

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 they support the following goals:

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

- Encourage in-fill, mixed use, and context-sensitive development.

Goal 3: Protect and enhance Waynesville’s natural resources.

- Protect and enhance water quality and forests.

Goal 6: Create an attractive, safe and multi-modal transportation system.

- Provide an interconnected transportation network of roadways, greenways, freight mobility, bicycle routes and sidewalks that improves safety and strategic access for all users.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Board of Aldermen; and

WHEREAS, the Board of Aldermen 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 **October 17, 2022** at the regularly scheduled meeting of the Waynesville Planning Board, and on _____, 2022 at the regularly scheduled meeting of the Board of Aldermen;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE, 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 (noted in red):

1. Amend Section 9.8 Driveway Access as follows:

9.8.1 Purpose and Applicability.

- B. All proposed vehicular access points connecting to a public or private street shall conform to the provisions of this section as well as to the driveway construction standards of the Town, **or as determined by the Public Services Director.**

9.8.2 Driveway Permit.

A. Permit Requirement:

1. Before any proposed vehicular access point connecting to a public **or private** street may be constructed, a driveway permit must be obtained from the Administrator, **unless deemed exempt by the Public Services Director.**

9.8.3 Driveway Standards.

B. Residential Driveways:

(...)

- Surface Widths: Minimum ~~42~~ **10** feet for driveways less than 150 feet in length; and a minimum of 14 feet in width if a driveway length exceeds 150 feet, or as approved by the Fire Code Official.

2. Amend Section 12.5 Stormwater Ordinance as follows:

E. Stormwater Conveyance Systems Design Requirements:

(...)

4. **Inlet capacity and spread calculations must be provided. Roadway inlet locations, capacities, gutter spread, and storm drain pipe system shall be analyzed and designed using a 10-year discharge with a minimum time of concentration of 10 minutes. An intensity of 4 inches/hour should be used for calculating spread and determination of appropriate locations for inlet placement to collect roadway pavement runoff.**
5. **It is desirable that inlets be designed for 100% interception of runoff, but minor bypass discharge to a downstream inlet is acceptable if it is accounted for in design computations.**
6. **On grades, the curb opening can be ignored in determining inlet capacity. The grate efficiency may be assumed to equal that of a parallel bar grate.**
7. **Inlet capacity at sags should allow for debris blockage by providing twice the required computed opening (i.e. assume 50% blockage).**
8. **Inlet spacing shall be sufficient to limit spread as required for safe vehicle maneuverability. Allowable spread into the travel lane during temporary conditions (detours, phased construction, etc.) should be evaluated based on factors, such as traffic volume, road classification, posted speed**

limit, and lane width. For curb and gutter sections (with no side parking or bike lanes), the width of the gutter pan is considered the “shoulder.”

9. If the design speed is less than or equal 45 mph, then the allowable spread is up to half the travel lane. If the design speed is greater than 45 mph, the allowable spread shall maintain in the shoulder.
10. All storm drain grates shall be perpendicular to the travel way.

3. Amend and re-number Section 14.1.1 Powers and Duties as follows:

- C. LDS Decisions: The Board of Adjustment shall render final decisions regarding the following permits types (see also Chapter 15):
 1. Appeal of any Administrative decisions (15.6-7, 15.8.1, ~~15.9.1,3~~, 15.12)
 - ~~2. Appeals of Planning Board Decision regarding Subdivision (Major) Preliminary Plats (15.11.1).~~
 2. Appeals of Historic Preservation Commission Decision regarding Certificate of Appropriateness (Major) (15.11.3)
 3. Variances (15.13)

4. Amend Section 15.2.5 Administrative Modifications and Substantial Changes as follows:

- D. **Substantial Changes.** Any substantial change to a Master Plan or Plat (for major site plans and major subdivisions) as noted below shall be reviewed by the Planning Board, ~~and approved or denied by the Board of Aldermen.~~ Any substantial change to a Conditional District as noted below shall be reviewed by the Planning Board and approved or denied by the Board of Aldermen as an amended Conditional District:
(...)

5. Amend Section 15.8.2 Site Plan/Design Review (Major) as follows:

A. Applicability:

- All Districts Except BD: Non-residential development or expansion 10,000 square feet or greater in gross floor area
- BD District: All development 6,000 square feet or greater in gross floor area (not in a Historic Overlay District - already covered by ~~15.10~~ 15.11)

6. Amend Section 15.12 Appeals of Administrative Decisions as follows:

15.12.2 Filing Procedures.

- A. Process Types: Quasi-Judicial (~~See also 15.4~~).
- (...)

E. **Public Notification:** Level 1, 3, and 4 (160D-406).

7. Amend Section 15.13 Variances as follows:

E. **Public Notification:** Level 1, 3, and 4 (160D-406).

ADOPTED this _____ Day of _____, 2022.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Eddie Ward, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney