



# TOWN OF WAYNESVILLE Planning Board

9 South Main Street  
Waynesville, NC 28786  
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Susan Teas Smith (Chairman)  
Gregory Wheeler (Vice)  
Stuart Bass  
Michael Blackburn  
H.P. Dykes Jr.  
Ginger Hain  
Don McGowan  
Marty Prevost  
Tommy Thomas

Development Services  
Director  
Elizabeth Teague

## MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD Special Called Meeting Town Hall – 9 South Main St., Waynesville, NC 28786 April 12, 2021

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THE WAYNESVILLE PLANNING BOARD held a Special Called Meeting April 12, 2021, at 5:30 p.m. in the Board Room of Town Hall, 9 South Main Street, Waynesville, NC. 28786.

### A. CALL TO ORDER

#### 1. Welcome/Calendar/Announcements

The following members were present:

Susan Teas Smith (Chairman)  
Gregory Wheeler (Vice Chairman)  
Stuart Bass  
Ginger Hain  
Marty Prevost  
Tommy Thomas

The following Board members were absent:

Bucky Dykes  
Michael Blackburn  
Don McGowan

The following staff members were present:

Elizabeth Teague, Development Services Director  
Byron Hickox, Land Use Administrator  
Olga Grooman, Planner  
Esther Coulter, Administrative Assistant  
Kathy Johnson, Deputy Clerk  
Anna Starnes, Attorney

The following media were present:

No media were present

**B. BUSINESS**

1. Adoption of Minutes

Chairman Susan Teas Smith called the meeting to order at 5:30 p.m. and welcomed everyone.

***A Motion was made by Board Member Marty Prevost and seconded by Board Member Tommy Thomas to approve the minutes of the March 15, 2021 board meeting as presented (or amended). The motion passed unanimously.***

2. Site Plan Amendment Review to a Conditional District Plan at 75 Giles Place, PIN 8605-72-8357.

Development Services Director Elizabeth Teague gave the staff report stating that the Town of Waynesville adopted a Conditional District Rezoning for Giles Chemical on September 8, 2015. The Plan had three phases, two of which have been constructed. For Phase three, Giles Chemical would like to amend their site plan to re-configure a truck bay and to build a smaller warehouse than what was originally approved.

She explained that the amendment would not add or reduce the property involved, change the design standard or performance of the original ordinance, or change the land use or vehicular access point. However, the plan does reduce the square footage of the building originally proposed and the overall footprint of what is being constructed and reconfigure the parking and truck bay area. While these changes do not rise to the level of what the LDS 15.15.3 determines as a “substantial change,” the all conditional district site plans all changes must be reviewed and approved by the Planning Board. Ms. Teague stated that staff recommends approval of the revised site plan as it does not change the use or impacts of the site, but improve flow and function of operations for Giles. All other requirements of the original Conditional District Master Plan, including landscaping and buffer, are still in place.

Patrick Bradshaw with Civil Design Concepts thanked the Board for their time and briefly went over the plan with the Board. He indicated that over time the needs for the building have changed and that the re-configuration will reduce the square footage of its footprint.

***A motion was made by Board Member Marty Prevost and seconded by Board Member Tommy Thomas to approve the Site Plan Amendment Review to a Conditional District Plan at 75 Giles Place, PIN 8605-72-8357. The motion carried unanimously.***

3. Continued Discussion of draft definitions and zoning relative to halfway houses and other congregate care facilities.

Land Use Administrator Byron Hickox presented the staff report, stating that the Aldermen requested the Planning Board to “study the Town’s schedule of uses to determine if the Board may restrict the number of congregate care facilities such as halfway houses and shelters within a geographical are to determine if such facilities may be prohibited from residential and institutional zones.”

At the September, October, and November 2020 meetings, there was discussion regarding the variety of needs and the different categories and types of facilities that provide “congregate housing.” The Board had discussed multiple types of facilities such as those that provide counseling and treatment, residential services for handicapped persons, requiring licensing from the State of North Carolina, and the need for emergency, or low-barrier shelters. The Planning Board had also heard a presentation from Mandy Haithcox of The Pathways Center, who provided an overview of Pathways’ services and the needs that she sees in the community.

Chair Susan Smith asked about the original directive from the Board of Aldermen. Planning Director Elizabeth Teague stated that the request was initiated by the Aldermen because of concerns surrounding two specific situations within the town that have since seen improvements due to better management and the efforts of code enforcement. She added that while the original reasons for the directive has since been minimized, the Planning Board has identified important gaps in the LDS regarding these issues.

Mr. Hickox read through the current definitions of relevance in the LDS for Board reference. He also reviewed the supplemental standards which apply. There was Board discussion about the difference between a “family care home” which is 6 or fewer residents, and “residential care facilities which is more than 6 residents. Both are regulated by the State of North Carolina, but only residential care facilities have supplemental standards. Mr. Hickox went on to explain where these uses are allowed by zoning district.

Boarding Houses	Permitted in 7 residential districts (supplemental standards apply) Permitted in all 9 Neighborhood Center, Business, and Regional Center Districts
Family Care Homes	Permitted in all but 2 districts (supplemental standards apply)
Halfway Houses	Permitted only in the 9 Neighborhood Center, Business, and Regional Center Districts (supplemental standards apply)
Res. Care Facilities	Permitted in all but 2 districts Special Use Permit required in any residential district, use-by-right in all others.

Board members asked about distance requirements to separate facilities. Mr. Hickox noted that the single supplemental standard for Halfway Houses requires a half-mile separation from another such use. None of the other three congregate care facilities require any such separation.

Chairman Susan Teas Smith asked which two districts the Family Care Homes were not permitted in. Mr. Hickox said there is only one district in which they are not permitted and that is the Commercial and Industry district which doesn’t allow any residential uses.

Mr. Hickox then presented proposed definitions based on previous Planning Board discussions and noted that the Planning Board had discussed creating three additional use types:

**Shelter, Emergency** - A facility providing, without charge, temporary sleeping accommodations, with or without meals, for individuals and/or families displaced from their residences as a result of sudden natural or man-made catastrophe including, but not limited to, earthquake, fire, flood, tornado, hurricane,

or the release of hazardous or toxic substance(s) into the environment. Such a natural or man-made catastrophe must be designated by the responsible local, state, or federal official or an emergency agency such as The American Red Cross or the Emergency Management Assistance Agency.

**Shelter for the Homeless** - A facility operating year-round which provides lodging and supportive services (including, but not limited to, meals, assistance in obtaining permanent housing, medical counseling, treatment, and/or supervision, psychological counseling, treatment, and/or supervision, assistance in recuperating from the effects of or refraining from the use of drugs and/or alcohol, nutritional counseling, employment counseling, job training and placement, and child care) for indigent individuals and/or families with no regular home or residential address.

**Shelter, Temporary** - A facility which provides temporary lodging, with or without meals or other provisions, during times of life-threatening weather conditions for indigent individuals and/or families with no regular home or residential address.

Mr. Hickox recommends amending the definition of **Residential Care Facilities** to exclude shelters for victims of domestic violence per earlier discussion. There was much discussion among the Board members and Mr. Hickox about the definitions and wording of definitions. It was the consensus of the Board that the definition would protect the privacy of the domestic violence shelters.

Development Services Director Elizabeth Teague spoke on behalf of Michael Blackburn, stating that he had called her to let the Board know that he was sorry he could not be at the meeting tonight. He did share that he felt it was important to establish an emergency shelter definition and that emergency shelters should be permitted everywhere. He also supported the distinct definition of a homeless or low-barrier shelter and zoning it for commercial districts so that they are accessible for those in need.

There was Board discussion regarding soup kitchens. Tommy Thompson asked about food trucks and Mr. Hickox stated that they are permitted separately and must have the permission of the underlying property owner. The current recommendation is for soup kitchens to be on-premise as allowable uses in the definition of Religious Institutions. Chair Smith stated that there is an IRS definition for Religious Institution and Board consensus to follow up with the definition of the Religious Institution and see how it compares to the IRS definition.

Mr. Hickox stated that the Board should consider whether to add a minimum distance separation to the supplemental standards for Boarding Houses, Family Care Homes, and/or Residential Care Facilities, and whether to change the required separation that currently applies to Halfway Houses, and whether to apply a minimum distance separation to any of the proposed new use types. The consensus of the Board was to leave it as it is.

Mr. Hickox asked if and how the Table of Permitted Uses should be amended regarding the districts in which any of the four congregate care facility categories are currently permitted and consider in which districts the proposed new use types should be permitted. The Board agreed not to change the current definitions. Mr. Hickox said that what we are now concerned with are the new definitions of Emergency, Homeless, and Temporary shelters: where these shelters should be permitted and if there are supplemental standards for these uses. Supplemental standards would include adequate parking, and potential landscaping buffers.

Consensus of the Board was that emergency and temporary shelters should be permitted anywhere with no supplemental standards. Low-barrier shelters for the homeless should be allowed in Neighborhood Center, Business Districts and Regional Center Districts.

Ms. Teague said the next step is to draft an ordinance based on all the information and bring before the Board in May with a text amendment which requires two levels of public hearing.

**Consistency with the 2035 Comprehensive Land Development Plan**

Staff submits that the following goals of the Comprehensive Plan could apply:

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

- Create walkable and attractive neighborhoods and commercial centers.
- Encourage in-fill 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.
- 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.

- Work with local agencies to address the housing shortage, promote a “living wage,” and increase Waynesville’s health and wellness resources that serve all ages.

Ms. Teague introduced Ms. Anna Starnes, with Ron Sneed’s office and said Ms. Starnes would be helping fill in for Mr. Sneed on the Planning Board.

**C. ADJOURN**

*With no further business a motion was made by Board Member Marty Prevost and seconded by Board Member Tommy Thomas, to adjourn the meeting at 6:49 pm. The motion carried unanimously.*

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Susan Teas Smith, Chairman

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Kathy Johnson, Deputy Clerk