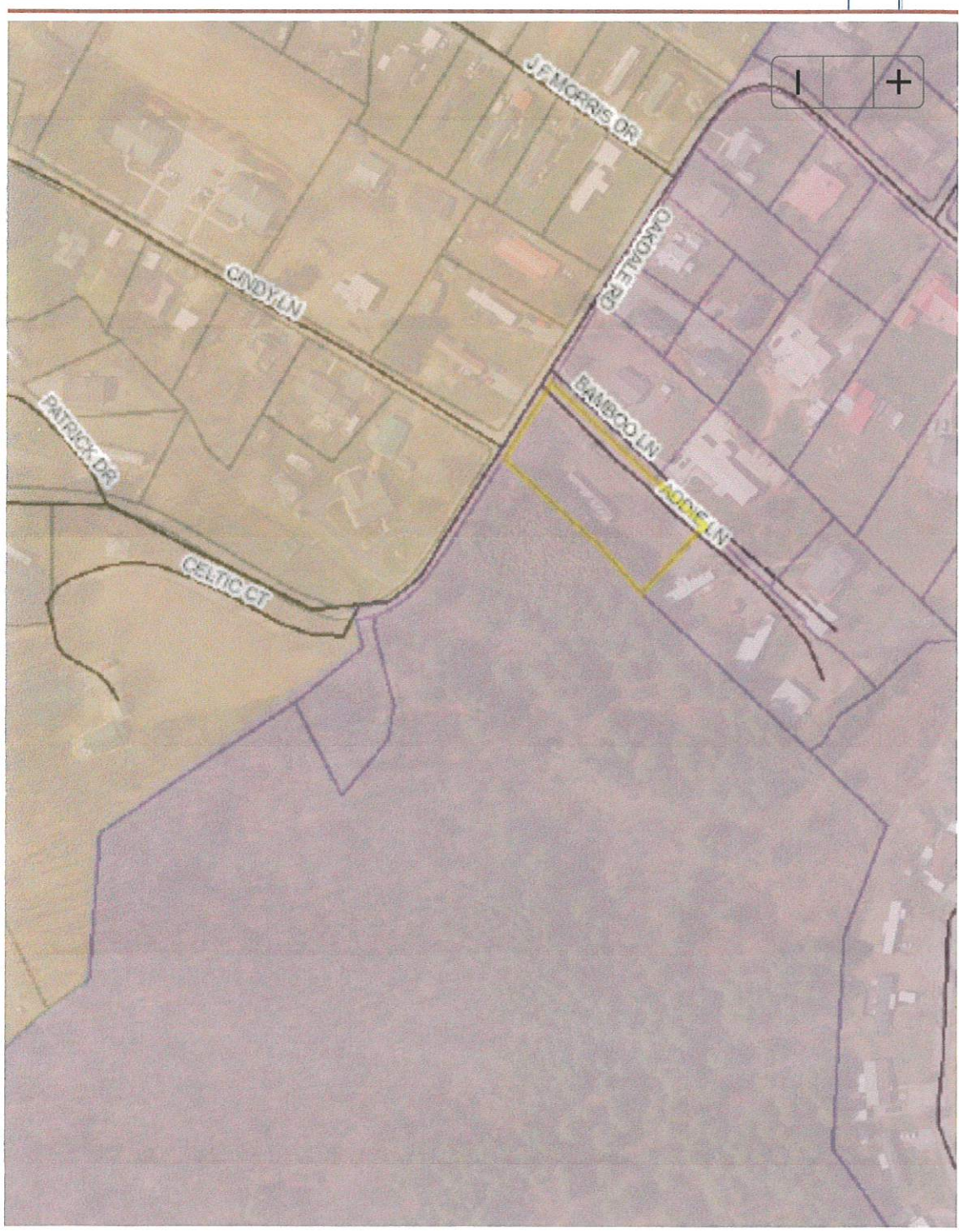
ADGERWOOD HOLDINGS LLC A NC LLC
127 BALSAM DR
WAYNESVILLE, NC 28786-4301

PIN: 8615-42-0757 Acct#: 281898
Legal Ref 1: 1113/447 (DeedReference.aspx?target=1113/447) Add Ref 1: D2022/24
Legal Ref 2: Add Ref 2: DC106/300

Acreage
0.61 AC

Tax Information		Tax Bill	
Land:	\$31,000	Tax Year:	2024
Building:	\$4,400		\$194.70
Market:	\$35,400	Tax Year:	2023
Deferred:	\$0		\$194.70

Total Assessed: \$35,400
Sale Info Price: \$35,000
Date: 8/19/2024



21.

Payment

PAYMENT SUMMARY RECEIPT

TOWN OF WAYNESVILLE
16 S MAIN ST

DATE: 10/31/24 CUSTOMER#:
TIME: 12:05:27
CLERK: 2044ecou

RECPT#: 3108154 PREV BAL: 500.00
TP/YR: P/2025 AMT PAID: 500.00
BILL: 3108154 ADJSTMNT: .00
EFF DT: 10/31/24 BAL DUE: .00
Misc Cash Receipts

-----TOTALS-----

PRINCIPAL PAID: 500.00
INTEREST PAID: .00
ADJUSTMENTS: .00
DISC TAKEN: .00

AMT TENDERED: 500.00
AMT APPLIED: 500.00
CHANGE: .00

PAID BY: Adgerwood Map Amend
PAYMENT METH: CHECK
PAYMENT REF: 202

TOT PREV BAL DUE: 500.00
TOT BAL DUE NOW : .00

DRAFT FOR COUNCIL CONSIDERATION

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE OFFICIAL LAND DEVELOPMENT MAP
OF THE TOWN OF WAYNESVILLE**

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed map amendment to the Official Land Development Map (Zoning Map) and recommends that it is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest because it supports the following goals of the Comp. Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use, and context-sensitive development.

Goal 2: Create a range of housing opportunities and choices.

- Encourage new housing within Waynesville's city limits and Extraterritorial Jurisdiction (ETJ).
- Promote a diverse housing stock including market rate, workforce housing, and affordable options that appeal to a variety of households.

WHEREAS, the Town of Waynesville Planning Board recommends that this map amendment is reasonable and in the public interest because it is also consistent with the purposes of the proposed zoning district- Ninevah Neighborhood Residential (N-NR), as described in Section 2.3.3.D of the Land Development Standards (LDS):

- A well-established residential community containing a mix of housing types.
- It is proposed to develop more densely, but still at a small residential scale.

WHEREAS, the Planning Board has reviewed and recommends the proposed map amendment for enactment by the Town Council; and

WHEREAS, the Town Council finds this Ordinance is consistent with the Town's 2035 Comprehensive Plan, and that it is reasonable and in the public interest to "make decisions about resources and land use in accordance with North Carolina General Statutes." and

WHEREAS, after notice duly given, a public hearing was held on **November 18, 2024**, at the regularly scheduled meeting of the Waynesville Planning Board, and on _____ at the regularly scheduled meeting of the Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Official Land Development Map be amended with the property at 28 Addie Lane in Waynesville, North Carolina 28786 (PIN 8615-42-0757) rezoned from Pigeon Street Neighborhood Residential (PS-NR) to Ninevah Neighborhood Residential (N-NR) District.

ADOPTED this _____ Day of _____, 2024.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



Report For

ADGERWOOD HOLDINGS LLC A NC LLC
127 BALSAM DR
WAYNESVILLE, NC 28786-4301

Property Image 1 of 4

Account Information

PIN: 8615-42-0757

Deed: 111 3/447

D2022/24
DC106/300

Site Information

28 ADDIE LN

Heated Area:

Year Built:

Total Acreage: 0.61

Township: Town of Waynesville

Site Value Information

Land Value:

Building Value:

Market Value:

Deferred Value:

Assessed Value:

Sale Price:

Sale Date: 8/19/2024

Tax Bill 1:

Tax Bill 2:



1 inch = 200 feet

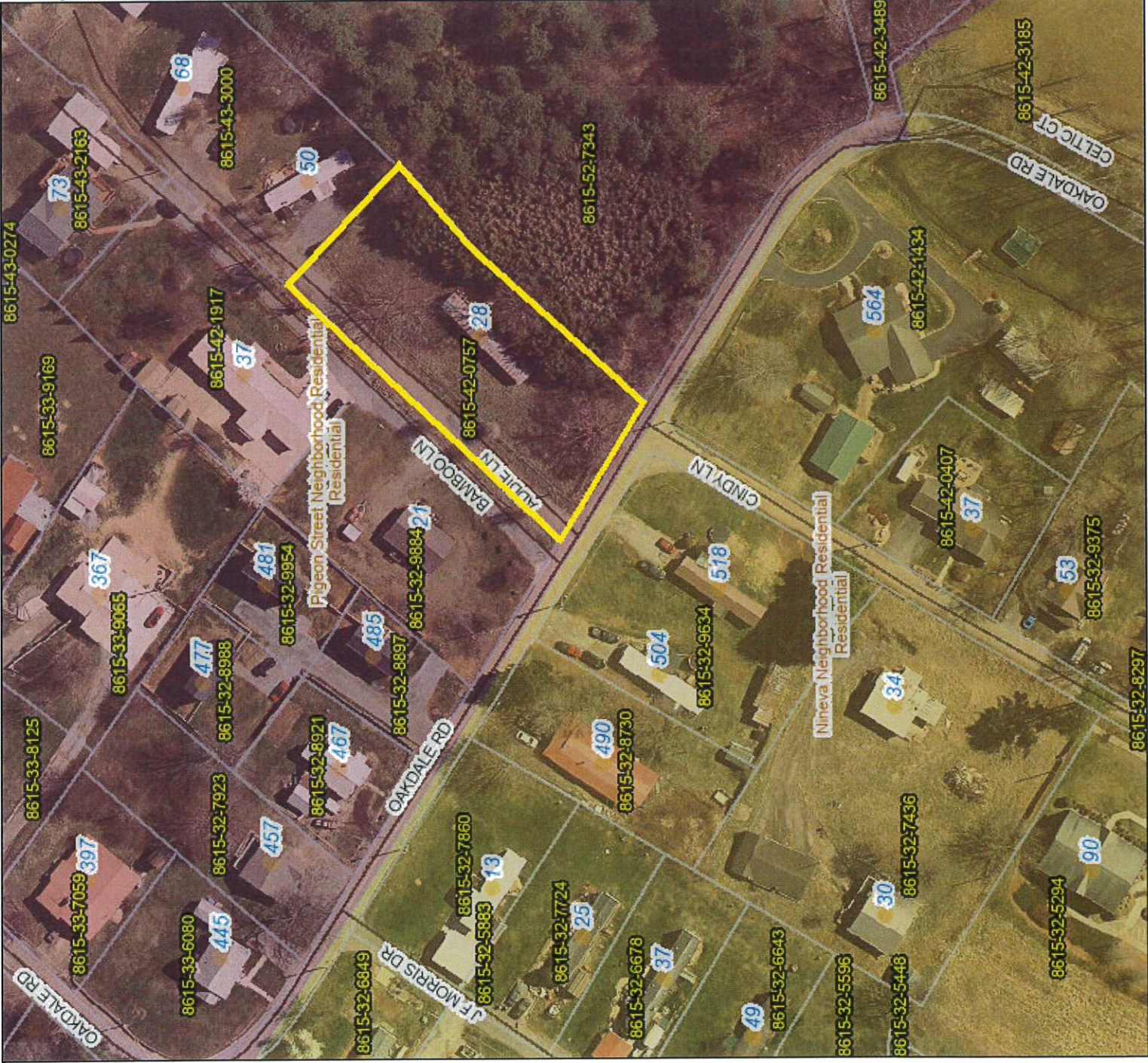
November 13, 2024

24.

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.

[illegible]

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Hayward county and the website provider assume no legal responsibility for the information contained on these maps.



Report For

ADGERWOOD HOLDINGS LLC A NC LLC
127 BALSAM DR
WAYNESVILLE, NC 28786-4301

Property Image 3 of 4

Account Information

PIN: 8615-42-0757

Deed: 1113/447

D2022/24
DC106/300

Site Information

28 ADDIE LN

Heated Area:

Year Built:

Total Acreage: 0.6104

Township: Town of Waynesville

Site Value Information

Land Value:

Building Value:

Market Value:

Deferred Value:

Assessed Value:

Sale Price:

Sale Date: 08/18/2024

Tax Bill 1:

Tax Bill 2:



1 inch = 100 feet

November 13, 2024

26

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.



ADGERWOOD HOLDINGS LLC A NC
LLC
127 BALSAM DR
WAYNESVILLE, NC 28786

LYNN, MARTHA D
131 WOODLAND DR
MURRELLS INLET, SC 29576

RAYA, MARIA YOLONDA RAYA
RAYA, ERIC
50 ADDIE LN
WAYNESVILLE, NC 28786

ROUNDY, JONATHAN CRAIG
ROUNDY, JENNIFER JEANETTE
73 BAMBOO LN
WAYNESVILLE, NC 28786

RIOS, JORGE G
MUNOZ, ROCIO D
37 BAMBOO LN
WAYNESVILLE, NC 28786

THIBODEAUX, JAMIE D
21 BAMBOO LN
WAYNESVILLE, NC 28786

HUSTON, RUTHIE ELAINE/LT
MULL, RODNEY DALE
PO BOX 391
WAYNESVILLE, NC 28786

WILLIAMS, LAURA/TR
NORMAN C PUTNAM JR LIVING TRUST
119 MISTLETOE RDG
WAYNESVILLE, NC 28786

INMAN, LARRY D
INMAN, SHANNA LYNN
564 OAKDALE RD
WAYNESVILLE, NC 28786

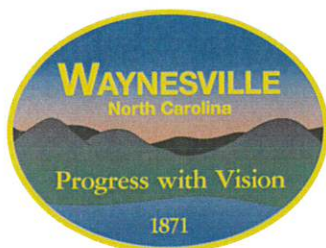
BACON, BRIAN SCOTT
BACON, KRISTINE KETRON
12 BELLEVUE DR
TREASURE IS, FL 33706

ARCONTI, BART
WROTEN, CHARLENE
389 STONEHOUSE DR
SEVERNA PARK, MD 21146

RIOS, JORGE GALVAN
MUNOZ, HILDA GUADALUPE RIOS
367 OAKDALE RD
WAYNESVILLE, NC 28786

CONARD, WILLIAM KIRK JR
353 OAKDALE RD
WAYNESVILLE, NC 28786

Public Notices 1 of 4:
Addresses within 100 ft



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

Public Notices 2 of 4: Mailed Letters

October 30, 2024

Notice of Public Hearing Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a public hearing on **Monday, November 18, 2024, at 5:30 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a rezoning request from Pigeon Street Neighborhood Residential (PS-NR) to Ninevah Neighborhood Residential (N-NR) for a 0.61-acre property at 28 Addie Lane in Waynesville, NC (PIN 8615-42-0757):



For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

30.



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: November 3rd and November 10th (Sunday) editions

Date: October 29, 2024

Contact: Olga Grooman, (828) 356-1172

Public Notices 3 of 4: Newspaper Notice

Notice of Public Hearings

Town of Waynesville Planning Board

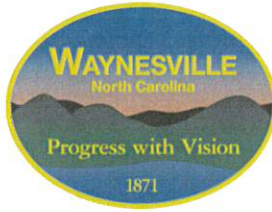
The Town of Waynesville Planning Board will hold three (3) public hearings on Monday, November 18, 2024, at 5:30 pm, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider:

1. A text amendment to allow the use of temporary, alternative housing for victims of disaster, Land Development Standards Sections 2.5.3, 4.6.4, and 17.3.
2. A text amendment to the Flood Damage Prevention Ordinance to update the regulatory flood protection elevation and increase the freeboard requirement from 1 to 2 ft, Land Development Standards 12.3 and 17.5.
3. A rezoning request from Pigeon Street Neighborhood Residential (PS-NR) to Ninevah Neighborhood Residential (N-NR) for a 0.61-acre property at 28 Addie Lane in Waynesville, NC (PIN 8615-42-0757).

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



Public Notices 4 of 4: Property Posted on 10/31/24



32.

To: Town of Waynesville Planning Board
From: Olga Grooman, Assistant Development Services Director
Date: November 18, 2024
Subject: Map Amendment Statement of Consistency
Description: Map amendment related to a rezoning request from Pigeon Street Neighborhood Residential (PS-NR) to Ninevah Neighborhood Residential (N-NR) for a 0.61-acre property at 28 Addie Lane in Waynesville, NC (PIN 8615-42-0757).
Contact: Town of Waynesville Planning Department ("Development Services")

The Planning Board hereby adopts and recommends to the Governing Board the following statement(s):

☐

The zoning map amendment **is approved and is consistent with the Town's Comprehensive Land Use Plan** because: _____

The zoning map amendment and **is reasonable and in the public interest** because:

☐

The zoning map amendment **is rejected because it is inconsistent with the Town's Comprehensive Land Use Plan and is not reasonable and in the public interest** because _____

☐

In addition to approving this zoning map amendment, this approval is **also deemed an amendment to the Town's Comprehensive Land Use Plan**. The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____

Planning Board Member _____, made a motion, seconded by _____

The motion passed _____. (*unanimously or vote results here*)

Susan Teas Smith, Planning Board Chair

Date

Esther Coulter, Administrative Assistant

Date

Planning Board Staff Report

Subject: Text amendments related to floodplain regulations
Ordinance Section: Land Development Standards (LDS) sections 4.4.2, 12.3, and 17.5
Applicant: Staff initiated text amendment, Development Services Department
Meeting Date: November 18, 2024
Presenter: Olga Grooman, Assistant Development Services Director

Background:

On September 27, 2024, Tropical Storm Helene caused widespread damage to residential and non-residential structures in Waynesville. The proposed text amendments seek to strengthen the Town of Waynesville's floodplain protection requirements, aligning them more closely with the recommendations of the North Carolina Department of Emergency Management. Strengthening local floodplain ordinances could help reduce future risks to life and property, while promoting public safety and community resilience. The proposed text amendments are based on the post-storm damage assessments, as well as feedback and recommendations from the NC Division of Emergency Management and the National Flood Insurance Program Coordinator.

The Development Services department inspected a total of 446 structures for damage and watermarks, and 342 of these structures had at least some level of damage. Properties raised 1 ft above the Base Flood Elevation (BFE) suffered less damage. The NC Emergency Management recommends a minimum elevation of 2-ft above the BFE for structures. Based on the intensity of Tropical Storm Helene and the extent of damage, staff proposes an amendment to the ordinance to increase the required elevation from 1 ft to 2 ft above BFE for all new construction and substantial repairs within the regulatory floodplain.

The map of the properties that sustained flood damage shows that while most of the damage occurred within a 100-year floodplain, significant damage also occurred along the fringe of the zone, bordering the 500-Year Floodplain. The map also shows that the floodplain crosses through the most urban and densely developed areas of the town, such as Frog Level and Hazelwood. Based on these findings, staff recommends expanding floodplain regulations into the 500-Year Zone. Currently, there are 619 properties that are at least partially within the 500-Year Floodplain. However, most of them have sections of the property that are already in the 100-Year Floodplain with current regulations applicable. There are 85 properties that are only in the 500-Year Floodplain, and not in any other flood zone. With this amendment, the floodplain regulations would extend to these properties.

Staff Recommended Text Changes:

The proposed text amendments would amend several LDS sections related to floodplain damage prevention. The proposed changes are:

1. Propose a 2-ft Regulatory Flood Protection Elevation, meaning that all new construction and substantial repairs within the regulatory floodplain will require the elevation of buildings such that the top of the first habitable floor is at least 2 feet above the Base Flood Elevation (BFE).

Example: Ground **elevation of the property** in the regulatory floodplain is 2,600 ft above mean sea level (msl). The **Base Flood Elevation (BFE)**, determined by the State's Flood Insurance Risk Maps (FRIS), is 2,601 ft above msl. A newly constructed structure on this property will need to have the top of the first habitable floor 2 ft above the BFE, which is 2,603 ft. msl.

2. The map of the properties that sustained flood damage during Helene shows that many of them were on the fringe of the regulatory floodplain, with some crossing into the 500-Year Flood Zone. Staff proposes to expand flood protection requirements that are currently applicable for a 100-year

floodplain into a 500-year flood zone, including but not limited to elevation, floodproofing, flood vents, and requiring a floodplain permit for all development within the 500-year floodplain. This would potentially affect 85 additional properties that are located only within a 500-Year Floodplain.

3. Add the definitions of a 500-Year Flood Zone (0.2 Percent Annual Chance Flood), as defined by FEMA.

The proposed changes to the Land Development Standards are in red.

Consistency with the 2035 Comprehensive Land Use Plan:

Staff submits that the proposed text amendments to the LDS are consistent with the following 2035 Comprehensive Plan Goals:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Promote conservation design to preserve important natural resources.

Goal 3: Protect and Enhance Waynesville's Natural Resources.

- Protect and enhance water quality and forests.
- Protect rural lands, iconic views, and mountain vistas; and

The proposal is reasonable and in the public interest because promotes safer construction, reconstruction, and repair of structures within the flood-prone areas, promoting safety of the residents and their properties.

Attachments:

- Draft Ordinance
- Consistency Statement Worksheet
- Newspaper notice
- Waynesville Floodplain Maps (3)

Recommended Motions:

1. Motion to find the recommended text amendment as attached (or amended) as being consistent with the 2035 Land Use Plan and reasonable and in the public interest.
2. Motion to recommend the text amendment as attached (or as amended) to the Town Council.

DRAFT ORDINANCE FOR BOARD CONSIDERATION

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE TEXT OF THE
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, on September 27, 2024, Tropical Storm Helene caused widespread damage to residential and non-residential structures in Waynesville; and

WHEREAS, the destruction caused by the storm disrupted the lives of Waynesville residents and caused challenges for local businesses; and

WHEREAS, strengthening local floodplain regulations could help reduce future risks to life and property, and promote public safety and community resilience; and

WHEREAS, the Town Council adopted the 2035 Comprehensive Plan to “enable the growth of a vibrant, healthy, and successful community,”

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendment to the Land Development Standards (LDS) and recommends that it is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest, and recommends the text amendment for its enactment by the Town Council; and

WHEREAS, the Town Council find this ordinance consistent with the Town’s 2035 Comprehensive Land Use Plan and that it is reasonable and in the public interest, strengthening the floodplain regulations and promoting public safety, specifically meeting the following Comprehensive Plan goals:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Promote conservation design to preserve important natural resources.

Goal 3: Protect and Enhance Waynesville’s Natural Resources.

- Protect and enhance water quality and forests.
- Protect rural lands, iconic views, and mountain vistas; and

WHEREAS, after notice duly given, a public hearing was held on **November 18, 2024**, at the regularly scheduled meeting of the Waynesville Planning Board, and on ____ at the regularly scheduled meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows:

1. Amend Section 4.4.2 Measurement of Building Height as follows:

- E. Allowance for foundations, basements and floodplain ordinance compliance: For either pitched or flat roofed structures, the first floor may be up to 4 feet above the average grade of the fronting sidewalk or primary facade, ~~or be one foot (1')~~ **or be two (2) feet (2')** above base flood elevation for the lot if within a special flood hazard area **or area Subject to a 0.2% Annual Chance of Flooding (500-Year Flood Zone)**. Basements or under-stories below the highest adjacent grade and facing away from the structure's primary facade, do not count as stories for the measurement of building height.

2. Amend section 12.3 Flood Damage Prevention as follows:

12.3.2 General Provisions

A. Applicability

This ordinance shall apply to all Special Flood Hazard Areas **and areas located within the 0.2% Annual Chance of Flood Hazard Zone (500-Year Flood Zone)** within the jurisdiction, including Extra-Territorial Jurisdictions (ETJs), of the Town of Waynesville and within the jurisdiction of any other community whose governing body agrees, by resolution, to such applicability.

3. Amend section 12.3.3.B Floodplain Development Application, Permit, and Certification Requirements:

(1) **Application Requirements.** Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas **or areas Subject to a 0.2% Annual Chance of Flooding (500-Year Flood Zone)**.

(b) Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area **and areas located within the 0.2% Annual Chance of Flood Hazard Zone (500-Year Flood Zone)** including but not limited to:

- (i) Elevation in relation to mean sea level of the proposed reference level (including basement) of all structures;
- (ii) Elevation in relation to mean sea level to which any non-residential structure in Zone AE, A, ~~or AO~~, **or 500-Year Flood Zone** will be floodproofed; and

(d) A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:

- (i) The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls); and
- (ii) Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Section 12.3.4.B(4)(c) when solid foundation perimeter walls are used in Zones A, AE, AH, AO, A99, or 500-Year Flood Zone.

(2) **Permit Requirements.** The Floodplain Development Permit shall include, but not be limited to:

(b) The Special Flood Hazard Area determination or a 500-Year Flood Zone determination for the proposed development in accordance with available data specified in Section 12.3.2.B.

(3) **Certification Requirements.**

(c) If a manufactured home is placed within Zone A, AE, AH, AO, A99, or 500-Year Flood Zone and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Section 12.3.4.B(3)(b).

(e) **Certification Exemptions.** The following structures, if located within Zones A, AE, AH, AO, A99, or 500-Year Flood Zone are exempt from the elevation/floodproofing certification requirements specified in items (a) and (b) of this subsection: ...

- (i) Recreational Vehicles meeting requirements of Section 12.3.4.B(6)(a);
- (ii) Temporary Structures meeting requirements of Section 12.3.4.B(7); and
- (iii) Accessory Structures less than 150 square or have a total cost of \$5,000 or less and meet requirements of Section 12.3.4.B(8).

4. Amend section 12.3.3.C Duties and Responsibilities of the Floodplain Administrator as follows:

The Floodplain Administrator shall perform, but not be limited to, the following duties:

- (1) Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas or 500-Year Flood Zones to assure that the requirements of this ordinance have been satisfied.
- (2) Review all proposed development within Special Flood Hazard Areas or 500-Year Flood Zone to assure that all necessary Local, State and Federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

...

- (10) Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas, floodways, or non-encroachment areas, or 500-Year Flood Zones (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

...

- (18) Make periodic inspections throughout the Special Flood Hazard Areas and 500-Year Flood Zones within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the

purposes of inspection or other enforcement action.

5. Amend section 12.3.4 Provisions for Flood Hazard Reduction as follows:

A. General Standards.

In all Special Flood Hazard Areas and areas located within the 0.2% Annual Chance of Flood Hazard Zone (500-Year Flood Zone) the following provisions are required: ...

B. Specific Standards.

In all Special Flood Hazard Areas and 500-Year Flood Zones where Base Flood Elevation (BFE) data has been provided, as set forth in Section 12.3.2.B, or Section 12.3.4.D, the following provisions, in addition to the provisions of Section 12.3.4.A, are required:

- (1) ...
- (2) Non-Residential Construction. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation, as defined in Section 17.4. Structures located in Zones A, AE, AH, AO, A99 and 500-Year Flood Zones may be floodproofed to the Regulatory Flood Protection Elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the Regulatory Flood Protection Elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.
- (3) ...
- (4) Elevated Buildings. Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:
 - (d) Shall include, in Zones A, AO, AE, and A1-30, and 500-Year Flood Zones, flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria: ...
- (5) ...
- (6) ...
- (7) Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:
 - (e) Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area and outside the 500-Year Flood Zone, to which the temporary structure will be moved.
- (8) Accessory Structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area or within 500-Year Flood Zone, the following criteria shall be met:

6. Amend section 17.5 Definitions, Floodplain Damage as follows:

0.2-Percent Annual Chance Flood- The flood that has a 0.2-percent chance of being equaled or exceeded in any given year. This type of flood is also referred to as a 500-year flood (FEMA.gov).

500-Year Flood Zone, also known as **0.2% Annual Chance of Flood Hazard Zone**, is an area that has a 0.2% chance of experiencing a flood in any given year.

Regulatory Flood Protection Elevation means the Base Flood Elevation plus the Freeboard. In Special Flood Hazard Areas where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus ~~one (1) foot~~ **two (2) feet** of freeboard. In Special Flood Hazard Areas where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade. **The Regulatory Flood Protection Elevation also applies to areas located within the 0.2% Annual Chance of Flood Hazard Zone (500-year flood zone).**

ADOPTED this _____ Day of _____, 2024.

TOWN OF WAYNESVILLE

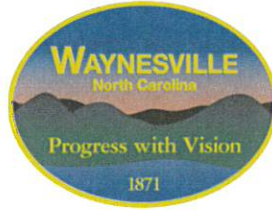
J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Town of Waynesville Planning Board
 From: Olga Grooman, Assistant Development Services Director
 Date: November 18, 2024
 Subject: Text Amendment Statement of Consistency
 Description: Text amendments to Flood Damage Prevention Ordinance
 Ordinance Section: Land Development Standards (LDS) sections 4.4.2, 12.3 and 17.5
 Address: Town of Waynesville Planning Department ("Development Services Department")

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

☐ The zoning text amendment **is approved and is consistent with the Town's Comprehensive Land Use Plan** because: _____

The zoning text amendment **is reasonable and in the public interest** because: _____

☐ The zoning text amendment **is rejected because it is inconsistent with the Town's Comprehensive Land Plan and is not reasonable and in public interest** because _____

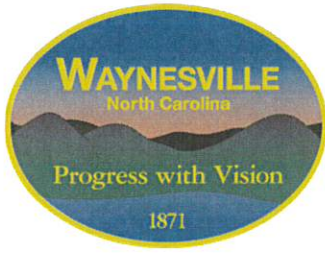
☐ In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town's Comprehensive Land Use Plan**. The changes in conditions considered in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____

Planning Board Member _____, made a motion, seconded by _____

The motion passed _____. (*unanimously or vote results here*)

 Susan Teas Smith, Planning Board Chair Date

 Esther Coulter, Administrative Assistant Date



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100
9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

41.

FOR PUBLICATION IN THE MOUNTAINEER: November 3rd and November 10th (Sunday) editions

Date: October 29, 2024

Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearings

Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold three (3) public hearings on Monday, November 18, 2024, at 5:30 pm, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider:

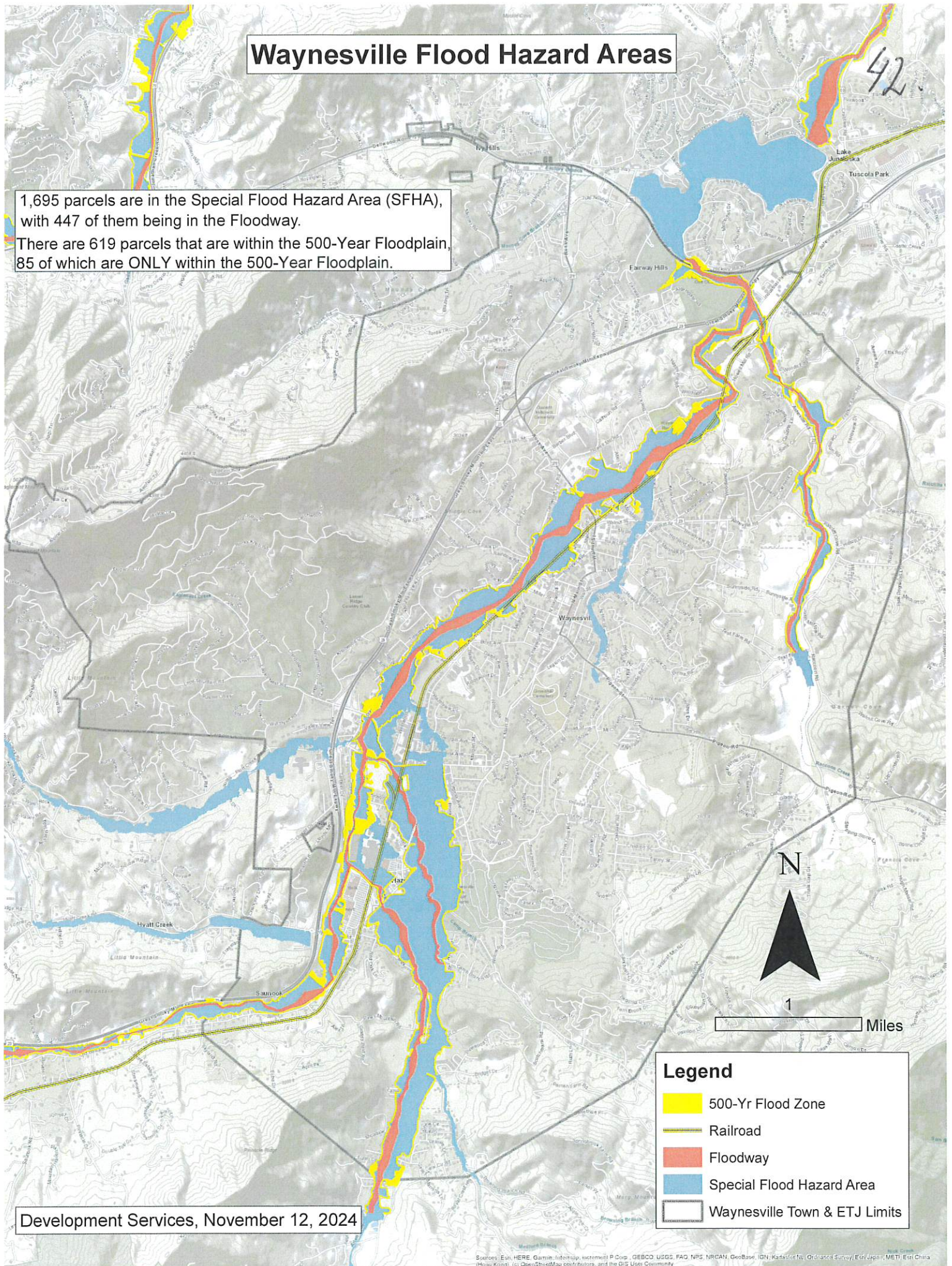
1. A text amendment to allow the use of temporary, alternative housing for victims of disaster, Land Development Standards Sections 2.5.3, 4.6.4, and 17.3.
2. A text amendment to the Flood Damage Prevention Ordinance to update the regulatory flood protection elevation and increase the freeboard requirement from 1 to 2 ft, Land Development Standards 12.3 and 17.5.
3. A rezoning request from Pigeon Street Neighborhood Residential (PS-NR) to Ninevah Neighborhood Residential (N-NR) for a 0.61-acre property at 28 Addie Lane in Waynesville, NC (PIN 8615-42-0757).

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

Waynesville Flood Hazard Areas

1,695 parcels are in the Special Flood Hazard Area (SFHA), with 447 of them being in the Floodway.

There are 619 parcels that are within the 500-Year Floodplain, 85 of which are ONLY within the 500-Year Floodplain.



Development Services, November 12, 2024

Legend

- 500-Yr Flood Zone
- Railroad
- Floodway
- Special Flood Hazard Area
- Waynesville Town & ETJ Limits

Properties with Damaged Structures Hurricane Helene (9/27/2024)

