



# Town of Waynesville

**TOWN OF WAYNESVILLE**  
**Planning Board – Regular Meeting**  
Town Hall, 9 South Main St, Waynesville, NC 28786  
**November 17, 2014**  
**Monday – 5:30 PM**

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## **A. CALL TO ORDER**

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

***Motion:** To approve the minutes of October 20, 2014 as presented (or as corrected)*

## **B. NEW BUSINESS**

3. Public Hearing: Miscellaneous Land Development Standards text amendments to correct technical errors
4. Public Hearing: Permit political signs along Town maintained street rights-of-ways under the same standards as State streets.

## **C. ADJOURN**

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD  
REGULAR MEETING  
Town Hall – 9 South Main St., Waynesville, NC 28786  
October 20, 2014

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**THE WAYNESVILLE PLANNING BOARD** held a regular meeting on Monday October 20, 2014 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 Jon Feichter welcomed everyone and called the meeting to order at 5:30 p.m. The following members were present:

Marty Prevost  
Jon Feichter  
Shell Isenberg  
Robert Herrmann  
Brooks Hale  
Bucky Dykes

The following staff members were present:

Eddie Ward, Deputy Town Clerk  
Jason Rogers, Codes Administrator

2. Minutes of August 18, 2014

***Board Member Brooks Hale made a motion, seconded by Board Member Robert Herrmann, to approve the minutes of August 18<sup>th</sup> 2014. The motion passed unanimously.***

**B. NEW BUSINESS**

3. Consideration of Text Amendments to correct technical errors in the Land Development Standards

Vice Chairman Jon Feichter asked Jason Rogers, Codes Administrator, to give a background Report on the items for consideration concerning technical errors found in the Land Development Standards. Mr. Rogers explained that several technical errors had been found and needed to be “cleaned up”. He went over the eleven items that had been found technically wrong and gave a brief explanation of each. The list of eleven items is included in these minutes.

*A motion was made by Board Member Marty Prevost, seconded by Board Member Bucky Dykes, to accept Text Amendments to correct technical errors in the Land Development Standards. The motion passed unanimously.*

**C. ADJOURN**

*With no further business, a motion was made by Board Member Brooks Hale, Seconded by Board Member Marty Prevost to adjourn at 5:45 pm. The motion passed unanimously.*

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Jon Feichter, Vice Chairman

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Eddie Ward, Deputy Town Clerk

**Consideration of Text Amendments to correct technical errors in the Land Development Standards:**

1. Sections 17.4 and 6.2.1.B.5 - change the definition of "Family Subdivision" for consistency between the sections to: "The conveyance to lineal descendants for the purpose of dividing real estate among said lineal descendants. At such time that any lineal descendants or their successors in interest develop or build upon their respective property must conform in all respects to the regulations of the Town."
2. Section 9.8.1 B. - clarify the intent to require driveway permits for all streets public and private.
3. Section 9.8.2.A. - clarify the intent to exempt single family driveways from minimum width standards.
4. Table 2.2 - correct district names: "East Waynesville Urban Residential" and "Hazelwood Urban Residential".
5. Section 15.3.3 - change reference to "City Council" to "Board of Aldermen"
6. Section 5.5.3 - change description of "Townhouse Buildings" to 3 or more attached units to be consistent with the definition of Chapter 17.
7. Sections 14.3.2.B and 14.4.2.C. – correct NC General Statute reference governing appointments to Planning Board and Board of Adjustment to 160A-362.
8. Sections 3.5.9.A.1 and 3.5.9.B.2 – change references to 8.4.2.A for "Type A Buffer" to be consistent with standard as stated in text.
9. Section 11.7.3.B. – change sidewalk clearance for Pedestrian Signs to 8' to be consistent with the standard of Section 11.7.2.H. for Attached Signs and other state and national standards.
10. Table 6.6.2.E – delete unnecessary reference in Lane standards to Section 6.8.1 Sidewalks.
11. Section 12.6.2 – change value for constant in average slope formula to "0.0023" as stated in the written description of the formula.

## Planning Board Staff Report

Subject: Miscellaneous LDS text amendments  
Sections: Table 2.2 Districts by District Types, 3.5.9 Vehicle Services, 5.5.3  
Townhouse Buildings, 6.6.2 Town Street Classifications, 9.8 Driveway  
Access, 11.5.12 Political Signs, 11.7.3 Pedestrian Signs, 12.6 Hillside  
Protection  
Applicant: Staff initiated  
Meeting Date: November 17, 2014

### Background:

These are primarily “housekeeping” amendment to correct mistakes or inconsistencies within the Land Development Standards, however some would effect the substance of the standards as noted:

Table 2.2 - correct the district names from East Waynesville Residential and Hazelwood Residential to East Waynesville *Urban* Residential and Hazelwood *Urban* Residential”.

Sections 3.5.9.A.1 and 3.5.9.B.2 – change references to 8.4.2.A for Type A Buffer instead of 8.4.2.C to be consistent with the standard as stated in text.

Section 5.5.3 - change description of “Townhouse Buildings” from two or more attached units to *three (3)* or more attached units to be consistent with the definition of Chapter 17.

Table 6.6.2.E – delete unnecessary and confusing text: “(For R and SR Districts, See 6.8.1)”.

Section 9.8.1 B. - clarify the intent to require driveway permits for all streets “public *and private*”. (In general private streets are required to meet the same standards as public streets.)

Section 9.8.2.A. - clarify the intent to exempt single family driveways from minimum width standards: “...*excepting driveways serving a single dwelling unit from the minimum standard.*”

Section 11.5.12 – change political sign regulations on Town streets to completely follow regulation on State streets and highways. This would eliminate deposits and permit political signs in Town street rights-of-way. See attached ordinance.

Section 11.7.3.B. – change sidewalk clearance for Pedestrian Signs from 7’ to 8’ to be consistent with the standard of Section 11.7.2.H. for Attached Signs and other state and national standards.

Section 12.6.2 – change the erroneous value for the constant in the average slope formula from 0.023 to 0.0023 as correctly stated in the written description of the formula.

Sections 14.3.2.B and 14.4.2.C. – correct the reference to the NC General Statute governing appointments to Planning Board and Board of Adjustment from 160A-32 to 160A-362.

Section 15.3.3 - change reference to “City Council” to “Board of Aldermen”.

Section 17.4 change the definition of Family Subdivision for consistency to that of Section 6.2.1.B.5.

**Staff Recommendation:**

Staff recommends that the requested amendments be approved to correct errors and eliminate inconsistencies.

The Political Sign amendment entails a substantive change since it would permit political signs along Town-maintained street rights-of-way under the same standards as State streets, but most thoroughfares in Town are State-maintained so the change is not expected to be significant, and offers the advantage of consistency in Town and State regulation of these signs.

**ORDINANCE NO. XX - 14**

**AN ORDINANCE AMENDING THE TEXT OF THE LAND DEVELOPMENT STANDARDS OF THE TOWN OF WAYNESVILLE REGULATING POLITICAL SIGNS TO CONFORM WITH NORTH CAROLINA GENERAL STATUTE 136-32**

**WHEREAS**, the Town of Waynesville has the authority, pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulation and district classifications from time to time in the interest of the public health, safety and welfare; and

**WHEREAS**, this Ordinance is consistent with the Town's 2020 Land Development Plan; and

**WHEREAS**, the Town of Waynesville Planning Board has reviewed the proposed ordinance and recommends its enactment by the Board of Aldermen; and

**WHEREAS**, after notice duly given, a public hearing was held on \_\_\_\_\_, 2014;

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

**Section One.** The existing text of Section 11.5.12 be replaced with the following:

- A. Duration: such signs may be displayed during a period beginning thirty (30) days prior to the beginning date of "one-stop" early voting under G.S. 163-227.2 and concluding ten (10) days after the primary or election day immediately following."
- B. Placement:
  - 1. No sign shall be permitted in the right-of-way of a fully controlled access highway.
  - 2. No sign shall be closer than three (3) feet from the edge of pavement of the road.
  - 3. No sign shall obscure motorist visibility at an intersection.
  - 4. No sign shall be higher than 42 inches above the edge of pavement of the closest road.
  - 5. No sign shall be larger than sixteen (16) square feet.
  - 6. No sign shall be attached to a utility pole.
- C. Permission: such signs may only be located on private property with the permission of the property owner. When located in the public right-of-way in front of residences, businesses or religious institutions the permission of the property owner shall be obtained.
- D. Illumination: such signs may not be illuminated.

**Section Two.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

**Section Three.** All ordinances or portions thereof in conflict herewith are hereby repealed to the extent of such conflict.

**Section Four.** This ordinance shall be in full force and effect from and after the date of adoption.

**ADOPTED** this \_\_\_\_\_, 2014.

TOWN OF WAYNESVILLE

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Gavin A. Brown, Mayor

ATTEST:

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Amie Owens, Town Clerk

APPROVED AS TO FORM:

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Woodrow H. Griffin, Town Attorney