



TOWN OF WAYNESVILLE Planning Board

9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492

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

Development Services
Director
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD Regular Meeting Town Hall – 9 South Main St., Waynesville, NC 28786 March 17, 2025

THE WAYNESVILLE PLANNING BOARD held a Regular Meeting on March 17, 2025, at 5:30 p.m. in the board room of the Town Hall at 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present:

Ginger Hain (Vice Chair)
Jan Grossman
Stuart Bass
Tommy Thomas
Travis Collins
John Baus

The following Board members were absent:

Michael Blackburn

The following staff members were present:

Elizabeth Teague, Development Services Director
Olga Grooman, Assistant Development Services Director
Alex Mumby, Land Use Administrator
Candace Poolton, Town Clerk
Ron Sneed, Board's Attorney

Vice Chair Ginger Hain called the meeting to order at 5:30p.m. and welcomed everyone. Development Services Director Elizabeth Teague reported no announcements. Board Member Thomas requested Ms. Teague to explain Council's approval of John Burgin's re-zoning request against the Planning Board's recommendation. Ms. Teague said that Mr. Burgin articulated that the commercial use of property made sense in that area and emphasized that parking a food truck there would not be the only use for the lot. Board

Member Thomas suggested that the re-zoning request should have been brought back to the Planning Board. Ms. Teague said Council is not obligated to do that. Board Member Thomas said he felt it was a waste of time and services of the town because the applicant did not share the same information with the Planning Board as he did with the Council. Ms. Teague reminded the Board that the Planning Board's report was presented to Council.

2. Adoption of February 17, 2025, minutes as presented or amended.

Board Member Grossman requested that the February 17th minutes reflect him as present at the meeting.

A motion was made by Board Member Travis Collins, seconded by Board Member John Baus, to approve the February 17, 2025, Planning Board meeting minutes as amended to reflect that Board Member Jan Grossman was in attendance. The motion passed unanimously.

B. BUSINESS

1. Review and possible approval of a "Protected Mountain Ridge" site plan application pursuant to LDS Section 12.7, located at 4477 Eagles Nest Road, Waynesville, NC 28786 (7696-71-2604).

Assistant Director of Development Services, Olga Grooman, reported that the applicants/owners of the property intend to build a single-family home on the property at 4477 Eagles Nest Road. Ms. Grooman described the property as being 1.28 acres, with the southeastern portion of the property lying within the Waynesville ETJ and Eagles Nest Residential Low Density (EN-RL) zoning district. She added that the construction of the home will be within town limits. Ms. Grooman said the property falls under the definition of the "Protected Mountain Ridge", as defined in N.C.G.S. 113A-206 because its elevation ranges from 4,970 feet to 5,070 feet and is more than 500 feet higher than any adjacent valley floor. She said that according to the LDS section 12.7.D, all applications for development on Protected Mountain Ridges shall be approved by the Planning Board. Ms. Grooman outlined the checklist that the Planning Board must consider when reviewing the proposed development as provided by the General Statute and LDS ordinances. She said the site plan is compliant with N.C.G.S. Article 14-Mountain Ridge Protection, as well as the Town of Waynesville Mountain Ridge Protection regulations of the LDS. She added that the proposed site plan is also compliant with the zoning regulations of the property. Ms. Grooman said the applicant is only disturbing about 6% of the property, well below what is allowed.

David Bush, the applicant, explained to the board what a "drip septic system" is, which is what the proposed site plan will have.

A motion was made by Board Member John Baus, seconded by Board Member Stuart Bass, to approve the application as proposed. The motion carried unanimously.

2. Discussion and Board feedback on staff-initiated updates to the Sign Ordinance, LDS Chapter 11.

Land Use Administrator, Alex Mumby, reported that staff recognized that several sections within the sign ordinance are unclear, including what classifies a "moveable" sign, the use of "etc.", the allowance for

artistic murals in commercial signage, what could be incorporated, how to ensure lettering within the mural still complies with district's size regulations, clarification on the ratio of wall signage to building size, neighborhood entrance signs, and other portions of the sign ordinance. Mr. Mumby requested that Board Members review LDS Chapter 11 and share their edits and questions with him before April 4th, so that staff can prepare possible ordinance improvements for a future meeting.

Board Member Baus requested that staff look into differentiating a general mural versus a mural that serves as a commercial advertisement. Mr. Mumby said that currently the part of the mural that serves as the sign has to abide by the signage code, and the rest of the mural is considered art.

Vice Chair Hain requested that staff consider a different scale regarding wording to the building wall. The Board discussed the new Cook Out restaurant and stated that even though the wording on the face of the building meets the signage code, it appears to be too large. Board Member Baus asked that staff consider reducing the allowance for the attached signs. Board Member Grossman suggested limiting the size of lettering on signs.

Board Member Thomas requested that staff look into vehicles that park outside of businesses that serve the purpose of advertising. Mr. Mumby said it would depend on the context and whether the truck is used primarily for deliveries or advertising. Board Member Baus said those two things are not mutually exclusive, and a truck could serve both purposes.

Vice Chair Hain suggested that staff look into how other localities are writing their sign ordinances, so that staff do not have to "reinvent the wheel". Mr. Mumby reminded the Board that many of the signs on Russ Avenue are pre-existing non-conformities, but all new signs must conform to the sign ordinance. Board Member Baus requested that staff look into having larger wayfinding signs for parking and the Main Street area. Ms. Teague said the current wayfinding signs were funded by the Haywood County TDA.

Board Member Grossman suggested that staff investigate limiting the size and number of neighborhood entrance signs. Vice Chair Hain added that they could look into having design guidelines for the sign as well.

Mr. Mumby said that staff will take the Board's feedback and present an updated draft sign ordinance at a later meeting.

3. Discussion of Short-Term Rental Regulations

Director of Development Services, Elizabeth Teague, reported that staff distinguished between Homestays and Short-Term Vacation Rentals (STR), with the main difference being that in Homestays, the owner stays on-site, while with STRs, there is no owner/manager on-site. She added that STR is considered a "lodging" use that is different from hotels or Bed and Breakfasts and encompasses home-sharing sites, such as VRBO or Airbnb. Ms. Teague said that Homestays would be permitted everywhere and are not regulated other than by tax codes or rental agreements. The STRs would be added as a use permitted with supplemental standards under the lodging use type ("PS"). STRs must comply with the Town's parking standards for lodging, and one on-premise sign may be placed to identify/advertise a short term vacation rental. If such sign is placed, it must comply with the maximum square footage for home occupations, or

a maximum of 8 square feet. STRs must comply with all federal, state, and local laws, have a plan in place for trash removal, and post in an obvious location the name and contact information of the operator and property manager, the address of the lodging, maximum number of occupants, and days established for trash collection, and the phone number of the Waynesville Police Department. She said that current STRs are exempt from these supplemental standards, but online VRBO and Airbnb platforms already require many of these standards.

Vice Chair Hain quoted the suggested ordinance where it says “one on-premise sign *may* be placed” and suggested that it should read “*will*” be placed. Ms. Teague said that having a sign used as advertising could also include other requirements, but the owner is under no obligation to advertise the STR as such. Vice Chair Hain said it could read “one on-premise sign is allowed”.

Vice Chair Hain said having property manager contact information makes sense, but not necessarily outside since the information is meant for the occupants. She also asked if they could adopt the Fire Marshal’s guidelines for address on signage. Ms. Teague said that it is possible. She said they could require a clear and visible address of the lodging, as well as the property owner’s contact information. Board Member Baus requested holding off on setting a public hearing for the ordinance until he conducts additional research. Board Member Grossman suggested using a different word than “transients” in the ordinance, possibly “lodgers” or “guests”.

Public Comment:

Wanda Brooks said she has owned an STR for 10 years. She recommended not placing contact information or STR specific signage outside of the residence because people will notice that it’s unoccupied at times and may and break in.

Ms. Teague said she will chat with the Police and Fire Departments to see how they could track property owner’s contact information in case of an emergency. Board Member Baus suggested keeping a running list of owner’s contact information and give it to the police, and Vice Chair Hain suggested having a two-faced sign with the address on the front side and the other information on the back side. Ms. Teague said she will continue working on the ordinance with the Board’s feedback.

4. Discussion and Board feedback on approaches to rural preservation and 2035 Comprehensive Plan: new legislation, the density workgroup, and approaches to rural preservation.

Director of Development Services, Elizabeth Teague, reported that the “Density Work Group” met with consultant Jake Petrosky of Stewart Engineering to discuss different approaches to rural preservation and the 2035 Comprehensive Plan. Ms. Teague said they discussed recent development and Comprehensive Plan’s recommendations, analyzed several zoning districts, reviewed conceptual plans for development under different zoning amendment options, and developed a recommendation for a new Residential Conservation District.

Ms. Teague said the new Residential Conservation District would allow for 2.5 dwellings per acre, with up to 6 per acre with a special use permit. She said it would incentivize clustering, which would increase the civic space and there would be a more restrictive building height requirement. She said that Stewart did an analysis of the higher density neighborhoods, and the average parcel sizes are actually quite large.

She said the large farmland in those areas did offset the subdivisions in those areas. Ms. Teague said the proposed Residential Conservation District would not take any permitted uses away, but there would be additional design requirements, such as alley loading being required of lot widths under 50 feet, prioritizing open space types, and having a different size of open space.

Ms. Teague said the introduction of SB 382 strips powers from municipalities to control zoning, but 22 local bills were already filed in the last session to exempt some governments. She said that HB 24 was adopted to strike the provision limiting local government's zoning authority from the Helene Relief Act. Ms. Teague said that the Council has adopted a resolution of support for HB 24. The Board discussed how SB 382 came to be.

Ms. Teague presented several options how they should proceed:

Option 1: Retool Amendment to be Overlay with CSO standards

- Base zoning districts remain option
- Leverage Conservation Subdivision Option (CSO) in LDC currently
 - *Emphasize design and more open space in district description.*
 - *Encourage CSO in this area. Potentially add a maximum density cap of 2.5-3 DUA for CSO in Rural Preservation District.*

Option 2: Change in Approval Process for Large Subdivisions

- Currently major subdivisions (>8 lots) have to go to Planning Board as administrative approval
- Potential change of all large subdivisions to Conditional Zoning process in Rural Preservation District Overlay area or across the board
 - *> 50 unit or size (acres) threshold*

Vice Chair Hain said that she has some concerns about being able to incentivize large developers. Ms. Teague said that 7,260 feet is the smallest lot size currently allowed in Waynesville's residential districts.

Option 3: Create Rural Preservation District as New Base Zoning District

- Create Rural Preservation District
- Conduct engagement activities and notify public and property owners of new district and options
- Create a process for property owners to opt in via rezoning or other form of consent
- Bring in Conservancies to work with property owners to encourage land preservation and provide benefits to the landowners.

Ms. Teague said that currently, vested rights legislation allows property owners a permit choice for 18 months after they submit the complete application. She said there is further study needed to determine the feasibility of encouraging development form via the water and sewer extension policy, which she said is a more effective tool than zoning. She said that staff are still waiting on the outcome of the legislative session on potential changes to SB 382. Ms. Teague said the plan is to have a workshop and have Jake Petrosky with Stewart present to the Planning Board.

Board Member Baus said he can't imagine that SB 382 won't be repealed. Ms. Teague agreed. Board Member Grossman said that town residents have been saying there are some areas in town where density

is too high. He reminded residents to vote, because density is decided by their legislative representatives. There was discussion on the capabilities of the Town to expand based on how much water they can provide. Ms. Teague said there are no concerns with the water supply in Waynesville.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

There was no public comment.

D. ADJOURN

The meeting was adjourned by Vice Chair Ginger Hain at 7:34 p.m.

Ginger Hain, Vice Chair

Candace Poolton, Town Clerk