



TOWN OF WAYNESVILLE

Planning Board

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

Chairman

Patrick McDowell

Planning Board Members

Danny Wingate (Vice)

Anthony Sutton

Marty Prevost

Robert Herrmann

Phillip Gibbs

H.P. Dykes, Jr.

Shell Isenberg

L. Brooks Hale

Development Services

Director

Elizabeth Teague

Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Monday, March 21, 2016, 5:30 PM

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Special Called Meeting of the Planning Board for a community meeting regarding the Howell Mill Road Corridor has been set for April 4, 2016, at 5:30 pm in the Town of Waynesville Recreation Center at 430 Vance Street.

2. Adoption of Minutes

Motion: To approve the minutes of February 15, 2016 as presented (or as corrected)

B. NEW BUSINESS

1. Public Hearing to consider zoning map amendment requests for 333 Howell Mill Road, 11 Palmer Hill Road and an unnamed lot on Calhoun to be rezoned from Howell Mill Medium Density Residential to Russ Avenue Regional Center Commercial.

C. OLD BUSINESS

1. Discussion and possible initiation of a text amendment on Town policies related to Food Trucks and food carts.

D. PUBLIC COMMENT/CALL ON THE AUDIENCE

E. ADJOURN



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MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Regular Meeting

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

February 15, 2016

THE WAYNESVILLE PLANNING BOARD held a regular meeting on February 15, 2016 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Vice Chairman Danny Wingate welcomed everyone and called the meeting to order at 5:30 p.m.

The following members were present:

Danny Wingate
Bucky Dykes
Brooks Hale
Anthony Sutton
Phillip Gibbs
Marty Prevost
Shell Isenberg
Robert Herrmann

Absent:

Patrick McDowell

The following staff members were present:

Planning Board Minutes
February 15, 2016

Elizabeth Teague, Development Services Director
Eddie Ward, Deputy Town Clerk
Tom Maguire, Senior Code Enforcement Official

The following media representatives were present:

Jessie Stone, Smoky Mountain News
Alison Olcsvay, Mountaineer

The following Aldermen also attended:

Jon Feichter, Alderman
Leroy Roberson, Alderman

Vice Chairman Wingate asked Ms. Elizabeth Teague, Development Services Director, if she had announcements for the Board. Ms. Teague made the Board aware of the upcoming Board of Alderman Meeting in which Public Hearings will be held for rezoning and mixed-use overlay requests along Richland Street, and at Mauney Cove. This meeting will be held on February 23, 2016. Also, Ms. Teague spoke to the Board about the Historic Preservation Speaker Series. She said the next scheduled event would be held on March 3, 2016, at 4:00 in the Town Hall Board Room. The speaker will be Mr. Ron Sullivan, and the topic will be "If Rails Could Talk."

Ms. Teague introduced Mr. Tom Maguire, new Senior Code Enforcement Official. Mr. Maguire moved to Waynesville from El Paso Texas, and has many years experience in building inspections and code enforcement. Ms. Teague said he would be available for questions concerning building codes and enforcement on food trucks and other issues being discussed in this meeting.

2. Adoption of Minutes

Board Member Robert Herrmann made a motion, seconded by Board Member Bucky Dykes to approve the minutes of the January 28, 2016 board meeting as presented. The motion passed unanimously.

B. NEW BUSINESS

1. Discussion and recommendation on Town policies related to Food Trucks and food carts, and consideration and feedback on a specific request to allow a Food Cart in the Central Business District.

Ms. Teague introduced the topic stating that the subject of Food Trucks had come up several times recently, and she would like to hear the Planning Board's discussion and feedback on how the Town should manage mobile food vendors within Town ordinances. Additionally, she wanted to hear the Board's feedback on a specific request the town had received from Mr. John Catton to allow a hot dog cart to operate in a public park within the Central Business District. Currently, the Town allows food trucks to operate under a temporary permit on private property used for seasonal sales. That type of permit was originally designed to accommodate vendors such as for Christmas Trees. These do not need to be consecutive days.

Ms. Teague asked the Board whether the Town's policies related to Food Trucks and Food Carts should be updated given growing interest. Several food trucks are operating in Waynesville currently, both with and without permits. Ms. Teague said that the Town is aware of a truck in place at R E O's in Hazelwood. That truck has not applied for a permit to operate with the Town. Another truck appears occasionally in Frog Level, but also does not have a permit with the Town. A temporary permit was issued on February 5, 2016, to Mad Anthony's, for a mobile food unit to be placed on their property to serve food. This mobile unit is permitted for 30 days, although they have expressed interest in keeping it there on an on-going basis. She suggested that the Board consider the request of Mr. Catton as being distinct from other mobile vendor units allowed under the Town's temporary permit because he wanted to use public property which our ordinance does not currently allow.

Ms. Teague referred the Board to the current temporary use permit ordinance in their packet and noted that it includes some suggested draft text amendments for Planning Board feedback. She reminded the Board that no decision is to be made at this point, that this discussion was not a public hearing and that these suggestions were provided to get direction and guidance from the Board. She reviewed the proposed definition and suggested regulations which would be a new sub-paragraph, "D" of the Temporary Use Chapter.

Mobile Food Vendor – a mobile food vendor is a person or organization that sells food out of a portable vehicle, cart, or trailer. Examples include food trucks, and food carts.

4.6.1 – Temporary Uses

4.6.4 – Temporary Uses with Specific Requirements

D. Mobile food vendors

1. Mobile food vendors may be placed in any commercial district with a temporary permit on private property. A permit is only valid for one location and must include documentation of property owner permission. Vendors wanting to serve additional locations need additional permits.
2. Mobile food vendors are not allowed in residential districts or the Main Street public services district.
3. Property owners must make their restroom facility available for mobile food vendor staff.
4. Mobile food vendors are not allowed to operate on public property except during special events.
5. All food service operations must obtain an approved mobile food service permit from the Haywood County Health Department. Permits must be posted on the mobile food vendor vehicle so that they are visible to the public.
6. Mobile food vendor permits are valid for 180 days of usage. Days do not have to be contiguous. Special events do not count toward this limit.

7. Signage must abide by the sign regulations as specified in ordinance 11.5.14(H), but mobile food vendors may not be lit or have more than one (1) sign. Vehicular signs do not count toward this limit.

Vice Chairman Wingate asked if anyone wished to speak.

John Catton

Mr. Catton gave a brief history of his experience in the food industry. He proposed setting up a hot dog stand between the hours of 10:00 a.m. – 6:00 p.m. Monday through Saturday in the ‘Mini Park’ near the Haywood County Courthouse. If special events are occurring on Main Street such as festivals or parades, the hours of operation could be flexible. He and his wife, Lucy Catton, would be operating the hot dog stand, and he feels this business on Main Street could serve as a “focal point” for visitors. They are looking forward to representing the Town of Waynesville with their food and good customer service.

John Keith

Mr. John Keith stated he is president of the Downtown Waynesville Association, and owner of Twigs and Leaves Gallery. He stated that the Downtown Waynesville Association as a group did not feel that this was the time or place for Food Carts or Trucks to be allowed. Business owners who operate Food Carts or Food Trucks do not pay Municipal Service District (MSD) taxes, and they would ride the coats tails of those business owners who do pay the MSD tax. Allowing this cart on public property is not fair to restaurant owners that have overhead. Mr. Keith also felt this would open a Pandora’s Box for other street vendors such as jewelry, paintings, and crafts. Mr. Keith added that he supported the current allowance for food trucks on private property on a temporary basis.

Richard Miller

Mr. Richard Miller stated he owner of Church Street Depot and Classic Wine Seller on Church Street. Mr. Miller stated he has been involved in the downtown business district for many years, and helped develop the downtown area. Mr. Miller stated he worked with Fred Baker and the Downtown Waynesville Association in designing the Mini Park. He feels is isn’t fair to him or other business owners who have paid MSD taxes to let someone set up a hot dog stand in the downtown area.

Buffy Phillips

Ms. Buffy Phillips stated she is Executive Director of the Downtown Waynesville Association. She said she had been in communication with many towns across the state that are struggling to develop Main Street programs. Food Carts seemed to have worked best in towns where they are struggling to bring people to the main street. Waynesville’s downtown program however is very successful and the business and restaurants are doing well. Ms. Phillips explained that Waynesville’s downtown is a small tax area with narrow sidewalks. The Mini Park where Mr. Catton would like to place his food cart is the only outdoor space for patrons to enjoy a peaceful, quiet setting. Ms. Phillips said she felt that the Frog Level area would welcome Mr. Catton.

David Young

Mr. David Young stated he is co-owner of Mad Anthony's. He said his business is seeking a more permanent option to better serve its customers since the tavern opened last summer. Mr. Young told the Board that his business is located in a 100 year old farmhouse, and it would be very costly to renovate the building to accommodate serving food to customers. He stated the fifty percent of potential sales are lost by not offering food. Adding a commercial kitchen is not feasible economically for him and his partner. Mr. Young said a compromise solution to the commercial kitchen is purchasing a food truck/mobile kitchen that is permanently installed on his property. The challenge for this option is compliance with building codes in order to be permitted by the Town.

Tom Maguire

Mr. Maguire, Senior Code Enforcement Official for the Town of Waynesville gave some specifics for North Carolina code requirements for the establishment of a food cart, which included restrooms, hot water, lights, and permits from the Haywood County Health Department.

Ms. Teague asked the Board how they felt about food trucks on private property, such as Mad Anthony's, or others who might be invited by the property owners to operate on their site, and how the Board felt about mobile vendors on public property.

The Board had much discussion about how to categorize food trucks, as opposed to food carts and other mobile vendors. They expressed concerns with liability, trash and crowds. Ms. Teague added that without permitting the Town does not know who is operating the food trucks, whether or not they have their health department permits, or how to contact them if something happens. The Board discussed allowing vendors on public property, such as the request for the hot dog cart within the Central Business District. There was consensus that the use of the public park or sidewalk on Main Street was not something they could support because of the limited space available on the public sidewalk and in the park as well as the concerns of the Downtown Waynesville Association. There was also consensus that vendors on public property as part of special events such as those which already take place on Main Street under the management of the Downtown Waynesville Association are appropriate.

There was further discussion regarding the use of public space in other areas of Town. Shell Isenberg indicated that he could see a benefit to mobile vendors in areas such as Frog Level and Hazelwood by encouraging activity in those areas. Anthony Sutton noted that Food trucks are gaining in popularity and could draw customers to those areas of Town. There was Board consensus there might be value in allowing mobile vendors in those areas in support of local businesses but it could be challenging in regards to how the Town would manage that use of public property. The City of Asheville had a program of leasing pre-identified public space for mobile vendors. Ms. Teague noted that use of any public space beyond a special event would require a change in Town policy and approval by the Town Board.

The Board also discussed the current ordinance for temporary uses and supported continuing to allow mobile vendors on private property. The Board also was in favor of allowing temporary uses to be renewed if there were no problems or complaints associated with it. In response to Board Planning Board Minutes
February 15, 2016

discussion Ms. Teague noted that lease agreements and permission between mobile vendors and private property owners would not involve the Town. She added that currently the Town did not charge any fees for temporary use applications and that local governments can no longer charge business privilege fees, but that a mobile vendor would have to pay sales and income taxes just as other businesses do. There was discussion that the Town should charge an application fee for temporary uses similar to other permit applications.

Ms. Teague discussed with the Board the next steps in the process for the Town Staff, including creating a draft text amendment for the Board to consider. The Planning Board would have to take formal action to initiate a text amendment and a public hearing would have to be scheduled before their recommendations would go to the Board of Aldermen.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

No Comments.

D. ADJOURN

With no further business, a motion was made by Board Member Robert Herrmann, seconded by Board Member Anthony Sutton, to adjourn the meeting at 6:47 pm. The motion passed unanimously.

Danny Wingate, Acting Chairman

Eddie Ward, Deputy Clerk

Planning Board Staff Report
Request for Rezoning Multiple Properties along Howell Mill and Calhoun Roads
March 21, 2016

Agenda Item: Map Amendment (Rezoning)

Address, PINs, acreage, owners:

1. 333 Howell Mill Road, which consists of 7 individual lots, PINs: 8616-42-3466, 8616-42-6671, 8616-42-6329, 8616-42-5167, 8616-42-4173, 8616-42-3089, 8616-42-5404; (5.29 acres); of Robert Timothy and Patricia Shook
2. 11 Palmer Hill Road, PIN 8616-42-7327; (0.87 acres); of Nell Moody Heirs
3. An unaddressed lot on Calhoun Road, PIN 8616-42-6749; (0.5326 acres); of Romualda Mcrorie

Acreage of area: 6.6926 acres total

Requested Rezoning: From Howell Mill Medium Density Residential District to Russ Avenue Regional Center Commercial District

Other: These properties are all within the Town's extra-territorial jurisdiction (ETJ).

Background:

In 2008, Tim and Patricia Shook made this same request to rezone their properties at 333 Howell Mill Road and their request failed on a vote of 3 in favor and 4 opposed at the Planning Board level, and was then tabled by the Board of Aldermen at their October 28, 2008 meeting. The Minutes of the Board of Aldermen meeting reflect concern for how the Howell Mill Road project would impact property and concern for the existing residential nature of the area. In the end, the request was tabled, "giving the petitioner time to study the issue further, add comments and present to the Board for further consideration at a later time."

Since that time, the Howell Mill Road project has been completed, the Planning Board has asked staff to consider land use needs and possible rezoning along the Howell Mill corridor, and Mr. Shook along with two of his adjacent neighbors have asked that this rezoning request be considered again.

These lots are within the extra-territorial jurisdiction of the Town of Waynesville, but fall within the Towns ETJ and so are subject to Town Planning and Zoning policies.

The purpose and intent of the Howell Mill Road Residential District as established by the Land Development Standards, Section 2.3.3(C) states:

The **Howell Mill Residential—Medium Density District (HM-RM)** shall develop as a residential neighborhood providing a mix of housing types and densities. Long, narrow lots are encouraged to provide for the establishment of good block widths throughout the area. Higher density housing is encouraged south of Howell Mill Road with lower density housing provided to the north. The center of the neighborhood is the Waynesville Recreation Center, providing recreational and social opportunities for all of Waynesville but with particular convenience and importance for those residing in this district. The proximity of this area to Russ Avenue shall be enhanced with improved transportation connections. Development occurring off of Howell Mill

Road shall also incorporate connectivity between streets and shall include, where appropriate, pedestrian access to the Recreation Center and the Richland Creek Greenway. Nonresidential uses typically found in residential areas are permitted.

The purpose and intent of the Russ Avenue Regional Center District, Section 2.3.7 (C) states:

The **Russ Avenue Regional Center District (RA-RC)** is a gateway for the community and often defines the first image a visitor has of the town. This district shall be a setting for high intensity land uses addressing the needs of the Waynesville community and surrounding areas. The Russ Avenue Town Center is envisioned as supporting dense development options due to the ample infrastructure in place and the proximity to downtown and the other municipalities in the county. The past emphasis in the Russ Avenue area on automobile traffic only shall be reduced by changing the nature of the district to make the area comfortable for other modes of transit including pedestrian, bicycle and mass transportation options. Central to this transformation is the redesign of Russ Avenue — turning the existing middle lane into a tree-lined landscaped median. The standards for future development along this corridor will also be important to this transformation, incorporating principles designed to manage access along Russ Avenue. The development of an accessway connecting the rear portions of lots fronting on Russ Avenue will further reduce traffic congestion along the Russ Avenue corridor. Building development in the area is designed to create a comfortable streetscape and public realm by bringing buildings closer to the street, providing sidewalks and street trees and providing access between development and public areas. The mixture of residential and commercial uses is encouraged. Development sensitive to the appearance of the corridor is essential within this district. The highway bridge forms a gateway into the area (and the town) and any future designs should be sensitive to this fact.

Consistency with 2020 Land Development Plan:

Under North Carolina law, local municipal zoning is required to be based on an adopted comprehensive land development plan. In Waynesville this document is Waynesville Our Heritage, Our Future, 2020 Land Development Plan. In the text of the 2020 Plan, the stated Land Use Goal is:

“Promote the orderly growth, development and enhanced land values of the Town of Waynesville by preserving and improving Waynesville’s existing neighborhoods, creating more attractive commercial centers, maintaining a strong downtown area, taking steps to reduce urban sprawl and protecting the natural beauty of the community.” (2020 LDP, p 4-2)

With an objective to:

“Designate appropriate amounts of land to reflect the desired development patterns and to accommodate the projected residential, commercial, industrial and institutional needs of the Town of Waynesville.” (p. 4-2)

With changes to Howell Mill Road, the Planning Board asked staff to frame a discussion for looking at land use and zoning needs along the road corridor. The roadway:

- Runs from Russ Ave. at Rite Aid to Asheville Hwy. at Evergreen Packaging, providing a convenient alternate north-to-south route that avoids the congestion of downtown Waynesville;
- Is an \$11.6 million road improvement project of the NCDOT that includes installation of wider lanes, wider shoulders, roadway straightening, sidewalks and roundabout at Vance Avenue.
- Provides a bridge “fly-over” eliminates at-grade railroad crossing and old, narrow bridge over Richland Creek (funded through the NCDOT/Governor’s Beautification program).
- Provides access for Evergreen Packaging, Sonoco Plastics, Schulhofer’s Inc., and Waynesville Recreation Center as well as to 30 + acres of Town property, including sub- station adjacent to the highway and for residential lots along Howell Mill, Happy Hill Road, Calhoun Road, and Radio Tower Road and several large tracts of open land.

With roadway improvements, begun in March 15, 2014 and completed on February 19, traffic is expected to increase along the roadway and this increase will generate interest in new commercial and residential development potential. Therefore, the Planning Board is wise to re-examine the land use designations along the corridor. Normally this type of discussion would take place as part of a Comprehensive Land Use Plan update. However, given that the Town is not ready to undertake a complete Plan update in the coming year, targeted consideration of the Howell Mill Road corridor makes sense at this time. A community meeting has been scheduled for April 4 at 5:30 in the Town Parks and Recreation Center to get public input.

Surrounding Land Use/Zoning Patterns:

The area proposed for rezoning is adjacent to the recently expanded Ingles and the Ingles’ Russ Avenue Regional Center Conditional District Zoning. Across Howell Mill Road to the south is the DC Plus LLC Packaging warehouse. To the north and across the street is residential property and the Town substation. The property abuts residential property to the east.

Staff Recommendation:

This rezoning request comes to the Board prior to the planned community meeting, but has been a desire of the applicants for years. The Board may choose to table any decision by continuing their hearing in order to get more information that comes out of the community meeting, but must make a recommendation within 64 days of first consideration of this formal request at this meeting (or by Tuesday, May 24).

The rezoning request is for the Russ Avenue Regional Center District is the least restrictive commercial district after commercial-industrial zoning. It allows drive-thru restaurants, retail over 100,000 square feet, digital signage, all types of residential, lodging, office-service, infrastructure and other commercial uses associated with the Town’s heavy commercial areas. It does not allow for adult-entertainment, correctional facilities, racetracks, shooting ranges, material recovery facilities, or outdoor storage yards.

Staff would recommend hearing from the applicants and from the public at the scheduled meeting prior to making any recommendation to the Board of Aldermen, but with the goal of finalizing a recommendation at the April 18th Meeting with consideration for the impacts and opportunities that

this rezoning would create. This would mean continuing the public hearing to the next meeting. Otherwise, if the Board would like to move forward more quickly, staff would support this rezoning request, but would add that the Board may want to consider whether digital signage and drive-thru restaurants are desirable within this corridor. If not, then perhaps the applicants could be persuaded to amend their request to a Howell Mill Regional Center Conditional District.

Requested Actions:

1. Motion to find/not find the request consistent with the 2020 Land Development Plan by meeting the needs of the residential , commercial, and institutional needs of the community and promoting infill and improving an existing neighborhood area.
2. Motion to recommend approval of the applicants' requests for rezoning the property at Howell Mill, Calhoun and Palmer to Russ Avenue Regional Center District.

AREA FOR MAP AMENDMENT CONSIDERATION:

1. 333 Howell Mill Road, which consists of 7 individual lots, PINs: 8616-42-3466, 8616-42-6671, 8616-42-6329, 8616-42-5167, 8616-42-4173, 8616-42-3089, 8616-42-5404;
2. 11 Palmer Hill Road, PIN 8616-42-7327; and
3. An unaddressed lot on Calhoun Road, PIN 8616-42-6749.





TOWN OF WAYNESVILLE PLANNING DEPARTMENT

Application for Land Development Standards Map Amendment

Application is hereby made on Feb. 17,, 20 16 to the Town of Waynesville for the following map amendment:

Property owner of record: Robert Timothy and Patricia W. Shook

Address/location of property: See attached

Parcel identification number(s): _____

Deed/Plat Book/Page, (attach legal description): _____

The property contains _____ acres.

Current district: Howell Mill Residential, med. density

Requested district: Russ Ave. Regional Commercial Dist.

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

Adjacent to RCD.
Expand use of property since road project.

Applicant Contact Information

Applicant Name (Printed): Robert Timothy and Patricia Warren Shook

Mailing Address: 333 Howell Mill Rd. Waynesville, NC 28786

Phone(s): H: 456-8342 Cell: 243-2200

Email: rtimothyshook@yahoo.com

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

Robert Timothy Shook Patricia W. Shook 2-17-2016

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 Planning Department, 9 South Main Street, Waynesville, NC 28786.

Rec. 2/22

Parcel Report For 8616-42-3089

SHOOK, R TIMOTHY
SHOOK, PATRICIA
333 HOWELL MILL RD
WAYNESVILLE, NC 28786

Account Information

PIN: 8616-42-3089
Deed: 486/475

Site Information

DWELLING
SINGLE FAMILY
271 HOWELL MILL RD
Heated Area: 960
Year Built: 1930
Total Acreage: 0.3 AC
Township: WAYNESVILLE

Site Value Information

Land Value: \$16,300
Building Value: \$31,800
Market Value: \$48,100
Deferred Value: \$0
Assessed Value: \$48,100
Sale Price: \$0
Sale Date: 02/13/2001
Tax Bill 1: \$465.15
Tax Bill 2: \$381.23



1 inch = 100 feet
March 4, 2016

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 primary 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.



Parcel Report For 8616-42-4173

SHOOK, R TIMOTHY
SHOOK, PATRICIA
333 HOWELL MILL RD
WAYNESVILLE, NC 28786

Account Information

PIN: 8616-42-4173
Deed: 486/472

Site Information

HOWELL MILL RD
Heated Area: 0
Year Built: 0
Total Acreage: 0.37 AC
Township: WAYNESVILLE

Site Value Information

Land Value: \$16,200
Building Value: \$0
Market Value: \$16,200
Deferred Value: \$0
Assessed Value: \$16,200
Sale Price: \$0
Sale Date: 02/13/2001
Tax Bill 1: \$101.43
Tax Bill 2: \$97.41



1 inch = 100 feet

March 4, 2016

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Parcel Report For 8616-42-5167

SHOOK, R TIMOTHY
SHOOK, PATRICIA
333 HOWELL MILL RD
WAYNESVILLE, NC 28786

Account Information

PIN: 8616-42-5167

Deed: 486/481

Site Information

HOWELL MILL RD

Heated Area: 0

Year Built: 0

Total Acreage: 0.29 AC

Township: WAYNESVILLE

Site Value Information

Land Value: \$15,700

Building Value: \$0

Market Value: \$15,700

Deferred Value: \$0

Assessed Value: \$15,700

Sale Price: \$0

Sale Date: 02/13/2001

Tax Bill 1: \$98.30

Tax Bill 2: \$94.40



1 inch = 100 feet

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Parcel Report For 8616-42-6329

SHOOK, R TIMOTHY
SHOOK, PATRICIA
333 HOWELL MILL RD
WAYNESVILLE, NC 28786

Account Information

PIN: 8616-42-6329
Deed: 489/264

Site Information

DWELLING
SINGLE FAMILY
333 HOWELL MILL RD
Heated Area: 1880
Year Built: 1950
Total Acreage: 0.85 AC
Township: WAYNESVILLE

Site Value Information

Land Value: \$23,200
Building Value: \$131,600
Market Value: \$154,800
Deferred Value: \$0
Assessed Value: \$154,800
Sale Price: \$0
Sale Date: 03/30/2001
Tax Bill 1: \$1,133.20
Tax Bill 2: \$1,022.81



1 inch = 100 feet
March 4, 2016

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Parcel Report For 8616-42-6671

SHOOK, ROBERT TIMOTHY
333 HOWELL MILL RD
WAYNESVILLE, NC 287863015

Account Information

PIN: 8616-42-6671
Deed: 133/179

Site Information

OFF CALHOUN RD

Heated Area: 0
Year Built: 0
Total Acreage: 0.36 AC

Township: WAYNESVILLE

Site Value Information

Land Value: \$15,800
Building Value: \$0
Market Value: \$15,800
Deferred Value: \$0
Assessed Value: \$15,800
Sale Price: \$0
Sale Date: 01/16/1947
Tax Bill 1: \$98.92
Tax Bill 2: \$95.01



1 inch = 100 feet
March 4, 2016

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Parcel Report For 8616-42-3466

SHOOK, R TIMOTHY
SHOOK, PATRICIA
333 HOWELL MILL RD
WAYNESVILLE, NC 28786

Account Information

PIN: 8616-42-3466

Deed: 486/478

Site Information

CALHOUN RD

Heated Area: 0

Year Built: 0

Total Acreage: 2.8 AC

Township: WAYNESVILLE

Site Value Information

Land Value: \$30,400

Building Value: \$500

Market Value: \$30,900

Deferred Value: \$0

Assessed Value: \$30,900

Sale Price: \$0

Sale Date: 02/13/2001

Tax Bill 1: \$193.46

Tax Bill 2: \$185.80



1 inch = 100 feet
March 4, 2016

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Parcel Report For 8616-42-5404

SHOOK, ROBERT TIMOTHY
333 HOWELL MILL RD
WAYNESVILLE, NC 287863015

Account Information

PIN: 8616-42-5404

Deed: 1997E/3

Site Information

DWELLING

SINGLE FAMILY

71 PALMER HILL DR

Heated Area: 1416

Year Built: 1911

Total Acreage: 0.32 AC

Township: WAYNESVILLE

Site Value Information

Land Value: \$13,900

Building Value: \$51,700

Market Value: \$65,600

Deferred Value: \$0

Assessed Value: \$65,600

Sale Price: \$0

Sale Date: 08/25/1996

Tax Bill 1: \$574.72

Tax Bill 2: \$486.45



1 inch = 100 feet

March 4, 2016

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 primary 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.



TOWN OF WAYNESVILLE PLANNING DEPARTMENT

Application for Land Development Standards Map Amendment

Application is hereby made on FEB 18, 2016 to the Town of Waynesville for

the following map amendment: NELL L. MOODY (DECEASED) OWNER OF RECORD

Property owner of record: WILLIAM HUGH MOODY JOINT EXECUTORS OF ESTATE
THOMAS MACK MOODY

Address/location of property: 11 PALMER HILL DR, WAYNESVILLE, NC 28786

Parcel identification number(s): 8616-42-7327-

Deed/Plat Book/Page, (attach legal description): 141-365 ESTATE# 2007-E 489.

The property contains .87 acres.

Current district: HOWELL MIL RD, E.T.T - RESIDENTIAL - MED. DENSITY -

Requested district: RUSS AVE. REGIONAL COMMERCIAL DIST.

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary): ADJACENT TO R.C.D. - PRESENTLY ON MARKET FOR SALE

WOULD INCREASE POSSIBILITY OF COMMERCIAL/BUSINESS USE.
INCREASE TAX BASE - CREATE JOBS - STIMULATE LOCAL ECONOMY.

Applicant Contact Information

Applicant Name (Printed): THOMAS M. MOODY -

Mailing Address: 248 FAIRWAY HILLS DR., WAYNESVILLE, NC 28786

Phone(s): CELL: 828-646-7391

Email: TMOODY1943@YAHOO.COM

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

Thomas Mack Moody William Hugh Moody

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 Planning Department, 9 South Main Street, Waynesville, NC 28786.

Rec. 2/22

Parcel Report For 8616-42-7327

HARRIS, MARY ANN
14 GRAYBARK CT
WAYNESVILLE, NC 28786

Account Information

PIN: 8616-42-7327
Deed: 2007E/489

Site Information

DWELLING
SINGLE FAMILY
11 PALMER HILL DR
Heated Area: 1187
Year Built: 1950
Total Acreage: 0.87 AC
Township: WAYNESVILLE

Site Value Information

Land Value: \$23,100
Building Value: \$76,500
Market Value: \$99,600
Deferred Value: \$0
Assessed Value: \$99,600
Sale Price: \$0
Sale Date: 11/07/2007
Tax Bill 1: \$787.60
Tax Bill 2: \$690.89



1 inch = 100 feet
March 4, 2016

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Romualda McRorie

5699 Crabapple Drive

Fredrick, MD 21703 -

Home: (301) 663-7070 3/2/16 → spoke, confirmed application
not arrived as of 3/7/16

Cell: (240) 405-8894

↳ left message 2/28

Calhoun Rd. property

Hand delivered 2/22

Jim Shook 243-2200

Planning Board Staff Report

Consideration for initiation of a text amendment to the town's Temporary Use regulations concerning mobile food vendors

March 21, 2016

Agenda Item: Planning Board Initiation of a Text amendment

Background:

The purpose and intent of the Town Ordinances are to secure the health safety and welfare of the citizens of the Town. The Town has allowed temporary uses for up to 180 days within the Town's zoning. At the last Planning Board Meeting Town staff asked the Planning Board for their feedback on Food trucks and food carts in response to recent requests. As a result of that feedback, staff recommends that the Planning Board consider the following amendments to the Town Code and initiate a formal process for a text amendment.

Suggested draft text amendments in *italics* based on Planning Board Feedback 2/15/2016

4.6 - Temporary Uses.

4.6.1 General Standards/Permits Requirement.

- A. All permitted temporary uses listed in this section require a temporary use permit that shall be reviewed and issued by the Administrator.
- B. Temporary use permits shall be issued for no more than one hundred and eighty (180) days within a calendar year on any individual lot. *Days may be non-consecutive with a schedule pre-approved by the Administrator that shall accompany the permit.*
- C. ~~Reserved.~~ *Exemption. Temporary uses associated with special events approved by the Town Manager are exempt from these rules and shall fall within the responsibility of the event organizer.*
- D. The property on which a temporary use is proposed must contain sufficient space to support the temporary use.
- E. No temporary use shall be located closer than two hundred (200) feet to a dwelling unit. Yard sales are excluded from this requirement.
- F. Parking must be adequate to support the proposed temporary use.
- G. Restroom facilities, if needed, must be provided.
- H. Plans for security and safety must be provided.
- I. All associated approvals inspections and permits required by the building code, fire marshal, *county health department or Town Manager* must be received prior to issuance of the temporary permit.

4.6.2 Temporary Uses Allowed in All Districts.

- A. Permitted Temporary Uses: Civic/cultural events and yard sales are allowed in all Districts.

- B. Time Limit: Civic/cultural events - thirty (30) days; yard sales - four (4) days.

4.6.3 Temporary Uses Allowed in ~~All~~ Nonresidential Districts.

- A. ~~Permitted Temporary Uses~~: Temporary uses allowed in all Districts except for the residential districts include: circuses, carnivals, fairs, religious services and similar types of events; the sale of agricultural products including Christmas trees; and tent sales. *Time Limit: Such events shall be allowed for no more than thirty (30) days.*
- B. *Temporary uses allowed only in the Commercial-Industrial, Regional Center and Business Districts include mobile food vendors. Time Limit: Such events shall be allowed for no more than one hundred and eighty (180) days but do not have to be contiguous if an alternate schedule is approved by the Administrator.*

4.6.4 Temporary Uses with Specific Requirements.

- A. Contractor's Office and Equipment/Storage Sheds.
1. Contractor's office and/or equipment/storage sheds may be placed in any District temporarily on the site of construction of a development for which a certificate of land development standards compliance has been issued.
 2. Time Limit: Placement of such a temporary use is limited to a period of time determined by an estimated project completion date with the option of an extension of up to one (1) year as and if approved by the Administrator. All temporary construction buildings and trailers shall be completely removed from the site within thirty (30) days of issuance of a certificate of occupancy or completion of the project, whichever comes first.
- B. Real Estate Office in a Construction Trailer or Temporary Modular Unit.
1. One (1) temporary structure, such as a construction trailer or temporary modular unit may be used as a real estate sales office in any new construction project in any District. Such a temporary structure shall be used for the sale of units within that project only.
 2. Time Limit: Temporary real estate offices in construction trailers or temporary modular units may remain on the site for no more than one (1) year or until one-half (½) of the units for the project are completed, whichever occurs first.
- C. Real Estate Office in a Model Home: A model dwelling may be used as a real estate sales office in a new residential development in any District. Such a model home/sales office may be used for the sale of units within that project only.
- D. *Mobile Food Vendors*
1. *Mobile food vendors may be placed in any commercial-industrial, regional center or business district. A permit is only valid for one location and must include documentation of property owner permission. Vendors wanting to serve at multiple locations need individual permits for each site.*
 2. *Permission to utilize public parking or sidewalk areas must be approved by the Town Manager and at the request of a sponsoring business owner adjacent to the proposed location. Within the Main Street Public Services District, vendors are*

permitted on private property only. The Town may require a lease agreement and fees in certain cases.

3. *Property owners or sponsoring adjacent businesses must make their restroom facility available for mobile food vendor staff.*
4. *All food service operations must obtain an approved mobile food service permit from the Haywood County Health Department or concurrence from the Haywood County Health Department that the vendor has met the equivalent requirements from another county. Permits must be posted on the mobile food vendor vehicle so that they are visible to the public.*
6. *Mobile food vendor permits are valid for 180 days of usage. Days do not have to be contiguous. Special events do not count toward this limit.*
7. *Signage associated with mobile food vendors must abide by the sign regulations as specified in ordinance 11.5.14(H), and shall not be lit or have more than one (1) sign per street frontage. Vehicular signs do not count toward this limit.*
8. *Exhaust outlets shall be located not less than 10 feet from any structure or building.*

17.33 – Definitions, Use Type.

Mobile Food Vendor. *A mobile food vendor is a person or organization that sells food out of a portable vehicle, cart, or trailer. Examples include food trucks and food carts.*

Adjustment to the Town Fee Schedule:

Temporary Use Permits

\$50 application fee

Staff Recommendation:

Food trucks can add diversity and interest to commercial areas as well as be a convenience and service to nearby businesses. However, there is a need to ensure that mobile vendors operating within Town limits are compliant with health department requirements and are present within the Town at the permission of underlying property owners or at the invitation of nearby businesses who have requested this use in an identified public space. Additionally, it is important that mobile food vendors are located in a manner that allows workers access to bathrooms and that assures compliance with applicable building and fire safety codes.

Requested Actions:

1. Motion to direct staff to initiate the above text amendment as presented (or amended) to the Town Code of Ordinances and to set a public hearing at the April 18th, 2016 Planning Board Meeting.