

**Subject:** First one  
**From:** Amie Owens <aowens@waynesvillenc.gov>  
**Date:** 7/5/2018, 2:00 PM  
**To:** "Monroe Miller" [REDACTED]

SEP 26 2021



Amie Owens, MPA | Assistant Town Manager  
Town of Waynesville, NC  
16 S. Main Street | PO Box 100 | Waynesville, NC 28786  
(o) 828.452.2491 | (f) 828.456.2000  
[aowens@waynesvillenc.gov](mailto:aowens@waynesvillenc.gov) | [www.waynesvillenc.gov](http://www.waynesvillenc.gov)



Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it, may be considered public record and as such are subject to request and review by anyone at any time.

— ForwardedMessage.eml —

**Subject:** Browning Branch LLC  
**From:** Elizabeth Teague <eteague@waynesvillenc.gov>  
**Date:** 6/1/2018, 2:58 PM  
**To:** 'Greg Wishart' <gw868808@gmail.com>  
**CC:** Michelle Baker <cbaker@waynesvillenc.gov>, David Kelley <dkelley@waynesvillenc.gov>

Hi Greg-

Please fill out the attached subdivision form and get it back to us with the fee: (\$200 + \$10/lot), and the required drawings for the application. This should include (from LDS Chapter 15):

#### 15.4.1 Environmental Survey

An environmental survey is intended to identify forest stands or trees of a uniform size and species; specimen trees of varying sizes and species, particularly free standing or open-grown or field grown trees; a distinctive tree line or forest edge; existing watercourses; and previously documented endangered species habitats. Identification of existing trees, understory vegetation, wetlands, perennial streams, floodplains, and topographical features on a site prior to the advanced preparation of development plans enables the reasonable and practical planned preservation of existing and environmentally sensitive areas. This requirement provides the Town and the applicant the ability to evaluate the proposed development in order to preserve vegetation, to improve the appearance of the development proposed and to encourage the use of the existing forest and tree canopy, specimen trees, and significant vegetation to satisfy the requirements of this Ordinance. It is the expectation that readily available spatial data including GIS information will be sufficient for this survey.

#### 15.4.3 Master Plan Requirements

The Master Plan is intended to provide a detailed two-dimensional drawing that illustrates all of the required site features including buildings, parking areas, streets locations, street sections, rights-of-way, property lines and setbacks, required or proposed watercourse buffers, site landscaping and lighting (in conceptual form), and all related development calculations (e.g.,

density, proposed building areas, number of parking spaces, estimate impervious surface) in sufficient detail to show compliance with this ordinance. Detailed engineering drawings such as subsurface utilities (e.g., water and sewer) and on-site stormwater facilities are not required for Master Plans. All plans shall be submitted at a scale not less than 1 inch = 50 feet (for Site Plans) or 1 inch = 200 feet (for Subdivisions) unless otherwise authorized by the Administrator.

**15.4.4 Construction Documents/Preliminary Plat**

The Construction Documents for Site Plans and Subdivision Plans shall constitute a full a complete set of engineered drawings necessary for final permitting and construction. All plans shall be submitted at a scale not less than 1 inch = 50 feet unless otherwise authorized by the Administrator. All streets, utilities, and stormwater, and other infrastructure systems shall be designed and constructed in accordance with the adopted Manual of Specifications.

**15.4.7 Building Elevations for Design Review**

In order to reasonably evaluate the building, it is necessary to submit scaled drawings of each elevation visible from a public street or civic space. These drawings should be in color and should accurately represent the building heights, floor levels, and building materials. In addition, the Administrator may require up to three drawings from different perspectives that will show how the building fits into the context of the block.

The Preliminary plat we discussed at TRC should be accompanied by a similar drawing to be used as the environmental survey which shows the location of the floodplain, wetlands, treeline and other features as described. Many people simply use an aerial map or the State Floodplain or wetlands information. The Master Plan uses the preliminary plat drawing as a base but then includes the information identified above. You will need to show the stormwater calculations (impervious to pervious area) and identify the retention areas. The building elevations with floor plans packet that you have already provided are sufficient.

Often an engineer will submit a stormwater study and narrative as a separate document that shows the calculations and explains the management practices, or there will be a separate plan sheet with cross sections showing the retention areas, plantings, and any other types of storage and treatment proposed. Often the Master Plan, environmental information and Preliminary Plat are packaged together as a plan set but people have done it different ways. I just need to have the information required as above to determine application completeness. We have you tentatively scheduled for the June 18<sup>th</sup> Planning Board meeting.



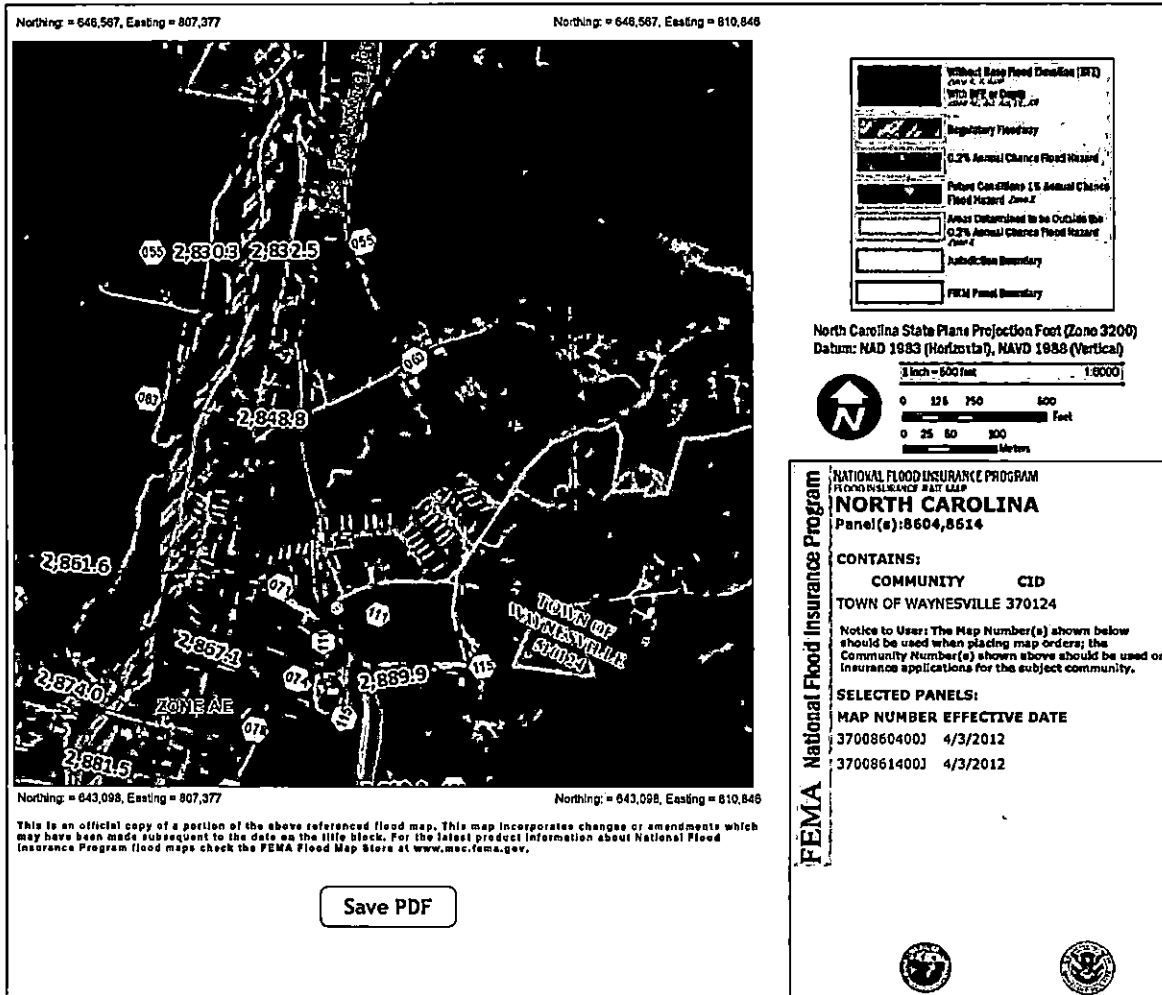
Elizabeth Teague, AICP, CTP, CFM | Development Services Director  
Town of Waynesville, NC  
9 S. Main Street | PO Box 100 | Waynesville, NC 28786  
(o) 828.456.2004 | (f) 828.452.1492  
[eteague@waynesvillenc.gov](mailto:eteague@waynesvillenc.gov) | [www.waynesvillenc.gov](http://www.waynesvillenc.gov)



— Attachments: —

ForwardedMessage.eml	805 KB
subdivision form 5_17.doc	106 KB
Subdivision Administration.docx	34.4 KB
Browning BranchFIS.pdf	399 KB

Regulatory Map



Unshaded Base Flood Depth (BFD)  
 Zone X, 1% ACF  
 Zone X, 0.2% ACF  
 Regulatory Floodway  
 0.2% Annual Chance Flood Hazard  
 Future Considered 1% Annual Chance Flood Hazard Zone 2  
 Areas Determined to be Outside the 0.2% Annual Chance Flood Hazard Zone 2  
 Jurisdiction Boundary  
 FEMA Panel Boundary

North Carolina State Plane Projection Foot (Zone 3200)  
 Datum: NAD 1983 (Horizontal), NAVD 1988 (Vertical)

1 inch = 500 feet 1:50,000

0 125 250 500 Feet  
 0 25 50 100 Meters

NATIONAL FLOOD INSURANCE PROGRAM  
 FLOOD INSURANCE RATE MAP  
**NORTH CAROLINA**  
 Panel(s): 8604, 8614

CONTAINS:  
 COMMUNITY CID  
 TOWN OF WAYNESVILLE 370124

Notice to User: The Map Number(s) shown below should be used when placing map orders; the Community Number(s) shown above should be used on insurance applications for the subject community.

SELECTED PANELS:  
 MAP NUMBER EFFECTIVE DATE  
 3700860400J 4/3/2012  
 3700861400J 4/3/2012

FEMA National Flood Insurance Program

**Regulatory Map**

**5/4/2018**

**15.1 - Purpose and Intent.**

In order to establish an orderly process to develop land within the jurisdiction of the Town of Waynesville consistent with standard development practices and terminology it is the purpose of this Chapter to provide a clear and comprehensible development process that is fair and equitable to all interests including the petitioners, affected neighbors, Town staff and related agencies, and the Board of Aldermen.

**15.2 - General Provisions and Applicability.**

The provisions of this Chapter shall be applicable to all development activity under the jurisdiction of the Town of Waynesville.

**15.2.1 No Construction to Commence without Permit.**

No land shall be used or occupied and no structures shall be erected, moved, extended, or enlarged, nor shall any excavation or filling of any lot for the construction of any building be initiated until the Administrator has issued an appropriate permit which will certify that the proposed work is in conformity with the provisions of this ordinance.

**15.2.2 Fee Schedule.**

The Town shall adopt as part of their annual budgeting process, a schedule of fees for application and processing as specified in this Ordinance.

**15.2.3 Permit/Process Type.**

Process Type	Sec	Permit/ Process Type	Reviewing Agency	Public Notification (15.3)	Approving Agency	Appeal Process	Permit Period	Permit Extension
Certificate of LDS Compliance	15.6.1	Administrative	Admin	None	Admin	BOA	6 months	6 months
Temporary Use Permit	15.6.2	Administrative	Admin	None	Admin	BOA	See 4.7	n/a
Certificate of Occupancy	15.6.3	Administrative	Admin	None	Admin	BOA	n/a	n/a
Modification of Dimensional Standards	15.6.4	Administrative	Admin	None	Admin	BOA	n/a	n/a
Grading Permit	15.7.1	Administrative	Admin	None	Admin	BOA	6 months	Re-submit
Floodplain Development Permit	15.7.2	Administrative	Admin	None	Admin	BOA	1 year	Re-submit
Stormwater Permit	15.7.3	Administrative	Admin	None	Admin	BOA	1 year	Re-submit
Site Plan/Design Review (Minor)	15.8.1	Administrative	Admin	None	Admin	BOA	1 year	1 year
Site Plan/Design Review	15.8.2	Quasi-Judicial	Admin	1, 2, 4	Planning Board	Superior Court	1 year	1 year

(Major)								
Subdivision (Minor)	<u>15.9.1</u>	Administrative	Admin	None	Admin	BOA	30 days to file Plat	Re-submit
Subdivision (Major)	<u>15.9.2</u>	Quasi-Judicial	Admin	<u>1</u> , 2, 4	Planning Board	BOA	<u>1</u> year to Final Plat	6 months
Subdivision (Major)—Preliminary Plat	<u>15.9.3</u>	Administrative	Admin	None	Admin	BOA	<u>1</u> year to Final Plat	6 months
Subdivision (Major)—Final Plat	<u>15.9.4</u>	Administrative	Admin	None	Admin	BOA	30 days to file Plat	Re-submit
Special Use Permit	<u>15.10</u>	Quasi-Judicial	Planning Board	<u>1</u> , 2, 5	Planning Board	Superior Court	<u>1</u> Year	<u>1</u> Year
Designation of Historic Landmarks/Districts	<u>15.11.1</u>	Legislative	HPC	<u>1</u> , 2, 3	Board of Aldermen	Superior Court	n/a	n/a
Certificate of Appropriateness (Minor)	<u>15.11.2</u>	Administrative	Admin	None	Admin	HPC	6 months	Re-submit
Certificate of Appropriateness (Major)	<u>15.11.3</u>	Quasi-Judicial	Admin	<u>1</u> , 2, 4	HPC	BOA	6 months	Re-submit
Appeal of Administrative Decision	<u>15.12</u>	Quasi-Judicial	BOA	<u>1</u> , 4	BOA	Superior Court	30 days to Appeal	n/a
Variance	<u>15.13</u>	Quasi-Judicial	BOA	<u>1</u> , 4	BOA	Superior Court	30 days to Appeal	n/a
Text Amendment	<u>15.14</u>	Legislative	Planning Board	<u>1</u> , 2, 3, 4	Board of Aldermen	Superior Court	n/a	n/a
Map Amendment (Rezoning)	<u>15.14</u>	Legislative	Planning Board	<u>1</u> , 2, 3, 4	Board of Aldermen	Superior Court	n/a	n/a
Conditional District	<u>15.15</u>	Legislative	Planning Board	<u>1</u> , 2, 5	Board of Aldermen	Superior Court	May be rescinded after 2 years	n/a
Vested Right	<u>15.16</u>	Legislative	Planning Board	<u>1</u> , 2, 4	Board of Aldermen	None	2—5 years	Up to 5 years total

Admin—Administrator (14.1) / Board of Aldermen (14.2) / BOA—Board of Adjustment (14.4) / HPC—Historic Preservation Commission (14.5) / Superior Court of North Carolina

**15.2.4 Completeness Review.**

- A. **Sufficiency to be Determined by Administrator:** All applications shall be sufficient for processing before the Administrator is required to review the application. An application shall be sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this ordinance.
- B. **Application Information:** The presumption shall be that all of the information required in the application forms is necessary to satisfy the requirements of this section. However, it is recognized that each application is unique, and therefore more or less information may be required according to the needs of the particular case.
- C. **Evidence of Authority:** The Director may require an applicant to present evidence of authority to submit the application.
- D. **Application Deadline:** Applications sufficient for processing shall be submitted to the Administrator in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public.

**15.4 - Application Requirements.**

The following general standards for various applications have been identified as a means to create a hierarchy of submissions for various permits and procedures. It is the expressed intent of this ordinance to limit the required information to only that data/information that is necessary to render an informed decision by the reviewing agency at a particular stage. In this manner, the town has determined that it is both inappropriate and to require a full set of architectural or engineering drawings for review by the various review and decision-making boards unless the application is such that a specific level of detail is necessary (e.g., floodplain/stormwater variance). The Administrator will prepare and disseminate appropriate checklists for use by applicants in their submission. These checklists are part of the Waynesville Specifications Manual and are made a part of this ordinance by reference.

Permit/Process Type	Section	Environmental Survey (15.4.1)	Sketch Plan (15.4.2)	Master Plan (15.4.3)	Construction Documents (15.4.4)	Preliminary Plat (15.4.4)	As-Built Drawings (15.4.5)	Final Plat (15.4.6)	Building Elevations (15.4.7)
Subdivision (Minor)	15.9.1							X	
Subdivision (Major)— Preliminary Plat	15.9.3	X		X		X			
Subdivision (Major)— Final Plat	15.9.4						X	X	

## **15.9 - Subdivisions.**

### **15.9.1 Minor Subdivisions.**

The minor subdivision review process is required for those divisions of land into seven (7) or fewer lots which do not require dedication of public utilities and/or public streets.

- A. **Process Types:** Administrative.
- B. **Pre-Application Procedure:** It is required that every applicant for a Minor Subdivision meet with the Administrator in a conference prior to the submittal of an application. The purpose of this conference is to provide clarification and assistance in the preparation and submission of plats for approval. It is recommended that the applicant provide a sketch plan (15.4.2) to the Administrator prior to or at the pre-application conference. The provision of a sketch plan will allow the Administrator an opportunity to review the proposal before the applicant expends funds on the preparation of a detailed Minor Subdivision Plan.
- C. **Required Application Information:** Final Plat (15.4.6) by a registered land surveyor.
- D. **Determination of Compliance:** Once an application containing all needed elements is submitted, the Administrator shall review the application and approve or deny it based on compliance with the land development standards contained in this ordinance within thirty (30) working days of its submittal.
- E. **Public Notification:** None required.
- F. **Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12. Such an appeal must be made in writing within thirty (30) days of the receipt of the decision by the property owner.
- G. **Permit Validity:** Upon approval of a plat for a minor subdivision, said plat shall be signed in the appropriate place by the Administrator and the owner(s). Minor subdivision plats that have been granted approval shall be recorded within thirty (30) days following approval or the approval becomes invalid. A plat for minor subdivision must be recorded in the office of the Register of Deeds of Haywood County. No lots shall be sold prior to approval by the town and the recording of the plat for the subdivision.
- H. **Permit Extension:** None.

### **15.9.2 Major Subdivisions.**

The minor subdivision review process is required for those divisions of land into eight (8) or more lots or which require dedication of public utilities and/or public streets.

- A. **Process Types:** Quasi-Judicial (See also 15.4).
- B. **Pre-Application Procedure:** It is required that every applicant for a Major Subdivision meet with the Administrator in a conference prior to the submittal of an application. The purpose of this conference is to provide clarification and assistance in the preparation and submission of plats for approval. It is recommended that the applicant provide a sketch plan (15.4.2) to the Administrator prior to or at the pre-application conference. The provision of a sketch plan will allow the Administrator an opportunity to review the proposal before the applicant expends funds on the preparation of a detailed Subdivision Plan.



- C. **Required Application Information:** Environmental Survey (15.4.1) and Master Plan (15.4.3).
- D. **Determination of Completeness:** The Administrator shall review the application to ensure that it is complete, prepare a report and recommendation on the application, and schedule the matter for a public hearing before the Community Appearance Commission.
- E. **Public Notification:** Level 1, 2 and 4.
- F. **Neighborhood Meeting (15.3.7):** Optional.
- G. **Public Hearing:** The Planning Board shall hold a hearing on the proposal. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard.
- H. **Decisions/Findings of Fact:** Following the public hearing the commission may approve, deny or approve with conditions the application for a Major Subdivision. No Major Subdivision shall be granted unless it complies with the following findings of fact:
1. The plan is consistent with the adopted plans and policies of the Town;
  2. The plan complies with all applicable requirements of this ordinance;
  3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
  4. The application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.
- I. **Review Period by Planning Board:** The Planning Board shall take action (approve or deny approval) within thirty-two (32) days of the public hearing on the matter. Should the Planning Board fail to act on the preliminary plat within the prescribed period, the applicant may seek preliminary plat approval by the Board of Aldermen at the next regularly scheduled meeting of the aldermen.
- J. **Decisions:** If the Planning Board approves the Major Subdivision, the applicant will be directed to proceed to the preparation of a Preliminary Plat (15.4.4). If the Planning Board disapproves or approves conditionally the plat, the reasons for such action shall be stated in writing and entered in the records of the Planning Board. The applicant may make changes and submit a revised plat which revision shall be submitted, review and acted on in accordance with the procedures set forth in this section.
- K. **Appeals:** An appeal from the decision of the Planning Board regarding a Major Subdivision request may be made by an aggrieved party and shall be made to the Superior Court of Haywood County in the nature of certiorari. Any such petition to the Superior County shall be filed with the court no later than thirty (30) days after the applicant receives the written copy of the decision of the Planning Board.
- L. **Permit Validity:** Approval of a Major Subdivision Plan shall be valid for one (1) year from the date of approval. A Preliminary Plat shall be presented for approval prior to the end of this one (1) year period.
- M. **Permit Extension:** The Administrator may grant a single extension of this time period of up to six (6) months upon submittal by the applicant of sufficient justification for the extension.

### 15.9.3 Preliminary Plat.

- A. **Process Types:** Administrative.
- B. **Permit Required Before Any Land-Disturbing Activity:** No such land-disturbing activity shall take place until a Preliminary Plat has been approved.
- C. **Pre-Application Procedure:** Prior to applying for a Preliminary Plat or and submitting plans, the applicant is encouraged to meet with the Administrator. The purpose of this meeting is to discuss any specific engineering detail necessary for consideration prior to the preparation of the Preliminary Plat.
- D. **Required Application Information:** Environmental Survey (15.4.1) and Preliminary Plat (15.4.4) prepared by a registered land surveyor, licensed landscape architect or licensed engineer.
- E. **Determination of Conformity:** Following submittal of the application and accompanying data, the information shall be reviewed by the Administrator for compliance with the requirements of this ordinance and with the Manual of Specifications. Provided the application is complete, applications shall be reviewed and acted upon by the staff and notice given the applicant within thirty (30) days of receipt of the application.
- F. **Substantial Changes:** Substantial changes from the approved Major Subdivision Plan shall require an additional review by the Planning Board. Substantial changes shall include, but not be limited to, the redesign of streets, increasing the number of lots, altering the size and/or design of more than twenty (20) percent of the lots, and/or reducing the number of lots by more than twenty (20) percent.
- G. **Public Notification:** None required.
- H. **Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12.
- I. **Permit Validity:** Approval of a Preliminary Plat shall be valid for one (1) year from the date of approval. A Final Plat shall be presented for approval prior to the end of this one (1) year period.
- J. **Permit Extension:** The Administrator may grant a single extension of this time period of up to six (6) months upon submittal by the applicant of sufficient justification for the extension.

### 15.9.4 Final Plat.

- A. **Process Types:** Administrative.
- B. **Improvements to Be Installed or Guaranteed:** All required infrastructure improvements shall be either installed or financially guaranteed in accordance with Section 6.13.
- C. **As-Builts Required:** Upon completion of a project, and before a Final Plat shall be granted (unless financially guaranteed), the applicant shall certify that the completed project is in accordance with the approved plans and designs, and shall submit actual "as built" plans (15.4.6) for all public infrastructure after final construction is completed. No certificate of occupancy shall be granted without completed as-built plans.

- D. **Required Application Information:** Final Plat (15.4.6) by a registered land surveyor.
- E. **Determination of Conformity:** The Final Plat of a major subdivision shall be reviewed by the Administrator for compliance with the requirements of this chapter and for conformity with the approved Preliminary Plat. Provided the application is complete, applications shall be reviewed and acted upon by the staff and notice given the applicant within ten (10) days of receipt of the Final Plat. If the Administrator has not completed review in this time period, the applicant may seek final approval from the Board of Aldermen at their next meeting.
- F. **Public Notification:** None required.
- G. **Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment in accordance with Section 15.12.
- H. **Effect of Approval:** The approval of a Final Plat does not constitute acceptance for maintenance or other purposes of improvements in rights-of-way, such as utility lines, street paving, drainage facilities or sidewalks. Such improvements, when located within the corporate limits of the Town of Waynesville, may be accepted only by action of the town following inspection and approval. Land designated as public open space or a park on a plat shall be considered to be offered for dedication, but not accepted until the Board of Aldermen has by expressed action done so.
- I. **Phasing:** Final plats for phased subdivisions shall be recorded in accordance with the schedule presented by the applicant during the Major Subdivision Plan/Preliminary Plat approval.
- J. **Permit Validity:** Final plats for major subdivisions that have been granted approval must be recorded within thirty (30) days following approval or the approval becomes invalid. No lots shall be sold prior to approval by the town and recording of the Final Plat for the subdivision.
- K. **Permit Extension:** The Administrator may grant a single extension of this time period of up to six (6) months upon submittal by the applicant of sufficient justification for the extension.



**TOWN OF WAYNESVILLE**  
Development Services Department  
PO Box 100  
9 South Main Street, Suite 110  
Waynesville, NC 28786  
Phone (828) 456-8647 • Fax (828) 452-1492  
www.waynesvillenc.gov

**CERTIFICATE OF PLAT APPROVAL**

**DESCRIPTION OF PROPERTY**

PROPERTY OWNER(S) OF RECORD: \_\_\_\_\_

PARENT PARCEL IDENTIFICATION NUMBER(S): \_\_\_\_\_

PROPERTY LOCATION: \_\_\_\_\_

REGISTERED LAND SURVEYOR/DRAWING NUMBER: \_\_\_\_\_

ZONING: \_\_\_\_\_

**TYPE OF PLAT**

\_\_\_\_ MAJOR SUBDIVISION, FINAL PLAT APPROVAL DATE: \_\_\_\_\_

\_\_\_\_ MINOR SUBDIVISION, FINAL PLAT APPROVAL DATE: \_\_\_\_\_

\_\_\_\_ COMBINATION OR RECOMBINATION OF RECORDED LOTS

\_\_\_\_ PARCELS GREATER THAN 10 ACRES, WITH NO STREET(S) REQUIRED

\_\_\_\_ PUBLIC ACQUISITION OF LAND FOR STREET(S)

\_\_\_\_ 2 ACRES OR LESS DIVIDED INTO NOT MORE THAN 3 LOTS

\_\_\_\_ CONVEYANCE TO LINEAL DESCENDANTS, AS LISTED: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_ OTHER: \_\_\_\_\_

**APPLICANT INFORMATION**

NAME(S): \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

RELATIONSHIP TO PROPERTY OWNER: \_\_\_\_\_

**APPROVED BY:**

\_\_\_\_\_  
PLANNING DIRECTOR

DATE: \_\_\_\_\_