

ORDINANCE NO. O-8-25

**AN ORDINANCE AMENDING THE TEXT OF THE
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- Goal 1: Continue to promote smart growth principles in land use planning and zoning
 - Promote conservation design to preserve important natural resources
- Goal 3: Protect and enhance Waynesville's natural resources.
 - Continue to engage in and promote best management practices related to energy use, efficiency, and waste management
 - Protect and enhance water quality and forests
 - Protect rural lands, iconic views, and mountain vistas

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

WHEREAS, the Town Council find this Ordinance is consistent with the Town's 2035 Comprehensive Plan and that it is reasonable and in the public interest to "make decisions about resources and land use in accordance with North Carolina General Statutes." and

WHEREAS, after notice duly given, a public hearing was held on 2/17, 2025 at the regularly scheduled meeting of the Waynesville Planning Board, and on 3/25, 2025 at the regularly scheduled meeting of Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON 3/25, 2025 AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows (in red):

1. Amend Section 4.5.3 Other Requirements as follows:

4.5.3 Other Requirements.

A. **Buffering:** Accessory structures with a footprint greater than six hundred (600) square feet shall be buffered from any adjacent residential developments with a Type C Buffer (Section 8.4.2.C).

B. **Lighting:** Exterior lighting for accessory uses and/or structures shall meet the requirements by which principal structures are governed as set forth in Section 10.2.

C. Ground Mounted Solar Panels:

- One ground-mounted or pole-mounted solar panel shall be allowed for each .2 acres of a parcel rounded up. They shall be subject to the setbacks of accessory structures.
- The height of ground-mounted and pole-mounted solar panels shall be limited to 15 feet in residential and mixed-use installations, and to 20' in commercial installations, as measured from the adjacent grade to the top of the supporting structure.
- The placement of ground-mounted and pole-mounted solar panels shall be limited to the rear or side yards in residential installations.
- Residential ground-mounted and pole-mounted solar panels shall be placed for maximum solar capture and tree preservation. GMSP's may be placed in the front yard only with approval of a variance through the Zoning Board of Adjustment, with findings that indicate surrounding trees, structures, or topography prohibit the effective capture of solar energy in the rear and side yards.

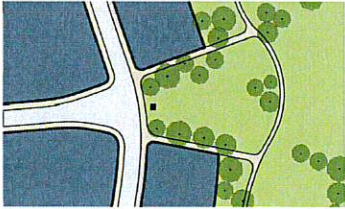

2. Amend Section 7.2. Civic Space Standards as follows:

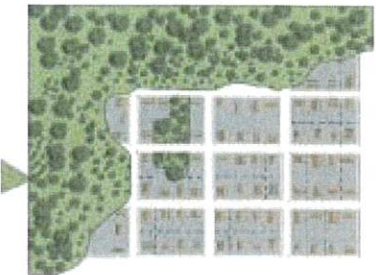
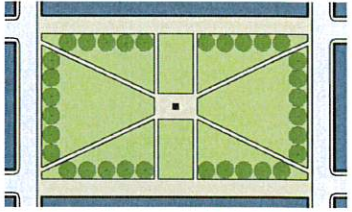
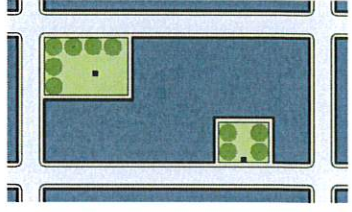
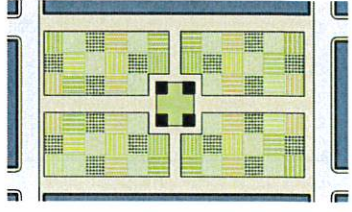

7.2 Civic Space Standards.

All land dedicated for required civic spaces shall meet the criteria below in this section. Stormwater facilities cannot be counted towards civic space. Delineated wetlands and required stream buffers can be counted towards civic space only when adjacent to, or a part of, a greenway or designated preserve.

7.2.1 Required Civic Space Types.

Civic space, as required by the district provisions, shall conform to one or more of the following typologies.

<p>A.</p>	<p>Park/Greenway: A natural preserve available for unstructured recreation. Its landscape shall consist of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be linear, following the trajectories of natural corridors as part of a greenway. The minimum size shall be .16 acre (except with Greenways where there is no minimum).</p>	
<p>B.</p>	<p>Green: An open space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be .16 acre.</p>	

<p>C.</p>	<p>Preserve: Natural preserves include any area of existing or restored open lands such as riparian corridors and wetlands, unique geological formations, important habitats, or substantial groupings of important plant types. The goal is to protect and maximize intact and undisturbed spaces that provide valuable ecosystem services for the community, support preservation goals, and enhance the aesthetics and amenities of the area. Active recreation, such as trails and paths, can be a part of these areas. The minimum size is 1 acre of contiguous preserved area.</p>	
<p>D.</p>	<p>Square: An open space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important streets. The minimum size shall be .16 acre.</p>	
<p>E.</p>	<p>Playground: An open space designed and equipped for the recreation of children. A playground shall be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a block. Playgrounds may be included within other civic spaces. There shall be no minimum or maximum size.</p>	
<p>F.</p>	<p>Community Garden: A grouping of garden plots available for small-scale cultivation, generally to residents of apartments and other dwelling types without private gardens. Community gardens should accommodate individual storage sheds. There shall be no minimum or maximum size.</p>	
<p>G.</p>	<p>Greenway: A linear parcel of land set aside to contain a trail for non-motorized transportation and/or recreation, usually connecting to a planned corridor. There shall be no minimum or maximum size.</p>	

<p>H. Dog Park: An off-leash dog area. A dog park shall be enclosed with a galvanized or coated chain link fence or metal fence measuring four (4) to six (6) feet in height and include a double gate entry system (like a sally port). The dog park shall also have a designated waste disposal facility, signage with applicable rules, a shade area (with either a structure or mature shade trees). The area may also include a plumbed drinking water station. There shall be no minimum or maximum size.</p>	
<p>I. Community Area: Designated indoor or outdoor facilities to support social and recreational activities of the residents. Examples include a pavilion, fire pit, picnic area, grill area, gym, pool, community building, club house, basketball court, tennis court, golf course, or similar amenities determined to be appropriate by an Administrator. There shall be no minimum or maximum size.</p>	
<p>J. Electric Vehicle (EV) Charging Space: Dedicated parking spaces with installed EV charging equipment. A minimum of 1 space must be ADA accessible. All spaces must be clearly marked with signage, green striping, and bollards at the front of the space to protect the equipment. The maintenance and repair of EV stations and equipment shall be clearly outlined in the HOA covenants. In the absence of an HOA, the individual owners or management company shall be responsible for the upkeep and repairs of the charging stations. Square footage for EV charging spaces will count toward the overall civic space requirement and toward required parking. Total square footage of EV charging spaces shall not be more than 25% of the required civic space up to 1000 square feet (approximately up to 5 spaces spaces).</p>	

3. Add a definition to the section 17.3-Definitions, Use Type:

Solar Farms. This U.S. industry comprises establishments primarily engaged in operating solar electric power generation facilities. These facilities use energy from the sun to produce electric energy. The electric energy produced in these establishments is provided to electric power transmission systems or to electric power distribution systems [NAICS 221114].

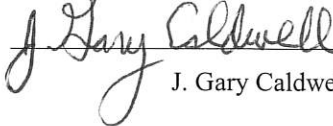
4. Add definitions to the section 17.4-Definitions, General:

Electric Vehicle (EV) Charging Stations. An electrical cabinet or equipment to charge motor vehicles that are either partially or fully powered on electric power received from an external power source. For the purposes of this regulation, this definition does not include golf carts, electric bicycles, or other micromobility devices.


Solar Panel, Ground-Mounted. A solar panel array attached directly to the ground either through posts or racks.

Solar Panel, Pole-Mounted. A solar panel attached directly to the ground through the use of a single pole.

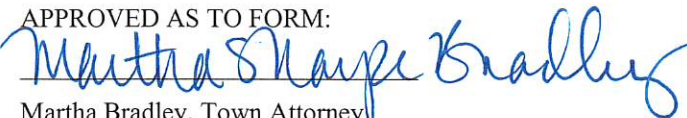
ADOPTED this 25th Day of March, 2025.

TOWN OF WAYNESVILLE:


J. Gary Caldwell, Mayor

ATTEST:


Candace Poolton, Town Clerk

APPROVED AS TO FORM:


Martha Bradley, Town Attorney