STAFF REPORT

To: Planning Board of Adjustment

Agenda Title: Major Subdivision—High Hopes

Presenter: Ricky Hurley, AICP

Meeting Date: August 6, 2024

Summary:
An administrative (ministerial) review for a 19-lot major subdivision located on three parcels totaling 2.8 acres. The site is currently vacant and located at 4 Desperate Lane, being identified in the Buncombe County tax record as PINs 9629-65-5672, 9629-65-4520, and 9629-65-4447.

Background/Site Context:
The applicant is requesting a concept plan approval as part of an administrative review for a major subdivision. The subject properties are currently vacant and covered in a mixture of open fields and scattered woodlands with elevations of 2,200 feet to 2,285 feet, that gradually slopes from Ben Lippen Road towards View Street. Although the development is above the 2,200' elevation contour, the project is not subject to Steep Slope regulations since the average natural grade is less than 20%. The Town of Woodfin Chapter 46 Subdivision, Article III Subdivision Plats, will require a preliminary subdivision plat review by this board.

Major subdivisions are divisions of land in which five or more lots are created for the purposes of development. Additionally, any previous development within 1,500 feet of this property is also considered for determining the threshold for review. A minor subdivision creating three lots was reviewed and subsequently recorded on September 8, 2023, and is now incorporated into the current application for further division.

Staff Analysis:
The proposed development is located along Ben Lippen Road, with most of the surrounding properties being developed for detached single-family homes and undeveloped land. Topography of this area is defined by a ridgeline with small valleys that drain northward towards the French Broad River. The site slopes downhill towards a small creek at the northeastern portion of the property. The subject property was formerly a manufactured home park which was vacated a few years ago. A total of 19 detached single-family units on individual lots are planned. Zoning classifications for the development and adjacent properties to west of site is Mountain Village District, Buncombe County R-3 Residential District

and City of Asheville Institutional to the south across Ben Lippen Road, and an un-zoned area of Buncombe County adjacent to the north and east.

Ben Lippen Road will provide the principal means of access to the development. A new subdivision street of approximately 350 feet in length, terminating in a turnaround at the northwestern property boundary, is planned to be publicly maintained. Four proposed lots will be directly accessed from Ben Lippen Road, with the remainder being from the proposed "Road A". The development will be served by City of Asheville public water and MSD sewer services.

A small stream exists along the northernmost portion of the tract. One stormwater device is proposed as required to comply with the Town's adopted stormwater ordinance.

The developer is providing approximately 0.76 acres of open space area which represents over one-quarter of the project area and exceeds the required open space for the Mountain Village zoning district. The Mountain Village zoning district does not specify a minimum lot size, width, or setbacks.

Considerations:

- The proposed development is allowed as a "use by right" within the Mountain Village zoning district for up to 19 dwelling units/lots.
- The area is a mixture of on-site and manufactured single family dwellings.
- The site was previously occupied by a manufactured home community that was removed approximately 9 years ago.

Woodfin Together/Future Land Use:

The comprehensive plan's Future Land Use Map (FLUM) designates this parcel as a Cluster Residential land use, with primary land uses being cluster development. These areas include both developed and undeveloped areas which should be sensitively designed with cluster homes, protected open space, and other community amenities. The desired characteristics encourage development of compact communities that may include 1-3 story homes situated on reduced lot widths, and setbacks ranging from 5-25 feet in depth. The Conceptual Growth Framework map also identifies this area as part of a larger Activity Center/Corridor along Ben Lippen Road that is centered on Crest Mountain.

Staff Recommendation:

Staff has reviewed the proposed concept plan and notes the applicant must address the following prior to submission of the preliminary subdivision plan:

- Street pavement must be 20 feet in width for all proposed roads.
- Correct the street name for Ben Lippen Road.
- Clarify that the "open space" tract is not for future construction.
- Clarify if shared driveways will be utilized for lots 2-5.

Suggested Motion:

I move to approve the conceptual subdivision plan for 2.8 acres as shown on Exhibit 1, conditioned upon correction of the items identified and find that the request is reasonable, is in the public interest, is

consistent with the ***Woodfin Together*** Comprehensive Plan, and meets the development needs of the community in that the request:

1. Uses the Future Land Use Map to guide development decisions. (1.1.1)
2. Promotes long-term fiscal responsibility by growth in areas with existing services. (1.2.6)
3. Protects floodplains, steep slopes, wetlands, wildlife habitat, and other environmentally valuable and sensitive areas. (5.1.1).

Attachments:

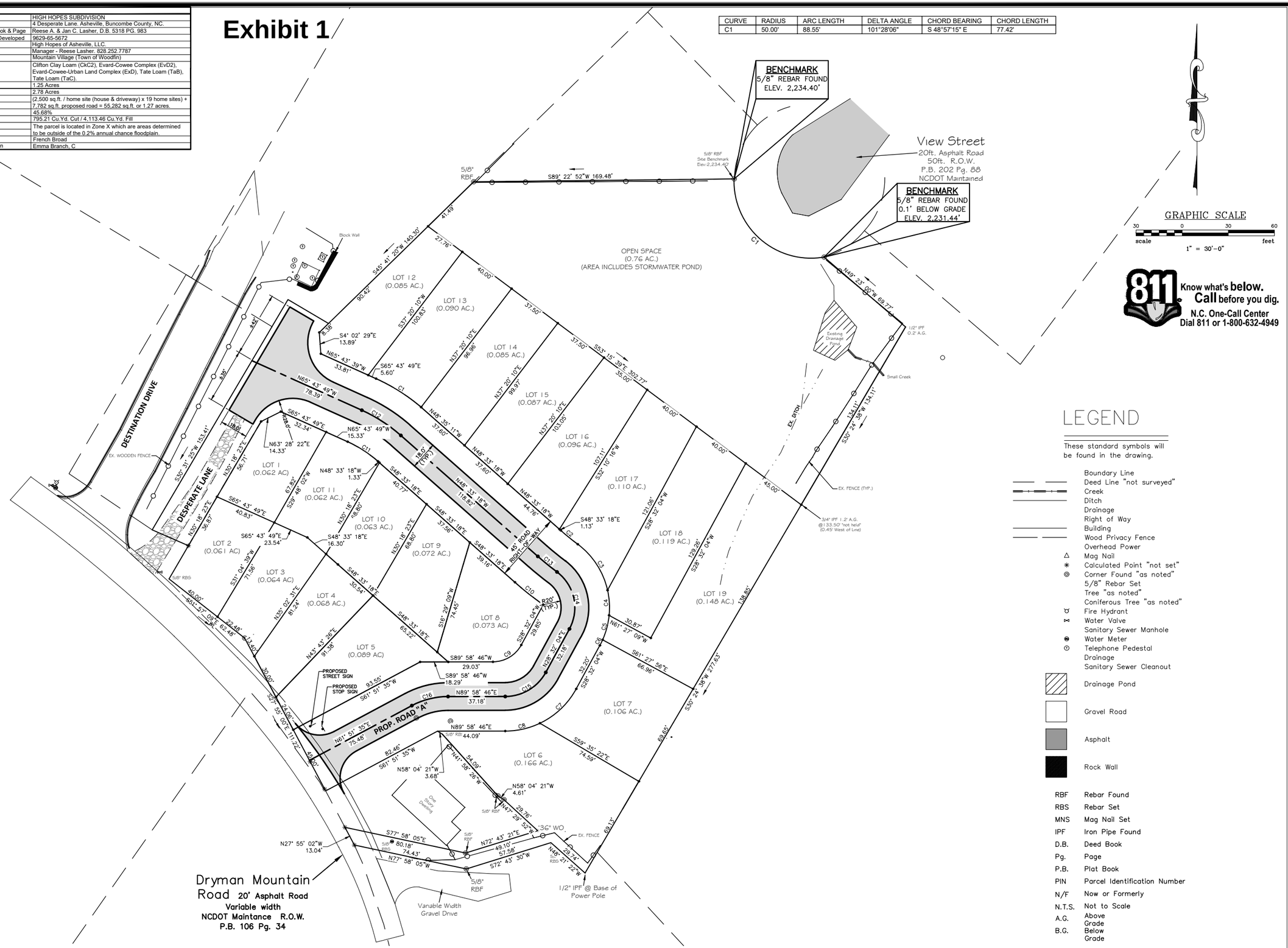
(1) Exhibit 1 – Subdivision Concept Plan
(2) Exhibit A – Zoning Map
(3) Exhibit B – Existing Conditions/Aerial Map
(4) Exhibit C – Future Land Use Map
(5) Technical Report

THIS DRAWING IS THE PROPERTY OF SUMMIT ENGINEERING GROUP, INC. AND IS NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART. IT IS ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND IS NOT TO BE USED ON ANY OTHER PROJECT.

Exhibit 1

SITE DATA TABLE	
Name of Project	HIGH HOPES SUBDIVISION
Location of Project/Address	4 Desperate Lane. Asheville, Buncombe County, NC.
Name of Property Owner, Deed Book & Page	Reese A. & Jan C. Lasher, D.B. 5318 PG. 983
PIN Number(s) of Property Being Developed	9629-65-5672
Developer	High Hopes of Asheville, LLC.
Contact Name and Phone Number	Manager - Reese Lasher. 828.252.7787
Zoning District	Mountain Village (Town of Woodfin)
USDA Soil Survey Types	Clifton Clay Loam (CkC2), Evard-Cowee Complex (EvD2), Evard-Cowee-Urban Land Complex (ExD), Tate Loam (TaB), Tate Loam (TaC).
Land to be Disturbed in Acres	1.25 Acres
Size of Property in Acres	2.78 Acres
Impervious Area	(2,500 sq.ft. / home site (house & driveway) x 19 home sites) + 7,782 sq.ft. proposed road = 55,282 sq.ft. or 1.27 acres.
% Impervious	45.68%
Cut and Fill Volumes	795.21 Cu.Yd. Cut / 4,113.46 Cu.Yd. Fill
Flood Zone	The parcel is located in Zone X which are areas determined to be outside of the 0.2% annual chance floodplain.
River Basin	French Broad
Receiving Waters and Classification	Emma Branch, C

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	50.00'	88.55'	101°28'06"	S 48°57'15" E	77.42'



GRAPHIC SCALE

30 0 30 60

scale feet

1" = 30'-0"

811 Know what's **below.** **Call** before you dig.
N.C. One-Call Center
Dial 811 or 1-800-632-4949

LEGEND

These standard symbols will be found in the drawing.

- Boundary Line
- Deed Line "not surveyed"
- Creek
- Ditch
- Drainage
- Right of Way
- Building
- Wood Privacy Fence
- Overhead Power
- △ Mag Nail
- ✳ Calculated Point "not set"
- ◎ Corner Found "as noted"
- 5/8" Rebar Set
- Tree "as noted"
- Coniferous Tree "as noted"
- Fire Hydrant
- Water Valve
- Sanitary Sewer Manhole
- Water Meter
- Telephone Pedestal
- Drainage
- Sanitary Sewer Cleanout
- Drainage Pond
- Gravel Road
- Asphalt
- Rock Wall

RBF	Rebar Found
RBS	Rebar Set
MNS	Mag Nail Set
IPF	Iron Pipe Found
D.B.	Deed Book
Pg.	Page
P.B.	Plat Book
PIN	Parcel Identification Number
N/F	Now or Formerly
N.T.S.	Not to Scale
A.G.	Above Grade
B.G.	Below Grade

REVISIONS			
NO.	DESCRIPTION	DATE	BY

APPROVALS	
PROJECT ENG:	AF
DESIGNED BY:	MFC
DRAWN BY:	MFC
CHECKED BY:	AF
APPROVED:	AF

SUMMIT ENGINEERING GROUP of NC, INC.
ENGINEERS • PLANNERS • SURVEYORS
9601 Warren H. Abernathy Hwy.
Spartanburg, SC 29301
(864)949-1111

SHEET TITLE: OVERALL SUBDIVISION SITE PLAN
DATE: OCT. 2023
SCALE: AS SHOWN

PROJECT: HIGH HOPES SUBDIVISION
BUNCOMBE COUNTY NORTH CAROLINA

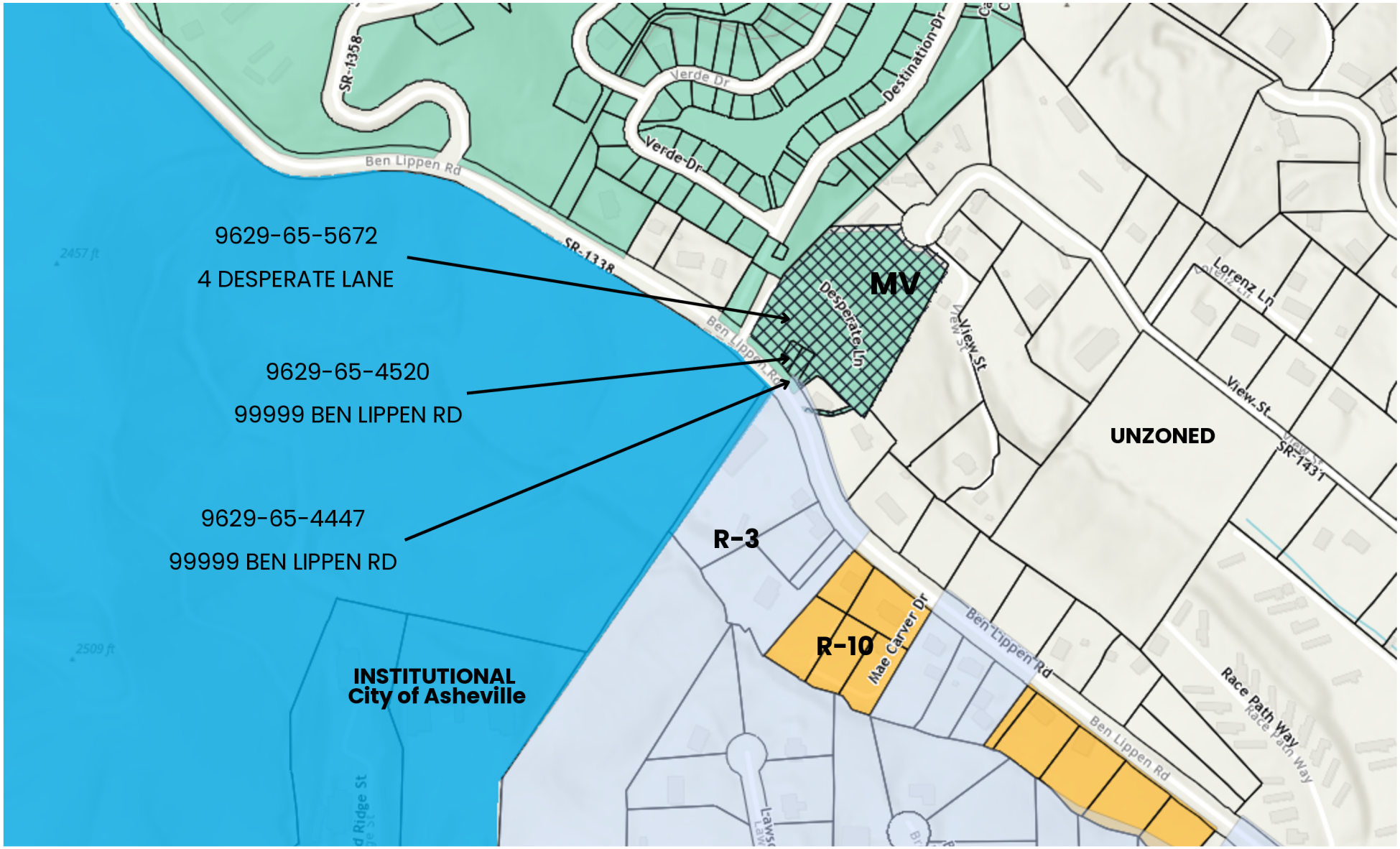
N.B. NO.
REF.
PROJECT NO. 23028

SHEET 6 OF

FILE: 23028-BASE-Rev...

N:\PROJECTS\23028 REESE LASHER\DWG\23028-BASE-REVISED TO 19 LOTS AGAIN.DWG 6/26/2024 3:24:50 PM

Exhibit A - Woodfin Zoning Map



Woodfin Zoning 2024

1:2,895

- MV - Mountain Village
- R-10 - Residential
- R-10 - Residential
- Institutional - City of Asheville
- Un-zoned - Buncombe County

0 0.02 0.04 0.08 mi
0 0.03 0.06 0.12 km

NCDOT GIS Unit, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA,

8/2/2024

Exhibit B – Aerial

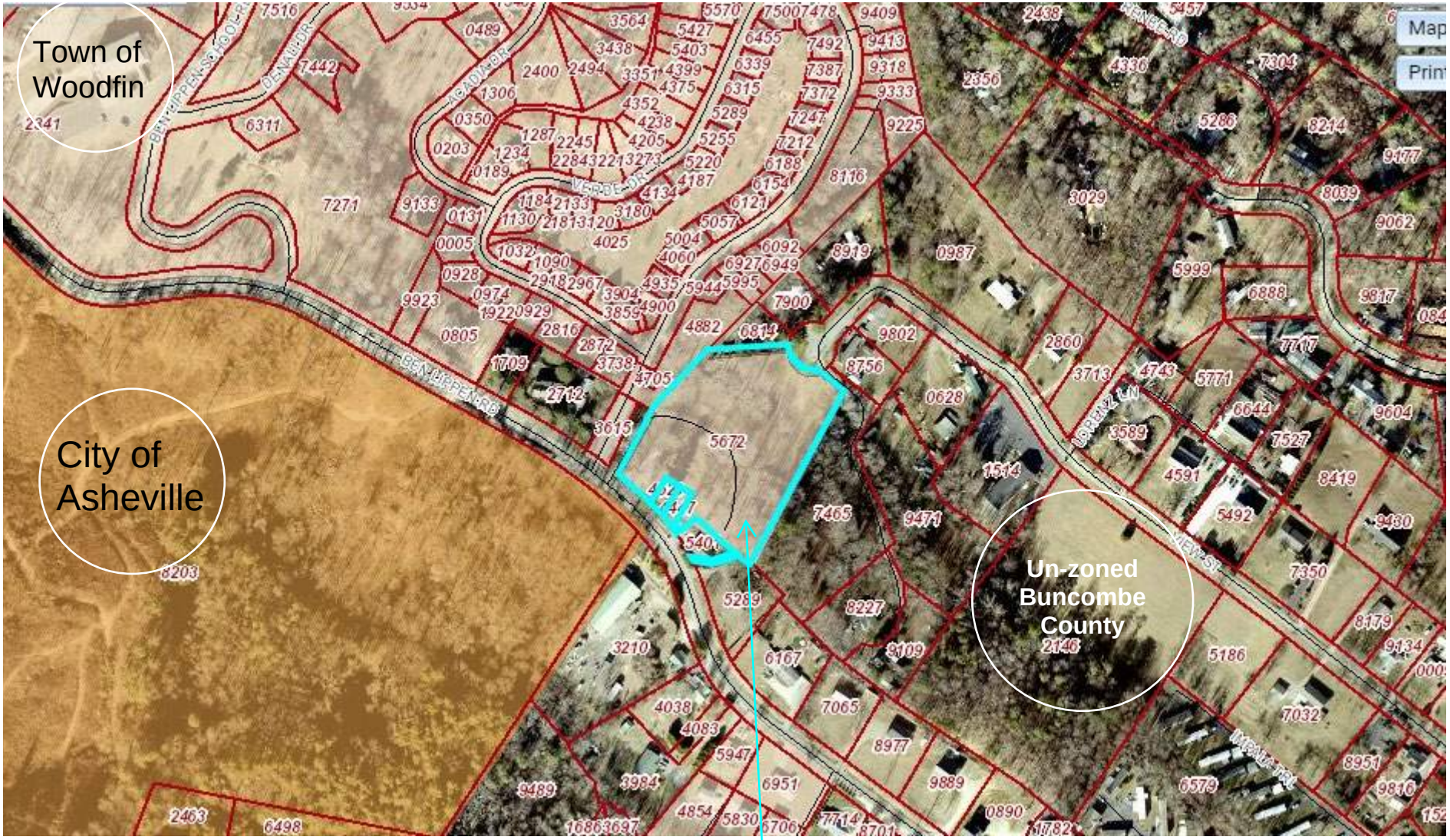
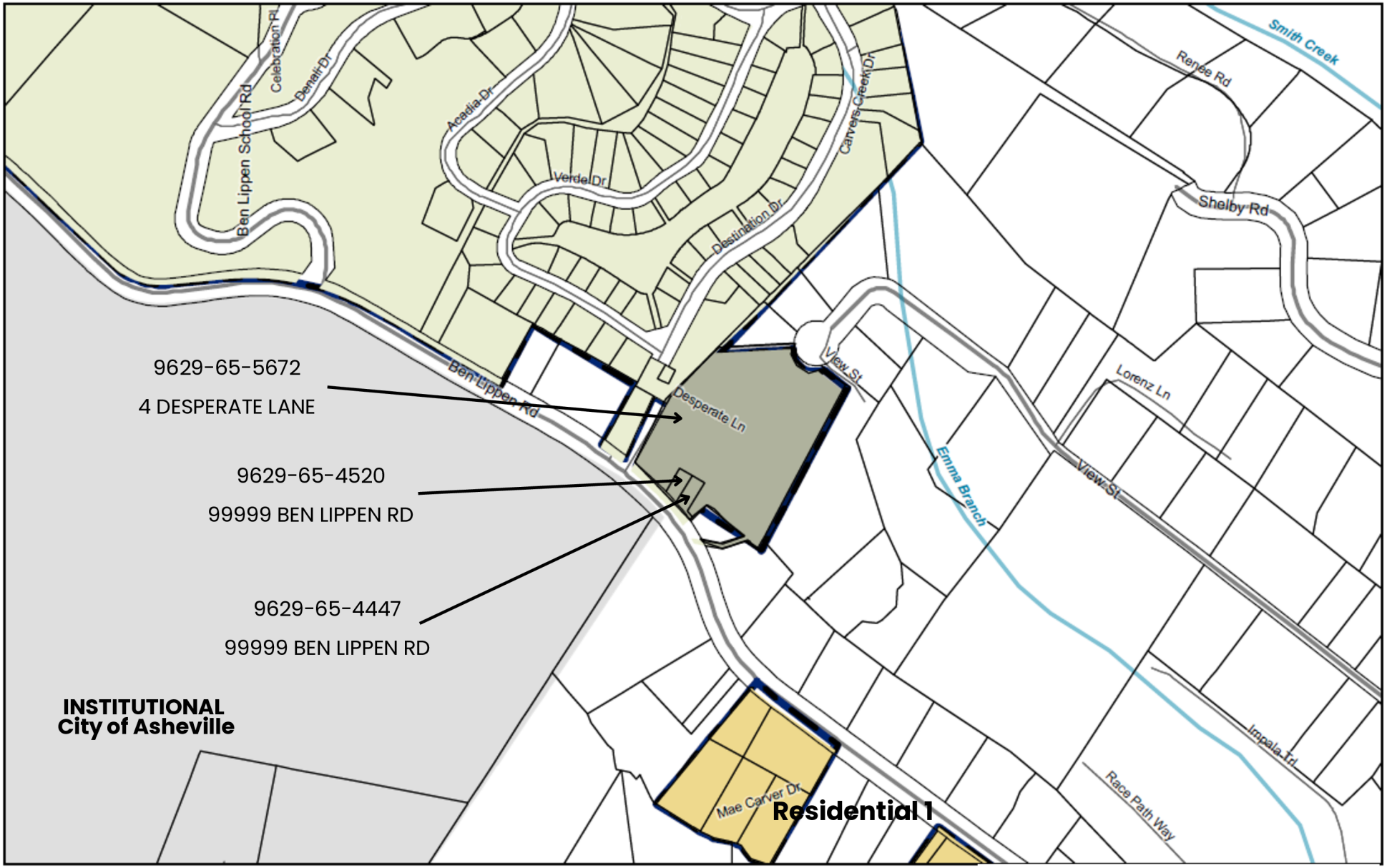


Exhibit C - Woodfin Future Land Use Map



Woodfin Future Land Use Map

- Cluster Residential
- Residential 1
- Institutional - City of Asheville

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.2 km

8/2/2024

TECHNICAL REVIEW REPORT

DATE: July 10, 2024
PREPARED BY: Ricky Hurley, Planning Director
APPLICANT: Reese Lasher
SUBJECT: Major Subdivision/Concept Plan Review – High Hopes

PROJECT SUMMARY: An administrative zoning review of a new 19-unit single-family major subdivision located at 4 Desperate Lane (PINs: 9629-65-5672, 9629-65-4520, and 9629-65-4447).

REVIEW NOTES:

- The project site is 2.8 acres located at the intersection of Destination Drive and Ben Lippen Road. The maximum density is 8 units per acre, which limits the project to 22 units.
- All lots will be served by public water and sewer.
- All roads within the community are proposed to be publicly maintained. Ben Lippen Road is a state-maintained road and Destination Drive is maintained by the Town.
- Each lot will be occupied by one single family house.
- The subdivision is proposed to be completed in one phase.
- The subdivision includes one common area of 0.76 acres which contains the stormwater control device. A minimum area of 9,500 square feet is required.
- The property is zoned Mountain Village zoning district and setbacks are: 0 feet front from edge of right of way, 0 feet rear, 0 feet side.
- The proposed subdivision will meet the minimum lot width, lot size, and structure size standards in the Mountain Village zoning district.
- The maximum height of all structures shall be limited to 35'.
- One stormwater pond is proposed and will require a separate stormwater permit to be reviewed and issued by the Town of Woodfin.
- The project is not subject to Steep Slope regulations as the parcel is less than 20% average natural slope.

PLANNING:

Changes required to plans:

- Although a sidewalk is not required per Article VIII – Sidewalks, pedestrian connectivity is required as part of any development within the Mountain Village zoning district. No pedestrian facilities are provided along Destination Drive or Ben Lippen Road.

- Provide a detailed landscape plan. Street trees are required at a rate of one tree for every 40 linear feet of road, in an undisturbed, planting zone outside of the road right of way.
- Rationale for use of a cul-de-sacs instead of stubbing out to adjacent properties.

Requirements to be noted (no change required to plans):

- If all the proposed streets are shown to be privately maintained. Recommend that a maintenance agreement be included in the POA documents.
- The applicant will be required to provide a preliminary subdivision plat and follow the processes outlined in *Chapter 46 Subdivision* of the Town of Woodfin Code of Ordinances.
- The Building and Grading & Erosion Control permits are reviewed and issued by Buncombe County.
- Driveway permits shall be required and are reviewed and issued by the NC Dept of Transportation for connection to Ben Lippen Road.

EMERGENCY ADDRESSES:

Addresses and street names will be assigned by the Buncombe County E-911 Address Coordinator prior to issuance of any individual single-family permits. Applicant is advised to submit early in the development review process.

ROADS/ACCESS/LIGHTING:

- A single connection to Ben Lippen Road is planned. All streets are shown to be _____ maintained??
- Lighting plan submitted.
- A TIA is not required.
- Buncombe County Fire Marshal's Office must approve the proposed roadway grades, radius, and turnaround for emergency vehicles.
- A driveway permit application must be filed with the NC Department of Transportation for connection to Ben Lippen Road. Town will sign off on driveway application.

UTILITIES:

City of Asheville Water will serve the development and a water allocation letter will be required as part of the submittal for the preliminary plat review. Metropolitan Sewerage District will provide sanitary sewer to the project, and a letter of commitment will be required for the preliminary plat review.

SW/EC/FLOOD:

The respective permit applications shall be reviewed and approved by Buncombe County prior to any construction or land disturbance occurring. A Town of Woodfin Storm Water review and permit will be required prior to issuance of the zoning compliance permit by the Town. The property is not located within a regulated flood hazard zone or steep slope zone.

Board of Adjustment
Variance
Staff Report & Findings

TO: Town of Woodfin Planning Board of Adjustment **DATE:** August 6, 2024

FROM: Ricky Hurley, AICP
Planning Director

SITE INFO: Street Address: 66 Lake Town Lane
Tax Description (PIN): 9730-99-4827-00000
Zoning: R-7 Residential District (R-7)
Property Owner: Lake Town Lane Revocable Trust

Summary:

The property owner, Chris Burkhard/Lake Town Lane Revocable Trust, is requesting a variance to Section 54-214(e)4 of the Zoning Ordinance for the property located at 66 Lake Town Lane and identified in the Buncombe County tax record as PIN 9730-99-4827. The proposed variance seeks to increase the maximum area of land disturbance and impervious surface to facilitate the installation of stormwater drainage improvements.

Zoning and Use	Zoning Requirement	Applicant Request	Variance
R-7 Single Family	15% of the total lot area or 21,780 sq ft	24,205 sq ft or 16.7%	2,425 sq ft or 11.1% greater
	8% of the total lot area or 11,325 sq ft	12,616 sq ft or 8.7%	1,291 sq ft or 11.4% greater

Background/Site Context:

The subject property is a 3.37-acre parcel, containing lots 259 & 260 of Reynolds Mountain platted on November 4, 2004. The property is currently vacant, zoned R-7 Residential District and subject to the Town's Steep Slope standards. Access is provided at the end of publicly maintained Lake Town Lane. Surrounding properties are occupied with a mixture of detached single family and duplex residential homes on individual lots ranging from 0.13 to 3.95 acres in size. The property slopes downhill in a westward direction, with elevations ranging from 2,625 to 2,785 feet. This property was recently the subject of a variance application heard by the Planning Board of Adjustment on June 4, 2024. The prior request was to exceed the height limit for retaining walls within steep slope areas. At the conclusion of the hearing, the Board voted to grant the request.

The property owner is partnering with the homeowner's association by serving as the official applicant for the request and offering access to their property for the installation of stormwater drainage infrastructure. The property owner's planned personal residence and previously approved variance will not be modified or impacted by this application, regardless of the Board's decision.

Sec. 54-215(e) Steep slope development standards.

(4) Land disturbance and impervious surface standards. Land disturbance and impervious surface limits shall apply to all steep slope areas as follows:

	Land Disturbance	**Impervious Surface**
Lots less than 2 acres	0.3 acres	0.16 acres
Lots 2 acres or larger	15% of the total lot area	8% of the total lot area
Major Subdivisions	15% of the total lot area	10% of the total lot area

Staff Analysis:

The statutory requirements for a variance include considering what would be the ***minimum necessary to afford relief*** that would also allow for the ***reasonable use of the property***. The property owner's planned personal residence and lot improvements previously reviewed by the Board met all land disturbance and impervious surface limits for properties within the Steep Slope area. The current request originates from an on-going drainage issue along Lake Town Lane that is contributing to erosion, damage to the road surface, ponding of water, and large patches of ice during the winter months. The Reynolds Mountain Property Owners Association (POA) is the entity leading and responsible for the planned stormwater infrastructure improvements. The community voted to assess themselves over $400,000 to support this project. The Town is also supportive of the request that once corrective measures are completed, necessary repairs to the road can be completed with reasonable expectation that the investment will last for many years. The site plan indicates that the planned improvements will follow an area previously disturbed for the installation of an MSD sewer line.

Should the board wish to grant the variance, staff recommends a condition that the additional land disturbance and impervious surface be limited specifically to the drainage improvement project for Lake Town Lane benefiting Reynolds Mountain Association.

Considerations:

- The requested variance is for drainage improvements related to runoff originating uphill and off site of this property.
- If granted, the variance will not afford the property owner any greater development potential or intensity than they already possess. Denial of the request will also have no impact on the previously approved variance or planned single family house.
- The project is a community led effort to control stormwater runoff and minimize damage to infrastructure.
- The infrastructure will be installed in an area disturbed by a former logging road and MSD sewer line easement.

Findings:

Per Section 54-77(1), When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the board of adjustment may vary any of the provisions of the zoning regulation upon a showing of **all** the following (all four findings must be satisfied):

a. Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

b. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

c. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.

d. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

Attachments:

Exhibit 1 – Application
Exhibit 2 – Site Plan
Exhibit 3 – Rationale and calculations
Exhibit A – Zoning Map
Exhibit B – Aerial
Exhibit C – Streetview
Exhibit D -- Photos

Exhibit 1

Variance Permit Application

Date: 07/18/2024

Applicant / Owner

Applicant Name:	Lake Town Lane Revocable Trust / Chris Burkhart	Phone:	(865) 604-7767
		Email:	chrisb@shoresouth.com
Address:	P.O. Box 8893		
City, State, Zip:	Asheville, NC 28814		

Location

Site Address:	66 Lake Town Lane	PIN #:	973099482700000
City, State, Zip:	Asheville, NC 28804	Zoning District:	R-7

Variance

What would you like to do with your property? With variance approval, enable the Reynolds Mountain POA to construct a pipe / swale structure across approximately 600' of my property to collect and direct stormwater runoff to suitable drainage infiltration fields. This structure will be part of a large stormwater control measure [SCM} that is a key piece of the Reynolds Mountain Sustainability Plan. This SCM will be capable of collecting and directing 8500 gallons per minute of stormwater runoff that currently creates erosion and negatively impacts our steep slopes and road surfaces during severe rain events.

What does the ordinance require? (Include ordinance reference) The Town of Woodfin Steep Slope Ordinance sets a maximum limit on disturbed property as a ratio of overall square footage, We are asking for a variance from that calculation to enable the community to build this pipe / swale structure to protect our environment.

Unnecessary hardship would result from the strict application of the regulation. Explain: The Reynolds Mountain community has the typical mountain community terrain of steep slopes, cut roadbeds and potentially unstable rock formations. To preserve our environment and protect our residents and properties from the variety of negative impacts of uncontrolled runoff, the community supported a wide-ranging program including voting to assess property owners over $400,000 to construct this swale and piping system. Without this stormwater control measure, we will continue to see the corrosive effects of runoff on steep slopes, home sites and road surfaces. The Town is aware of and has been supportive of our plan to install this SCM as constructive for erosion control and a practical requisite to ensure the re-paving of streets such as Lake Town Lane is a good investment.

The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Explain: The request for variance for this particular property stems from the fact that it is uniquely positioned to collect and direct the stormwater runoff that we are attempting to control.

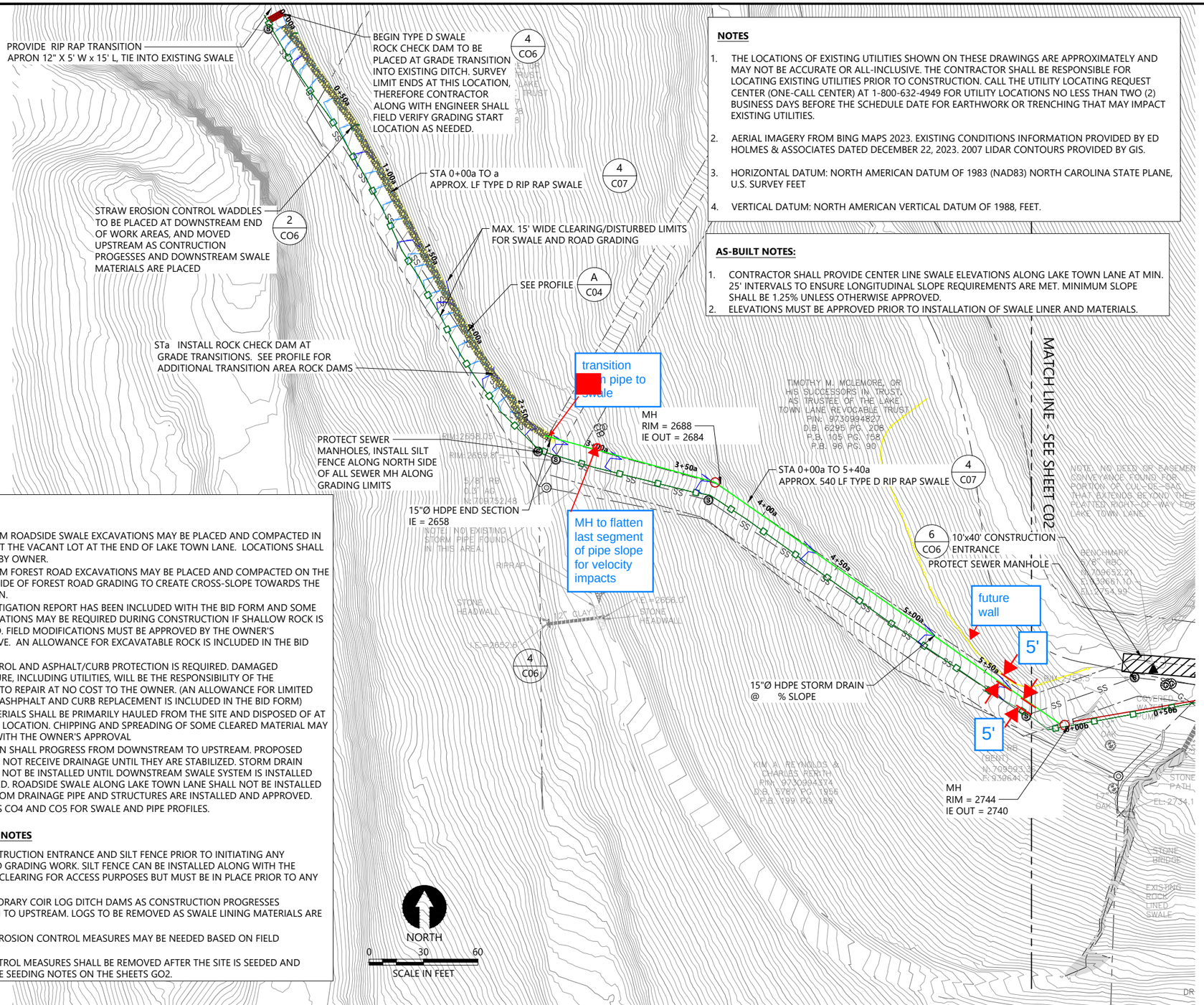
The hardship did not result from actions taken by the applicant or the property owner. Explain: The applicant in this case is offering a substantial portion of his property to install this pipe and swale system which will offer sustainable environmental benefits to other community members.

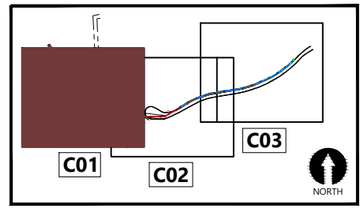
The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved. Explain: The stormwater control measure proposed is for the preservation of the environment of Reynolds Mountain, the safety of its residents and protection of property. These benefits accrue to Woodfin residents in neighborhoods downhill of Reynolds Mountain.

I do hereby certify that the information contained herein is true and correct.

J. Christopher Burkhart	07/18/2024
Name	Date

Exhibit 2





KEY PLAN
Not to Scale

NOTES

1. THE LOCATIONS OF EXISTING UTILITIES SHOWN ON THESE DRAWINGS ARE APPROXIMATELY AND MAY NOT BE ACCURATE OR ALL-INCLUSIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING EXISTING UTILITIES PRIOR TO CONSTRUCTION. CALL THE UTILITY LOCATING REQUEST CENTER (ONE-CALL CENTER) AT 1-800-632-4949 FOR UTILITY LOCATIONS NO LESS THAN TWO (2) BUSINESS DAYS BEFORE THE SCHEDULE DATE FOR EARTHWORK OR TRENCHING THAT MAY IMPACT EXISTING UTILITIES.
2. AERIAL IMAGERY FROM BING MAPS 2023. EXISTING CONDITIONS INFORMATION PROVIDED BY ED HOLMES & ASSOCIATES DATED DECEMBER 22, 2023. 2007 LIDAR CONTOURS PROVIDED BY GIS.
3. HORIZONTAL DATUM: NORTH AMERICAN DATUM OF 1983 (NAD83) NORTH CAROLINA STATE PLANE, U.S. SURVEY FEET
4. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988, FEET.

AS-BUILT NOTES:

1. CONTRACTOR SHALL PROVIDE CENTER LINE SWALE ELEVATIONS ALONG LAKE TOWN LANE AT MIN. 25' INTERVALS TO ENSURE LONGITUDINAL SLOPE REQUIREMENTS ARE MET. MINIMUM SLOPE SHALL BE 1.25% UNLESS OTHERWISE APPROVED.
2. ELEVATIONS MUST BE APPROVED PRIOR TO INSTALLATION OF SWALE LINER AND MATERIALS.

GRADING NOTES

1. MATERIAL FROM ROADSIDE SWALE EXCAVATIONS MAY BE PLACED AND COMPACTED IN A STOCKPILE AT THE VACANT LOT AT THE END OF LAKE TOWN LANE. LOCATIONS SHALL BE APPROVED BY OWNER.
2. MATERIAL FROM FOREST ROAD EXCAVATIONS MAY BE PLACED AND COMPACTED ON THE DOWNSLOPE SIDE OF FOREST ROAD GRADING TO CREATE CROSS-SLOPE TOWARDS THE SWALE SECTION.
3. A ROCK INVESTIGATION REPORT HAS BEEN INCLUDED WITH THE BID FORM AND SOME FIELD MODIFICATIONS MAY BE REQUIRED DURING CONSTRUCTION IF SHALLOW ROCK IS ENCOUNTERED. FIELD MODIFICATIONS MUST BE APPROVED BY THE OWNER'S REPRESENTATIVE. AN ALLOWANCE FOR EXCAVATABLE ROCK IS INCLUDED IN THE BID FORM.
4. TRAFFIC CONTROL AND ASPHALT/CURB PROTECTION IS REQUIRED. DAMAGED INFRASTRUCTURE, INCLUDING UTILITIES, WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO REPAIR AT NO COST TO THE OWNER. (AN ALLOWANCE FOR LIMITED AMOUNTS OF ASHPHALT AND CURB REPLACEMENT IS INCLUDED IN THE BID FORM)
5. CLEARED MATERIALS SHALL BE PRIMARILY HAULED FROM THE SITE AND DISPOSED OF AT AN APPROVED LOCATION. CHIPPING AND SPREADING OF SOME CLEARED MATERIAL MAY BE ALLOWED WITH THE OWNER'S APPROVAL
6. CONSTRUCTION SHALL PROGRESS FROM DOWNSTREAM TO UPSTREAM. PROPOSED SWALES SHALL NOT RECEIVE DRAINAGE UNTIL THEY ARE STABILIZED. STORM DRAIN SYSTEM SHALL NOT BE INSTALLED UNTIL DOWNSTREAM SWALE SYSTEM IS INSTALLED AND STABILIZED. ROADSIDE SWALE ALONG LAKE TOWN LANE SHALL NOT BE INSTALLED UNTIL THE STROM DRAINAGE PIPE AND STRUCTURES ARE INSTALLED AND APPROVED.
7. SEE DRAWINGS CO4 AND CO5 FOR SWALE AND PIPE PROFILES.

EROSION CONTROL NOTES

1. INSTALL CONSTRUCTION ENTRANCE AND SILT FENCE PRIOR TO INITIATING ANY CLEARING AND GRADING WORK. SILT FENCE CAN BE INSTALLED ALONG WITH THE FOREST ROAD CLEARING FOR ACCESS PURPOSES BUT MUST BE IN PLACE PRIOR TO ANY GRADING.
2. INSTALL TEMPORARY COIR LOG DITCH DAMS AS CONSTRUCTION PROGRESSES DOWNSTREAM TO UPSTREAM. LOGS TO BE REMOVED AS SWALE LINING MATERIALS ARE INSTALLED.
3. ADDITIONAL EROSION CONTROL MEASURES MAY BE NEEDED BASED ON FIELD CONDITIONS.
4. EROSION CONTROL MEASURES SHALL BE REMOVED AFTER THE SITE IS SEEDED AND STABILIZED. SEE SEEDING NOTES ON THE SHEETS GO2.

LEGEND (SURVEY OF EXISTING CONDITIONS):

- 2500 — EXISTING CONTOURS (FEET NAVD88) (1-FOOT AND 5-FOOT INTERVALS)
- DEED/PLAT LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- SS — EXISTING SANITARY SEWER LINE
- EXISTING STORM WATER PIPE
- ROCK OUTCROPPING
- 258 — LOT NUMBER
- MONUMENT FOUND (AS NOTED)
- SANITARY SEWER MANHOLE
- STORM WATER OUTLET
- 4" PVC CLEANOUT
- TELECOMMUNICATION PEDESTAL
- WATER VALVE
- FIRE HYDRANT
- BENCHMARK (AS NOTED)
- GAS STUB
- TREE
- ROADWAY

LEGEND (PROPOSED CONDITIONS):

- 2500 — PROPOSED CONTOURS (FEET NAVD88) (1-FOOT AND 5-FOOT INTERVALS)
- PROPOSED RIVER ROCK SWALE (TYPE A)
- PROPOSED FUTURE RIVER ROCK SWALE (TYPE B)
- PROPOSED CONCRETE SWALE (TYPE C)
- PROPOSED RIP RAP SWALE (TYPE D)
- PROPOSED GRASS SWALE (TYPE E)
- PROPOSED HDPE STORM WATER
- CLEARING/DISTURBED LIMITS
- SILT FENCE
- COIR LOG CHECK DAM

PLAN INTENDED TO BE VIEWED IN COLOR, ADJACENT BLOCK IS "BLUE"

ONE INCH AT FULL SIZE, IF NOT ONE INCH SCALE ACCORDINGLY

07/03/24 FOR BIDDING

ANCHOR QEA

REYNOLDS MOUNTAIN

811 Know what's below. Call before you dig.

BEFORE YOU DIG CALL 1-800-632-4949 N.C. ONE CALL CENTER IT'S THE LAW!

NORTH CAROLINA PROFESSIONAL SEAL 026428 ENGINEER MICHELA. WIDENHOUSE 07/03/24

REVISIONS				
REV	DATE	BY	APP'D	DESCRIPTION

DESIGNED BY: A. WIDENHOUSE
DRAWN BY: P. SCIABA
CHECKED BY: R. CORK
APPROVED BY: D. RICE
SCALE: AS NOTED
DATE: JULY 2024

REYNOLDS MOUNTAIN STORMWATER IMPROVEMENTS

GRADING, DRAINAGE, AND EROSION PLAN (1 OF 3)

C01

SHEET # 4 OF 10

K:\Projects\2573-Reynolds Mountain POA\Reynolds Mountain Ph2 Stormwater\Construction Plans\2573-PL-ProposedSitePlan - Alternate Storm 2nd.dwg C01

Jul 16, 2024 1:32pm awidenhouse

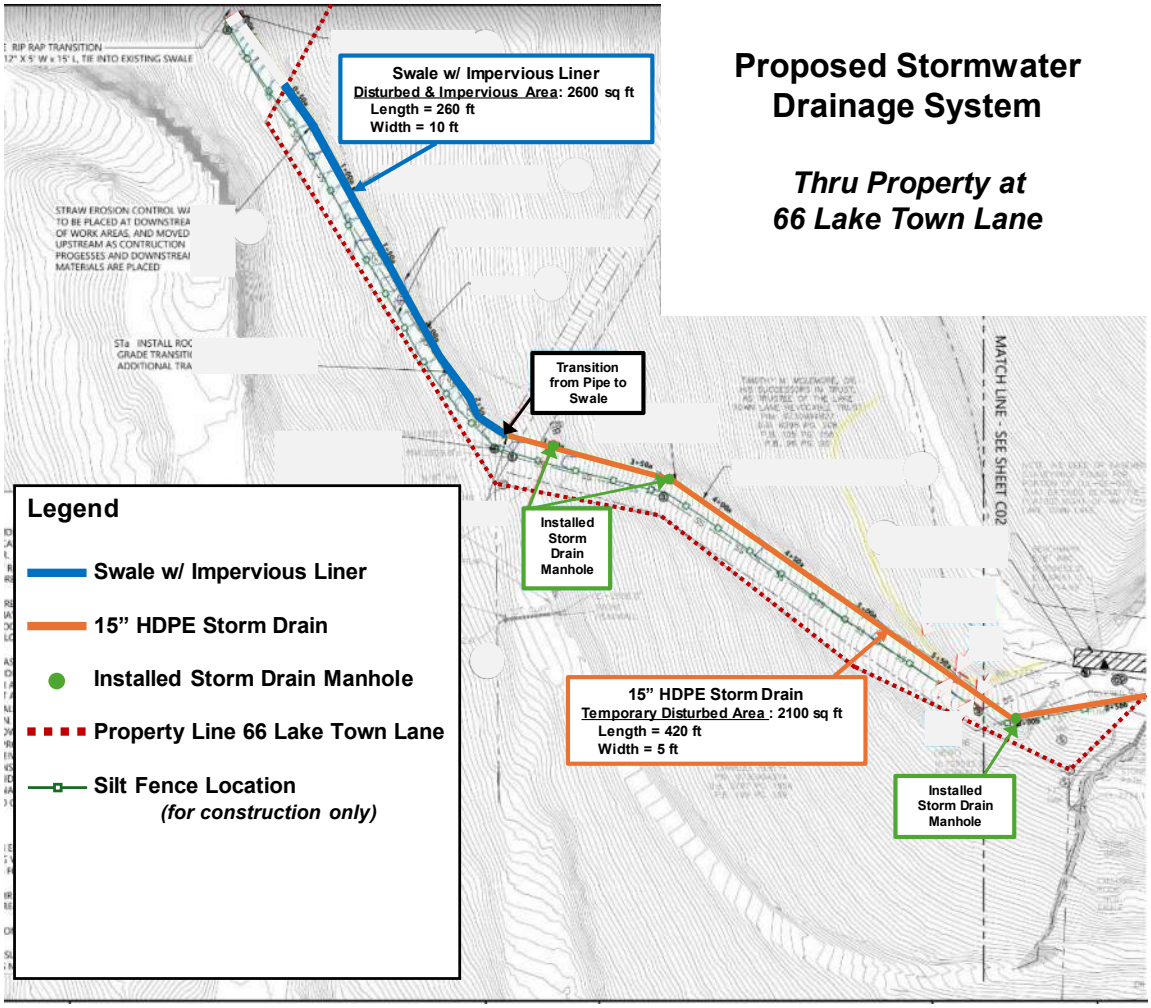
Exhibit 3

Rationale and Calculations for Steep Slope Ordinance Variance at 66 Lake Town Lane

The Reynolds Mountain community has the typical mountain community terrain of steep slopes, cut roadbeds and potentially unstable rock formations. To preserve our environment and protect our residents and properties from the variety of negative impacts of uncontrolled runoff, the community supported a wide-ranging sustainability program including voting to assess residents over $400,000 to construct this swale and piping system. Without this swale, we will continue to see the corrosive effects of runoff on slopes, home sites and road surfaces. The Town is aware of and has been supportive of our plan to install this stormwater control measure as constructive for erosion control and a practical requisite to ensure the re-paving Lake Town Lane is a worthwhile investment.

Approving this variance will enable Reynolds Mountain POA to construct a pipe / swale structure across approximately 700' of Chris Burkhart's property, at 66 Lake Town Lane, to collect and direct stormwater runoff to suitable drainage infiltration fields. Given the topography of this community and the position of this swale 1/3 of the way down the mountain, this property offers the only viable path for the pipe and swale structure. It is positioned on logging roads recut by the Metropolitan Sewer District for a sewer pipe path. No other property offered the same characteristics of contours, logging road and access to a suitable infiltration field that the Burkhart property offers.

The graphic below shows the design layout of the pipe / swale system on the Burkhart property.



In addition, the graphic below shows the Steep Slope Ordinance (SSO) calculations before and after the installation of the pipe / swale system on the Burkhart property. Please note: the temporary disturbed area for the 15" pipe is provided for completeness but not included in the total disturbed area result.

Steep Slope Ordinance (SSO) Calculations

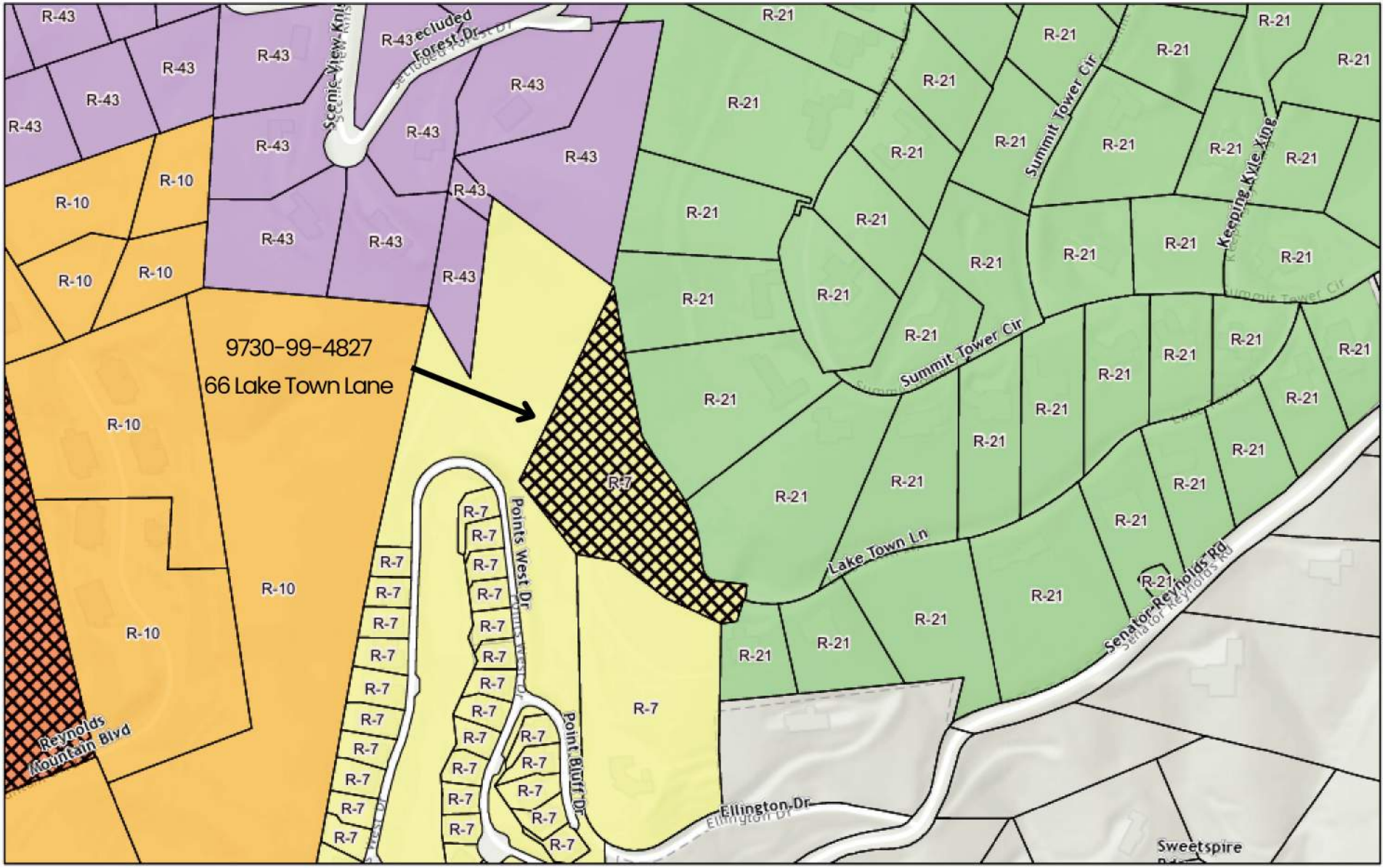
Disturbed and ImperviousArea for 66 Lake Town Lane

Baseline	**Acre**	**Sq Ft**
Disturbed Area		
Limit allowed by SSO	0.500	21,780
Residence	0.496	21,605
Impervious Area		
Limit allowed by SSO	0.260	11,325
Residence	0.230	10,019
Additional w/ Proposed Stormwater Drainage System	**Acre**	**Sq Ft**
Disturbed Area ***Temporary***		
15" HDPE Storm Drain (420 ft X 5 ft)	0.048	2,100
Disturbed Area ***Permanent***		
Swale w/ Impervious Liner (260 ft X 10 ft)	0.060	2,600
Impervious Area ***Permanent***		
Swale w/ Impervious Liner (260 ft X 10 ft)	0.060	2,600

Total and % Over Limit	**Acre**	**Sq Ft**	**% Over Limit**
Disturbed Area ***Permanent*** *			
Residence + Additional w/ Proposed Drainage System	0.556	24,205	11
Impervious Area ***Permanent***			
Swale w/ Impervious Liner (260 ft X 10 ft)	0.290	12,619	12

* Temporary Disturbed Area not included in Total Disturbed Area

Exhibit A - Woodfin Zoning Map



Woodfin Zoning 2024

R-21 CS2-CZ

R-7 R-43

R-10

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.2 km

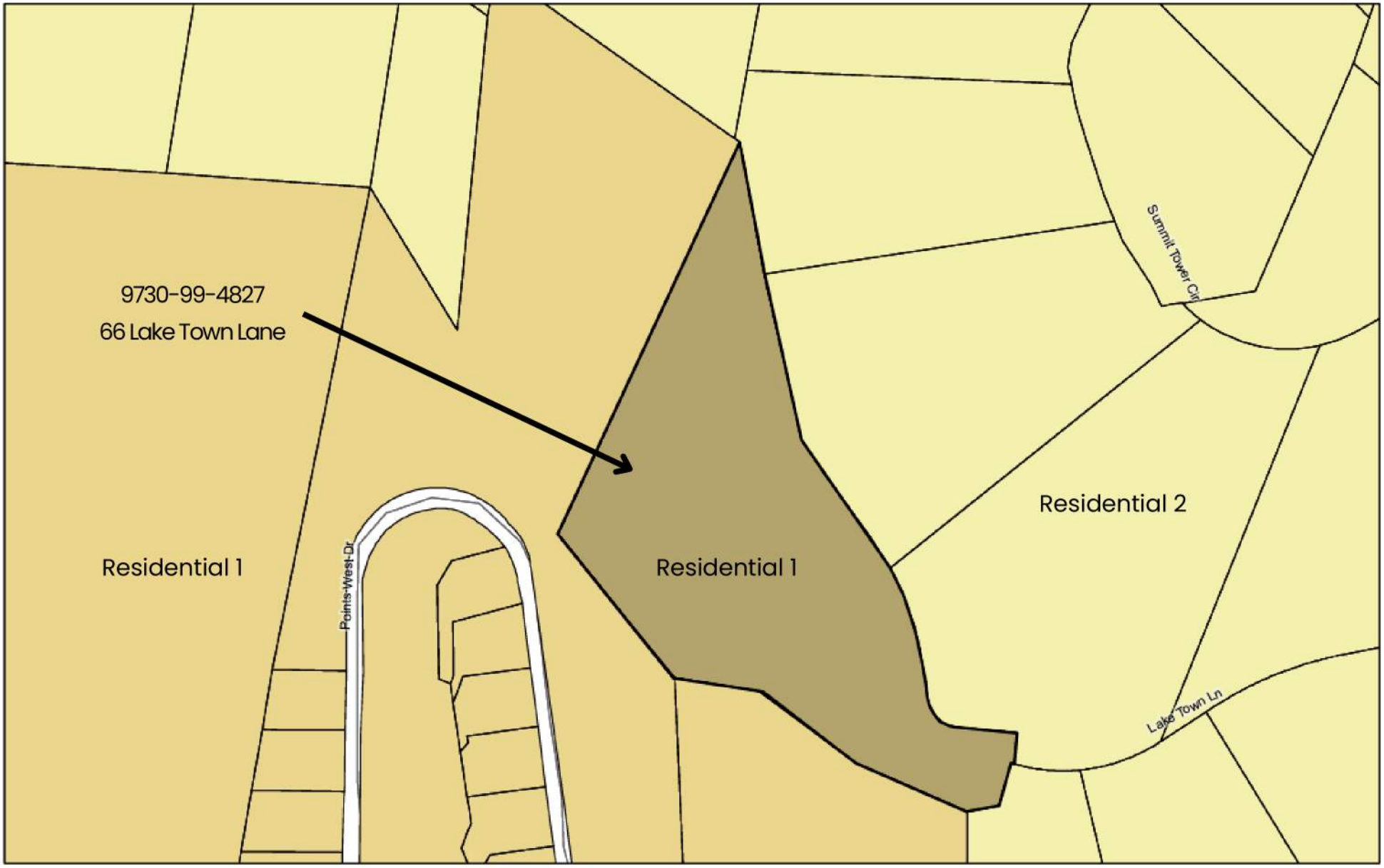
NCDOT GIS Unit, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA,

5/24/2024

EXHIBIT B--Aerial



Exhibit C - Woodfin Future Land Use Map



Woodfin Zoning 2024

- Residential 1
- Residential 2

1:2,257

0 0.01 0.03 0.06 mi

0 0.03 0.05 0.1 km

5/24/2024

STAFF REPORT

To: Planning Board of Adjustment

Agenda Title: Text Amendment – Table of Uses & Definitions

Staff Contact: Ricky Hurley

Meeting Date: August 6, 2024

Summary:

The proposed text amendments are intended to clarify and expand the number of uses enumerated within the Table of Uses found in ***Sec. 54.143. – Designation of districts and uses allowed(b***), align **Sec. 54-144 – Limited and special uses, and Sec. 54-159. – Special uses** with the updated Table of Uses, and provide for additional and updated definitions found in ***Sec. 54-10. – Definitions.***

Background:

The Board reviewed and approved the proposed Use Table and Definitions at their April 2, 2023 meeting. Staff spent additional time preparing the text amendment for Town Council review and as a result modified the previously approved documents to an extent that necessitates the PBOA reconsider the proposed text amendment. As previously discussed by this Board, periodic updates to the Town's zoning regulations are necessary in response to changing economic needs, evolving construction technology, and greater development pressure being felt by the greater Asheville-Buncombe region. Staff feels the proposed text amendments are necessary to provide clarity in development standards for residents and design professionals, while providing more guidance to town staff when interpreting the Town's zoning regulations.

Staff Analysis:

Table of Uses: Proposed updates will expand the number of *Business* uses, consolidate most of the *Industrial* and *Manufacturing* uses into a "light or heavy manufacturing" category within the table. Examples of additions to the table include uses such as firing ranges, family care and group homes, tattoo and piercing shops, data/server farms, solar and wind generation facilities, wireless telecommunications, and earth extraction operations that were missing or otherwise required to be interpreted as being allowed within the Town's zoning jurisdiction. Although not every use that can be imagined can be listed, targeted expansion of the permitted use table with updated definitions can reduce the chance for appeals related to a zoning administrator's determination on whether to allow a use within a certain zoning district. The following list reflects some of the recent changes:

- Relocated Family Care Home, Group Home and Group Living uses to the Residential Category
- Added Group Living to the Residential Category and allow within the CS, -2, & -3 zones.
- Condensed Day Care Center and Day Care Home from four to two uses.

- Added the uses of Event Venues, Indoor and Event Venues, Outdoor, which consolidates auditoriums, arenas, stadiums, theaters.
- Consolidated all restaurants and similar establishments into a single “Eating & drinking establishments” use category.
- Retitled Industrial Light & Heavy to match definition as "Manufacturing, Light and Manufacturing, Heavy".
- Data centers/server farms are slotted into the same line for the Use Table as a "SUP" in HI zone.
- Landfill listed under Governmental and Civic as an EXP (explicitly prohibited) in all districts.
- Removed Wind Energy facilities use categories from Table of Uses.
- Remove agriculture and horticulture from LI and HI zones.

Definitions: The proposed additional definitions for Sec. 54-10 work with the Table of Uses by broadening certain terms such as *Manufacturing, Light* to eliminate the need for a lengthy list of uses with similar impacts on adjacent properties. Absent more specific definitions, the NC Courts have ruled that the local government must use the current or most recognizable meaning for words, as may be found in the Merriman-Webster dictionary. The courts have stated that ambiguous provisions must be construed to be in the favor of the free use of property. The following is a list of some of the recent changes:

- Adult Establishment definition simplified.
- Car Wash definition simplified.
- Auto wrecking yard is now classified as "Junkyard" for both the de definition and Table of Uses.
- Added Brewery Large, and Microbrewery.
- Data centers/server farm definition added.
- Dwelling definitions updated to add Dwelling, SF Attached and Dwelling, SF Detached.
- Added Event venue, Indoor and Event Venue, Outdoor.
- Simplified the Home Occupation definition by placing standards under the Limited use section.
- Clarified that construction and demolition landfills are part of the Landfill definition.
- Clarified that a Travel trailer cannot be used as a dwelling in the definition.
- Removed all definitions associated with Wind Energy facilities, shadow flicker, and the like.

Limited uses: Limited uses are allowed by right when specific quantitative standards provided within the code are met by the applicant and are approved administratively by Town staff without the need for any public hearing. The proposed update to the Table of Uses will add seven new limited uses to the section, expand the standards for home occupations, and eliminate homestays as a use from the ordinance. Places of worship is proposed to transition from requiring an a special use permit in all zoning districts to that of a limited use in residential zoning districts when all the specific locational and development standards are met.

Special uses: Special uses are specific types of land uses requiring an evidentiary hearing before the Planning Board of Adjustment. These use types require that the applicant present evidence, site plans, elevations, and testimony supporting the application. The board is required to make findings supporting the application based upon six standards found within Sec. 54-69. The current table identifies approximately 80 unique uses requiring a special use permit application for review by the PBOA. Staff proposes to reduce this number by expansion of the limited use category, consolidation of many

industrial uses into *Industrial, Heavy* or *Industrial, Light* definitions, and eliminating the need for a special use permit within the CS-2 district when such use is allowed by right in either CS or CS-3 zoning districts. The proposed updated table will require a special use permit for 28 land uses identified as having the potential for generating negative impacts upon adjoining properties, some examples being nightclubs, outdoor event venues or recreation facilities, campgrounds, and junkyards.

Staff Recommendation:

Staff recommends approval of the zoning text amendments.

Suggested Motion:

I move to approve the proposed text amendment and find that it is reasonable, is in the public interest, is consistent with the ***Woodfin Together*** comprehensive plan, and meets the development needs of the community in that the request:

1. Balances the supply of land for housing and employment and protect land for economic development and ensure an adequate supply of appropriately located and sized employment space (3.1.5, 3.2.5)
2. Supports initiatives to transition toward a green economy and encourages construction of developments that use renewable energy, design, and infrastructure that reduces pollution and energy costs (3.2.2, 3.3.2)
3. Makes government decision-making accessible and transparent to all residents while updating development standards to minimize risk from new development. (4.4.3, 5.4.2)

Attachments:

(1) Proposed Definitions – Sec. 54-10
(2) Proposed Table of Uses – Sec. 54-143
(3) Proposed Limited uses – Sec. 54-144
(4) Proposed Special uses – Sec. 54-159
(5) Draft Planning Board of Adjustment Recommendation

Attachment 1

Sec. 54-10. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Accessory dwelling unit* means a separate and complete *dwelling unit* that is ancillary and subordinate to a principal single-family dwelling located on the same lot. Accessory dwelling units may be either detached or attached to the primary dwelling.~~

Accessory use or structure means a use or detached structure subordinate to the principal use of a structure or land and located on the same lot or parcel serving a purpose customarily incidental or ancillary to the principal use or the principal structure.

Addition means an extension or increase in the floor area or height of a building or structure. Additions to existing buildings and structures shall comply with the requirements for new construction.

Adult entertainment establishment includes any of the following subcategories, and for purposes of this Ordinance shall be consistent with Chapter 14, Article 26A of the North Carolina General Statutes, including definitions found in 14-202.10, as currently written or hereafter amended.

Agriculture and horticulture (any form) means the use of land for agricultural purposes including farming, silviculture, viticulture, fish culture, animal and poultry husbandry and/or horticultural purposes including the growing and production for income of fruits, vegetables, flowers, nursery stock, or ornamental plants.

~~*Air conditioning and heating equipment manufacturing* means companies in this industry manufacture residential, commercial, and industrial heating, ventilation, air conditioning and refrigeration (HVACR) equipment. Industry revenue includes miscellaneous receipts for the resale of products without further manufacturing, contract work done for others on respective items and acknowledgements for repair, scrap and refuse sales. Automotive units are excluded from this industry.~~

~~*Alcohol and alcohol beverage manufacturing* means a manufacturer engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquor, beer or malt beverage.~~

~~*Alley* means a special public right-of-way affording only secondary access to abutting properties.~~

Alteration means any change because of construction, repair, maintenance or otherwise to buildings that does not result in an increase in the gross floor area or expand the structure in any horizontal or vertical dimension.

~~*Amusement, recreational and sporting goods manufacturing* means processing, fabrication, assembly, treatment and packaging of amusement, recreational and sporting goods products and incidental storage, sales and distribution of such products.~~

~~*Animal hospitals* means any building or portion of a building designed or used for the care, observation, or treatment of domestic animals.~~

Animal shelter means a facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, government agency, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection and humane treatment of animals.

Applicant means a person or entity filing an application under this ordinance.

Application means any development application submitted to the Town of Woodfin for approval of a permit, site plan, certificate or any other authorization required for development and includes all forms, site plans and building plans as required by the Town of Woodfin.

Appraised value means the value assigned to a structure by the Buncombe County Tax Assessor or by an MAI-certified real estate appraiser.

Asphalt plant means a manufacturing or processing plant in a fixed location associated with the storage of raw materials used in the production of asphalt and the mixing of asphalt products prior to their use or transportation.

~~*Assembly halls, coliseums, armories, ballrooms, and similar structures* means a building or portion of a building in which facilities are provided for civic, educational, political, religious, or social purposes.~~

~~*Auction sales* means any sale where tangible personal property is sold by an auctioneer who is either the agent for the owner of such property or is in fact the owner thereof.~~

~~*Automobile parts supplies, retail* means stores that sell new automobile parts, tires, and accessories. May also include minor parts installation.~~

~~*Automobile repair garages* means any building, structure, improvements, or land used for the repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, or oil change and lubrication painting, tire service and sales, or installation of CB radios, car alarms, stereo equipment, or cellular telephones.~~

~~*Automobile sales (new and used)* means storage and display for sale of more than two motor vehicles or any type of trailer provided the trailer is unoccupied, and where repair or body work is incidental to the operation of the new or used vehicle sales includes motor vehicles retail or wholesale sales. Sales of boats, recreational equipment, ATVs, motorcycles, trailers, tractors, and travel trailers are included within this definition.~~

~~*Automobile wrecking and junking yards* means any lot or place that is exposed to the weather and upon which more than five motor vehicles of any kind incapable of being operated and not currently licensed are placed, located, or found.~~

~~*Bakeries, manufacturing* means a place for prepping, cooking, baking, and selling of products intended for off premise distribution.~~

~~*Bakeries, retail* means a place for preparing, cooking, baking, and selling of products on the premises.~~

Banks and other financial institutions means a financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.

~~*Barber and beauty shop* means any establishment where cosmetology services are provided including hair care, nail care and skin care on a regular basis for compensation.~~

Billboard. (See Outdoor advertising sign).

Board of adjustment means a quasi-judicial board composed of five residents of the Town of Woodfin empowered to hear appeals from decisions of the Zoning Administrator, grant variances from provisions of the Zoning Ordinance and grant special use permits.

~~*Boat and trailer sales and repair and manufacturing* means a facility, including a boat repair garage or boat storage yard where boats are repaired and stored until repairs are completed.~~

~~*Bowling alleys and skating rinks* means an establishment that provides indoor facilities for the sport of ten-pin or duck-pin bowling or participant skating, with customary accessory uses such as snack bars.~~

Brewery means an establishment where beer and malt beverages are made on the premises at an annual beer production rate of over 15,000 barrels. A brewery of this scale is considered a heavy manufacturing use.

Buffer strip shall consist of a planted strip at least ten feet in width, composed of deciduous or evergreen trees or a mixture of each, spaced not more than 20 feet apart and not less than one row of dense shrubs, spaced no more than five feet apart.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Building frontage means the linear length of only that portion of a building used by an individual tenant in a multiple tenant development and which faces a public street or alley.

Building setback line means a line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided. If the property line extends into a roadway or highway itself, then the setback line shall be measured from the edge of the traveled way (which is the edge of the road or the actual area that vehicles travel upon) when computing setback requirements on lots abutting highways.

Campground means an outdoor area designed to accommodate non-permanent travel trailers, tents, cabins, camper vans, and recreational vehicles on a temporary basis. Electrical, cable, water and sewage hookups may be provided on site.

Canopy means a permanent attached structure which projects from and is supported by a building, which serves as a cover providing shelter or decoration and which extends beyond the building.

Car wash means a facility that is used to clean the exterior and/or interior of motor vehicles. Including but not limited to hand washing, coin-operated, automatic in-bay and tunnel washing. ~~the use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.~~

Cemetery means a tract of land used for burials not associated with a place of worship.

Change of use means the act of eliminating the type of land use in a structure or on a lot and replacing it with another type of land use; or the act of adding another type of land use in a building or on a lot which did not previously exist there. A change of use may or may not involve any type of new construction or building renovation.

Channel means those flood lands normally occupied by a stream of water under average annual high-water flow conditions while confined within generally well-established banks.

Community centers, ~~*C*~~*clubs and lodges* ~~*(nonprofit)*~~ means any ~~person(s),~~ government or non-profit ~~partnership, association, corporation, or other~~ group whose activities are conducted for civic or humanitarian motives and not for the gain of any private individual or group and may include, but shall not be limited to, recreation, social service, welfare, education, civic, fraternal, or cultural activities.

Common plan of development means a construction or land disturbing activity is part of a larger common plan of development if it is completed in one or more of the following ways: in separate stages; in separate phases; or in combination with other construction activities. It is identified by the documentation (including, but not limited to, a sign, public notice or hearing, sales pitch, advertisement, loan application, drawing, plats, blueprints, marketing plans, contracts, permit application, zoning request, or computer design) or physical demarcation (including, but not limited to, boundary signs, lot stakes, or surveyor markings) indicating that construction activities may occur on a specific plot; it can include one operator or many operators.

Concrete plant means a manufacturing or processing plant in a fixed location associated with the storage of raw materials used in the production of concrete and the mixing of concrete products prior to their use or transportation.

Condominium means a dwelling unit within a multiple-unit property together with an undivided portion of ownership in areas and facilities held in common with other property owners in the development. Condominiums may take a number of forms such as attached townhouses, apartments, or other forms of residential structures.

The common areas and structures may include underlying land, parking areas, recreation facilities, swimming pools, and in the case of an apartment house, hallways, basements, heating units, and elevators.

Conference and training centers means facilities used for business or professional conferences, seminars, and training programs.

~~*Contractors' offices* means any land or buildings used primarily for the storage of equipment, vehicles, machinery (new or used), building materials, paints, pipe, or electrical components used by the owner or occupant of the premises in the conduct of any building trades or building craft.~~

Data centers/server farm means an establishment engaged in the storage, management, processing, and/or transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Includes crypto-currency mining.

Day care center means an individual, agency, or organization providing supervision or care on a regular basis for children who are not related by blood or marriage to, and who are not the legal wards or foster children of the supervising adult.

Day care home means supervision or care provided on a regular basis as an accessory use within a principal residential dwelling unit, by a resident of the dwelling, for up to 5 children who are not related by blood or marriage to, and who are not the legal wards or foster children of the supervising adult OR for up to 5 adults who do not reside in the dwelling.

Dimensional nonconformity means any lawful nonconformity involving a dimensional or numerical development requirement except those involving outdoor lighting or signs which are addressed in chapter 26 and chapter 34, respectively. Dimensional nonconformities may include, without limitation, nonconformities associated with lot size, lot width, lot depth, lot coverage setbacks, impervious surface standards, open space, number of parking spaces, or separation requirements between particular uses or zoning districts, and structure size and placement standards including height, gross floor area, footprint area, number of stories, build-to zone, fenestration, step-back and building frontage.

Drive-through service window means a window or series of windows associated with a commercial establishment that permits patrons to transact business or order goods while remaining in a vehicle. A drive-thru service window shall only be permitted as an accessory use.

~~*Dry cleaning and laundry pickup stations* means an establishment which launders or dry cleans articles dropped off on the premises directly by the customer or where articles are dropped off, sorted, and picked up but where laundering or cleaning is done elsewhere.~~

Dwelling means a building that contains one or two dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

~~*Dwelling, detached* means a dwelling entirely surrounded by open space on the same lot.~~

Dwelling, accessory unit means a separate and complete dwelling unit that is ancillary and subordinate to a principal single-family dwelling located on the same lot. Accessory dwelling units may be either detached or attached to the primary dwelling.

Dwelling, multi~~ple~~-family means a ~~dwelling~~ building containing three or more dwelling units.

~~*Dwelling, single-family* means a dwelling containing one dwelling unit either attached, semi-attached, or detached~~

Dwelling, single-family attached means a dwelling which occupies its own lot, but which is physically connected to one or more other dwellings. The lot line separating the lots is congruent with the part wall connecting the dwellings.

Dwelling, single family detached means a home on an individual lot or parcel of land intended, designed, used, and/or occupied by no more than one family.

Dwelling unit means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, eating, sleeping, eating, cooking and sanitation.

~~*Restaurants*~~ *Eating and drinking establishments* means ~~any establishment, however designated, at which food is sold for consumption on the premises to patrons seated within an enclosed building, or elsewhere on the premises. Also includes drive-in restaurants~~. any establishment whose principal business is the sale of food, frozen desserts or beverages to the customer in a ready-to-consume state, and whose design or method of operation provides for consumption of foods, frozen desserts or beverages within the restaurant building, within a motor vehicle parked upon the premises, off-premise consumption (to-go orders), or at other facilities on the premises outside the building. This definition does not include bars, nightclubs, lounges, hookah or cigar bars.

Eave line means the extension of a roof line beyond the vertical wall of a building.

~~*Efficiency* means a dwelling unit consisting of one principal room with no separate sleeping rooms.~~

Equipment rental means an establishment that rents or leases construction tools or equipment to an entity for a period of time but does not transfer ownership of the tools or equipment to the entity renting or leasing it.

Essential services means publicly or privately owned facilities or systems for the distribution of gas, electricity, steam or water, the collection and disposal of sewage or refuse; the transmission of communications; or similar functions necessary for the provision of public services. Radio transmission facilities for use by ham radio operators or two-way radio facilities for business communications shall be deemed accessory uses and not under this definition as Essential Services, provided no transmitter or antenna tower exceeds 40 feet in height, with the exception of 100 feet for governmental communications. Wireless telecommunications are not included within this definition. Essential Services are divided into three classes:

(1) *Class 1* means transmission lines (above and below ground) including electrical, natural gas, and water/wastewater distribution lines; small, enclosed facilities up to 200 square feet such as and including pumping stations, lift stations, and telephone switching facilities.

(2) *Class 2* means water storage tanks; package treatment plants; telephone switching facilities, substations, or other similar facilities used in connection with telephone, electric, steam, and water facilities greater than 200 square feet; raw water treatment facilities; battery storage facilities when accessory to a substation.

(3) *Class 3* means generation, production, or treatment facilities such as power plants, sewage/septage treatment facilities, recycling sorting operations, compost and mulching yards. But does not include solid or hazardous waste landfills, construction and demolition landfills.

Erect means to construct, build, raise, assemble, install, place, locate, relocate, affix, attach, display, alter, use, create, paint, draw, illuminate or in any other way bring into being or establish.

Event venue, indoor means a fully enclosed and conditioned space to watch and/or to hear athletic events, musical/dramatic performances, including auditoriums, arenas, stadiums, coliseums, athletic centers and theaters. Use of a membrane structure (e.g. tent) does not qualify as an indoor venue.

Event venue, outdoor means an outdoor or partially enclosed space to watch and/or to hear athletic events, musical/dramatic performances including auditorium, arena, stadium, coliseums, athletic centers, theaters, and drive-in theaters.

Expansion means any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

Extraction of earth products means the process of removing natural deposits of rock, minerals, oil, gas, ore, soil or other material from their original location, and may include on-site processing.

Facade means building sides including parapet and wing wall.

Family care home means a home that provides room, support and supervision to no more than six (6) persons with disabilities as defined in NC GS 160D-907(a)2

Family means any number of related persons, or up to five unrelated persons, living together as a single housekeeping unit.

Familial relationship, close means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

~~*Farm machinery, sales, and repairs* means establishments selling, renting, or repairing agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and process pertaining to farming and ranching.~~

~~*Feed and seed stores* means a retail store selling primarily agricultural products, including the bulk storage of fertilizers and related agrichemicals.~~

Firing range, indoor means an enclosed firing range with targets for rifle or handgun practice.

Firing range, outdoor means a facility used for firearm practice outdoors. For the purposes of this Ordinance skeet, trap, rifle, pistol and turkey practice shooting is included.

Flag lot means a type of lot whose shape resembles a flag and where the access to the road is commonly provided along a long narrow flagpole, and the shape of the buildable portion of the lot is rectangular, similar to a flag.

~~*Florist* means a retail business whose principal activity is the selling of plants which are not grown on the site and conducting business within an enclosed building.~~

Freight terminal means a collection and distribution point for trucks or freight.

Fuel oil dealer means a facility and business used to warehouse and dispense various types of fuel oil.

Funeral homes and mortuaries means a building or part thereof used for human funeral services. Such building may contain space and facilities for (a) embalming and the performance of other services used in the preparation of other services used in the preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral supplies funeral urns, and other related funeral supplies; (e) facilities for cremation where funeral home is permitted, a funeral chapel shall also be permitted.

~~*Game and amusement rooms, including pool halls* means a place or facility where pinball or other similar electronic games are played for amusement only. Shall not be construed to include gambling devices prohibited by law.~~

Governing body means as it pertains to this Ordinance, the Governing Body may be considered the Town of Woodfin Town Council or the Woodfin Planning Board of Adjustment as authorized by General Statute or the Town Council.

Grade means the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Gross floor area means the total floor area of all buildings in a project including basements, mezzanines, and upper floors, exclusive of stairways and elevator shafts. Gross floor area excludes separate service facilities outside the main building such as boiler rooms and maintenance rooms.

Group care facility means a residential facility for 12 or fewer persons that requires a license by the state of North Carolina.

Group living means any residential facility, dwelling unit, and/or combination thereof that does not meet the definition of a family care home or group care home; Examples include boarding/rooming houses, half-way homes,

dwellings occupied by 6 or more unrelated persons, fraternity and sorority houses. Lodging uses are not included under this definition.

Group development means a group of two or more principal structures built on a single lot, tract, or parcel of land not subdivided into the customary streets and lots and which will not be subdivided, and designed for occupancy by separate families, businesses, or other enterprises. Examples would be:

(1) Cluster-type subdivisions;

(2) Row houses;

(3) Apartments ~~courts~~;

(4) ~~Housing projects;~~

(5) ~~School and hospital campuses;~~

(~~6~~4) Shopping centers; and

(~~7~~5) Industrial parks.

Height, building means the average of the shortest and tallest sides of a building, from the tallest peak of the roof to the base of the building at grade. Chimneys, ventilators, antennas, skylights, tanks, bulkheads, or solar panels shall not be considered part of the height of the building if they do not extend more than four feet above the specific height limit. Domes, towers, or spires which are an integral part of institutional buildings shall not be subject to these limitations, provided that such features shall in no way be occupiable space.

Height, structure means the greatest vertical distance from the top of the structure to the base of the structure at grade.

~~*Home occupation* means an accessory use of a dwelling unit or an accessory structure for limited non-residential purposes which is clearly incidental and subordinate to the use of the dwelling unit as a permanent and full-time residence.~~

~~Customary incidental~~ *H~~h~~ome occupation~~s~~,* means an accessory use of a dwelling unit or an accessory structure for limited non-residential purposes which is clearly incidental and subordinate to the use of the dwelling unit as a permanent and full-time residence ~~any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof, and in connection with which there are no retail sales or display on the premises and no person not a resident of the premises is employed by the following home occupations: lawyer, physician, optometrist, dentist, osteopath, and chiropractor. Provided further that no mechanical equipment is installed or used except such as normally used for domestic or professional purpose, and that not over 25 percent of the total floor space of any structure is used for home occupations.~~

~~*Homestay* means a lodging use that occurs within a resident-occupied single-family dwelling wherein space in the home is rented to transients for compensation for a period of less than one month, and where the use is incidental and subordinate to the primary residential use of the property. A homestay may or may not have a separate kitchen, bathroom and/or entrance.~~

Hospital means an institution for health care providing patient treatment by specialized staff and equipment, and often, but not always providing for longer-term patient stays.

~~*Hotels, motels, inns* means a lodging use contained within a building or series of buildings under single ownership providing accommodations to transients for compensation, offering either short or extended-stay facilities, and that may customarily include incidental or ancillary services including housekeeping, dining, meeting rooms and recreational facilities.~~

Impact means the effect of one land use upon another as measured by traffic or noise generation, site activity, hours of operation, site lighting, vibration, smoke or odor emissions, or similar factors.

Junkyard means a lot, land, or structure or part thereof, used primarily for the collecting, storage, and sale of waste paper, rags, scrap metal, or discarded material; or for the collecting, dismantling, storage and/or salvaging of machinery or vehicles not in operating condition and for the sale of parts thereof. Shall also include any outdoor area containing more than five motor vehicles that do not display a current license plate, or are partially dismantled or wrecked, or cannot be self-propelled or moved in the manner in which it is intended to move.

~~*Kennel* means the boarding, breeding, raising, grooming, or training of two or more dogs, cats, or other household pets of any age not owned by the owner or occupant of the premises, and/ or for commercial gain.~~

Kennel means a commercial establishment wherein any person engages in business or practice, for fee, of boarding, breeding, letting for hire, or training of multiple domesticated animals at any one time, not including pets owned by the landowner; or an establishment wherein any person engages in the business or practice, for a fee, of selling more than one (1) litter of domesticated animals at any one time.

~~*Kindergarten or day nursery* means any day care center which receives children between the ages of two and six years and which is established and professionally operated primarily for educational purposes to meet the development needs of the children served.~~

Laboratory (analytical, experimental or testing) means a facility that provides controlled conditions in which scientific research, experiments, and measurement may be performed.

Landfill means a facility for disposal of solid waste on land in a sanitary manner, in accordance with rules concerning sanitary landfills set by the NC Department of Environmental Quality, called for in NCGS 130-A. Construction and demolition landfills are also included in this definition.

~~*Launderette and L*~~*laundromat* means a facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.

Lawful nonconformity means any nonconformity involving a dimensional or numerical requirement or use of property that affects a structure erected or a lot created in conformity with the then-applicable development requirements of the town, but subsequently made nonconforming by action of the town through a zoning map or ~~unified development code~~ text amendment. For non-construction related purposes such as but not limited to, financing, appraisals, or zoning verification, a lawful nonconformity shall be regarded as conforming.

Libraries, museums and art galleries means a room or building for exhibiting, or an institution in charge of, a collection of books, artistic, historical, or scientific objects.

Lodging means any land use contained within a building or series of buildings under single ownership providing accommodations to transients for compensation, offering either short or extended-stay facilities, and that may customarily include incidental or ancillary services including housekeeping, dining, meeting rooms and recreational facilities that includes the renting of room(s) for transient stays. This includes any of the following hotels, motels, bed and breakfast inns, and short-term rentals. Use of a dwelling, or any portion thereof, rented or leased for intervals of less than one month is considered a "lodging" use.

Lot means a parcel of land occupied or intended for occupancy for a building together with its accessory building. For the purposes for this chapter, the term "lot" means any number of contiguous lots or portions thereof, upon which one or more main structures for a single use are to be erected.

Lot, corner means a lot abutting two or more streets at their intersection, provided that the corner of such intersection has an angel of 135 degrees or less, measured on the lot side.

Lot coverage means the area under a roof and enclosed by the exterior permanent walls.

Lot of record means any lot or parcel of land that was lawfully created and recorded by a subdivision or a lawfully created unit of land that was created by deed or land sales contract prior to the town's subdivision regulations.

Lot width means the distance between the side lines of a lot measured at the front building setback line.

Manufactured home (HUD code) means a manufactured building designed to be used as a single-family dwelling unit which has been constructed and labeled indicating compliance with the HUD administered Manufactured Housing Construction and Safety Standards Act of 1974, as amended. The term manufactured home is used interchangeably with the term mobile home.

Manufactured home – Class A means a multi section manufactured home with a permanent, masonry perimeter curtain wall, having siding consistent with standard residential construction and built/constructed in accordance with the standards established by the North Carolina Department of Insurance as set forth in the most current edition of the State of North Carolina Regulations for Manufactured Homes.

Manufactured home – Class B means a manufactured home that does not meet the definition of a Manufactured Home - Class A, meeting the following appearance criteria: continuous skirting under all sides of the home except for required ventilation and access; skirting shall be installed no later than 60 days after the set-up of the home, and built/constructed in accordance with the standards established by the North Carolina Department of Insurance as set forth in the most current edition of the State of North Carolina Regulations for Manufactured Homes.

Manufactured home – Class C means any manufactured home built before 6/15/1976 and does not meet the definitional criteria of a Manufactured Home Class - A or Manufactured Home - Class B.

Manufactured home park - a parcel (or contiguous parcels under common ownership) of land which has been so designated and improved that it contains *three* or more manufactured home lots available to the public for the placement thereon of manufactured homes for occupancy.

Manufactured home lot means any space, area, or tract of land, or portion of a manufactured home community (park), which is designated or used for occupancy by one manufactured home.

Manufactured home space means any lot within a manufactured home community (park), which is designated or used for occupancy by one manufactured home.

Manufacturing, heavy means the assembly, fabrication, or processing of goods and materials using processes that have greater than average impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, vibrations, or health and safety hazards; or that otherwise do not constitute "light manufacturing"; or any use where the area occupied by outdoor storage of goods and materials used in the assembly, fabrication, or processing exceeds 25 percent of the floor area of all buildings on the lot.

Manufacturing, light means the assembly, fabrication, or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare, vibrations, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place; where such processes are housed entirely within a building; or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed 25 percent of the floor area of all buildings on the property.

~~*Meat market* means a building where live animals are killed and processed; and/or a building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed but does not include a butcher shop or rendering plant.~~

~~*Medical and dental clinics* means an establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, massage therapy, and other health care professionals, or similar professions.~~ *Medical office* means the clinic or office of physicians, medical doctors, chiropractors, or dentists licensed to practice medicine or dentistry in the State of North Carolina, where the primary use is the delivery of health care services, where sale of merchandise is incidental to the delivery of services. This use includes addiction recovery facilities that provide for the treatment of persons having drug or alcohol abuse problems under the supervision of professional health care or social services providers, where no overnight accommodations are provided.

~~*Metal fabricating plants* means the assembly of metal parts including blacksmith and welding shops, sheet metal shops, machine shops, that produce metal duct work, tanks, towers cabinets, and enclosures, metal doors and gates, and similar products.~~

~~*Mini storage warehouses* means the operation of warehousing and storage wherein the storage capacity of individual units is less than 1,000 square feet of floor area and individual keys are provided to lock each unit during the term of a rental agreement.~~

Microbrewery means an establishment where beer and malt beverages are made on the premises and then sold or distributed, and which produces less than 15,000 barrels (a barrel is approximately 31 gallons) of beer per year. Microbreweries must sell 25% or more of its beer on-site and does not include an eating and drinking establishment.

Motor vehicle ~~*Automobile*~~ *repair garages* ~~means~~ means any building, structure, improvements, or land used for the ~~repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, or oil change and lubrication painting, tire service and sales, or installation of CB radios, car alarms, stereo equipment, or cellular telephones.~~ storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint and body work. Also referred to as vehicle repair shop. Junk vehicles or the operation of an automobile wrecking and junking yard are not permitted as part of this use.

Motor vehicle ~~*Automobile*~~ *sales* ~~*(new and used)*~~ means storage and display for sale of more than two motor vehicles or any type of trailer provided the trailer is unoccupied, and where repair or body work is incidental to the operation of the new or used vehicle sales includes motor vehicles retail or wholesale sales. Sales of boats, recreational equipment, ATVs, motorcycles, trailers, tractors, and travel trailers are included within this definition.

Motor vehicle service station means any premises where gasoline and other petroleum products are sold, and light maintenance activities are performed. Also called a gas station.

Multi~~ple~~-tenant development means a development in which there exists a number of individual and or separate activities and in which there are appurtenant shared facilities (such as parking areas or pedestrian mall areas).

~~*Newspaper office* means a publication, printed on newsprint, intended for general circulation, and published regularly at short intervals, containing information and editorials on current events and news of general interest. The events and news of general interest. The term "newspaper" does not include magazines, trade publications or journals, credit bulletins, and advertising inserts, circulars, directories, maps, racing programs, reprints, newspaper clipping and mailing services or listings, publications that include an updating or revision service, or books or pocket editions of books.~~

Nightclubs, bars, lounges means any commercial establishment serving alcoholic beverages and/or providing entertainment for patrons that do not operate significant food services.

Nonconforming lot means any lot of record which does not meet the minimum area, width or open space requirements established in these regulations or any amendment thereto, whichever may be applicable.

Nonconforming open use of land means a use not enclosed by a building and which was in existence prior to the effective date of this chapter or at the time the lot was brought into the town's jurisdiction and which would not be permitted by this chapter in the zoning district in which it is located. An open use of land may be the principal use or ancillary to another use on the property.

Nonconforming structure means any structure, lawfully existing on the effective date of these regulations or on the effective date of any subsequent amendments to these regulations or the zoning maps which render such structure nonconforming, which does not comply with all standards and regulations of this ordinance or any amendments thereto, whichever may be applicable.

Nonconforming use means a nonconformity involving the use of the property when that use was lawfully established. This may include, without limitation, nonconformities associated with a use not permitted in the zoning district in which it is located, a use specially allowed in the zoning district in which it is located but for which no special use permit has been obtained, or residential density that exceeds the maximum permitted in the zoning district in which it is located.

Offices (business~~,~~ and professional~~s~~ services~~, and public~~) means administrative, executive, professional, research, or similar organizations,~~ and laboratories~~ having only limited contact with public, provided that no merchandising services are sold on the premises, except such as are incidental or accessory to the principal permissible use.

Outdoor advertising sign or billboard means an offsite sign means a sign which directs attention to a business, commodity, service, good, product, entertainment, or similar enterprise not related to the site upon which such sign is located or to which it is affixed.

Outdoor storage means the storage of any material for a period greater than 24 hours not in an enclosed building. Outdoor storage may be standalone or ancillary to another use.

~~*Outdoor recreation* means recreational uses conducted almost wholly outdoors, including golf driving ranges, go-cart track, riding stables, miniature golf, firing ranges, water parks, amusement parks, and similar uses.~~

~~*Paper products manufacturing* means the manufacturing of paper and paperboard, from both raw and recycled materials, and their conversion into products including paper bags, boxes, envelopes, wallpaper etc.~~

Parapet means that portion of a building wall that rises above the roofline.

Parking lot means any place maintained for the outdoor parking of motor vehicles not associated with another use. Parking lots do not include parking on public streets.

Parking, off-street means a designated area intended to support another use(s) by providing space for temporary storage of motor vehicles for employees, residents, and visitors.

Parking space means a graded and surfaced area of at least nine feet wide and 18~~9~~ feet long, either enclosed or open, for the parking of a motor vehicle, having adequate ingress or egress to a public street or alley.

~~Jewelry repair and pawn shops means any place of business which is regularly engaged in the business of making pawns but does not include a financial institution or any business that regularly loans money or any other thing of value on stocks, bonds, or other securities.~~

~~*Noncommercial* P~~*parks~~,~~ and playgrounds, ~~and community centers~~ (public and private)* means a place, structure, area, or facility used for one or more sports or recreation activities such as, but not limited to, bowling, skating, water sports, baseball, basketball, tennis, golf, riding, hiking, fishing or similar sports or recreational uses and providing ~~religious, fraternal~~, social, or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community. ~~Also includes clubs, lodges, golf courses, swimming pools and fishing lakes.~~

Permanently affixed means anchored to a foundation.

Personal services means a business providing personal or household services typically by appointment or on a walk-in basis during normal business hours with some limited weekend hours. Examples include barber and beauty shops, nail salons, spas, shoe repair, tailors, massage therapists, and other personal or household services accomplished on site.

~~*Photographic studios and camera supply stores* means a facility primarily engaged in the retail sale, lease, and service of photography equipment and supplies, including limited on-site processing or development.~~

~~*Plastic products manufacturing* means the manufacturing of rubber products including rubber footwear; mechanical rubber goods; heels and soles; flooring; and rubber sundries from natural, synthetic, or reclaimed~~

~~rubber. Also includes establishments engaged in molding primary plastics for the trade and manufacturing miscellaneous finished plastics products; fiberglass manufacturing; and fiberglass application services.~~

~~*Churches*~~ *Place of worship* means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities.

Planning board means an advisory board composed of seven residents of the Town of Woodfin that provides recommendations to the Woodfin Town Council on legislative requests for conditional rezonings, general rezonings, and text amendment to the Zoning Ordinance.

Principal use means the primary use and chief purpose for which a lot is used.

Prison means a facility, public or private, established for the temporary placement of persons who require secure custody for their own or the community's protection in physically restricting facilities.

~~*Printing and reproduction establishments* means a commercial printing operation involving a process that is considered printing, imprinting, reproducing, or duplicating images and using printing methods including but not limited to offset printing, lithography, web offset, flexographic, and screen process printing.~~

~~*Public and private elementary schools* means a public or private schools offering instruction at the elementary school level in the branches of learning and study required to be taught in schools within the state.~~

Public safety facilities means a government facility for public safety and emergency services, including a facility that provides police or fire protection and related administrative facilities. The term shall not include jails, prisons, hospitals, or institutional and commercial services.

Public works ~~and public utility~~ facilities means ~~any improvement facility or service, together with its associated public site or right-of-way necessary to provide transportation, drainage, public or private utilities, energy, or similar essential services.~~ a government facility for public works services, such as refuse collection, street and building maintenance, parks and land management, vehicle maintenance, parking, and associated accessory uses.

Radio and television station means establishments primarily engaged in the provision of broadcasting and other information relay services accomplished using electronic and telephonic mechanisms excluded are facilities classified as major utility services or broadcasting or communication towers typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities.

Recreational facility, indoor means any business establishment which is primarily engaged in providing an amusement and/or recreational activity within a fully enclosed building such as a public or private health or exercise clubs, tennis or other racquet courts, swimming pools, video arcade, billiard parlor, skating rink, bowling alley, axe throwing, or similar uses which are enclosed in buildings, but does not include indoor motion picture theaters, adult establishments, or firing ranges.

Recreational facility, outdoor means any business establishment which is primarily engaged in providing amusement and/or recreational activities that are outside of a fully enclosed building that include but not limited to, miniature golf, skateboard parks, paintball, water slide and swimming pools, batting cages, laser tag, mechanical ride, golf course, golf driving range, go-cart or motorcycle course, fish ranch, or similar activity to the general public, but does not include outdoor motion picture theaters or firing ranges.

Recreational vehicle/travel trailer means a travel trailer which may operate independently of connections to electricity, water, and sewer for a limited period of time, having its own battery or LP gas system or both, to operate lights, refrigerator, stove, and heater; having a water tank with a pressure system; and having a holding tank with a toilet. A travel trailer shall not be used as a dwelling.

Recycling facility means an establishment primarily engaged in (1) operating facilities for separating and sorting recyclable materials from nonhazardous waste streams (i.e., garbage); and/or (2) operating facilities where commingled recyclable materials such as paper, plastics, used beverage cans, and metals are sorted into distinct categories.

Recycling drop-off center means a facility where residents may drop off recyclable materials, typically unstaffed.

Rehab/skilled nursing facilities means a facility that provides residentially based services for people who require constant nursing care and have significant deficiencies with activities of daily living. Residents include the elderly and younger adults with physical or mental disabilities.

Renovation means the repairing or remodeling of a structure in which the exterior walls, foundation and roof are maintained structurally intact.

Retail establishment means a commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser, where products include but are not limited to clothing, fabric, shoes, varieties, notions, drugs, hardware, furniture, appliances, floor coverings, paints, antiques, art goods, jewelry, gifts, music, toys, sporting goods, books and stationary, magazines, candy, tobacco, pets, hobbies, and crafts. Manufacturing, wholesale, bulk storage, and/or processing is not considered a retail use. Uses specifically enumerated in the Table of Uses shall follow the more specific standards.

Retail, large means any building or collection of buildings as part of a single development greater than 20,000 sq ft gross floor area.

Retail, small means any building or collection of buildings as part of a single development that are 20,000 square feet or less in gross floor area.

Sawmills means a facility where logs or partially processed cants are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products, not including the processing of timber for use on the same lot by the owner or resident of that lot.

School, primary means an institution where academic instruction is given to persons K-8.

School, secondary means an institution where academic instruction is given to persons 9-12.

School, post-secondary means a public or private educational institution providing higher education that grants associate degrees or higher, or specific professional or vocational training.

Self-storage warehouse means a building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized and controlled-access stalls or lockers for the dead storage of customers' goods or wares.

~~*Service stations* means any establishment whose primary activity is the provision of assistance, as opposed to products, to individuals, business, industry, government, and other enterprises.~~

Short-term rental (STR) means a lodging use that occurs within a single dwelling unit containing a maximum of three bedrooms that is rented to transients for compensation for a period of less than one month. (See Lodging).

Sign, on-site means any sign, the content of which relates to the site on which it is located, referring exclusively to businesses, commodities, services, products, goods, entertainment, or similar enterprise on the site, or the sale, lease, or construction of those sites. On-site signs do not include signs erected by the outdoor advertising business.

Single tenant means a single business establishment, activity or use.

Site plan means a scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site-specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review. A site plan approval based solely upon application of objective standards is an administrative decision, and a site plan approval based in whole or in part upon the application of standards involving judgment and discretion is a quasi-judicial decision. A site plan may also be approved as part of a conditional zoning decision.

Skirting means a weather-resistant material used to enclose the perimeter, under the living area of the home, from the bottom of the manufactured home to grade.

~~*Small electric and appliance repair shops* means establishments primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding automotive and equipment repair use types. Typical uses include appliance repair shops, shoe repair, watch or jewelry repair shops, or repair of musical instruments.~~

Soffit means the underside of a structural component such as an arch, beam or cornice.

Solar farm means a use where a series of solar collectors are placed in a area for the purpose of generating photovoltaic power for an area greater than the principal use on the site. Also referred to as solar power plant and solar photovoltaic farm.

Special event means a temporary outdoor activity held on public or private property, including, but not limited to, seasonal sales, the display of goods and merchandise associated with a retail use, community or cultural events, music or arts events, performances, celebrations/parties, festivals, fairs, and carnivals. L

Street frontage means that portion of a lot abutting a publicly-maintained street or alley.

Structure means any erection or construction, such as buildings, towers, mash poles, booms, signs, decorations, carports, machinery, and equipment excluding utility lines and appurtenances.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Improvements, modifications, and additions to existing buildings are counted cumulatively for at least three years.

Substantial improvement means any repair, reconstruction, rehabilitation, addition, renovation, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the fair market value of the structure before the start of construction of the improvement or when an existing building is structurally altered such that the gross floor area is increased by more than 25 percent. Improvements, modifications, and additions to existing buildings are counted cumulatively for three years. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: (1) any project of improvement of a structure to correct existing violations of state or local health, sanitary, or safety codes specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe conditions; or (2) any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

~~*Taxicab business* means a service that offers transportation in passenger automobiles and vans to persons including those who are handicapped in return for renumeration. The business may include facilities for servicing, repairing, and fueling taxicabs or vans.~~

Temporary health care structure means a transportable residential structure providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that (i) is primarily assembled at a location other than its site of installation, (ii) is limited to one occupant who shall be the mentally

or physically impaired person, (iii) has no more than 300 gross square feet, and (iv) complies with applicable provisions of the State Building Code and G.S. 143-139.1(b).

~~*Theatres, indoor* means a building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances.~~

Trademark means a name, symbol, or other device identifying a product which is officially registered and legally restricted to the use by its owner.

Truck stop means an establishment engaged primarily in the fueling, servicing, repair or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers, or restaurant facilities primarily for the use of truck crews.

Use means the purpose or activity for which the land or building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

Utilities means public, quasi-public or private facilities such as water well water and sewage pumping stations, water storage tanks, power and communications transmission lines, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays, gas regulation stations, sewage disposal plants, sludge incinerators, warehouses, shops, and storage yards.

Veterinary clinic means a use or structure intended or used primarily for the testing and treatment of the physical disorders of animals; not principally used for the overnight boarding or grooming of well animals; not permitting outdoor cages, pens, or runs for the confinement of animals unless expressly permitted in the district; and not used for the training of animals.

Vision clearance means an unoccupied triangular space at the intersection of highways or streets with other highways or streets or at the intersection of highway or streets with railroads. Such vision clearance triangle shall be bounded by the intersection highway, street, or railroad right-of-way lines and a setback line connecting points located on such right-of-way lines by measurements from their intersection as specified in this chapter.

Warehousing ~~*Warehouse*~~ means ~~a building used primarily for the storage of goods and materials~~ a commercial building for storage of goods. Warehouses are used by manufacturers, importers, exporters, wholesalers, transport businesses, etc. Self-storage is not included within this definition.

~~*Wholesale establishments* means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies this is not considered a general commercial use.~~

Wireless telecommunication, co-location means the placement, installation, maintenance, modification, operation, or replacement of wireless facilities on, under, within, or on the surface of the earth adjacent to existing structures, including utility poles, city utility poles, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes. Attachment to existing utility owned transmission towers (e.g. high-tension power line support towers) may be permitted as a co-location type. The term does not include the installation of new utility poles, city utility poles, or wireless support structures. When placed on existing towers, there must be no increase in height of existing tower and must present a site plan showing the location of equipment structures to be located within previous approved fenced-in area.

Wireless telecommunication, concealed means a tower, ancillary structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site.

Wireless telecommunication, towers means a tower erected for the purpose of transmitting or receiving signals, including, without limitation, telephone, radio, television, cable television, or microwave signals.

Yard means a space on the same lot with a principal building, open, unoccupied and unobstructed by buildings or structures from ground to sky, except where encroachments and accessory buildings are expressly permitted.

Yard, front means an open, unoccupied space on the same lot with a principal building, extending ~~a~~ the full width of the lot and situated between the street or property line and the front line of the building projected to the side lot lines of the lot.

Yard, rear means an open, unoccupied space on the same lot with the principal building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lot lines of the lot.

Yard, side means an open, unoccupied space on the same lot with a principal building, situated between the building and the side lot line extending from the rear line of the front yard to the front line of the rear yard.

Zoning administrator means the Town of Woodfin employee or employees appointed by the Town Manager to have overall responsibility for the enforcement and interpretation of this Ordinance, to include zoning officers, planners and the planning director.

Attachment 2

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Residential - Current (to be replaced)													
Single-family dwellings	P	P	P	P		S	S	P	P				
Two-family dwellings			P	P		S	S	P	P				
Multi-family dwellings			P	P		S	S	P	P				
Double-wide manufactured homes			P	P									
Residential - Proposed	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Day care home	L	L	L	L	P	P	P	P	P				L
Dwelling, accessory unit	L	L	L	L				L	L				
Dwelling, multi-family			P	P	L	P	P	P	P				
Dwelling, single-family attached	P	P	P	P		S	S	P	P				
Dwelling, single-family detached	P	P	P	P		S	S	P	P				
Family care home	P	P	P	P		P	P	P	P			P	
Group care facility					P	P	P		P				
Group living					P	P	P						
Home occupation	L	L	L	L				L	L			L	L
Manufactured home – class A	P	P	P	P				P				P	P
Manufactured home – class B												P	P
Manufactured home – class C													P
Manufactured home park													P

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Business - Current (to be replaced)													
Animal hospitals					S	S	S			S	S		
Auction sales, except livestock					S		S			P	P		
Automobile parts and supplies, retail					P		P			P	P		
Automobile repair garages, but excluding body works and open storage of wrecked cars					P		P			P	P		
Automobile repair garages, including body works and open storage of wrecked cars							S			S	P		
Automobile sales, new and used					P		P			P	P		
Bakeries, retail					P	S	P	S		P			
Banks and other financial institutions, including loan and finance companies					P	P	P		P				
Barber and beauty shops					P	P	P	S	P				
Boat and trailer sales					P		P			P	P		
Car wash					P	S	P			P	P		
Catalogue sales					P	P	P		P				
Dairy bars and ice cream manufacturing for retail sales on the premises only					P	S	P		P				
Dry cleaning and laundry pickup stations					P	S	P						
Electrical wholesale supply house and repair shops							S			P			
Exterminators						S	S			P	P		
Feed and seed stores						S	S			S	S		
Floral shops					P	P	P		P				
Funeral homes and mortuaries					P	S	S			P			
Game and amusement rooms, including pool halls					S		S			S			
Homestay	L	L	L	L				L					
Home occupation	L	L	L	L				L					
Hotels, motels, inns					P	P	P			P			
Jewelry repair and pawn shops					P	P	P						
Kennels					S	S	S			P	P		
Launderette and laundromats					P	S	P			P			
Locksmiths and gunsmiths					P	P	P			P			

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Manufactured home display area							S			P	P		
Meat markets, retail only, but excluding the killing or dressing of any flesh or fowl					P	P	P			P			
Medical and dental clinics					P	P	P		P	P			
Miniature golf					P	P	P			P			
Newspaper offices					P	P	P			P			
Office supplies and equipment, sales and service				P	P	P	P		P				
Offices, business, professional and public					P	P	P	S	P	P	P		
Opticians and optical goods stores					P	P	P		P				
Outdoor recreation uses such as go cart track and riding stables							S				P		
Photographic studios and camera supply stores					P	P	P	S	P				
Printing and reproduction establishments						P	P			P	P		
Printing, engraving and publishing establishments						P	P			P	P		
Radio and television stations					P	S	S			P	P		
Radio and television repair shops					P	P	P		P	P			
Rest and convalescent homes		S	S	S		S	S			S			
Restaurants, including drive-in					P		P		P	P	P		
Retail establishments					P	S	P						
Service stations					S		S			S	P		
Shoe repair and shine shops					P	P	P		P				
Short-term rental					L	L	L			L			
Small electric and appliance repair shops					P	P	P						
Tailor, dressmaking and millinery shops					P	P	P		P				
Taxicab stands					P		S						
Telephone and telegraph offices					P	P	P						
Theatres, indoor					P	P	P			P			
Truck stop							S			P			
Warehousing, except for the storage of dangerous or offensive items such as uncured hides or explosives					P		S			P	P		
Wholesale establishments							S			P	P		

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Business - Proposed	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Adult entertainment establishment	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	S	EXP	EXP	EXP
Animal shelter											P		
Banks and other financial institutions					P	P	P		P				
Bus station					S	S	S						
Campground					S	S	S						
Conference and training center						P	P						
Day care center					P	P	P	P	P				
Drive-through					P	P	P						
Eating and drinking establishment					P	P	P		P				
Equipment rental										P	P		
Event venue, indoor					P	P	P						
Event venue, outdoor					S	S	S						
Firing range, indoor											P		
Firing range, outdoor											S		
Fuel oil dealer										P	P		
Funeral homes and mortuaries					P	P	P			P			
Hospital					P	P	P						
Kennel					S	S	S			P	P		
Laundromat					P	P	P						
Lodging					P	P	P						
Medical office					P	P	P		P				
Motor vehicle repair garage					P	P	P			P	P		
Motor vehicle sales					P	P	P			P	P		
Motor vehicle service station					P	P	P			P	P		
Nightclubs, bars, lounges					S		P						
Offices					P	P	P	P	P	P	P		
Parking lot					P	P	P						
Personal services					P	P	P	P	P				
Prefabricated home display area							S			P	P		
Radio and television stations					S	S	S			P	P		
Recreation facility, indoor					P	P	P						

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Recreation facility, outdoor							S						
Recycling drop-off center							P		P	P	P		
Rehab/skilled nursing facilities					P	P	P		S				
Retail, large							P						
Retail, small					P	P	P		P				
Short-term rental					L	L	L						
Truck stop							S						
Veterinary clinic					P	P	P						
Warehousing					P		S			P	P		

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Industrial - Current (to be replaced)													
Automobile wrecking and junkyards											S		
Building materials storage and sales yards							S			S	S		
Contractors' offices with the interior storage of materials					P					P	P		
Contractors' offices with storage yards							S			S	S		
Farm machinery, sales and repairs							S			S	S		
Flour and feed mills											P		
Freezer lockers and ice plants							S			P	P		
Industrial supplies and equipment, sales and service							S			S	S		
Metal fabricating plants, including boiler and tank works											P		
Mini storage warehouses										P	P		
Planting works											P		
Plumbing and heating supply houses							S			P	P		
Sawmills, planning mills, pallet and basket factories											P		
Sheet metal, roofing, plumbing, heating and refrigeration shops							S			P	P		
Wholesale storage of gasoline and oil products, including bottled gas and oxygen										P	P		
Industrial - Proposed	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Brewery													
Building supply sales yards							S			P	P		
Concrete and/or asphalt plant											S		
Data center/server farm											S		
Extraction of earth products											S		
Freight terminal											P		
Junkyard											S		
Laboratory							P			P	P		
Manufacturing, heavy											P		
Manufacturing, light							P			P	P		
Microbrewery											P		

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Recycling facility										S	P		
Sawmill											P		
Self-storage warehouse											P		
Wholesale storage											P		

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Manufacturing - Current (to be removed)													
Air conditioning and heating equipment manufacturing											P		
Alcohol and alcohol beverage manufacturing					S		S			P	P		
Amusement, recreational and sporting goods manufacturing							S			P	P		
Apparel and clothing manufacturing, including hosiery							S			P	P		
Apple packing sheds											P		
Automobile parts and accessories manufacturing							S			P	P		
Bakeries and other establishments manufacturing prepared food products for wholesale distribution						S	P			P	P		
Bedding and carpet manufacturing and cleaning establishments							S			P	P		
Belting and brake lining manufacturing							S			P	P		
Boat and trailer repairs manufacturing							S			P	P		
Bottling works							S			P	P		
Bowling alleys and skating rinks					P		P			P	P		
Business machines manufacturing							S			P	P		
Cabinet, caskets and woodworking							S			P	P		
Carbon and battery products manufacturing											P		
Coffee, tea and spices processing							S			P	P		
Drugs, medicines, and cosmetics manufacturing							S			P	P		
Dry cleaning and laundry plants							S			P	P		
Electrical appliances and electronic equipment manufacturing							S			P	P		
Felt and sandpaper manufacturing							S			P	P		
Fertilizer manufacturing and sales											P		
Furniture manufacturing						S	S			P	P		
Furriers and fur storage					P		P			P	P		
Glass, ceramic and tile manufacturing							S			P	P		
Hardware and housewares manufacturing							S			P	P		

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Hotels, inns and motels					P	S	P			P			
Insulation materials and wall board manufacturing							S			P	P		
Leather products, including luggage and shoe manufacturing							S			P	P		
Musical instrument manufacturing						S	S			P	P		
Paper products manufacturing						S	S			P	P		
Plastic products manufacturing										P	P		
Pottery, porcelain, or vitreous china manufacturing											P		
Precision instruments manufacturing							S			P	P		
Printing plants						S	S			P	P		
Textile and cordage manufacturing							S			P	P		
Trailer manufacturing							S			P	P		
Window and door manufacturing							S			P	P		

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Civic, Educational, and Governmental - Current (to be replaced)													
Assembly halls, coliseums, armories, ballrooms, and similar structures					P		P			P	P		
Business colleges, barber and beauty colleges and schools, music and dance studios					P	P	P	S	P	P			
Churches and their customary related uses	S	S	S	S	S	S	S	S	S	S	S		
Clubs and lodges, fraternities, sororities, and social, civic, and other similar organizations operating on a nonprofit basis					P	S	S	S		P	P		
Industrial trade schools and research laboratories					P	S	S			P			
Kindergartens and day nurseries			S	S	S	S	S	S	P	S	S		
Libraries, museums and art galleries					P	P	P	P	P	P			
Noncommercial, public or private parks, playgrounds, community centers, clubs and lodges, golf courses, swimming pools and fishing lakes	P	P	P	P	P	S	S	P		P	P		
Public elementary schools and private schools having curricula approximately the same as ordinarily given in public schools	P	P	P	P	P	S	P	S		P			
Public safety facilities such as fire and police stations and rescue squad headquarters	S	S	S	S	S	S	S	P	P	S	S		
Public works and public utility facilities						S		S	P	S	S		
Public works and public utility facilities such as transformer stations, pumping stations, water towers and telephone exchanges	S	S	S	S	S	S	S	S	S	S	S		
Public works and utility facilities, but excluding service and storage yards					P	S	S	S		P			
Civic, Institutional & Government - Proposed	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Cemetery	L	L	L	L			L		L				
Community centers, clubs and lodges					P	P	P	P		P	P		
Essential services - class 1	P	P	P	P	P	P	P	P	P	P	P	P	P
Essential services - class 2	S	S	S	S	P	P	P	S	P	P	P	S	S
Essential services - class 3											P		

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Landfill	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP	EXP
Libraries, museums and art galleries					P	P	P	P	P	P			
Parks and playgrounds	P	P	P	P	P	P	P	P	P			P	
Place of worship	L	L	L	L	P	P	P						
Prison											S		
Public safety facilities	P	P	P	P	P	P	P	P	P	P	P	P	
Public works facilities					P	P	P		P		P		
Schools, post-secondary					P	P	P			P	P		
Schools, primary & secondary	P	P	P	P	P	P	P	P	P	P			
Solar farm											P		
Wireless telecommunication, co-location	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless telecommunications, concealed	S	S	S	S	S	S	S	S	P	P	P	S	EXP
Wireless telecommunications towers					S	S	S		S	S	P		EXP

Table of Uses													
Land Uses & Use Categories	Permitted, Limited and Special Uses in Districts												
	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Other - Current (to be replaced)													
Any form of agriculture or horticulture, including the sale of products on the property where produced	P	P	P	P	P	P	P	P	P	P	P		
Customary incidental home occupation	P	P	P	P		P	P	S					
Group development			S	S	S	S	S		S	S	S		
Other - Proposed	R-43	R-21	R-10	R-7	CS	CS-2	CS-3	MV	TR	LI	HI	MHO	MHC
Agriculture and horticulture	P	P	P	P	P	P	P	P	P				
Group development			S	S	S	S	S		S	S	S		
Outdoor storage					L	L	L		L	P	P		

Attachment 3

Sec. 54-144. Limited ~~and special~~ uses.

(a) *Limited uses.* Limited uses are permitted by right, in the districts identified in the Table of Uses found in section 54-143 above, and provided that the specific standards set forth in this section are satisfied. The specified standards are intended to ensure these uses fit the intent of the districts within which they are permitted, and that these uses are compatible with other development permitted within the districts. Identified limited uses shall comply with the following.

(1) *Home occupation.*

a. The business activity shall be conducted entirely within the dwelling and carried on by the occupants thereof.

b. A maximum of one employee who is not a resident of the property shall be allowed.

c. No retail sales or display of goods, products, services, signage, or other forms of advertising shall be visible from outside of the dwelling.

d. A maximum of 25% of the total floor space of the home may be used for the home occupations.

e. No mechanical equipment is installed or used except such as normally used for domestic or professional purposes.

~~(2) *Homestay.*~~

~~a. A permit to establish a homestay use is required prior the use occurring on the property.~~

~~b. Only one homestay shall be permitted per lot, tract or parcel.~~

~~c. Homestay permits shall be limited to one per person, immediate household, LLC, corporation, trust or other legal entity. A person's immediate household shall include a spouse, children, or any other relative residing in the same home. An ownership stake of five percent or more in an LLC, corporation, trust or other legal entity shall constitute ownership for the purposes of this limitation.~~

~~d. The homestay operation shall be managed and carried on by a person who is: 1) 18 years or older, 2) a full-time resident of the dwelling unit; and 3) present during the homestay term for the entire time lodgers are staying at the property. To be a "full-time resident," the person must reside on the property on a permanent basis, and it must be the person's primary home. For purposes of this homestay ordinance, a person can only have one primary, full-time residence, and the homestay must be operated from that primary, full-time residence. In order to be "present during the homestay term," the full-time resident shall be at the property overnight and not away on vacation, visiting friends or family, travelling out of town for business or personal reasons, etc. during the homestay term. However, the full-time resident may be temporarily absent from the property for purposes related to normal residential activities such as shopping, working, attending class, etc. e. Applicants must definitively affirm that they live at the property from which the homestay is operated and that they have only one primary, full-time residence. A minimum of two documents establishing proof of residency shall be supplied from an approved list of documents. This does not apply to property owners acting as a co-applicant.~~

~~e. A minimum of one off-street parking space per bedroom shall be required and illustrated on an approved site plan.~~

~~f. When the property owner does not reside on the property, an application for a homestay permit must be submitted by the full-time resident of the property and the property owner together as~~

~~co-applicants. The homestay permit shall be issued to both parties with all rights and responsibilities afforded to the applicants equally.~~

~~g. No non-residential activities other than lodging shall be allowed.~~

~~h. No special events may be hosted on a homestay property.~~

~~i. No signage shall be allowed for homestays.~~

~~j. The homestay owner or operator shall maintain liability insurance on the property, which covers the homestay use and homestay guests.~~

~~k. Emergency and contact information including a name, phone number and email address must be posted prominently inside the homestay.~~

~~l. The homestay owner or operator must pay any applicable taxes, including occupancy and sales taxes, to the appropriate governmental entity.~~

~~m. The homestay area of the dwelling shall comply with applicable building codes.~~

~~n. Violations of these standards, or failure to obtain a permit for a homestay shall be subject to enforcement action as set forth in section 54-41.~~

(~~3~~2) *Short-term rental.*

a. A permit to establish a short-term rental use is required prior the use occurring on the property.

b. Only one short-term rental shall be permitted for any single-family dwelling or single-family property.

c. Short-term rental permits shall be limited to one per person, immediate household, LLC, corporation, trust or other legal entity. A person's immediate household shall include a spouse, children, or any other relative residing in the same home. An ownership stake of five percent or more in an LLC, corporation, trust or other legal entity shall constitute ownership for the purposes of this limitation.

d. No more than ten percent of units in a multi-family or multi-tenant building or development may be used as short-term rentals.

e. No non-residential activities other than lodging shall be allowed.

f. No special events may be hosted on a short-term rental property.

g. No signage shall be allowed for homestays.

h. The short-term rental owner shall maintain liability insurance on the property, which covers the lodging use and short-term rental guests.

i. Emergency and contact information including a name, phone number and email address must be posted prominently inside the short-term rental.

j. The short-term rental owner must pay any applicable taxes, including occupancy and sales taxes, to the appropriate governmental entity.

k. The short-term rental shall comply with applicable building code.

l. Violations of these standards, or failure to obtain a permit for a short-term rental shall be subject to enforcement action as set forth in section 54-41 and shall be subject to the following schedule of penalties:

First offense	$100.00

Second offense	$300.00
Third offense	$500.00 and revocation of permit for one year

(43) *Accessory dwelling units (ADUs).*

a. *General provisions.* The following standards apply to all ADUs located in all residential districts.

ADUs shall be:

1. Co-located on a residential lot containing no more than one single-family detached structure. The residential lot may contain other accessory structures, as allowed in this ordinance.
2. Located on lots that conform to the minimum dimensional standards for the district in which it is located.
3. Subordinate to the principal structure in size, location, and height (except as otherwise allowed).
4. Provided parking at a minimum rate of one space per ADU. Parking for the primary dwelling unit must also be maintained or replaced on site.

ADUs shall not be:

1. Regarded as additional dwelling units for the purpose of determining minimum lot size, lot width, or maximum density.
2. Used as a short-term rental.

b. *Additional Standards.* ADUs may be either attached or detached to the primary dwelling unit, subject to complying with the following standards.

1. Detached ADUs:
    (a) The gross square floor area of the detached ADU shall not exceed 70 percent of the gross floor area of the primary dwelling unit, or 800 square feet, whichever is greater.
    (b) The height of a detached ADU may not exceed the height of the principal unit, up to a maximum height of 25 feet.
    (c) Detached ADUs must comply with all required setbacks for the district in which it is located.
    (d) Detached ADUs must be located to the side or rear of the primary unit and no closer to the street than the leading edge of the primary dwelling on lots that are less than two acres. For lots equal to or greater than two acres, a detached ADU may be placed in any location on the lot provided the structure can comply with all setback requirements.
2. Attached ADUs that expand the footprint of the existing structure:
    (a) The gross floor area of the attached accessory dwelling unit may not exceed 70 percent of the gross floor area of the primary dwelling unit, or 800 square feet, whichever is greater.
    (b) The height of the accessory dwelling unit may exceed the height of the existing primary dwelling unit by up to four feet, but may not exceed the height limit of underlying district.

(c) The expansion area must comply with all setback requirements for the district in which it is located.

4. Attached ADUs that do not expand the existing structure and share a common foundation, exterior walls, and roof of the principal dwelling:

(a) May be included within a non-conforming residential structure.

(b) Will not be limited in gross floor area or height.

(4) Multi-family dwellings.

a. Buildings located within 200 feet of the edge of pavement for Weaverville Road shall limit multi-family dwellings to the upper floors.

(5) *Cemetery.*

a. All burial plots, columbarium, and mausoleum shall be setback 20 feet from all property boundaries and habitable structures of the property.

(6) Place of worship.

a. For the purposes of these development standards, places of worship shall be placed in the following categories based upon the number of seats in the sanctuary(ies):

1. Small place of worship—Less than 400 seats in the sanctuary(ies).

2. Large place of worship—400 seats or more in the sanctuary(ies).

b. Minimum lot size: The minimum lot size for places of worship shall be as follows:

1. Small place of worship—Minimum lot size for the zoning district in which the place of worship is located.

2. Large place of worship—Two acres.

c. Lot location: Places of worship shall be located as follows:

1. Small places of worship may be located on any street.

2. Large places of worship shall be located on property which abuts a major thoroughfare. Places of worship wishing to expand, and which owned the property on which they wish to expand prior to September 1, 2024, shall not be required to meet the lot location standards.

d. Setbacks: Setbacks for all places of worship shall be as follows:

· Front: Same as residential uses in the zoning district.

· Side: 20 feet.

· Rear: 30 feet.

· No parking or other activities shall be located in any of the required setbacks. In addition, parking shall not be located in front of the principal structure(s).

e. Access points: Access onto place of worship property from local residential streets shall be limited to a total of two driveway access points onto all surrounding local residential streets.

f. Parking. Off street parking shall be provided at a minimum of one (1) space per eight seats in the sanctuary(ies).

g. Parking and outdoor activity areas shall be buffered from adjacent residential uses with a buffer as defined in 54-10.

h. Impervious surface standards. Impervious surfaces shall not exceed 70 percent impervious.

i. Offices associated with the activities or business of the place of worship shall occupy not more than 25 percent of the total floor area of the buildings on the lot.

j. No commercial activities (selling of items to the general public on an on-going basis) shall be permitted.

k. No warehouse structures shall be permitted.

l. No facilities for vehicle maintenance shall be permitted.

m. No grading shall be permitted within ten feet of side and rear property lines, other than for utilities, landscaping, and access.

n. Outdoor speaker systems are prohibited.

(7) Day care home.

a. Maximum enrollment: Five children.

b. Any outdoor play space shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space and must be setback 10 feet from all property lines.

c. Client drop-off and pick-up shall not obstruct traffic flow on adjacent public streets.

d. Parking shall not be located in the front yard.

(8) Outdoor storage.

a. Only permitted as part of a principal use.

b. If located adjacent to residential use, must provide a screened buffer yard defined in 54-10.

(9) Firing range, indoor.

a. Noise shall be reduced to 40 dbl as measured at the closest residence property line.

b. Conform to the minimum design standards as outlined in the latest revised edition of The NRA Range Source Book.

(10) Wireless telecommunication, co-locations.

a. Co-located wireless telecommunication facilities are permitted on buildings and other existing structures (other than off-premises signs) which do not require an increase in height to accommodate the facility.

b. For purposes of this section, antennas mounted on an electric transmission tower shall qualify as a co-located wireless telecommunication facility provided antennas associated with such a facility do not extend more than ten feet above the top of the supporting structure nor more than two feet from the sides of the structure. Equipment enclosures associated with such a facility may be mounted on the structure or placed underground or on the ground. If placed on the ground, equipment enclosures shall be placed on a concrete pad and screened to make them unobtrusive.

c. All antennas associated with co-located wireless telecommunication facilities mounted on a building or other existing structure (other than a utility pole) shall be flush mounted against the

side of the building or structure and camouflaged to match or complement the color and architectural treatment of the surface on which they are mounted.

d. Antennas associated with a co-located wireless telecommunication facility mounted on a utility pole must be mounted atop the pole or flush mounted against the sides of the pole and shall be colored to match or complement the color of the utility pole and shall be mounted in as unobtrusive a manner as possible.

e. Antennas associated with a wireless telecommunication facility may not be co- located on a tower or other support structure used by an amateur radio operator.

f. Equipment enclosures associated with wireless telecommunication facilities mounted on a building or other existing structure (other than a utility pole) shall be mounted inside the building or structure, attached to an exterior surface, or placed underground or on a concrete pad on the ground outside the building or structure. If mounted on an exterior surface, the enclosures shall be colored or camouflaged to match or complement the color and architectural treatment of the surface on which they are mounted. If placed on a concrete pad on the ground, the enclosures shall be screened to make them unobtrusive.

g. Equipment enclosures associated with a co-located wireless telecommunication facility mounted on a utility pole, must be mounted on the utility pole; provided, however, if combiners are used to allow co-location by sharing of an antenna or antenna array and pole-mounting of equipment enclosures cannot be accommodated on the pole, the combiner and additional equipment enclosures may be placed underground or on a concrete pad on the ground. If placed on a concrete pad on the ground, such additional equipment enclosures shall be screened so as to make them unobtrusive.

h. All cabling and wiring connecting antennas, equipment enclosures, and other components of a wireless telecommunication facility shall be colored or concealed in a manner as to render them unobtrusive.

i. Wireless telecommunication facilities located in a local historic district or on a historic landmark shall require a certificate of appropriateness from the historic resources commission.

j. Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:30 a.m. and 4:30 p.m.

k. A copy of the applicant's FCC license must accompany its application. If the applicant is not an FCC licensee, the applicant must demonstrate that it has binding commitments from one or more FCC licensees to utilize the wireless telecommunication facility and must submit a copy of each such wireless service provider's FCC license. If FCC licenses have previously been filed with the Town in conjunction with other wireless telecommunication facilities, the applicant may certify that such licenses remain in full force and effect.

l. Abandoned or unused wireless telecommunication facilities shall be removed within 180 days of abandonment or cessation of operations. If not removed within that period, such facilities may be removed as provided in the permittee's maintenance/removal agreement and the costs of removal recovered from the permittee's bond or other security. Prior to removing a wireless telecommunication facility pursuant to this provision, the Town shall give 30 days' written notice of its intention to do so to the permittee at its last known address.

(Ord. of 5-18-2021; Ord. No. 2022-151101, § 1, 11-15-2022; Ord. No. 2023-026, § 1, 11-21-2023)

Attachment 4

Sec. 54-159. Special uses.

(a) Each special use is unique in nature, and needs special consideration and conditions. Section 54-69(e)(2)b ~~77(2)~~ provides conditions applicable to all uses listed as special in the designated zoning district that the board of adjustment must find to exist. The following special uses may have additional specific conditions that the board of adjustment must find to exist before granting the special use permit. These special requirements are not conclusive, in that, the board of adjustment may add or modify such requirements as they deem necessary.

(1) Such uses are limited to those permitted within the zoning district in which the project is located. In no case shall the board of adjustment authorize a use prohibited in the district in which the project is to be located.

(2) The distance of every building shall meet the setback requirements of the district in which the project is located.

(3) A proposed ~~group development~~ project should be designed by the appropriate design professional. It shall be so designed that the overall intensity of land use shall be no greater than that permitted in the zoning district in which the project is located. Furthermore, the design should guarantee permanent retention of open space and ensure its care and maintenance.

(4) ~~Group d~~Developments shall follow the review procedures for special uses as outlined in section 54-69~~77~~.

(5) The procedure for approval ~~of group development plans~~ shall include the submission of a design plan showing the proposed layout, including the location of buildings, driveways, street parking spaces, and recreation areas, to the board of adjustment for study prior to final approval. Where applicable, the design plan package shall include approvals for the proposed sanitary sewer and water distribution systems from the appropriate state and local agencies. ~~An approved project must be started within 12 months and be completed within a reasonable time after its approval.~~

(b) *Special uses listed.*

(1) *Dwelling, single-family detached*

(2) *Dwelling, single-family attached*

(3) *Adult entertainment establishment*

(4) *Bus station*

(5) *Campground*

(6) *Event venues, outdoor*

(7) *Firing range, outdoor*

(8) *Kennels*

(9) *Nightclubs, bars, lounges*

(10) *Prefabricated home display area*

(11) *Radio and television stations*

(12) *Recreation facility, outdoor*

(13) *Recycling facility*

(14) *Rehab/Skilled nursing facilities*

(15) *Truck stop*

(16) *Building supply sales yard*

(17) *Concrete and/or asphalt plants*

(18) *Data centers/server farm*

(19) *Extraction of earth products*

(20) *Junkyards*

(21) *Clubs, lodges, fraternities, sororities and similar organizations*

(22) *Essential services, Class 2*

(23) *Post secondary colleges*

(24) *Prison*

(25) *Public works facilities*

(26) *Wireless telecommunications, tower*

(27) *Wireless telecommunications, concealed.*

(28) *Group development*

(c) Checklist. The following checklist shall be completed by the applicant. The applicant shall infer that all information is required at the public hearing, unless prior arrangements have been made.

SPECIAL USE ~~GROUP DEVELOPMENT~~ SITE PLAN REVIEW CHECKLIST

Site plans for special use permits ~~for group developments~~ require the following:

(1) (~~A~~)GENERAL REQUIREMENTS.

a. ~~1)~~ Submission of ~~at least three sets of~~ site plans prepared by an appropriate registered professional.

b. ~~2)~~ Identification of property by street address and tax map reference.

c. ~~3)~~ Site plans shall also contain the following general information:

1. ~~a)~~ North arrow, legend, and seal of registered professional;

2. ~~b)~~ A vicinity map showing relative location of project to surrounding area;

3. ~~c)~~ Adjoining property liens, ownership, and land use;

4. ~~d)~~ Existing and proposed topography at contour intervals of no greater than two feet; and

5. ~~e)~~ The plan shall not be drawn to a scale of less than one inch to 100 feet.

d. ~~4)~~ Name and location of project and contact information of applicant or owner

(2) (~~B~~)LAND AND LANDSCAPING, RECREATION AND OPEN SPACE PLAN. The following requirements shall be provided on a single detached plan:

a. ~~1)~~ If the proposed development is to be located in a designated flood hazard area. All base flood elevation data shall be provided by the developer.

b. ~~2)~~ Location of wooded areas ~~and all trees of 12 inches or more in diameter~~.

c. ~~3)~~ Amount of wooded area to be removed.

d. ~~4)~~ Existing and proposed contours at intervals of no less than two feet.

e. ~~5)~~ Streams, ponds, drainage ditches shall be illustrated.

f. ~~6)~~ Location of existing and proposed utilities.

g. ~~7)~~ Area to be covered by structures, parking, and streets and the like.

h. ~~8)~~ Buffering shall be illustrated, ~~and meet the standards as found in section 54-10.~~

i. ~~9)~~ Location and heights of all fences, walls, and hedges.

j. ~~10)~~ Type and location of proposed plantings.

k. ~~11) A minimum of 20 feet of open space between individual and unattached buildings in a residential development.~~ Location of nearest fire hydrant and proposed fire hydrant.

l. ~~12)~~ Areas intended for open space and common areas.

(3) (~~C~~)STRUCTURE AND UTILITY SYSTEM PLAN. The following requirements shall be provided on a single detached plan:

a. ~~1)~~ Location and dimension of all existing and proposed structures, including gross floor area and number of stories.

b. ~~2)~~ Location of entrances and loading points.

c. ~~3)~~ Proposed schedule of development including stages likely to be followed.

d. ~~4)~~ Existing and proposed use of all structures. If multifamily use, list number of bedroom units proposed: 1 bedroom ___ 2 bedroom ___ 3 bedroom ___ 4 bedroom ___.

e. ~~5)~~ Water and sewer system.

1. ~~a)~~ Location and size of all existing and proposed lines.

2. ~~b)~~ Letter from the respective utility providing water or sewer services ~~Woodfin Water and Sewer District or the City of Asheville Water and Sewer Department~~ stating availability of water and sanitary sewer. The letter shall state the results of a flow and pressure test for water lines and the volume of capacity/current flow for sewer lines.

~~c) Estimated daily and peak demand for water consumption and waste water discharge.~~

3. ~~d)~~ Location and size meters.

4. ~~e)~~ Rights-of-way and easements.

f. ~~6)~~ Underground utility lines including electrical power, telephone, gas, cablevision, fire alarm system and exterior area lighting.

~~7) Fire protection system.~~

~~a) Location of nearest fire hydrant and proposed fire hydrant.~~

~~b) Letter of adequacy of water pressure from the Woodfin Fire Department.~~

~~c) Hydrants shall be placed on six-inch water lines and be located within 100 feet of the development.~~

~~d) A 15-foot area around the hydrant shall be kept clear of all obstructions.~~

~~e) Only the Woodfin Fire Chief may suggest a change from these standards.~~

~~8) Stormwater drainage system as described in part (E).~~

g. ~~9)~~ Seal and signature of registered professional engineer.

(4) (~~D~~)STREET, PARKING, AND LOADING AREA PLAN. The following requirements shall be provided on a single detached plan:

a. ~~1)~~ An approved North Carolina Department of Transportation (N.C.D.O.T.) Driveway Permit for any driveway or other curb cut on a state system street or highway.

b. ~~2)~~ Curb design and material.

c. ~~3)~~ Street plans and profiles.

d. ~~4)~~ Rights-of-way and pavement widths.

e. ~~5)~~ Existing and proposed storm drainage facilities including pipes, drop inlets, catch basins, junction boxes, man holes, etc.

f. ~~6)~~ Location of traffic control devices.

g. ~~7)~~ Street lighting~~. The developer is advised that there is a charge by Carolina Power and Light for each pole required for street lighting utilizing underground wiring. This is a one-time service fee and the Town will not assume responsibility for this payment.~~

~~8) Adequate parking spaces shall be provided in accordance with section 54-176 and illustrated on plan~~.

h. ~~9)~~ Parking calculations showing required and provided spaces ~~shall be no less 8.5 feet by 18 feet (Handicapped spaces shall be 12.5 feet wide).~~

i. ~~10)~~ Type of surfacing and curbing in all parking and loading areas.

j. ~~11)~~ An illustration of the interior flow of vehicular and pedestrian traffic.

k. ~~12) Fire lanes for commercial development.~~

l. ~~13)~~ Location of dumpsters, illustrating access areas.

(5) (~~E~~)STORMWATER DRAINAGE PLAN. The following requirements shall be provided on a single detached plan:

~~1) The developer should be familiar with Buncombe County's Soil Erosion Control Ordinance.~~

a. ~~2)~~ The stormwater plan shall illustrate the outline of all areas to be cleared, graded, or otherwise disturbed, outline of areas to be cut, and outline of areas to be filled.

b. ~~3)~~ If on-site cut and fill do not balance, identify location of borrow and/or spoil areas.

c. ~~4)~~ Show approximate location of proposed silt fences and similar work to be installed to protect the site and adjacent property during construction.

d. ~~5)~~ Show, by flow lines, direction of runoff of stormwater.

e. ~~6)~~ Provide estimate of stormwater runoff rates both before and after development and approximate size and location of retention walls.

f. ~~7)~~ Existing and proposed storm drainage facilities including pipes, drop inlets, catch basins, junction boxes, manholes, etc.

(d) Uses with additional standards. Before issuing a special use permit, the board of adjustment shall find that all standards for specific uses listed in this section, as well as all procedures listed in section 54-69, have been met. The following additional standards are applied to specific special uses:

(1) *Adult entertainment establishment.* ~~*Animal hospital*~~

a. *The purpose of this section shall be to set forth the appropriate special requirements by which adult establishments may be established within the Town of Woodfin zoning jurisdiction. Adult entertainment establishments, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when they are located near a residential zoning district or certain other districts which permit residential, educational, religious, or recreational uses. Studies have shown that lower property values and increased crime rates tend to accompany and are brought about by the concentration of adult establishments. The town council finds that regulation of these uses is necessary to ensure that these adverse effects do not contribute to the blighting of surrounding neighborhoods and to protect the integrity of the town's residential areas, schools, places of worship, libraries, childcare centers, and public parks and playgrounds which are typical areas in which juveniles congregate.*

b. *To address the purposes set forth above, the following restrictions are established:*

1. *No adult establishment shall be located within a 1,000-foot radius of another adult establishment.*

2. *No adult establishment shall be located within a 1,000-foot radius of any residential zoning district. Provided, however, the establishment of a residential zone subsequent to the lawful commencement of an adult establishment will not render the adult establishment non-conforming.*

3. *No adult establishment shall be located within a 1,000-foot radius of any place of worship, school, library, licensed childcare center, public recreation center, or public park or playground. Provided, however, the establishment of any place of worship, school, library, licensed childcare center, public recreation center, or public park or playground subsequent to the lawful commencement of an adult establishment will not render the adult establishment non-conforming.*

4. *The required distance shall be measured from the edge of the building occupied by an adult establishment to the closest edge of the property occupied by a protected use, zone, or by another adult establishment. Provided, however, that an adult establishment is located in a multi-tenant facility, the distance shall be measured from the closest edge of the portion of the facility occupied by such establishment.*

5. *Except for permitted business identification signage, no printed material, slide, video, photograph, written text, live show, or other visual presentation shall be visible, nor shall any live or recorded voices, music, or sounds be heard from outside the walls of the establishment.*

6. *Any external lighting shall be arranged so as not to be directed toward any residential area.*

~~a. No pens or kennels shall be located closer than 20 feet to any property line.~~

~~b. All outside facilities will be screened from sight from adjacent properties.~~

(2) *Campground.* ~~*Auction sales, except livestock.* All auction sales in C-S must be in an enclosed area.~~

a. No travel trailer may be permanently affixed or utilized as a permanent single-family residence. No single trailer may be located within the park for more than 180 days out of any given calendar year.

b. Travel trailer spaces must be clearly identified on the site plan and delineated within the park through the provision of a physical boundary marker or designated pad. In no case shall a travel trailer be placed within 20 feet of another travel trailer.

c. A buffer consisting of evergreen trees or shrubs shall be provided against all adjacent properties but shall not extend beyond the established setback line along any street. Such buffer strip shall meet the standard defined in Section 54-10. This planting requirement may be modified by the Board where adequate buffering exists in the form of vegetation and/or terrain.

d. Waste management/dump station(s).

1. The park owner/operator shall provide capacity for a weekly accumulation of solid waste and recycling on site through the provision of dumpsters or acceptable containers. These dumpsters or other acceptable containers must be serviced at least once a week, unless the park has been vacant for the entirety of the week. These dumpsters shall not be located within any required setbacks.

2. The park owner/operator shall provide for adequate waste disposal through the provision of dump stations. Dump stations shall be inset at least 20 feet from all property lines and must be permitted by NCDENR prior to installation.

e. Any lighting to be provided within the park must be indicated on the site plan and adhere to the lighting standards as set forth within the Town's lighting ordinance.

f. At least one bathroom and shower shall be provided within a permanent structure. If the park does not provide full water and sewer hookups at each site, one additional bathroom and shower shall be provided for every ten travel trailer spaces in the park without water and sewer connections.

g. Documentation from the fire marshal shall be provided of the adequacy of the development's facilities for emergency medical and fire services.

(3) *Event venues, outdoor.* ~~*Automobile repair garages, but excluding body works and open storage of wrecked cars.*~~

a. The hours of operation shall be limited to 10:00 a.m. through 10 p.m

b. Shall only be accessed directly from a major or minor thoroughfare.

c. Shall provide a designated off-street passenger loading zone for ride sharing service pick-up.

(4) *Firing ranges, outdoor.* ~~*Automobile wrecking and junkyards.*~~

a. Adequate lighting shall be placed in areas used for vehicular/pedestrian access including, but not limited to stairs, sidewalks, crosswalks, intersections, or changes in grade. Lighting shall comply with the Town's Lighting ordinance.

b. Unpaved roads, travel ways and/or parking areas shall be treated to prevent dust from adverse effects to adjacent properties.

c. An outdoor shooting range shall not be constructed or newly located within:

1. One-half (½) mile of an existing school, library, day care facility, hospital, rehab/nursing facility and/or place of worship; and

2. One thousand (1,000) feet of an existing dwelling unit (located in a residential zoning district and not located on the same property as the use).

d. The operations of an outdoor shooting range shall be totally enclosed by:

1. A security fence at least eight (8) feet in height; or

2. A wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.

e. *A setback of fifty (50) feet is required. The storage of debris, equipment and other materials, including accessory structures, is permitted within the perimeter setback.*

f. *Perimeter Buffer. Twenty-five (25) feet.*

g. *Outdoor shooting ranges must be designed to contain all projectiles fired on-site.*

h. *Hours of Operation are limited to 9:00 a.m. to 8:00 p.m.*

~~a. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place in which rates, mice, or other vermin may be harbored, reared, or propagated.~~

~~b. Because of the tendency for salvage yards to promote the breading of vermin, no such operation shall be permitted closer than 200 feet from any established residential zone.~~

~~c. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight to 12 feet in height. Storage between the road or street and such fence, screen, or wall for screening purposes shall be properly painted or otherwise maintained in good condition.~~

~~d. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to the public health or safety.~~

~~e. The number of vehicular access driveways permitted on any single street frontage shall be limited to:~~

~~1. One driveway where the parcel to be used has a maximum road street frontage of 100 feet or less.~~

~~2. Two driveways where the road or street frontage exceeds 100 feet.~~

~~f. Driveways used for ingress and egress shall be limited to 25 feet in width.~~

(5) *Kennels.* ~~*Building materials storage and sales yard.*~~

a. The animal kennel, including all structures and fencing, shall be set back at least 50 feet from all external property lines of the facility.

b. The kennel facility shall be enclosed within a security fence of at least six feet in height. The fence and facility may require a vegetation buffer along any part of the fenced areas which abuts a residential use.

c. Provisions for daily removal and/or disposal of all animal waste shall be incorporated within the operation and maintenance of the animal kennel.

d. The design and operation of the facility shall be reviewed and approved by the state department of agriculture.

~~All open storage shall be fenced by a solid fence not less than six feet in height.~~

(6) *Nightclubs, bars and lounges.* ~~*Churches and their customary related uses.*~~

a. No outdoor speaker systems.

b. It shall be unlawful to operate or allow the operation of any sound amplification equipment so as to create sounds registering 55 db between 9:00 a.m. and 9:00 p.m.; or 50 db between 9:00 p.m. and 2:00 a.m., as measured anywhere within the boundary line of the nearest residentially occupied property. No amplified sound shall be allowed between 2:00 a.m. and 9:00 a.m.

c. All buildings containing amplified entertainment shall be insulated, have fixed windows and an adequate air conditioning system, all as required by the North Carolina State Building Code.

d. The main entrance of the buildings shall have STC (sound transmission control) doors with a rating of not less than 35

~~a. All buildings shall be set back at least 40 feet from any property line.~~

~~b. A vegetative buffer, as defined in section 54-10, shall be placed in any yard which abuts a residential zone.~~

(7) *Reserved.* ~~*Contractor's office and storage yard.* All open storage shall be fenced by a solid fence not less than six feet in height.~~

(8) *Reserved.* ~~*Farm machinery, sales and repairs.* All open storage shall be fenced by a solid fence not less than six feet in height.~~

(9) *Recreation facility, outdoor.* ~~*Feed and seed stores.* All open storage shall be fenced by a solid fence not less than six feet in height.~~

a. The hours of operation shall be limited to 10:00 a.m. through 10 p.m.

b. Shall only be accessed directly from a major or minor thoroughfare.

(10) *Recycling facility*. ~~*Game and amusement rooms including pool halls.*~~

~~a. The hours of operation shall be limited to 10:00 a.m. through 102:00 midnight.~~

~~b. There shall be no alcohol sold or consumed on the premises.~~

a. New uses and expansions of this type must operate in an enclosed building(s).

b. The temporary loading of materials into trucks for transport or distribution may occur in outdoor areas provided materials are not stored for a period of greater than 24 hours.

(11) *Reserved*. ~~*Group developments.* As a special use, in the case of two or more buildings to be constructed on a plot of ground of at least two acres not subdivided into the customary streets and lots and which will not be so subdivided, the application of this article may be varied by the board of adjustment in a manner that will be in harmony with the character of the neighborhood, provided:~~

~~(1) Such uses are limited to those permitted within the zoning district in which the project is located. In no case shall the board of adjustment authorize a use prohibited in the district in which the project is to be located.~~

~~(2) The distance of every building from the nearest property line shall meet the front year setback and side yard requirements of the district in which the project is located.~~

~~(3) A proposed group development project should be designed by a licensed architect. It shall be so designed that the overall intensity of land use shall be no greater than that permitted in the zoning district in which the project is located. Furthermore, the design should guarantee permanent retention of open space and ensure its care and maintenance.~~

~~(4) Group developments shall follow the review procedures for special uses as outlined in section 54-77.~~

~~(5) The procedure for approval of group development plans shall include the submission of a design plan showing the proposed layout, including the location of buildings, driveways, street parking spaces, and recreation areas, to the board of adjustment for study prior to final approval. Where applicable, the design plan package shall include approvals for the proposed sanitary sewer and water distribution systems from the appropriate state and local agencies. An approved project must be started within 12 months and be completed within a reasonable time after its approval.~~

~~The following checklist shall be completed by the applicant. The applicant shall infer that all information is required at the public hearing, unless prior arrangements have been made.~~

SPECIAL USE GROUP DEVELOPMENT SITE PLAN REVIEW CHECKLIST

Site plans for special use permits for group developments require the following:

(A) GENERAL REQUIREMENTS.

___ 1) Submission of at least three sets of site plans prepared by an appropriate registered professional.

___ 2) Identification of property by street address and tax map reference.

___ 3) Site plans shall also contain the following general information:

a) North arrow, legend, and seal of registered professional;

b) A vicinity map showing relative location of project to surrounding area;

c) Adjoining property liens, ownership, and land use;

d) Existing and proposed topography at contour intervals of no greater than two feet; and

e) The plan shall not be drawn to a scale of less than one inch to 100 feet.

___ 4) Name and location of project and contact information of applicant or owner

(B) LAND AND LANDSCAPING, RECREATION AND OPEN SPACE PLAN. The following requirements shall be provided on a single detached plan:

___ 1) If the proposed development is to be located in a designated flood hazard area. All base flood elevation data shall be provided by the developer.

___ 2) Location of wooded areas and all trees of 12 inches or more in diameter.

___ 3) Amount of wooded area to be removed.

___ 4) Existing and proposed contours at intervals of no less than two feet.

___ 5) Streams, ponds, drainage ditches shall be illustrated.

___ 6) Location of existing and proposed utilities.

___ 7) Area to be covered by structures, parking, and streets and the like.

___ 8) Buffering shall be illustrated, and meet the standards as found in section 54-10.

___ 9) Location and heights of all fences, walls, and hedges.

___ 10) Type and location of proposed plantings.

___ 11) A minimum of 20 feet of open space between individual and unattached buildings in a residential development.

___ 12) Areas intended for open space and common areas.

(C) STRUCTURE AND UTILITY SYSTEM PLAN. The following requirements shall be provided on a single detached plan:

___ 1) Location and dimension of all existing and proposed structures, including gross floor area and number of stories.

___ 2) Location of entrances and loading points.

___ 3) Proposed schedule of development including stages likely to be followed.

___ 4) Existing and proposed use of all structures. If multifamily use, list number of bedroom units proposed: 1 bedroom ___ 2 bedroom ___ 3 bedroom ___ 4 bedroom ___.

___ 5) Water and sewer system.

a) Location and size of all existing and proposed lines.

b) Letter from the Woodfin Water and Sewer District or the City of Asheville Water and Sewer Department stating availability of water and sanitary sewer. The letter shall state the results of a flow and pressure test for water lines and the volume of capacity/current flow for sewer lines.

c) Estimated daily and peak demand for water consumption and waste water discharge.

d) Location and size meters.

e) Rights-of-way and easements.

___ 6) Underground utility lines including electrical power, telephone, gas, cablevision, fire alarm system and exterior area lighting.

___ 7) Fire protection system.

a) Location of nearest fire hydrant and proposed fire hydrant.

b) Letter of adequacy of water pressure from the Woodfin Fire Department.

c) Hydrants shall be placed on six-inch water lines and be located within 100 feet of the development.

d) A 15-foot area around the hydrant shall be kept clear of all obstructions.

e) Only the Woodfin Fire Chief may suggest a change from these standards.

___ 8) Stormwater drainage system as described in part (E).

___ 9) Seal and signature of registered professional engineer.

(D) STREET, PARKING, AND LOADING AREA PLAN. The following requirements shall be provided on a single detached plan:

___ 1) An approved North Carolina Department of Transportation (N.C.D.O.T.) Driveway Permit for any driveway or other curb cut on a state system street or highway.

___ 2) Curb design and material.

___ 3) Street plans and profiles.

___ 4) Rights-of-way and pavement widths.

___ 5) Existing and proposed storm drainage facilities including pipes, drop inlets, catch basins, junction boxes, man holes, etc.

___ 6) Location of traffic control devices.

___ 7) Street lighting. The developer is advised that there is a charge by Carolina Power and Light for each pole required for street lighting utilizing underground wiring. This is a one-time service fee and the Town will not assume responsibility for this payment.

___ 8) Adequate parking spaces shall be provided in accordance with section 54-176 and illustrated on plan.

___ 9) Parking spaces shall be no less 8.5 feet by 18 feet (Handicapped spaces shall be 12.5 feet wide).

___ 10) Type of surfacing and curbing in all parking and loading areas.

___ 11) An illustration of the interior flow of vehicular and pedestrian traffic.

___ 12) Fire lanes for commercial development.

___ 13) Location of dumpsters, illustrating access areas.

~~(E) STORMWATER DRAINAGE PLAN. The following requirements shall be provided on a single detached plan:~~

~~1) The developer should be familiar with Buncombe County's Soil Erosion Control Ordinance.~~

~~2) The stormwater plan shall illustrate the outline of all areas to be cleared, graded, or otherwise disturbed, outline of areas to be cut, and outline of areas to be filled.~~

~~3) If on-site cut and fill do not balance, identify location of borrow and/or spoil areas.~~

~~4) Show approximate location of proposed silt fences and similar work to be installed to protect the site and adjacent property during construction.~~

~~5) Show, by flow lines, direction of runoff of stormwater.~~

~~6) Provide estimate of stormwater runoff rates both before and after development and approximate size and location of retention walls.~~

~~7) Existing and proposed storm drainage facilities including pipes, drop inlets, catch basins, junction boxes, manholes, etc.~~

(12) *Truck stop.* ~~*Industrial supplies and equipment, sales and services.* All open storage shall be fenced by a solid fence not less than six feet in height.~~

a. The minimum lot size shall be w acres.

b. All vehicular use areas shall be setback at least 25 feet from adjacent residentially zoned property.

c. All vehicular use areas shall be paved using concrete, asphalt, or similar durable all weather surface. Use of gravel, dirt, or other aggregate materials is prohibited.

(13) *Building supply sales yard.* ~~*Kindergartens and day nurseries.*~~

a. All open storage shall be fenced by a solid fence not less than six feet in height.

~~a. There shall be not less than:~~

~~1. 25 square feet of building floor area per child.~~

~~2. 75 square feet of open playing area per child.~~

~~b. A chain link fence shall surround the entire playing area. Such a fence shall be at least four feet in height and its access shall be controlled by a childproof gate.~~

~~c. A copy of the approved state license shall be submitted to the town.~~

~~d. A site plan of the child day care center shall be submitted to and approved by the board of adjustment. The required site plan shall include:~~

~~1. All building locations and dimensions;~~

~~2. Delineation of parking areas with the required amount of spaces as found in section 54-176;~~

~~3. Traffic flow patterns which are designed to maximize child safety;~~

~~4. A vegetative buffer, as defined in section 54-10, shall be placed in any yard which abuts a residential zone;~~

~~5. Any other criteria deemed necessary by the board of adjustment.~~

(14) *Concrete and/or asphalt plants.* ~~*Public safety facilities such a fire and police stations and rescue squad headquarters.*~~

a. The parcel on which the facility is located shall be set back at least 2,640 feet from any parcel where a hospital; hospice facility; licensed nursing home; drop-in or short term childcare center

providing care to at least ten preschool children; licensed child care center; private or public elementary, middle or high school; or municipal or county park or recreation facility is located.

b. The facility must comply with the Town's Flood Damage and Prevention Ordinance. But in no case shall production facilities or storage of hazardous materials be located in the one percent (1%) special flood hazard area.

c. The area of operations shall be set back from all perennial waters, as shown on the most recent version of the quadrangle topographic maps prepared by the United States Geological Service, and from all wetlands, as defined by G.S. 143-212(6) for a distance sufficient to protect surface and groundwater from spills and leaks. The setback shall be a vegetative buffer no less than 100 feet in width, with no less than the first 50 feet from the stream or wetland being undisturbed and the remaining area consisting of managed vegetation.

d. The facility shall be served by a public water system or situated a sufficient distance from any water supply well to ensure public health and safety. In all cases, the facility shall be located no closer to a water supply well than the minimum separation distance specified by N.C. Department of Environmental Quality.

e. There shall be sufficient access to a major highway so as to minimize truck travel through residential neighborhoods.

f. A buffer strip along all property lines shall be required that is sufficient in height, density, and foliage at all times of the year to minimize the visual impact to persons and motorists not on the property and to maximize the buffering of noise and particulate matter. Said buffer strip shall not extend into the established setback along any street. The required buffer shall be placed according to one or a combination of the following methods, as approved by the board of adjustment as fitting for the use and surrounding areas:

1. A continuous, natural and undisturbed 100-foot buffer strip of trees, shrubbery, and other natural vegetation.

2. A 100-foot planted buffer strip consisting of at least three rows of evergreen trees, whose species shall be approved by the board of adjustment, which at the time of planting shall be at least six feet in height, and which at maturity, shall be at least 15 feet in height. In each row the trees shall be spaced no more than ten feet apart (from base of tree to base of tree) at time of planting, with trees in adjacent rows offset (staggered) five feet. The rows shall be no more than 30 feet apart and centered within the buffer strip. The buffer strip shall also contain at least two evergreen shrubs for every one tree and the shrubs shall be intermixed between the trees

3. An earthen berm landscaped with evergreen shrubs and topped with a row of evergreen trees. The berm shall be a minimum of eight feet in height and shall have slopes that do not exceed one foot in height to three feet horizontal. The row of evergreen trees shall be at least five feet in height at the time of planting and which at maturity shall be at least ten feet in height. The trees shall be spaced no more than eight feet apart (from base of tree to base of tree) at the time of planting. No less than two evergreen shrubs for every tree shall be planted in two rows; the first row shall be planted at the base of the berm. The second row shall be planted at the midpoint of the berm and shall be offset (staggered) from the first row.

The owner of the property on which the buffer is located shall be responsible for the maintenance of said buffering. Unhealthy or dead plants shall be promptly removed and replaced within one planting season.

g. A security fence shall surround the entire production area, shall be a minimum of six feet in height, and shall be located between the production area and the required buffer strip. Driveways or entranceways shall be gated during the hours when the plant is not open and operating.

h. The facility shall employ the most current, state-of-the-art methods, systems, techniques, and production processes available to achieve the greatest feasible air and odor emissions reductions, including fugitive emissions and fugitive dust.

~~a. All vehicles and equipment shall be stored indoors.~~

~~b. All buildings shall be setback at least 20 feet from all property lines;~~

~~c. Shall be designed and landscaped in such a way as to blend in with the surrounding area; and~~

d. ~~A vegetative buffer, as defined in section 54-10, shall be placed in any yard which abuts a residential zone.~~

(15) *Data centers/server farms.* ~~*Public works and public utility facilities.*~~

a. All structures shall maintain a setback of one hundred (100) feet.

b. Data centers/server farm operations shall not be constructed or newly located within 1,000 feet of an existing dwelling unit (not located on the same property as the use), residential zoning district, library, day care facility, park, place of worship, or within two (2) miles of a school, all distances in straight-line distance.

c. Operations shall not be conducted between the hours of 9:00 pm to 6:00 am, or anytime on Sunday.

d. Noise pollution generated from data centers/server farm operations shall not exceed 50 decibels per unit. The equipment in a data centers/server farm operation shall be calibrated every six (6) months and a report of this calibration shall be provided to the Town of Woodfin.

e. Data centers/server farm operations shall not be permitted on sites visible from Scenic Byways as designated by the North Carolina Department of Transportation.

f. Data centers/server farm operations shall be completely enclosed with a NCDOT approved precast sound wall. The wall shall be at least eight (8) feet in height. A buffer is required on all exterior sides of the security wall.

g. An electrical disconnect switch shall be clearly marked and unobstructed. Switches are permitted to be secured within a fenced area or building. Duke Energy or any other power utility provider to the operation shall have access to the disconnection switch at all times or an onsite manger must be present at all times.

h. All new power transmission lines to any building, structure or utility connection shall be located underground.

i. Duke Energy or any other power provider to the operation shall have the authority during select high power usage events to cut or significantly reduce or restrict power to any data centers/server farm operation. The power utility provider is requested to cut or reduce power to these operations before considering reducing power to residential homes or other commercial or industrial facilities.

j. Data centers/server farm operations shall be required to develop or purchase sufficient new renewable energy to offset 100 percent of the electricity consumed by the Data centers/server farms operation. To meet this condition, the data centers/server farm operation must be able to establish that their actions will introduce new renewable energy onto the electrical grid beyond what would have been developed otherwise.

k. Verification must be provided to the Town of Woodfin that all qualified recyclable materials, including electronic waste, generated at the data centers/server farm operation will be recycled including packing foam, computer chips, and cardboard.

l. No structures, equipment, storage, or buildings shall be located within the Special Flood Hazard Area.

m. Lighting shall comply with the Town's Lighting ordinance.

n. The use may not be applied for as a conditional rezoning application.

~~a. All open storage shall be fenced by a solid fence not less than six feet in height.~~

(16) *Extraction of earth products.* ~~*Public works and public utilities such as transformer stations, pumping stations, water towers and telephone exchanges.*~~

a. Adequate lighting shall be placed in areas used for vehicular/pedestrian access including, but not limited to stairs, sidewalks, crosswalks, intersections, or changes in grade. Lighting shall comply with the Town's Lighting ordinance.

b. All unpaved roads, travel ways and/or parking areas shall be treated to prevent dust from adverse effects to adjacent properties.

c. A mining or extraction operation shall not be constructed or newly located within:

1. One-half (½) mile of an existing school, library, day care facility, hospital, rehab/skilled nursing facility, and/or place of worship; and

2. One thousand (1,000) feet of an existing dwelling unit (located in a residential zoning district and not located on the same property as the use).

d. The operation of an extraction operation shall be totally enclosed by a security fence or wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.

e. A setback of one hundred (100) feet is required for all buildings.

f. A plan outlining rehabilitation procedures and financing options for restoration of the extraction site is required. Within two (2) years after the cessation of a extraction operation, rehabilitation processes must be complete.

g. Permanent control measures are required to retain all non-compacted soil on site.

~~a. No vehicles or materials shall be stored on the premises;~~

~~b. All buildings and apparatus shall be set back at least 20 feet from all property lines;~~

~~c. Shall be designed and landscaped in such a way as to blend in with the surrounding area; and~~

~~d. A vegetative buffer, as defined in section 54-10, shall be placed in any yard which abuts a residential zone.~~

(17) *Junkyards*. ~~*Rest and convalescent homes.*~~ See ~~Appendix A.~~

a. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place in which rates, mice, or other vermin may be harbored, reared, or propagated.

b. Because of the tendency for salvage yards to promote the breading of vermin, no such operation shall be permitted closer than 200 feet from any established residential zone.

c. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight to 12 feet in height.

Storage between the road or street and such fence, screen, or wall for screening purposes shall be properly painted or otherwise maintained in good condition.

d. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to the public health or safety.

e. The number of vehicular access driveways permitted on any single street frontage shall be limited to:

1. One driveway where the parcel to be used has a maximum road street frontage of 100 feet or less.

2. Two driveways where the road or street frontage exceeds 100 feet.

f. Driveways used for ingress and egress shall be limited to 25 feet in width.

(18) *Essential services, Class 2* ~~*Service stations.*~~

a. No vehicles or materials shall be stored on the premises.

b. All buildings and apparatus shall be set back at least 20 feet from all property lines.

c. Shall be designed and landscaped in such a way as to blend in with the surrounding area, and.

d. A vegetative buffer, as defined in section 54-10, shall be placed in any yard which abuts a residential zone.

~~a. All gasoline pumps and other stationary equipment shall be located at least 12 feet from any property line.~~

~~b. All sides where such stations abut residential districts, a six-foot-high fence and suitable landscaping shall be provided. No such fence, however, is required upon any yard which abuts a public street.~~

(19) *Post secondary schools.* ~~*Upholstery and trim shop.*~~ See Appendix A.

a. No truck or motor vehicle driving training school.

b. No living quarters may be provided.

(20) *Public works and public utility facilities.* ~~*Warehousing, except for the storage of dangerous or offensive items such as uncured hides and explosives.*~~ See Appendix A.

a. All open storage shall be fenced by a solid fence not less than six feet in height.

(21) Wireless telecommunication, tower.

Reserved.

(22) Wireless telecommunication tower, concealed.

Reserved.

(23) Group developments. As a special use, in the case of two or more buildings to be constructed on a plot of ground of at least two acres not subdivided into the customary streets and lots and which will not be so subdivided, the application of this article may be varied by the board of adjustment in a manner that will be in harmony with the character of the neighborhood,

(Ord. of 5-18-2021; Ord. of 12-21-2021)

RECOMMENDATION FROM
TOWN OF WOODFIN PLANNING BOARD OF ADJUSTMENT TO WOODFIN TOWN COUNCIL

Having reviewed the **Chapter 54 – Zoning Text Amendments** of the Town of Woodfin Code of Ordinances for amendments to Zoning (Ch. 54) Ordinances on **August 6, 2025,** and having considered information from the planning staff of the Town of Woodfin along with comments from other persons, pursuant to 160D-604(d), the Town of Woodfin Planning Board of Adjustment hereby adopts the following motion, effective August 6, 2024:

The Town of Woodfin Planning Board of Adjustment hereby advises the Town of Woodfin Town Council that the proposed text amendments are reasonable and in the public interest and consistent with the ***Woodfin Together*** Comprehensive Plan because the proposed text amendment will:

1. Balance the supply of land for housing and employment and protect land for economic development and ensure an adequate supply of appropriately located and sized employment space (3.1.5, 3.2.5)
2. Support initiatives to transition toward a green economy and encourages construction of developments that use renewable energy, design, and infrastructure that reduces pollution and energy costs (3.2.2, 3.3.2)
3. Make government decision-making accessible and transparent to all residents while updating development standards to minimize risk from new development. (4.4.3, 5.4.2)

Vote:

Ayes/No

This document is a true and accurate statement of the findings and recommendations of the Woodfin Planning Board of Adjustment.

_____ _____

Chair Date