



TOWN OF WAYNESVILLE Planning Board

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

**Development Services
Director**
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Regular Scheduled Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786

Monday July 17th, 2023, 5:30pm

THE WAYNESVILLE PLANNING BOARD held a Regular Scheduled Meeting July 17th, 2023, at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present.

Susan Teas Smith (Chairman)
Ginger Hain (Vice Chairman)
John Baus
Jan Grossman
Barbara Thomas
Peggy Hannah

The following board member were absent:

Michael Blackburn
Stuart Bass
Tommy Thomas

The following staff members were present:

Elizabeth Teague, Development Services Director
Olga Grooman, Land Use Administrator
Esther Coulter, Administrative Assistant

The following Attorney was present:

Ron Sneed, Town Attorney

Chairman Susan Teas Smith called the meeting to order at 5:30pm. Mrs. Smith welcomed everyone and asked if there were any announcements. Development Services Director Elizabeth

Teague reported that a summary of Town Council actions on Planning Board recommendations is included in the agenda packet. Ms. Teague said that the Town has not received any applications for Board consideration and asked if the Planning Board wanted to cancel the August meeting. The Board agreed but wanted to get through agenda items before deciding.

Chairman Smith then asked the Board to review the minutes from the June 19th meeting for approval.

A motion was made by Board Member Barbara Thomas, seconded by Board Member Peggy Hannah, to approve the minutes for the June 19th, 2023, meeting as presented. The motion passed by 5 votes and 1 abstained for being absent.

B. BUSINESS

1. Public hearing on a staff-initiated text amendment to add “Event Space” as a stand-alone use to the Land Development Standards: definition and supplemental standards (LDS Sections 2.5.3, 3.3.5, and 17.3).

Chairman Smith read through the procedures for a public hearing and opened the hearing at 5:35pm. Chairman Smith noted that there was no public in attendance who wished to speak on this topic.

Land Use Administrator Olga Grooman read the staff report and stated that in examining economic opportunities and development along the railroad corridor, the railroad subcommittee identified a gap in the ordinances related to stand-alone “event spaces.” After discussion and feedback at the June 19th, 2023, Planning Board meeting, staff has provided a text amendment to allow “event spaces” as a Special Use Permit within the Railroad Overlay District for now. “Event Spaces” would be generally compatible with other civic, retail, cultural, and entertainment uses. However, the Board wants to mitigate any potential impacts on the surrounding areas by carefully reviewing each application for such use.

Ms. Grooman submitted the proposed draft in **red** on page 13 and 14 of the agenda packet.

Chairman Susan Teas Smith asked if the Board had any questions or further discussion and closed the public hearing at 5:42pm.

A motion was made by Chairman Susan Teas Smith, seconded by Vice Chairman Ginger Hain, to recommend “Event Space” text amendment as attached (or amended) as being consistent with the 2035 Land Use Plan and reasonable and in the public interest. Specifically with the 2035 Comprehensive Land Use Plan with Goals 1 and Goal 5. The motion passes unanimously.

A Motion was made by Board Member Jan Grossman, seconded by Board Member Barbara Thomas, to recommend the “Event Space” text amendment as attached (or as amended) to the Town Council. The motion passes unanimously.

2. Public hearing on a staff-initiated text amendment to correct definition of “Freight Hauling/Truck Terminals” (LDS Section 17.3).

Chairman Susan Teas Smith opened the public hearing at 5:49pm.

Land Use Administrator Olga Grooman stated the current definition of the “Freight Hauling/Truck Terminals” in the LDS is the same as the definition of “Funeral Homes.” However, in the text there is a valid reference to a definition from the Land Based Classification Standards (LBCS), a guidance document of the American Planning Association that classifies and defines various land uses. Staff wants to correct the mistake and replace the definition with the one from the LBCS but is seeking Board input and direction on the definition.

Ms. Grooman submitted the proposed draft in **red** found on page 19 of the agenda packet.

Chairman Susan Teas Smith asked if the Board had any questions and the closed the public hearing at 5:52pm.

A motion was made by Vice Chairman Ginger Hain, seconded by Chairman Susan Teas Smith, to recommend “Freight Hauling/Truck Terminals” text amendment as attached (or amended) as being consistent with the 2035 Land Use Plan and reasonable and in the public interest. Specifically meets Goal 1, Goal 5, Goal 6, to continue smart growth, create opportunity for a Sustainable Economy, Creates an attractive, safe, and multi-modal transportation system. The motion passes unanimously.

A Motion was made by Board Member Jan Grossman, seconded by Board Member Barbara Thomas, to recommend “Freight Hauling/Truck Terminals” text amendment as attached (or as amended) to the Town Council. The motion passes unanimously.

3. Public hearing on a board-initiated text amendment to create a Railroad Overlay District including purpose, standards, uses (LDS Sections 2.5.3 and 2.6.2).

Chairman Susan Teas Smith opened the public hearing at 5:53pm.

Land Use Administrator Olga Grooman said underutilized rail corridors present opportunities for urban revitalization. Railway corridors can be the areas where commercial, cultural, and residential areas safely coexist and promote economic and social vibrancy. The Five months of the subcommittee’s work included research, study, and discussions about potential uses along the corridor, economic opportunities, and gateways to the Town. Ms. Grooman recommended a special Railroad Overlay District would promote a higher concentration of mixed-use and infill development for property that is adjacent to or overlapping the railroad right-of-way corridor. A draft overlay district map to be called the Railroad Overlay District (RR-O). The overlay could then be applied through a rezoning / map amendment process for other areas, preserve the standards of the underlying districts, such as setbacks, height, density, existing uses.

Ms. Grooman submitted the proposed draft in **red** on page 24, and 25 of the agenda packet.

Chairman Smith closed the public hearing at 6:11pm.

A motion was made by Board Member John Baus, seconded by Board Member Jan Grossman, to recommend Railroad Overlay text amendment as attached (or amended) as being consistent with the 2035 Land Use Plan and reasonable and in the public interest. Specifically meets Goal 1, Goal 5. The motion passes unanimously.

A Motion was made by Vice Chairman Ginger Hain, seconded by Peggy Hannah to recommend the Railroad Overlay text amendment as attached (or as amended) to the Town Council. The motion passes unanimously.

4. Discussion on “crypto-mining” and the possibility of a future text amendment.

Land Use Administrator Olga Grooman reminded the Board that member Jan Grossman had raised the issue previously regarding cryptocurrency mining. Staff did extensive research and found neighboring municipalities across the state have either defined, “crypto mining /data centers,” imposed a moratorium, or added related restrictions in their ordinances (noise, waste disposal, buffer requirements, etc.). Ms. Grooman stated that she has posted her research links on the Town of Waynesville website under the Special Projects link.

There was much Board discussion. Chairman Smith asked if the Board members had read the articles or seen the CNN report about the impacts generated by these types of facilities. John Baus stated that it is hard to predict the impact this type of facility would have, and its demand for water and electricity, or the effects on the Town’s power grid. Board members expressed concern for the facility in Cherokee and the news report of its impact on neighbors related to noise. Barbara Thomas noted that she had a friend in Jackson County, and they were one of the first to try and prohibit it because of that reason. Board members discussed concern that companies were “dark” – that in these cases, the ownership was listed as LLC’s and people did not know what this business was when it moved in and who they were dealing with. There was consensus around defining this type of use and then prohibiting it, similar to the Board’s approach on campgrounds.

Jan Grossman suggested that the Board should consider a broad definition that encompassed data storage in addition to just crypto-mining. Elizabeth Teague noted that facilities are needed to store data. Olga Grooman stated that some sample definitions include “data center.” Ms. Grooman also wanted to thank Jan for bringing this issue to our attention.

Ms. Teague asked for Board direction as to if staff should come back with a suggested definition in August or September, and if the Board wanted to go ahead and hold a public hearing. John Baus stated that he thought staff should proceed with a definition and draft ordinance for Crypto-mining/Data center or Data storage or a broader definition.

Vice Chair Ginger Hain stated that she felt the Board could cancel the August meeting and take up this and other items in September. The Board members agreed that the August meeting could be cancelled.

Attorney Ron Sneed gave a report on items that are working through the legislature that will affect the Planning Board. One on-going item of municipal interest is the Short-Term Rental (STR)

proposed bills; however, those did not make it out of the session. Mr. Sneed explained there is a cross over date that needs to be met for bills to proceed, this one did not, but some others were pushed through. The Town Audits statute passed. Mr. Sneed reported that the bill limiting Extra Territorial Jurisdiction is now law. Any town that does not already have an ETJ, cannot adopt ETJ. Any town that has ETJ and a population less than fifty thousand lost their ETJ. Mr. Sneed stated that Waynesville gets to keep their ETJ for now.

C. ADJOURN

A motion was made by Vice Chairman Ginger Hain, seconded by board member Jan Grossman, to adjourn the meeting at 6:40pm.

Susan Teas Smith, Chairman

Esther Coulter, Administrative Assistant