

TOWN OF WAYNESVILLE

Planning Board

9 South Main Street
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

Special Called Meeting of the Planning Board Town Hall, 9 South Main Street, Waynesville, NC 28786 Monday, July 22, 2024, 5:30 PM

A. CALL TO ORDER

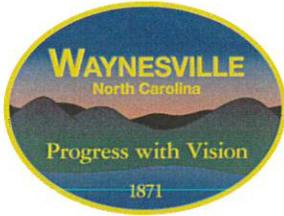
1. Welcome/Calendar/Announcements
2. Approval of Minutes as presented (or amended):
 - May 20, 2024 Regular Meeting Minutes

B. BUSINESS

1. Public Hearing for a major subdivision application to create 10 residential lots from a 6.46-acre portion of the parcel (PIN 8604-99-9023) within Waynesville Inn and Golf Club property, adjacent to Longview Drive.
2. Public Hearing on a zoning map amendment application at 225 Church Street (PIN 8616-29-7639) from Neighborhood Residential, to Neighborhood Residential Mixed-use Overlay.
3. Report and discussion on Short Term Rental draft ordinance and feedback from the workgroup.
4. Report and discussion on potential text amendments related to accessory structures and manufactured housing.
5. Report and discussion on the use of ground mounted solar panels, and private solar array installations within Town.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN



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Development Services
Director
Elizabeth Teague

Assistant Development
Services Director
Olga Grooman

Susan Teas Smith (Chair)
Ginger Hain (Vice Chair)
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 May 20, 2024, 5:30 p.m.

THE WAYNESVILLE PLANNING BOARD held a Regular Meeting on Monday, May 20th, 2024, 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)
- Stuart Bass
- John Baus
- Michael Blackburn
- Travis Collins
- Jan Grossman
- Tommy Thomas

The following board member was absent:

- Susan Teas Smith (Chair)

The following attorney was present:

- Ron Sneed, Board Attorney

The following staff members were present:

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

Vice Chair Ginger Hain welcomed everyone and called the meeting to order at 5:30 p.m.

Ms. Hain asked Development Services Director, Elizabeth Teague, for announcements. Ms. Teague informed the board that Valleywood Farms officially withdrew their second entrance sign application. Ms. Teague reminded the board about the summary report of the Council actions in the agenda packet. Ms. Teague mentioned that the Density Workgroup, a joint subcommittee with the Council, continued the meeting for further discussion. She elaborated that the Short-Term Rental (STR) Workgroup discussed the need to regulate the STRs and identified neighborhood concerns as well as the benefits of STRs as a way for property owners to create income, and as a way to support the tourism economy. The STR Workgroup discussed the importance of preserving rental properties and the questions of how STRs may affect or not affect housing affordability.

A motion was made by Board member Jan Grossman, seconded by Tommy Thomas, to approve the minutes for April 1st, 2024, Planning Board meeting as presented or amended. The motion passed unanimously.

B. BUSINESS

1. Request for additional continuance of the public hearing to consider North Carolina Health and Human Services updates to guidelines for care homes, as they relate to LDs definitions.

Ms. Teague asked for a continuance until next month.

A motion was made by Board member Stuart Bass, seconded by Board member Jan Grossman, to continue the public hearing until next month. The motion passed unanimously.

2. Public Hearing to consider a map amendment to apply the railroad overlay district (RR-O) onto properties within the proposed areas in Frog Level and Hazelwood.

Assistant Development Services Director Olga Grooman explained that it was a legislative hearing to apply a Mixed-Use Railroad Overlay District (RR-O) to 110 properties around the rail tracks. Out of these 110 properties, 80 were in the Frog Level area, and 30 were in Hazelwood area of the town. She elaborated that the 2035 Comprehensive Plan was a long-range vision for the town, and it included the recommendations about the RR-O District. The Railroad Subcommittee examined areas along the railroad and its claimed right-of-way for development challenges and opportunities. On July 17, 2023, the Planning Board unanimously recommended the text amendment establishing the Railroad Overlay District (RR-O) in sections 2.5.3 and 2.6.3 of the Land Development Standards (LDS) to the Council. On September 12, 2023, the Town Council officially adopted the "Railroad Overlay District" to create opportunities for more flexible development and revitalization within the LDS. The purpose of this public hearing is to apply the Railroad Overlay District as a zoning map amendment on the official Land Development Map (Zoning Map).

Since Vice Charman Ginger Hain did not officially open the public hearing at 5:35 p.m., she asked for guidance from attorney Ron Sneed. Ms. Hain proceeded with his recommendation.

A motion was made by Vice Chair Ginger Hain to open the hearing and include the staff report as presented at 5:54 p.m. The motion was seconded by Board member Michael Blackburn.

Ms. Hain read through the legislative process of the hearing for the public and asked those who wished to speak to provide their information to the clerk.

Public Comment

Kathy Rondeau asked if her property was going to be included in the overlay. Ms. Teague answered that her property was not included in the overlay.

Danny Parton asked how this affected the assessed property value and whether the town would be able to take any property rights away from the owners. Attorney Ron Sneed clarified that the town did not have the ability to intervene and claim that certain properties would be worth more now. He explained that all properties would be assessed simultaneously at tax time.

Vice Chair Ginger Hain asked if there were other comments and closed the hearing at 6:05 p.m.

A motion was made by Board member Stuart Bass, seconded by Board member Jan Grossman, to find that the Railroad Overlay map amendment was consistent with the 2035 Comprehensive Land Use Plan and reasonable and in the public interest because it was consistent with the Comp Plan Goals 1 and 5. The motion passed unanimously.

A motion was made by Vice Chair Ginger Hain, seconded by Board member Travis Collins, to recommend the map amendment for approval by the Town Council. The motion passed unanimously.

C. ADJOURN

A motion was made by Board member Michael Blackburn, seconded by Board member Travis Collins, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 6:09 p.m.

Ginger Hain, Vice Chairman

Esther Coulter, Administrative Assistant

Planning Board Staff Report
Major Subdivision- Preliminary Plat Review- Longview Subdivision
Administrative Site Plan Review

Meeting Date: July 22, 2024
Subject: Public hearing for a major subdivision, preliminary plat review
Project: Waynesville Inn and Golf Club- Longview Subdivision
Location: 6.46-acre portion of the property at 176 Country Club Drive (PIN 8604-99-9023)
Zoning District: Country Club Residential Low Density (CC-RL)
Existing Conditions: Golf course
Applicant/Owner: WGC Hospitality, LLC
Authorized Agents: Patrick Bradshaw, Emily Clark, Dave Braun
Presenter: Olga Grooman, Assistant Development Services Director

Background:

This is an application for a major subdivision of 10 single-family homes on the 6.46-acre portion of the Waynesville Inn and Golf Club (PIN 8604-99-9023). The area is within Waynesville Inn and Golf Country Club's property off Longview Drive and within the corporate limits of the town, and within the Country Club Low Density Residential District (CC-RL).

On June 10, 2024, WGC Hospitality, LLC submitted the application for a major subdivision (preliminary plat) review. The authorized agents to represent the project and appear before the board are Patrick Bradshaw, Emily Clark, and Dave Braun. The applicant submitted a Preliminary Plat and Environmental Survey, as required per LDS 15.9.2(C). Engineering, including a compliant Stormwater Plan and Construction Documents will be submitted after the Planning Board review, per LDS 15.9.2(D).

Per LDS section 15.3.7, the project team held a neighborhood meeting at the Waynesville Inn on July 9, 2024, and the materials are attached to today's agenda packet. Staff provided notices of today's Planning Board public hearing in the Mountaineer newspaper (6/30/24 and 7/7/24), by posting the property (7/3/24), and via first-class mail to adjacent property owners within 100 ft (7/3/24).

Project Overview:

Per LDS 15.9.2, "the major subdivision review process is required for those divisions of land into eight (8) or more lots or which require dedication of public utilities and/or public streets. A preliminary plat review for a major subdivision is an administrative procedure- **an objective evaluation**. The Planning Board is the *Administrator* in accordance with LDS Section 15.9.2(D)- Major Subdivisions.

An administrative decision is a "decision made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in Chapter 160D of the NC G.S. and the Town of Waynesville Code of Ordinances" (LDS 17.4).

For the major subdivision review, the Planning Board must find that each of the following facts to be true in order to approve, or approve with conditions the application for a Major Subdivision (LDS 15.9.3(H)):

1. The plan is consistent with the adopted plans and policies of the Town;
2. The plan complies with all applicable requirements of this ordinance; and
3. The plan has infrastructure as required by the ordinance to support the plan as proposed

“Unless substantial work has commenced or a building permit has been obtained, approval of a preliminary plat expires two (2) years from the date such approval was granted.” The applicant may apply for an extension of this period for up to a total of five (5) years (LDS 15.9.3(K-L)).

The proposed major subdivision will consist of single-family homes, that are allowed outright in CC-RL. LDS 17.3 provides the following definition:

”**Dwelling—Single-Family.** A free standing building designed for and/or occupied by one household. These residences may be individually owned as residences or residences owned by rental or management companies. Also includes factory-built, modular housing units that comply with NC State Building Code.”

Consistency with the 2035 Comprehensive Land Use Plan (LDS Chapter 1):

The Future Land Use Map of the 2035 Comprehensive Land Use Plan designates this property *Residential-Medium to High Density* on the Future Land Use Map within 2035 Comp Plan:

“Located on lands suitable for higher density residential development that are readily accessible and where utilities are available. Uses are the same as those in the low/medium category above but with increased densities generally five to ten units per acre (5-10 units /acre) with some higher density in the Urban Residential zoning district and/or with Special Use Permits. Development should provide sidewalks or multi-use paths and connect to parks, schools, and commercial areas” (p. 26).

The proposed project is consistent with the following Comp. Plan’s goals:

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

- Encourage infill, mixed-use and context-sensitive development.
- Promote conservation design to preserve important natural resources.

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

- Encourage new housing inside 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.

Purpose and Intent by Zoning District (LDS Chapter 2):

The subject property lies within Country Club Residential Low Density (CC-RL) district, which has the following purpose and intent statement (LDS 2.3.1):

”**The Country Club Residential—Low Density District (CC-RL)** is an area predominately comprised of large lot subdivisions with the Waynesville Country Club serving as its social and recreational center. While single-family homes are the dominant residential use in this area, townhouses and accessory apartments are also permitted. Connections to the South Main Street Business District should be enhanced as new development takes place. A residential scale is required for all new development. Tree preservation and proliferation along the South Main Street corridor is critical to the ambiance of the area.”

Single-family dwellings are permitted outright without supplemental standards in CC-RL (LDS 2.5.3).

Zoning Compliance:

• **LDS 2.4.1- Dimensional Standards for CC-RL:**

Density: CC-RL is a residential district with a base density of 6 units/acre and up to 12 units/acre with a special use permit. The project proposes 10 units on 6.46 acres and is within the base density, which is 1.6 units/acre.

Lot standards: CC-RL has a minimum size of 0.5 acres and a minimum lot width of 60 ft. The proposed subdivision has lot sizes ranging from 0.5 acres to 0.69 acres. Lot widths are compliant, with lots 3-6 being approximately 62.5 ft wide at the front setback line, and other lots being wider than that. LDS 17.4 defines lot width as “the distance between side lot lines measured at the front building line.”

Setbacks: CC-RL has the following setbacks: principal front, street side, and rear are 20 ft; side from adjacent lot is 10 ft; setback between buildings is 15 ft (10 ft min). The proposed subdivision shows lot boundaries with building envelopes that adhere to the required setbacks.

Pervious surface: CC-RL has a pervious surface requirement of 20% for each lot. This will be verified with each building permit to assure compliance on individual lots. For the overall development, the applicant states that, “the development, as currently designed, will have more than 2.46 acres of undisturbed area that will remain pervious,” about 38% of the total site.

Building height: Maximum allowable height in RL is 3 stories or 60 ft. No structures have been proposed for the subdivision at this point. The height will be verified prior to issuance of the building permit. Building elevations are not required for major subdivisions at the Planning Board hearing (LDS 15.9.2 and 15.4).

Civic Space: CC-RL has a minimum civic space of 5% for 0-14 units/lots. This project requires 0.32 ac of civic space and provides 0.37 ac. The proposed subdivision shows a green area dedicated as civic space on the northern side of the development.

• **LDS 3- Supplemental Standards:**

There are no supplemental standards for single-family homes.

• **LDS 4- General Provisions for All Districts:**

Basic Lot and Use Standards: Per LDS 4.3.1, all lots shall front upon a public street or a driveway. The proposed lots front the internal lane within the development.

Measurement of the Building Height: Maximum building height is 3 stories and 60 ft in RL. Per LDS 4.4.2(A), the building height is measured from the the highest adjacent grade to the top of the sloped roof at the primary façade. As specified above, the height of the structures is verified at the time of building permitting.

• **LDS 5.8- House/Townhouse/Apartment Residential Building Design Guidelines:**

House building types on lots 50 ft or greater are exempt from specific design guidelines. The proposed lots are > 60 ft wide.

• **LDS 6- Infrastructure:**

Connectivity: The proposed project will connect to Longview Drive on the east and west sides of the development via a proposed 20-ft roadway (“Lane”) with a sidewalk on one side. At both connections to Longview Drive, the lane widens > 50 ft. It has also been widened to 26-ft at two fire hydrant locations

within the development (beside lot 2 and between lots 9-10), per 2018 NC Fire Code. Each lot within the subdivision will be accessed via this internal lane.

Town Street Classification and Design (LDS 6.6). Lane (LDS 6.6.2(E)): The proposed internal roadway shows general compliance with the standards for a “Lane” type of street:

- ✓ The right-of-way width is 36 ft.
- ✓ Pavement width is at least 20 ft
- ✓ The length of the lane is approximately 750 ft (800 ft max is allowed)
- ✓ 5-ft sidewalk is shown along the northern side of the lane
- ✓ Planting strip along the lane is at least 5 ft
- ✓ One street tree is required per 40 ft of linear footage. A 750-ft long lane requires 19 street trees, and 33 trees are proposed.

Pedestrian facilities (LDS 6.8.1): Sidewalks are required in accordance with the street classification for a major subdivision. All lots will front the internal lane, and a 5-ft sidewalk is proposed along its northern side. Streets and sidewalks are to be accessible to the public.

Utilities (LDS 6.11): The project will connect to the existing water and sewer infrastructure on site (see utilities map). The Public Services Department confirmed via attached letter that the Town could provide water and sewer distribution to this development. The Country Club had a hotel that was demolished a few years back, and that freed sewer allocations for the property. Additionally, the developer has provided the memorandum by the NC DEQ (attached to the agenda). It clarifies the calculations for new sewer allocations, as established by the State.

- **LDS 7- Civic Space:**

Civic Space Dedication (LDS 7.3): For a 10-lot subdivision, 5% of the total acreage of the site shall be dedicated to civic space. A subdivision on 6.46 acres requires 0.32 ac and proposes 0.37 ac.

Civic Space Type (LDS 7.2): The green area is dedicated as civic space on the northern side of the development. LDS 7.2.1 defines “Green” as “an open space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be .16 acre.” The project shows several trees within and around the civic space.

Accessibility and Location (LDS 7.2.2 and 7.2.3): As required, the civic space area is has at least 60 feet of frontage on at least one public street within the development. The green area is also centrally and internally located in order to serve the needs of the residents. It will be accessed via the internal sidewalk along the northern side of the lane within the development.

Minimum Amenities (LDS 7.2.5): The green area shows landscaping and a park bench, which meets the minimum amenities requirement. “All civic spaces shall include park furnishings, such as benches, trash receptacles, landscaping, grills, and picnic areas, as appropriate to the size and type of the civic space” (LDS 7.2.5(A-B)).

- **LDS 8- Landscaping:**

Buffer (LDS 8.4): There is no buffer requirements for adjacent properties because the project is surrounded by the areas within Low Density district.

Street Tree Plantings (LDS 8.5): RL requires one canopy tree per 40 ft of street frontage with maximum spacing of 50 ft on center. The width of the planting strip shall be at least 5 ft, and it shall be located between

the road and a sidewalk. The project is compliant and shows the planting strip along the southern side of the lane and a planting strip along the northern boundary of the lane between the road and sidewalk. The width of the planting strip is at least 5 ft, with the trees spaced no more than 50 ft on center. A 750-ft long lane requires 19 street trees, and 33 trees are proposed.

Parking Lot Landscaping (LDS 8.6): There is no parking lot proposed.

Screening (LDS 8.7): All dumpsters, loading docks, or utility structures visible visible from a public street or adjacent property shall be screened. None are shown on the plan.

- **LDS 9- Parking and Driveways:**

Parking Requirements (LDS 9.2 and 9.3): one parking spot is required per single-family unit. Parking location for houses in RL district can be at the front, side, or rear yard.

Driveway Access (LDS 9.8.3): Individual residential driveways shall have a width of 10 ft minimum. The minimum spacing between the driveways in RL district is 40 ft.

These standards will be verified at the time of the building permit. LDS 15.9.2 states that Construction Documents shall submitted after the Planning Board review for major subdivisions. Each house will be custom-built but will have to comply with the LDS driveway standards as well as Building Code.

- **Lighting (LDS 10):**

None currently proposed. All lighting is subject to the town’s lighting ordinances, which include, but are not limited to, a detailed light plan and design standards.

- **Signs (LDS 11):**

None proposed. A separate sign permit would be required.

- **LDS 12- Environmental:**

As a part of the application, the developer submitted an environmental survey which includes the following information:

- ✓ Current conditions: open grassland, part of the golf course.
- ✓ The property is not in the floodplain.
- ✓ Soil classifications: well drained soils with no frequency of flooding, such as Dillsboro loam (DsB), Evard-CoweeUrban land complex (ExD).
- ✓ The project will not impact any jurisdictional wetlands or streams.
- ✓ Proposed erosion control measures (silt fences, sediment basins, temporary diversion ditches).
- ✓ Post-construction stormwater control measures will consist of conveyance pipes with a combination of suitable Stormwater Control Measures to control post development runoff and water quality. A stormwater management plan and calculations that comply with Low Impact Development (LID) approaches for low density developments and in accordance with LDS 12.5.7 will be required prior to the approval of any building permits.

Staff Comment and Recommendations:

Staff submits that:

1. The proposed major subdivision (preliminary plat) is consistent with the 2035 Comp. Land Use Plan’s Goals 1 and 2 because the development:
 - Falls within an area designated on the Future Land Use Map as medium to high density,
 - Enhances the economic opportunities of the existing country club and golf course, through the re-use of a portion of the golf course for the purpose of creating additional housing, and
 - Creates new housing that will serve golf course members and visitors.

2. The preliminary plat shows compliance with the ordinance.
 - The approval of this major subdivision does not exempt it from the requirements of the Building, Fire Codes, and any other laws, rules, or regulations of the Town of Waynesville’s Land Development Standards for any individual lot or the infrastructure proposed in the preliminary plat.
 - The development meets the dimensional requirements of the CC-RL zoning district.
 - The development meets the civic space and road standards for a major subdivision.

3. The plan has water and sewer infrastructure as required by the ordinance to support the plan as proposed.
 - The plan has been reviewed and approved by the Town’s Public Services Director.
 - The subdivision demand for sewer will fall within the allocation of the Waynesville Country Club already established for their property and multiple uses, and will not impact the Order of Consent” that the town is maintaining with the State of North Carolina during the period of reconstruction of the sewer plant.

The staff recommends that application meets the requirements for administrative approval by the Planning Board for a major subdivision as proposed.

Attachments:

- Application materials: application, property deed, payment, preliminary plat, agent authorization forms, environmental survey
- Property maps and images: zoning, topography
- Utilities letter and NC DEQ memorandum
- Public notices
- Neighborhood meeting materials



TOWN OF WAYNESVILLE
Development Services Department

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Waynesville, NC 28786
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Application

APPLICATION FOR MAJOR SUBDIVISION OR SITE PLAN

DESCRIPTION OF PROPERTY

PROPERTY OWNER(S) OF RECORD: WGC Hospitality, LLC
PARENT PARCEL IDENTIFICATION NUMBER(S): A Portion of PIN # 8604-99-9023
PROPERTY LOCATION: 176 Country Club Drive, Waynesville, NC 28786
ZONING: Country Club Residential - (CC-RL)
LAND USE AT TIME OF APPLICATION: Golf Course

APPLICANT (IF DIFFERENT FROM OWNER): _____
Note: Authorization to apply form must be submitted with the application if applicant is different from owner.
MAILING ADDRESS: _____

PHONE NUMBER: _____

RELATIONSHIP TO PROPERTY OWNER: _____

DESCRIPTION OF PROJECT

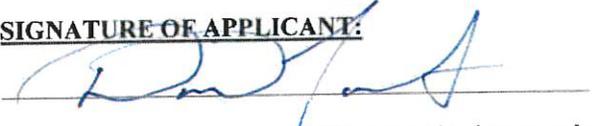
NUMBER OF ORIGINAL LOTS: 0 NUMBER OF PROPOSED LOTS: 10
NUMBER OF UNITS/DENSITY: 1.54 Lots/Acre
REGISTERED LAND SURVEYOR/DRAWING NUMBER: Owens Surveying, PLLC

APPLICATION COMPLETENESS (See LDS Section 15.9):

- ENVIRONMENTAL SURVEY
- MASTER PLAN OR PRELIMINARY PLAT

_____ OTHER INFORMATION / PROJECT DESCRIPTION (attach sheets as necessary):

SIGNATURE OF APPLICANT:



DATE: 6/10/24

This institution is an equal opportunity provider

12

DATE 2021-04-19 BY HW

2021004648

HAYWOOD COUNTY NC FEE \$26.00
STATE OF NC REAL ESTATE EXT
\$14349.00

PRESENTED & RECORDED
04/19/2021 11:21:09 AM

SHERRI C. ROGERS
REGISTER OF DEEDS
BY: STACY C. MOORE
ASSISTANT

BK: RB 1027
PG: 2044 - 2047

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$14,349.00

**PROPERTY
DEED**

Tax Parcel Identifier Nos. 8604-99-9017; 8605-90-5202; 8614-18-6366;
8614-27-7912

Mail after recording to:
Womble Bond Dickinson (US) LLP
5 Exchange Street
Charleston, South Carolina 29401
Attention: James M. Wilson, Esq.

Delinquent Taxes to be paid by the closing attorney to the County tax collector upon disbursement of closing proceeds.

This instrument was prepared without title examination by:
Paul M. Fogleman, Esq., Womble Bond Dickinson (US) LLP

Brief description for the Index: Waynesville Golf & Country Club

**NORTH CAROLINA
HAYWOOD COUNTY**

THIS SPECIAL WARRANTY DEED is made this 15 day of April, 2021 by **MOUNTAIN PRESERVATION, LLC**, a North Carolina limited liability company ("Grantor") with a mailing address of 234 Queen Cove Road, Waynesville, North Carolina 28786, Attention: Samuel N. Carver, to **WGC HOSPITALITY, LLC**, a South Carolina limited liability company (collectively, "Grantee"), with a mailing address of 1943 Hoffmeyer Road, Suite C, Florence, South Carolina 29501, Attention: M. Grey Raines.

WITNESSETH

For and in consideration of \$10.00 cash in hand paid by Grantee to Grantor, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in Haywood County, North Carolina, together with all of the improvements situated thereon, which lot or parcel of land is more particularly described as follows (the "**Property**"):

See Exhibit A attached.

Submitted electronically by "Chicago Title Company, LLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Haywood County Register of Deeds.

The Property was acquired by Grantor by instrument recorded in Book 914, Page 150, Haywood County Registry.

The Property does not include the primary residence of Grantor.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the following:

1. Ad valorem property taxes for 2021 due and payable but not yet delinquent, and subsequent years, not yet due and payable.
2. All easements, restrictions, covenants and rights of ways and other matters of record, if any.
3. All matters that would be revealed by a current and accurate survey of the property and the improvements thereon.

The designation "Grantor", and "Grantee" as used herein shall include said named parties and their respective heirs, personal representatives, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has executed this instrument, under seal, as of the day and year first above written.

GRANTOR:

MOUNTAIN PRESERVATION, LLC,
a North Carolina limited liability company

By: *Samuel Ned Carver* (SEAL)
Name: Samuel Ned Carver
Title: Manager

STATE OF NORTH CAROLINA

COUNTY OF Swain

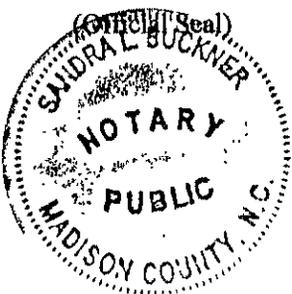
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Samuel Ned Carver

Date: April 14, 2021

Official Signature of Notary: *Sandra L Buckner*

Notary's Printed or Typed Name: Sandra L Buckner, Notary Public

My Commission Expires: 9-10-2025



**EXHIBIT A
ATTACHED TO DEED
FROM
MOUNTAIN PRESERVATION, LLC
TO
WGC HOSPITALITY, LLC**

LEGAL DESCRIPTION

Lying and being in Waynesville, Haywood County, North Carolina, and being described as follows:

Being that 105.41 acre tract; .55 acre tract; 2.39 acre tract; 37.30 acre tract as set forth in those plats recorded in Plat Cabinet C, Slots 6641, 6642 and 6643, Haywood County Registry, entitled Waynesville County Club & Inc., dated March 17, 2006 and revised on September 26, 2014, prepared by Joel Johnson Land Surveying, Inc. Project # 06-007.

LESS AND EXCEPT that portion of the Land described in Deed recorded in Book 914, page 153, Haywood County Registry.

TOGETHER WITH easements contained or conveyed by Deed recorded in Book 208, page 64 and as shown in Plat Cabinet C, Slot 4602 and Plat Cabinet C, Slot 6643, Haywood County Registry.

16

PAYMENT SUMMARY RECEIPT

TOWN OF WAYNESVILLE
16 S MAIN ST

Payment

DATE: 06/10/24 CUSTOMER#:
TIME: 15:28:53
CLERK: 2044ecou

RECPT#:	3057524	PREV BAL:	450.00
TP/YR:	P/2024	AMT PAID:	450.00
BILL:	3057524	ADJSTMNT:	.00
EFF DT:	06/10/24	BAL DUE:	.00

Misc Cash Receipts
-----TOTALS-----

PRINCIPAL PAID:	450.00
INTEREST PAID:	.00
ADJUSTMENTS:	.00
DISC TAKEN:	.00

AMT TENDERED:	450.00
AMT APPLIED:	450.00
CHANGE:	.00

PAID BY: Civil Design Major s
PAYMENT METH: CHECK
PAYMENT REF: 9223

Longview Sub .

TOT PREV BAL DUE:	450.00
TOT BAL DUE NOW :	.00



NO.	DATE	DESCRIPTION	BY



GRAPHIC SCALE
1" = 50' ±

MASTER SITE PLAN

NORTH

811
Know what's below.
Call before you dig.

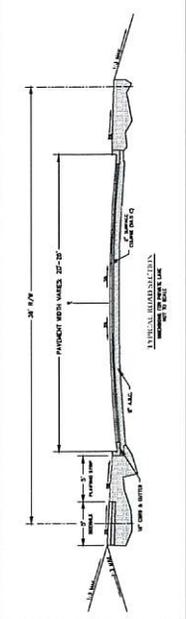
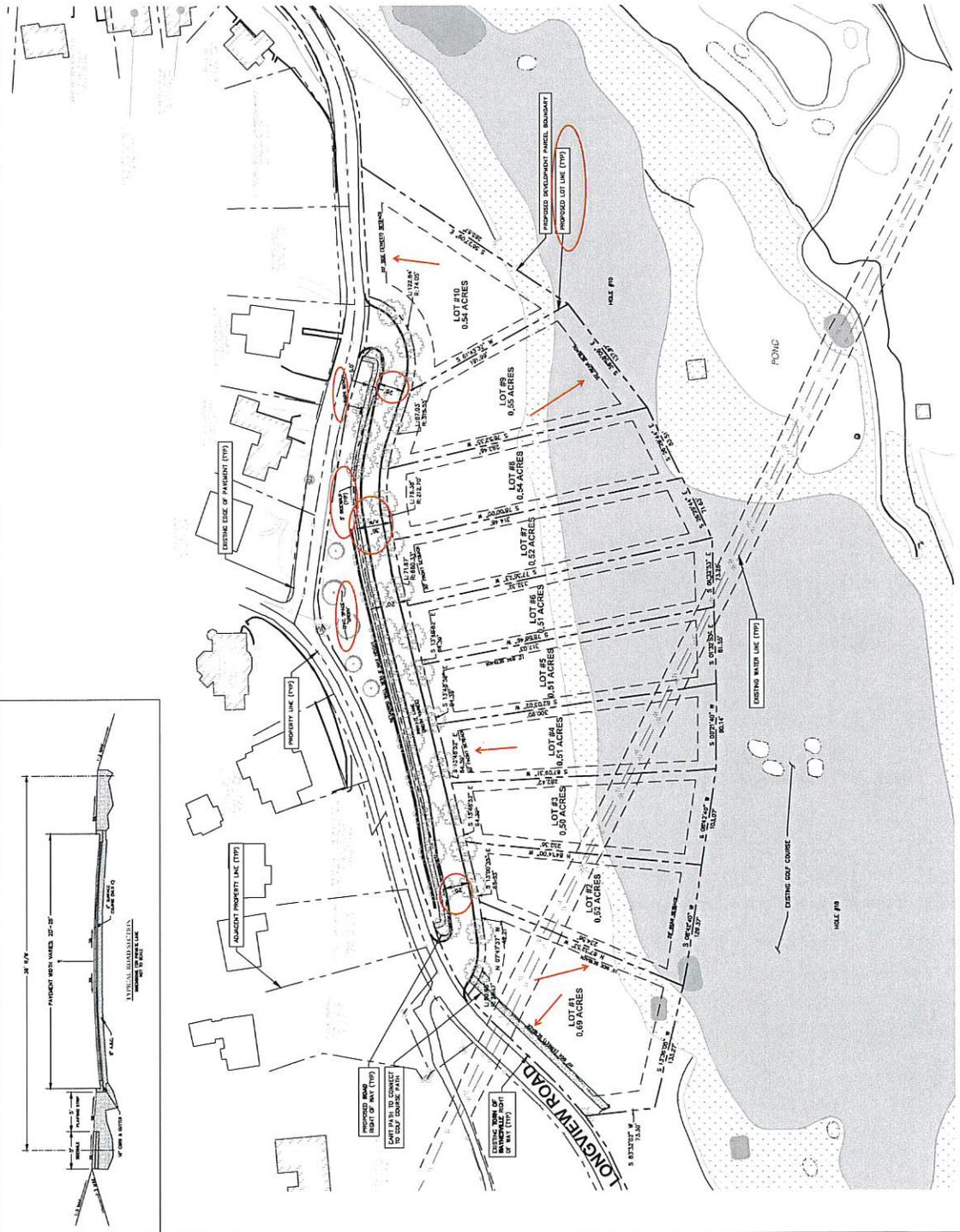
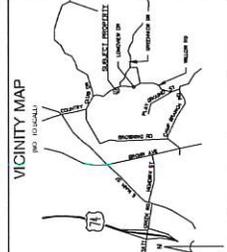
CDC INSPECTIONS HOTLINE:
827.741.5146 #ASKFORJACOBHARRIS

- SOIL SPACE**
REQUIRED SPACE: 2.5% MIN. SEE NOTES
PROVIDED SPACE: 0.57 ACRES OF "TYPICAL" ONE SPACE REQUIRED LANDSCAPING TO BE PROVIDED AS REQUIRED BY THE JURISDICTION AND UNDER THE TOWN APPROVED PLANNING LIST
- LANDSCAPING**
REQUIRED STREET TREES: 1 CANOPY TREE/100 LINEAR FEET
PROVIDED STREET TREES: 32 CANOPY TREES
*TREES TO BE SELECTED FROM TOWN APPROVED PLANTING LIST

PROJECT DATA
OWNER: WNC HOUSING LLC
ADDRESS: 1760 COUNTY CLUB RD. TOWN OF WAYNESVILLE, NC 27686
CURRENT ZONING: R-10 (RESIDENTIAL SINGLE-FAMILY)
PROPOSED USE: 27 SINGLE-FAMILY LOTS

PERMITS
APPROVED: 7/1/2013
SOS: 1/27/2014 20 FT
DEVELOPMENT PERMITS: 1/27/2014
MUNICIPAL ENGINEER: JACOB L. HARRIS, P.E.
MUNICIPAL ENGINEER NO: 27264

OWNER/DEVELOPER: WNC HOUSING LLC
CONTACT: ALYSSA W. HARRIS (843) 746-2288
CITY ENGINEER: DR. WATSON JENSEN (813) 441-1113
CONTRACT: HARRIS DESIGN CONCEPTS, PA
SURVEYOR: HARRIS & ASSOCIATES, P.A.
CONTRACT: 2/10/14 # 201300 (BIB) 028-1259



**Agent
Authorization
Forms**

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR BOARD OF ALDERMEN**

The undersigned Owner or Party with a lease, or a contract or option to purchase that real property located at Longview Drive in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: Patrick Bradshaw

Title and Company: Civil Design Concepts, PA

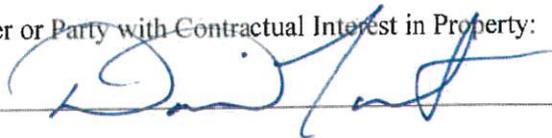
Address: 52 Walnut Street, Suite 9, Waynesville NC 28786

Phone and email: 828.252.5388 patrick@cdcgo.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 11th day of July, 2024.

Owner or Party with Contractual Interest in Property:



Address and phone number:

1943 Hoffmeyer Road – Suite C

Florence, SC 29501-3939

843.799.2306

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR BOARD OF ALDERMEN**

The undersigned Owner or Party with a lease, or a contract or option to purchase that real property located at Longview Drive in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: Emily Clark

Title and Company: Clark Lanning Architects

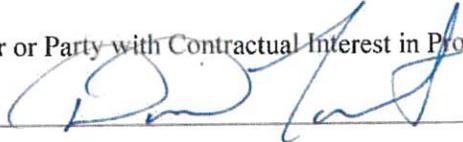
Address: PO Box 201, Waynesville NC 28786

Phone and email: 828.243.5348 emily@clarklanning.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

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Name of Authorized Agent: Dave Braun

Title and Company: Civil Design Concepts, PA

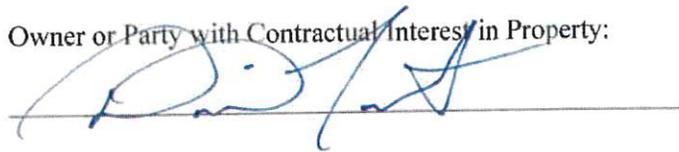
Address: 52 Walnut Street, Suite 9, Waynesville NC 28786

Phone and email: 828.252.5388 dbraun@cdcgo.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 11th day of July, 2024.

Owner or Party with Contractual Interest in Property:



Address and phone number:

1943 Hoffmeyer Road – Suite C

Florence, SC 29501-3939

843.799.2306

ENVIRONMENTAL SURVEY

FOR

A Proposed 6.46 Acre Development Longview

A Portion of PIN #'s 8604-99-9023

APPLICANT:

WGC Hospitality, LLC
1943 Hoffmeyer Road, Suite C
Florence, SC 29501

PREPARED BY:



168 Patton Ave.
Asheville, NC 28801
Phone: 828-252-5388
Fax: 828-252-5365

52 Walnut Street – Suite 9
Waynesville, NC 28786
Phone: 828-452-4410
Fax: 828-456-5455

www.cdcgo.com

NCBELS LICENSE #: C-2184



CDC Job No. 22265
June 10, 2024



**Project Name: Waynesville Golf Club – Longview Development Area
Proposed 6.46 Acre Development along Longview Drive
Haywood County PIN # 8604-99-9023**

**Project Location: Waynesville, NC
CDC Project No. 22265
Date: June 10, 2024**

The proposed development is located along Longview Drive, Waynesville, Haywood County, North Carolina. The development parcels include portions of PIN # 8604-99-9023 as shown by Haywood County GIS and the proposed development area is approximately 6.46 acres.

The subject parcels are located in the Country Club Residential - Low Density (CC-RL) zoning district. The proposed development parcels include a mix of open grassland that was previously part of the playable golf course area but has been removed from the playing area with the redesign of Golf Course. The proposed site improvements would include a proposed road network, storm drainage, water and sewer facilities to support a development of 10 proposed single family lots.

The property is located in Zone X on the FEMA Flood Insurance Rate Maps and no portion of the site is located in a Special Flood Hazard Area. The project area can be found from the FEMA FIRM 3700861400J with an effective date of April 3, 2012.

The site soils consist of the following classifications: Dillsboro loam (DsB), Evard-Cowee-Urban land complex (ExD). All of these soils are described as being well drained and have no frequency of flooding per the USDA and NRCS data sources.

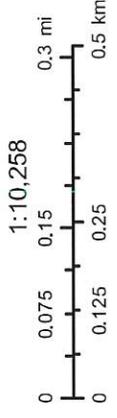
Erosion control measures during construction will consist of silt fences, sediment basins, temporary diversion ditches and other conventional measures. Post-construction stormwater control measures will consist of conveyance pipes with a combination of suitable Stormwater Control Measures to control post development runoff and water quality.

The project will not impact any jurisdictional wetlands or streams.

Haywood County



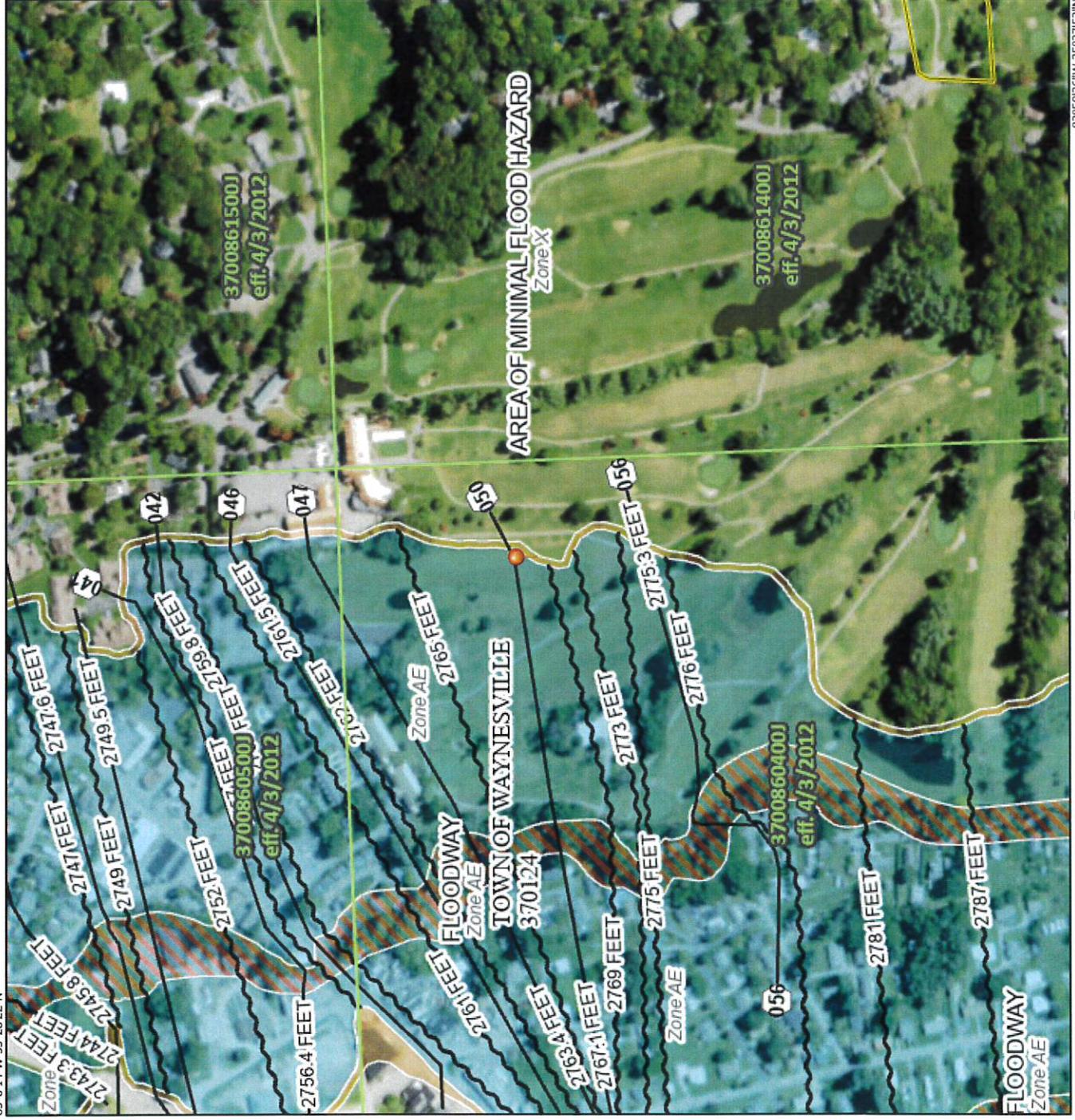
Longview
Development Area



National Flood Hazard Layer FIRMette



83°01'4"W 35°28'22"N



Basemap Imagery Source: USGS National Map 2023

24

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AD, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/26/2024 at 8:06 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Haywood County Area, North Carolina



Custom Soil Resource Report Soil Map (Longview Development Area)



Map Scale: 1:1,790 if printed on A portrait (8.5" x 11") sheet.

0 25 50 100 150 Meters

0 50 100 200 300 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84



MAP LEGEND

- Area of Interest (AOI)
- Spoil Area
- Soil Map Unit Polygons
- Stony Spot
- Soil Map Unit Lines
- Very Stony Spot
- Soil Map Unit Points
- Wet Spot
- Other
- Special Line Features
- Special Point Features
- Special Line Features
- Water Features
- Streams and Canals
- Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads
- Background
- Aerial Photography
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Haywood County Area, North Carolina
 Survey Area Data: Version 25, Sep 13, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 1, 2022—May 9, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend (Longview Development Area)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DsB	Dillsboro loam, 2 to 8 percent slopes	1.4	41.1%
ExD	Evard-Cowee-Urban land complex, 15 to 30 percent slopes	2.1	58.9%
Totals for Area of Interest		3.5	100.0%

Map Unit Descriptions (Longview Development Area)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

From: [David Braun](#)
To: [Olga Grooman](#)
Cc: [Patrick Bradshaw](#)
Subject: Longview Development
Date: Friday, July 12, 2024 9:56:16 AM
Attachments: [image001.png](#)
[Longview neighborhood meeting memo.pdf](#)
[Neighborhood meeting sign in sheet.pdf](#)

Olga—

Please find attached the attendance sheet along with a summary of questions and topics that were discussed during the Longview Development neighborhood meeting.

Additionally, the proposed development will easily meet the 20% pervious requirement. The overall project area of 6.46 acres requires 1.29 acres to remain as pervious area. The development, as currently designed, will have more than 2.46 acres of undisturbed area that will remain pervious which exceeds the required pervious area of 1.29 acres.

Thanks for you help and let me know if you need anything else prior to our Planning Board meeting.
Dave

Dave Braun, PE

Civil Design Concepts, P.A. o. (828) 252-5388 c. (704) 604-4124
 Office locations: 168 Patton Avenue Asheville, NC 28801 | 52 Walnut Street ~ Suite 9 Waynesville, NC 28786
 Mailing address: P.O. Box 5432 Asheville, NC 28813
www.cdcgo.com



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Report For

WGC HOSPITALITY LLC A SC LLC
1943 HOFFMEYER RD SITE C
FLORENCE, SC 29501-3939

ZONING MAP

Account Information

PIN: 8604-99-9023
Legal Ref: 1027/2044

Add Ref: 1086/2006
CABC/6641

Site Information

MOTEL/HOTEL, MOTEL/HOTEL, MOTEL/HOTEL
Commercial Use, Commercial Use, Commercial Use
176 COUNTRY CLUB DR

Heated Area: 0
Year Built: 1965
Total Acreage: 102.662
Township: Town of Waynesville

Site Value Information

Land Value:
Building Value:
Market Value:
Deferred Value:
Assessed Value: \$7,174,500
Sale Price:
Sale Date: 04/18/2021



1 inch = 400 feet
March 19, 2024

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 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.

Report For

WGC HOSPITALITY LLC A SC LLC
1943 HOFFMEYER RD STE C
FLORENCE, SC 29501-3939

Account Information

PIN: 8604-99-9023

Legal Ref: 1027/2044

Add Ref: 1086/2006

CABC/6641

Site Information

MOTEL/HOTEL, MOTEL/HOTEL, MOTEL/HOTEL
Commercial Use, Commercial Use, Commercial Use
176 COUNTRY CLUB DR

Heated Area: 0

Year Built: 1965

Total Acreage: 102.662

Township: Town of Waynesville

Site Value Information

Land Value: **PROPERTY**
Building Value: **AND FLOOD**
Market Value: **ZONE**

Deferred Value: **ZONE**

Assessed Value:

Sale Price:

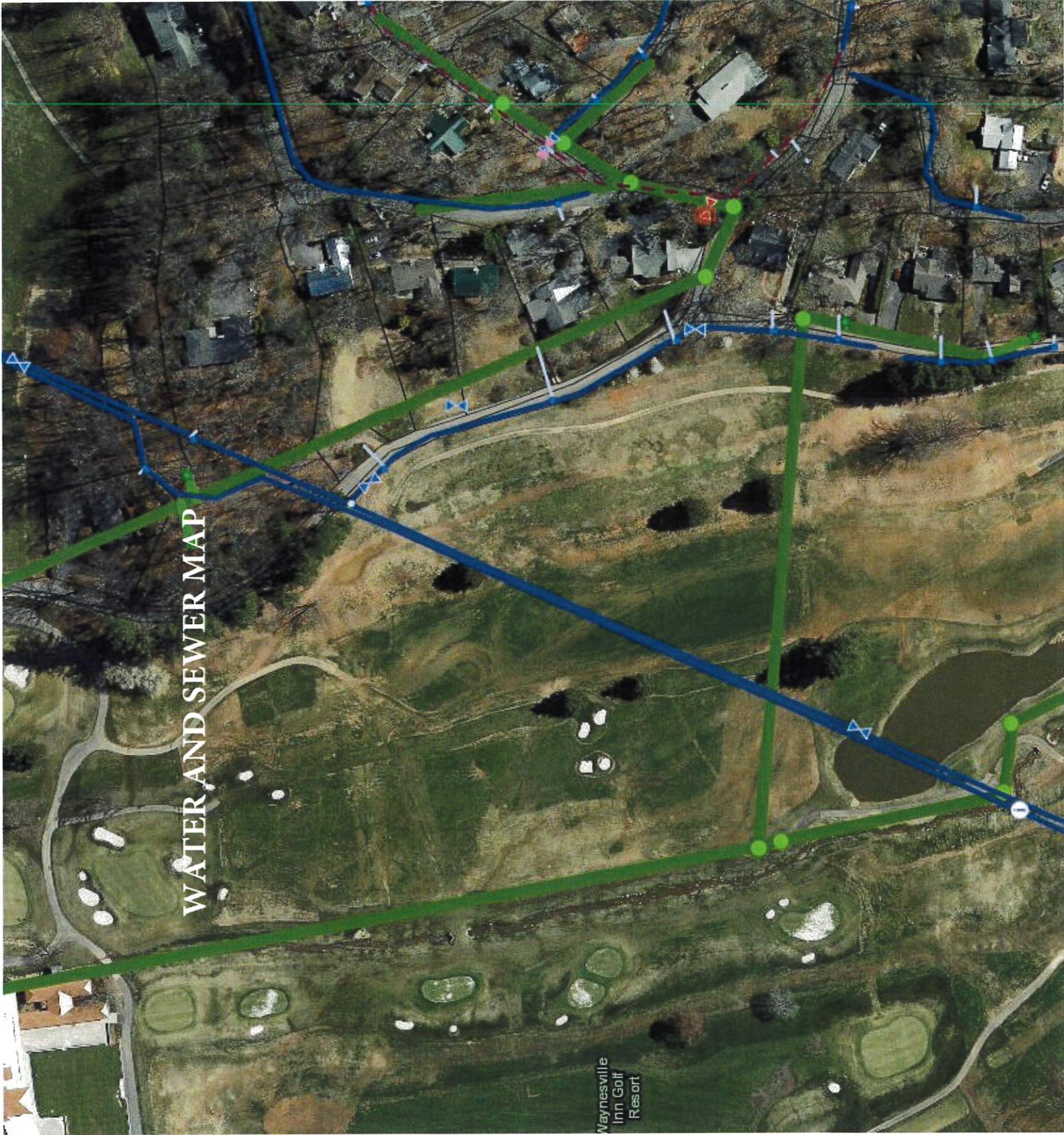
Sale Date: 04/18/2021



1 inch = 400 feet

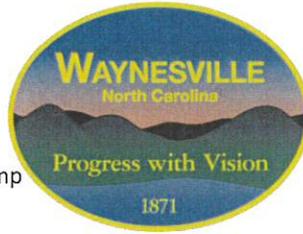
February 13, 2024

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WATER AND SEWER MAP

Waynesville
Inn Golf
Resort



Gary Caldwell, Mayor
Clarence "Chuck" Dickson, Mayor Pro Temp
Julia Freeman, Council Member
Jon Feichter, Council Member
Anthony Sutton, Council Member

Robert W. Hites, Jr. Town Manager
Martha Bradley, Town Attorney

UTILITIES LETTER

February 13, 2024

Re: PIN# PIN 8604-99-9023
Waynesville Country Club – Longview Property

To whom it may concern,
Please accept this letter as confirmation that the Town of Waynesville can provide water and sewer utility services for the referenced PIN. This sewer connection would be deemed a sewer extension and would require a sewer extension permit but based on the previous structure(s) and flow(s), the surplus of flow from the previous structures would equate to this development and would not affect the SOC by additional flow. Electric Service will be available from Duke Energy. If you have any questions, feel free to contact me.

Town of Waynesville
Director of Public Services
Jeff Stines

ROY COOPER
Governor
ELIZABETH S. BISER
Secretary
RICHARD E. ROGERS, JR.
Director



NORTH CAROLINA
Environmental Quality

December 13, 2023

MEMORANDUM

To: File
From: Michael Montebello, Supervisor, NPDES Branch Chief
Subject: Session Law 2023-137 – Changes to Wastewater Design Flow Rates in 15A NCAC 02T .0114(b)

The noted guidance applies to existing Local Programs, Fast Track permits issued via the Regional offices, and Alternative Sewer Collection Permits and any other wastewater collection system permit issued by the Central Office.

SUMMARY:

Section 18 of [Session Law 2023-137](#), enacted October 10, 2023, establishes a wastewater design flow rate of 75 gallons per day per bedroom (GPD/BR) for wastewater systems serving two or more dwelling units. Accordingly, wastewater collection system extension permits issued pursuant to [15A NCAC 02T](#), with wastewater systems serving two or more dwelling units shall use a wastewater design flow rate of 75 GPD/BR.

Pursuant to Section 18.1.(e) of SL 2023-137, the 75 GPD/BR rate shall apply for all wastewater collection system extension permits issued on or after November 1, 2023.

15A NCAC 02T .0114(b) AMENDMENT:

Section 18.1.(d) of SL 2023-137 instructs the Environmental Management Commission (EMC) to amend [15A NCAC 02T .0114\(b\)](#) to be consistent with G.S. 143-215.1(f3). Until the EMC adopts the required amendment, the proposed 15A NCAC 02T .0114(b) language shall read as:

“In determining the volume of sewage from dwelling units with a wastewater system serving two or more dwelling units, the flow rate shall be 75 gallons per day per bedroom. The minimum volume of sewage from each dwelling unit with a wastewater system serving two or more dwelling units shall be 75 gallons per day and each additional bedroom above one bedroom shall increase the volume by 75 gallons per day. In determining the volume of sewage from dwelling units with a wastewater system serving a single dwelling unit, the flow rate shall be 120 gallons per day per bedroom. The minimum volume of sewage from each dwelling unit with a wastewater system serving a single dwelling unit shall be 240 gallons per day and each additional bedroom above two bedrooms shall increase the volume by 120 gallons per day. Each bedroom or any other room or addition that can function as a bedroom shall be considered a bedroom for design purposes. When the occupancy of a dwelling unit exceeds two persons per bedroom, the volume of sewage shall be determined by the maximum occupancy at a rate of 60 gallons per person per day.”



APPLICATION & LOCAL PROGRAM GUIDANCE:

- Applications received prior to November 1, 2023, may calculate wastewater flows utilizing 75 GPD/BR for dwelling units that have not yet been connected. Otherwise, they must use [15A NCAC 02T .0114\(b\)](#) or a lower rate shown on any previously approved flow reduction.
- Applications received on or after November 1, 2023, must calculate wastewater flows utilizing 75 GPD/BR for dwelling units that have not yet been connected unless they have an approved flow reduction for a lower rate.
- Previously issued permits for collection systems that have not been connected (not tributary) may submit a revised application and application fee to change the flow to 75 GPD/BR and submit any necessary design documents as required for the change.
- Per G.S. 143-215.1 (f)-(f3) Local Permit Programs for Sewer Extension and Reclaimed Water Utilization, the same requirements (related to the wastewater flows for dwelling units) noted above would apply, however it would be up to the local program to determine how to address requests to modify existing permits.
- The flow rate change also applies to habitable rooms as defined by 15A NCAC 02T .0114(e).



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: June 30th and July 7th (Sunday) editions

Date: June 21, 2024

Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearing Town of Waynesville Planning Board Special Called Meeting

The Town of Waynesville Planning Board will hold a public hearing on **Monday, July 22, 2024 at 5:30 pm** in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a major subdivision application for a 6.46-acre portion of the parcel (PIN 8604-99-9023) off Longview Drive within Waynesville Inn and Golf Club property. The proposal is to create a subdivision of 10 residential units.

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.



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

July 3, 2024

Notice of Public Hearing
Town of Waynesville Planning Board
Special Called Meeting

The Town of Waynesville Planning Board will hold a public hearing on **Monday, July 22, 2024 at 5:30 pm** in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a major subdivision application for a 6.46-acre portion of the parcel (PIN 8604-99-9023) off Longview Drive within Waynesville Inn and Golf Club property. The proposal is to create a subdivision of 10 residential units.



Questions related to the hearing itself should be directed to the Waynesville Development Services Department, (828) 356-1172, ogrooman@waynesvillenc.gov.

**PROPERTY
POSTED ON 7-3-24**

THE TOWN OF WAYNESVILLE
PLANNING BOARD
WILL HOLD A PUBLIC HEARING
ON JULY 22, 2024, AT 5:30 PM
IN THE TOWN HALL BOARD ROOM
AT 9 SOUTH MAIN ST.
TO CONSIDER A
MAJOR SUBDIVISION
CONTACT THE DEVELOPMENT SERVICES DEPARTMENT
T: 828-456-8647

NOTICE OF NEIGHBORHOOD MEETING

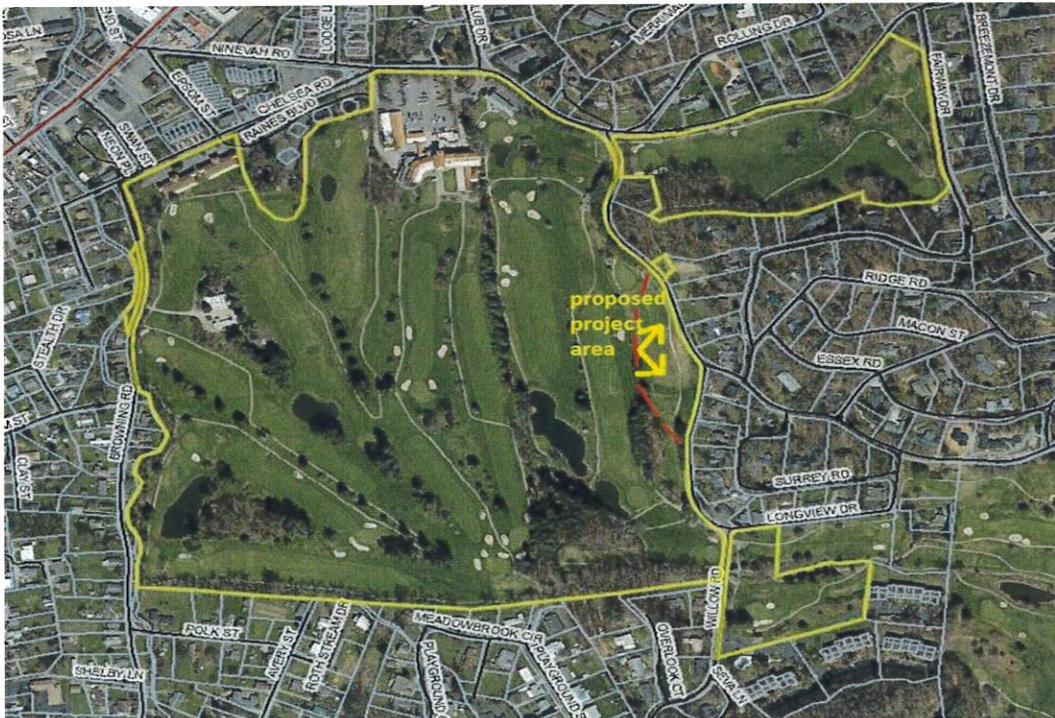
Dear Property Owner,

In accordance with Section 15.3.7 of the Town of Waynesville Land Development Standards, this letter serves as notification that there will be a neighborhood informational meeting held to discuss a proposed land development project within your community. You are being notified as you own or reside at a property in proximity to the proposed development. The details of the meeting and locations of the projects are as follows:

Meeting Information

What	Longview Subdivision
When	July 9, 2024, 3:00 PM – 5:00 PM Feel free to drop in anytime during this window of time, there will not be a formal presentation
Where	Waynesville Inn and Golf Club 176 Country Club Drive Waynesville, NC 28786

Proposed Longview Subdivision Development Area



More detailed information for the proposed development will be available for review at the Neighborhood Meeting noted above.

We hope that you can attend.



Memo

To: Olga Grooman

CC:

From: David Braun, PE

Date: 7-11-24

Re: WIGC – Longview Development – Neighborhood Meeting

On Tuesday July 9, 2024 the owners of the Waynesville Inn and Golf Club hosted a neighborhood meeting, at the Waynesville Inn, for the neighboring property owners of the proposed Longview Development. Several invited property owners attended the “drop in” meeting from 3pm-5pm. Included with this memo, is a sign in sheet from the meeting.

At the meeting, attendees asked questions and made various comments which are summarized as follows:

- How tall will the homes be
- Will public sidewalks be constructed with the development
- Will the developer donate an easement to the Town for sidewalk construction along Longview Road
- How will this development affect traffic in the area
- The high rate of speed that vehicles travel at along Longview Road need to be addressed
- How wide are the lots and setbacks
- 10’ setbacks are not enough on the side lot lines
- Will trees be planted to block our views
- Will the diseased trees be cut down
- The existing neighborhood needs sidewalks
- What will be in the open area between Longview Road and the new proposed street
- Will the new street be two way
- There is a drainage issue in the “low point” of Longview Road

Mailing Address: P.O. Box 5432, Asheville, NC 28813

168 Patton Avenue Asheville, NC 28801 52 Walnut Street- Suite 9, Waynesville, NC 28786
Phone 828-252-5388 Fax 828-252-5365 Phone: 828-452-4410 Fax: 828-456-5455

SIGN IN SHEET
FOR

LONGVIEW DEVELOPMENT NEIGHBORHOOD MEETING

NAME	ADDRESS	EMAIL
Rob & Sam Moffatt	13 Greenview Dr., Waynesville	moffsvrubb@gmail.com
Shawn Murphy	57 Wadsworth DR. WALK. NC	ashawnmurphy59@gmail.com
Stene Leor	67 Lodge Lane	SteneLeor@gmail.com
William Under	261 Longview Dr	
Henry & Molly Gambles	588 Fairway Dr.	
Linnæ McAden	319 Long View	
Jay HAMRE	305 Longview	Jayhamre@aol.com
CATHERINE TOPEL	414 LONGVIEW	CATHERINETOPEL@GMAIL

**Planning Board Staff Report
Map Amendment Application
July 22, 2024**

Agenda Item: Map Amendment (Rezoning) Application
Location: 225 Church Street
PIN: 8615-27-0218
Area: 1.143 acres
Owner: Harmony Haus, LLS Shereen Malek, Owner

Background

The property in question is a corner lot at Church and Meadow Streets that contains a school and daycare building constructed in 1930. The property contains a parking lot, playground area, school building and sidewalks along all roadway frontages. According to tax records, the building has been the St. John's Catholic Church Day Care Facility and the Southwestern Child Development Center.

The property's zoning designation is Main Street Neighborhood Residential, (MS-NR). This zoning permits out right: Child and Adult Day Care, Studios, and Cultural and Community Centers. Professional Services are allowed within this district on a corner lot such as this property, and schools are allowed with a Special Use Permit.

The desire of the application is to re-use the building as a cultural and community center with studios, which are permitted out-right, and to integrate a retail space and small restaurant within the building which are permitted only within a designated overlay district. The applicant has included a narrative describing her vision for the use of the property and why she is requesting the overlay re-zoning. If granted the mixed-use overlay, other MXO uses could also be possible. These include: ATMs and banks, business support services, personal services, and dry cleaning/ laundry services.

The Land Development Standards Section 2.6.2A defines a Mixed-Use Overlay District as "*a zoning overlay district established to permit certain limited mixed-uses within residential neighborhoods.*" The Table of Permitted Uses, Section 2.5.3, indicates allowable uses in overlay districts as "PL," on the table and uses allowed on corner lots within a district are indicated by "PC." Overlay districts are generally applied along road frontages of streets or in transitional areas between commercial and residential districts where limited commercial uses are deemed acceptable.

The purpose of the Main Street Neighborhood Residential District as specified in the Land Development Standards Section 2.3.3 C states:

- C. The **Main Street Neighborhood District (MS-NR)** is a walkable, in-town neighborhood separating two business districts — the Central Business District and the South Main Street Business District. In addition to the convenient location, the public library, Central Elementary School and many larger, older homes are among the amenities that make this area attractive for residential living. Future development should work to maintain this attractive area, continuing a scale and design that will attract ongoing residential use of this district. The dense tree canopy currently found in the area will be maintained and sensitivity to this canopy and the improvement of pedestrian facilities will be important with any new development.

Notification of this hearing was mailed to adjacent property owners on July 1, 2024, posted with a sign on the property on July 3, 2024, and published in The Mountaineer on July 10 and 17, 2024.

Surrounding Land Use and Zoning Pattern

The subject property is surrounded by single family residential dwellings and is directly across the street from St. John's Catholic Church. It is approximately 545 linear feet along the roadway to the Frog Level Central Business District, and approximately 245' to the recently designated railroad overlay district along Richland Street. Church Street is one of three streets that directly connect Main Street to Frog Level and Richland Avenue. The building was at one time permitted as a childcare center for up to 160 students, the daycare center for St. John's Catholic Church, and as a community school when it was built in 1930, has therefore been a traffic generator historically, although not for the last few years.

Consistency with the 2035 Comprehensive Plan

There are several areas of the Waynesville 2035: Planning with Purpose Comprehensive Plan that could be considered as relevant to the Planning Board's recommendation on this request. The purpose of the Comprehensive Plan document is to: "serve as a guideline for community decision making into the future. It is intended to be used by the town staff, the Board of Aldermen, and other Town Boards and Commissions as they make decisions about resources and land use."

In **Chapter 2 Vision and Goals**, the following goals and objectives should be considered in their relevance to this application:

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

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

Goal 4: Protect and promote Waynesville's cultural resources.

- Invest in preservation, restoration and promotion of Waynesville's history.
- Encourage collaboration among local cultural and heritage organizations and artists to enrich our community with events and education.

Goal 5: Create opportunities for a sustainable economy.

- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors.
- Promote the growth of existing local businesses and Waynesville "maker economy."

In **Chapter 3 Recommendations**, the goal to promote small and independent businesses, entrepreneurship, and the maker economy states the importance of creating a "makerspace," or space that supports small, local manufacturing, craft, artisans, artists, and arts education with fabrication, studio, educational and commercial space. The plan also recommends leveraging vacancy of buildings "to create business opportunities," particularly in Frog Level and Hazelwood. (see p. 44-45)

The **Future Land Use Map**, found in the Appendix to the Comprehensive Plan (p. 174), indicates that the property being considered for map amendment to be "Mixed-Use – Community," which is defined as:

"This designation is intended for nodes of activity areas on major streets and thoroughfares incorporating commercial retail and office, light industrial, employment centers and institutional uses to serve the community. Residential single and multifamily development of medium densities may be vertically or horizontally integrated with the commercial. These areas will likely have access to municipal utilities and development should be connected to transit and pedestrian ways. Scale of these areas should vary based on context." (p. 27)

Staff Recommendation

The majority of the uses proposed in the redevelopment of the school building are already permitted outright in the zoning district. The two requested uses of a small restaurant and retail space are what is driving the overlay rezoning request, but other limited uses would also be included as part of the overlay district. The real question before the board is if additional uses allowed in a mixed-use overlay are appropriate to the context of the lot and the neighborhood. These are retail, restaurant, personal and business support services, ATM and banking, and laundry facilities.

In past overlay applications, the Board has limited certain uses in mixed-use overlays to specific properties, and the Planning Board could recommend that just a restaurant and retail be included in this particular application of the mixed-use overlay for this specific property if you feel it is necessary. This creates in effect a limited MXO Overlay which has to be coded separately on the official land development map and the foot-noted on the Table of Permitted Uses. However, given that the proposal is to create a multi-use building and community center, the programming of the building will dictate the uses that are feasible and desired, and staff cautions against excluding other MXO overlay uses.

Staff recommends that:

1. The application is consistent with the Comprehensive Plan by fulfilling a 2035 Comprehensive Plan’s goals and recommendations.
 - It proposes to reuse a 1930’s building that is sitting empty with multiple tenants and uses, thereby creating an infill and mixed-use re-development of property.
 - It creates “makerspace,” that would provide business opportunities for local and small business owners, crafts people and artisans.
 - It is in proximity to the business centers of Frog Level and Mainstreet and falls within the “mixed-use community” designation on the future land use map.

2. The application is reasonable and in the public interest in that
 - the overlay zoning will create new business opportunities within an old school building.
 - The building has classrooms, parking, sidewalks and outdoor space to accommodate the proposed uses in the overlay district.
 - The property has an historical use commercially as a school and daycare.
 - The property is located on a corner lot that is over 1 acre, and along a street that connects the business districts of Main Street and Frog Level.

3. The Planning Board should recommend that the mixed-use overlay be applied to the property at 225 Church Street. This will have the effect of allowing those uses identified as “PL” in the permitted uses table to be allowed as part of the re-use of this property, including the expressed need for a small restaurant and retail space within the old school building.

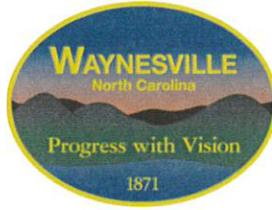
Requested Actions

1. Motion to find or not find the request consistent with the 2035 Comprehensive Land Use Plan.

2. Motion to recommend to the Town Council approval (or denial) of the requested map amendment for the property described as 225 Church Street to Main Street Neighborhood Residential Mixed Use Overlay (MS-NR-MXO).

Attachments:

- Consistency Worksheet (with staff comments included)
- Draft Ordinance
- Application and Maps
- Public Notification Materials



To: Town of Waynesville Planning Board
 From: Elizabeth Teague, Development Services Director
 Date: July 22, 2024
 Subject: Map Amendment Statement of Consistency Worksheet
 Description: Application of MS-NR MXO to 225 Church Street
 Address: Town of Waynesville Development Services Department

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



The zoning map amendment **is approved and is consistent with the Town’s Comprehensive Land Use Plan** because it supports the following goals:

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

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

Goal 4: Protect and promote Waynesville’s cultural resources.

- Invest in preservation, restoration and promotion of Waynesville’s history.
- Encourage collaboration among local cultural and heritage organizations and artists to enrich our community with events and education.

Goal 5: Create opportunities for a sustainable economy.

- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors.
- Promote the growth of existing local businesses and Waynesville “maker economy.”

In the following ways:

- It proposes to reuse a 1930’s building that is sitting empty with multiple tenants and uses, thereby creating an infill and mixed-use re-development of property.
- It creates “makerspace,” that would provide business opportunities for local and small business owners, crafts people and artisans.
- It is in proximity to the business centers of Frog Level and Mainstreet and falls within the “mixed-use community” designation on the future land use map.

Notes from Hearing: _____

- The zoning map amendment **is reasonable and in the public interest** because:
 - the overlay zoning will create new business opportunities within an old school building.
 - The building has classrooms, parking, sidewalks and outdoor space to accommodate the proposed uses in the overlay district.
 - The property has an historical use commercially as a school and daycare.
 - The property is located on a corner lot that is over 1 acre, and along a street that connects the business districts of Main Street and Frog Level.

Notes from Hearing: _____

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

Notes from Hearing: _____

This Section only relevant only if amendment also changes the 2035 Comprehensive Plan and the Future Land Use Map in addition to the LDS Zoning Map and/or text.

- In addition to approving this zoning 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:

Notes from Hearing: _____

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

DRAFT FOR PLANNING BOARD 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 held a public hearing on July 22, 2024, to consider an application to apply the designation of Main Street Neighborhood Residential Mixed Use Overlay at 225 Church Street, PIN 8615-27-0218 and recommended that the Town Council approve the request because they found that the application was both consistent with the 2035 Comprehensive Plan and reasonable and in the public interest because:

1. It meets the 2035 Comprehensive Plan’s goals 1, 4, and 5 and the Future Land Use Map in that:
 - It proposes to reuse a 1930’s building that is sitting empty with multiple tenants and uses, thereby creating an infill and mixed-use re-development of property.
 - It creates “makerspace,” that would provide business opportunities for local and small business owners, crafts people and artisans.
 - It is in proximity to the business centers of Frog Level and Mainstreet and falls within the “mixed-use community” designation on the future land use map.

2. The application is reasonable and in the public interest in that:
 - the overlay zoning will create new business opportunities within a 1930’s school building.
 - The building has classrooms, parking, sidewalks and outdoor space to accommodate the proposed uses in the overlay district.
 - The property has historically been in use commercially as a school and daycare.
 - The property is located on a corner lot that is over 1 acre, and along a thru-street that connects the business districts of Main Street and Frog Level.

WHEREAS, after notice duly given, a public hearing was held on **August 13, 2024** at the regularly scheduled meeting of the Waynesville Town Council, to consider same application and the Planning Board’s recommendations and found that the application was consistent with the Comprehensive Plan, was reasonable and in the public interest, and should be approved;

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, THE FOLLOWING:

That the Official Land Development Map be amended to apply the Main Street Neighborhood Residential Mixed Use Overlay (MS-NR-MXO) on the 1.143 acre tract at 225 Church Street, PIN 8615-27-0218, and the LDS Section 2.5.3 Table of Permitted Uses be updated accordingly.

ADOPTED this _____ Day of _____, 2024.

TOWN OF WAYNESVILLE

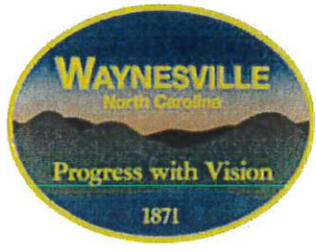
J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



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

Application for Land Development Standards Map Amendment

Application is hereby made on June 28, 2024 to the Town of Waynesville for the following map amendment:

Property owner of record: CHURCH STREET STUDIOS LLC
Address/location of property: 225 CHURCH STREET
Parcel identification number(s): 8615-27-0218
Deed/Plat Book/Page, (attach legal description): _____
The property contains 1.143 acres.
Current district: MAIN ST NEIGHBORHOOD RESIDENTIAL
Requested district: MAIN ST MIXED USE OVERLAY

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

SEE ATTACHED

Applicant Contact Information

Applicant Name (Printed): HARMONY HAUS LLC
Mailing Address: PO BOX 1164, WAYNESVILLE, NC 28786
Phone(s): 828-365-8850
Email: heyharmonyhaus@gmail.com

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

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.

Map Amendment Request for Church Street Studios: A Vibrant Community Hub

Project Summary:

Church Street Studios is designed to be a vibrant community hub that brings together local artists, professionals, small businesses, and individuals with diverse needs under one roof. Our vision is to create a dynamic space where creativity, inclusion, and community engagement thrive. By transforming this 1.1-acre campus, formerly St. John's daycare, we aim to offer a variety of uses, including artist studios, professional offices, a coffee shop, retail spaces, and services for disabled adults.

Our Request: While the core concept is permitted outright, we seek a **Mixed-Use Overlay District** to introduce two key elements:

- **Restaurant with Light Cooking:** This allows for a coffee shop or tearoom offering light fare like sandwiches and scones. We emphasize a focus on simple, low-intensity food preparation, avoiding the need for a full kitchen with extensive ventilation systems or structural modifications.
- **General Commercial:** This permits retail establishments, fostering a collaborative environment for local businesses to thrive.

Our Mission Aligns with the History

Our proposed uses for Church Street Studios extend the building's historical purpose as a cornerstone for education, growth, and community support. Originally built as a school and later serving as a daycare, this space has always fostered development and inclusion. By transforming this 1.1-acre campus into a vibrant community hub with artist studios, professional offices, a coffee shop, retail spaces, and services for disabled adults, we honor its legacy. The Mixed-Use Overlay District acts as a key, unlocking the building's full potential and allowing us to integrate these uses while preserving its core functionalities.

Unique Project Characteristics:

- **Corner Location:** Situated directly across from St. John's Church and midway between Main Street and Frog Level Business Districts, the large corner lot (1.1 acres) offers a unique opportunity for revitalization.
- **Reuse Project:** We prioritize the repurposing of the existing building and its spacious outdoor area, minimizing construction impact.

- **Minimal Change In Impact:** We believe the proposed changes will not significantly alter the existing neighborhood character. The project aligns with the historical use of the building and complements the presence of St. John's Church across the street.

Community Benefits:

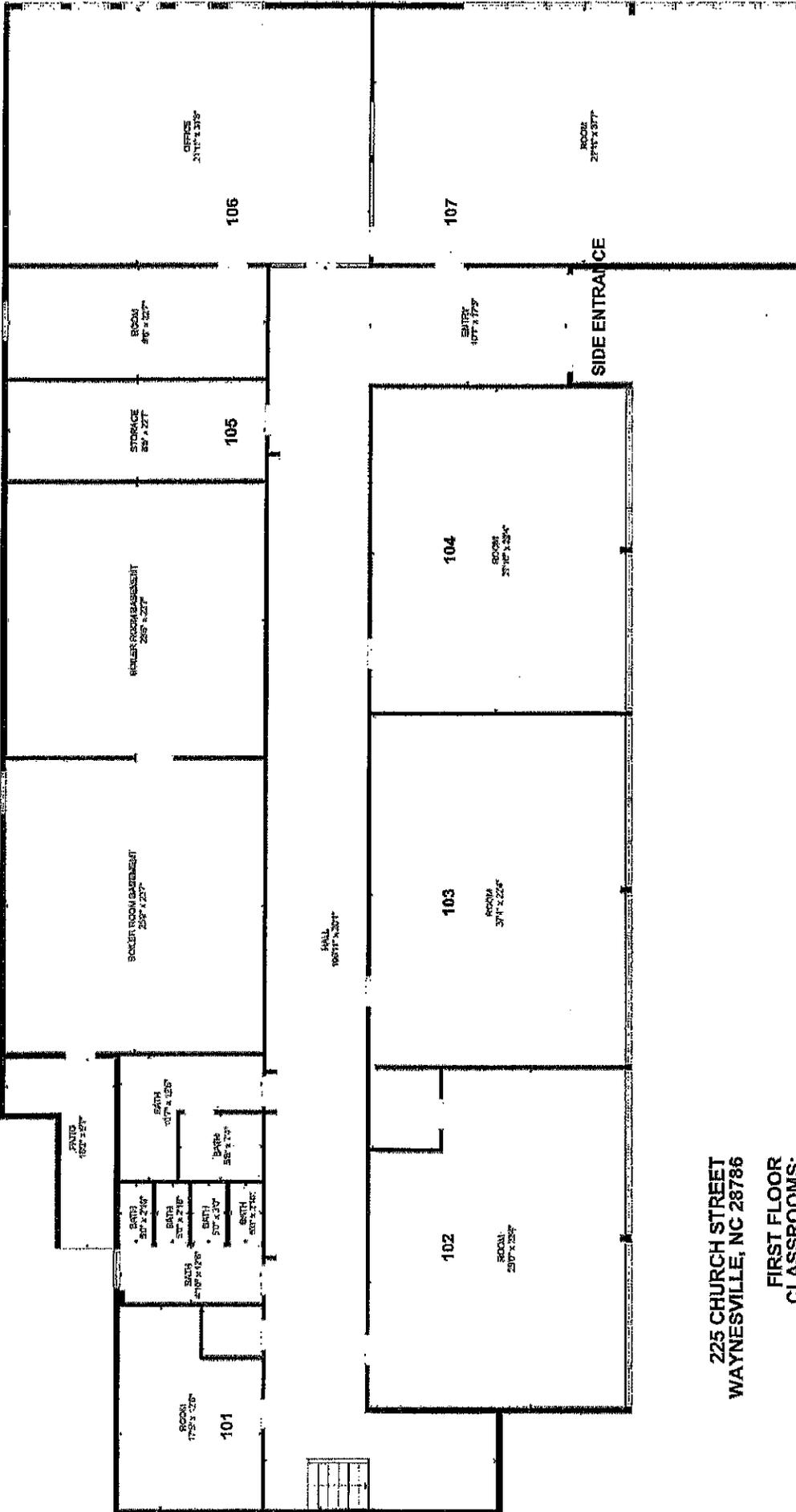
- **Preservation and Revitalization:** We aim to preserve the historical significance of the building while revitalizing it for contemporary needs.
- **Economic Growth and Cultural Connections:** Church Street Studios will foster collaboration, economic growth, and cultural enrichment for Waynesville and Haywood County.
- **Supporting Local Businesses:** The project addresses the need for inspiring spaces for small businesses, while the coffee shop and retail space will serve the community.
- **Strengthened Neighborhood:** We are confident this project will offer valuable services to the surrounding residents without disrupting the neighborhood's peaceful nature.

Community Support:

We have garnered support from The Haywood County Arts Council, Waynesville Public Art Commission, The ARC of Haywood County, The HCC Small Business Center, Champion Credit Union, and Mountain BizWorks. This collaboration highlights our commitment to community connections and growth.

Conclusion:

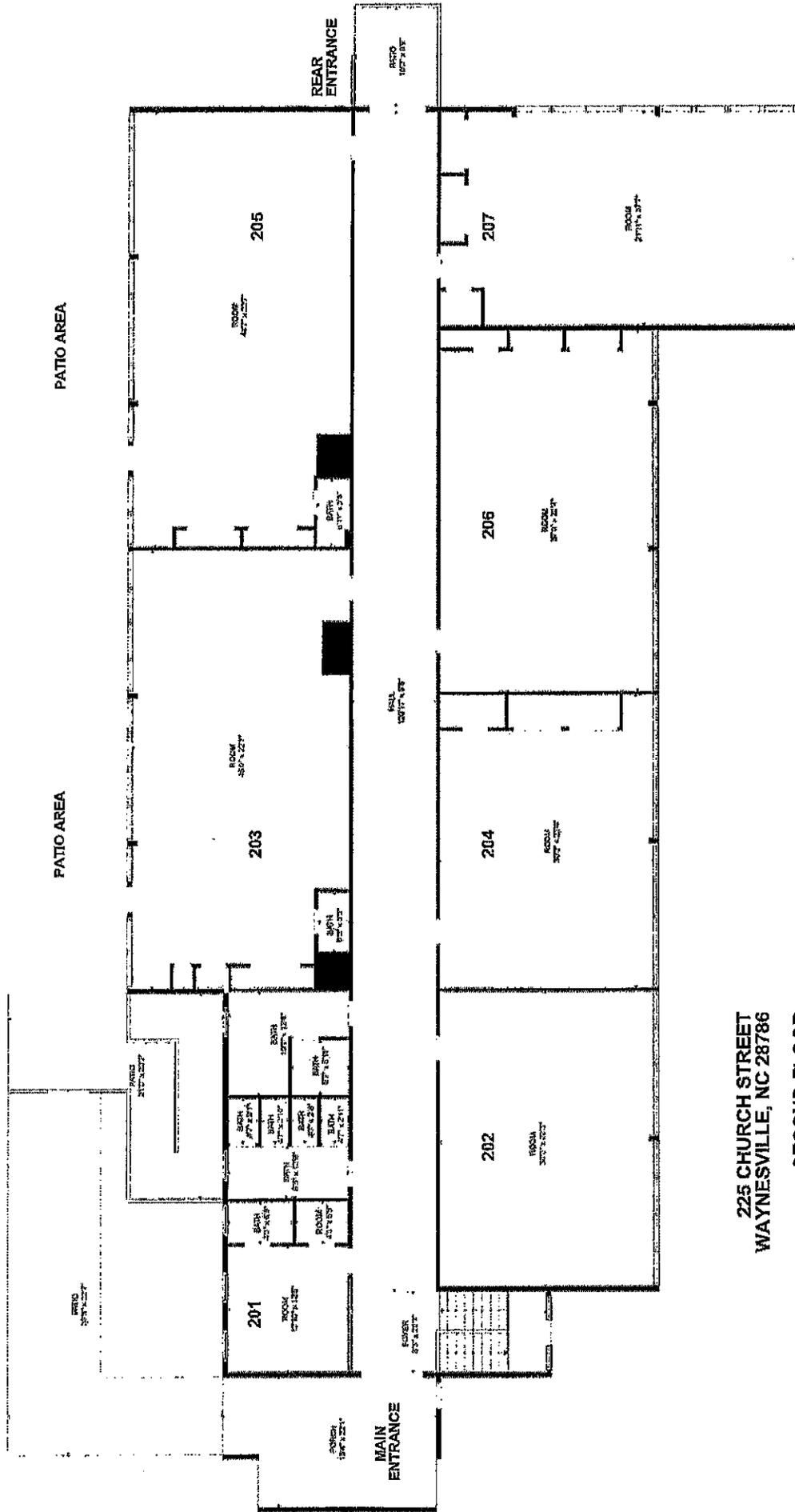
Church Street Studios presents a unique opportunity to revitalize a historic building, foster a vibrant community hub, and support local businesses. The requested Mixed-Use Overlay District enables the addition of a coffee shop and retail space, seamlessly integrating with the existing permitted uses. We believe this project will enhance Waynesville's cultural landscape while ensuring a positive impact on the surrounding neighborhood.



225 CHURCH STREET
WAYNESVILLE, NC 28786

FIRST FLOOR
CLASSROOMS:

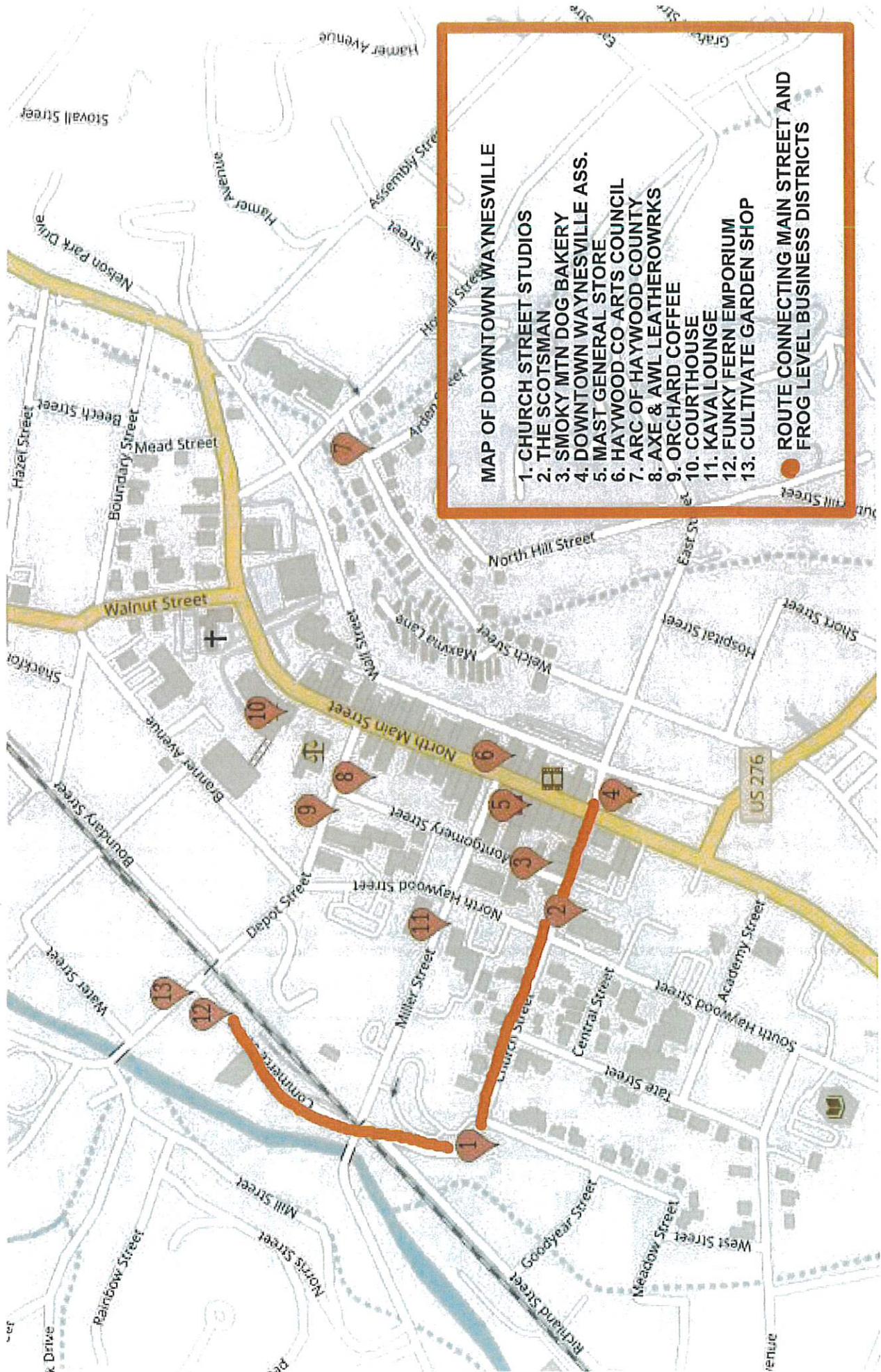
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- 102
- 103
- 104
- 105
- 106
- 107



225 CHURCH STREET
WAYNESVILLE, NC 28786

**SECOND FLOOR
CLASSROOMS:**

- 201
- 202
- 203
- 204
- 205
- 206
- 207



MAP OF DOWNTOWN WAYNESVILLE

1. CHURCH STREET STUDIOS
2. THE SCOTSMAN
3. SMOKY MTN DOG BAKERY
4. DOWNTOWN WAYNESVILLE ASS.
5. MAST GENERAL STORE
6. HAYWOOD CO ARTS COUNCIL
7. ARC OF HAYWOOD COUNTY
8. AXE & AWL LEATHEROWRKS
9. ORCHARD COFFEE
10. COURTHOUSE
11. KAVA LOUNGE
12. FUNKY FERN EMPORIUM
13. CULTIVATE GARDEN SHOP

● ROUTE CONNECTING MAIN STREET AND FROG LEVEL BUSINESS DISTRICTS

Report For

CHURCH STREET STUDIOS LLC A NC LLC
PO BOX 1164
WAYNESVILLE, NC 28786-1164

Account Information

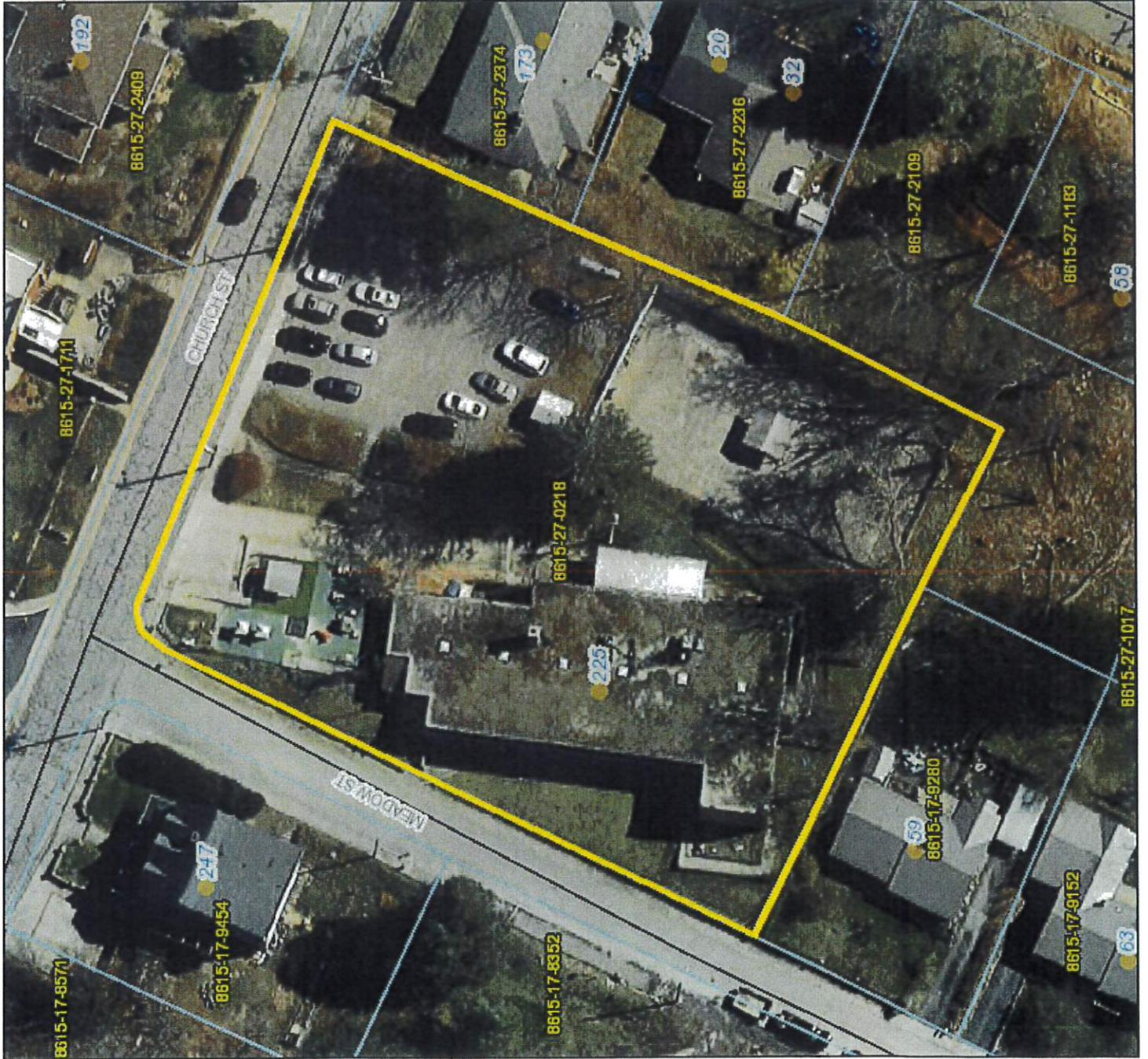
PIN: 8615-27-0218
Deed: 1109/2152
418/758

Site Information

DAYCARE CENTER
Commercial Use
225 CHURCH ST
Heated Area: 7024
Year Built: 1930
Total Acreage: Acres
Township: Town of Waynesville

Site Value Information

Land Value: \$64,100
Building Value: \$527,600
Market Value: \$591,700
Deferred Value: \$0
Assessed Value: \$591,700
Sale Price: \$700,000
Sale Date: 06/23/2024
Tax Bill 1:
Tax Bill 2:



1 inch = 50 feet
July 1, 2024

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 information sources should be consulted for verification of any information contained on these maps. Heywood county and the website provider assume no legal responsibility for the information contained on these maps.

Report For

CHURCH STREET STUDIOS LLC A NC LLC
PO BOX 1164
WAYNESVILLE, NC 28786-1164

Account Information

PIN: 8615-27-0218
Deed: 1109/2152
418/758

Site Information

DAYCARE CENTER
Commercial Use
225 CHURCH ST
Heated Area: 7024
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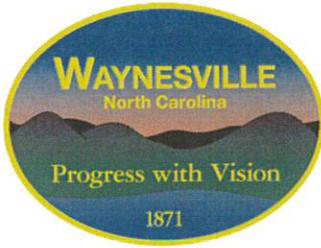
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Land Value: \$64,100
Building Value: \$527,600
Market Value: \$591,700
Deferred Value: \$0
Assessed Value: \$591,700
Sale Price: \$700,000
Sale Date: 6/24/2024
Tax Bill 1:
Tax Bill 2:



1 inch = 200 feet
July 1, 2024

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TOWN OF WAYNESVILLE

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PO Box 100

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Waynesville, NC 28786

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

www.waynesvillenc.gov

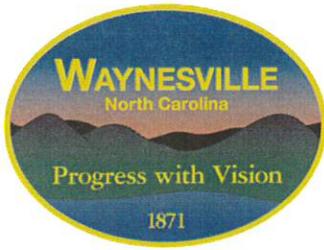
FOR PUBLICATION IN THE MOUNTAINEER: July 10th and July 17th (Wednesday) editions

Date: July 1, 2024

Contact: Elizabeth Teague, eteague@waynesvillenc.gov, (828) 456-2004

Notice of Public Hearing Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a public hearing as part of a Special Called Meeting on **Monday, July 22, 2024 at 5:30 pm** in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider an application for a zoning map amendment at 225 Church Street, Waynesville, NC 28786, PIN 8616-29-7639, from Neighborhood Residential, to Neighborhood Residential Mixed-use Overlay. For more information contact the Development Services Department at: (828) 456-8647; email: eteague@waynesvillenc.gov; mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



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

July 1, 2024

Notice of Public Hearing Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a public hearing as part of a Special Called Meeting on **Monday, July 22, 2024 at 5:30 pm** in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider an application for a zoning map amendment at 225 Church Street, Waynesville, NC 28786, PIN 8616-29-7639. The application requests a zoning overlay to Neighborhood Residential Mixed-use Overlay in order to re-use the former day care center building as a community and cultural arts center with art studios, professional offices, retail space, and coffee shop. For more information contact the Development Services Department at: (828) 456-8647; email: eteague@waynesvillenc.gov; mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



60

Harmony Haus LLC
DBA Church Street Studios LLC
PO Box 1164
Waynesville, NC 28786

SHOPE, JANE ALLEN
59 MEADOW ST
WAYNESVILLE, NC 28786

MASI HOMES LLC A NC LLC
253 WILLOW RD
WAYNESVILLE, NC 28786-5061

SCHWAB, BRANDON EDWARD
SCHWAB, ANGELINE WHITE
192 CHURCH ST
WAYNESVILLE, NC 28786

GREGORY, LAURA
MACON, SUSAN
99 AUBURN RD
WAYNESVILLE, NC 28786-6733

BINGHAM, EDGAR ELLIS
BINGHAM, BUFFY ANN
32 TATE ST
WAYNESVILLE, NC 28786-3773

STERRETT, WILLIAM A B
STERRETT, JANICE H
247 CHURCH ST
WAYNESVILLE, NC 28786

BIRCHFIELD, ERNEST LOWELL
BIRCHFIELD, CATHERINE
70 MEADOW ST
WAYNESVILLE, NC 28786

CRONK, REBECCA C
173 CHURCH ST
WAYNESVILLE, NC 28786

ACHARYA, QUENTINE
PINTO, JACQUELINE
C/O ASHOK PINTO
335 CAMERON STATION BLVD
ALEXANDRIA, VA 22304-8600

EOTR PROPERTIES LLC
70 MEADOW ST
WAYNESVILLE, NC 28786-3796

SELLARS, MICHAEL T
SELLARS, ALLISON K
78 TATE ST
WAYNESVILLE, NC 28786

KOEHRING, RALPH V
KOEHRING, MARYANNA P
182 CHURCH ST
WAYNESVILLE, NC 28786-3768

ROMAN CATHOLIC DIOCESE OF
CHARLOTTE NC
C/O PETER J JUGIS, BISHOP
1123 S CHURCH ST
CHARLOTTE, NC 28203-4003

RICHLAND ESTATES LLC A NC LLC
3430 GULF SHORE BLVD N
APT 2J
NAPLES, FL 34103-3681

Property at 225 Church Street Posted July 3, 2024.



Town of Waynesville Planning Board Staff Report

Subject: Report and Discussion on possible short-term rental ordinance
Ordinance Section: 2.5. Permitted Uses; 3.3 Supplemental Standards; 17.3 Definitions
Staff and Board Re-initiated Discussion
Meeting Date: July 22, 2024

Background

At their January 22, 2024 and March 15, 2024 meetings, the planning board discussed a draft ordinance that would regulate Short Term Rentals (STRs). Before this year, STRs had been discussed at the Planning Board at the October 21, 2019 and March 20, 2023 meetings as well. On April 15, 2024, the Planning Board held a public hearing on the Short Term Rental (or “STR”) ordinance and decided to constitute a working group to consider the need, impact, and pros/cons of a STR ordinance before taking any further action.

The STR working group consisted of Planning Board Members Travis Collins, Micheal Blackburn, and John Baus, and community volunteers of Linnea McAden, Patrick McDowell, Jackie Cure, and staff members Olga Grooman, David Kelley, and Elizabeth Teague. The group met on May 16 and June 5, 2024, and can meet again depending on the feedback and direction of the Planning Board.

The ordinance draft presented here includes revisions based both on the comments from the public hearing on April 15, and the discussion of the STR working group.

Each time an STR ordinance has been brought forward for discussion, the Town has deferred to potential guidance from the State Legislature and has waited to see if any legislation would be implemented. Senate Bill 667 was filed in the 2023 session which would limit any regulation of residential property used as short term rentals but was not adopted. In Schroeder vs. the City of Wilmington, the North Carolina superior court created judicial precedent and set parameters for how local governments could regulate “STRs” in North Carolina. The ordinance drafts that have been brought forward for discussion are based on the legal allowances from that case, but may still be subject to new guidance from State legislative action.

Staff Comment and Recommendation

STR’s are important in our tourism industry and as a source of income for local property owners. The “STR” draft ordinance seeks to meet several needs while preserving the rights of property owners.

- Because the Land Development Standards does not define or categorize them at all, Town development services has no way or permitting them (or not permitting them), or any guidelines to determine where and how they are allowed under the Town’s Zoning Code and what sort of associated regulations should apply.
- If not managed well, STRs can impact neighbors in terms of noise, overflow parking onto streets, trash management, signage, or potential safety concerns.
- There is tension in the interest to allow local residents to be able to make full use and gain income from their private property, and the concern for the infiltration of commercial use into traditional

neighborhoods, and the impact that investment interest has on both the local real estate inventory, and housing affordability.

The proposed ordinance will:

1. Distinguish occupied properties in which a portion of the property is rented short-term as a “Homestay,” from properties in which there is no management presence on-site during rental;
2. Provide protection under the zoning ordinance to allow “Homestays,” in which a person may rent a portion of their home or property on which they live or have a full-time resident in place, for short terms under 30 days in any neighborhood within the Permitted Uses Table (LDS Section 2.5.3).
3. Place future STRs as defined (not Homestays) in the Permitted Uses Table (LDS Section 2.5.3) and designate neighborhoods where they are allowed or prohibited, which is still to be determined.
4. Provide regulatory parameters for management of Homestays and STRs to minimize impacts on surrounding neighbors, particularly trash management and parking, which are within existing guidelines for reputable platforms such as VRBO, and AirBandB.
5. Create an exemption clause under the pre-existing nonconformity rules (LDS Section 13.2 and 13.5), so that if STRs are restricted from any zoning district, those property and business owners that already have an active STR may continue that use un-restricted.

Notably, the STR workgroup discussion made evident several key points that the Planning Board should take into consideration. Successful STRs are generally self-regulating. Business owners who succeed are good stewards of their STRs and those who don’t manage their STRs well, will generally not last long. The rating system and requirements of the online platforms will mitigate poorly managed STR properties out of competition. Additionally, tourism and rental markets fluctuate in a way that directly impacts STRs. In one year it may be profitable to run an STR, and then in another, it may be more profitable to convert that STR into a rental, or into the real estate sales inventory. Property owners may choose to put their property into an online STR program for part of the year, but then use their property differently the other part of the year. Therefore, while STRs may contribute to the lack of housing inventory by creating additional competition in the market, they also may contribute towards new housing being built, bought, renovated, or rented.

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 and objectives:

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

- Encourage infill, mixed-use and context-sensitive development.
- Reinforce the unique character of Waynesville.

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

- Encourage new housing inside 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.

Goal 5: Create Opportunities for a sustainable economy.

- Encourage creatively designed, mixed use, walkable centers and commercial districts that appeal to residents and visitors.

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

- It creates a practical administrative approach to permitting Homestays and Short Term Rentals as a legal land use within the Town's Zoning Ordinance.
- It creates legal zoning protections by defining and allowing Homestays and Short Term Rentals within the LDS Table of Permitted Uses.

Attachments:

Proposed text amendment for discussion.

Staff Analysis on Zoning Districts that may be considered for restricting STRs.

Recommended Motions:

This is a discussion to get Planning Board's feedback only.

REVISED D R A F T (# 4) For Planning Board Discussion
July 22, 2024

ORDINANCE NO.

AN ORDINANCE AMENDING THE TEXT OF THE
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS
TO DEFINE AND REGULATE HOMESTARS AND SHORT TERM VACATION RENTALS

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 amend such regulations from time to time in the interest of the public health, safety and welfare; and

WHEREAS, the Town of Waynesville Planning Board reviewed the proposed text amendments to the Land Development Standards (LDS) designed to define and regulate the use of residential properties as short term vacation rentals and recommends that the proposed ordinance and text amendments be found consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because they support the following goals as set out in the Comprehensive Plan:

Goal 1: Continue to promote smart growth principles in land use in planning, particularly to reinforce the unique character of Waynesville by preserving the character of neighborhoods.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Board of Aldermen at their April 15, 2024 regular meeting and at their _____ meeting; and

WHEREAS, the Waynesville Town Council find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan as stated above and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with the North Carolina General Statutes” that will help achieve such goals; and

WHEREAS, after notice duly given, a public hearing was held on _____, at the regularly scheduled meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____, 2024, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows:

Section 17.4 Definitions, General, is hereby amended to add the following definitions:

Homestay: Homestay means a short-term rental use that occurs within a resident-occupied, single-family dwelling, duplex, or an accessory dwelling unit on the same property as a resident-occupied dwelling, wherein parts of the home or property are rented to transients for a period of less than thirty days; where the use is incidental and subordinate to the primary, full-time residential use of the property; where hosts remain onsite during the guests' stays, and no meals or other services are provided by the owner or host. This use is subject to North Carolina Occupancy Tax regulations which apply to stays up to 90 days, and subject to Town ordinances that apply to residential uses.

Short Term Vacation Rental: Short-term vacation rental means a short-term rental use within a dwelling unit for transient occupancy for a period of less than thirty days, and does not have an owner-occupant, resident, or manager on-site. A short-term vacation rental is considered a "Lodging" that is distinct from a bed and breakfast, boardinghouse, inn, or hotel/motel, and encompasses commercial home-sharing platforms such as VRBO, AirBandB, Flipkey, or other platforms on properties that do not qualify as a *homestay*. This use is subject to North Carolina Occupancy Tax regulations which apply to stays up to 90 days, and subject to Town ordinances that apply to lodging.

Section 2-5-3 Table of Permitted Uses is amended as follows:

Homestay is hereby added as a permitted use ("P") as a residential use type, and the table is amended to show that homestays are allowed in all districts where Residential Dwelling Uses are allowed on the Table of Permitted Uses.

Short term vacation rental is hereby added as a use permitted with supplemental standards as a lodging use type ("PS"), and the table is amended to show that short term vacation rentals are allowed in all low density, (RL); and all commercial and mixed-use districts and overlays (NC, BD, and RC, MXD, RR-O).

Short term vacation rentals in traditional, medium and high density neighborhoods, (RM, NR and UR categories) are still to be determined and whether or not the Planning Board recommends a restriction in any particular neighborhoods (if at all).

Section 3.3 Supplemental Standards – Lodging is amended to add:

3.3.4 Short Term Vacation Rentals

A. Parking

1. Short-term rentals must comply with the Town parking standard for lodging of 1 space per bedroom with a minimum of two spaces per unit, except in the Central Business and Hazelwood Business Districts.

B. Signs

- 1. Only one on-premise sign may be placed to identify/advertise a short term vacation rental, and it must comply with the maximum square footage for home occupations of 8 square feet.

C. Property owner responsibilities: Any property owner operating a STR lodging, as well as any host, shall:

- 1. Ensure compliance with all federal, state, and local laws, including but not limited to, tax code, North Carolina State Building Code, fire code and environmental health regulations for the level of occupancy of the lodging.
- 2. Ensure that all refuse is stored in appropriate containers and set out for collection on the proper collection day(s) and the carts or cans are removed from the street or alley on the scheduled collection day. For units not served by the Town, arrangements must be made for a private service to manage solid waste collection from the site, and in a way that does not attract animals.
- 3. Post in a conspicuous location inside each lodging unit a notice setting forth the following information:
 - a. The name and telephone number of the operator and property manager.
 - b. The address of the lodging, the maximum number of overnight occupants, and the day(s) established for garbage collection.
 - c. Phone number of the Town of Waynesville Police Department

Section 13.5 Nonconforming Uses and Structures is amended to add

13.5.1 Definition and Applicability

C. Short Term Vacation Rentals: Residential structures used for short-term vacation rentals prior to the adoption of the Town Ordinance _____ are exempt from the standards for nonconforming uses and accessory uses. Owners of Short Term Rentals may continue or discontinue use of a residential living space without penalty or subjection to non-conformity rules.

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: Elizabeth Teague, Development Services Director

From: Alex Mumby, Land Use Administrator

Subject: STR Restrictions in Residential-Medium Density and Neighborhood Residential

Date 7/17/2024

I have gone through the Purpose and Intent Statements as adopted in Section 2.3 of the Land Development Standards of the neighborhoods in consideration for their potential for restrictions of STRs as a permitted use (as distinct from Homestays which are being considered for all districts). As we discussed, the zoning districts that are of commercial, mixed use, or low-density types were not examined because of the assumption that STRs should be allowed in these areas. Neighborhoods that are medium density, neighborhood residential and urban residential typologies were examined. These are residential neighborhoods in which the pattern of development for streets and subdivisions may be more compact, and in which the neighborhood characteristics support traditional neighborhood design or which may be determined to be important for affordability for the community workforce.

I pulled out key phrases which I believe can help guide possible restrictions of short-term rentals (STRs) within certain zoning districts based on the adopted purpose and intent of each zoning designation. Below are bullets with quotes from each description that might be helpful for the Planning Board's consideration. Quotes in **black** are those I believe support the argument **to limit STRs** within the neighborhood, and quotes in **red** are those which I believe support the **allowance of STRs** in the neighborhood.

2.3.2 Medium Density Residential Districts (RM)

Chestnut Park

- Well-established older neighborhood
- Served mainly from a single road
- Limited access to the neighborhood itself
- Medium density residential development will be the predominant land use

Dellwood

- Shall develop as a low to medium density residential district
- Higher density development and limited business and professional services shall be promoted along Russ Avenue with larger lots and cluster development promoted throughout the district.
- Nonresidential uses typically found in residential areas are permitted.

Howell Mill

- Shall develop as a residential neighborhood providing a mix of housing types and densities.
- Particular convenience to those residing in the district
- Nonresidential uses typically found in residential areas are permitted

South Waynesville

- Residential area with some limited mixed uses allowed
- An area of difficult slopes, a floodplain, and a limited access highway
- Development has been and will continue to be checked by environmental constraints
- Non-urban area on the edge of town

2.3.3 Neighborhood Residential Districts (NR)

Allens Creek

- Predominantly residential
- Efforts will be made to restrict development and preserve existing farmland on the slopes

Love Lane

- Older, traditional neighborhood
- Good, affordable housing within walking distance of many amenities

Main Street

- Larger, older homes
- Central elementary school

Ninevah

- Small residential scale
- The public center of the community should be enhanced and should allow for uses which would serve the daily needs of the residents

Pigeon Street

- Residential community
- Strong neighborhood center

Plott Creek

- Is should do so in a manner which compliments its location near Hazelwood Town Center and the Hazelwood Elementary School
- Special care should be taken to enhance the natural features of the area

Raccoon Creek

- Residential area
- Junaluska School/ballfield

Sulfur Springs

- Interconnecting roads as the area develops are paramount to keeping road from being overly traveled
- The passive park that exists where the spring house for the old Sulphur Springs Hotel was located should be redesigned to become more of an amenity and center for those who live in the area

Walnut Street

- Important, older, in-town, heavily canopied neighborhood
- A strong residential core of medium density
- A residential scale will be required for all new development
- **Accessory dwellings are encouraged**

I believe the best argument for restricting STRs in these neighborhoods is both the existing residential characteristics, but also their proximity to local schools. Maintaining housing stock so that children can walk to school is paramount. Many of the descriptions make a point of improving amenities for residents. These are amenities that will most likely not be used by those staying in STRs.

Some of the neighborhood descriptions include causes for allowing STRs. Dellwood and Howell Mill both make a point of including non-residential uses which detracts from the argument that these are primarily residential areas. Walnut Street explicitly encourages accessory dwellings because of the increased lot sizes which are ideal for STRs.

The three primary neighborhoods that you wanted me to look at particularly: Love Lane, Ninevah, and Pigeon Street all have strong cases for disallowing STRs. Love Lane is described as an “older, traditional neighborhood” with “good, affordable housing”. Ninevah has a “small residential scale” and a public center geared towards residents of the neighborhood. In the same way, Pigeon Street is a “residential community” with a “strong neighborhood center”.

Planning Board Staff Report

Subject: Text amendments related to accessory structures and manufactured housing
Ordinance Section: Land Development Standards (LDS) sections 3.2.1 and 17.4.
Applicant: Staff initiated text amendment; Development Services Department
Meeting Date: July 22, 2024

Background:

The proposed text amendments introduce more flexibility in number, type, and placement of accessory dwelling units. Recognizing the need for attainable housing, particularly for families on existing lots, the Development Services Department has encountered situations where zoning regulations prevented families from accommodating relatives in accessory dwellings, even though such units did not violate density, setbacks, or change permitted housing types for the district. These amendments seek to remove such barriers and to be more inclusive of manufactured housing in order to increase affordable housing options.

Additionally, staff would like to redefine manufactured home parks. Currently, the definition considers two (2) or more homes on a single parcel as a park. Within the Town and the ETJ, particularly more rural areas, there are several instances in which families have two manufactured homes on the same lot which is considered a pre-existing non-conformity. Staff has on several occasions been asked to allow a family, that lives in a manufactured home, to bring in another manufactured home for a relative, and have to turn the family down because, as currently defined and regulated, a manufactured home is expressly prohibited from being an accessory dwelling, and two manufactured homes on the same lot constitute a manufactured home park. Notably, a manufactured home park is allowed only a special use permit, and is only allowed in the Allen’s Creek Neighborhood Residential District.

Instances have also occurred where homes on individual lots were deeded as part of a permitted manufactured home park, even though they are now on individual lots. This discrepancy has led to confusion in applying the LDS standards related to manufactured housing design guidelines, which differ between units within manufacturing home parks and units that are standalone manufactured homes on individual lots.

Staff Recommended Text Changes:

The recommended text amendments for Planning Board feedback are to:

- Revise the definition of an accessory dwelling to allow a manufactured home to be installed as an accessory dwelling unit in the 7 zoning districts in which manufactured housing is already permitted:
 - Francis Cove and Hall Top Low Density Districts,
 - Chestnut Park and South Waynesville Medium Density Districts, and
 - Allen’s Creek, Ninevah, and Raccoon Creek Neighborhood Residential Districts
- Allow two (2) accessory dwellings for lots of one (1) acre or more. This would equate to 3 units on a one acres lot which is still below the most restrictive density standard (which is 6 units/acre within the Low Density Residential Districts).
- Permit placement of accessory dwellings within side yards on the lots of one (1) acre or more in stead of 2 acres or more as currently permitted.

- Clarify the definition of a manufactured home park to be inclusive of older parks that have been subdivided so that units sit on individual lots and increase the number of units from two to four.

The proposed changes to the current 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.

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

- Encourage new housing inside 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

Attachments:

Proposed text amendment for discussion.

Recommended Motions:

This is a discussion to get Planning Board’s feedback only.

DRAFT FOR PLANNING BOARD DISCUSSION

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 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 they are consistent with the Comp Plan goals:

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 inside 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 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 August 19, 2024 at the regularly scheduled meeting of the Waynesville Planning Board, and on _____, 2024 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 3.2.1 Dwelling- Accessory as follows:

3.2.1 Dwelling—Accessory.

- A. **Number:** For lots less than one (1) acre, ~~Only~~ one accessory dwelling is permitted per lot. For lots one (1) acre or more, two accessory dwellings are permitted per lot. Accessory dwellings cannot exceed the density of the underlying zoning district.
- B. **Other Applicable Laws:** Accessory dwellings must comply with all applicable local, state and federal laws.
- C. **Placement on the Lot:** A detached accessory dwelling shall be sited to the rear of the principal building. If the lot ~~exceeds two (2) acres~~ is one (1) acre or more in size, the accessory dwelling may be sited to the side of the principal building.
- D. **Yard Requirements:** The accessory dwelling shall meet all yard/~~setback~~ requirements as established for principal uses within the land development district in which it is located.
- E. **Compatibility.**
 - 1. The accessory dwelling shall meet all applicable design standards for the land development district in which it is located in accordance with Chapter 5.
 - 2. The accessory dwelling shall be clearly subordinate (size, etc.) to the main structure.
 - 3. The exterior of the accessory dwelling shall be compatible with the principal residence in terms of color, siding, and roofing appearance.
- F. **~~Manufactured Housing, Campers, Park Models, Tiny Homes on Wheels, Recreational Vehicles, Etc. Prohibited For Use:~~** ~~Manufactured housing, campers,~~ Campers, park models, tiny homes on wheels, travel trailers and recreational vehicles are not permitted for use as an accessory dwelling. ~~Manufactured housing is allowed as an accessory dwelling only if it is permitted as a use in the underlying zoning district, subject to additional standards and design guidelines in Chapters 3 and 5.~~

- 2. Amend Section 17.4 Definitions, Use Type as follows:

Dwelling—Accessory. A smaller, secondary dwelling unit either detached or attached, such as a garage apartment or cottage, designed for occupancy by ~~one or two persons~~ and located on a lot with an existing single-family dwelling. ~~Said units shall not exceed one per lot.~~

Manufactured Home Parks. The location of ~~two~~ four (4) or more manufactured or mobiles homes on a parcel of land, ~~or as a deeded manufactured home park,~~ shall constitute a mobile home park.

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

Planning Board Staff Report

Subject: Text amendments related to clean energy
Ordinance Section: Land Development Standards (LDS) sections 7.2.1 and 17.3
Applicant: Staff initiated text amendment, Development Services Department
Meeting Date: July 22nd, 2024
Presenter: Alex Mumby, Land Use Administrator

Background:

The proposed text amendment introduces an additional civic space option – an electric vehicle (EV) charging station. This amendment promotes the use of electric vehicles and encourages new developments to install EV infrastructure as a civic space. A major barrier to increased adoption of electric vehicles is a convenient access to charging stations, and this amendment aims to reduce this barrier.

In addition, the attached memo outlines how Waynesville could address ground-mounted solar panels on individual lots. Residents have inquired about their treatment under existing ordinances, and this text amendment is the first step to establish clear guidelines. The use of solar panels as standalone structures should be weighed against the removal of tree canopy and creation of large amounts of impervious surfaces.

Staff Recommended Text Changes:

The proposed text amendments are:

- Allow electric vehicle chargers as a form of civic space
- Add a definition for electric vehicles

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

- Continue to engage in and promote best management practices related to energy use, efficiency, and waste management

Attachments:

Proposed text amendment and informative memo.

Recommended Motions:

This is a discussion to get Planning Board’s feedback.

DRAFT FOR PLANNING BOARD DISCUSSION

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 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

- Promote conservation design to preserve important natural resources.

Goal 3: Protect and enhance Waynesville’s natural resources.

- Continue to engage in and promote best management practices related to energy use, efficiency, and waste management.

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 _____, 2024 at the regularly scheduled meeting of the Waynesville Planning Board, and on _____ 2024 at the regularly scheduled meeting of Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____, 2024 AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows (in red):

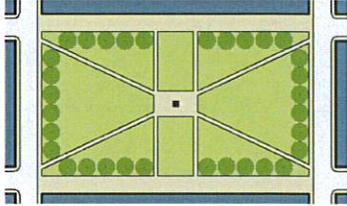
1. Amend Section 7.2. Civic Space Standards as follows:

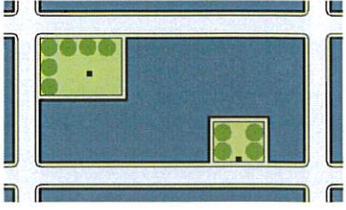
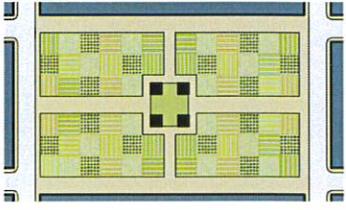
7.2 Civic Space Standards.

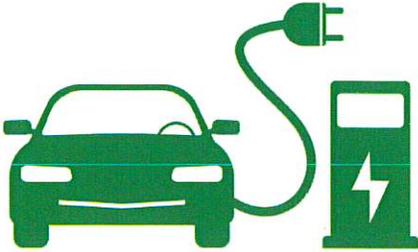
All land dedicated for required civic spaces shall meet the criteria below in this section. Stormwater facilities cannot be counted towards civic space. Delineated wetlands and required stream buffers can be counted towards civic space only when adjacent to, or a part of, a greenway or designated preserve.

7.2.1 Required Civic Space Types.

Civic space, as required by the district provisions, shall conform to one or more of the following typologies.

<p>A.</p>	<p>Park/Greenway: A natural preserve available for unstructured recreation. Its landscape shall consist of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be linear, following the trajectories of natural corridors as part of a greenway. The minimum size shall be .16 acre (except with Greenways where there is no minimum).</p>	
<p>B.</p>	<p>Green: An open space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be .16 acre.</p>	
<p>C.</p>	<p>Preserve: Natural preserves include any area of existing or restored open lands such as riparian corridors and wetlands, unique geological formations, important habitats, or substantial groupings of important plant types. The goal is to protect and maximize intact and undisturbed spaces that provide valuable ecosystem services for the community, support preservation goals, and enhance the aesthetics and amenities of the area. Active recreation, such as trails and paths, can be a part of these areas. The minimum size is 1 acre of contiguous preserved area.</p>	
<p>D.</p>	<p>Square: An open space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important streets. The minimum size shall be .16 acre.</p>	

<p>E.</p>	<p>Playground: An open space designed and equipped for the recreation of children. A playground shall be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a block. Playgrounds may be included within other civic spaces. There shall be no minimum or maximum size.</p>	
<p>F.</p>	<p>Community Garden: A grouping of garden plots available for small-scale cultivation, generally to residents of apartments and other dwelling types without private gardens. Community gardens should accommodate individual storage sheds. There shall be no minimum or maximum size.</p>	
<p>G.</p>	<p>Greenway: A linear parcel of land set aside to contain a trail for non-motorized transportation and/or recreation, usually connecting to a planned corridor. There shall be no minimum or maximum size.</p>	
<p>H.</p>	<p>Dog Park: An off-leash dog area. A dog park shall be enclosed with a galvanized or coated chain link fence or metal fence measuring four (4) to six (6) feet in height and include a double gate entry system (like a sally port). The dog park shall also have a designated waste disposal facility, signage with applicable rules, a shade area (with either a structure or mature shade trees). The area may also include a plumbed drinking water station. There shall be no minimum or maximum size.</p>	
<p>I.</p>	<p>Community Area: Designated indoor or outdoor facilities to support social and recreational activities of the residents. Examples include a pavilion, fire pit, picnic area, grill area, gym, pool, community building, club house, basketball court, tennis court, golf course, or similar amenities determined to be appropriate by an Administrator. There shall be no minimum or maximum size.</p>	

J.	Electric Vehicle (EV) Charging Space: Dedicated parking spaces with installed electric vehicle charging equipment. A minimum of 1 space must be ADA accessible. All spaces must be clearly marked with signage, green striping, and bollards at the front of the space to protect the equipment. The HOA shall be responsible for maintaining and repairing the charging stations. There shall be no maximum number of spaces.	 A green icon depicting an electric car on the left, connected by a charging cable to a charging station on the right. The station has a lightning bolt symbol on its front panel.
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2. Add a definition to the section 17.3-Definitions, General:

Electric Vehicle (EV). any vehicle that operates, either partially or exclusively, on electrical energy from the grid or an off-board source. "Electric vehicle" includes:

- (a) A battery electric vehicle;
- (b) A plug-in hybrid electric vehicle;
- (c) A neighborhood electric vehicle;
- (d) A medium-speed electric vehicle.

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

Planning Board Staff Report

Subject: Discussion of Solar and Electric Vehicle Installations in the LDS
Ordinance Sections: Multiple
Applicant: Request for possible text amendment from the Environmental Sustainability Board
Meeting Date: July 22, 2024
Presenter: Alex Mumby, Land Use Administrator

Solar panels and Electric Vehicle use are some of the best ways to reduce your power bill and protect the environment. We are seeing increased use of Electric Vehicles and more homes are placing solar panels on their roofs. The Development Services Department was asked by Council member Chuck Dickson, on behalf of the Environmental Sustainability Board, to look in to how the Land Development Standards could be applied to allow the use of ground mounted solar panels on residential lots, and how free-standing solar arrays might be added into commercial parking lots or other types of lots. Additionally, staff would like to incentivize the installation of electric vehicle charging stations, and want to get the Planning Board's input on possibly integrating EV Charging into common and civic space areas in major site plans.

Currently, roof-mounted solar panels are allowed, and they are permitted and inspected by the Town's Building Inspections under the North Carolina Building Codes. In addition to roof-mounted solar panels, ground-mounted solar panels (GMSPs) have also become popular, allowing homeowners to utilize more of their property for generating solar energy.

There are two major categories which GMSPs can fall into. First, there are standard ground-mounts. These panels sit on a metal frame that is driven into the ground. They sit at a fixed angle, but can be manually adjusted throughout the year in accordance with the seasonal shift of the sun. There are alternative forms of mounting in the case where the ground is too hard. Another common form of GMSPs are pole mounts. These can support multiple panels on a single pole which elevates them off the ground. They can automatically adjust to capture the optimal amount of solar energy.

Some questions that arise regarding the installation of GMSPs are whether they are considered accessory structures, whether they fit with the character of the neighborhood, and how much impervious surface they create. There has been interest among homeowners to install them in their front, side, and rear yards.

The nearby municipalities that regulate GMSPs include Asheville and Weaverville. In both cities, GMSPs are treated as accessory structures and are regulated under these guidelines. Generally, GMSPs are only allowed to be constructed in the side and rear yards. Asheville provides a variance option for placement in the front yard to achieve optimal energy capture. The applicant must show that no other configuration could achieve that level.

The two major factors for determining the need for regulation surrounding GMSPs are related to height and square footage. Surrounding homes and large trees can restrict the effectiveness of solar panels. Weaverville does not allow the height of solar panels to exceed the height of the primary structure or up to 15 feet. Asheville allows for the height of the structure to scale with the setback from the property line. In terms of square footage and impervious surfaces, both cities regulate them in the same way they regulate all other accessory structures. In addition, Weaverville does not allow the square footage of a GMSP to exceed 25% of the footprint of the primary structure. A standard ground mount would create a large amount of

impervious surface while a pole mount would create much less impervious surface with potentially the same or better energy collection.

While a standard GMSP may not be preferable in the front yard, there are some placement alternatives within the ordinances. They include carports, pergolas, and gazebos. A carport allows for a GMSP to be placed in front of the house without obscuring the front yard, providing additional benefit for the homeowner.

A complex aspect of GMSPs which should be considered is how they interact with the property lines and setbacks. A standard ground mount is a self-contained structure with clearly defined boundaries. However, because some pole mounts can automatically rotate throughout the day and year on the pole, they technically can violate setbacks at some angles. It should be considered during their placements on the lot.

In terms of fire safety and wind resistance, the regulations shall be the same for both roof-mounted and GMSP panels. Many jurisdictions, where hurricanes and tornados are common, require panels be able to withstand up to 175 mph winds. Due to elevations, we are considered a special mountain region by the 2018 NC Building Code. Therefore, solar panels need to be designed accordingly.

My recommendations are that pole mounts should be treated like flag poles, depending on the square footage of the panels and the height, but that ground mounts should be handled as an accessory structure. Placement in the side and rear yard would be preferable. However, front yard placement can be allowed through a variance, showing that it is the optimal location for panel performance and that it does not interfere with the neighboring properties or take away from the character of the neighborhood. Waynesville already differentiates how accessory uses and structures are treated and this can be applied to GMSPs. There should be a cap on the height of pole mounts, but a variance can allow for extended height where the height of neighboring structures and trees prevent the collection of solar energy. There should not be incentives for homeowners to cut down trees to increase their solar capacity. The town should wish to promote the use of solar panels as part of its environmental resilience goals in the 2035 Comp Plan.