



TOWN OF WAYNESVILLE Planning Board

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

Development Services
Director
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD **Regular Meeting** **Town Hall – 9 South Main St., Waynesville, NC 28786** **May 19, 2025**

THE WAYNESVILLE PLANNING BOARD held a Regular Meeting on May 19, 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 (Chair)
Jan Grossman
Travis Collins (Vice Chair)
Alex McKay
John Mason
Stuart Bass

The following Board members were absent:

Michael Blackburn
John Baus
Tommy Thomas

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 5:30 pm. Development Services Director Elizabeth Teague reported that copies of minutes and agendas can be found on the Town's website and she introduced new board members Alex McKay and John Mason.

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

A motion was made by Board Member Jan Grossman, seconded by Board Member Stuart Bass, to approve March 17, 2025, minutes as presented. The motion passed unanimously.

3. Election of Chair and Vice-Chair

A motion was made by Board Member Stuart Bass, seconded by Board Member Jan Grossman, to appoint Ginger Hain as the Chair. The motion passed unanimously.

A motion was made by Board Member Stuart Bass, seconded by Chair Ginger Hain, to appoint Travis Collins as the Vice-Chair. The motion passed unanimously.

B. BUSINESS

1. Public Hearing on Balsam Edge sign proposal, 80 Sedge Meadow Path, Waynesville, NC 28786, PIN 8616-40-9101 (Administrative Hearing).

Chair Ginger Hain opened the public hearing at 5:37 pm.

Assistant Director of Development Services, Olga Grooman, reported that an application was submitted for a neighborhood entrance sign for the Balsam Edge apartment complex. Ms. Grooman stated that the proposed double-sided entrance sign will be located on the southern portion of the site, off Howell Mill Road, as shown on the attached site plan. She explained that the Land Development Standards (LDS) do not outline specific design guidelines for neighborhood entrance signs, stating only that Neighborhood Entrance Signs are, “subject to Planning Board design approval.” Ms. Grooman stated the proposed sign meets the NC DOT sight triangle requirements, as well as material, design standards, size, and addressing requirements per the Fire Marshall for business signage for that district (Howell Mill Urban Residential, HM-UR). The sign also closely approaches the height standards for ground signs established in the HM-UR zoning district. She described the sign as being made of natural materials, like wood and rock, and is approximately 4 foot 8 inches tall. She explained that, since there are no specific guidelines for neighborhood signs, they are using the business signage guidelines to give the board a general idea of what the new signage in the district will look like.

The applicant, Johnathan Warner with Equinox Environmental, stated that they designed the sign, and the proposed placement is perpendicular to the road, and the sign is double-sided so traffic can readily view it. He said the sign is elevated to allow space lighting and planting of vegetation underneath.

Chair Ginger Hain closed the public hearing at 5:54 pm.

A motion was made by Board Member Jan Grossman, seconded by Board’s Vice Chair Travis Collins, to approve the application as proposed. The motion carried unanimously.

2. Public Hearing on Map Amendment (rezoning request) 185/187 West Marshall Street in Waynesville, NC 28786, PIN 8616-40-9101 (Legislative Hearing).

Chair Ginger Hain opened the public hearing at 5:56 pm.

Assistant Director of Development Services, Olga Grooman, reported that the applicant owns a storage unit business that operates on both 234 W. Marshall Street and the subject property at 185/187 W. Marshall Street, located just to the south. She said that the upper parcel is 0.59 ac, while the subject property is the largest portion of the business, located on a 3.25-ac parcel. Although a part of the same business, Ms. Grooman explained that the properties lie within different zoning districts, with the northern and smaller parcel zoned as Russ Avenue Regional Center (RA-RC), and the southern and larger parcel zoned as Walnut Street Neighborhood Residential Mixed-Use Overlay District (WS-NR-MXO). Ms. Grooman stated that the storage units fall under the definition of Mini-Warehouses in the Land Development Standards (LDS 17.3) and that this use is currently not permitted within WS-NR-MXO District, and it is a pre-existing nonconformity there. However, Ms. Grooman said the northern parcel of this business is a legally permitted use because it is in RA-RC District. She said the applicant is seeking to rezone the property at 185/187 W. Marshall Street “to bring the entire site into alignment with its long-standing use as a self-storage facility,” as they state in their application materials. Ms. Grooman explained that while nonconforming uses may continue, any expansion—even within the same parcel—is prohibited.

The proposed RA-RC District has the following purpose and intent, as outlined in LDS Section 2.3.7.C:

- “Gateway for the community.
- This district shall be a setting for high intensity land uses addressing the needs of the Waynesville community and surrounding areas.
- The Russ Avenue Town Center is envisioned as supporting dense development options due to the ample infrastructure in place and the proximity to downtown and the other municipalities in the county.
- The mixture of residential and commercial uses is encouraged.
- Access between development and public areas.”

Ms. Grooman reported that staff considers this rezoning request to be appropriate and reasonable because the property is directly adjacent to the RA-RC District, which already includes a portion of the business, and it is adjacent to the Mountain Creek apartment complex and the Waynesville Plaza shopping center, which are both zoned Regional Center. The property also abuts the railroad corridor. The subject property is a pre-existing non-conforming use, but is a business that has a long record of success and which provides a needed service to the community. She noted that rezoning would create a consistent zoning designation for this business operating across two (2) separate parcels, and with the properties to which it abuts. Ms. Grooman stated that in the proposed RA-RC District, Mini-Warehouses (storage units) are permitted via a Special Use Permit procedure which means that any major change to the existing site plan, including but not limited to any increase in impervious surface, an increase in the total floor area by more than 10%, any decrease in setbacks greater than 10%, etc., will be subject to review by the Planning Board. Ms. Grooman outlined the additional uses that would be allowed in the proposed district (RA-RC).

Applicant Jeremy Ralph, the facility manager at Richland Creek Storage, stated that he is a local resident and owns a business here. Chair Ginger Hain asked if the north side of the property had flooding, and Mr.

Ralph responded that there was some. Mr. Ralph said the reason they are requesting re-zoning is so they can improve the property and the lighting, which would also make the area safer.

Chair Ginger Hain closed the public hearing at 6:15 pm.

Board Member Jan Grossman stated that he is against the request because he feels this is a “cherry picking” re-zoning, especially because it’s “up-zoning”. He said there’s no plan in place and owners do not live locally. Board Member Alex McKay stated that the re-zoning would be in line with the character of the area. Board Member John Mason explained that he wants to give the owner the ability to do what they want with their property, and that zoning is about balance. Chair Ginger Hain expressed the concern that there is no vision or a plan, and she doesn’t want to open that area up to other uses that would infringe on the enjoyment of the adjacent park or residences.

Attorney Ron Sneed clarified that it would not be spot zoning because this re-zoning request would match the zoning of the adjacent property. It is not a site plan approval either. Vice Chair Travis Collins reminded the Board that if they re-zoned the lot, the business could turn into any of the allowable uses, and Ms. Grooman added that some of the impactful uses would still have to be approved via a Special Use Permit or abide by certain standards. Mr. Ralph reassured the Board that the business will not change.

A motion was made by Board Member Stuart Bass, seconded by Board Member John Mason, to find the rezoning request for the property at 185/187 West Marshall Street in Waynesville, NC 28786 (PIN 8616-40-9101) as being inconsistent with the Land Use Map, but the rezoning is still reasonable and in the public interest because it is consistent with the goals of the Comprehensive Plan, its adjacency to RC zoning, and its record as a successful business which the current ownership would like to continue and improve. Therefore, the Board may recommend approval of the rezoning and simultaneously amend the Future Land Use Map to redesignate the subject property (185/187 W. Marshall Street) as Mixed Use – Regional. Vice Chair Travis Collins, Board Member Alex McKay, Board Member Stuart Bass, and Board Member John Mason voted in the affirmative. Board Member Jan Grossman and Chair Ginger Hain opposed. The motion carries.

A motion was made by Board Member Travis Collins, seconded by Board Member John Mason, to recommend the map amendment for approval by the Town Council. Vice Chair Travis Collins, Board Member Alex McKay, Board Member Stuart Bass, Board Member Jan Grossman, and Board Member John Mason voted in the affirmative. Chair Ginger Hain opposed. The motion carries.

Ms. Teague and the Board discussed the current House Bills that would affect local municipalities and their ability to make decisions regarding zoning.

3. Discussion and Board feedback on staff-initiated text amendment regarding wireless communication facilities.

Assistant Director of Development Services, Olga Grooman, reported that wireless communication facilities are essential infrastructure under federal law and used to transmit and receive signals for wireless communications, such as cellular service, internet, TV and radio broadcasting, emergency services, utilities, etc. Ms. Grooman noted that the Communications Act of 1996 preempts state and local regulations, including local authority to prohibit wireless service facilities, discriminate between providers

of wireless service, or regulate proposed wireless communications facilities based on the potential health/environmental effects of radio frequency emissions. She added that wireless communication facilities comply with the Federal Communications Commission's (FCC) regulations related to radio frequency exposure limits, equipment authorization, construction of facilities, and mandatory collocation requirements. However, local governments can regulate the location, design, buffering, etc.

Ms. Grooman explained that the purpose of the proposed text amendments is to better align the Land Development Standards (LDS) with the federal law and eliminate the Town's ordinance provisions that imply a "use variance" from the Zoning Board of Adjustment, which is not permissible under North Carolina law. She outlined the proposed text amendments:

1. Wireless communication facilities-private and emergency:

Amend the supplemental standards to permit the installation of new structures for the placement of wireless communication facilities, in addition to their placement on existing buildings or poles. All other standards- including but not limited to height and placement limitations, collocation, and design restrictions- will remain unchanged.

2. Monopole wireless communications tower:

Allow new towers without requiring a variance from the Zoning Board of Adjustment. The current provision implies a "use variance," and use variances are not allowed under North Carolina state law. Additionally, FCC mandates the collocation requirements, and any new tower must be designed to accommodate multiple providers. All other LDS standards will remain unchanged, including but not limited to the restriction that the towers can only be located "on a lot one (1) acre or greater in size" AND on a "property owned by the Town of Waynesville" OR above an elevation of 3,500 feet if the property is not owned by the Town (LDS 3.10.4.B.). Furthermore, monopole wireless communication towers are subject to design restrictions, landscape buffering, and setbacks from residential areas. Regulated already, but provision that no new monopole towers are allowed unless they go to ZBA first and get approval.

Proof of regulatory compliance: Written statements from the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC) showing that the proposed tower complies with all permit regulations administered by that agency.

Board Member John Mason said that the need for better communication is important. The Board agreed with the proposed amendments and directed staff to bring them back to the board.

4. Discussion and Board feedback on potential changes to the sign ordinance.

Land Use Administrator, Alex Mumby, reported that staff brought forward an update to the signage code, removing unnecessary language relating to the internal lighting of signs. During that process, Mr. Mumby said they also discovered other areas of the LDS signage chapter in need of clarification and updates. He added there has been feedback from residents and board members regarding size allowances in the current code for neighborhood as well as commercial signs. Staff seeks the Planning Board's input on the following:

- *Signage code definitions should be added under each sign type within the ordinance itself.* The use of the word “etc.” has been removed. This will allow for clearer interpretation rather than open-ended definitions.
- *Clarification of how signs within murals are interpreted, LDS 11.3.1.* Computation of signage area is proposed to codify that only the portion of the mural which contains the sign itself, specifically the lettering and logo, will count towards the maximum allowed signage in a district.
- *Regarding signage size in Regional Center and Commercial Industrial districts,* the maximum allowed size for an attached sign has been reduced from 15% of the wall face to 10% of the wall face. Waynesville’s Regional Center Districts are the core commercial areas of town and are the areas where large signage is most acceptable.
- *Currently there are no guidelines for dimensions of neighborhoods signs* other than that they must be approved by the Planning Board. Staff feels that the primary purpose of neighborhood signs is for wayfinding and that the ordinance should reflect this. The maximum dimensions which would be allowed are recommended to be similar to signs allowed in residential districts currently: 16 square feet. Additionally, staff recommends consideration for limiting the number of neighborhood signs to two (2) signs per entrance with up to a maximum of four (4) signs allowed per neighborhood.
- *Clarification for portable signs* would provide guidelines for A-frame signs which the business owners put out during the day. The dimensions were chosen to allow all current A-frame signs to remain. Additional placement guidelines have been added in order to keep the public way clear and to not create obstructions.
- *The allowance for signs advertising Master Developments greater than five acres* could be reduced and brought under Master Developments greater than 2 acres. The existing allowance for these signs is 160 sqft – 25 ft tall. This is far larger than any other allowed ground sign in Waynesville. The new allowance would be 48 sqft – 8 ft tall, which is in line with current maximum size of ground signs in Regional Center and Commercial Industrial districts. This might be problematic however, for large scale developments with multiple tenants.

Board Member John Mason said the suggested amendments are a good idea.

Board Member Jan Grossman suggested limiting the size of lettering on signage and cited the new Cook Out restaurant as an example of lettering that seems too large. Chair Ginger Hain said the purpose of signage is to communicate information, so maybe staff could look into billboard standards and what would be legible without being intrusive.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

There was no public comment.

D. ADJOURN

The meeting was adjourned by Chair Ginger Hain at 7:24 pm.

Ginger Hain, Vice Chair

Candace Poolton, Town Clerk