

TOWN OF WAYNESVILLE

Planning Board

9 South Main Street
Suite 110
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Planning Board Members
Ginger Hain (Vice-Chair)
Stuart Bass
John Baus
R. Michael Blackburn
Travis Collins
Jan Grossman
John Mason
Alex McKay
Tommy Thomas

Development Services
Director
Elizabeth Teague

Regular Meeting of the Planning Board

Town Hall, 9 South Main Street, Waynesville, NC 28786
Monday, May 19, 2025, 5:30 PM

A. CALL TO ORDER

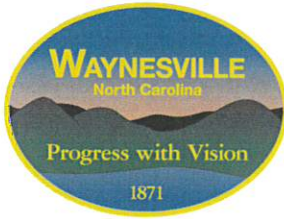
1. Welcome/Calendar/Announcements
 - Council Meetings available: <https://www.youtube.com/@TownofWaynesville/streams>
 - Past Planning Board and Council Minutes available at: <https://www.egovlink.com/waynesville/docs/menu/home.asp>
 - Introduction of new members
 - Information on NC General Assembly activity and its land use planning impacts
2. Approval of Minutes as presented (or as amended):
 - March 17, 2025.
3. Election of Chair and Vice-Chair.

B. BUSINESS

1. Public Hearing on Balsam Edge sign proposal, 80 Sedge Meadow Path, Waynesville, NC 28786, PIN 8616-40-9101 (Administrative Hearing).
2. Public Hearing on Map Amendment (rezoning request) 185/187 West Marshall Street in Waynesville, NC 28786, PIN 8616-40-9101 (Legislative Hearing).
3. Discussion and Board feedback on staff-initiated text amendment regarding wireless communication facilities.
4. Discussion and Board feedback on potential changes to the sign ordinance.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN



TOWN OF WAYNESVILLE Planning Board

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

Development Services
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Jan Grossman
John Baus

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD Regular Meeting Town Hall – 9 South Main St., Waynesville, NC 28786 March 17, 2025

THE WAYNESVILLE PLANNING BOARD held a Regular Meeting on March 17, 2025, 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)
Jan Grossman
Stuart Bass
Tommy Thomas
Travis Collins
John Baus

The following Board members were absent:

Michael Blackburn

The following staff members were present:

Elizabeth Teague, Development Services Director
Olga Grooman, Assistant Development Services Director
Alex Mumby, Land Use Administrator
Candace Poolton, Town Clerk
Ron Sneed, Board's Attorney

Vice Chair Ginger Hain called the meeting to order at 5:30p.m. and welcomed everyone. Development Services Director Elizabeth Teague reported no announcements. Board Member Thomas requested Ms. Teague to explain Council's approval of John Burgin's re-zoning request against the Planning Board's recommendation. Ms. Teague said that Mr. Burgin articulated that the commercial use of property made sense in that area and emphasized that parking a food truck there would not be the only use for the lot. Board

Member Thomas suggested that the re-zoning request should have been brought back to the Planning Board. Ms. Teague said Council is not obligated to do that. Board Member Thomas said he felt it was a waste of time and services of the town because the applicant did not share the same information with the Planning Board as he did with the Council. Ms. Teague reminded the Board that the Planning Board's report was presented to Council.

2. Adoption of February 17, 2025, minutes as presented or amended.

Board Member Grossman requested that the February 17th minutes reflect him as present at the meeting.

A motion was made by Board Member Travis Collins, seconded by Board Member John Baus, to approve the February 17, 2025, Planning Board meeting minutes as amended to reflect that Board Member Jan Grossman was in attendance. The motion passed unanimously.

B. BUSINESS

1. Review and possible approval of a "Protected Mountain Ridge" site plan application pursuant to LDS Section 12.7, located at 4477 Eagles Nest Road, Waynesville, NC 28786 (7696-71-2604).

Assistant Director of Development Services, Olga Grooman, reported that the applicants/owners of the property intend to build a single-family home on the property at 4477 Eagles Nest Road. Ms. Grooman described the property as being 1.28 acres, with the southeastern portion of the property lying within the Waynesville ETJ and Eagles Nest Residential Low Density (EN-RL) zoning district. She added that the construction of the home will be within town limits. Ms. Grooman said the property falls under the definition of the "Protected Mountain Ridge", as defined in N.C.G.S. 113A-206 because its elevation ranges from 4,970 feet to 5,070 feet and is more than 500 feet higher than any adjacent valley floor. She said that according to the LDS section 12.7.D, all applications for development on Protected Mountain Ridges shall be approved by the Planning Board. Ms. Grooman outlined the checklist that the Planning Board must consider when reviewing the proposed development as provided by the General Statute and LDS ordinances. She said the site plan is compliant with N.C.G.S. Article 14-Mountain Ridge Protection, as well as the Town of Waynesville Mountain Ridge Protection regulations of the LDS. She added that the proposed site plan is also compliant with the zoning regulations of the property. Ms. Grooman said the applicant is only disturbing about 6% of the property, well below what is allowed.

David Bush, the applicant, explained to the board what a "drip septic system" is, which is what the proposed site plan will have.

A motion was made by Board Member John Baus, seconded by Board Member Stuart Bass, to approve the application as proposed. The motion carried unanimously.

2. Discussion and Board feedback on staff-initiated updates to the Sign Ordinance, LDS Chapter 11.

Land Use Administrator, Alex Mumby, reported that staff recognized that several sections within the sign ordinance are unclear, including what classifies a "moveable" sign, the use of "etc.", the allowance for

Planning Board Minutes
March, 17, 2025



artistic murals in commercial signage, what could be incorporated, how to ensure lettering within the mural still complies with district's size regulations, clarification on the ratio of wall signage to building size, neighborhood entrance signs, and other portions of the sign ordinance. Mr. Mumby requested that Board Members review LDS Chapter 11 and share their edits and questions with him before April 4th, so that staff can prepare possible ordinance improvements for a future meeting.

Board Member Baus requested that staff look into differentiating a general mural versus a mural that serves as a commercial advertisement. Mr. Mumby said that currently the part of the mural that serves as the sign has to abide by the signage code, and the rest of the mural is considered art.

Vice Chair Hain requested that staff consider a different scale regarding wording to the building wall. The Board discussed the new Cook Out restaurant and stated that even though the wording on the face of the building meets the signage code, it appears to be too large. Board Member Baus asked that staff consider reducing the allowance for the attached signs. Board Member Grossman suggested limiting the size of lettering on signs.

Board Member Thomas requested that staff look into vehicles that park outside of businesses that serve the purpose of advertising. Mr. Mumby said it would depend on the context and whether the truck is used primarily for deliveries or advertising. Board Member Baus said those two things are not mutually exclusive, and a truck could serve both purposes.

Vice Chair Hain suggested that staff look into how other localities are writing their sign ordinances, so that staff do not have to "reinvent the wheel". Mr. Mumby reminded the Board that many of the signs on Russ Avenue are pre-existing non-conformities, but all new signs must conform to the sign ordinance. Board Member Baus requested that staff look into having larger wayfinding signs for parking and the Main Street area. Ms. Teague said the current wayfinding signs were funded by the Haywood County TDA.

Board Member Grossman suggested that staff investigate limiting the size and number of neighborhood entrance signs. Vice Chair Hain added that they could look into having design guidelines for the sign as well.

Mr. Mumby said that staff will take the Board's feedback and present an updated draft sign ordinance at a later meeting.

3. Discussion of Short-Term Rental Regulations

Director of Development Services, Elizabeth Teague, reported that staff distinguished between Homestays and Short-Term Vacation Rentals (STR), with the main difference being that in Homestays, the owner stays on-site, while with STRs, there is no owner/manager on-site. She added that STR is considered a "lodging" use that is different from hotels or Bed and Breakfasts and encompasses home-sharing sites, such as VRBO or Airbnb. Ms. Teague said that Homestays would be permitted everywhere and are not regulated other than by tax codes or rental agreements. The STRs would be added as a use permitted with supplemental standards under the lodging use type ("PS"). STRs must comply with the Town's parking standards for lodging, and one on-premise sign may be placed to identify/advertise a short term vacation rental. If such sign is placed, it must comply with the maximum square footage for home occupations, or

a maximum of 8 square feet. STRs must comply with all federal, state, and local laws, have a plan in place for trash removal, and post in an obvious location the name and contact information of the operator and property manager, the address of the lodging, maximum number of occupants, and days established for trash collection, and the phone number of the Waynesville Police Department. She said that current STRs are exempt from these supplemental standards, but online VRBO and Airbnb platforms already require many of these standards.

Vice Chair Hain quoted the suggested ordinance where it says “one on-premise sign *may* be placed” and suggested that it should read “*will*” be placed. Ms. Teague said that having a sign used as advertising could also include other requirements, but the owner is under no obligation to advertise the STR as such. Vice Chair Hain said it could read “one on-premise sign is allowed”.

Vice Chair Hain said having property manager contact information makes sense, but not necessarily outside since the information is meant for the occupants. She also asked if they could adopt the Fire Marshal’s guidelines for address on signage. Ms. Teague said that it is possible. She said they could require a clear and visible address of the lodging, as well as the property owner’s contact information. Board Member Baus requested holding off on setting a public hearing for the ordinance until he conducts additional research. Board Member Grossman suggested using a different word than “transients” in the ordinance, possibly “lodgers” or “guests”.

Public Comment:

Wanda Brooks said she has owned an STR for 10 years. She recommended not placing contact information or STR specific signage outside of the residence because people will notice that it’s unoccupied at times and may and break in.

Ms. Teague said she will chat with the Police and Fire Departments to see how they could track property owner’s contact information in case of an emergency. Board Member Baus suggested keeping a running list of owner’s contact information and give it to the police, and Vice Chair Hain suggested having a two-faced sign with the address on the front side and the other information on the back side. Ms. Teague said she will continue working on the ordinance with the Board’s feedback.

4. Discussion and Board feedback on approaches to rural preservation and 2035 Comprehensive Plan: new legislation, the density workgroup, and approaches to rural preservation.

Director of Development Services, Elizabeth Teague, reported that the “Density Work Group” met with consultant Jake Petrosky of Stewart Engineering to discuss different approaches to rural preservation and the 2035 Comprehensive Plan. Ms. Teague said they discussed recent development and Comprehensive Plan’s recommendations, analyzed several zoning districts, reviewed conceptual plans for development under different zoning amendment options, and developed a recommendation for a new Residential Conservation District.

Ms. Teague said the new Residential Conservation District would allow for 2.5 dwellings per acre, with up to 6 per acre with a special use permit. She said it would incentivize clustering, which would increase the civic space and there would be a more restrictive building height requirement. She said that Stewart did an analysis of the higher density neighborhoods, and the average parcel sizes are actually quite large.

She said the large farmland in those areas did offset the subdivisions in those areas. Ms. Teague said the proposed Residential Conservation District would not take any permitted uses away, but there would be additional design requirements, such as alley loading being required of lot widths under 50 feet, prioritizing open space types, and having a different size of open space.

Ms. Teague said the introduction of SB 382 strips powers from municipalities to control zoning, but 22 local bills were already filed in the last session to exempt some governments. She said that HB 24 was adopted to strike the provision limiting local government's zoning authority from the Helene Relief Act. Ms. Teague said that the Council has adopted a resolution of support for HB 24. The Board discussed how SB 382 came to be.

Ms. Teague presented several options how they should proceed:

Option 1: Retool Amendment to be Overlay with CSO standards

- Base zoning districts remain option
- Leverage Conservation Subdivision Option (CSO) in LDC currently
 - *Emphasize design and more open space in district description.*
 - *Encourage CSO in this area. Potentially add a maximum density cap of 2.5-3 DUA for CSO in Rural Preservation District.*

Option 2: Change in Approval Process for Large Subdivisions

- Currently major subdivisions (>8 lots) have to go to Planning Board as administrative approval
- Potential change of all large subdivisions to Conditional Zoning process in Rural Preservation District Overlay area or across the board
 - *> 50 unit or size (acres) threshold*

Vice Chair Hain said that she has some concerns about being able to incentivize large developers. Ms. Teague said that 7,260 feet is the smallest lot size currently allowed in Waynesville's residential districts.

Option 3: Create Rural Preservation District as New Base Zoning District

- Create Rural Preservation District
- Conduct engagement activities and notify public and property owners of new district and options
- Create a process for property owners to opt in via rezoning or other form of consent
- Bring in Conservancies to work with property owners to encourage land preservation and provide benefits to the landowners.

Ms. Teague said that currently, vested rights legislation allows property owners a permit choice for 18 months after they submit the complete application. She said there is further study needed to determine the feasibility of encouraging development form via the water and sewer extension policy, which she said is a more effective tool than zoning. She said that staff are still waiting on the outcome of the legislative session on potential changes to SB 382. Ms. Teague said the plan is to have a workshop and have Jake Petrosky with Stewart present to the Planning Board.

Board Member Baus said he can't imagine that SB 382 won't be repealed. Ms. Teague agreed. Board Member Grossman said that town residents have been saying there are some areas in town where density

is too high. He reminded residents to vote, because density is decided by their legislative representatives. There was discussion on the capabilities of the Town to expand based on how much water they can provide. Ms. Teague said there are no concerns with the water supply in Waynesville.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

There was no public comment.

D. ADJOURN

The meeting was adjourned by Vice Chair Ginger Hain at 7:34 p.m.

Ginger Hain, Vice Chair

Candace Poolton, Town Clerk

DRAFT

Planning Board Staff Report

Meeting Date: May 19, 2025
Subject: Neighborhood Entrance Sign
Location: Balsam Edge Apartments off Howell Mill Road
 Current address: 80 Sedge Meadow Path, Waynesville, NC 28786
 PIN 8616-40-9101
Zoning: Howell Mill Urban Residential (HM-UR)
Area: 5.31 ac
Owner: Mountain Housing Opportunities Inc. (MHO)
Representative: Jonathan Warner
Staff Contact: Olga Grooman, Assistant Development Services Director

Background:

This is the application for the neighborhood entrance sign for Balsam Edge apartment complex, located east of Ingles Markets, off Howell Mill Road. The major site plan for this 84-unit affordable housing development was approved by the Planning Board on March 15, 2021. The site includes three (3) buildings, as well as a clubhouse, playground, and sidewalks as amenities for residents.

The project is currently in the multi-step process of obtaining various permits through the State of North Carolina as well as Waynesville Development Services Department. One of the required permits is for the neighborhood entrance sign, which is subject to Planning Board review. While Waynesville Land Development Standards (LDS) do not provide specific guidelines for such signs, such signs require design approval by the Planning Board per LDS section 11.6.2. Additionally, LDS 11.7.1 states, that “Residential Neighborhood and Business District Entrance Signs shall be professionally designed and produced using high-quality materials and shall be appropriate in size, number and location for the neighborhood or district being identified as approved by the Planning Board following a public hearing.”

The site lies within Howell Mill Urban Residential (HM-UR) zoning district, which has the following purpose and intent from the LDS 2.3.4.C: “a transitional neighborhood that buffers rural and medium density residential areas from the intense commercial uses found within the Russ Avenue and Regional Center District. ... served by the multimodal Howell Mill Road, yet valued for its green spaces, vistas and peaceful character.”

Staff Comment:

The proposed double-sided entrance sign will be located on the southern portion of the site, off Howell Mill Road, as shown on the attached site plan. All ground signs must be located outside the street right-of-way or at least five (5) feet from the edge of the Public Way (LDS 11.7.1.A). The sign must be placed outside of any sight triangles (LDS 11.7.1.B). The proposed location complies with these requirements, with the monument sign situated outside of the NCDOT’s sight triangle.

The Land Development Standards do not outline specific design guidelines for neighborhood entrance signs, stating only that Neighborhood Entrance Signs are, “subject to Planning Board design approval.” The proposed sign does meet the general standards for materials applicable to commercial ground signs, and closely approaches the size standards for ground signs established in the HM-UR zoning district.

Materials: The proposed sign features a stone base consisting of two (2) columns. The main body of the sign is constructed from white High-Density Polyethylene (HDPE), a durable, weather-resistant plastic

commonly used for outdoor signage. The sign face is framed by brown wooden beams. Per LDS 11.7.1.E, “ground signs shall include a base (min. 1 ft. in height) constructed of rock, brick, or other masonry material or permanent landscaping.” The proposed design meets this requirement.

Address: The sign prominently displays the street address, per LDS 11.7.1.F. Waynesville Fire Marshall, Darell Calhoun, reviewed and approved the street address on the sign.

Size and Height: The sign is approximately 4 feet 8 inches tall, measured from the highest adjacent grade at the base of the sign to the highest point of the sign face (LDS 11.3.2). The maximum permitted height of the ground signs in HM-UR district is 4 ft. The area of the sign face is approximately 7.64 sf, and the maximum allowance for the sign face in HM-UR is 16 sf.

Permits: Building Permit will accompany the Sign Permit for this sign.

Public Notifications:

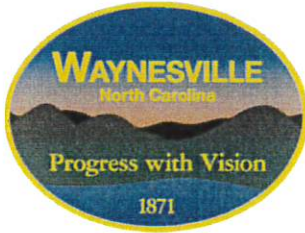
This is a public meeting. As with all Planning Board meetings, the agenda cover page was posted on the bulletin board at Town Hall; the full agenda was posted on the Town’s website, and it was also emailed to local media contacts. No additional notifications are required.

Suggested Motions:

1. Motion to approve / approve with conditions / deny the Balsam Edge entry sign application.

Attachments:

- Sign Permit application
- Agent Authorization form
- Drawing of the Balsam Edge neighborhood entrance sign
- Site plan (shows the proposed location of the sign)
- Apartment building elevations (to demonstrate design approach)
- Property images: aerial view, zoning map, Google Street view
- LDS Chapter 11 excerpts



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street, Suite 110

Waynesville, NC 28786

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

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Sign Permit

This form must be accompanied by scale drawings of all proposed signs, showing their placement on buildings, and a site plan showing the proposed location of any ground signs. If all proposed signage cannot be indicated on this form, please complete additional forms.

Property Street Address: 291 Howell Mill Rd PIN: 8616-42-5402

Business Owner(s): Mountain Housing Opportunities, Inc. Telephone: 828.254.4030

Business Owner Mailing Address: 64 Clingman Ave., Suite 101

Zoning District: Howell Mill Urban Res. Overlay District (If Applicable) _____

Proposed Signs (Complete all that apply)

Ground Sign(s) Sign Dimensions: 10'-6"W x 5'-6"T Sign Height Above Grade: 0'

Is the sign illuminated? Yes ☒ No ☐ If yes, is the illumination internal ☐ or external ☒?

Building Sign(s) – Maximum of 3 building signs per façade

Building Face Dimensions: Wall Height: _____ Wall Length: _____

Building Sign(s) Dimensions: Sign #1: _____ Sign #2: _____ Sign #3: _____

Is the sign(s) illuminated? Yes ☐ No ☐ If yes, is the illumination internal ☐ or external ☐?

Window/Door Sign(s) – May not exceed 25% of the window/door area

Window Sign Dimensions: _____ Window Dimensions: _____

Temporary Sign(s): Type of Sign – Ground ☐ Building ☐

Ground Sign Dimensions: _____ Ground Sign Height Above Grade: _____

Building Sign Dimensions: _____ Building Wall Dimensions: _____

Start Date: _____ End Date: _____

Office Use Only

This signature authorizes the installation of all signage described above and in required attachments. Any deviation from the sign dimensions or placement described above and in any attachments shall require resubmittal, approval, and the issuance of a new Sign Permit. All fees are determined by the adopted fee schedule on the date of this permit.

Development Services Staff Signature _____

Date _____

11.

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

The undersigned Owner or Party with a contract or option to purchase that real property located at 333 Howell Mill Rd 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: Jonathan Warner

Title and Company: Environmental Designer, Equinox Environmental

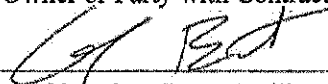
Address: 14 O'Henry Avenue, Suite 206, Asheville, NC 28801

Phone and email: (828) 253-6856 jonathan@equinoxenvironmental.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 8th day of May, 2025.

Owner or Party with Contractual Interest in Property:



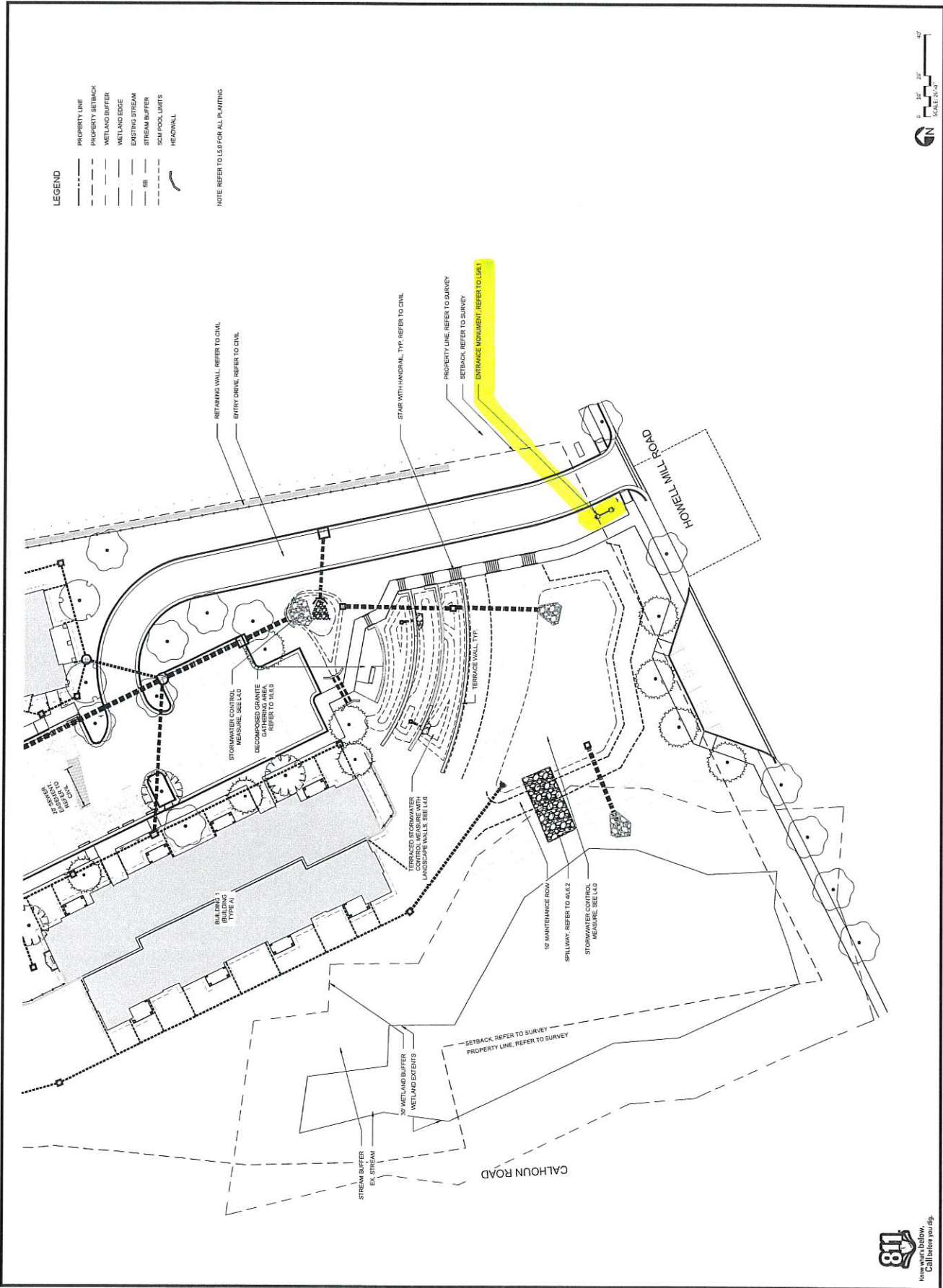
Mountain Housing Opportunities, Inc by Geoffrey Barton, President

Address and phone number:

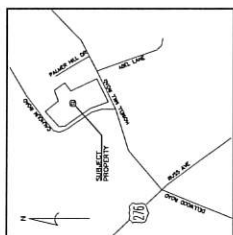
64 Clingman Ave, Suite 101

Asheville, NC 28801

(828) 254-4030



13

VICINITY MAP
(NOT TO SCALE)

NOT TO SCALE

DEVELOPMENT D

OWNER/DEVELOPER	MOHAWK HOUSING OPPORTUNITIES 415 COLUMBIA AVENUE, SUITE 101 ALBANY, NY 12207 (518) 885-1807	PROJECT DATA	PHASE 1	8/15/92-12/30/92; 1/1/93-1/31/93	15.0 UNITS/ACRE = 84 UNITS	REMARKS
OWNER	CON. DONNER	DEED BOOK/PAGE	2	1500/74	15.0 UNITS/ACRE = 84 UNITS	15.0 UNITS/ACRE = 84 UNITS
CONTACT	195 WEST 12TH STREET ALBANY, NY 12206 (518) 235-3300	STATE/ZONE	1	1500/74	15.0 UNITS/ACRE = 84 UNITS	15.0 UNITS/ACRE = 84 UNITS
ARCHITECT	HOUSING STUDIO 233 WEST 12TH STREET, SUITE 200 ALBANY, NY 12206 (518) 333-7642	SECTIONS	10"	10"	10"	10"
CONTRACTOR		FRONT	8"	8"	8"	8"
		REAR	8"	8"	8"	8"
		CONCRETE	5 AC	5 AC	5 AC	5 AC
		UNDEVELOPED AREA				
		UNDEVELOPED				
		ALLOWED FUT. ZONING				
		APPROXIMATE SPACES				
		VEHICULAR				
		STANDARD SPACES				
		SPACES PROVIDED	138			
		HANDICAPPED SPACES				
		SPACES PROVIDED	18			
		BUILDING DATA				
		BASE	1	1	1	1
		2 STORY WOOD	2	2	2	2
		3 STORY WOOD	2	2	2	2
		4 STORY WOOD	2	2	2	2
		CURBSTOP	1	1	1	1
		REMARKS				
		PRE-DEVELOPMENT				
		POST-DEVELOPMENT				
		ONE-SHALL CALLED				

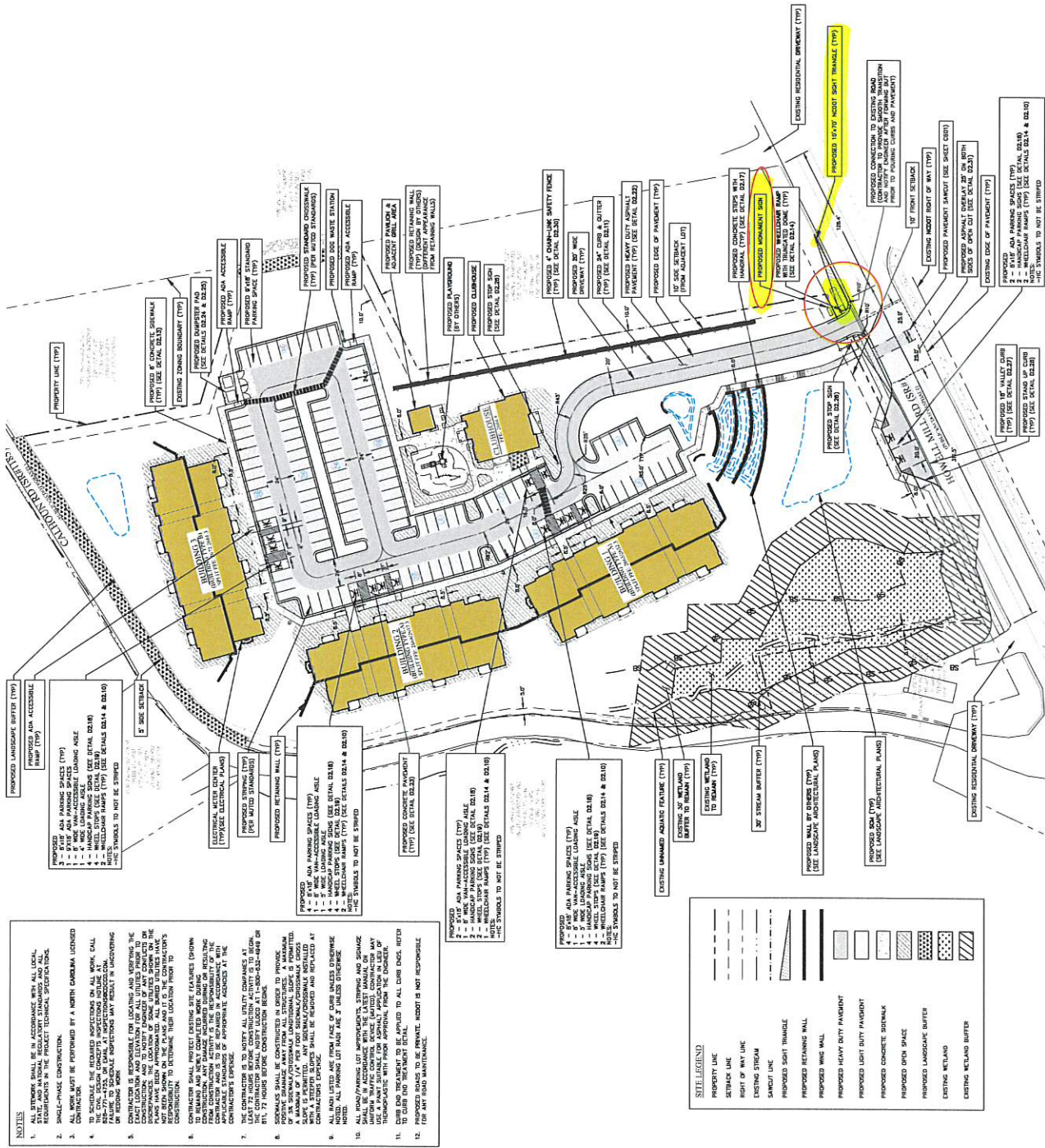
CDC INSPECTIONS HOTLINE:
202.771-4253 OR INSPECT@CDC.GOV

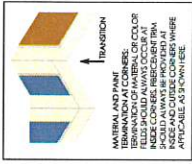










Know what's below.
Call before you dig.

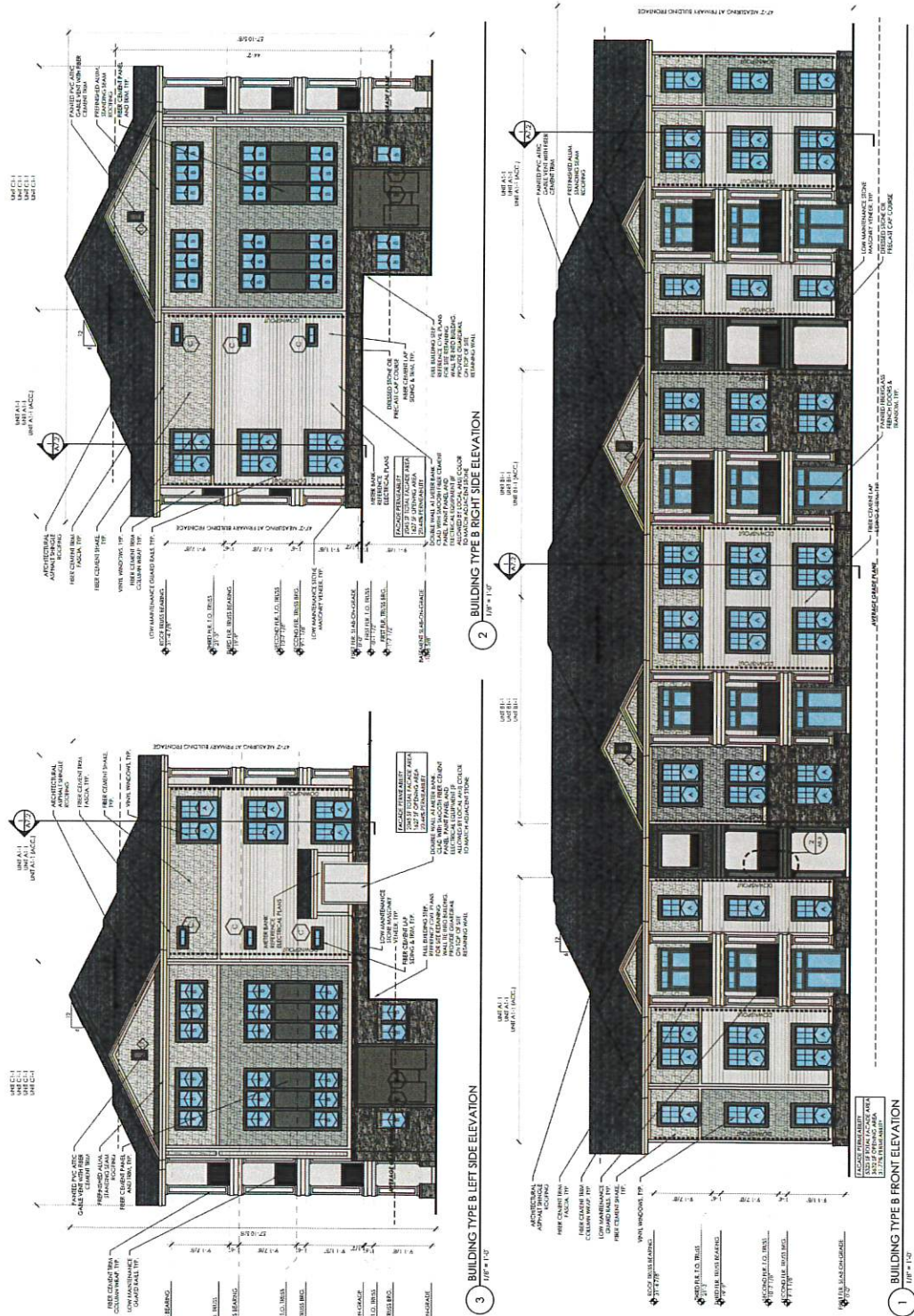
GRAPHIC SCALE

(IN FEET)





COLOR CHART	
	PANT 1 - MAIN BODY OF BLDG. 3W7656 - RESERVED WHITE
	PANT 2 - ACCENTS 3W7658 - GRAY CLOUDS
	PANT 3 - ACCENTS 3W6180 - SHADE-GROWN
	STONE - TIED LEDGESTONE STYLE
	NOTE VINYL WINDOWS - WHITE
	PAINT DOORS - WHITE
	DOWNSPOUT GUTTERS - WHITE
	CANDY - DARK BRONZE





Report For

MOUNTAIN HOUSING OPPORTUNITIES INC A I
64 CLINGMAN AVE UNIT 101
ASHEVILLE, NC 28801-3328

Account Information

PIN: 8616-42-5414
Deed: 1050/24

1084/2370
CABD/2169

Site Information

DWELLING

80 SEDGE MEADOW PATH

Heated Area: 1880

Year Built: 1950

Total Acreage: 5.31

Township: Waynesville Out

Site Value Information

Land Value:

Building Value:

Market Value:

Deferred Value:

Assessed Value:

Sale Price:

Sale Date: 12/7/2021

Tax Bill 1:

Tax Bill 2:



1 inch = 200 feet
May 8, 2025

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.

Report For

MOUNTAIN HOUSING OPPORTUNITIES INC A I
64 CLINGMAN AVE UNIT 101
ASHEVILLE, NC 28801-3328

Account Information

PIN: 8616-42-5414
Deed: 1050/24

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Site Information

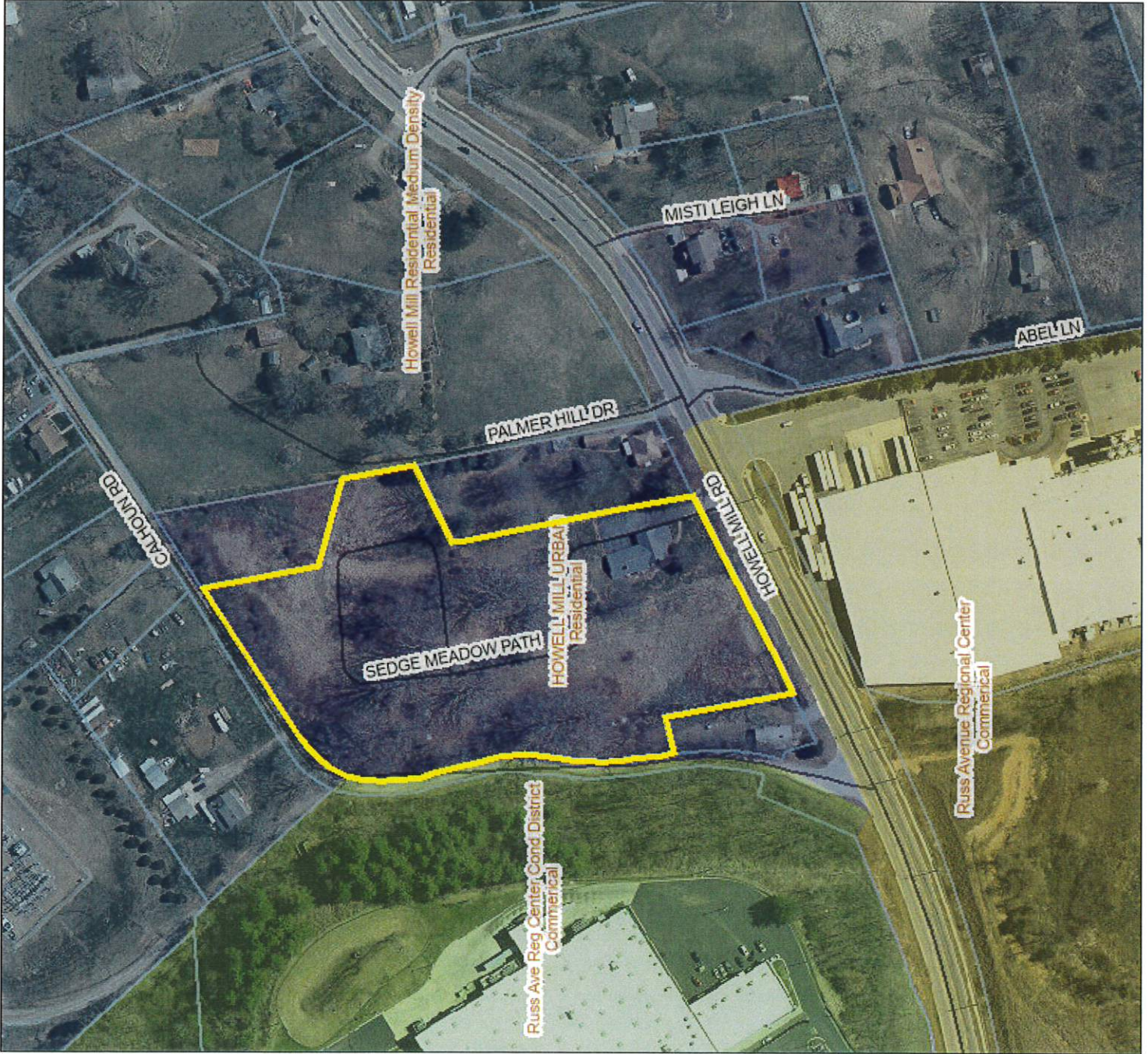
DWELLING

80 SEDGE MEADOW PATH

Heated Area: 1880
Year Built: 1950
Total Acreage: 5.31
Township: Waynesville Out

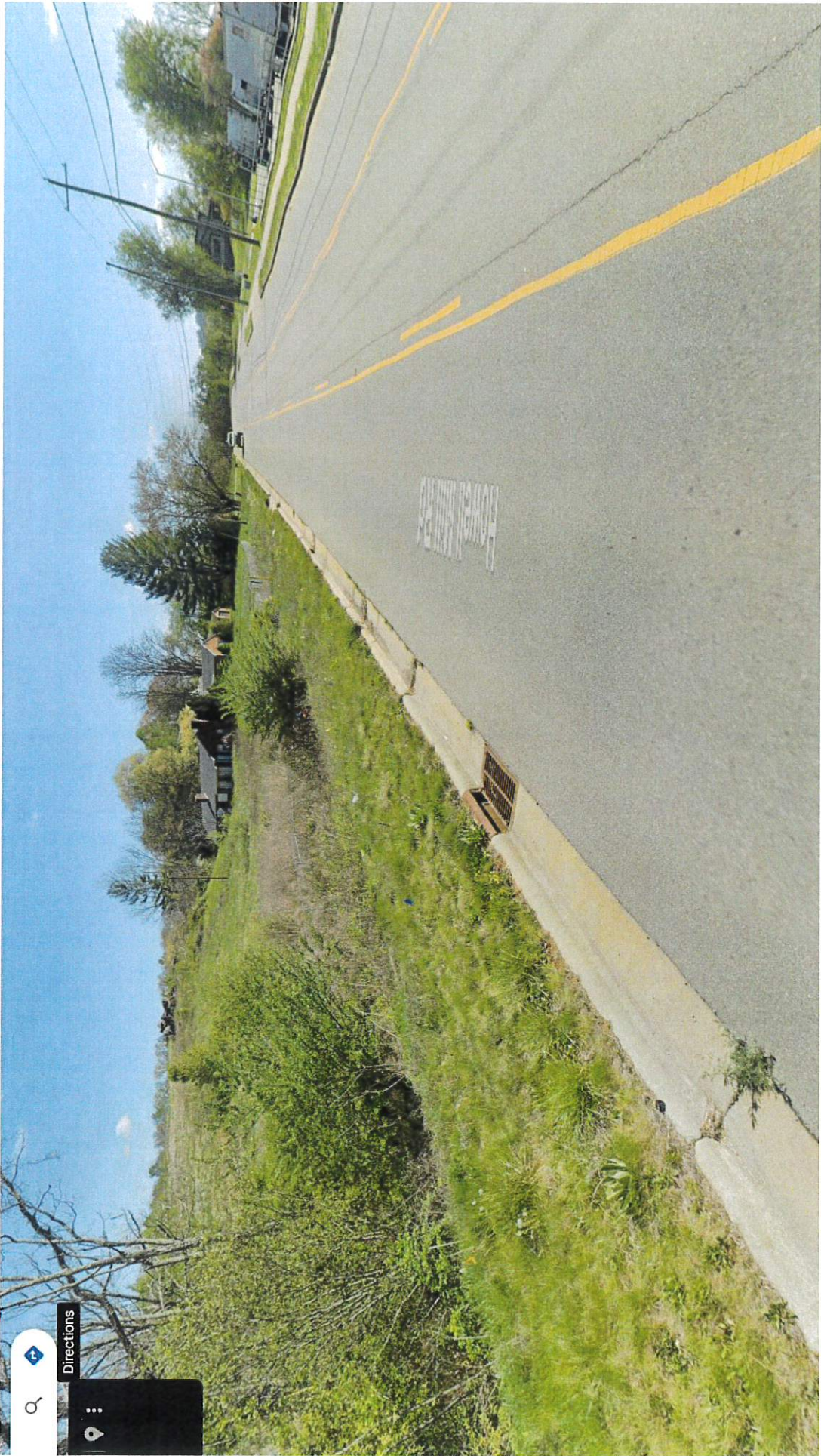
Site Value Information

Land Value: \$49,700
Building Value: \$204,200
Market Value: \$253,900
Deferred Value: \$0
Assessed Value: \$253,900
Sale Price: \$965,000
Sale Date: 12/7/2021
Tax Bill 1: \$1,555
Tax Bill 2:



1 inch = 200 feet
May 8, 2025

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11.6.2 Other Permitted Signage.

Development Type	Standard
Home Occupations (All Residential Districts)	8 sq. ft.
Master Development Sign (For Development 5 acres or greater) within RC and CI districts	160 sq. ft.—25 ft. tall—1 permitted per major road frontage
Master Development Sign (For Development 2 acres or greater) within NC and BD districts	48 sq. ft.—8 ft. tall—1 permitted per major road frontage
Neighborhood Entrance Signs	Subject to Planning Board design approval
Elementary and Secondary Schools	32 sq. ft.—8 ft. tall—May be Electronic Changeable Face Sign (See Section 11.7.4)—Must be static between one hour after dusk and one hour before dawn except during special events

(Ord. No. O-15-13, 11-26-2013; Ord. No. O-21-21, § 1, 11-9-2021)

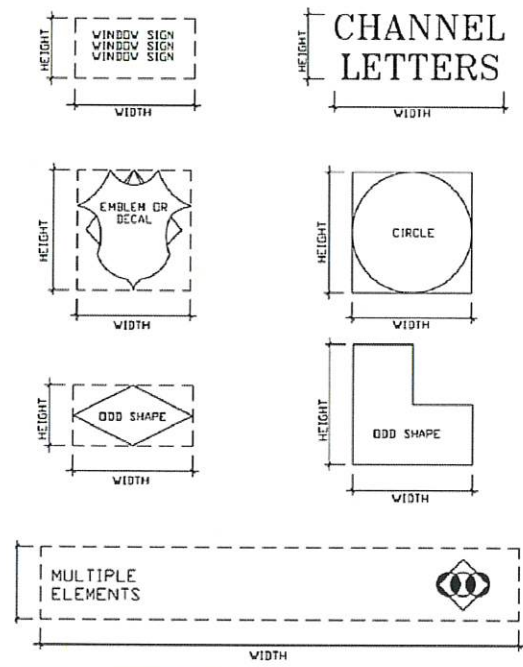
11.7 Signage Types.

11.7.1 Ground Signs.

- A. All Ground Signs shall be located out of the street right-of-way or at least five (5) feet for [from] the edge of the Public Way whichever is greater.
- B. No Ground Sign shall be located in any required buffer yard, within a sight triangle as established by Sections 6.7.2 for streets and 9.8.3 for driveways or within 10 feet of a side property line.
- C. Ground signs shall include a base (min. 1 ft. in height) constructed of rock, brick, or other masonry material or permanent landscaping.
- D. Residential Neighborhood and Business District Entrance Signs shall be professionally designed and produced using high-quality materials and shall be appropriate in size, number and location for the neighborhood or district being identified as approved by the Planning Board following a public hearing.
- E. One (1) ground sign is permitted per building for and on each public street frontage provided that building directly fronts the public street, and no other principal building on the same property is situated between the building and the public street.
- F. All businesses with ground signs must display their street address number prominently on the sign:
 - The address number may be located on any portion of the ground sign that is clearly visible and readable from the street or road during both day and night.
 - The address number must comply with the standards of Section 30-7.- Premises Identification of the Town of Waynesville Code of Ordinances.
 - The address number must be maintained in a clean and legible condition at all times, and any damaged elements must be promptly repaired or replaced.

11.3 Computation of Signage Area.

11.3.1 Computation of Sign Face.



11.6.1 Permitted Signage by District.

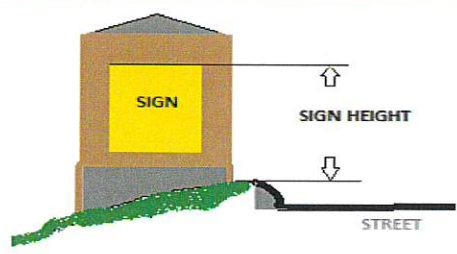
The following permanently mounted signs and the issuance of a sign permit.

District	Ground Sign
Residential-Low Density (RL)	16 sq. ft.—4 ft. tall
Residential-Medium Density (RM)	16 sq. ft.—4 ft. tall
Neighborhood Residential (NR)/Urban Residential (UR)	16 sq. ft.—4 ft. tall

- A. The area of a sign face shall be deemed to be the entire area within the smallest square or rectangle that will encompass the extreme limits of the writing, representation, emblem, or other display on the sign.
- B. The area shall also include any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed.
- C. Frames or structural members not bearing informational or representational matter shall not be included in computation of the area of a sign face.
- D. Signs attached to walls (other than building walls) or fences shall be treated as ground signs and allowed only where ground signs are permitted. Only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area.
- E. Street addressing does not count toward the calculation of the sign face, but use of the street address in the business name does not allow an increase in the area of the sign face.

11.3.2 Computation of Height.

The height of a sign shall be measured from the highest point of a Sign Face to the highest adjacent grade at the base of the sign, provided that height of the sign structure shall not exceed the height of the Sign Face by greater than twenty percent (20%).



Planning Board Staff Report

Meeting Date: May 19, 2025
Subject: Map Amendment (Rezoning) Request
Process Type: Legislative
Location: 185/187 West Marshall Street in Waynesville, NC 28786
 PIN 8616-40-9101
Area: 3.25 acres total
Requested Rezoning: from Walnut Street Neighborhood Residential Mixed-Use Overlay (WS-NR-MXO) to Russ Avenue Regional Center (RA-RC)
Applicants: Daniel Meteyer, Richland Creek Storage, LLC
Staff Contact: Olga Grooman, Assistant Development Services Director

Background:

This is a legislative hearing on the proposed map amendment for the property at 185/187 West Marshall Street in Waynesville, NC 28786 (PIN 8616-40-9101). Chapter 160D-102 defines rezoning as “an amendment to a zoning regulation for the purpose of changing the zoning district that is applied to a specified property or properties.” Section 15.14.2 of the Waynesville Land Development Standards (LDS) states that: “The Planning Board shall conduct a public hearing and receive public input on the proposed amendment and shall make recommendations to the Town Council...”

The applicant owns a storage unit business that operates on both 234 W. Marshall Street and the subject property at 185/187 W. Marshall Street, located just to the south. The upper parcel is 0.59 ac, while the subject property is the largest portion of the business, located on a 3.25-ac parcel. Although a part of the same business, the properties lie within different zoning districts, with the northern and smaller parcel zoned as Russ Avenue Regional Center (RA-RC), and the southern and larger parcel zoned as Walnut Street Neighborhood Residential Mixed-Use Overlay District (WS-NR-MXO).

The storage units fall under the definition of Mini-Warehouses in the Land Development Standards (LDS 17.3). This use is currently not permitted within WS-NR-MXO District. It is a pre-existing nonconformity. However, the northern parcel of this business is a legally permitted use because it is in RA-RC District. The applicants are seeking to rezone the property at 185/187 W. Marshall Street “to bring the entire site into alignment with its long-standing use as a self-storage facility,” as they state in their application materials.

The applicants state, “Richland Creek Storage has served the Waynesville community for over 40 years. While the facility has been grandfathered-in under prior zoning, the current classification restricts our ability to make upgrades and improvements. Since purchasing the property three years ago, our team has invested in maintaining and enhancing the facility to better serve the growing needs of the community.”

While nonconforming uses may continue, any expansion—even within the same parcel—is prohibited. For example, the applicant could not enlarge, demolish, or reconfigure the site in the future. Rezoning to RA-RC would make the use legally conforming and grant the owner greater flexibility for improvements, such as upgrades to buildings and better security lighting. LDS Section 13.1 states that “the purpose ... is ... to limit substantial investment in nonconformities and to bring about eventual elimination.” As noted earlier, the owners of the Richland Creek Storage intend to continue operating and investing in the business.

The subject property is surrounded by a variety of uses, including:

- Mountain Creek Plaza apartment complex and part of the storage business to the north/northwest;
- Walnut Village shopping center to the west/southwest;

- Five residential properties to the south between the property and Walnut Street; and
- Vance Street Park to the east.

Zoning:

The **current zoning** of the subject property is WS-NR-MXO. The base District of the property, WS-NR, has the following purpose and intent, as outlined in LDS Section 2.3.3:

- “Older, in-town, neighborhood district separating three major centers: the Russ Avenue Town Center, the North Main Street Boulevard District and the Central Business District.
- This district will continue to develop with a strong residential core, ... surrounded by appropriately designed service and business uses along Walnut and North Main Streets.
- A residential scale will be required for all new development.”

The Mixed-Use Overlay (MXO) designation is intended to permit certain limited mixed-uses within residential neighborhood.

The **proposed** RA-RC District has the following purpose and intent, as outlined in LDS Section 2.3.7.C:

- “Gateway for the community.
- 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 mixture of residential and commercial uses is encouraged.
- Access between development and public areas.”

Given the distinctly different purposes of the two districts, it would be more appropriate that the subject property operating as the storage-units business be rezoned from the residentially oriented Walnut Street Neighborhood Residential Mixed-Use Overlay District (WS-NR-MXO) to the more commercially oriented Russ Avenue Regional Center District (RA-RC).

As stated earlier, the applicant owns a storage unit business operating across two adjacent properties: 234 W. Marshall Street to the north, which is already zoned RA-RC, and adjacent to the south 185/187 W. Marshall Street (the subject property), which is the larger portion of the business currently zoned WS-NR MXO. Rezoning would create a uniform and more appropriate designation for this business.

Staff Comment:

In their application materials, the applicants explain that they purchased the business three (3) years ago and intend to continue its operation. The business itself, however, has been established as storage units for 40 years under previous ownership.

Staff considers this rezoning request to be appropriate and reasonable because of several facts. First, the property is directly adjacent to the RA-RC District, which already includes a portion of the business. It is adjacent to the Mountain Creek apartment complex and the Waynesville Plaza shopping center which are both zoned Regional Center, and to the railroad corridor. It is a pre-existing non-conforming use, but is a business that has a long record of success and which provides a needed service to the community. Rezoning

would create a consistent zoning designation for this business operating across two (2) separate parcels, and with the properties to which it abuts.

In the proposed RA-RC District, Mini-Warehouses (storage units) are permitted via a Special Use Permit procedure. It means that any major change to the existing site plan, including but not limited to any increase in impervious surface, an increase in the total floor area by more than 10%, any decrease in setbacks greater than 10%, etc., will be subject to review by the Planning Board (LDS 15.2.5, 2.5.3, and 15.10).

Although the applicants plan to continue operating the storage-units business on the property, below is a comparison of the uses currently allowed in the existing district (WS-NR-MXO) versus the **additional** uses that would be allowed in the proposed district (RA-RC). Note that this list is not exclusive. Some uses may require application of additional standards or special use permits (LDS 2.5.3):

Permitted Uses in WS-NR-MXO		Uses That Will Be Permitted in RA-RC	
single-family	drive-thru service	<u>All uses in the column to the left PLUS:</u>	
townhomes	studio-art/dance		
cottages	outside sales	Hotel	video gaming parlor
multifamily	restaurant	halfway house	indoor/outdoor amusement
family care homes	cultural facility	civic organization	theater
residential care facility	indoor/outdoor recreation	kennels	college/university
bed & breakfast	schools- elem./secondary	medical outpatient center	manufacturing light/heavy
temporary housing	religious institution	alcoholic beverage sales	metal products fabrication
boarding housing	crop production/nursery	bar/tavern	landfill
inn	forestry & logging	gas station	recycling collection
animal services	wireless communication	pawnshop	mini warehouses
banks	facilities	vehicle services	indoor storage
business support	laundry/dry cleaners	vehicle sales/rental	wholesale distribution
child/adult daycare	general commercial under	construction/maintenance	parking lot structure as a
government services	100,000 sf	services	principal use
personal services		general commercial over	
professional services		100,000 sf	

Consistency with the 2035 Comprehensive Plan:

The 2035 Comprehensive Land Use Plan is a long-term visionary document that outlines community development goals and contains a Future Land Use Map for Waynesville. Both, the goals and the map, must be considered for each map amendment.

As explained earlier, the applicant owns and operates a storage unit business on both 234 W. Marshall Street and the subject property at 185/187 W. Marshall Street. These properties are within different zoning districts and have different designations on the Future Land Use Map within the Comp. Plan:

- The smaller northern property at 234 W. Marshall is designated as Mixed Use- Regional.
- The larger southern parcel at 185/187 W. Marshall, which is the subject of the rezoning request, is designated as Mixed Use- Community.

The storage units were already in place prior to the adoption of the current Land Use Map. Therefore, the Planning Board has three options when considering the consistency of the proposed rezoning:

Option 1: The Planning Board may find the proposed rezoning is **consistent** with the Land Use Map since the storage units predate the map's creation.

Option 2: The Planning Board may find the proposed rezoning is **inconsistent** with the Future Land Use Map, and recommend that therefore the text amendment should not be granted; or

Option 3: The Planning Board may find that the proposed rezoning is **inconsistent** with the Land Use Map, but the rezoning is still reasonable and in the public interest because it is consistent with the goals of the Comprehensive Plan, its adjacency to RC zoning, and its record as a successful business which the current ownership would like to continue and improve. Therefore, the Board may **recommend approval of the rezoning and simultaneously amend the Future Land Use Map** to redesignate the subject property (185/187 W. Marshall Street) as Mixed Use – Regional.

For reference, the 2035 Comprehensive Plan provides the following definitions for the land use categories:

“Mixed Use – Regional. Major nodes of activity located on major thoroughfares or adjacent to highways include commercial, lodging, entertainment, manufacturing, warehousing, tech-flex, research and development, health care facilities and light industrial uses. ... They typically require high visibility, high traffic counts, connectivity to the region, and are sited on larger parcels...” This is the current designation of the smaller (northern) parcel of the business.

“Mixed Use – Community. 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. ... Scale of these areas should vary based on context.” This is the current designation of the subject property at 185/187 W. Marshall Street, which is the larger parcel of the same storage business.

Staff submits that this map amendment is **reasonable and in the public interest** because it meets the following goals of the Comp. Plan:

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

- Create walkable and attractive neighborhoods and commercial centers
- Encourage infill, mixed-use and context sensitive development

Goal 5: Create opportunities for a sustainable economy.

- Promote the growth of existing local businesses and Waynesville’s “maker economy.”

Public Notifications:

Public notices were provided with the site postings (4/28/25), letters to adjacent property owners within 100 ft via first class mail (4/28/25), and the Mountaineer newspaper (4/30/25 and 5/7/25). The notice was also provided to the local media on 4/28/25.

Suggested Motions:

1. Motion to find the rezoning request for the property at 185/187 West Marshall Street in Waynesville, NC 28786 (PIN 8616-40-9101) as being consistent/inconsistent with the 2035 Land Use Plan and reasonable and in the public interest.
2. Motion to recommend/not to recommend the map amendment for approval by the Town Council.

25.

Attachments:

- Consistency Statement Worksheet
- Application, Agent Authorization form, payment
- Property images: aerial view, zoning map, street view, land use map
- Public notifications: mailed notice, newspaper notice, signs on properties, media notice
- Draft Ordinance



To: Town of Waynesville Planning Board
From: Olga Grooman, Assistant Development Services Director
Date: May 19, 2025
Subject: Map Amendment Statement of Consistency
Description: Map Amendment (rezoning) request from Walnut Street Neighborhood Residential Mixed-Use Overlay (WS-NR-MXO) to Russ Avenue Regional Center (RA-RC) District for one 3.25-ac property at 185/187 West Marshall Street in Waynesville, NC 28786 (PIN 8616-40-9101).
Address: Town of Waynesville Planning Department ("Development Services")

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

☐ The zoning map amendment **is approved and is consistent with the Town's Comprehensive Land Use Plan** because: _____

The zoning map amendment and **is reasonable and in the public interest** because:

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

☐ In addition to approving this zoning map 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: _____

Planning Board Member _____, made a motion, seconded by _____

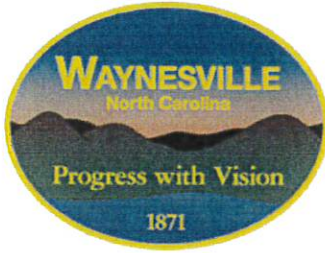
The motion passed _____. (*unanimously or vote results here*)

Giner Hain, Planning Board Chair

Date

Esther Coulter, Administrative Assistant

Date



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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

Application for Land Development Standards Map Amendment

Application is hereby made on April 15, 2025 to the Town of Waynesville for the following map amendment:

Property owner of record: Richland Creek Storage, LLC
Address/location of property: 187 W Marshall St, Waynesville, NC 28786
Parcel identification number(s): 8616-40-8130, 8616-40-7478, 8616-50-0120, 8616-50-0093, and 8616-50-1061
Deed/Plat Book/Page, (attach legal description): Please see attached
The property contains 3.842 acres.
Current district: Walnut St Neighborhood Residential MXO and Russ Avenue Regional Center
Requested district: Russ Avenue Regional Center

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

Please see attached

Applicant Contact Information

Applicant Name (Printed): Daniel Meteyer
Mailing Address: 7680 Silverwood Ct. Lakewood Ranch, FL 34202
Phone(s): (443) 670-6199
Email: danmeteyer@gmail.com

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

Dan Meteyer

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.

LEGAL DESCRIPTION OF REAL AND PERSONAL PROPERTY

Application

BEING all of Grantor's interest, in and to that property comprised of **five parcels**, having the Haywood County Tax Parcel Numbers as follows: Parcel 8616-40-8130 (Parcel 1); Parcel 8616-50-1061 (Parcel 2); Parcel 8616-50-0120 (Parcel 3); Parcel 8616-50-0093 (Parcel 4); and Parcel 8616-40-7478 (Parcel 5);. Said property being further described as Tract 1, Tract 2, and Tract 4 as more particularly set forth in that deed from Gertrude Smathers, a/k/a Gertrude E. Smathers to William L. Norris recorded in Deed Book 681, at Page 1661 of the Haywood County, NC Registry. Also being described by those deeds to William L. Norris recorded in Deed Book 795, at Pages 2164 and 2167 and described as being the properties of the W C Mini Storage and as also described by deed recorded in Book 328, at Page 302 (Parcels 1 through 4) of said Registry. Parcels 1 through 4 which are contiguous are also generally described as being all of that property bounded on the northeast by the right of way of West Marshall Street, bounded on the northwest by the railroad right of way of Southern Railway, bounded on the southwest by the property of WAYNEPB, LLC as described in Deed Book 891, Page 2433 of said Registry and by the property of Patricia P. Conard as described by deed recorded in Book 486, at Page 381 of said Registry and bounded on the southeast by the property of Una Cooper Galloway as described by deed recorded in Deed Book 192, at Page 331 of said Registry. Reference to all deeds as set forth above is made in aid of description and all deeds are incorporated herein by reference.

Parcels 1 through 4 are conveyed **TOGETHER WITH** a non-exclusive, fifteen foot wide (15') right of way over the property of WAYNEPB, LLC as set forth in deed recorded in Book 891, at Page 2433 of the Haywood County, NC Registry to provide access to and from the above property to Walnut Street.

Rezoning Request – Richland Creek Storage
187 & 185 W Marshall Street, Waynesville, NC

Application

We are requesting that the Town of Waynesville rezone our property at 187 & 185 W Marshall Street into the Russ Avenue Regional Center district to bring the entire site into alignment with its long-standing use as a self-storage facility. A portion of the site is already zoned within the Russ Avenue Regional Center district, and this request would unify both parcels under the same zoning classification, ensuring consistency and compliance.

Richland Creek Storage has served the Waynesville community for over 40 years. While the facility has been grandfathered in under prior zoning, the current classification restricts our ability to make upgrades and improvements. Since purchasing the property three years ago, our team has invested in maintaining and enhancing the facility to better serve the growing needs of the community.

The requested rezoning would allow us to move out of grandfathered nonconformity and operate under permitted uses that reflect the property's historic and ongoing use. We are surrounded on three sides by properties already zoned Regional Center Commercial, including one of our own parcels. This request seeks to bring the entirety of our property into alignment with both the surrounding zoning and the actual land use on site.

Our facility also plays a practical and important role in supporting the residents of the adjacent Mountain Creek apartment complex—the largest in Waynesville. Some of these residents are also our tenants, and we want to make sure they have access to the most secure and high-quality storage options available.

We are committed to continuing investment in the property, offering clean, secure, and accessible storage to residents and local businesses alike. Rezoning to Russ Avenue Regional Center will not only resolve current zoning inconsistencies, but also help us better meet community needs, ensure regulatory compliance, and contribute to the economic and functional fabric of the area.

We appreciate your consideration and look forward to continuing to serve the Town of Waynesville.

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

**Agent
Authorization
Form**

The undersigned Owner or Party with a contract or option to purchase that real property located at 187 W Marshall St, Waynesville, NC 28786 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: Jeremy Jae Ralph

Title and Company: Manager

Address: 390 Echo Dr., Waynesville, NC 28786

Phone and email: JRalph1975@icloud.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 10th day of April, 2025.

Owner or Party with Contractual Interest in Property:

Dan Meteyer, *Dan Meteyer*

Address and phone number:

7680 Silverwood Ct. Lakewood Ranch, FL 34202

(443) 670-6199

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PAYMENT SUMMARY RECEIPT

TOWN OF WAYNESVILLE
16 S MAIN ST

DATE: 05/06/25 CUSTOMER#:
TIME: 09:56:07
CLERK: 2044ecou

RECPT#: 3184433 PREV BAL: 650.00
TP/YR: P/2025 AMT PAID: 650.00
BILL: 3184433 ADJSTMNT: .00
EFF DT: 05/06/25 BAL DUE: .00

Misc Cash Receipts

-----TOTALS-----

PRINCIPAL PAID: 650.00
INTEREST PAID: .00
ADJUSTMENTS: .00
DISC TAKEN: .00

AMT TENDERED: 650.00
AMT APPLIED: 650.00
CHANGE: .00

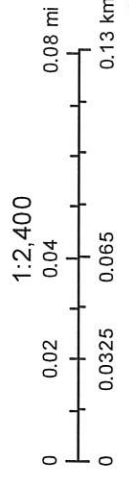
PAID BY: Meteyer rezone fee
PAYMENT METH: CHECK
PAYMENT REF: 186

TOT PREV BAL DUE: 650.00
TOT BAL DUE NOW : .00

Haywood County



April 24, 2025



Report For

RICHLAND CREEK STORAGE LLC ANC LLC
176 MINE LAKE CT # 100
RALEIGH, NC 27615-6417

Account Information
PIN: 8616-40-7478
Deed: 1078/1679

CABD/2133
1069/1630

Site Information

WAREHOUSE MINI
Commercial Use
234 W MARSHALL ST
Heated Area: 0
Year Built: 1950
Total Acreage: 0.59
Township: Town of Waynesville

Site Value Information

Land Value:
Building Value:
Market Value:
Deferred Value:
Assessed Value:
Sale Price:
Sale Date: 12/30/2022
Tax Bill 1:
Tax Bill 2:

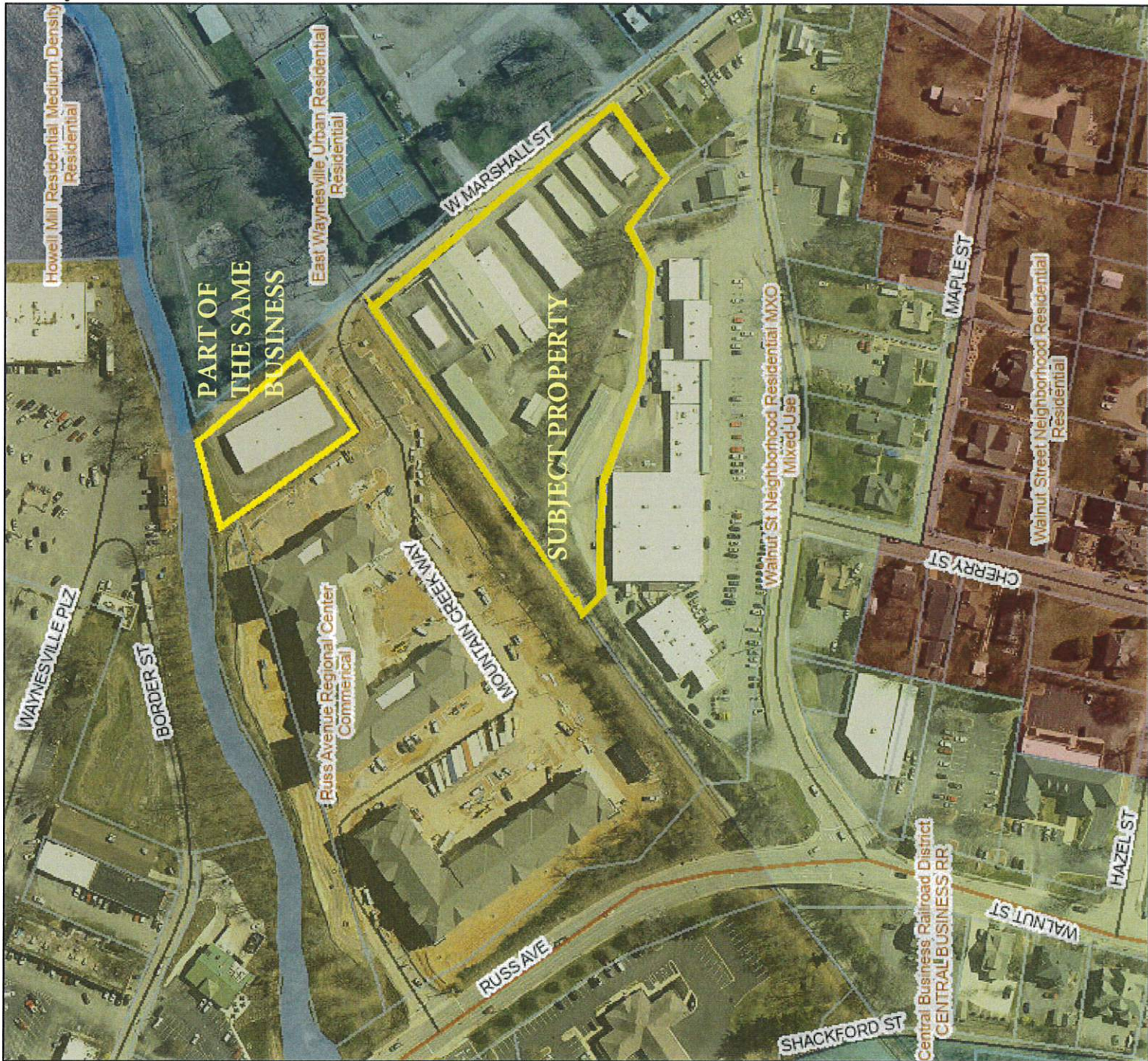


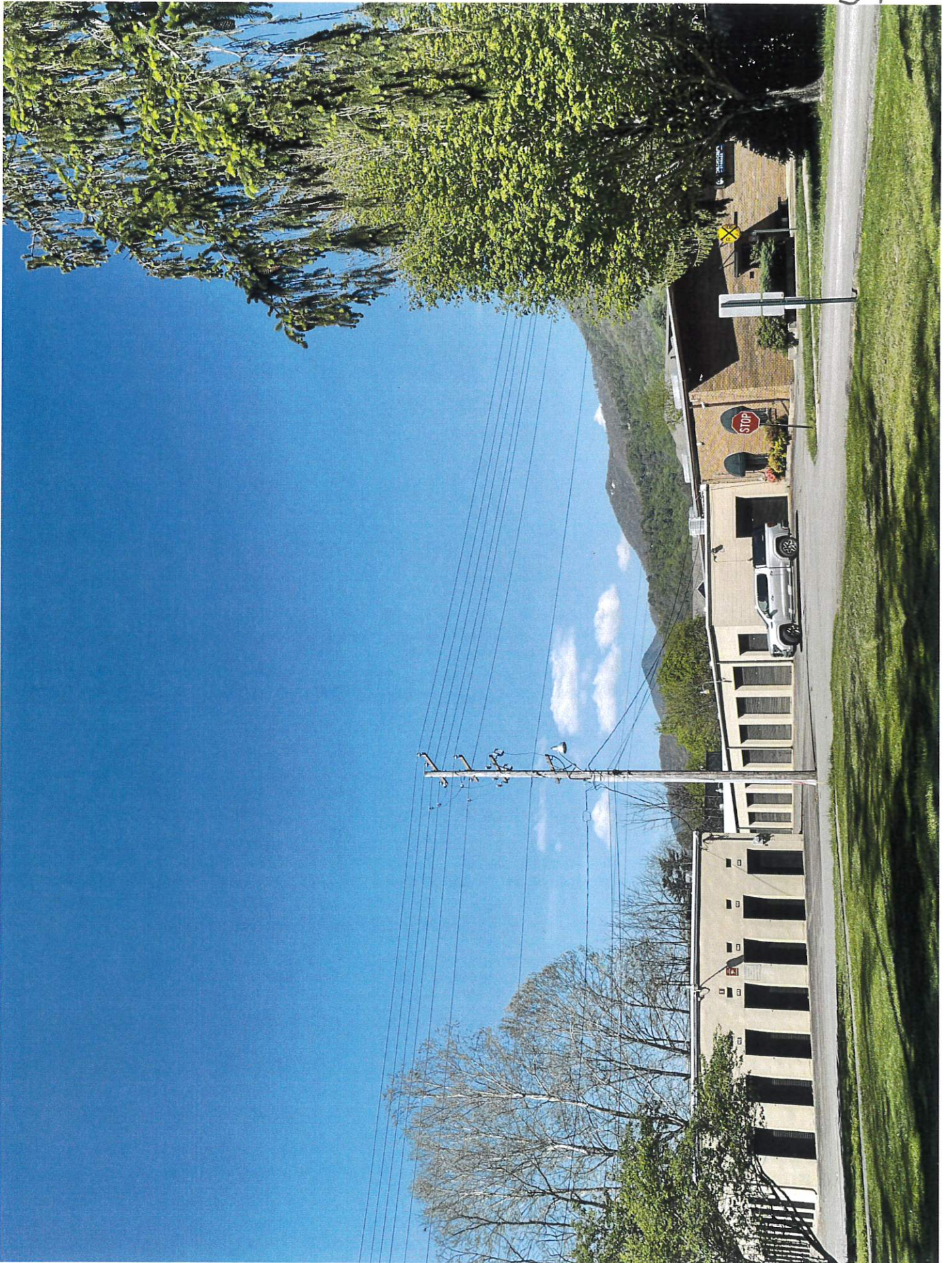
1 inch = 200 feet
April 29, 2025

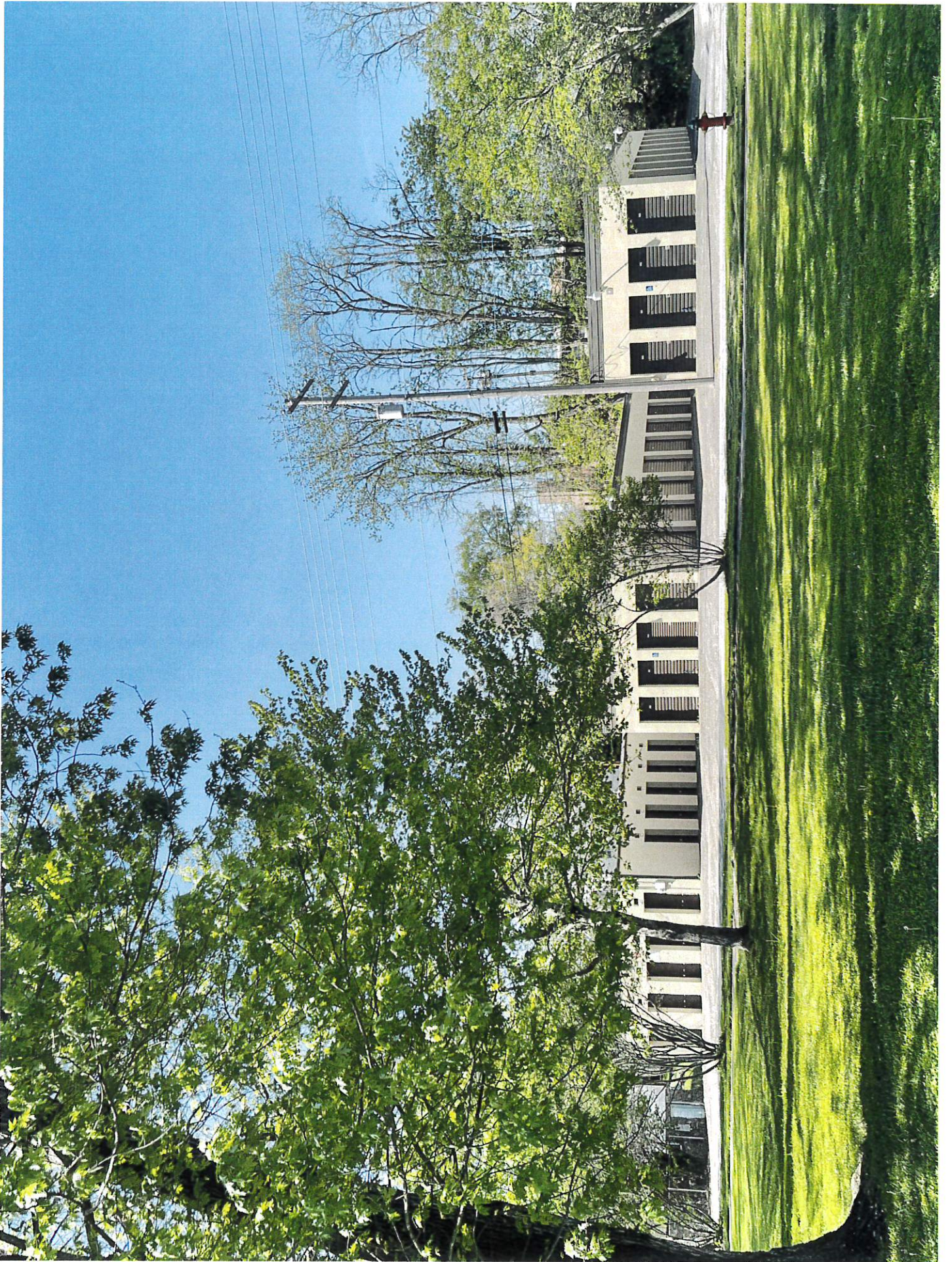
33

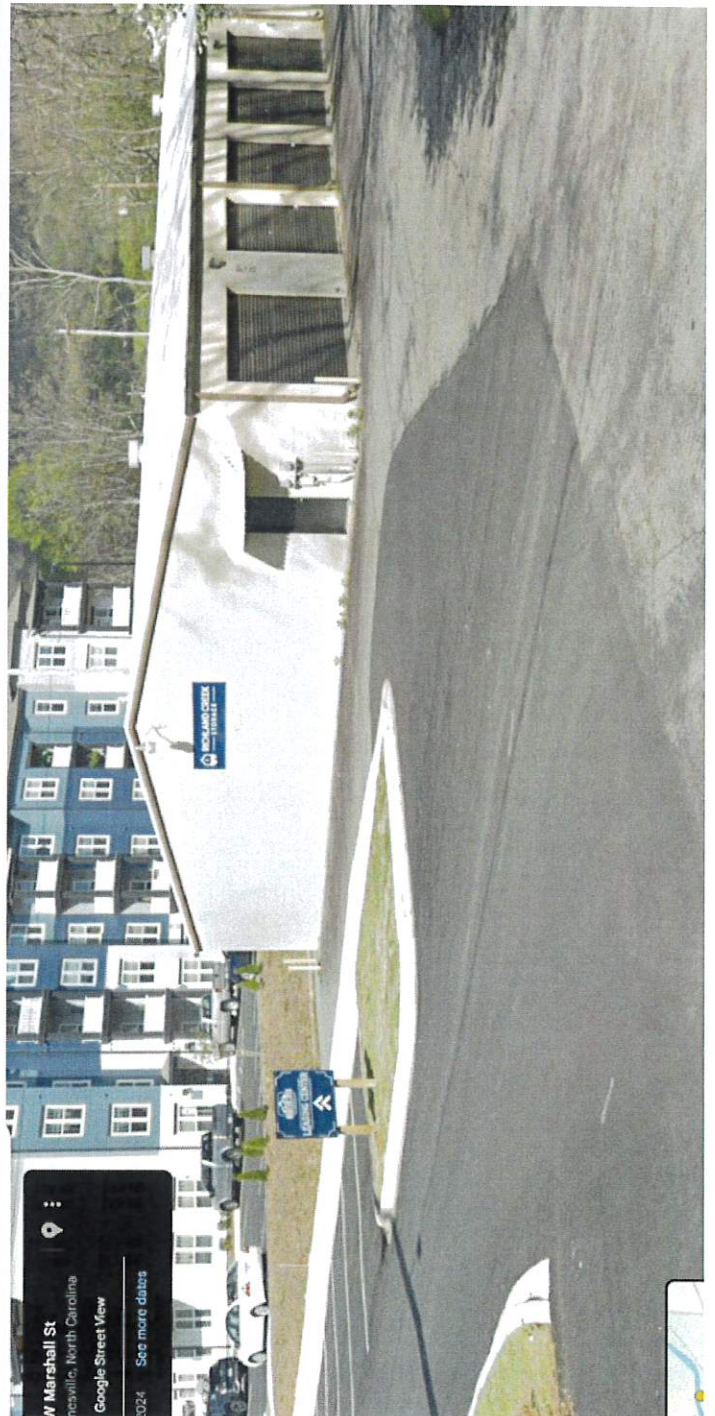
Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information 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.

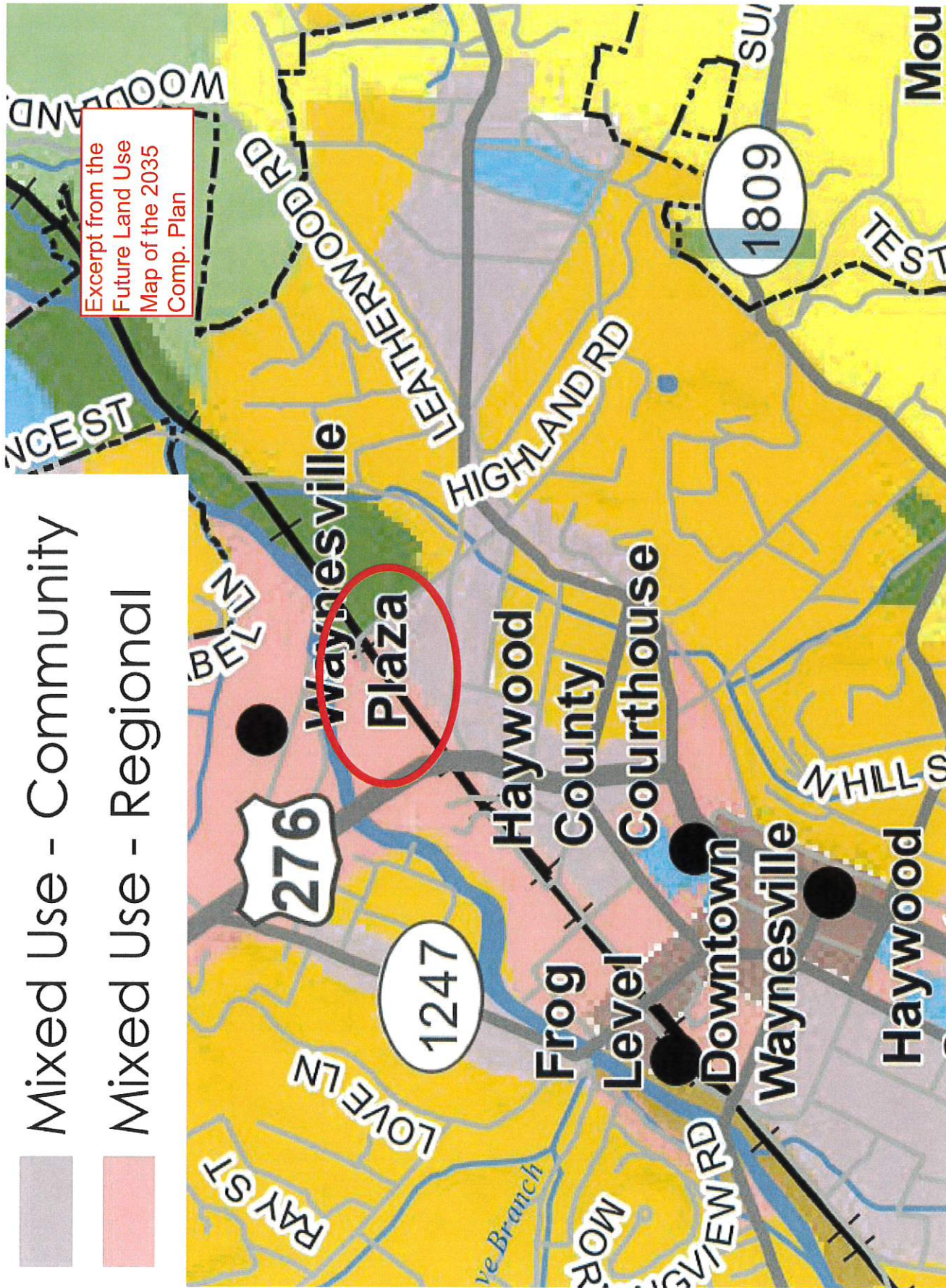
This map print out contains graphics











TOWN OF WAYNESVILLE
Development Services Department
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FOR PUBLICATION IN THE MOUNTAINEER: April 30 and May 7 Wednesday Editions

Date: April 25, 2025
Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearing
Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a **public hearing on May 19, 2025, at 5:30 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a rezoning request from Walnut Street Neighborhood Residential Mixed-Use Overlay (WS-NR-MXO) to Russ Avenue Regional Center (RA-RC) District for one 3.25-ac property at 185/187 West Marshall Street in Waynesville, NC 28786 (PIN 8616-40-9101).

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.

Public Notices



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.

From: Candace Poolton
To: Media Contact
Subject: Notice of Public Hearing-Planning Board
Date: Monday, April 28, 2025 8:08:40 AM

Notice of Public Hearing
Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a public hearing on **May 19, 2025, at 5:30 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a rezoning request from Walnut Street Neighborhood Residential Mixed-Use Overlay (WS-NR-MXO) to Russ Avenue Regional Center (RA-RC) District for one 3.25-ac property at 185/187 West Marshall Street in Waynesville, NC 28786 (PIN 8616-40-9101).

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.

Candace Poolton, CMC | Town Clerk
Town of Waynesville, NC
16 S. Main Street | PO Box 100 | Waynesville, NC 28786
(o) 828-452-2491 | (f) 828-456-2000



DRAFT FOR COUNCIL'S 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 has reviewed the proposed map amendment to the Official Land Development Map (Zoning Map) and recommends that it is consistent/inconsistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest because it supports the following:

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

- Create walkable and attractive neighborhoods and commercial centers
- Encourage infill, mixed-use and context sensitive development

Goal 5: Create opportunities for a sustainable economy.

- Promote the growth of existing local businesses and Waynesville's "maker economy."

WHEREAS, the Town of Waynesville Planning Board recommends/ does not recommend that this map amendment is reasonable and in the public interest because it is also consistent with the purposes of the proposed zoning district- Russ Avenue Regional Center (RA-RC), as described in Section 2.3.7.C of the Land Development Standards (LDS):

- 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 mixture of residential and commercial uses is encouraged.
- Access between development and public areas

WHEREAS, the Planning Board has reviewed and recommends the proposed map amendment 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

40.

WHEREAS, after notice duly given, a public hearing was held on **May 19, 2025**, at the regularly scheduled meeting of the Waynesville Planning Board, and on _____, **2025**, at the regularly scheduled meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____, 2025, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Official Land Development Map be amended with the property at 185/187 West Marshall Street in Waynesville, NC 28786 (PIN 8616-40-910) being rezoned from the Walnut Street Neighborhood Residential Mixed-Use Overlay District (WS-NR-MXO) to the Russ Avenue Regional Center District (RA-RC):

ADOPTED this _____ Day of _____, 2025.

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 potential text amendments related to wireless communication facilities
Ordinance Section: Land Development Standards (LDS) section 3.10
Applicant: Staff initiated text amendment, Development Services Department
Meeting Date: May 19, 2025
Presenter: Olga Grooman, Assistant Development Services Director

Background:

Wireless communication facilities are infrastructure used to transmit and receive signals for wireless communications, such as cellular service, internet, TV and radio broadcasting, emergency services, utilities, etc. They include antennas, cables, structures like towers, equipment cabinets, etc.

Wireless communication facilities are generally considered an essential infrastructure under federal law. The Communications Act of 1996 preempts state and local regulations, including local authority to prohibit wireless service facilities, discriminate between providers of wireless service, or regulate proposed wireless communications facilities based on the potential health/environmental effects of radio frequency emissions. Additionally, wireless communication facilities comply with the Federal Communications Commission's (FCC) regulations related to radio frequency exposure limits, equipment authorization, construction of facilities, and mandatory collocation requirements.

The purpose of the proposed text amendments is to better align the Land Development Standards with the federal law and eliminate the Town's LDS provisions that imply a "use variance" from the Zoning Board of Adjustment, which is not permissible under North Carolina law.

Staff Recommended Text Changes:

The proposed text amendments include three (3) changes to the LDS:

1. Wireless communication facilities:

Amend the supplemental standards to permit the installation of new structures for the placement of wireless communication facilities, in addition to their placement on existing buildings or poles. All other standards- including but not limited to height and placement limitations, collocation, and design restrictions- will remain unchanged.

2. Monopole wireless communications tower:

- Allow new towers without requiring a variance from the Zoning Board of Adjustment. The current provision implies a "use variance," and use variances are not allowed under North Carolina state law. Additionally, FCC mandates the collocation requirements, and any new tower must be designed to accommodate multiple providers. All other LDS standards will remain unchanged, including but not limited to the restriction that the towers can only be located "on a lot one (1) acre or greater in size" AND on a "property owned by the Town of Waynesville" OR above an elevation of 3,500 feet if the property is not owned by the Town (LDS 3.10.4.B.). Furthermore, monopole wireless communication towers are subject to design restrictions, landscape buffering, and setbacks from residential areas.
- Proof of regulatory compliance: Written statements from the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC) showing that the proposed tower complies with all permit regulations administered by that agency.

The proposed changes to the Land Development Standards are in red, and the proposed deletions are shown in strikethrough (example).

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 5: Create opportunities for a sustainable economy.

- Support 21st century technology and infrastructure by broadening the availability of high-speed internet, modernizing wireless communication facilities, and promoting green building and the use of solar and wind technologies.

And that the proposal is reasonable and in the public interest because it will better align the Town's ordinances with the Federal Communications Act of 1996 and applicable Federal Communication Commission's (FCC) regulations.

Additional Information:

For reference, below are the definitions of wireless communication facilities and monopole towers from LDS 17.3:

"Monopole Wireless Communications Tower. A wireless communication support structure that consists of a freestanding support structure erected to support wireless communication antennas and connecting appurtenances. This term shall not include any antenna that is under thirty-five (35) feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas.

Wireless Communications Facility, Macro. An attached wireless communication facility which consists of antennas equal or less than sixteen (16) feet in height or a parabolic antenna up to one (1) meter (39.37 inches) in diameter and with an area not more than one hundred (100) square feet as viewed from any one point.

Wireless Communications Facility, Micro. An attached wireless communication facility which consists of antennas equal to or less than six (6) feet in height and with an area of not more than five hundred eighty (580) square inches (e.g. one (1) foot diameter parabola or two (2) feet x one and one-half (1.5) feet panel) as viewed from any one point. A micro facility is also known as a microcell.

Wireless Communications Facility, Mini. An attached wireless communication facility which consists of antennas equal to or less than ten (10) feet in height or a parabolic antenna up to one (1) meter (39.37 inches) in diameter and with an area not more than fifty (50) square feet as viewed from any one point."

Attachments:

- Draft Ordinance with proposed text amendment
- Research

Recommended Motions: This is a discussion to get Planning Board's feedback.

DRAFT ORDINANCE FOR BOARD CONSIDERATION

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 Communications Act of 1996 preempts state and local regulations, including local authority to prohibit wireless service facilities, discriminate between providers of wireless service, or regulate proposed wireless communications facilities based on the potential health/environmental effects of radio frequency emissions; and

WHEREAS, wireless communication facilities comply with the Federal Communications Commission's (FCC) regulations related to radio frequency exposure limits, equipment authorization, construction of facilities, and mandatory collocation requirements; and

WHEREAS, the Communications Act of 1996 allows local governments to restrict height/location, and regulate the construction, modification, and design of the proposed wireless communication facilities for safety or aesthetic reasons; 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 reflect the following goals of the Comp. Plan:

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

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

Goal 5: Create opportunities for a sustainable economy.

- Support 21st century technology and infrastructure by broadening the availability of high-speed internet, modernizing wireless communication facilities, and promoting green building and the use of solar and wind technologies.

WHEREAS, updates to the Land Development Standards related to wireless communication facilities will better align the Town's ordinances with the Federal Communications Act of 1996 and applicable FCC regulations; and

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 _____ at the regularly scheduled meeting of the Waynesville Planning Board, and on ____ 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:

3.10 Supplemental Use Standards—Infrastructure.

3.10.1 Wireless Communication Facility, Micro.

B. Development/Design Standards:

1. A micro wireless facility shall be located on ~~existing~~ buildings, poles, or other ~~existing~~ support structures.
2. A micro facility may be located on buildings and structures provided that the interior wall or ceiling immediately adjacent to the facility is not designated residential space.
3. A micro facility shall be the same color as the ~~existing~~ building, pole or support structure on which it is proposed to be located. Stealth facilities are required.
4. Micro facilities shall comply with the height limitation specified for all land development districts except that such facilities may exceed the height limitation by six (6) feet if placed on a ~~an existing~~ structure. Micro facilities may extend up to six (6) feet above a structure.

3.10.2 Wireless Communication Facility, Mini.

B. Development/Design Standards:

1. A mini wireless facility shall be located on ~~existing~~ buildings, poles, or other ~~existing~~ support structures.
2. A mini facility may be located on buildings and structures provided that the interior wall or ceiling immediately adjacent to the facility is not designated residential space.
3. A mini facility shall be the same color as the ~~existing~~ building, pole or support structure on which it is proposed to be located. Stealth facilities are required.
4. Mini facilities shall comply with the height limitation specified for all land development districts except that such facilities may exceed the height limitation by six (6) feet if placed on a ~~an existing~~ structure. Mini facilities may extend up to six (6) feet above a structure.

3.10.3 Wireless Communication Facility, Macro.

B. Development/Design Standards:

1. A macro wireless facility must have a minimum setback of twenty (20) feet from any adjacent residentially zoned parcel.
2. A macro facility may be located on buildings and structures provided that the immediate interior wall or ceiling adjacent to the facility is not a designated residential space.

3. A macro facility shall be the same color as the ~~existing~~ building, pole or support structure on which it is proposed to be located. Stealth facilities are required.
4. Macro facilities shall comply with the height limitation specified for all land development districts except that such facilities may exceed the height of ~~the existing~~ structures by as much as fifteen (15) feet above the ~~existing~~ structure. Macro facilities may not extend more than fifteen (15) feet above their supporting structure.

3.10.4 Monopole Wireless Communication Tower.

B. Location/Site Design:

1. Monopole wireless communications towers may only be located above an elevation of three thousand five hundred (3,500) feet or on property owned by the Town of Waynesville or Haywood County.
2. Monopole wireless communications towers may only be located on a lot one (1) acre or greater in size, except within the CI District.
3. **Proof of regulatory compliance is required. Written statements from the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC) showing that the proposed tower complies with all permit regulations administered by that agency or evidence that the proposed tower is exempt from those regulations.**
4. Site location and development shall preserve the preexisting character of the surrounding buildings and land uses and the land development district to the extent consistent with the function of the communications equipment. Monopole towers shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical.
5. ...

C. Design of Tower:

6. Towers shall not be artificially lit unless required by the FAA or other applicable authority. ~~If lighting is required, the Board of Adjustment may review the available lighting alternatives and approve the design that will cause the least disturbance to surrounding views.~~

D. Collocation:

- ~~1. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Board of Adjustment that no existing tower, structure or alternative technology, that does not require the use of towers or structures, can reasonably accommodate the applicant's proposed tower or antenna.~~
2. Applicants and permittees shall make a good faith effort to share wireless communications, structures, facilities and sites where reasonable and appropriate. Such good faith shall include sharing technical information and application information to evaluate the feasibility of collocation. In the event a dispute arises as to whether a permittee has exercised good faith in accommodating other users, the ~~town~~ **Town** may require a third-party technical study at the expense of either or both the applicant and permittee.

ADOPTED this ____ Day of ____, 2025.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney

- **Hendersonville, NC:**

16-4-29.1 Application requirements. Anyone desiring to construct or install a telecommunications tower shall submit an application for a permit and shall pay a fee which shall be established by resolution of city council.

The application shall contain the following:

a) **Site development plan.** A site development plan prepared by a North Carolina Registered Land Surveyor, Registered Landscape Architect or Registered Professional Engineer containing the following:

1. The tower applicant's name and property owner's name and their addresses, scale, north arrow, vicinity map, tax parcel identification number, and the tower's latitude and longitude coordinates;

e) **Collocation alternatives.** Identification of all other possible alternatives considered within the service area for the proposed tower's antenna(s) and an explanation why the proposed tower is necessary and why existing towers and structures (e.g., Duke Power transmission tower) cannot accommodate the proposed antenna(s).

g) **Feasible alternatives.** Towers to be sited in zoning districts requiring rezoning to a conditional zoning district shall demonstrate the lack of a feasible alternative as required by paragraph 16-4-29.4, below.

- **Fletcher, NC:**

Land Use Code, Chapter 3, Supplemental Standards:

C. No tower may be located within 1,500 linear feet of an existing tower unless the applicant can prove that co-location is not a viable option.

D. Tower Location and Setbacks: Where a tower is located on a lot with an existing non-residential principal use, the tower must be located in the rear or side yards.

- **Haywood County, NC:**

Special Use Permit is required.

§ 115.25 PUBLIC PROPERTY PREFERENCE. Applicants shall first be encouraged to consider properties owned by Haywood County, or instrumentalities thereof, before considering private properties as locations for wireless telecommunication facilities. Public properties shall be subject to the same restrictions and standards of appropriateness as private properties.

- **Black Mountain, NC:**

A. Freestanding, communication towers or attached wireless communication facilities shall only be permitted by approval of a conditional use permit.

- **Canton, NC:**

(b) *Location and Permits.* Wireless communication towers and attached wireless communication facilities extending more than 15 feet above the highest point of the attachment structure may be located in any zoning district, *excluding the Single Family or General Residential district*, as a special use permit is issued by the Board of Adjustment under procedures outlined in this chapter. Such towers and facilities shall be subject to all requirements of this and all other applicable sections of this chapter. Attached wireless communication facilities extending not more than 15 feet above the highest point of the attachment structure may be located in any zoning district, *excluding the Single Family or General Residential district*, after issuance of a zoning permit under the provisions of this chapter. Such facilities shall meet all applicable requirements of this chapter and all other applicable town codes.

The Town of Canton's Zoning Board of Adjustment duties include administrative review to hear and decide appeals, variance requests, and special exceptions to Canton's Zoning Ordinance.

Planning Board Staff Report

Meeting Date: May 19th, 2025

Subject: Signage Update Text Amendment

Process Type: Discussion

Staff Contact: Alex Mumby, Land Use Administrator

Recently Staff brought forward an update to the signage code removing unnecessary language relating to the internal lighting of signs. During that process, staff discovered other areas of the LDS signage chapter in need of clarification and updates. Additionally, there has been feedback from residents and board members regarding size allowances in the current code for neighborhood and Commercial and Industrial signs. This update seeks to add definitions, clarifications, and respond to feedback regarding current sign measurements. Staff seeks Planning Board input on the following:

- *Signage code definitions should be added under each sign type within the ordinance itself.* These definitions are found within LDS Chapter 17 but are unevenly used within LDS Chapter 11. Adding all definitions to Chapter 11 will make enforcement easier and assist applicants with the signage regulations. The use of the word “etc.” has been removed. This will allow for clearer interpretation rather than open-ended definitions.
- *Clarification of how signs within murals are interpreted, LDS 11.3.1.* Computation of signage area is proposed to codify that only the portion of the mural which contains the sign itself, specifically the lettering and logo, will count towards the maximum allowed signage in a district. This affirms the precedent for how staff has interpreted signs within murals in the past.
- *Regarding signage size in Regional Center and Commercial Industrial districts,* the maximum allowed size for an attached sign has been reduced from 15% of the wall face to 10% of the wall face. Waynesville’s Regional Center Districts are the core commercial areas of town and are the areas where large signage is most acceptable. That being said, the Town of Waynesville prides itself on maintaining its aesthetic character and the current signage allowances can create signs that feel jarring when taken to extremes.
- *Currently there are no guidelines for dimensions of neighborhoods signs* other than that they must be approved by the Planning Board. Staff feels that the primary purpose of neighborhood signs is for wayfinding and that the ordinance should reflect this. The maximum dimensions which would be allowed are recommended to be similar to signs allowed in residential districts currently: 16 square feet. Additionally, staff recommends consideration for limiting the number of neighborhood signs to two (2) signs per entrance with up to a maximum of four (4) signs allowed per neighborhood.
- *Clarification for portable signs* would provide guidelines for A-frame signs which the business owners put out during the day. The dimensions were chosen to allow all current A-frame signs to remain. Additional placement guidelines have been added in order to keep the public way clear and to not create obstructions.
- *The allowance for signs advertising Master Developments greater than five acres* could be reduced and brought under Master Developments greater than 2 acres. The existing allowance for these signs is 160 sqft – 25 ft tall. This is far larger than any other allowed ground sign in Waynesville. The new allowance would be 48 sqft – 8 ft tall, which is in line with current maximum size of ground signs in Regional Center and Commercial Industrial districts. This might be problematic however, for large scale developments with multiple tenants.

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 4: Protect and promote Waynesville’s cultural resources
 - Integrate art within the Town’s public realm
- Goal 5: Create opportunities for a sustainable economy
 - Promote Waynesville’s downtown districts, inns, restaurants, and reputation as the “Gateway to the Smokies”
 - Encourage creatively designed, mixed-use, walkable centers, and commercial districts that appeal to residents and visitors.

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

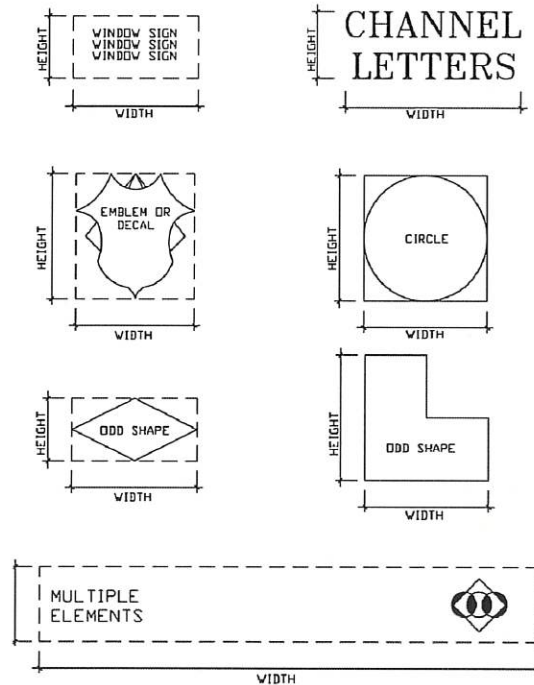
WHEREAS, after notice duly given, a public hearing was held on _____, 2025 at the regularly scheduled meeting of the Waynesville Planning Board, and on _____ 2025 at the regularly scheduled meeting of Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____, 2025 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):

11.3 Computation of Signage Area.

11.3.1 Computation of Sign Face.



- A. The area of a sign face shall be deemed to be the entire area within the smallest square or rectangle that will encompass the extreme limits of the writing, representation, emblem, or other display on the sign.
- B. The area shall also include any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed.
- C. Frames or structural members not bearing informational or representational matter shall not be included in computation of the area of a sign face.
- D. Signs attached to walls (other than building walls) or fences shall be treated as ground signs and allowed only where ground signs are permitted. Only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area.
- E. Only the portion of a mural which the administrator determines to be a sign shall be counted towards the total sign face area.
- F. Air gaps between tenant name panels on a multi-tenant sign shall not be counted towards the total sign face area.

11.5 Signs Not Requiring a Permit.

11.5.1 Governmental Signs.

- A. Signs posted by various local, state and federal agencies in the performance of their duties such as, but not limited to, regulatory signs, welcome signs and traffic signs.

- 49.
- B. Signs installed under governmental authority which note the donation of buildings, structures or streetscape materials (such as, but not limited to benches, or park facilities, etc.).

11.5.2 Flags, Etc.

Flags or insignia of any nation, organization of nations, state, county or municipality, any religious, civic or fraternal organization, or any educational or cultural facility and/or any one corporate flag per lot provided the height of any pole shall not exceed the maximum building height for the district. The size of the flag shall not exceed the maximum sign face area allowed for a ground sign in the district.

11.6 Permitted Signage by District.

11.6.1 Permitted Signage by District.

The following permanently mounted signs and their related maximum dimensions are allowed subject to the issuance of a sign permit.

District	Ground Sign	Attached Sign	Permitted Illumination	Other Standards
Residential-Low Density (RL)	16 sq. ft.—4 ft. tall	16 sq. ft.	None permitted	
Residential-Medium Density (RM)	16 sq. ft.—4 ft. tall	16 sq. ft.	External illumination only	
Neighborhood Residential (NR)/Urban Residential (UR)	16 sq. ft.—4 ft. tall	16 sq. ft.	External illumination only	
Neighborhood Center (NC)	24 sq. ft.—6 ft. tall	10% of wall	External illumination only	Pedestrian Sign - 1 per business
Business District (BD)	24 sq. ft.—6 ft. tall Exceptions: Ground signs are not permitted on Main Street from Church Street to Russ Avenue; Ground signs shall be limited to 16 ft.—4 ft. tall along Wall Street from East Street to Howell Street	1 sq. ft. for each 1 linear ft. of wall frontage - maximum of 100 sq. ft.	Internal illumination permitted except within a National Register Historic District	Pedestrian Sign - 1 per business Marquee Sign - 11.7.6
Regional Center (RC)	48 sq. ft.—8 ft. tall	15% 10% of wall	Internal illumination permitted	Pedestrian Sign - 1 per business
Commercial Industrial (CI)	48 sq. ft.—8 ft. tall	15% 10% of wall	Internal illumination permitted	

11.6.2 Other Permitted Signage.

Development Type	Standard
Home Occupations (All Residential Districts)	8 sq. ft.
Master Development Sign (For Development 5 acres or greater) within RC and CI districts	160 sq. ft.—25 ft. tall—1 permitted per major road frontage
Master Development Sign (For Development 2 acres or greater) within NC, BD, RC, and CI districts	48 sq. ft.—8 ft. tall—1 permitted per major road frontage
Neighborhood Entrance Signs	Subject to Planning Board design approval 16 sq ft – 4 ft. tall. Two (2) signs shall be allowed per entrance up to a maximum of four (4) signs total per neighborhood.
Elementary and Secondary Schools	32 sq. ft.—8 ft. tall—May be Electronic Changeable Face Sign (See Section 11.7.4)—Must be static between one hour after dusk and one hour before dawn except during special events

(Ord. No. O-15-13, 11-26-2013; Ord. No. O-21-21, § 1, 11-9-2021)

11.7 Signage Types.

11.7.1 Ground Signs.

- A. All Ground Signs shall be located out of the street right-of-way or at least five (5) feet for [from] the edge of the Public Way whichever is greater.
- B. No Ground Sign shall be located in any required buffer yard, within a sight triangle as established by Sections 6.7.2 for streets and 9.8.3 for driveways or within 10 feet of a side property line.
- C. Ground signs shall include a base (min. 1 ft. in height) constructed of rock, brick, or other masonry material or permanent landscaping.
- D. Residential Neighborhood and Business District Entrance Signs shall be professionally designed and produced using high-quality materials and shall be ~~appropriate in size, number and location for the neighborhood or district being identified as approved by the Planning Board following a public hearing.~~
- E. One (1) ground sign is permitted per building for and on each public street frontage provided that building directly fronts the public street, and no other principal building on the same property is situated between the building and the public street.

11.7.3 Pedestrian Signs.

~~A sign which is suspended from and attached to a canopy or awning.~~

11.7.5 Portable Signs (Permitted in BD Only).

- A. ~~A sign that is movable by a person without aid of a motor vehicle or other mechanical equipment~~
- B. ~~Such signs shall be a minimum of 28 inches in height and a maximum of 48 inches in height. Such signs shall be a minimum of 18 inches in width and a maximum of 30 inches in width.~~
- C. ~~Signs may be placed along the wall of the building or the curb in front of the building. The sign shall not encroach more than 3 feet into the public way. If there is on street parking, the sign shall be placed parallel with the parking line to not impede passengers entering/exiting the vehicle.~~

11.8 Prohibited Signs.

The following signs are prohibited:

11.8.2 Movable Signs.

A sign that may be moved from one location to another, is not permanently affixed to the ground, and is differentiated from a portable sign in that it may be equipped for transporting by motor vehicle or other mechanical means and includes sign referred to as trailer signs.

11.8.6 Signs on Roadside Appurtenances.

Signs attached to or painted on utility poles, telephone poles, trees, parking meters, bridges and overpasses, rocks, other signs, benches and refuse containers, **etc or other public infrastructure** are prohibited unless specifically allowed elsewhere in this chapter.

11.8.8 Pennants, Ribbons, Streamers, Ballons, **etc** and Feathers.

Signs containing or consisting of pennants, ribbons, streamers, balloons, greater than twelve (12) inches in diameter, spinners, **feathers** or similar devices are prohibited. **Signs which are intended to move or flap either from the wind, air stream, or internal motor are prohibited.**

11.8.10 Facsimile Signs.

An over-sized, three dimensional object, such as an automobile, human figure, etc. that may or may not contain advertising matter, and may or may not contain information about products sold on the premises, and is located in such a manner as to attract attention.