

## Town Council

MARCH 19, 2024

## Consent Agenda

## **Presentations & Reports**

# BeLoved Asheville

AMY CANTRELL & PONKHO BERMEJO





## belovedasheville.com



### Deeply Affordable

Sustainable



## Community Oriented Produces Equity









#### **MODEL SOLUTION**

### \*Deeply affordable for people living at 30-40% AMI with equity to break the cycle of poverty

#### \*Going up currently in East Asheville

### \*Developed by impacted people

\*Over 1,000 volunteers

\*A replicable model

### \*Teaching communities across the region and the nation











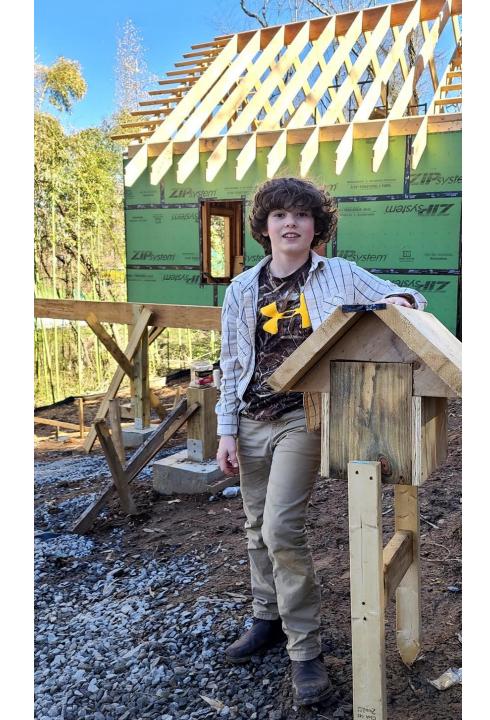


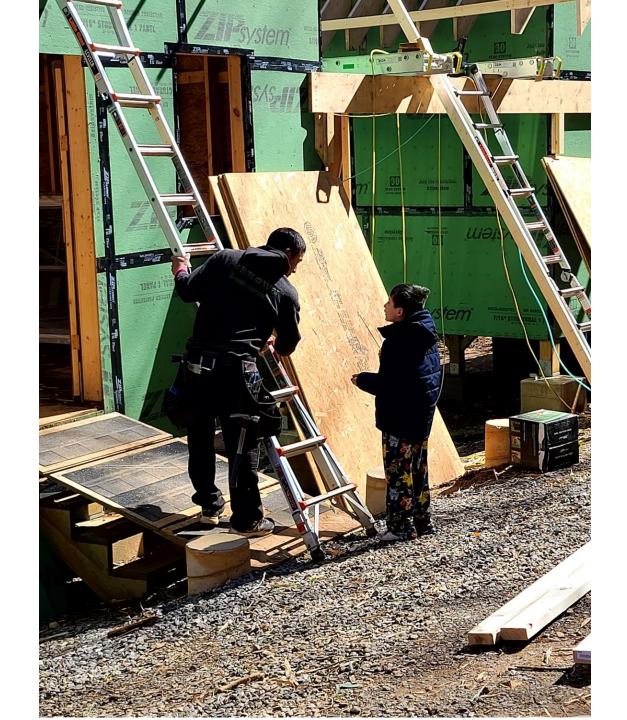




















UPPER LEVEL

MAIN LEVEL

LOFT







































#### We invite you to learn more at www.belovedasheville.com

Be a Part of Positive Change in Our Community!





# Town Manager Report

SHANNON TUCH, TOWN MANAGER

#### Administration

• Contracts: Feb. – March.

US Lawns \$12,528 (Park Support) Anchor QEA \$6,900 (Church St. Culvert)

- Budget work sessions
- Website updates
- Bike-Ped Plan Kick-off meeting

#### Planning & Facilities

- Manufactured Housing map & text amendments + CZ applications
- Rezoning town-owned property Appalachian Village Way
- Updating Table of Uses Coming in May
- Salt Shed Completed!
- Town Hall + Community Center maintenance
- Basement renovation to begin in April

#### Stormwater & Parks

- Church St. culvert engineering
- Welcome Nate Oblon, Stormwater Administrator
- Heavy rain inspections
- Cleaned out 8 high priority culverts
- Riverside Park & Taylor's Wave bid opening March 21<sup>st</sup>
- Grant work
- Community garden proposal

#### Police

- PSIP agreements finalized; Project implementation kick-off mtng.
- Recruitment efforts on-going
- Grant applications
- Restructuring community outreach team
- Internal PBL
- Internal communications (one-on-one meetings, shift briefings)

# **New Business**

# **Community Center Lease**

SHANNON TUCH, TOWN MANAGER

## Friends-Montessori School Lease Proposal

- Current lease is not being renewed and ends this summer
- FMS is currently located in Woodfin and would like to keep the school in Woodfin
- Schools are required special permitting, limiting options for a new lease
- Woodfin Community Center, with some renovation, can meet the school's needs
- FMS has offered a proposal to the town for consideration



## Friends-Montessori School Lease Proposal

Proposal

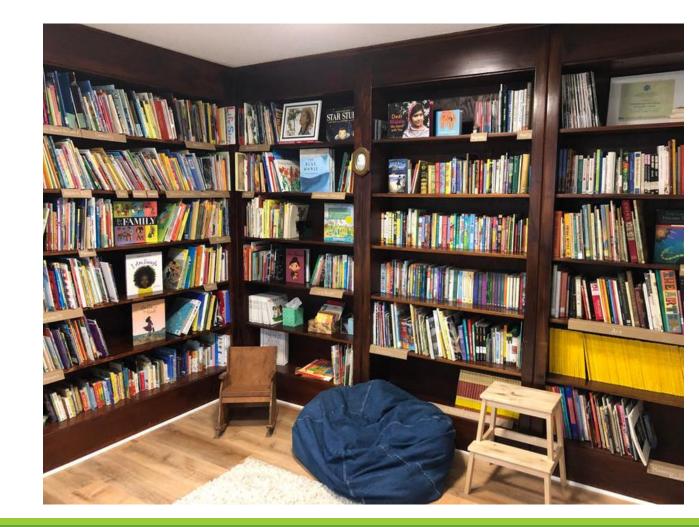
- Rent the upper level of the school for an initial two-year term w/ option to renew for one additional year
- School to pay rent and utilities
- FMS to make certain, modest improvements
- FMS may add/relocate storage shed to property
- FMS may use upper lawn/outdoor spaces
- FMS to offer priority to Woodfin residents
- Town to retain use of the lower level



### Friends-Montessori School Lease Proposal

Town of Woodfin

- Replace/repair existing HVAC unit(s)
- Clean and empty the property
- Communicate with existing reservations



# Community Garden

SHANNON TUCH, TOWN MANAGER





# Community Garden

at Geneva Maney Park

Presentation for Woodfin Town Council March 19th, 2024

**By: Katie Cox and Lily Dancy-Jones** 



"To nurture a garden is to feed not just the body, but the soul." -Alfred Austin

# **E** ··· Purpose and Vision

The Woodfin Community Garden at Geneva Maney Park will provide a welcoming and safe space for Woodfin residents to engage in gardening and experience overall well-being while growing their own fresh produce, herbs, and flowers.



# Project Background

<u>Fall 2022:</u> Katie Cox, Woodfin homeowner connected with KT Gelin, Woodfin homeowner, through the Community Garden Network/Bountiful Cities. Katie contacts town about their idea and the two co-created an interest survey for Woodfin residents.

<u>Spring 2023:</u> Steering Committee established. Katie met with Parks and Greenways Advisory Committee and steering committee members spoke to Town Council about interest in a community garden. Potential locations identified and considered, additional surveys sent to residents.

<u>Fall 2023:</u> After previous locations fell through, new opportunity arose to repurpose Geneva Maney Park as a community garden!

<u>Winter 2023/2024</u>: Steering committee develops budget and site plan, receives approval from Parks and Gardens Advisory Committee.

Survey Results: The majority of respondents supported these goals for a community garden:

A space to grow vegetables & herbs for personal use

A space to learn more about gardening and/or a space to mentor new gardeners A space to grow food that could be shared with neighbors in need A space to meet new people and build community

A space to grow native plants that support pollinators and beneficial wildlife.

#### Proposed Location: Geneva Maney Park



## Garden Elements

#### Communal Garden Beds

A variety of garden spaces tended by volunteers, generating produce to be shared and donated.

#### Beds "rented" to residents

Garden beds reserved for individual families on an annual basis for a small fee.



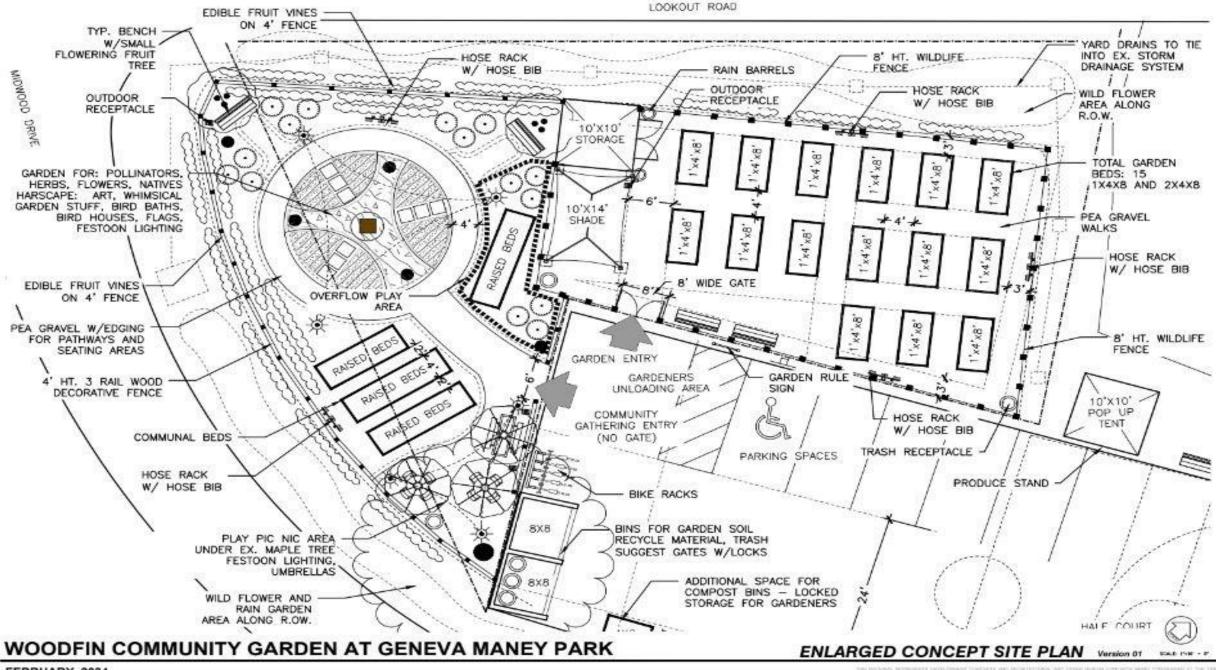
#### Space for Gathering

Seating areas and space for children to play and for residents to gather for workshops and community events

#### Plants for wildlife

Landscaping with native plants that support pollinators.





**FEBRUARY 2024** 

During regularly scheduled workdays (weekly during the growing season), volunteer leaders and community members will work in the communal space, which will be designed with accessibility in mind.





**Residents can apply to rent an individual** bed on an annual basis. An application and agreement to use the space appropriately will be kept on file with the steering committee. A small annual fee will contribute to garden maintenance supplies. Plot holders will be encouraged to volunteer in the communal space and donate some of their harvest.

# Establishing the Garden

Site Preparation Garden Installation The steering committee requests the Town of Woodfin prepare the site by removing equipment, and installing a spigot

With grant funding for materials, the steering committee will lead groups of volunteers to install garden infrastructure

With minimal support from the Town, the garden will thrive for years to come!

## Site Preparation

We are asking the Town of Woodfin to:

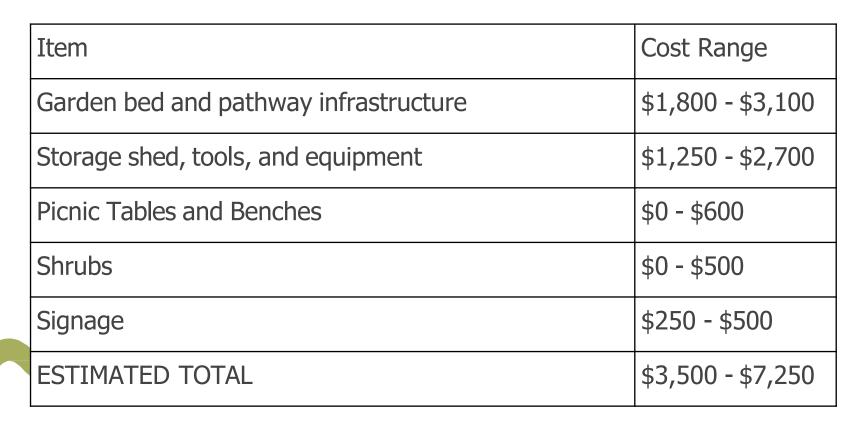
- Remove old playground equipment, plastic mulch barriers and aging landscaping fabric.
- Grade site with proper drainage (positive surface drainage away from site) and cover with mulch
- Install a lockable spigot (at the location of a previous water fountain)
- Assess safety and perform any needed repairs to existing fencing

- Approve a permit for a small storage shed
- Assist in developing signage that meets town requirements

A more detailed description of site preparation requests can be found in the proposal document.

# **Outside Funding**

We are apply for grant funding to cover the budget for garden installation.



A more detailed budget and list of grants can be found in the proposal document





**Ongoing Support** 



We are asking the Town of Woodfin to:

- Cover the cost of water used in the garden (spigot will be locked when not in use and garden participants will receive training on appropriate use and water conservation)
- Provide a portable toilet in the parking lot of Geneva Maney park during the growing season each year (April October).
- Provide trash and recycling services.
- Maintain (mow) areas outside of the fence boundary.
- Promote community garden events on the town website/social media/newsletter

# **Community Partners**

We will continue to reach out to local organizations and local businesses. Here are some community partners that have already expressed interest in supporting the project:

- $\star$  Bountiful Cities
- $\star$  Asheville GreenWorks
- ★ Buncombe County Master Gardeners
- ★ French Broad River Middle School
- ★ Western North Carolina Food Systems Coalition
- $\star$  UNC Asheville





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## Timeline Goals:

Spring/Summer 2024: Site Preparation Fall 2024: Begin Garden Installation

We would love to have at least basic infrastructure ready to begin gardening in Spring 2025!!!

# Any Questions?



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Steering Committee: Katie Cox, Woodfin Resident and Homeowner Lily Dancy-Jones, Woodfin Resident and Homeowner Carol Shurtz Dodd, Senior Landscape Designer Zoe R. Codd, Americorps Volunteer Specialist

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# Ord. #2024- Removing certain criminal penalties

SHANNON TUCH, TOWN MANAGER

## Background:

- NC General Statutes authorize municipalities to enforce its local ordinances through civil penalties, criminal penalties (misdemeanors), or both.
- Certain chapters of Woodfin's Code of Ordinances apply both civil and criminal penalties.
- Review of the effectiveness and fairness of applying criminal penalties for certain violations has been explored by the State of North Carolina, municipalities, and other organizations.
- The Town of Woodfin has never issued a criminal penalty for any of the identified violations.

# Summary of Proposed Changes:

**Remove misdemeanor penalties for:** 

- All violations of Ch. 6. Animals excluding:
  - Cruelty to animals
  - Keeping of wild animals or dangerous insects
- Certain violations of **Ch. 22. Misc. Offenses** regarding:
  - Junked or abandoned vehicles
  - Cleanliness of premises, littering\*
- All violations of Ch. 38. Solid Waste\*

\*felony littering may still apply

## Suggested Motion:

I move to approve Ordinance #2024-04 removing criminal penalties associated with certain, non-public safety related violations.

# - Public Hearing -Conditional Zoning

RICKY HURLEY, PLANNING DIRECTOR

# Summary of Request:

A request to conditionally rezone 12.42 acres located at 74 Washington Avenue from Residential District R-10 (R-10) to Community Shopping - Conditional Zone (CS-CZ). The property owner plans to expand the existing building by addition of office space and a freestanding bus wash.

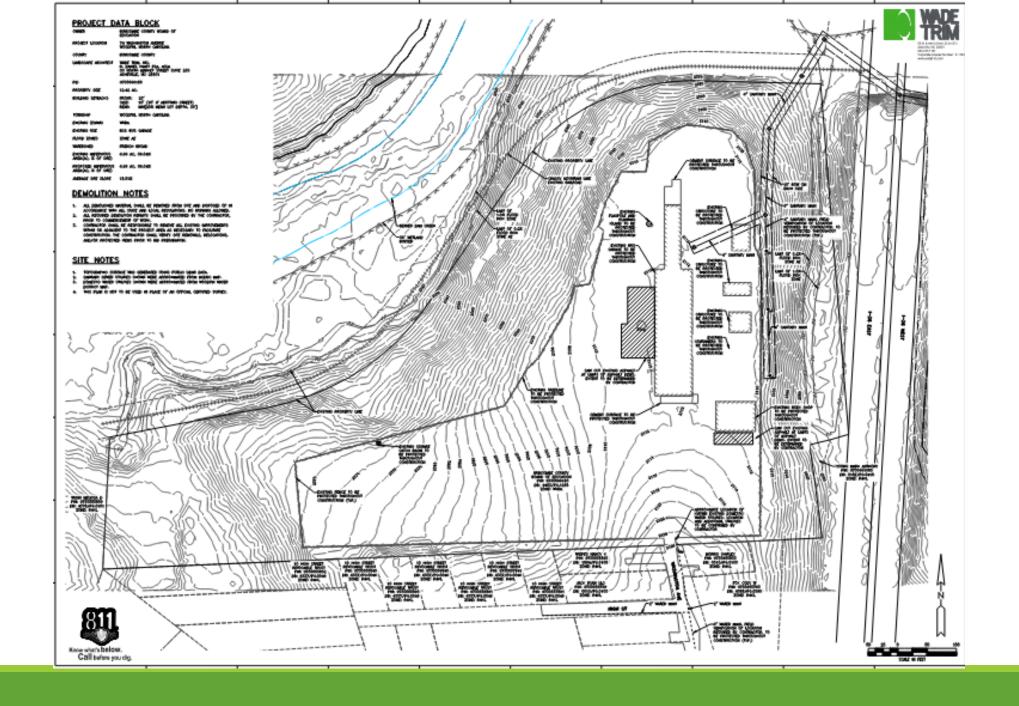
### Zoning Map



### Aerial

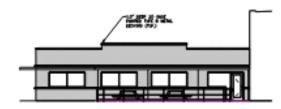


### Site Plan

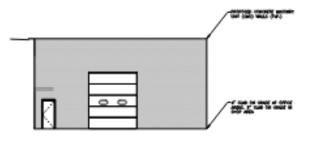




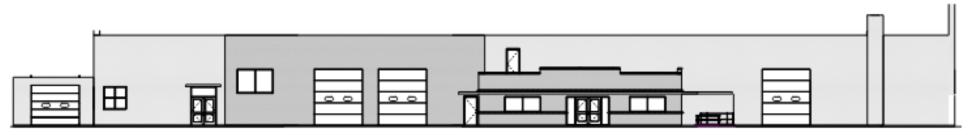
NOT EXCHANCE



ADDITION SOUTH EXCHANCE



ADDITION NOTION BUDINEDON



Street View – End of Washington Ave



### Parking Lot -Looking West



# Modifications Requested:

- A reduction in the required screening yard along the southern property boundary.
- Use of LED light fixtures

# Review by other bodies:

The Woodfin Planning Board of Adjustment reviewed the request at their March 5, 2024 regular meeting and voted to recommend approval of the proposed conditional rezoning to CS-CZ (5:0) with two additional conditions of:

- Identifying a suitable buffer on the southern boundary, and
- Exploring enclosing the wash bay.

## Recommendation:

Staff concurs with the PBOA recommendation for the proposed conditional zoning of the subject property to Community Shopping-Conditional Zone (CS-CZ), subject to the conditions identified in the Exhibit D – Project Conditions; however, the Council may recommend additional conditions to mitigate the anticipated impacts.

# Suggested Motion:

I move to approve the conditional zoning of 12.42 acres as shown on Exhibits A & B from Residential District R-10 to Community Shopping Conditional Zone, subject to the conditions identified in the Exhibit D-Project Conditions and subject to the following additional conditions:

(Council to add conditions here, if applicable.)
 ....

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. Protects land and buildings for small scale employment uses (1.2.5).
- 2. Supports jobs that are locally accessible for residents to both live and work in Woodfin (3.1).
- 3. Supports area partners and education institutions (3.2).

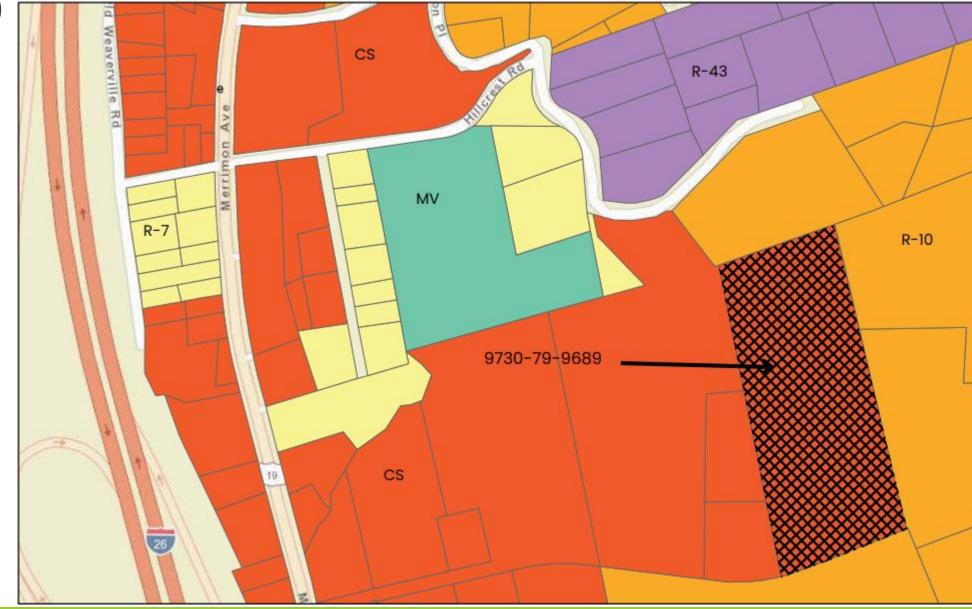
# - Public Hearing -Conditional Zoning

RICKY HURLEY, PLANNING DIRECTOR

# Summary of Request:

Conditional zoning review for 7.84 acres located at 99999 Reynolds Mountain Boulevard from Community Shopping (CS) to Community Shopping 2 District -Conditional Zone (CS2-CZ) for a 120-unit apartment building. All units will be affordable for families earning 80% of the AMI for Asheville-Buncombe County.

# Zoning Map



### Aerial



#### **Master Plan**

HANDICAP UNITS TYPE "(a)" OR "(as)" = (12) UNITS: (1) ONE BEDROOM UNIT w/ TUB

IMPAIRED (2) TWO BEDROOM UNIT W/ TUB

IMPAIRED

(1) ONE BEDROOM UNIT W/ ROLL-IN SHOWER & EQUIPPED FOR THE SIGHT & HEARING

(2) TWO BEDROOM UNIT W/ ROLL IN SHOWER & EQUIPPED FOR THE SIGHT & HEARING

### **ROCKY RIVER APARTMENTS**

WOODFIN, NC

#### SITE INFORMATION:

	SITE: DENSITY: SETHACKS:	7.84 +/- ACRES 15.31 UNITS/ACRES FRONT = 20' SIDE = 20'
		REAR = 20'
	OPEN SPACE:	S ACRES REQUIRED @ 300 SQ. FT. PER UNI 1:98 ACRES PROVIDED AS LABELED
	IMPERVIOUS SURFACE:	3.51 ACRES
	HUILDINGS	(i) 3-STORY/4-STORY SPLIT BUILDING
	PARKING SPACES:	210 SPACES REQUIRED @ 1.75 PER UNIT 210 SPACES PROVIDED
	SITE NOTES:	EIU OFALES PROVIDED
	- NO PLOYID PLAINS LO	CATED ON STR

- NO FLOOD FLAINS LOCATED ON SITE
  ALL PLANTS, TREES AND HARDWOODS WILL BE NATIVE TO WEFTERN N.C. MOUNTAINS.

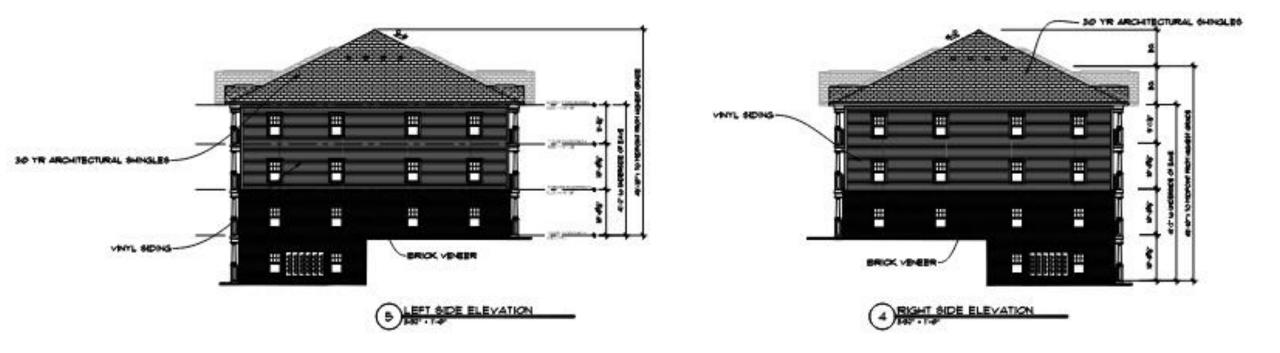
- OUTDOOR SITTING AREAS (MIN-3 LOCATIONS w/ BENCHES)
- RESIDENT COMPUTER CENTER (MIN. 2 COMPUTERS)



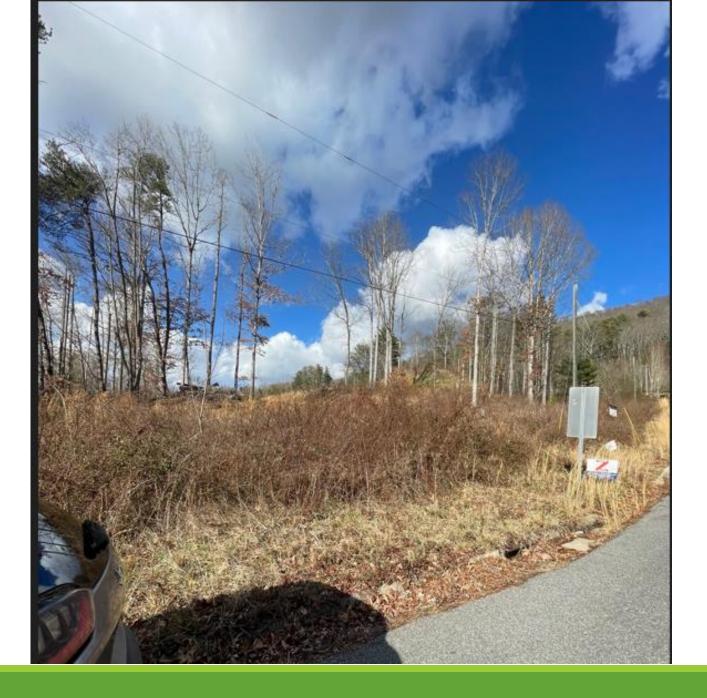
#### **Elevations**



#### **Elevations**



### **Street View**



### Modifications Requested:

- Use of LED lighting
- Modification of the maximum height limit to an average of 48 feet, with a maximum of 4 stories/60 feet on the downhill façade and 3 stories/35 feet on the uphill façade.
- Increase in the allowable land disturbance and impervious surfaces within the Steep Slope zone to a maximum of approximately 80% (273,208 sq ft) disturbed area and 50% (170,755 sq ft) impervious surfaces.

# Review by other bodies:

The Woodfin Planning Board of Adjustment reviewed the request at their March 5, 2024 regular meeting and voted to recommend approval of the proposed conditional rezoning to CS-2-CZ (5:0).

## Recommendation:

Staff concurs with the PBOA recommendation for the proposed conditional zoning of the subject property to Community Shopping-Conditional Zone 2 (CS2-CZ) subject to the conditions identified in the Exhibit D – Project Conditions; however, the Council may recommend additional conditions to mitigate the anticipated impacts.

# Suggested Motion:

I move to approve the conditional zoning of 7.48 acres as shown on Exhibits A & B from Community Shopping to Community Shopping 2-Conditional Zone, subject to the conditions identified in the Exhibit D-Project Conditions and subject to the following additional conditions:

1) (Council to add conditions here, if applicable.)

2) ....

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. Promotes a mix of housing types and affordability options by working with developers to incorporate income-restricted housing into new developments (1.1.2 & 1.2.4)
- 2. Promotes long-term fiscal responsibility by growth in areas with existing services. (1.2.6)
- 3. Supports walkable employment centers so that residents may both live and work in Woodfin (3.1.4).

# - Public Hearing -Wording Amendment Manufactured Housing

RICKY HURLEY, PLANNING DIRECTOR

# Summary:

Review and discussion of:

- 1) A proposed text amendments to Chapter 54-Zoning to clarify and update definitions and standards affecting Manufactured Housing, and
- 2) Creation of a new Manufactured Housing Overlay district and a new Manufactured Home Community district.

# Manufactured housing in Woodfin

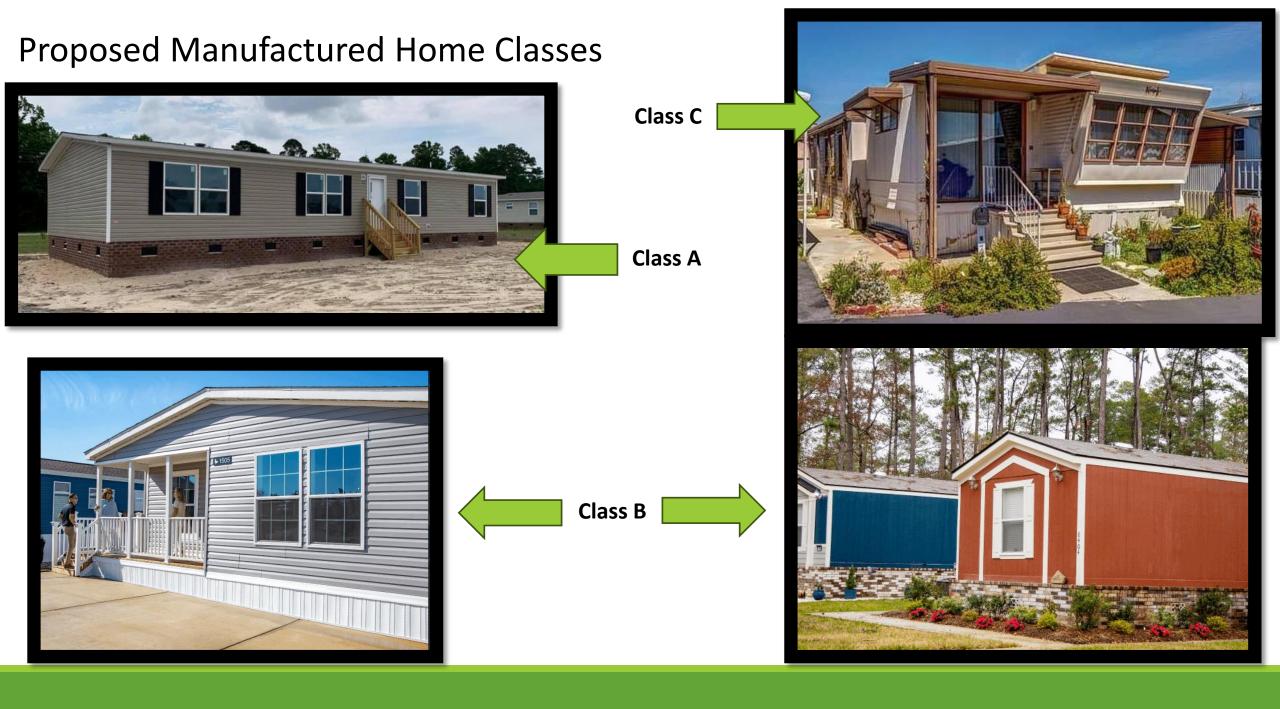
### Current zoning and land use restrictions

- Excludes manufactured homes from certain zoning districts
- Imposes design requirements that are not required of single-family homes
- Single section homes are not permitted anywhere
- Requirements for owner occupancy in some cases (inconsistent with statutes)

# Manufactured Housing

The goal of the proposed zoning and map amendments is to:

- Remove barriers to provide more affordable housing opportunities throughout the town
- Expand where manufactured homes are allowed by right
- Update the current zoning and land use regulations to be more clear and equitable
- Simplify the approval process



### Manufactured Housing

#### Text Amendment

- Create two new zoning districts specific to manufactured housing (MHO & MHC)
- Expand opportunities for Class B homes in the MHO
- Limiting by-right land uses in the MHC to manufactured housing parks
- Update definitions related to manufactured homes

### Map Amendment

 Apply MHO to specific areas in town where the existing development pattern is defined by manufactured housing on individual lots

\*Application of MHC to be considered at a later date

# Manufactured housing is changing

### Past perception, rapidly changing

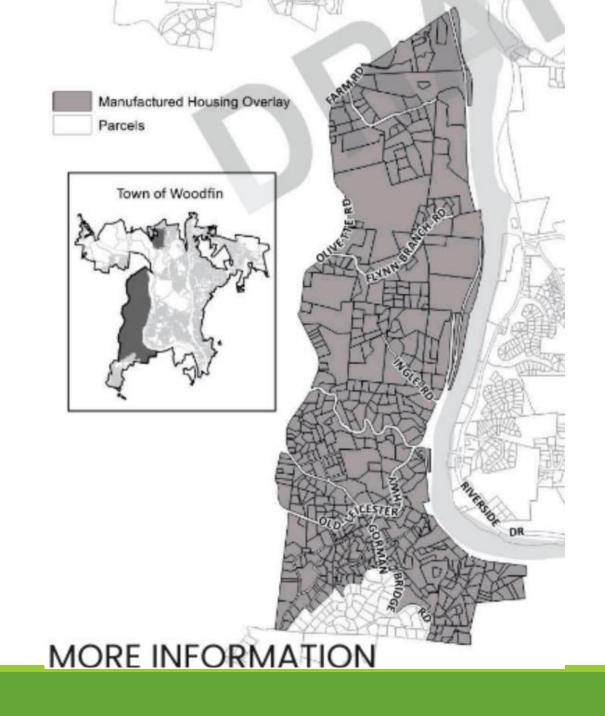
- Inferior quality compared to stick-built homes
- Aesthetic appeal
- Less likely to appreciate
- Negative impact on surrounding property values

#### **Current statewide practice**

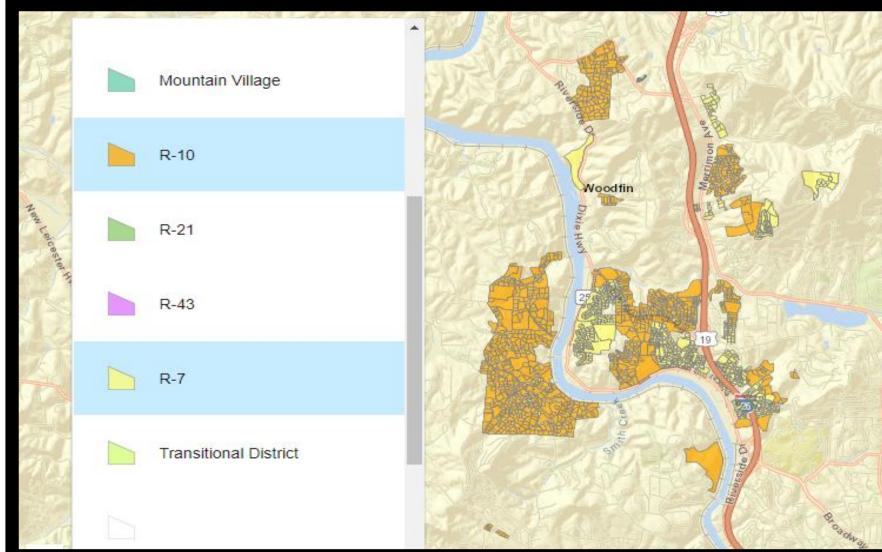
- Design standards not imposed on one- and twofamily dwellings
- Modular homes classified as single family by statute
- Current statutes allow for stricter regulation of manufactured housing, creating an inequity

### Exhibit A – Manufactured Home Overlay



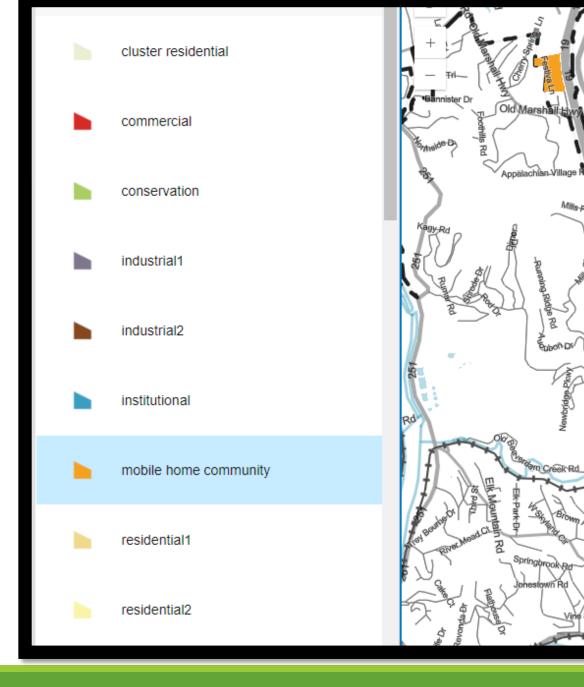


# Where Manufactured Homes are permitted currently



### Existing Manufactured Home Community - FLUM

Identified locations on the Future Land Use Map



aird-Co

Hillcrest Ro

## Considerations:

- Brings development standards into alignment with the North Carolina General Statutes, and guidelines from the Department of Insurance.
- Clarifies where manufactured housing is permitted through the creation of new zoning districts and zoning map amendments.
- Expands opportunity for Class A (multi-section/double-wide) homes in most residential zoning districts, and Class B (multi-section & single-wide) homes in designated MHO areas.
- Requires public review and input of actions that may displace tenants of manufactured homes.

# Review by other bodies

The Woodfin Planning Board of Adjustment reviewed the request at their March 5, 2024 regular meeting and voted to recommend approval of the proposed wording amendment (5:0). The Board also reviewed the map amendment for the Manufactured Home Overlay district shown in Exhibit A and voted to recommend approval (4:1).

# Recommendation

Staff concurs the PBOA recommendation for approval of both the proposed zoning text and map amendments. Two different votes will be necessary, the first being consideration of the text amendment, then a discussion and vote for the map amendment to apply the overly district as shown on Exhibit A.

# 1<sup>st</sup> Suggested Motion:

I move to approve the proposed <u>text</u> amendment <u>subject</u> to the following additional conditions:

```
 (Council to add conditions here, if applicable.)
 ....
```

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. Promotes an integrated mix of housing types and affordability options, discourages the displacement of existing residents, and protects existing affordable housing through regulatory tools. (1.1.2, 1.2.1, & 1.2.2)

2. Balances the supply of land for housing and employment. (3.1.5)

3. Ensures Woodfin is a place where residents have opportunities to engage on community issues, (4.4)

4. Modernizes zoning districts to better align with the FLUM while using zoning tools to protect manufactured housing (A.1.1 & A.1.3).

# 2<sup>nd</sup> Suggested Motion:

I move to approve the proposed <u>map</u> amendment subject to the following additional conditions:

```
 (Council to add conditions here, if applicable.)
 ....
```

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. Promotes an integrated mix of housing types and affordability options, discourages the displacement of existing residents, and protects existing affordable housing through regulatory tools. (1.1.2, 1.2.1, & 1.2.2)

- 2. Balances the supply of land for housing and employment. (3.1.5)
- 3. Utilizes zoning tools to protect manufactured housing (A.1.1 & A.1.3).

# Adjournment