



TOWN OF WAYNESVILLE Planning Board

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**Development Services
Director**
Elizabeth Teague

**Assistant Development
Services Director**
Olga Grooman

Susan Teas Smith (**Chairman**)
Ginger Hain (**Vice**)
Stuart Bass
John Baus
Michael Blackburn
Travis Collins
Jan Grossman
Tommy Thomas

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD Regular Meeting

**Town Hall – 9 South Main St., Waynesville, NC 28786
Monday April 15th, 2024, 5:30 p.m.**

THE WAYNESVILLE PLANNING BOARD held a Regular Meeting on Monday, April 15th, 2024, at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present:

Susan Teas Smith (Chair)
Ginger Hain (Vice Chair)
Stuart Bass
John Baus
Michael Blackburn
Travis Collins
Jan Grossman
Tommy Thomas

The following board member were absent:

Peggy Hannah

The following staff members were present:

Elizabeth Teague, Development Service Director
Olga Grooman, Assistant Development Service Director
Esther Coulter, Administrative Assistant

Other Town Staff were present:

Darrell Calhoun, Fire Marshall
David Kelley, Chief Code Enforcement Official
Jeff Stines, Public Services Director

The following attorney was present:

Ron Sneed, Town Attorney

Chair Susan Teas Smith called the meeting to order at 5:29 p.m.

Mrs. Smith welcomed everyone and asked Development Service Director Elizabeth Teague for announcements. Ms. Teague presented the summary of Council's actions from the recommendations of the Planning Board. Ms. Teague also told the members that if their term was expiring, the Town Clerk Candace Poolton would be contacting them.

Ms. Teague explained the application process that the developers went through before Planning Board's hearings and introduced several members of the town's technical review committee: David Kelley, Jeff Stines, and Darrell Calhoun. They explained to the board what they did for the town.

A motion made by Board Member Stuart Bass, seconded by Jan Grossman to approve the minutes for February 26th, 2024, Planning Board meeting as amended. The motion passed 7 to 1, with Susan Teas Smith abstaining due to being absent.

A motion was made by Vice Chairman Ginger Hain, seconded by Board member John Baus to approve the minutes of the March 4th, 2024, Planning Board meeting. The motion passed unanimously.

B. BUSINESS

1. Public Hearing to consider the placement of an additional sign at Valleywood Farms Subdivision.

Ms. Teague said that she tried to reach out to the applicant but was unable to reach them. She stated the applicant knew about the meeting but was not present. Ms. Teague asked the board for a continuance.

A motion was made by Chairman Susan Teas Smith, seconded by Board member Jan Grossman to continue the public hearing until next month. The motion passed unanimously.

2. Public Hearing to consider text amendments pertaining to regulation of Short-Term Rentals.

Mrs. Smith read through the public hearing procedures and opened the hearing at 5:45 p.m.

Ms. Teague said she wanted to start the discussion on the limitations of what the town regulated.

She explained that the Planning Board made recommendations to the Town Council. The Town Council was the only authority to change the ordinances. The town's ordinance jurisdiction was only within the town's boundaries. This was the first public hearing on the subject.

Ms. Teague explained that per Council's request in 2018, they researched and monitored the short-term rental (STR) activity in Waynesville. Ms. Teague said there were 74 different platforms with a total of 444 listings in 2021. Ms. Teague received a lot of calls and saw comments on social media. She told the audience that no one in the town wanted to ban short-term rentals.

Ms. Teague said there was no definition of STRs in Waynesville Land Development Standards (LDS). The LDS only had 2 possibilities that could be relevant: "residential and lodging," but the town did not want to micromanage private properties.

Ms. Teague asked the board for feedback on the definitions and structure of the ordinance. She told the board that more work needed to be done on determining the neighborhoods within the zoning categories. Ms. Teague read through her staff recommendation and draft definition for "STRs" along with other definitions. She also read through the table of permitted uses, sections of the LDS with proposed changes or additions.

Public Comment

Jackie Cure, a local business owner, wanted to know about the grandfathering of the STRs. She oversees the building of houses. Once built, they get listed as STRs until they are sold, and she employs people to keep them clean. Ms. Cure suggested to the board to sit down with the STR business owners and work through the process. Ms. Cure thanked the board and said she would help where needed.

David Plyler is a real estate broker who lives in Buncombe County and is a property owner here in Waynesville. Mr. Plyler said the short-term rentals were not making the affordable housing to go up in price. Mr. Plyler's said his client investors bought the land and built 6 houses and sold all but one and, it is a rental house now. The investors paid to pave the road. He said he would like information about the complaints. Mr. Plyler said he employed maintenance workers and cleaning personnel. The house does not have garbage pickup and the trash is taken out at every check out.

Robert Dungan said they lived in Buncombe County and owned a property in Waynesville's ETJ. Mr. Dungan said that they used their properties for short-term rentals and for clients that stay for 3 to 5 months. Mr. Dungan suggested to delete the word vacation from the STR definition because folks were also here for work. Mr. Dungan also suggested to delete the word "lodging." If the STRs are considered lodging, you would allow them to be held to the same regulations as hotels, motels, and bed & breakfasts.

Trisha Hollifield said they owned properties within walking distance of downtown and after going to other county's meetings, the biggest concern was enforcement of the regulations, and it was not constitutional. Ms. Hollifield said that everyone living in town limits should be held to the same regulations, such as parking and trash.

Roberta D'Alesandro lives in Haywood County. With the contingency of Willows POA, they were looking to rewrite covenants and restrictions. They were questioning the proposed Ordinance section B number 1. How was the level of occupancy determined for STR?

Board Chair Ms. Smith replied that they would be complaint-oriented and regulated within the laws that apply. Ms. Smith confirmed that with Attorney Ron Sneed, and he agreed.

Carlos Vazquez lives in Florida and is an STR property owner and manager. The properties are in Maggie Valley and Bryson City. He said they planned on moving here. He explained that if he had 107 five-star reviews and 1 bad review, the bookings were based on the rating. He also suggested that the board meet with short-term rental owners.

Chairman Susan Teas Smith closed the public hearing at 7:15 p.m.

A motion was made by Board member Michael Blackburn, seconded by Vice Chairman Ginger Hain to organize a work committee, then a public meeting to clarify details. Chairman Smith made an amendment to appoint board members Michael Blackburn, Travis Collins, and John Baus, to the committee to work with Development Services Staff. The committee will reach out to STR owners for a workshop. Amendment was second by Vice Chair Ginger Hain. The motion passed unanimously.

3. Text amendment to update Child/Adult Day Care Home, and Residential Care Facilities.

Elizabeth Teague, Development Service Director, informed the board that the state changed the regulations and asked the board for a continuance of the public hearing for staff to get clarification.

A motion was made by Board member John Baus, second by Chairman Susan Smith to grant a continuance until next meeting. The motion passed unanimously.

4. Text amendment related to LDS corrections and updates, including protest petitions, tree preservation, and definition of townhomes, within multiple sections of LDS.

Olga Grooman, Assistant Development Service Director, read through the staff report, giving some background information. The proposed text amendments included additions and revisions to several outdated sections of the LDS, per recommendations of the Town Attorney Martha Bradley. The feedback on enhanced tree protection was based on ongoing citizens' concerns. The staff also had a list of grammatical errors and outdated references within the LDS.

A motion was made by Board member Michael Blackburn, seconded by Board member Stuart Bass to approve all changes to the Land Development Standard. The motion passed unanimously.

A motion was made by Chairman Susan Smith, seconded by Board member Jan Grossman regarding the consistency with the 2035 Comprehensive Land Use Plan. The proposed text amendments to the LDS were necessary to keep our ordinance up to date and maintain its legal authority. Therefore, they were reasonable and in the public interest. They were also consistent with Comprehensive Plan's Goals 1 and 3 continuing to promote smart growth principles and to protect and enhance our natural resources. The motion passed unanimously.

C. ADJOURN

A motion was made by Board member Michael Blackburn, seconded by Chair Susan Teas Smith, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 8:00 p.m.

Ginger Hain, Vice Chairman

Esther Coulter, Administrative Assistant