



# West Jefferson, NC Land Use Plan 2022

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*- Prepared by High Country Council of Governments -*





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Appendix A - Wilkesboro Housing Code

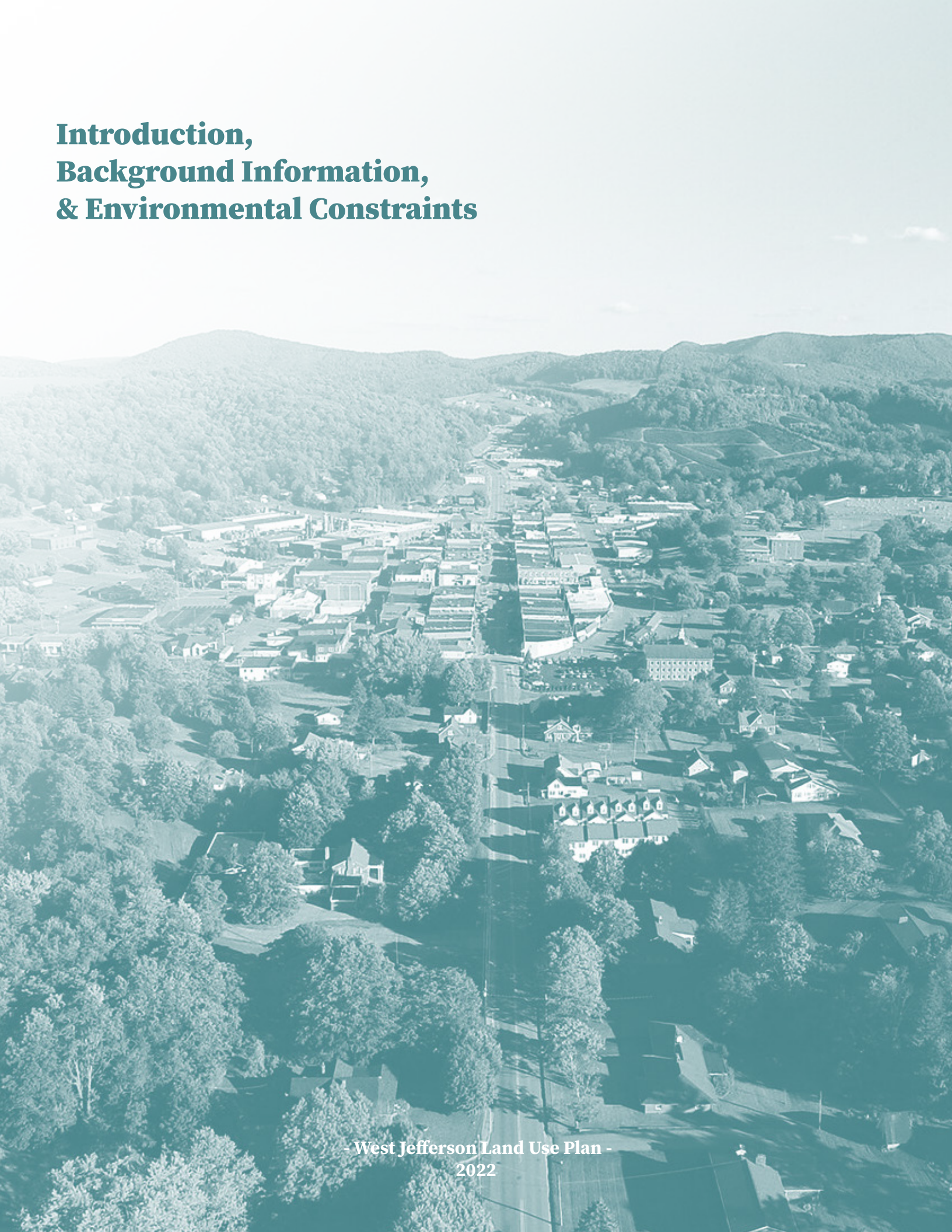
Appendix B - Model Stormwater Ordinance

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# **Introduction, Background Information, & Environmental Constraints**





## Introduction

This plan is designed to guide decisions related to land use over the next 10-15 years within the incorporated area of the town of West Jefferson and its extraterritorial jurisdiction. It serves to fulfill the requirement set by North Carolina General Statute Chapter 160D that local governments adopt a comprehensive plan as a prerequisite to exercising certain development regulations. To that end, the contents of this plan meet the standards for a comprehensive plan as set forth in N.C.G.S.160D-5-1.

The bulk of the plan consists of background information related to land use issues in West Jefferson. The reader can find information related to population, income, employment, housing, environmental constraints, transportation, utilities, development regulations, land value, and parks. This section also contains the findings of a GIS analysis of West Jefferson's impermeable surfaces, the results of a downtown parking study, a map displaying the location of land uses within town, and a breakdown of zoning permit patterns over the past several years.

The plan's development process included public input in the form of an online survey that was open to the public from September through December of 2021. A total of 56 respondents completed the survey. The plan's recommendations are informed by the results of the survey, the findings of the background information, input from stakeholders, as well as planning best practices.

## Background Information

West Jefferson was incorporated as a town in 1915. For many decades West Jefferson was served by the Norfolk and Western Railroad, better known as the "Virginia Creeper". The railroad was the primary reason for the creation of the town of West Jefferson. Along with neighboring Jefferson, West Jefferson is the major market for goods and services for the rural population of Ashe County. Reflecting its rural setting, the town has hosted a livestock market and tobacco warehouse, though both have been closed for many years. Nevertheless, a thriving farmers market still operates on the Backstreet. The town experienced a major commercial expansion in the early 2000s with the development

of retail stores near Hwy 221 on Mount Jefferson Road. Industries developed in the mid-20th century, but several closed within the past 20 years, specifically a furniture factory located downtown. With the decline of the railroad business in the 1970s and the loss of factory jobs to foreign markets, West Jefferson's economy has become increasingly devoted to the tourism industry - one of the largest attractions being West Jefferson's arts district. Tourists can take the downtown walking tour to see eight large wall murals depicting the area's history and unique mountain character. In 2011, the downtown was transformed with a number of streetscape enhancements that have benefited tourism and contributed to the economic revitalization of the downtown area. West Jefferson also has the distinction of having the only cheese factory in the state. The town's location in the Blue Ridge Mountains has led to a large number of tourists visiting the area each year; and consequently, many tourists have begun to build vacation homes and housing developments around the town. Industry is still an important economic sector with the presence of a GE Aviation plant, a soft drink bottling plant, an emergency vehicle manufacturer, and the very recent establishment of an industrial park.

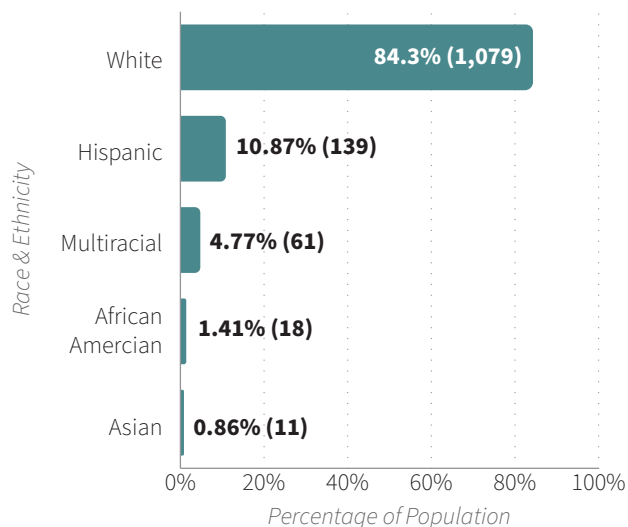
## Population

West Jefferson's population trend indicates that demographic changes will not likely impact land use. The town's population remains essentially unchanged from 2010, with only 20 fewer people (from 1,299 to 1,279). A similar pattern can be seen in Ashe County's population, which experienced a drop in population of 663 people from 2010 to 2020, indicating that county demographics will not likely affect West Jefferson.

West Jefferson has an older population. The median age is 46.3 years compared to 39.1 years for the state as a whole. Similarly, 24.4% of the town's population is 65 years old or over compared to 16.7% for North Carolina. This characteristic is reflected in household size. Over 71% of West Jefferson households are two persons or less.

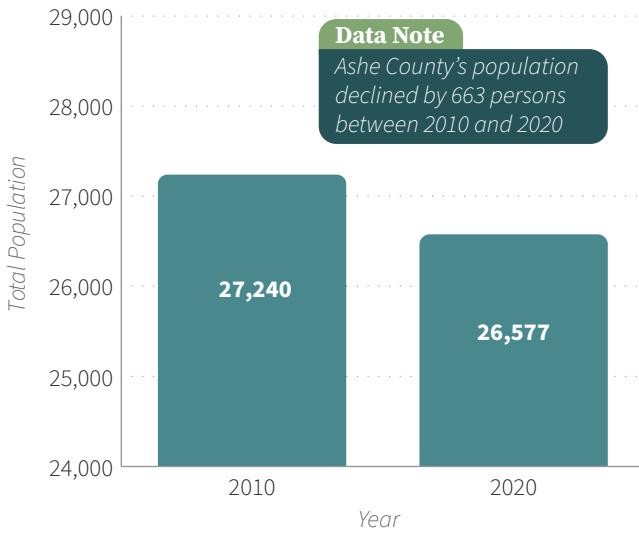
### West Jefferson Population by Race & Ethnicity, 2020

Source: 2020 Census



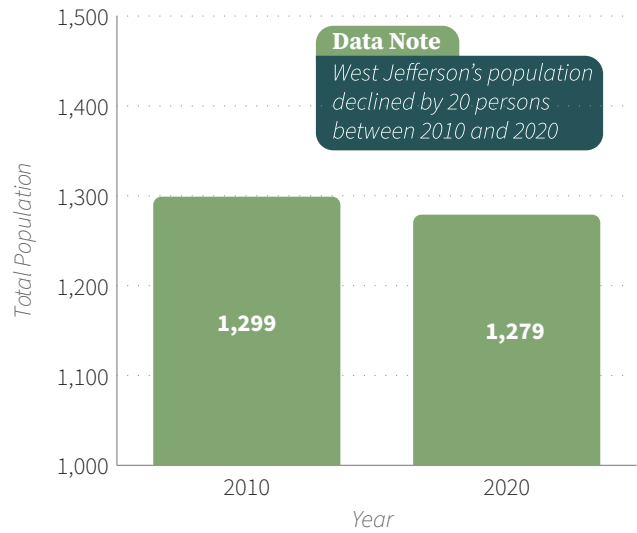
## Ashe County Population Change, 2010-2020

Source: 2010 & 2020 Census



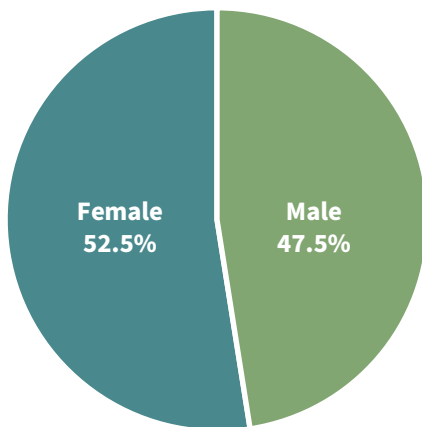
## West Jefferson Population Change, 2010-2020

Source: 2010 & 2020 Census



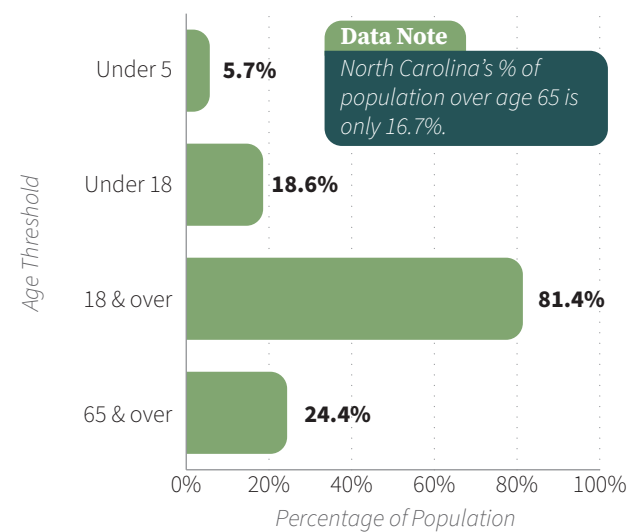
## West Jefferson Population by Gender, 2020

Source: 2020 Census



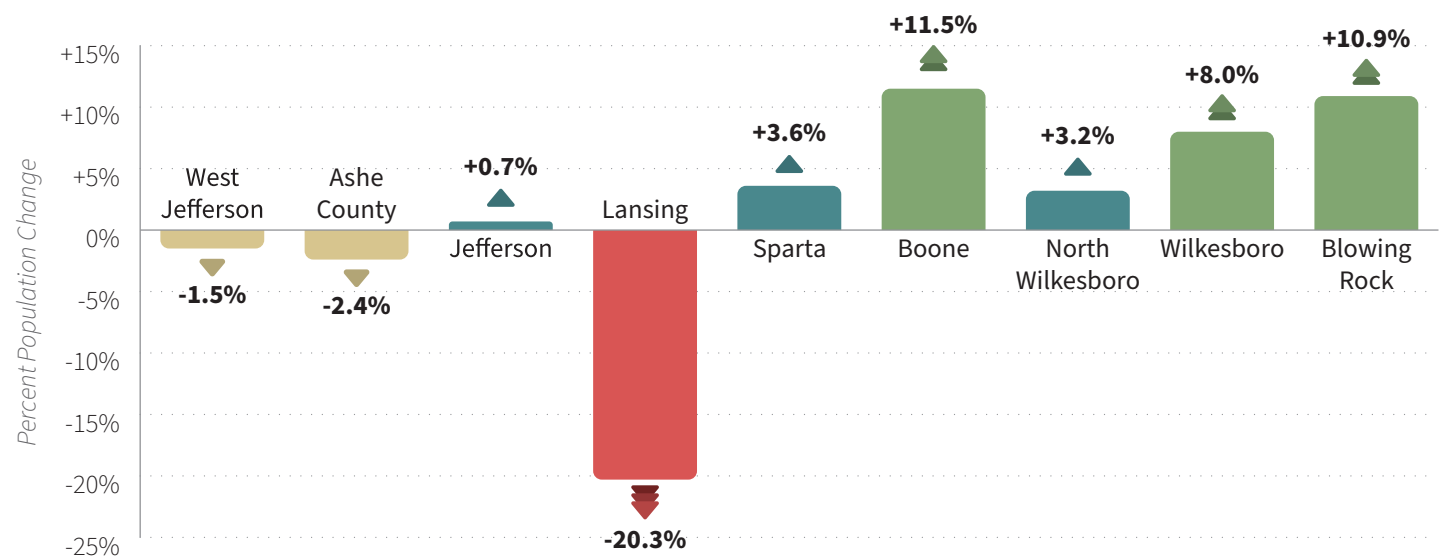
## West Jefferson Percentage of Population by Age Threshold

Source: 2020 Census



## Population Change of West Jefferson & Surrounding Communities, 2010-2020

Source: 2010 & 2020 Census

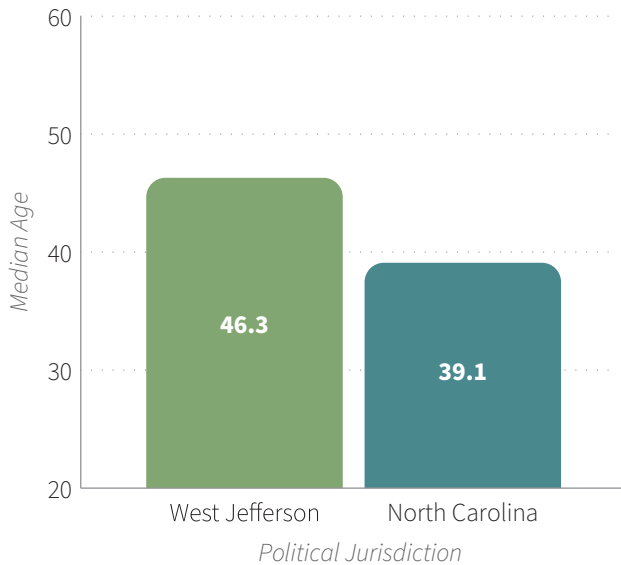




## West Jefferson & North Carolina

### Median Age, 2020

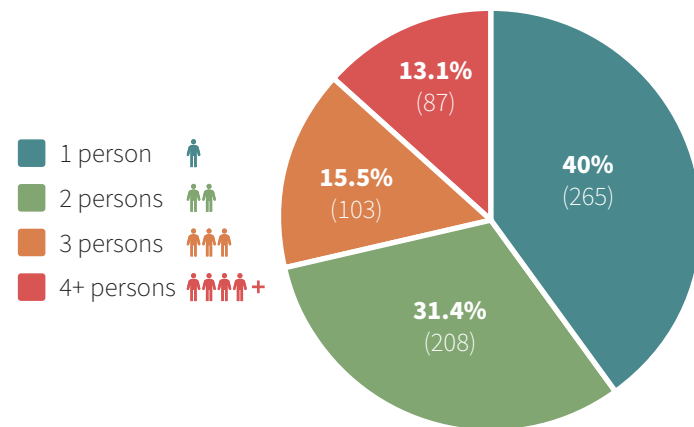
Source: 2020 Census



## West Jefferson

### Household Size, 2020

Source: 2020 Census



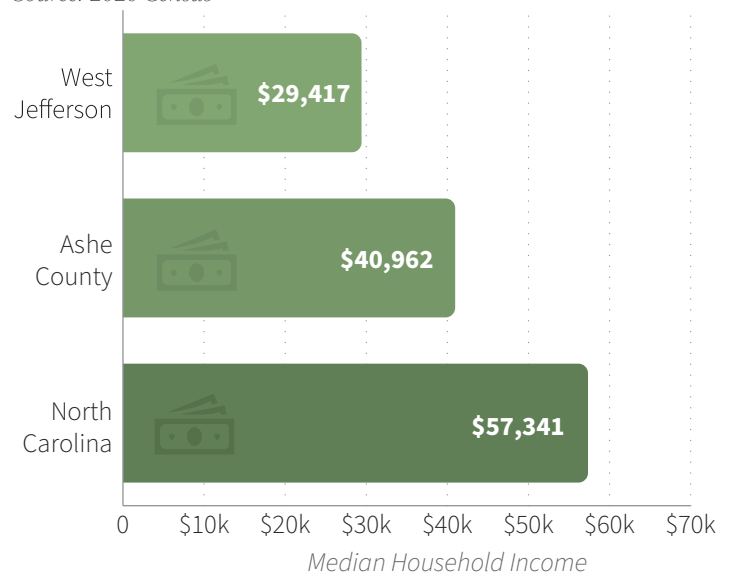
## Income, Employment, & Commuting

Statistics show a town population with a lower income than comparable geographies. The median household income in West Jefferson is \$11,545 less than Ashe County's and \$27,924 less than North Carolina's. The poverty rate is 21%, compared to 13.6% for North Carolina.

West Jefferson residents are employed in a wide range of job categories, with no single sector dominating. Commute time to work is short- 22.4 minutes, and about the same as the rest of the county at 24.9 minutes. A large majority (78.1%) drive alone to work.

### Median Household Income Comparison, 2020

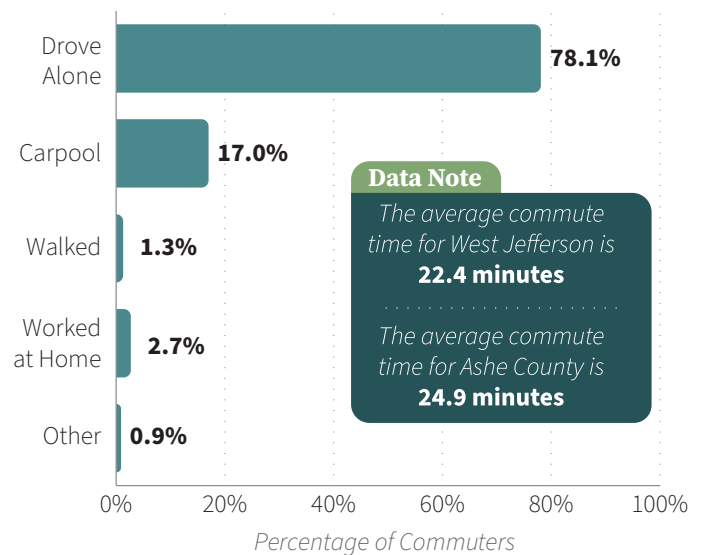
Source: 2020 Census



## West Jefferson

### Means of Transportation to Work (16 Years & Older), 2020

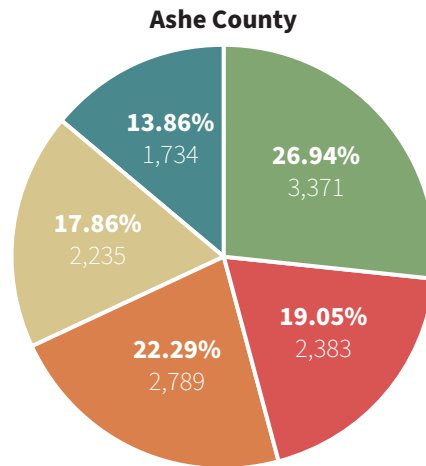
Source: 2020 Census



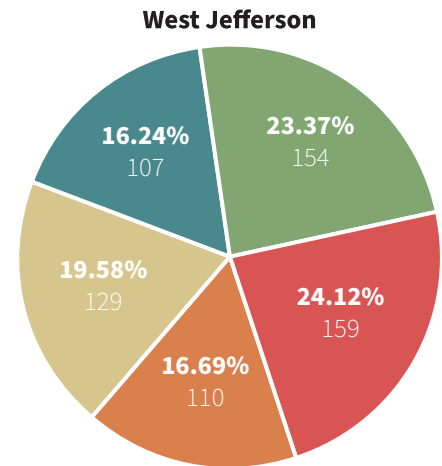
## Occupational Statistics, 2020

Source: 2020 Census

- Management, Business, Science, & Arts
- Service Occupations
- Sales & Office Occupations
- Natural Resources, Construction, & Maintenance Occupations
- Production, Transportation, & Material Moving Occupations



Total Employed Population  
16 Years & Over: 12,512



Total Employed Population  
16 Years & Over: 659

## Housing

Unlike Ashe County as a whole, the majority of West Jefferson's housing is rented rather than owned. Owner-occupied homes account for only 42.5% of housing in West Jefferson compared to 75.9% in the county.

Almost 46% of West Jefferson's renter occupied households pay 30% or more of their income on rent, compared to 37% for the county as a whole (less than 30% of income is commonly accepted as the threshold for affordable housing).

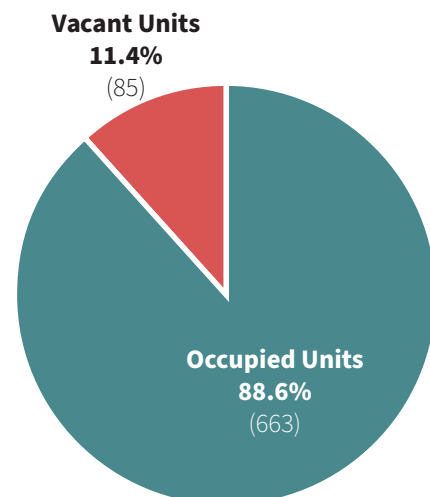
The larger number of renters versus homeowners, and the high percentage of renters paying more than 30% of their income for housing is significant given the importance of housing affordability to a community's vitality. Without affordable housing, a community will struggle to retain and attract population, particularly those of workforce age.

West Jefferson housing units are of a moderate age, with few being more than 70 years old and only 14% being built since 2000.



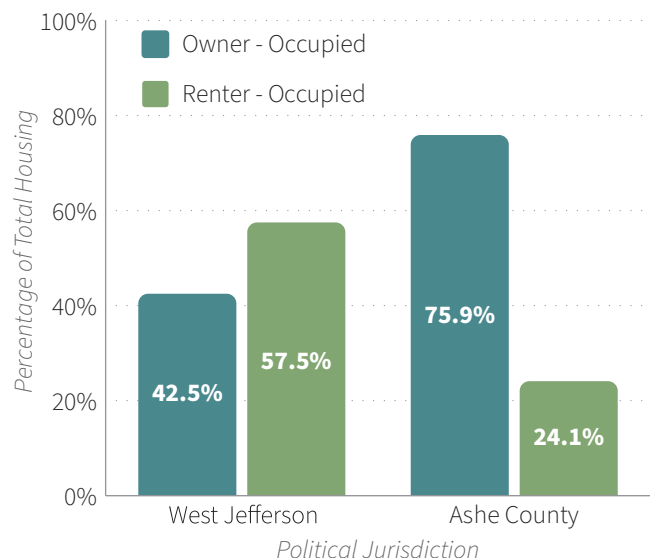
### West Jefferson Occupied vs. Vacant Housing Units

Source: 2020 Census



### Owner vs. Renter Occupied Housing, 2020

Source: 2020 Census

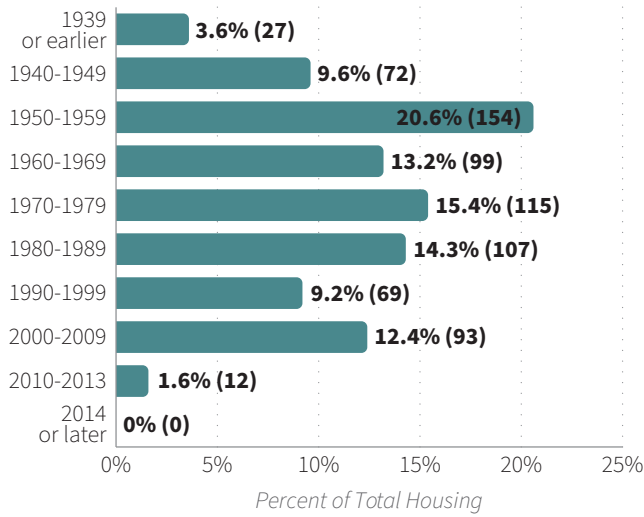




## West Jefferson

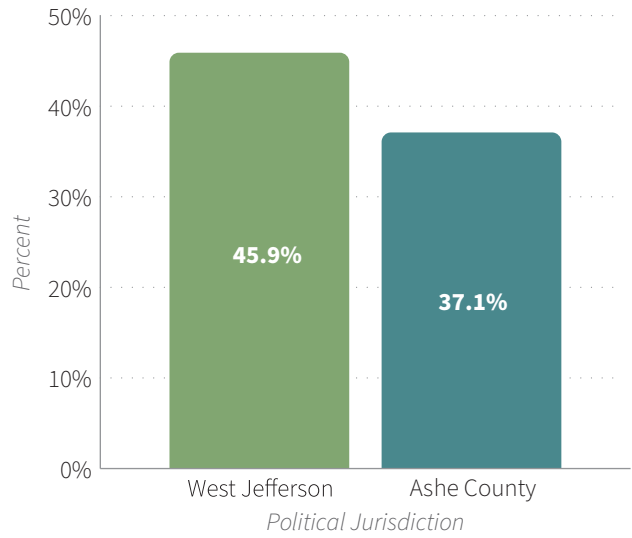
### Age of Housing Units (Year Built)

Source: 2020 Census



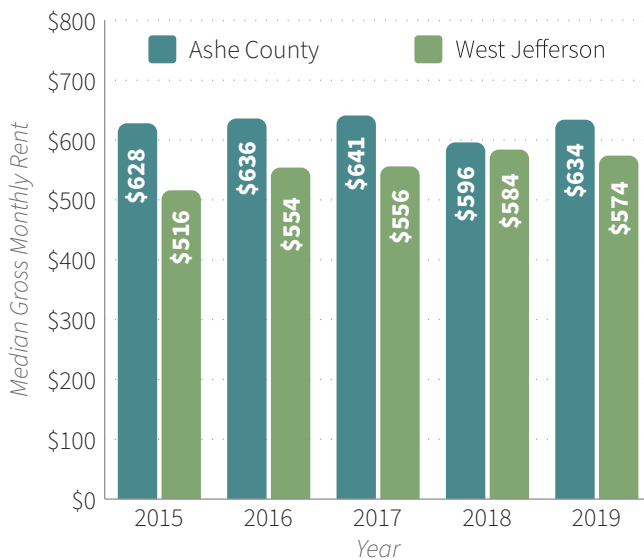
## Renter Occupied Households Paying 30% or more of Income on Rent

Source: 2020 Census



## Median Gross Monthly Rent Over Time

Source: 2020 Census



- End of Section -

## Environmental Constraints

Environmental features such as slope, soil types, waterways, wetlands, and floodplains heavily impact development patterns. Steep slope and floodplains, whether by virtue of their natural characteristics or the regulations associated with them, prevent construction or make it impractical. Soil types can likewise hinder development due to instability or inability to accommodate functioning septic systems. Regulations surrounding waterways, wetlands, and water supply watersheds can dictate the extent and type of development within their vicinity. Of these environmental constraints, West Jefferson's land use is mostly affected by slope. There are no wetlands or water supply watersheds within West Jefferson's corporate limits or ETJ. The presence of a public sewer system within Town also limits the consideration given to soil type when developing a property.

## Topography

A contour map of the West Jefferson area shows the town bound by Mount Jefferson to the east and Paddy Mountain to the west. An upward change in elevation also occurs to the south and north, though not as abrupt. A mostly undeveloped ridge extends from the Jefferson Avenue/Hwy 221/Hwy 163 intersection to Business 221, separating downtown from commercial development along Hwy 221. The slope map presents this information more starkly. Slopes exceeding a 20% grade are generally considered steep and thus problematic for development. The major environmental concerns with steep slope development stem from erosion, runoff, and watershed protection. The cost and engineering complications associated with building on a steep slope have the effect of discouraging

development in these areas. While hilly terrain does not totally inhibit development, the surrounding topography could present challenges for widespread commercial expansion. In addition, Mount Jefferson is a state park and much of Paddy Mountain is now conserved for natural and recreational land use. Based solely on topography and current land use restrictions, the most obvious corridors for growth are to the southwest (i.e. industrial park area), Hwy 163, and possibly to the north.

## Streams & Water Quality

The West Jefferson area lies in a headwaters zone defined by three principal streams and their tributaries- Little Buffalo Creek, Cole Branch, and Beaver Creek.

Downtown West Jefferson and a portion of the Hwy 221 commercial area are located at the headwaters of Little Buffalo Creek. Beaver Creek and its tributaries flow through the commercial/industrial area to the southwest. It then parallels Hwy 163 out of town. Cole Branch and its tributaries drain much of the Hwy 221 commercial district before flowing into Beaver Creek.

The North Carolina Department of Environmental Quality classifies streams and sets restrictions on activities in the watershed. Little Buffalo Creek, Cole Branch, and Beaver Creek are all classified as Class C, Trout waters (Tr), and +.

Class C streams are "Waters protected for uses such as secondary recreation, fishing, wildlife, fish consumption, aquatic life including propagation, survival and maintenance of biological integrity, and agriculture. Secondary recreation includes wading, boating, and other uses involving human body contact with water



where such activities take place in an infrequent, unorganized, or incidental manner.”

“Trout” is a “supplemental classification intended to protect freshwaters which have conditions which shall sustain and allow for trout propagation and survival of stocked trout on a year-round basis. This classification is not the same as the NC Wildlife Resources Commission’s Designated Public Mountain Trout Waters designation.”

+ “This symbol identifies waters that are subject to a special management strategy specified in 15A NCAC 2B .0225 the Outstanding Resource Waters (ORW) rule, in order to protect downstream waters designated as ORW.” Specifically, this strategy addresses wastewater discharges and stormwater management.

Restrictions associated with Class C streams and Trout waters are shown in the table below. In general, these restrictions are not as stringent as those for water supply watersheds and other high quality water courses.

Streams are designated “impaired” if they are not supporting their use classification because of pollution. Little Buffalo Creek has been listed as impaired since 1998 in the Division of Water Quality’s New River Basin Plan. The Plan states, “Much of West Jefferson’s stormwater runoff drains into portions of [an] unnamed tributary which has been piped underground. Bypassing natural riparian buffer zones, which can absorb

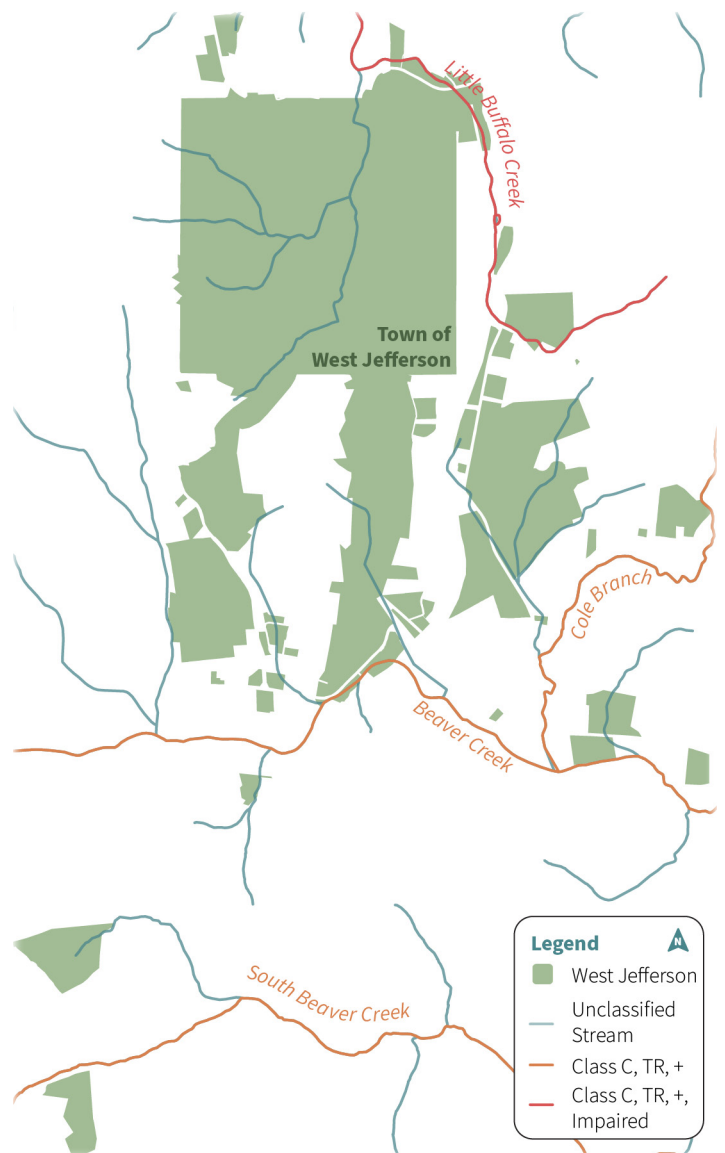
waterborne pollutants, the contaminated runoff has little to no opportunity to be filtered before reaching Little Buffalo Creek.” As with any urbanized area, concentrations of impervious surfaces- roofs, streets, parking lots, etc.- produce voluminous flows of stormwater that rush to streams unfiltered. Runoff is exacerbated by the fact that the area is characterized by numerous natural seeps and springs that almost continuously saturate the soil in some locations. Consequently, impervious surfaces and a high groundwater table create severe stormwater runoff issues including flooding, streambank erosion, sedimentation, and habitat degradation. It also increases the amount of pollution such as oil, road salt, trash, and nitrogen entering the streams in the area.

Evidence of this situation can be seen in the Impermeable Surfaces Map on page 19. While expansive impermeable surfaces exist adjacent to Hwy 221, some of this development has stormwater management devices. The downtown area, in contrast, has almost none.

## NCDEQ Restrictions by Stream Classification

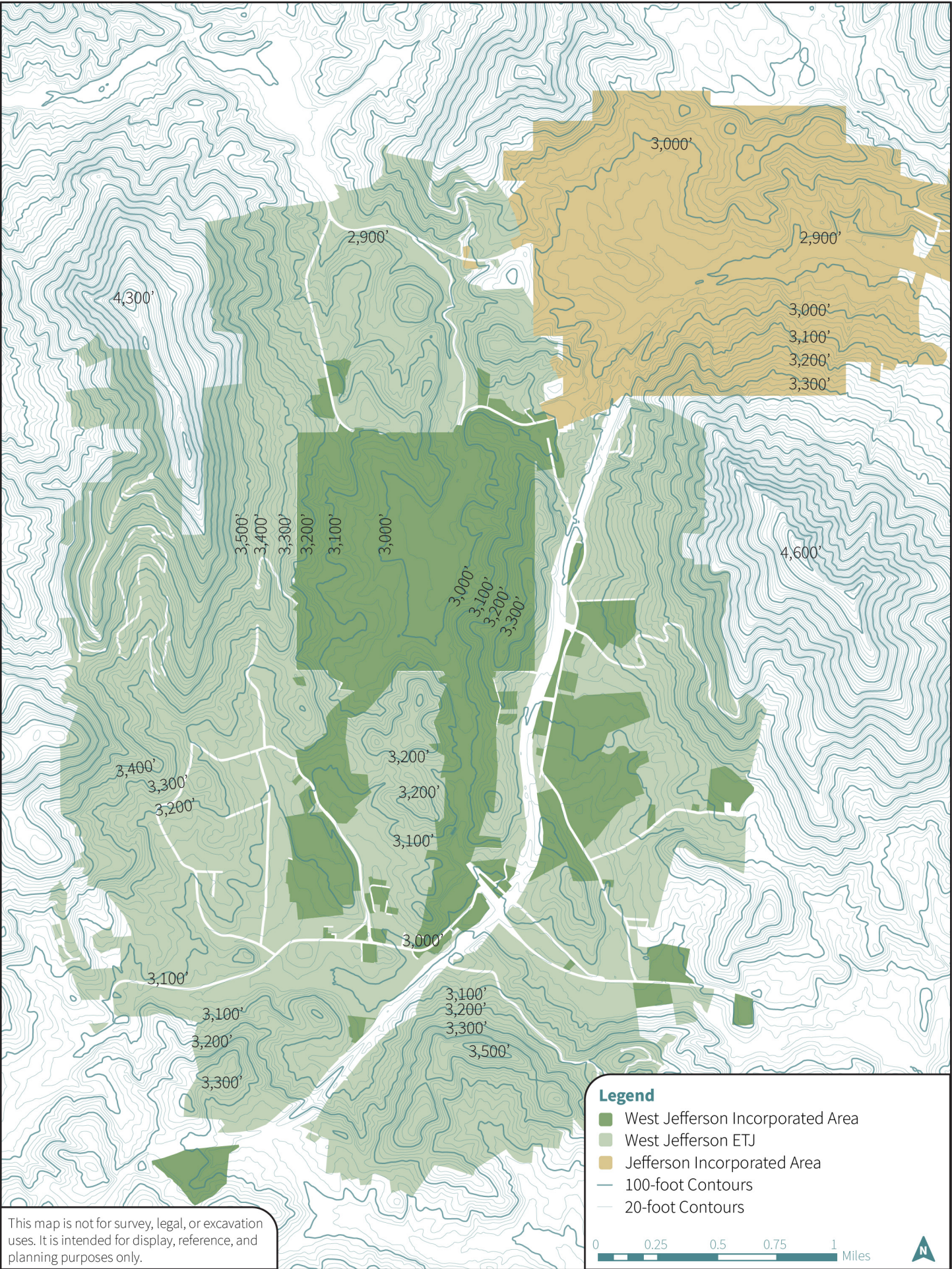
		C	TR
Area Affected		Receiving Stream	Receiving Stream & 25' Buffer Area
Wastewater Discharges Allowed		Domestic & Industrial	Domestic & Industrial
Allowable Density	Low Density Option	No Restrictions	No Restrictions
	High Density Option		
	Stream Buffer	None Required	25' Buffer between Stream & Graded Area
Erosion & Sediment Controls		Standard Rules	More Stringent Rules & Buffer
Agriculture Best Management Practices Mandated		Yes	Yes
Forest Practices Guidelines Rule Standards Mandated		Yes	Yes
Transportation Best Management Practices Mandated		No Specific BMP's Required	Stricter Erosion Controls Apply
Landfills Allowed		No Specific Restrictions	No Specific Restrictions
Dams/Water Resource Projects		No Specific Restrictions	No Specific Restrictions

## West Jefferson NCDEQ Stream Classification Map



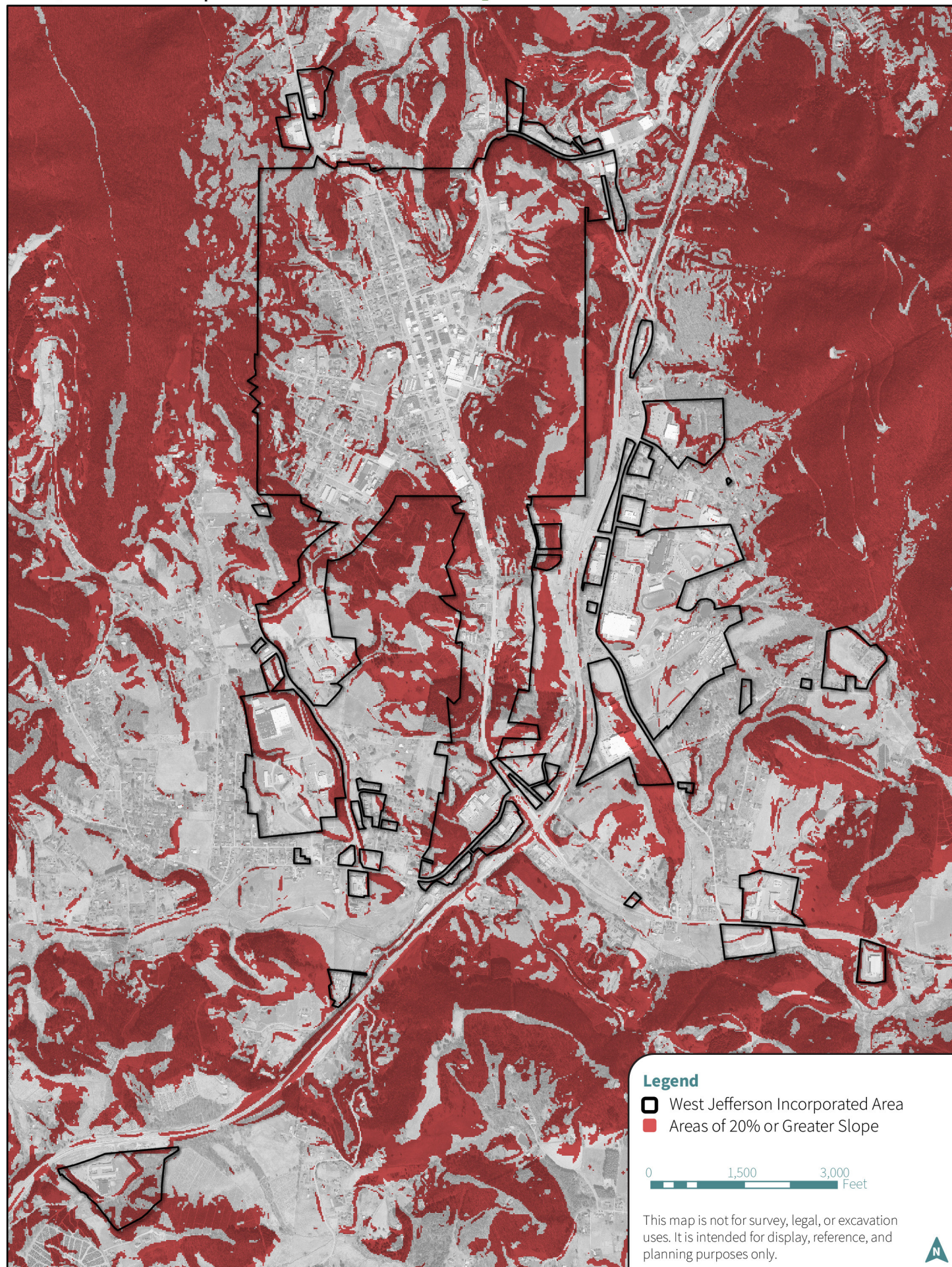


West Jefferson Area | Contour Map



This map is not for survey, legal, or excavation uses. It is intended for display, reference, and planning purposes only.







## Flood Hazard

The Federal Emergency Management Agency (FEMA) designates Special Flood Hazard Areas throughout the United States. Commonly referred to as “floodplains,” these areas consist of land adjacent to a creek, stream, or river which would be inundated by a flood event having a 1% chance of being equaled or exceeded in any given year. A flood event of this magnitude was often referred to as a “100-year flood” in previous terminology. Development within these areas is regulated by West Jefferson’s Flood Damage Prevention Ordinance. The ordinance dictates allowable development within floodplains and contains building standards designed to minimize the potential for property damage and loss of life. It also names a floodplain manager responsible for reviewing all applications for development within a Special Flood Hazard Area to ensure compliance with regulations. FEMA requires municipalities and counties to adopt this ordinance before residents are eligible to purchase insurance through the National Flood Insurance Program (NFIP).

Since West Jefferson is situated at the headwaters of streams, flood hazard from overflowing streams (as defined by the National Flood Insurance Program, see map) is not extensive and therefore not a major impediment to development and doesn’t limit land use. As the map shows, the most significant hazard area within town limits is a portion of downtown. Beaver Creek and its tributaries south of town in the ETJ present flood hazards that skirt town limits, but these areas are narrow. Floodplain mapping, however, does not always reveal the risk of flooding associated with extensive impervious surfaces (runoff). West Jefferson experiences and has a significant risk of runoff flooding, especially in the downtown area. The Impermeable Surfaces map on page 19 best illustrates this risk. The Town is presently assessing stormwater runoff and looking for opportunities to install stormwater control devices that will help mitigate such flooding.

## Soils

The soil map exhibits a wide variety of soil classifications in the West Jefferson area. The one covering the most area in the corporate limits is Braddock-Urban land complex (BuC). The soil survey states, “Water movement into and through the soil is very restricted, causing rapid surface runoff and the hazard of flooding in low-lying areas. The Braddock soils are suited to urban and recreation uses. Slope and erosion are the main limitations.” Clifton loam 8-15 % slope is also common and described as suited to urban and recreation uses.

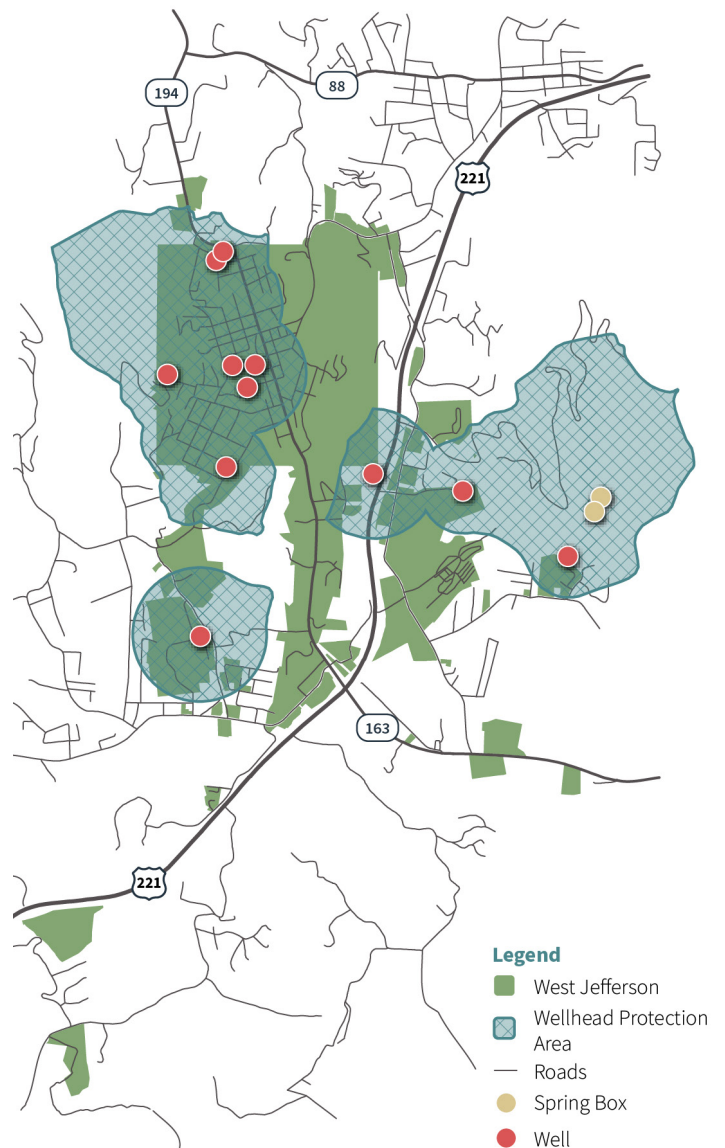
## Wellhead Protection Areas

Eleven wells and one spring supply the town of West Jefferson with potable water. The Town has developed a Wellhead Protection Plan to help prevent contaminants from reaching these supplies of water. The plan includes a delineation of wellhead protection areas. A wellhead protection area (WHPA) is the landscape that collects rainfall that will eventually reach the

well. Therefore, if a contaminant reaches groundwater within the wellhead protection area, it will eventually flow into the well. The WHPA is determined using a formula that includes the withdrawal and recharge rate, and accounts for terrain and drainage patterns. Individual wellhead protection areas overlap, forming the three WHPAs shown on the map that are inclusive of the 12 individual ones. It is significant that the WHPAs cover much of the developed areas in town.

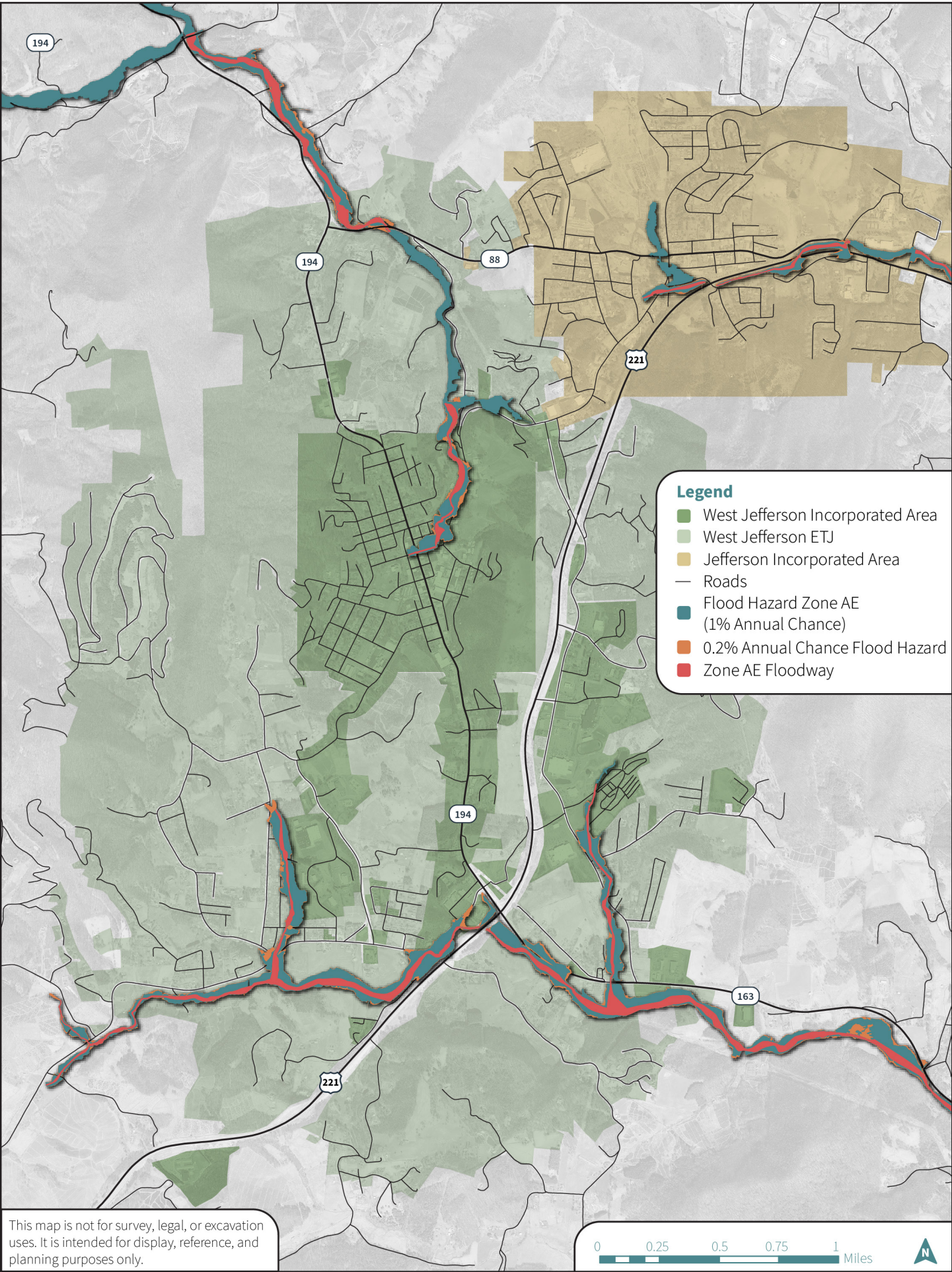
The purpose of delineating wellhead protection areas is to manage activities within those areas so as to prevent contaminants from reaching groundwater. Rather than regulating land use for that purpose, the Town has chosen a non-regulatory approach that includes public education, encouraging best waste management practices, and ensuring that storage tanks are maintained according to state and federal guidelines.

### West Jefferson Wellhead Protection Areas

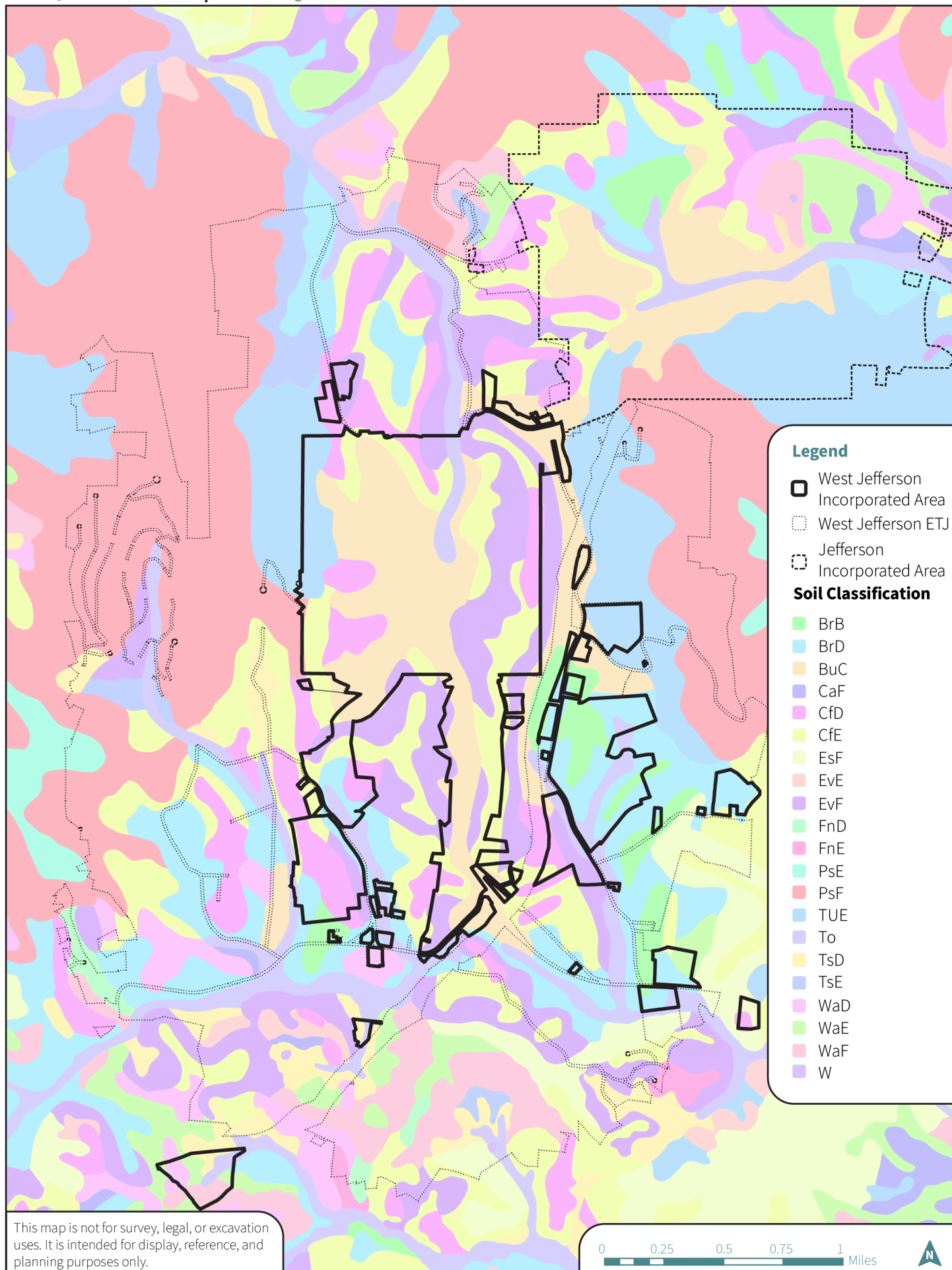




West Jefferson Area | Flood Hazard Areas Map







## Farmland

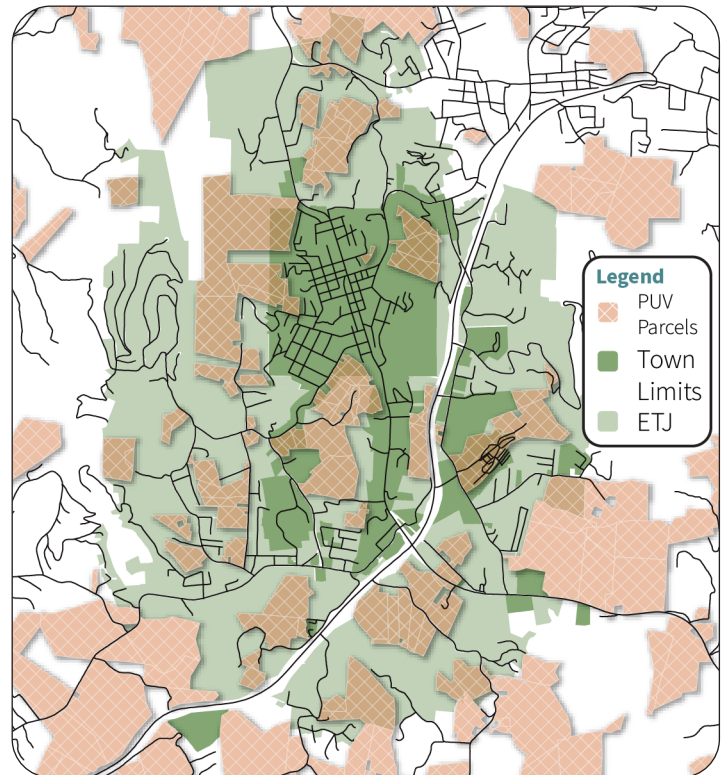
Present-use value (PUV) taxation means that a parcel of land is taxed according to its present use as farmland or managed forest land. Without present-use value taxation, property is appraised for tax assessment according to its value if developed commercially or residentially. In Counties that have adopted present-use value taxation, farmland is appraised for its value as farmland, which in most cases is considerably less than its value for other uses. Without tax relief, many farmers would be unable to afford the property taxes and therefore be forced to sell part or all of their farmland. In areas where second-home development is prevalent and land prices are escalating as a result, present-use value taxation is widely regarded as one of the best methods to keep farmland in agricultural production. Ashe County currently utilizes present-use value taxation.

All property that receives present-use taxation is farmland or managed forest land. The assumption is made that only a few (if any) property owners would not take advantage of the lower taxes offered by the program, therefore almost all farmland can be represented by the parcels receiving present-use value taxation. The map of present-use value parcels (i.e. farmland) in the West Jefferson area shows that farmland is a significant land use in the Town's jurisdiction and should be considered when making land use decisions. Farmland constitutes 26% of the land area of the ETJ. Even within the town limits there are sizable parcels. Farmland in the ETJ is rather scattered; not clustered in a single area or even on the periphery. For the most part, the land use map (actual observation) confirms the PUV map. Land uses labeled Agriculture and Agriculture/Residential make up 25% of the land area on the land use map. The Town's zoning map reflects these patterns, as most of the PUV farmland is zoned Residential Agricultural, with only a few exceptions. In fact, the Town zoning goes a step farther and zones almost twice as much acreage Residential Agricultural (51%) as is in the PUV program, grouping parcels adjacent to PUV land into the same category- possibly for convenience- to help ensure a more uniform district.

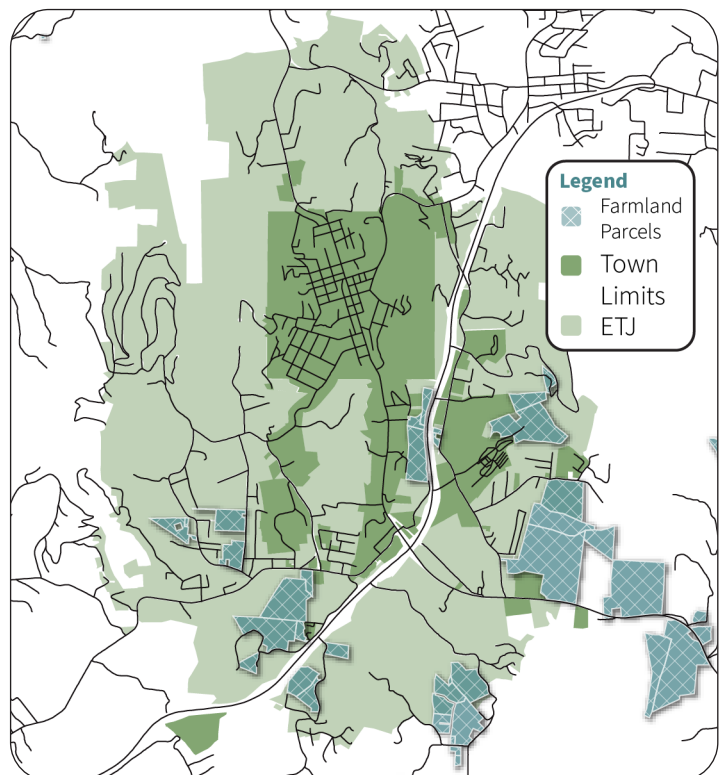
Properties participating in the County's Farmland Preservation Program within West Jefferson's jurisdiction are not as numerous as those in the PUV Program, but the acreage they cover in the ETJ is significant. Participation in the Farmland Preservation Program provides a degree of protection against nuisance lawsuits and requires government agencies to hold a public hearing before condemning property.

While farmland might seem incongruous to urban planning, one of the appealing features and distinctive characteristics of West Jefferson is its rural setting. 73% of the survey respondents ranked "Preserving the rural areas in and around town" as a high priority, with 18% saying that it should be a medium priority. "Preserve, enhance, and/or create green space in town" was given a high priority by 64% of survey respondents, with 18% ranking it as a medium priority. Several questions in the survey gave respondents opportunities to answer in their own words. Many comments were some variation of "Keep WJ rural" or focus growth on the downtown area rather than expansion beyond already developed landscapes.

**West Jefferson  
PUV Parcels**



**West Jefferson  
Farmland Preservation Parcels**





## Recreation & Conservation

Though beyond town limits, West Jefferson is sandwiched between two mountains- Mount Jefferson to the east and Paddy Mountain to the west. They form the backdrop to the town and contribute much to its character. Mount Jefferson has been a state park for decades while Paddy Mountain was only recently preserved for recreation and conservation. Mount Jefferson offers hiking opportunities and scenic vistas. Plans are underway to construct hiking trails on Paddy Mountain too.

Bowie Segraves Park is a popular recreation area within town limits and a well-positioned green space to complement urban development downtown.

Despite existing parks, 75% of survey respondents said that West Jefferson does not have enough recreation opportunities. When asked what types of recreation features they would like to have, the most frequent response was walking trails.

## Impermeable Surfaces & Stormwater

Surfaces that repel rather than absorb rainwater are referred to as “impermeable.” During storm events, these surfaces can contribute to flooding, erosion, pollution, and stream impairment. A well-planned community seeks to reduce the amount of impermeable surface area as much as possible while still allowing development that incorporates thoughtful consideration of stormwater management. Stormwater runoff has numerous negative results. Rather than absorbing into the ground and slowly releasing into aquifers or streams, runoff from impermeable surfaces is usually directed straight into surface waters. This increases flow speeds, which contributes to erosion and water pollution. Sediment from erosion and runoff is detrimental to water quality and the health of aquatic species. Runoff also increases the temperature of surface waters, since rainwater is heated by warm surfaces before entering streams. Increased water temperature negatively affects wildlife. Pollution and road salt carried by stormwater runoff also contribute to habitat destruction. Concentrated areas of impermeable surfaces increase the frequency and severity of flooding both in their immediate area and farther downstream.

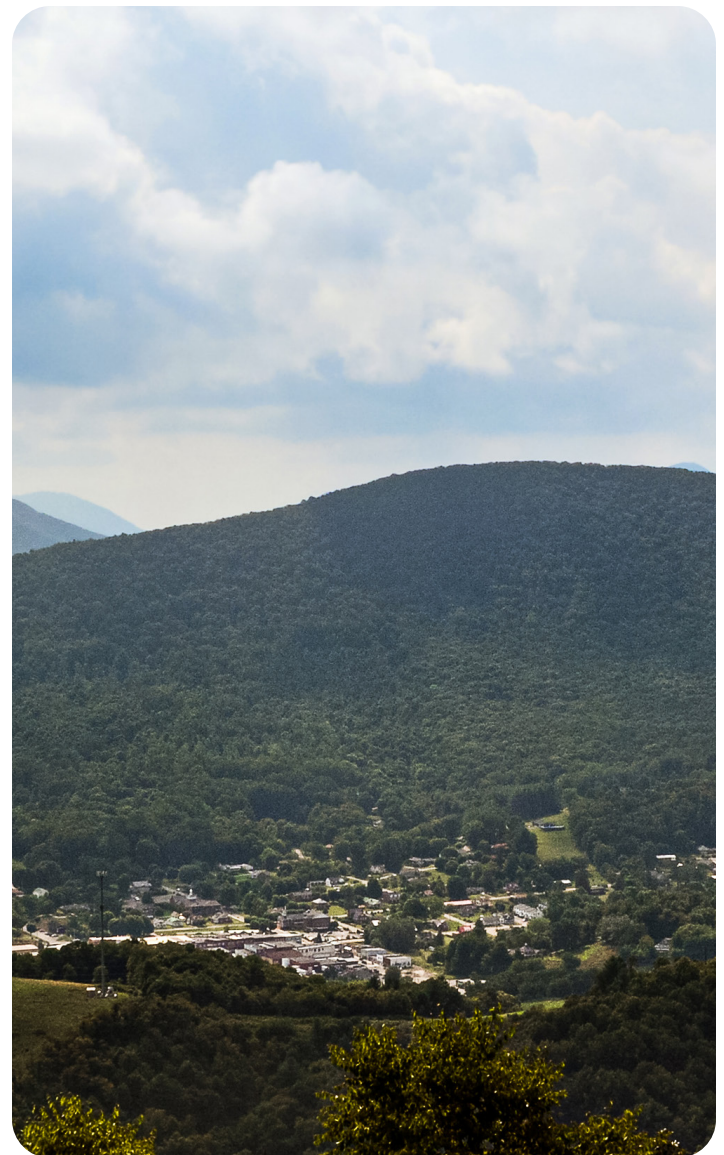
Flooding risk can be mitigated by incorporating stormwater retention facilities, well-designed and maintained stormwater drainage systems, and interspersing permeable surfaces into developments. Maintenance of stormwater structures such as culverts, outfalls, catch basins, and drain lines is critical. Without regular maintenance, these facilities clog or deteriorate beyond functionality, which worsens flooding and transfers water onto neighboring properties.

As shown in the map on the next page, impermeable surfaces cover a large portion of West Jefferson. Approximately 24% of the Town’s incorporated area is impermeable. Rooftops and pavement account for nearly all of these surfaces. The largest concentrations of impermeable surface area are clustered in the commercial areas of town, which are characterized by large

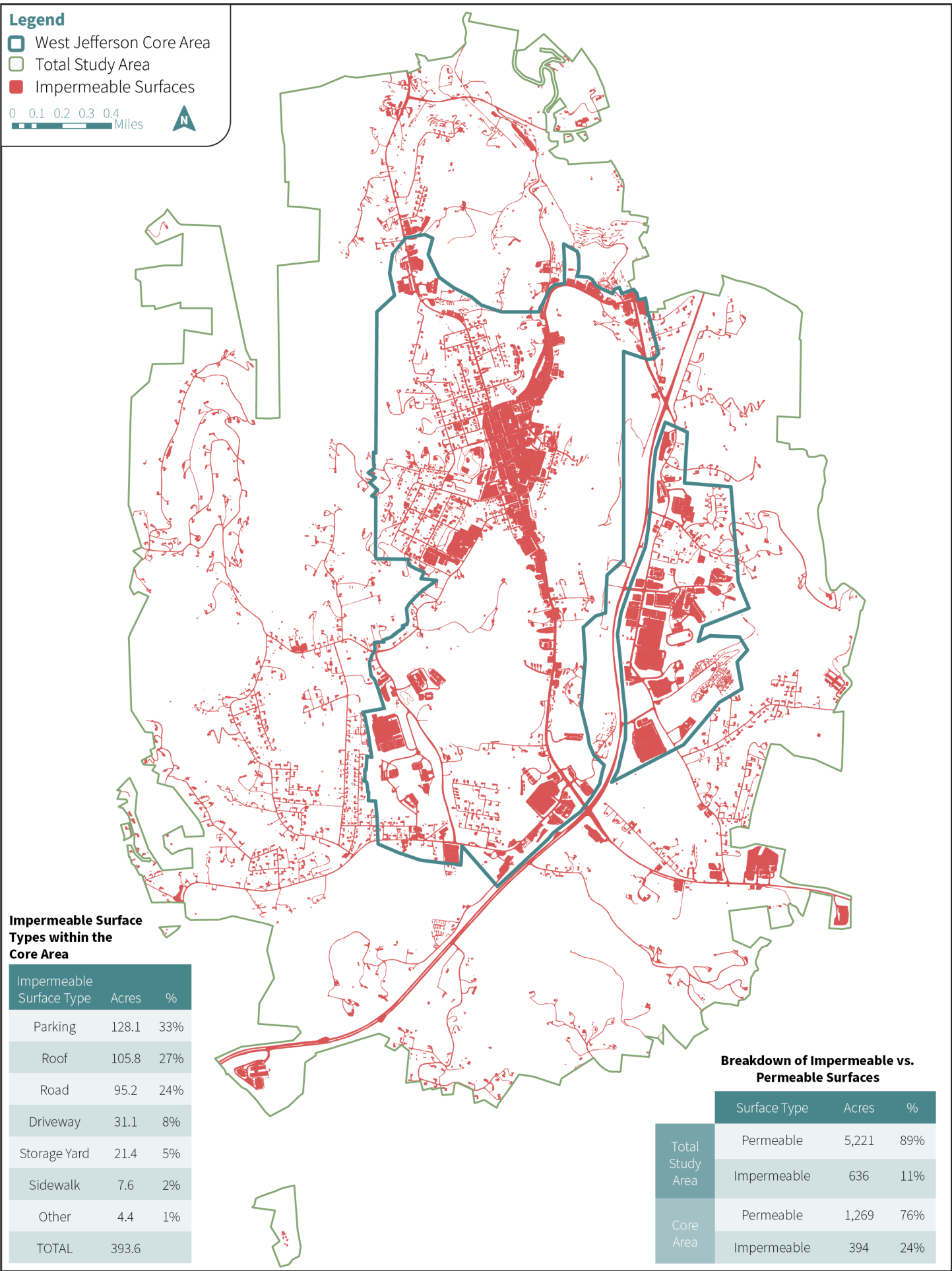
buildings, wide roads, and extensive parking lots.

West Jefferson’s stormwater infrastructure is shown on the maps on pages 20 and 21. Note that a significant portion of downtown has none. The infrastructure includes only three detention basins. A little over half of the outfalls (55%) divert stormwater into streams and the rest drain to grassy areas, ditches, or some other surface feature. Thus stormwater infrastructure helps prevent flooding in the immediate vicinity, but it can contribute to flooding in other locations as the water eventually collects farther downstream.

The Town is currently developing a stormwater management plan that will include recommendations for stormwater control devices that will retain, filter, and slowly release rainwater rather than channeling it immediately and directly into streams or back to the surface, therefore mitigating flooding. With so much of West Jefferson’s land area covered by impermeable surfaces, it is important that existing stormwater infrastructure be maintained and that future development focus on decreasing stormwater impacts.



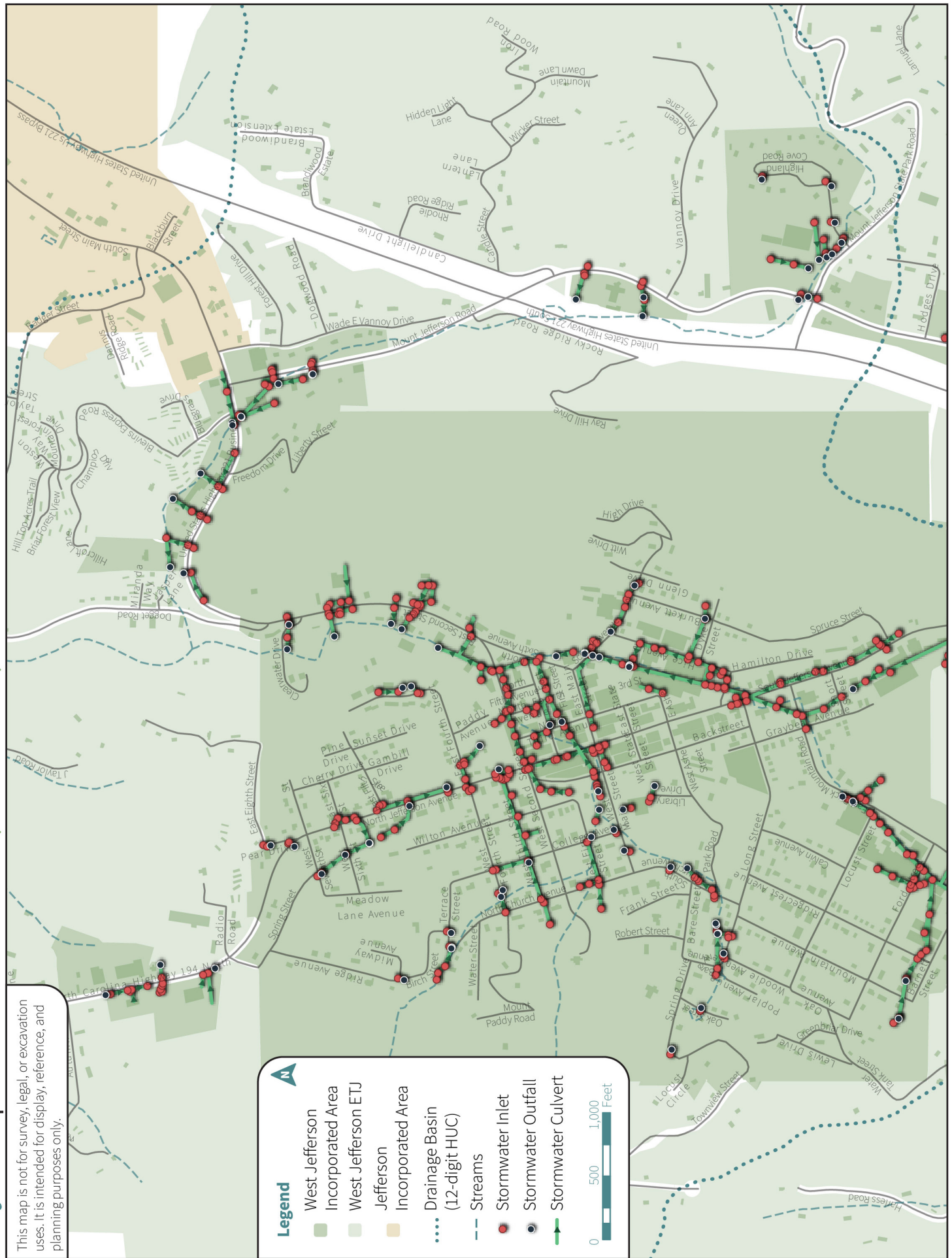
West Jefferson Area | Impermeable Surfaces

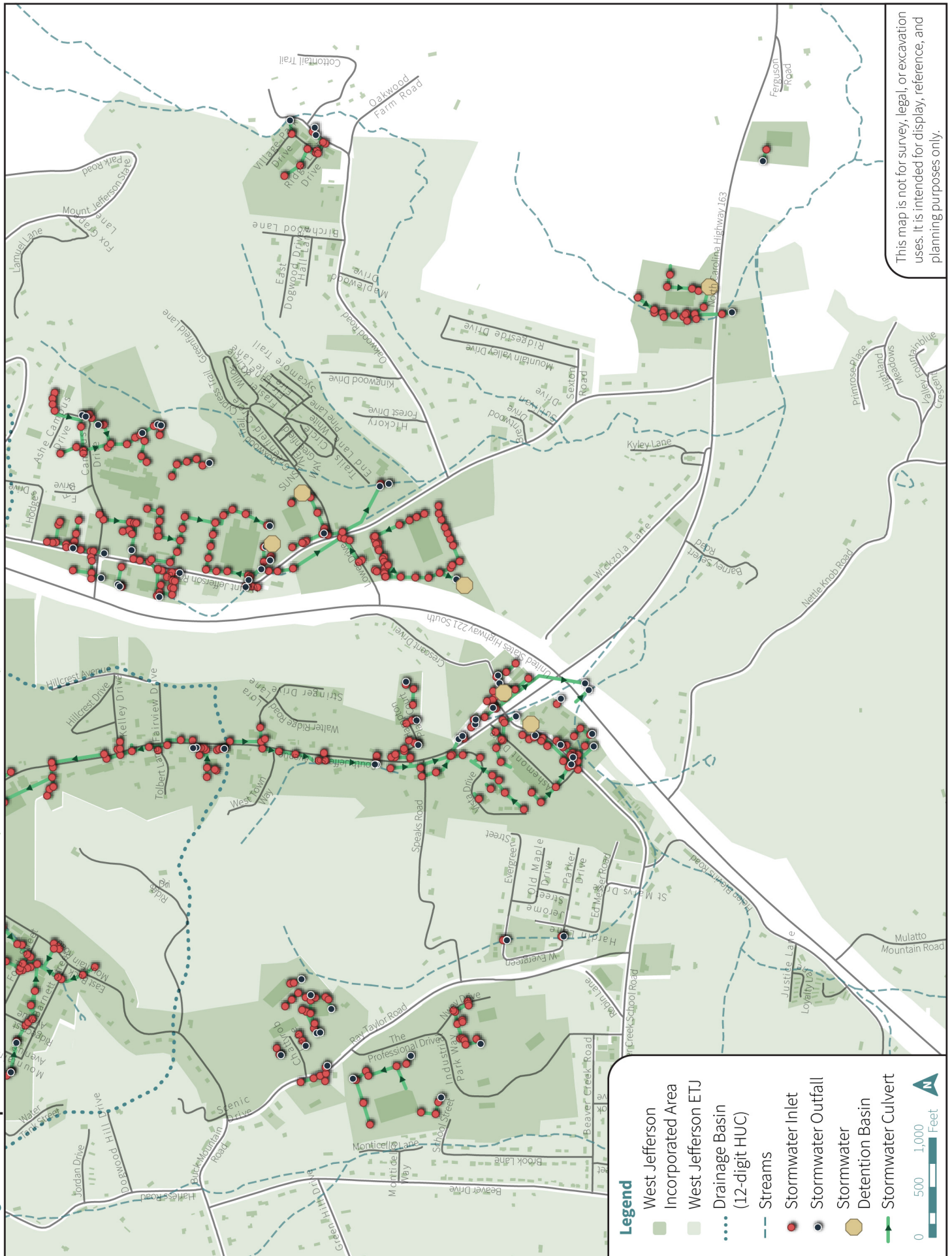




West Jefferson | Stormwater Infrastructure (Northern Extent)

This map is not for survey, legal, or excavation uses. It is intended for display, reference, and planning purposes only.







# Transportation, Parking, & Utilities





# Transportation

Land use, development patterns, and transportation systems are interconnected. For example, communities with a high concentration of industrial uses often require multi-lane highways and access to rail. Communities with a compact or pre-WWII development pattern tend to feature a greater emphasis on multi-modal forms of travel such as walking or biking. Communities and neighborhoods with large lot sizes, suburban-style development patterns, and infrequent transit service force- by their design- residents to rely on access to an automobile to fulfill everyday needs.

Driving is the primary mode of transportation in West Jefferson. The two primary transportation routes through West Jefferson are Hwy 221 and Hwy 194. Hwy 221 provides access to a commercial district. Construction is underway to widen this highway to a four-lane. This road is the busiest in town, with an annual average daily traffic count of 15,000 vehicles. Hwy 194 (a.k.a. Jefferson Avenue) is the primary downtown street and carries 9,500 vehicles per day (annual average). Business 221, extending off Jefferson Avenue into the town of Jefferson, is also a significant through-route. A loop formed by Buck Mountain Road, Ray Taylor Road, and Beaver Creek School Road gives access to industry and commercial development. Mount Jefferson Road, with 3,300 vehicles per day, serves commercial development and the high school, with connections on Hwy 163 and Hwy 221.

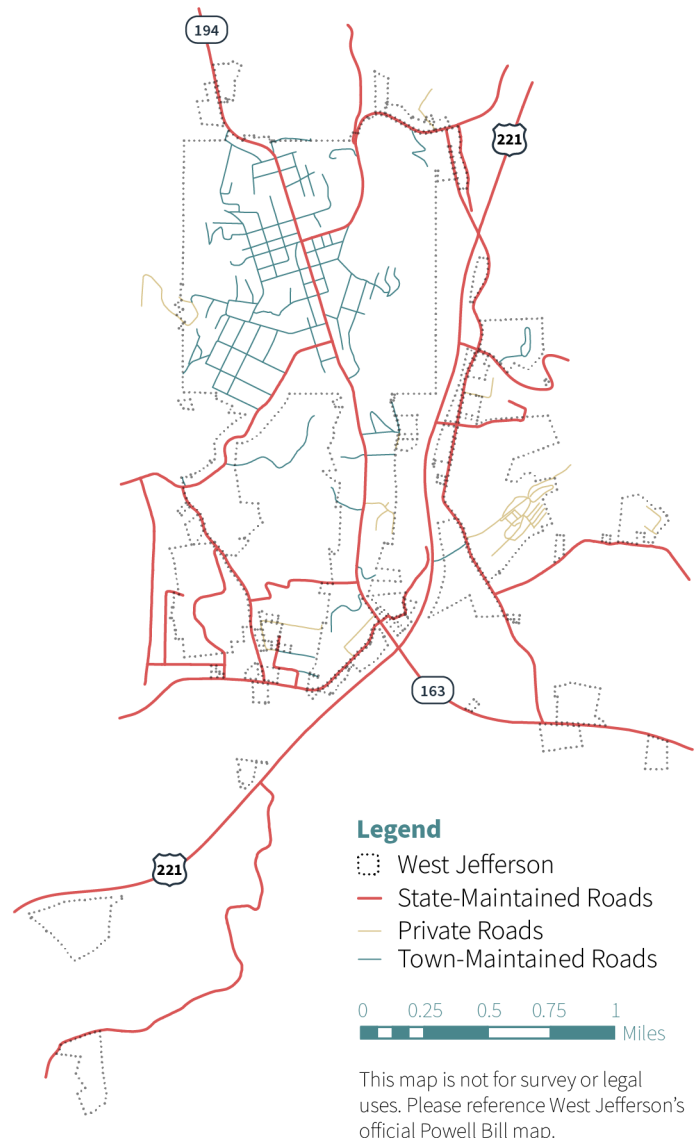
Cycling is another viable means of transportation. Separated bike lanes designate a portion of a roadway's pavement for bicycle travel only. They are considered safer than shared lanes, sharrows, or riding along the pavement shoulder. The presence of bike lanes generally encourages travelers to cycle more often, much as the presence of sidewalks encourages increased pedestrian trips. In West Jefferson, however, no roadways have dedicated bike lanes. Cycling is legally allowed along roadways within town, but cyclists must use the same travel lane as automobile traffic. Sharing a lane does not generally present a significant safety issue along roadways with low speed limits and in communities where drivers are accustomed to cycling traffic. However, residents may feel discouraged from cycling without dedicated pavement space or increased community awareness.

Maintenance of roadways within North Carolina is the responsibility of municipalities, NCDOT, and private property owners. Each year, towns and cities submit a map to the state delineating maintenance responsibility for the streets within their jurisdiction in order to secure Powell Bill funds. North Carolina distributes these funds, which are derived from fuel tax collections, to local governments based on the length of public roadways they maintain. The map to the right is color coded to illustrate roadway maintenance responsibility according to West Jefferson's 2021 Powell Bill map. The Town of West Jefferson is responsible for maintaining approximately 11.54 miles of roadway (a very small percentage of this mileage is privately-maintained roads), mostly in the downtown area. NCDOT maintains the 11.2 miles of roads within Town, including Jefferson Avenue (Hwy 194 & Business 221), Hwy 221, Mount Jefferson Road, Buck Mountain Road, Ray Taylor Road, and Beaver Creek School Road.

Ashe County's 2010 Comprehensive Transportation Plan proposes widening Beaver Creek School Road to 12-foot lanes between Hwy 221 and Ray Taylor Road to increase capacity. Improvements to a portion of Mount Jefferson Road is also in the plan. This proposal would widen the road to a four lane divided major thoroughfare. Hwy 163 and Buck Mountain Road from Ray Taylor Road to Jefferson Avenue "do not have capacity issues but are recommended to be upgraded to 12 foot lanes with paved shoulders to improve safety."

Ashe County's 2010 Comprehensive Transportation Plan includes a proposed Hwy 194 Bypass that would extend from Mount Jefferson Road to Hwy 88 (see map, page 25). This would allow traffic on Hwy 194 to bypass downtown West Jefferson. Several stakeholders mentioned the need for this bypass in order to divert trucks and other through-traffic from downtown in order to reduce noise and relieve congestion.

## West Jefferson Roadway Maintenance Responsibility





West Jefferson’s 2010 Pedestrian Plan includes recommended sidewalk construction that can be divided into three general areas: 1) downtown; 2) south; and 3) Mt. Jefferson Road (see the maps on pages 26 and 27). The downtown recommendations are characterized by a loop enclosing downtown plus an extension along Main Street to mid-town. A greenway is proposed off Main Street “to provide a much-needed east/west pedestrian corridor to connect the downtown area with the growing area on the other side of Hwy 221 along Mt. Jefferson Road.” The south area recommends sidewalks along Jefferson Avenue, Beaver Creek School Road, and Ray Taylor Road. In addition to sidewalks, a trail is proposed along Speaks Road from Jefferson Avenue to Ray Taylor Road. The sidewalk proposal for Mt. Jefferson Road is for the most developed portion from Hwy 221 to Oakwood Road.

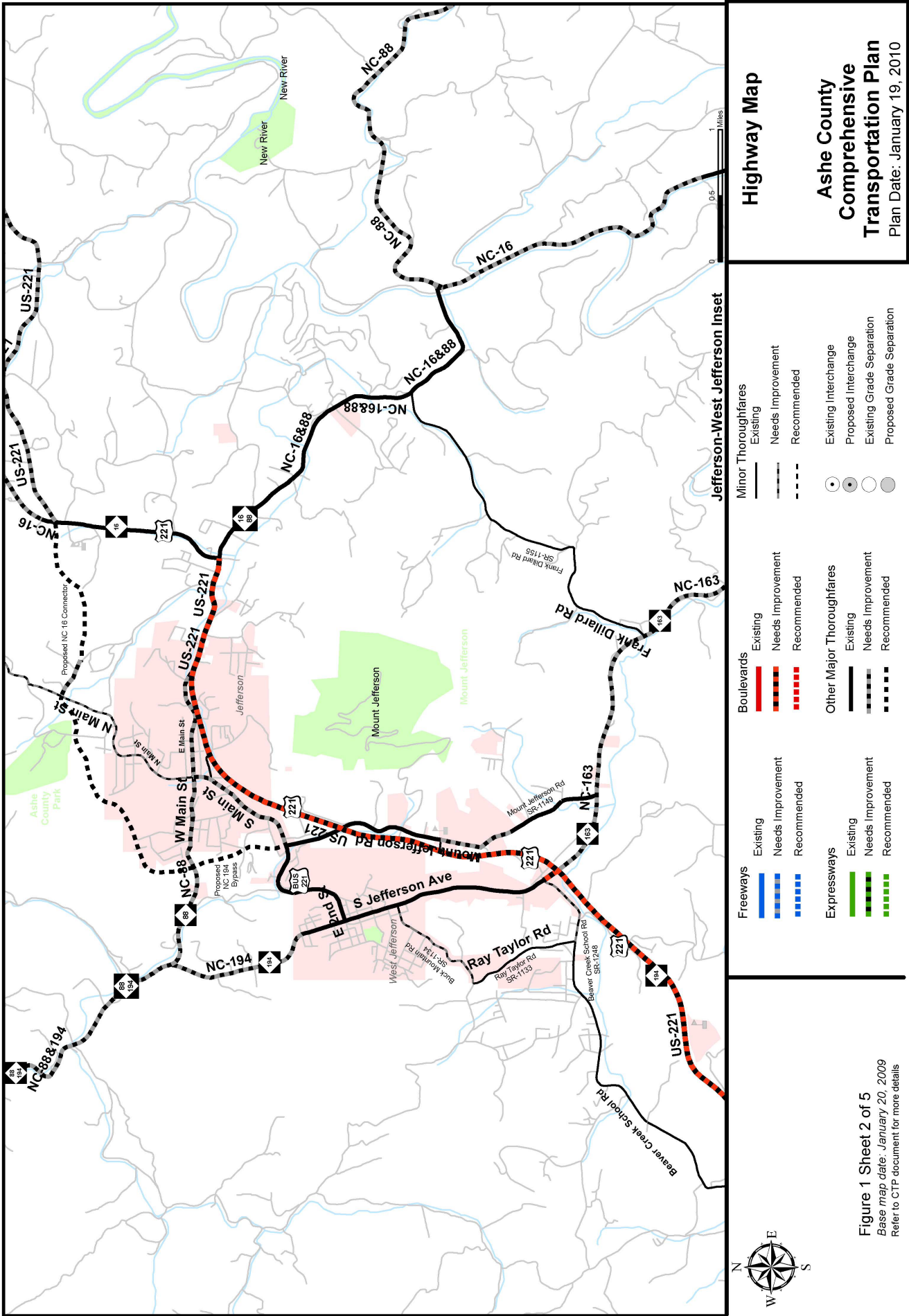
### West Jefferson Sidewalks



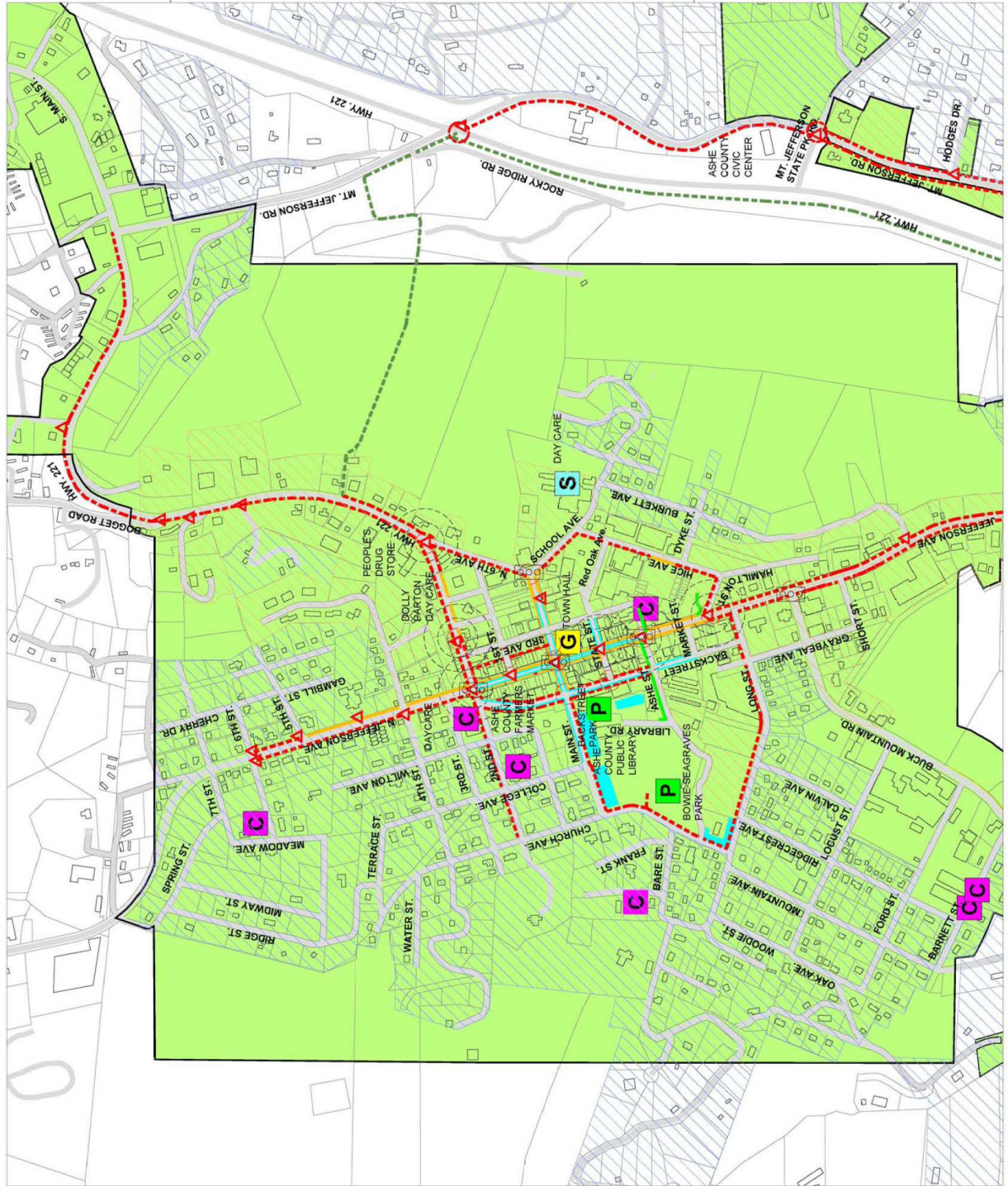
### West Jefferson Average Annual Daily Traffic



Count Station #	Roadway Name	Most Recent Daily Traffic Count	Count from 10 Years Prior
1	Hwy 194/BUS 221	12,000	18,000
2	Beaver Creek School Rd.	7,100	<i>no data</i>
3	Ray Taylor Rd.	1,300	1,200
4	Hwy 194/BUS 221	10,500	12,000
5	Hwy 194/BUS 221	3,800	<i>no data</i>
6	BUS 221	8,500	8,700
7	Mt. Jefferson State Park Rd.	2,000	2,300
8	Mt. Jefferson Rd.	3,300	<i>no data</i>
9	Hwy 221	13,500	12,000
10	Hwy 221	13,000	11,000





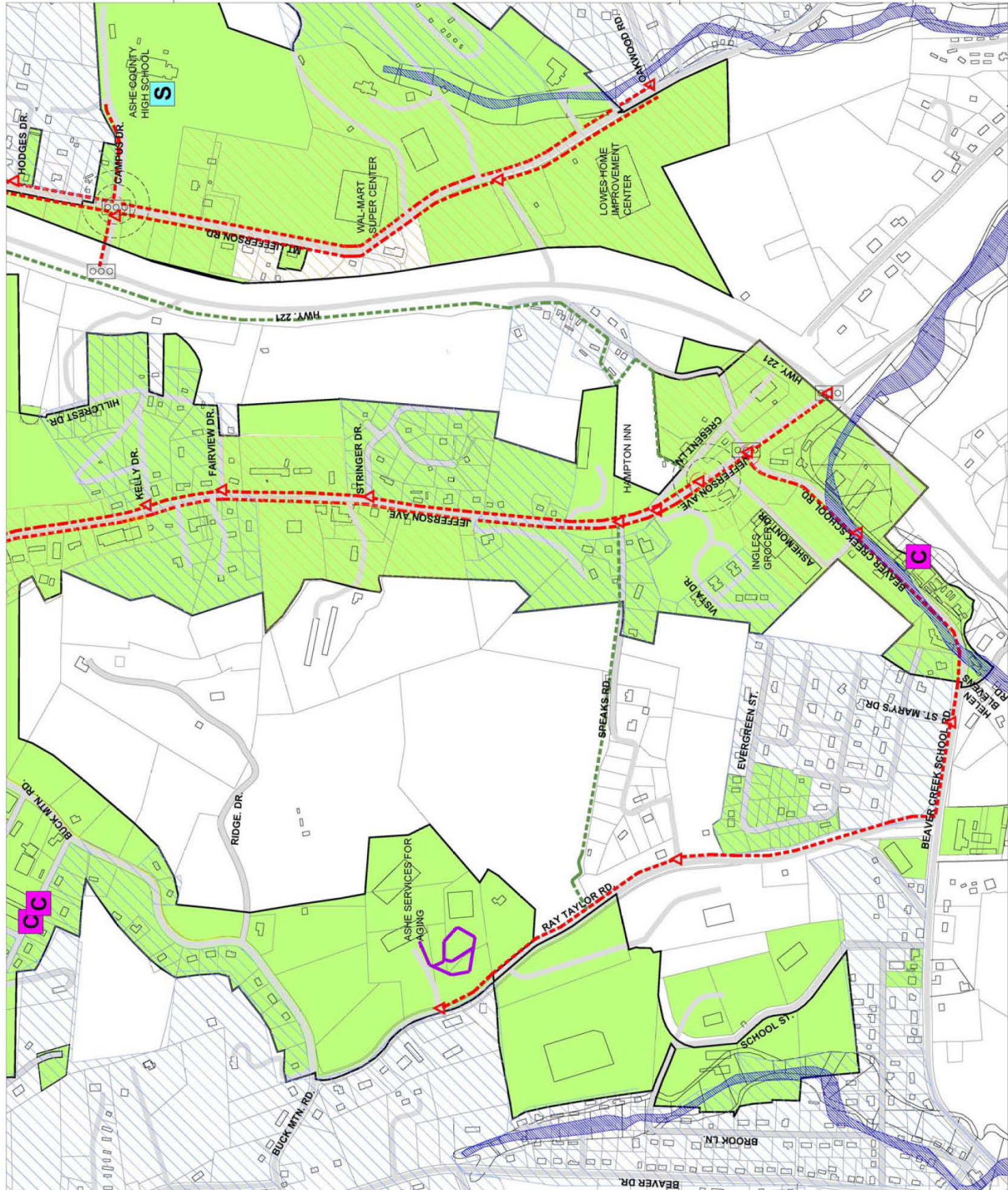




**Town of West Jefferson**  
Comprehensive Pedestrian Plan  
Proposed Improvements  
**SOUTH**  
Map 4

**Legend**

- West Jefferson Town Limits
- West Jefferson Extra Territorial Jurisdiction
- Streets
- Existing Sidewalk Fair Condition
- Existing Sidewalk Poor Condition
- Existing Sidewalk Good Condition
- Existing Trail
- Proposed Curb Cuts/Tactile Warning
- Proposed Sidewalk
- Proposed Multi-Purpose/Greenway Trail
- Proposed Pedestrian Signal
- Proposed Crosswalk
- Church/Cultural
- School
- Government Facility
- Park
- Existing Traffic Signal
- Residential
- Commercial/Retail





## Parking

West Jefferson serves as a regional tourist destination and the central business hub for Ashe County. With so many trips made into and within West Jefferson via automobile it is important that the town have adequate parking availability. To gauge the inventory, location, capacity, and availability of parking within West Jefferson, High Country Council of Governments conducted a two-day parking study in July 2021.

The geographic extent of the study, shown in the map on the following page, was confined to the downtown area where parking is in highest demand. Staff inventoried the number of spaces in each lot or estimated capacity for non-striped lots. Two days were chosen - Wednesday, July 14th and Saturday, July 10th - to discern how parking usage differed from weekdays to weekends. The study ran each day from 7am to 7pm. Once per hour, staff would visually count how many spaces were being used in each lot. The number of spaces used in each lot was then divided by the lot's total number of spaces to arrive at the occupancy numbers shown in the tables and maps on pg. 30-39. This study methodology has limitations worth noting. While it offers a general sense of parking demand and patterns, it is limited to a snapshot in time. It shows parking patterns across two days, and relies on counts taken once per hour. Extrapolating these results across each hour and across 52 weeks per year requires a level of assumption. July was chosen as it is typically the peak tourism season in western North Carolina and features the heaviest traffic and parking usage. Despite these limitations, the study offers insight into parking demand and availability in downtown West Jefferson.

The study area features 34 lots, collectively containing 530 parking spaces in an area five blocks long by approximately five blocks wide; i.e. an area small enough to be walkable between two of the most distant points. Thirty-four lots were identified, with most lots being single-row parking spaces along the streets. The size of the lots varies from four spaces to 66, with the average being 15. Occupied spaces were counted during four time periods: 7 am – 10 am, 10 am – 1 pm, 1 pm – 4 pm, and 4 pm – 7 pm. On Saturday, the most use occurred mid-day from 10 am to 4 pm with 15 lots at or near capacity during this time. Conversely, 19 parking lots or 57% had empty spaces, including three of the largest lots. On Wednesday, only two lots were at or near capacity from 10 am – 1 pm; only five from 1 pm – 4 pm.

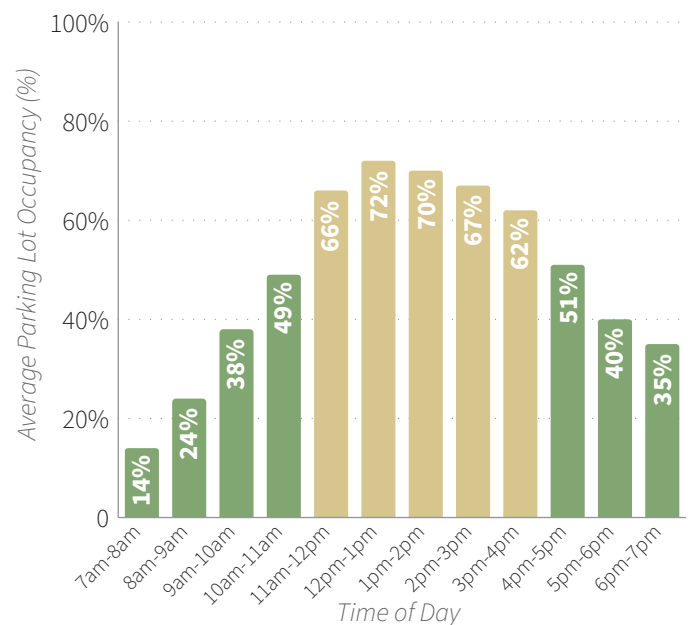
Not surprisingly, the most-used lots were those along Jefferson Avenue and East Main Street (and the Backstreet during farmers market hours) where most of the businesses are located. Yet, spaces were available as short as one block away.

All public parking lots are free to use and do not have time limits or restrictions. The study found that adequate parking exists within downtown. Even at peak times, and in popular areas, parking is still available within reasonable walking distance of any destination within downtown. Special events and infrequent occurrences, such as festivals, may strain available parking. However, these instances are outliers.

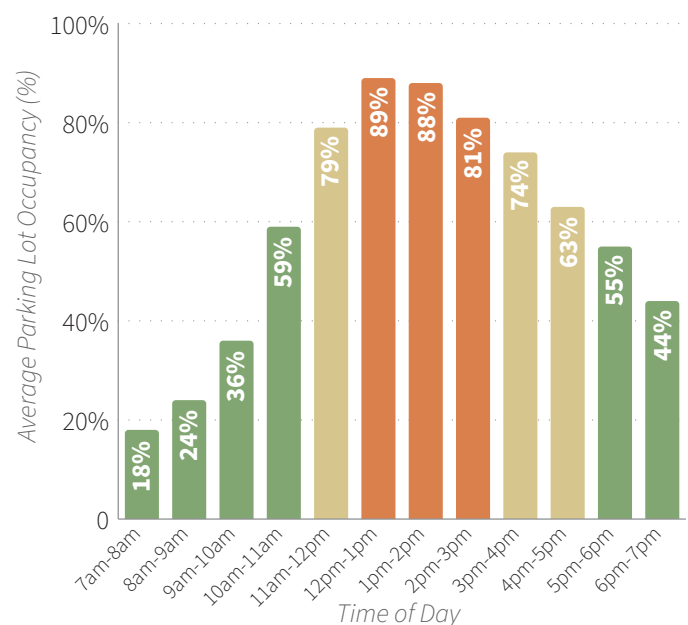
In the event that parking demand increases substantially, the Town should explore imposing time limits on more lots and increasing signage to direct drivers to larger off-street lots. Imposing time limits should be approached with caution, however, as they discourage exploring downtown and require consistent enforcement to be effective.

The West Jefferson zoning ordinance requires new developments to provide minimum amounts of off-street parking. The amount of parking required is based on land use. Towns across the nation have reduced or removed off-street parking over the past two decades. Parking requirements increase development costs and stormwater runoff, consume space and reduce tax value per acre. West Jefferson should periodically review their parking requirements to ensure minimums are justified.

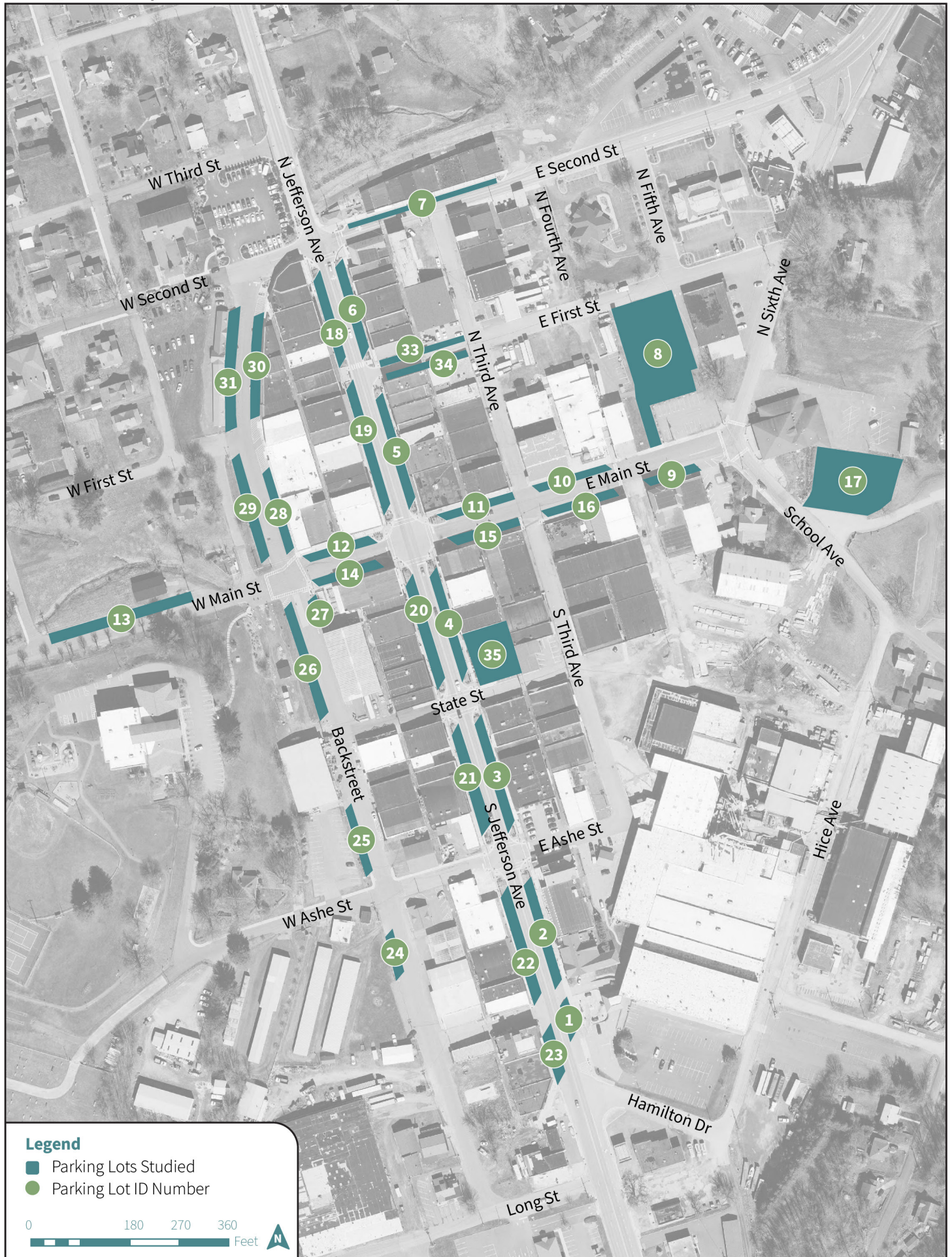
### Weekday Parking Demand, Downtown Study Area



### Weekend Parking Demand, Downtown Study Area



# West Jefferson | Downtown Parking Study Extent & Lot Numbers





## West Jefferson Parking Study

### Weekday Parking Demand Findings

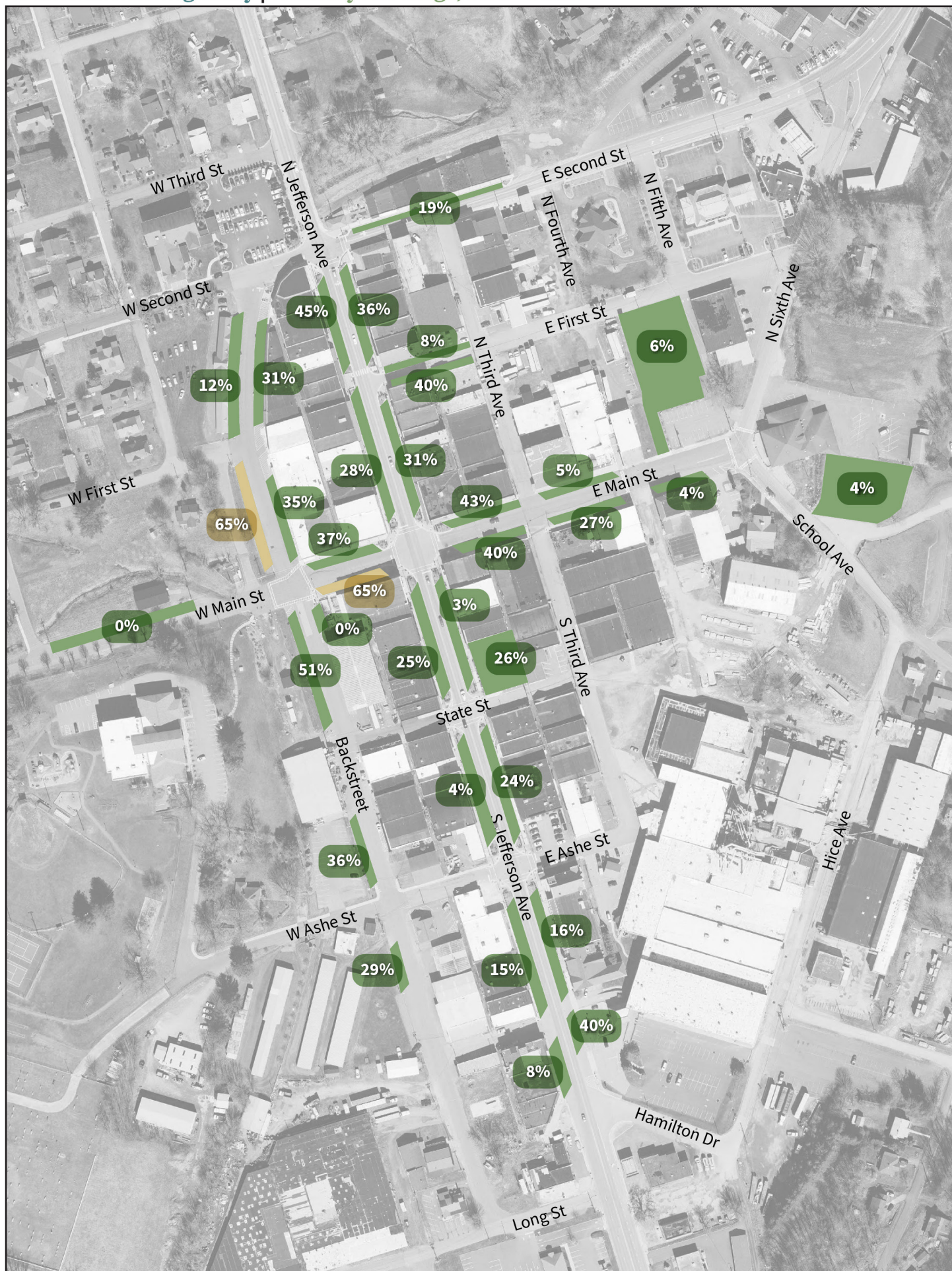
Lot #	Total Spaces	Percentage of Lot Occupied by Time of Day												Average Use	Peak Use
		7am - 8am	8am - 9am	9am - 10am	10am - 11am	11am - 12pm	12pm - 1pm	1pm - 2pm	2pm - 3pm	3pm - 4pm	4pm - 5pm	5pm - 6pm	6pm - 7pm		
1	5	0%	60%	60%	60%	100%	100%	40%	40%	40%	40%	40%	40%	52%	100%
2	15	0%	13%	33%	40%	100%	67%	100%	47%	47%	33%	7%	7%	41%	100%
3	17	6%	24%	41%	41%	65%	94%	65%	71%	76%	59%	12%	6%	47%	94%
4	12	0%	8%	0%	50%	67%	92%	67%	100%	100%	50%	100%	58%	58%	100%
5	16	0%	13%	25%	38%	94%	69%	94%	88%	94%	63%	69%	50%	58%	94%
6	14	21%	21%	64%	86%	79%	93%	100%	100%	93%	86%	50%	36%	69%	100%
7	9	22%	22%	11%	11%	44%	44%	56%	44%	56%	44%	33%	44%	36%	56%
8	66	2%	6%	9%	15%	26%	68%	68%	53%	42%	73%	68%	79%	42%	79%
9	8	0%	0%	13%	25%	38%	75%	75%	63%	63%	63%	25%	13%	38%	75%
10	7	0%	0%	14%	43%	86%	86%	100%	100%	43%	57%	14%	14%	46%	100%
11	7	14%	29%	86%	57%	100%	100%	100%	100%	100%	43%	43%	43%	68%	100%
12	10	20%	20%	70%	70%	80%	100%	90%	80%	50%	50%	30%	30%	58%	100%
13	29	0%	0%	0%	21%	3%	10%	3%	0%	0%	17%	0%	0%	5%	21%
14	12	33%	100%	100%	100%	100%	83%	100%	100%	100%	75%	67%	25%	82%	100%
15	10	40%	30%	50%	50%	90%	80%	70%	80%	70%	70%	50%	50%	61%	90%
16	11	0%	18%	64%	55%	36%	82%	73%	82%	64%	27%	18%	18%	45%	82%
17	46	2%	7%	2%	2%	2%	4%	2%	2%	9%	11%	2%	2%	4%	11%
18	11	36%	27%	73%	73%	73%	100%	64%	100%	100%	64%	55%	91%	71%	100%
19	19	16%	47%	21%	68%	84%	95%	100%	89%	95%	100%	68%	47%	69%	100%
20	16	13%	19%	44%	75%	81%	94%	100%	63%	100%	75%	94%	69%	69%	100%
21	16	0%	6%	6%	25%	69%	69%	81%	44%	38%	56%	31%	25%	38%	81%
22	16	6%	13%	25%	50%	75%	44%	75%	81%	63%	38%	25%	50%	45%	81%
23	8	0%	0%	25%	25%	38%	63%	75%	38%	25%	38%	63%	88%	40%	88%
24	7	0%	29%	57%	71%	57%	43%	43%	14%	71%	14%	14%	0%	35%	71%
25	11	27%	27%	55%	45%	82%	55%	64%	64%	36%	36%	45%	27%	47%	82%
26	17	53%	53%	47%	65%	82%	71%	82%	82%	76%	53%	24%	24%	59%	82%
27	4	0%	0%	0%	0%	0%	0%	25%	100%	100%	0%	0%	0%	19%	100%
28	16	38%	38%	31%	81%	81%	88%	94%	75%	44%	63%	44%	44%	60%	94%
29	19	58%	53%	84%	37%	42%	84%	79%	74%	37%	42%	32%	37%	55%	84%
30	18	22%	28%	44%	56%	83%	100%	94%	61%	33%	22%	28%	22%	50%	100%
31	20	10%	10%	15%	20%	35%	70%	45%	75%	50%	55%	35%	5%	35%	75%
33	4	0%	25%	0%	100%	100%	50%	25%	50%	75%	75%	75%	50%	52%	100%
34	5	20%	40%	60%	80%	100%	100%	80%	80%	80%	100%	80%	80%	75%	100%
35	29	3%	24%	52%	41%	62%	66%	52%	55%	52%	48%	24%	7%	41%	66%
Total		530	14%	24%	38%	49%	66%	72%	70%	67%	62%	51%	40%	35%	
Average Total Parking Use Within the Entire Study Area by Time of Day															

## West Jefferson Parking Study Weekend Parking Demand Findings

Lot #	Total Spaces	Percentage of Lot Occupied by Time of Day												Average Use	Peak Use
		7am - 8am	8am - 9am	9am - 10am	10am - 11am	11am - 12pm	12pm - 1pm	1pm - 2pm	2pm - 3pm	3pm - 4pm	4pm - 5pm	5pm - 6pm	6pm - 7pm		
1	5	0%	0%	0%	0%	20%	20%	100%	100%	80%	100%	80%	80%	48%	100%
2	15	0%	0%	0%	20%	60%	100%	93%	87%	73%	47%	73%	67%	52%	100%
3	17	6%	6%	18%	47%	94%	100%	100%	100%	100%	88%	82%	76%	68%	100%
4	12	0%	0%	0%	58%	83%	100%	100%	100%	92%	67%	67%	42%	59%	100%
5	16	38%	25%	38%	94%	100%	100%	88%	100%	100%	88%	81%	63%	76%	100%
6	14	43%	21%	57%	93%	100%	100%	100%	100%	100%	93%	100%	86%	83%	100%
7	9	33%	22%	11%	100%	89%	67%	100%	67%	89%	78%	44%	33%	61%	100%
8	66	5%	5%	5%	11%	32%	97%	82%	62%	53%	47%	64%	76%	45%	97%
9	8	0%	38%	13%	25%	88%	100%	100%	100%	100%	88%	38%	13%	58%	100%
10	7	14%	14%	29%	71%	100%	100%	100%	100%	100%	71%	71%	29%	67%	100%
11	7	0%	0%	57%	100%	100%	100%	100%	100%	100%	57%	100%	43%	71%	100%
12	10	20%	30%	50%	90%	90%	100%	90%	100%	70%	60%	30%	30%	63%	100%
13	29	3%	3%	10%	24%	38%	52%	69%	38%	17%	7%	7%	3%	23%	69%
14	12	0%	0%	33%	42%	67%	83%	58%	67%	75%	67%	33%	25%	46%	83%
15	10	0%	0%	20%	20%	70%	90%	70%	60%	60%	40%	30%	100%	47%	100%
16	11	0%	27%	36%	45%	91%	100%	100%	91%	91%	82%	64%	27%	63%	100%
17	46	2%	2%	4%	4%	7%	7%	13%	13%	15%	13%	9%	9%	8%	15%
18	11	55%	45%	91%	91%	100%	100%	100%	100%	91%	100%	91%	64%	86%	100%
19	19	26%	21%	58%	95%	100%	100%	95%	100%	95%	89%	89%	74%	79%	100%
20	16	6%	0%	0%	63%	100%	100%	94%	94%	100%	81%	44%	31%	59%	100%
21	16	13%	19%	6%	25%	75%	100%	100%	94%	100%	100%	63%	38%	61%	100%
22	16	6%	6%	13%	38%	38%	100%	94%	88%	38%	69%	31%	31%	46%	100%
23	8	13%	13%	13%	13%	13%	50%	88%	75%	25%	63%	75%	50%	41%	88%
24	7	0%	0%	14%	43%	100%	100%	71%	57%	100%	57%	57%	14%	51%	100%
25	11	18%	36%	82%	91%	82%	100%	100%	100%	100%	45%	55%	36%	70%	100%
26	17	24%	41%	41%	100%	100%	100%	71%	94%	53%	53%	24%	18%	60%	100%
27	4	0%	0%	75%	100%	75%	100%	100%	50%	0%	0%	0%	0%	42%	100%
28	16	56%	100%	88%	100%	100%	100%	100%	75%	69%	25%	44%	38%	74%	100%
29	19	84%	100%	89%	100%	100%	100%	95%	79%	58%	53%	32%	37%	77%	100%
30	18	33%	100%	94%	100%	100%	100%	94%	89%	72%	56%	61%	39%	78%	100%
31	20	100%	100%	100%	100%	100%	100%	100%	40%	70%	60%	60%	50%	82%	100%
33	4	0%	0%	25%	0%	100%	50%	75%	75%	75%	100%	75%	75%	54%	100%
34	5	20%	20%	40%	80%	100%	100%	80%	100%	100%	60%	60%	60%	68%	100%
35	29	7%	10%	14%	28%	69%	100%	76%	76%	52%	45%	45%	34%	46%	100%
Total		530	18%	24%	36%	59%	79%	89%	88%	81%	74%	63%	55%	44%	
Average Total Parking Use Within the Entire Study Area by Time of Day															

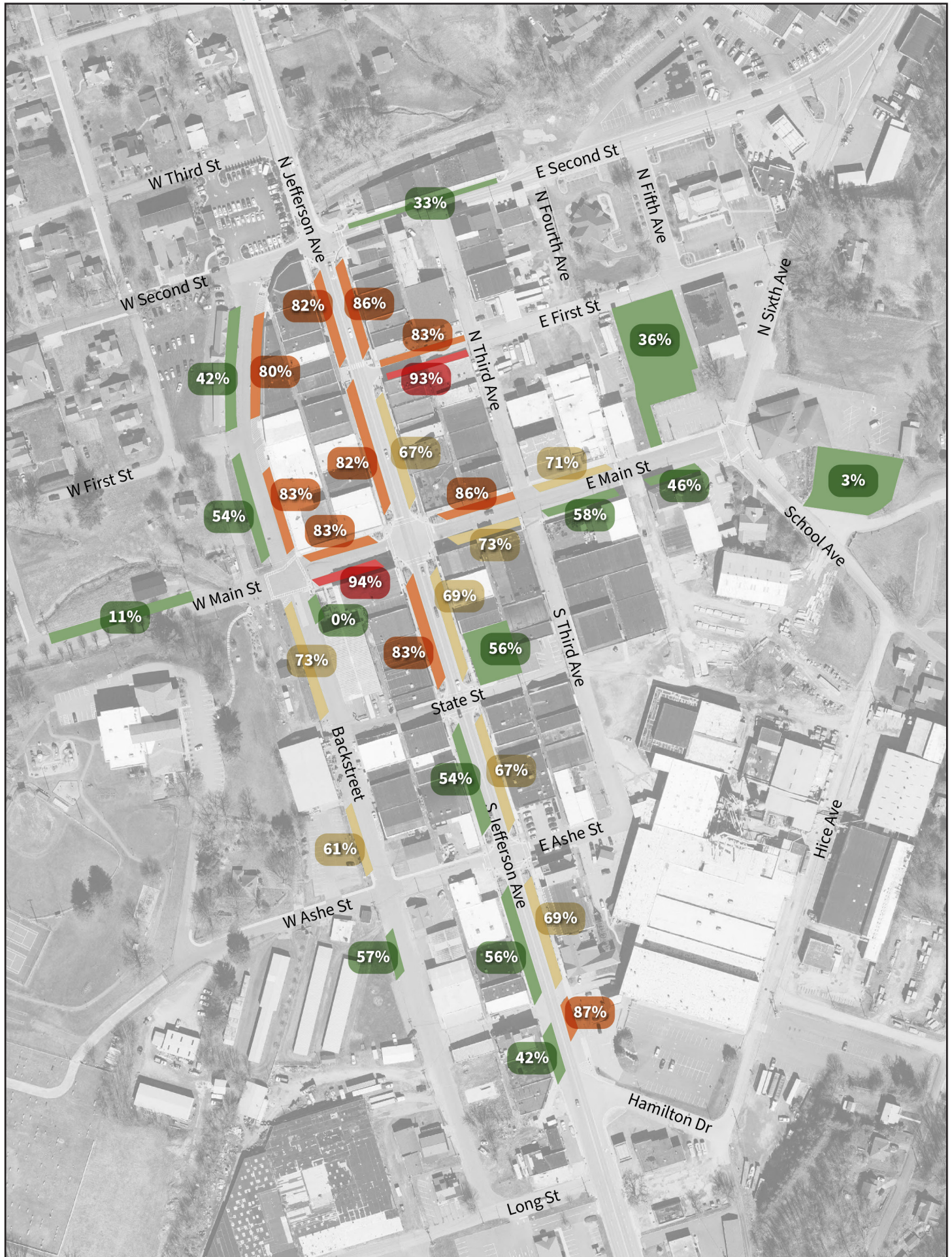


# Downtown Parking Study | Weekday Lot Usage, 7am - 10am



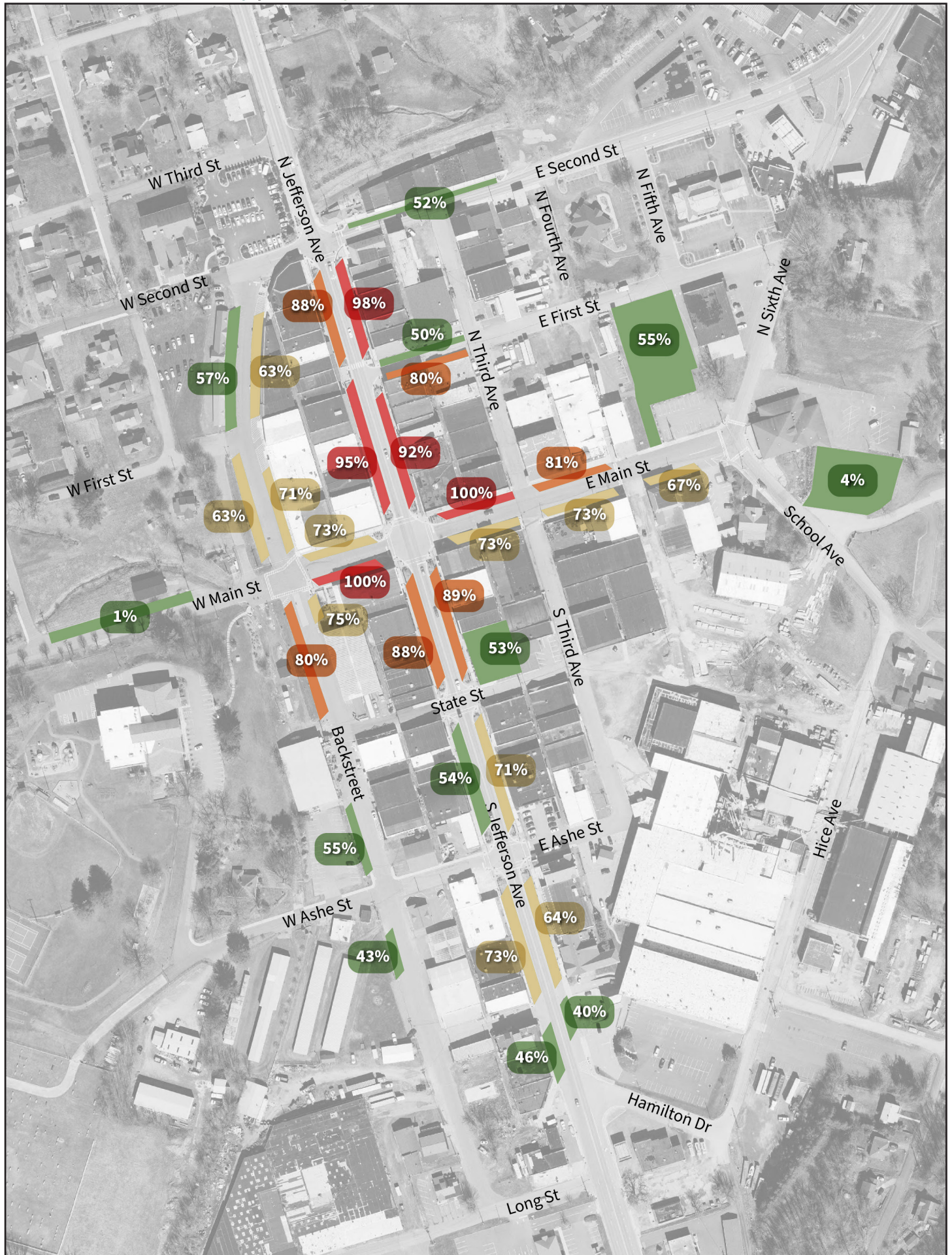


# Downtown Parking Study | Weekday Lot Usage, 10am - 1pm



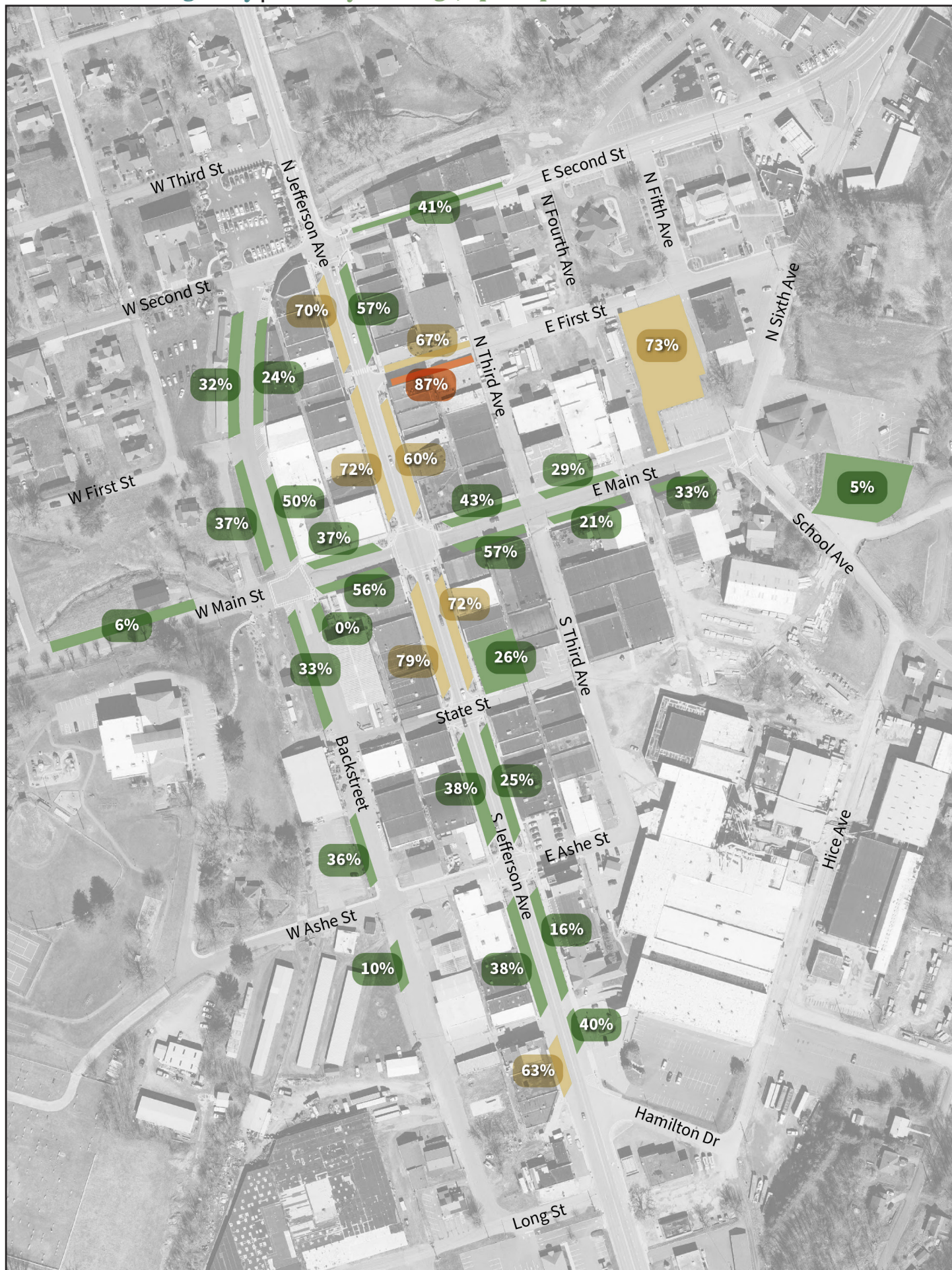


# Downtown Parking Study | Weekday Lot Usage, 1pm - 4pm



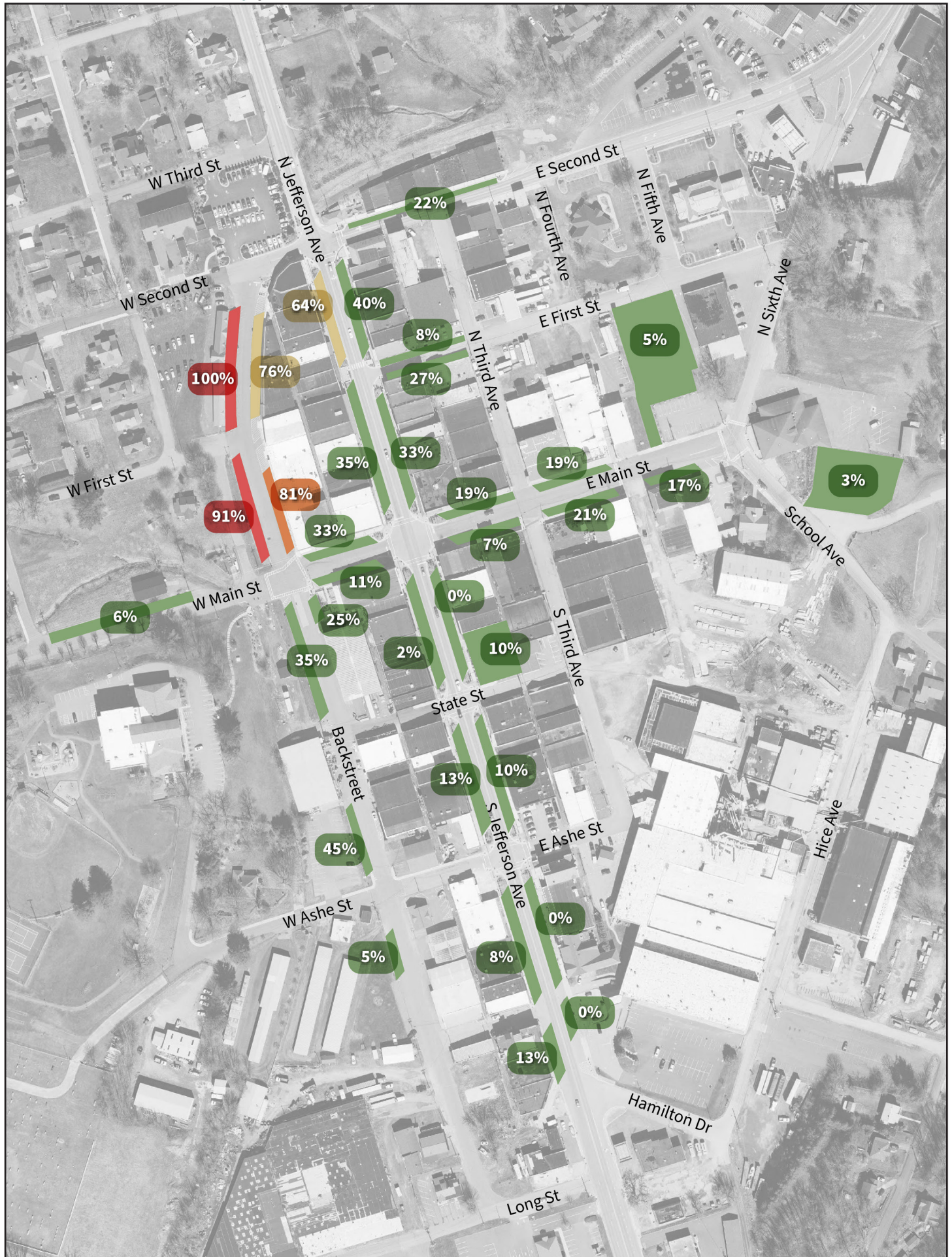


# Downtown Parking Study | Weekday Lot Usage, 4pm - 7pm



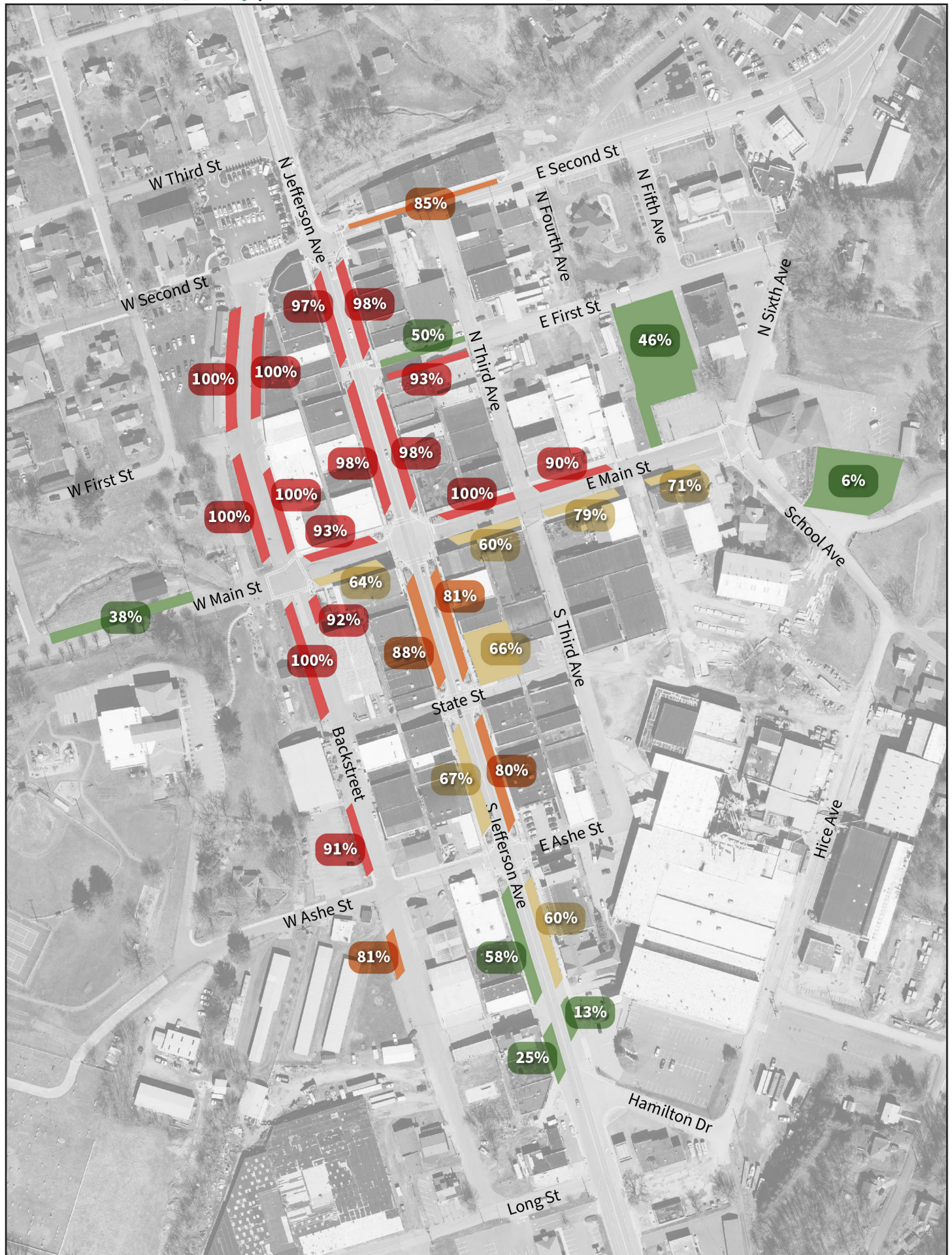


# Downtown Parking Study | Weekend Lot Usage, 7am - 10am



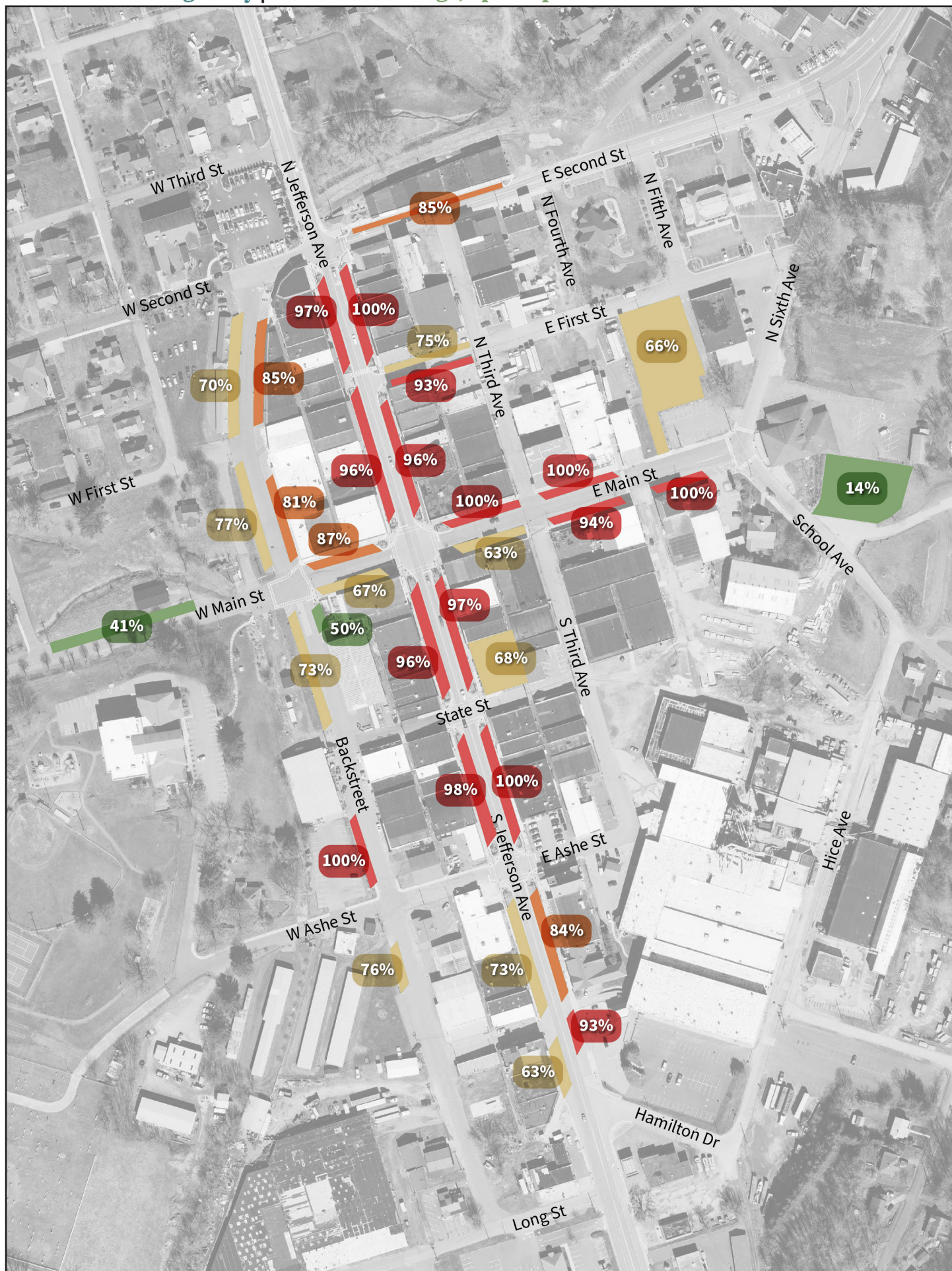


# Downtown Parking Study | Weekend Lot Usage, 10am - 1pm



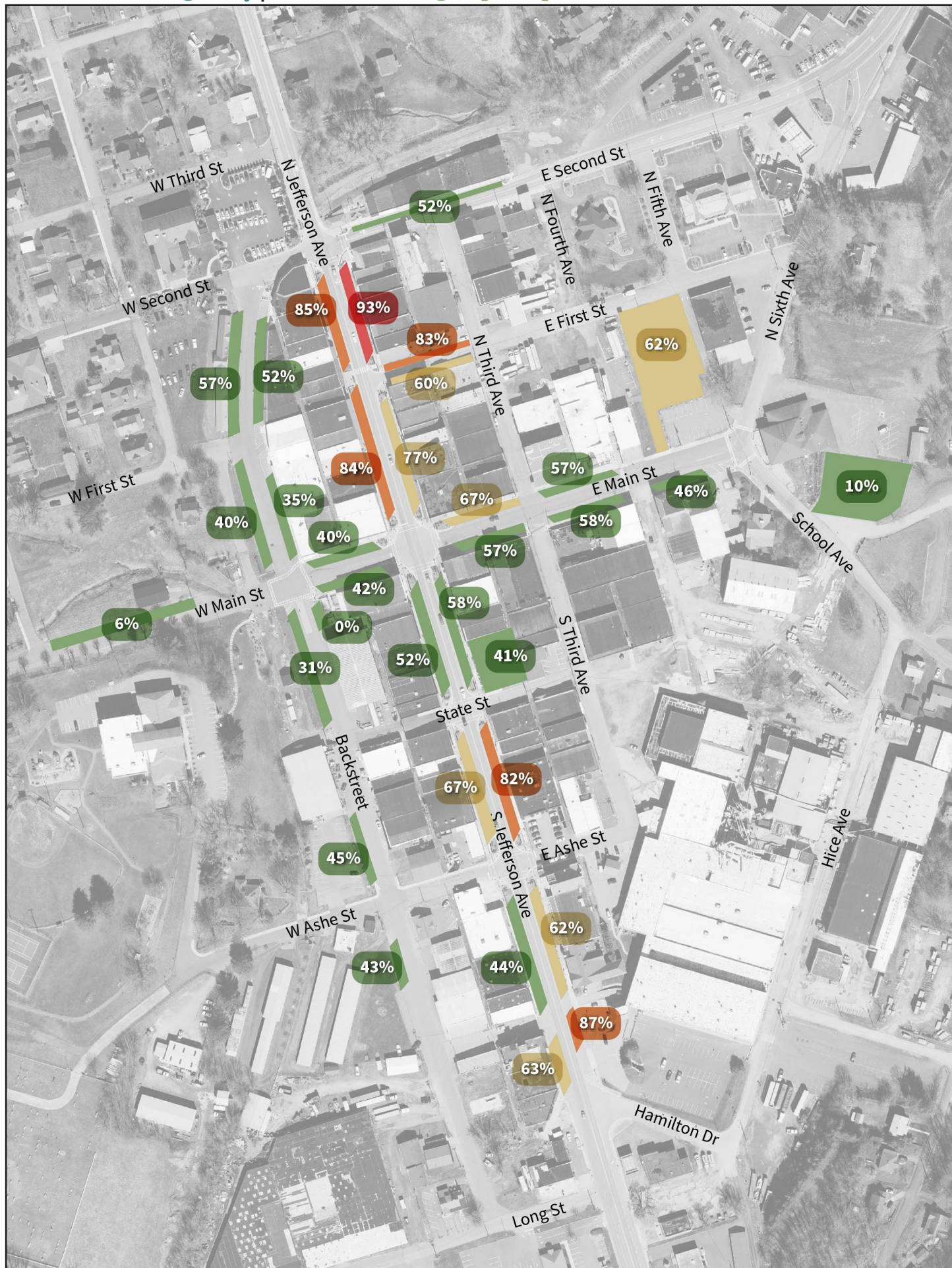


# Downtown Parking Study | Weekend Lot Usage, 1pm - 4pm





# Downtown Parking Study | Weekend Lot Usage, 4pm - 7pm





## Utilities

The availability and capacity of public utilities often dictates the location and intensity of development. This plan will focus on water and wastewater service, since both services are provided by the Town of West Jefferson. However, it is also helpful to briefly summarize the availability of other major utilities - natural gas, electric, and internet.

Frontier Natural Gas offers service to all the commercial and industrial parts of town.

Blue Ridge Energy provides electrical service to West Jefferson and Ashe County. They operate a physical office and operations base in town. 3-phase electric, which many commercial and industrial users require, is available within town. Blue Ridge Energy also partners with the United States Department of Agriculture to offer the Rural Economic Development Loan and Grant program, which provides funding to local nonprofit organizations for projects that will create and retain employment in rural areas.

High speed fiber internet is available throughout the entire town limits. The ETJ is also totally covered by fiber except for two blocks in the Mountainview Estates development along Megan Lane, Lauren Lane, and Denise Lane. Free Wi-Fi is available for visitors and shoppers to use in the downtown area.

The availability of water and sewer infrastructure can have major impacts on land use, as it makes development more feasible and affordable. Beyond areas of town already developed, town-owned water and sewer infrastructure extends along Hwy 221 south for a considerable distance, out Hwy 163, along Mount Jefferson Road, and along Ray Taylor Road and Beaver Creek School Road. One would expect future development to occur first in these areas. At this time the Town has no plans for further extensions of infrastructure, which decreases the likelihood of extensive urbanization beyond existing water and sewer.

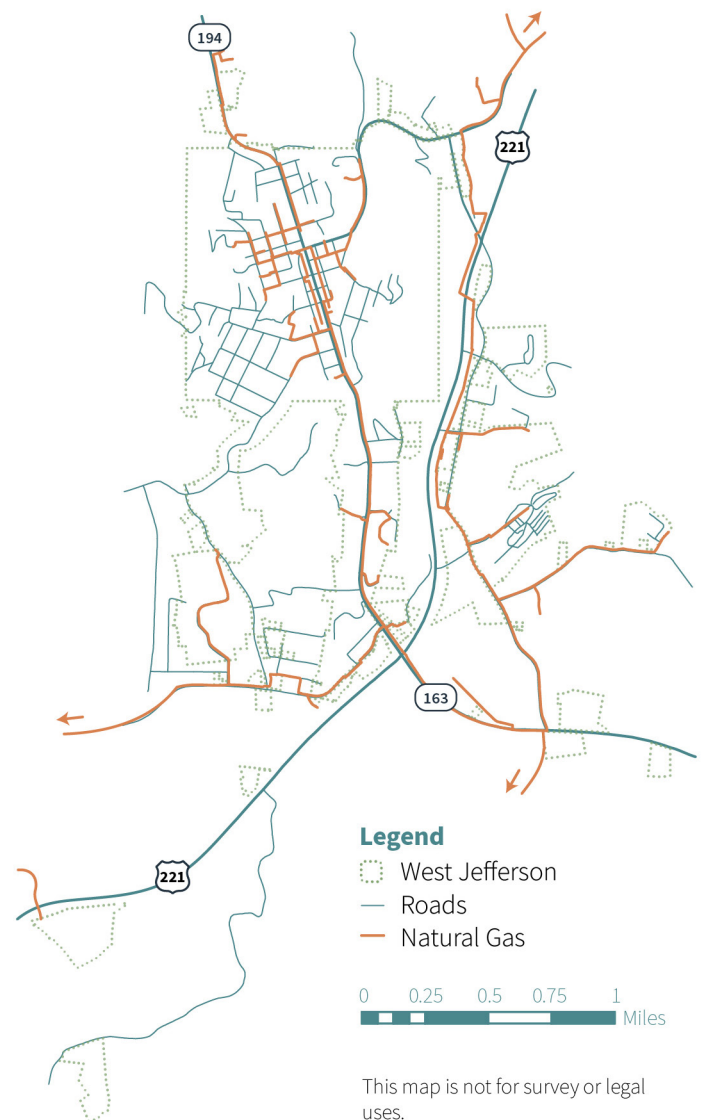
Its system includes approximately 27 miles of water main (see next page for a service area map). As of 2020, West Jefferson served 765 metered connections. The total number of metered connections has decreased by 75 connections since 2010. Residential users account for most of the system's connections (64%), but commercial and industrial customers consume much more water per connection. As illustrated by the infographic on pg. 45, on average commercial users consume nearly twice as much water per connection (226 gallons per day) as residential users (117 gallons per day). Institutional users consume sixteen times more water per connection (1,953 gallons per day).

West Jefferson's 27 miles of water main consist of pipes of varying age and structure. West Jefferson has replaced 6,800 linear feet of water distribution lines and added 7,200 linear feet of new distribution lines since 2010. The system's water source is 11 wells and a spring. The Town has a finished water storage capacity of one million gallons.

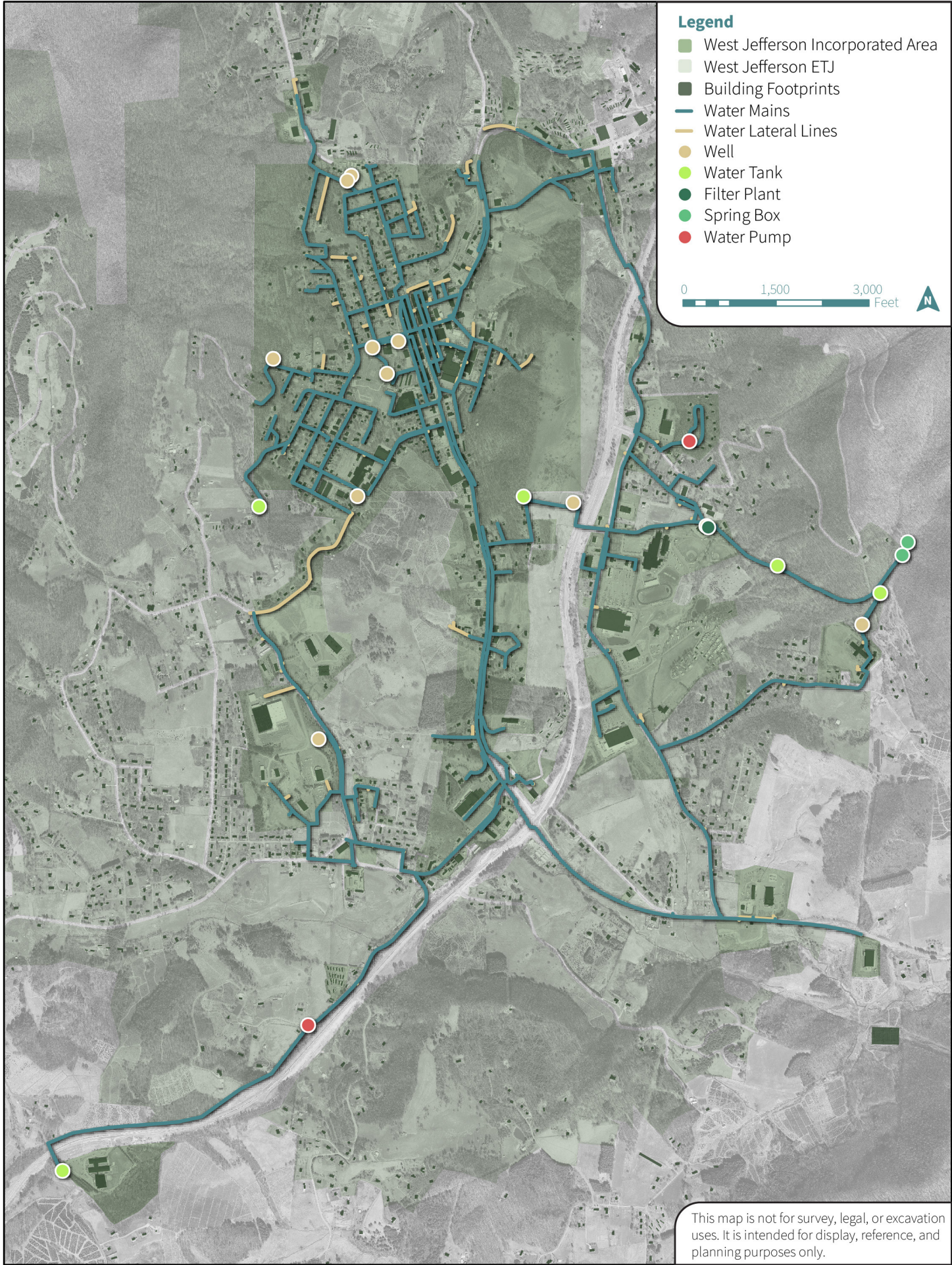
Utilities within North Carolina are required to submit usage and system data to the State's Department of Environmental Quality (NCDEQ) each year. NCDEQ compiles this information into a report and uses it to track trends and anticipate long-term needs. Much of the information contained in this section is derived from those reports. NCDEQ's 2020 report found that West Jefferson used 35% of its permitted raw water supply. That level of usage is consistent with recent years, as shown on the table on page 45. NCDEQ projects that West Jefferson's water system will use 32% of its capacity by 2040. According to NCDEQ's Local Water Supply Plan for West Jefferson, total water usage for the system varied from 2010-2020. This is illustrated by the table on the page 45.

The Town added 45 new sewer connections between 2010 and 2020 (6% increase), with a corresponding discharge increase of 39% during the same period.

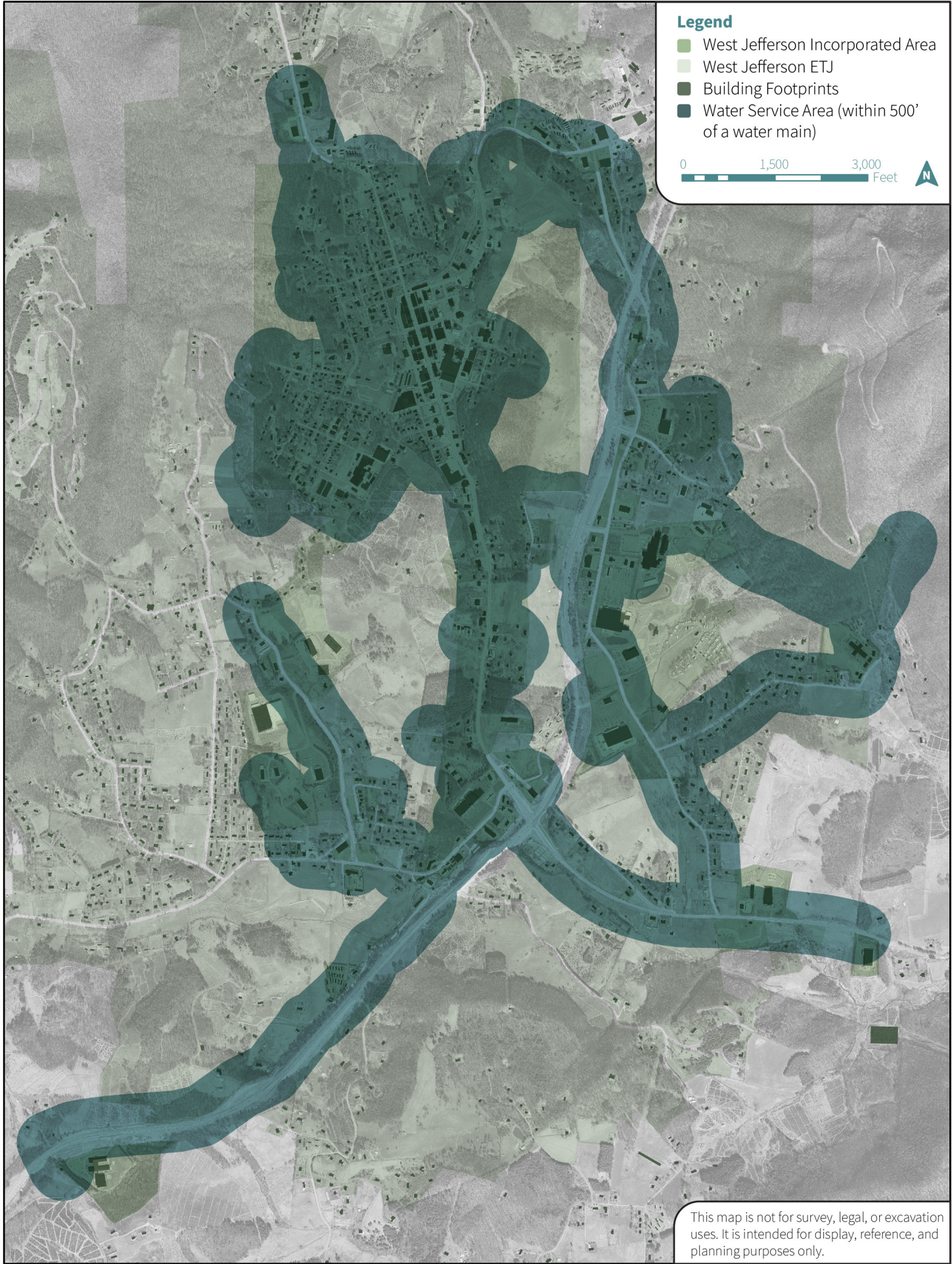
### West Jefferson Area Natural Gas



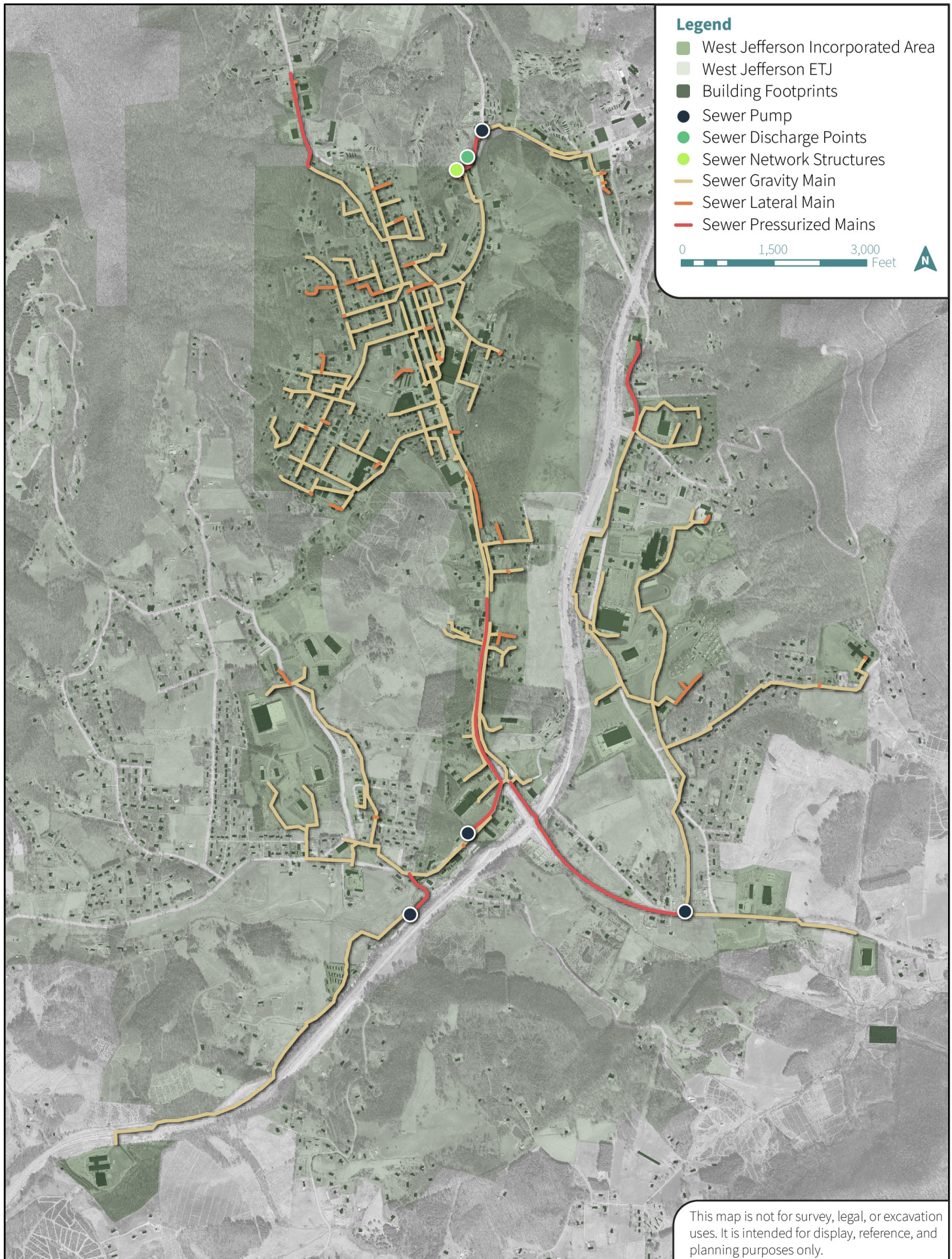












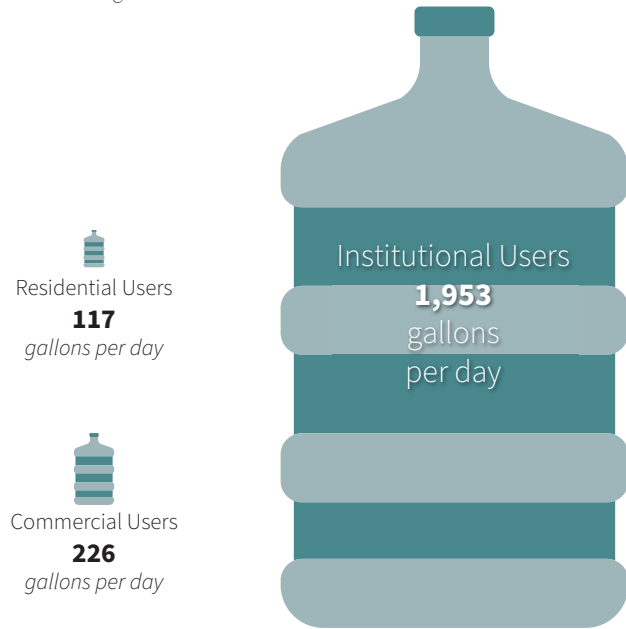






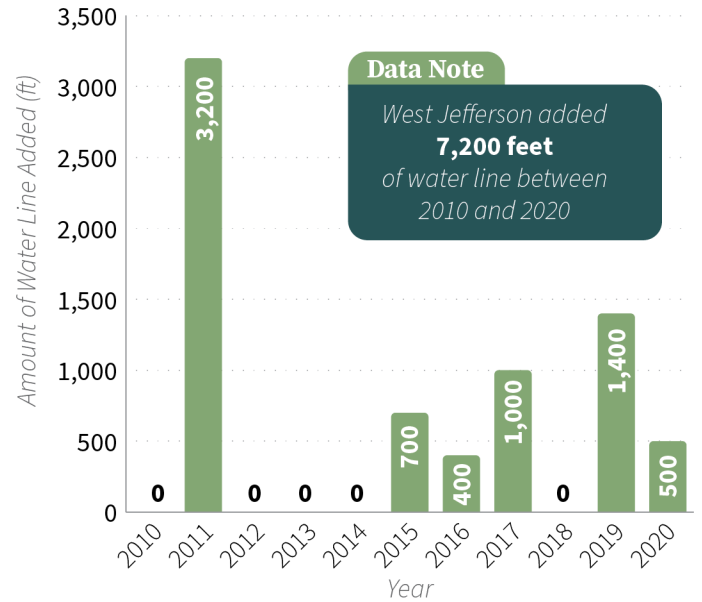
## Average Daily Individual Water Usage by User Type

Source: NCDEQ, 2020



## Amount of Water Line Added to West Jefferson System

Source: NCDEQ, 2020



## West Jefferson Water System, Number of Meters by Use, 2010-2020

Source: NCDEQ, 2020

User Type	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Residential	578	456	461	476	461	463	461	459	485	488	493
Commercial	246	223	220	226	226	230	233	238	246	252	257
Industrial	16	15	17	17	16	17	17	15	15	17	15
Institutional	0	3	5	6	6	22	24	26	0	0	0

## West Jefferson Water System, Average Gallons Used by User Type, 2010-2020

Source: NCDEQ, 2020

User Type	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Residential	175	252	106	102	111	78	69	68	117	116	117
Commercial	240	265	263	270	283	291	300	277	295	275	226
Industrial	875	1,000	1,000	1,000	1,188	1,353	1,353	1,600	1,987	2,041	1,953
Institutional	0	1,000	2,800	1,000	1,000	864	875	731	0	0	0

## West Jefferson Water System Withdrawal, Supply, & Demand

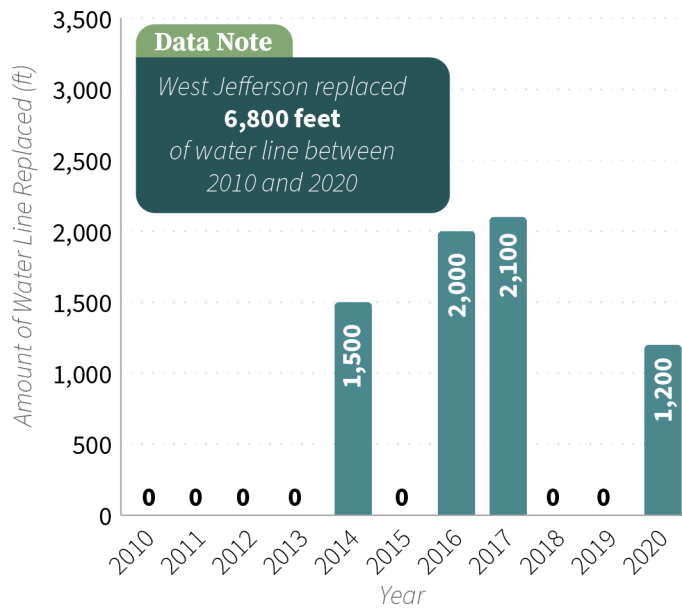
Source: NCDEQ, 2020

Category	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Average Daily Withdrawal (MGD)	0.32	0.277	0.276	0.319	0.293	0.303	0.254	0.249	0.2148	0.272	0.2463
12 Hour Supply (MGD)	0.623	0.623	0.623	0.655	0.655	0.655	0.655	0.62	0.62	0.7064	0.7064
Demand as % of Supply	51%	44%	44%	49%	45%	46%	39%	40%	35%	39%	35%



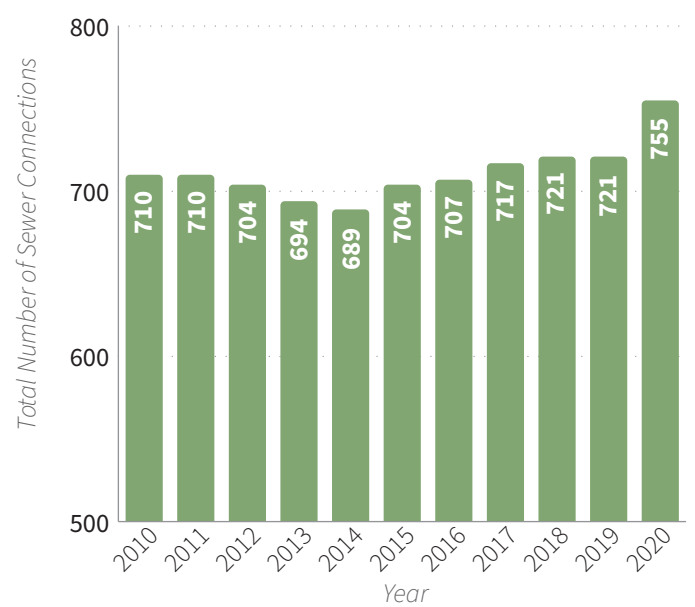
### Amount of Water Line Replaced in West Jefferson System

Source: NCDEQ, 2020



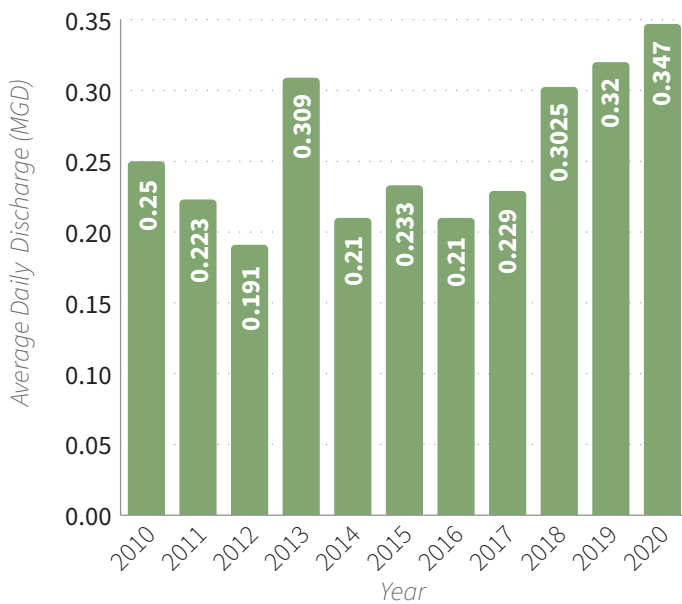
### West Jefferson Sewer System, Number of Connections

Source: NCDEQ, 2020



### West Jefferson Sewer System Average Daily Discharge

Source: NCDEQ, 2020



- End of Section -



# Land Use & Regulations





## Development Regulations

West Jefferson regulates development within its corporate limits through a collection of adopted policies and standards contained within the Town's subdivision regulations, zoning ordinance, flood damage prevention ordinance, sign ordinance, and nuisance ordinance. Each document regulates different aspects of development. Subdivision regulations set forth standards for the division of land and improvements to be publicly dedicated, such as new roadways. The zoning ordinance controls land use. The sign ordinance regulates the number, location, form, and size of signage within town. The nuisance ordinance prevents severe lapses in property maintenance. Construction in town is regulated by Ashe County's building code and the County does all building inspections (i.e. the Town does not have its own building code).

West Jefferson has adopted the County's Flood Damage Prevention Ordinance and relies on the County to issue floodplain development permits. The ordinance dictates allowable development within floodplains and contains building standards designed to minimize the potential for property damage and loss of life. It also names a floodplain manager responsible for reviewing all applications for development within a designated Special Flood Hazard Area. FEMA requires municipalities and counties to adopt these ordinances before residents are eligible to purchase insurance through the National Flood Insurance Program (NFIP).

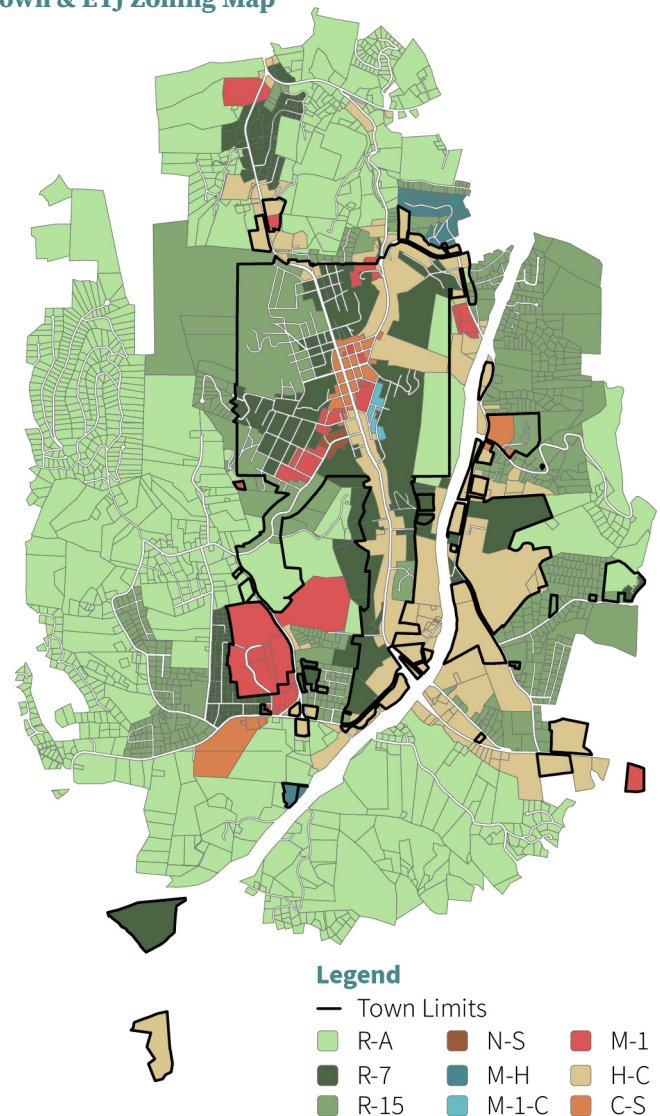
Although building codes are a critical component of development regulation, municipalities have little input in their content beyond adopting international or state building codes, handling permitting, or coordinating with county-level staff for inspection and enforcement. West Jefferson has no building code, instead Ashe County's building code applies in town and the County handles inspection and enforcement. The Town's nuisance ordinance, while important, is written to handle egregious property negligence. It is not written so as to require basic property standards in less severe situations. Many communities across North Carolina have adopted standalone ordinances focusing on basic property maintenance of non-residential structures. Such an ordinance would complement the work that West Jefferson has already done to create an attractive community.

The Town's subdivision regulations set minimum standards for development of land. The language within the regulations indicates that they are effective within the corporate limits of West Jefferson and the Town's extraterritorial jurisdiction (ETJ). The regulations require property owners and developers wishing to subdivide property to go through an approval process and meet minimum standards. The process and standards are in place to ensure safe and harmonious development. The regulations are intended to "coordinate proposed development with existing development and with officially adopted plans for future development of the Town; to coordinate streets within subdivisions with existing or planned streets or with public facilities; to secure or protect adequate rights-of-way and easements for street or utility purposes; to secure adequate

spaces for recreation areas; to provide for the distribution of population and traffic in a manner which shall avoid congestion and overcrowding and will create conditions essential to public health, safety, and the general welfare; and to insure the proper legal description, documentation, and recording of subdivided land."

The West Jefferson Zoning Ordinance controls land use and dictates development form within the corporate limits and the extraterritorial jurisdiction. Like the majority of zoning ordinances in North Carolina, it utilizes use districts, more commonly referred to as "zones." Each zone has its own set of permitted uses, lot size, yard, height, and design requirements. West Jefferson has nine zones: R-A Residential Agricultural (51% of land area), R-15 Low density Residential (21% of land area), R-7 Medium Density Residential (10% of land area), C-S Community Shopping (1% of land area), H-C Highway Commercial (12% of land area), M-I Industrial (4% of land area), C-D Conditional (0.2% of land area), N-S Neighborhood Service (0.1% of land area), and M-H Mobile Home (0.7% of land area). The map below shows the location of zoning districts. The following pages describe permitted uses by zone as well as lot size, yard, and height requirements.

**West Jefferson  
Town & ETJ Zoning Map**





## R-A Residential Agriculture

The regulations of this district are designed to maintain the open characteristics and agricultural nature of the land. Permitted uses are farms, churches, single-family dwellings, two-family dwellings, manufactured homes, and home occupations. 78 special uses are allowed with a permit from the Board of Adjustment.

## R-15 Low Density Residential

This district is intended to be a quiet, low density residential neighborhood including limited home occupations and limited private and public community uses. Permitted uses are horticulture, single-family dwellings, churches, and private parks, playgrounds, swimming pools, tennis courts, and fishing lakes. Special uses allowed with a permit from the Board of Adjustment are public utility infrastructure, day care facilities, apartments, duplexes, and home occupations.

## R-7 Medium Density Residential

In this district the principal use of land is for single-family, two-family, and multi-family residences. Twelve uses are permitted including dwellings, horticulture, home occupations, accessory structures, and some public facilities. Special uses allowed with a permit from the Board of Adjustment are day cares, public utility infrastructure, and public school maintenance facilities.

## C-S Community Shopping

Centrally located district (i.e. downtown) for retail trade and consumer service uses. Consists of 46 permitted uses including a retail establishment group with multiple categories. Special uses allowed with a permit from the Board of Adjustment are vehicle sales and service, and short term rentals.

## H-C Highway Commercial

This district's principal use of land is for the retailing of durable goods, the provision of commercial services to industrial

areas, and the provision of services to tourists. The zone has 49 permitted uses including mixed use residential/business. Special uses allowed with a permit from the Board of Adjustment are mini warehouses and tattoo & body piercing services.

## M-I Industrial

This district's principal use of land is for industrial and warehousing uses. The zone has 54 permitted uses. Special uses allowed with a permit from the Board of Adjustment are sexually oriented businesses, salvage yards, and junk yards.

## C-D Conditional

A conditional district may be established to address those situations when a particular use may be acceptable but the general zoning district which would allow that use would not be acceptable. It allows the Board of Aldermen to approve a proposal for a specific use with reasonable conditions to assure the compatibility of the use with surrounding properties. This district contains the mixed use Jefferson Station property and industrial uses.

## N-S Neighborhood Service

This district is intended to provide suitable locations for limited, neighborhood oriented, professional, commercial, and service activities in close proximity to major residential neighborhoods. Twelve uses are permitted. Banks are allowed with a special use permit from the Board of Adjustment.

## M-H Manufactured Home

Two uses are permitted- manufactured (mobile) homes and mobile home parks. No special uses are allowed.

### West Jefferson Zoning Requirements by District

District	Min. Lot Size	Min. Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Height Limit
Residential Agriculture	20,000 sq ft	100 feet	40 feet	15 feet	15 feet	35 feet
Low Density Residential	15,000 sq ft	100 feet	30 feet	10 feet	10 feet	35 feet
Med Density Residential	Varies according to the number of dwelling units	50 feet	25 feet	10 feet	10 feet	35 feet
Community Shopping	-	-	6 feet	none	None	None, with conditions
Highway Commercial	-	-	15 feet	none	None	None, with conditions
Industrial	-	-	40 feet	20 feet	20 feet	-
Neighborhood Service	-	-	15 feet	10 feet	15 feet	-
Manufactured Home	7,000 sq ft	50 feet	25 feet	10 feet	20 feet	-



West Jefferson exhibits irregular zoning patterns, with several isolated and disconnected district areas. Nevertheless, a few general patterns can be detected. Highway Commercial dominates the area at the intersection of Hwy 221 and Hwy 163, with this zoning designation extending out 163, 221, and Jefferson Avenue. It continues on along Hwy 221 Business beyond the Community Shopping District (i.e. downtown). Here the Community Shopping District and the Highway Commercial District are sandwiched between Medium Density Residential District areas. The Industrial District is mostly along Ray Taylor Road, though smaller pockets exist elsewhere in town. On the periphery are areas of the Low Density Residential District, with the Residential Agricultural District comprising the remainder of the outlying areas. The geographic area covered by each zoning district is as follows:

District	Acreage	Percentage
Residential Agriculture District	2,705	51%
Low Density Residential District	1,109	21%
Highway Commercial District	644	12%
Medium Density Residential District	550	10%
Industrial District	199	4%
Community Shopping District	72	1%
Mobile Home District	35	0.7%
Industrial District-Conditional	12	0.2%
Neighborhood Service District	6	0.1%

The acreage of zoning districts within the town limits (excluding the ETJ) is as follows:

District	Acreage	Percentage
Residential Agriculture District	112	9%
Low Density Residential District	196	16%
Highway Commercial District	377	30%
Medium Density Residential District	395	32%
Industrial District	108	9%
Community Shopping District	36	3%
Mobile Home District	4	0.3%
Industrial District-Conditional	12	1%
Neighborhood Service District	6	0.5%

In North Carolina, municipalities have the power to exercise subdivision and zoning authority outside of their corporate limits in a designated area called an extraterritorial jurisdiction (ETJ). ETJ's typically extend 1-3 miles outside of corporate limits. The intent of an ETJ is to promote similar

development patterns outside of a municipality to ease growth through annexation. West Jefferson has a one-mile ETJ.

The West Jefferson sign ordinance contains regulations limiting the size, location, and form of signage throughout town. The ordinance categorizes signs and sets forth specific dimensional and placement regulations appropriate to their nature and the zoning classification of the land they will be placed on. Signs must be permitted prior to installation. The intent of the ordinance is to maintain a uniform appearance across the community, avoid nuisance arguments between neighboring property owners, and ensure safety.

## Split Zoning & Nonconformities

The maps on the following page show nonconforming land uses. The map on pg. 55 shows commercial land uses in residential zoning districts. Fourteen such parcels exist in the entire town and ETJ. The map on pg. 56 shows residential uses in commercial and industrial zoning districts. These parcels are numerous and scattered throughout town. This situation is a problem because when a residence is being sold, banks are reluctant to issue a mortgage on a home that is nonconforming. Therefore, the Town receives frequent requests to rezone.

The map on pg. 57 shows all parcels that are split between two or more zoning districts (18 total).

## Existing Land Use Patterns

High Country Council of Governments conducted a windshield survey of existing land uses within the Town of West Jefferson. Staff observed and recorded land uses via visual inspection only and relied on structural design, signage, ownership records, and address clustering as identifying attributes. This method relies on assumption, but provides accurate results in most instances. Land was classified into 18 use categories, defined below. Each category is assigned an abbreviation for convenience purposes, which is enclosed in parentheses next to its title.

**Single-Family Residential (SFR)** - includes all single family homes that are built to North Carolina Building Code and are the primary use of the parcel upon which they rest. Included in this classification are properties with multiple single family homes that may or may not be occupied.

**Duplex (DU)** - includes single family homes that share one or more walls. All duplexes, regardless of shared or common ownership, are included within this classification.

**Townhouse (TH)** – individually-owned single-family dwellings with at least two floors that share a wall with another house.

**Multi-family Residential (MFR)** - includes any land use that is dedicated to housing multiple families within a larger building including apartment buildings, townhouses (not individually owned), condominiums, and houses that exhibit 3 or more separate entrances or addresses.



**Singlewide Mobile Home (SMH)** - This includes lots with multiple mobile homes, but not mobile home parks. Parcels that contained both a single-family residential home and a mobile home were classified as SFR for their primary land use.

**Doublewide Mobile Home (DMH)** - This includes lots with multiple mobile homes, but not mobile home parks. Parcels that contained both a single-family residential home and a mobile home were classified as SFR for their primary land use.

**Mobile Home Park (MHP)** - includes parcels that contain multiple single-wide or double-wide mobile homes where residents lease the land their home is situated upon rather than owning it.

**Mixed Use (MX)** - includes land where residential and commercial uses are located on a single parcel in a structure designed to accommodate both. A common example of mixed development is a structure that contains a storefront or office on the first floor with residential dwellings on upper floors.

**Institutional (INST)** - Includes all land uses that are deemed to be of public importance or cultural value. This includes churches, cemeteries, nursing centers, public health services, non-profits, and lodges.

**Government (GOV)** - Includes all government buildings, public parking lots, and public recreation areas.

**Commercial (COM)** - Includes land dedicated to the sale of both wholesale and retail goods and services.

**Executive/Office** - Land dedicated to uses pertaining to executive, professional, or “white-collar” services.

**Industrial (IND)** - Includes all land uses that pertain to the manufacturing, fabrication, mass storing, and/or distribution of goods.

**Utilities (UT)** - includes parcels that are dedicated to private and/or non-government public utility uses including telecommunications and electrical transmission. All buildings used by these utilities including office buildings, staging areas, and equipment storage are included in this classification.

**Vacant (VAC)** - includes parcels that have minimal indication of past or present development.

**Recreation (REC)** - includes parks and other land uses related to leisure activities.

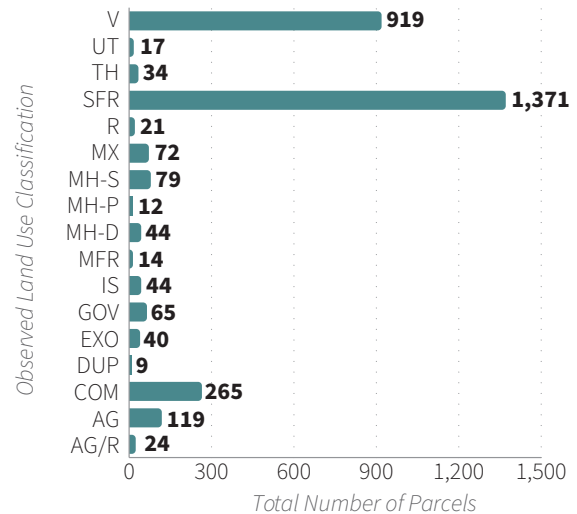
**Agriculture (AG)** - land uses related to farming.

**Agriculture/Residential (AGR)** - parcels containing farming activities and at least one residence.

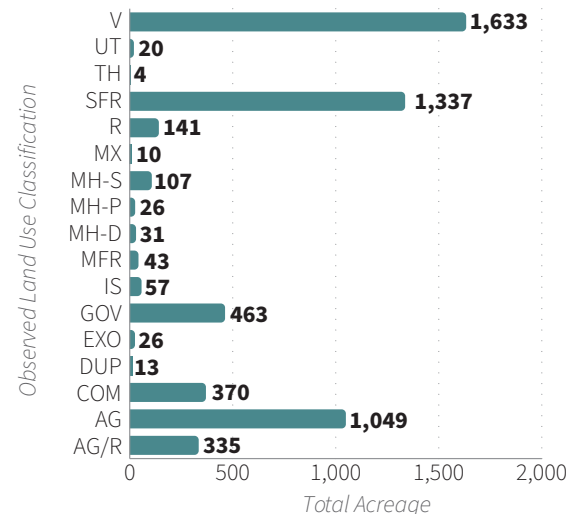
Commercial land use in West Jefferson is characterized by two cores- downtown and a parallel corridor along Hwy 221. Major single family residential neighborhoods lie to the north and west of downtown. Industrial properties are situated in the

southwestern quadrant of town. While not abundant, there is yet a significant amount of agricultural and vacant land within the town limits.

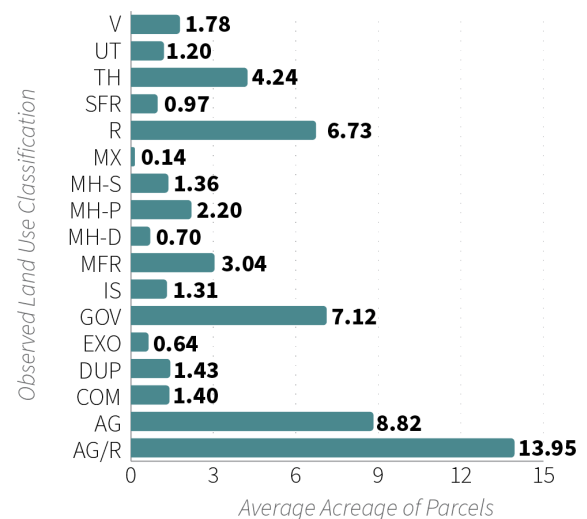
### Number of Parcels per Land Use Classification



### Total Acreage per Land Use Classification



### Average Parcel Size per Land Use Classification





## West Jefferson Existing Land Use Summary Table

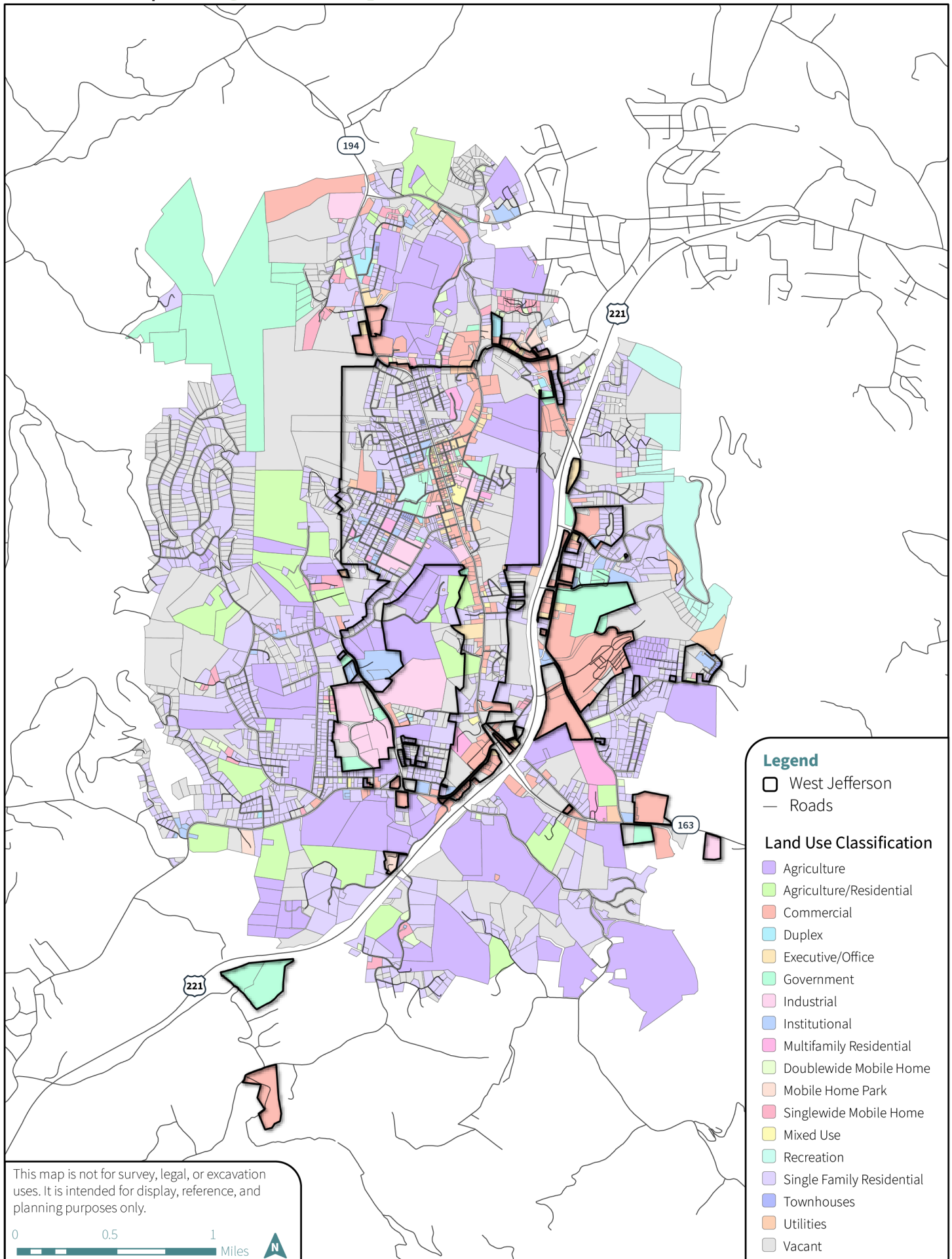
Land Use Classification	Total Number of Parcels	Total Acreage	Percentage of Total Acreage	Average Acreage
Vacant	919	1632.97	28.93%	1.78
Utilities	17	20.32	0.36%	1.20
Townhouses	34	4.24	0.08%	4.24
Single Family Residential	1371	1336.69	23.68%	0.97
Recreation	21	141.41	2.51%	6.73
Mixed use	72	10.02	0.18%	0.14
Single-wide Mobile Home	79	107.16	1.90%	1.36
Mobile Home Park	12	26.38	0.47%	2.20
Double-wide Mobile Home	44	30.71	0.54%	0.70
Multifamily Residential	14	42.55	0.75%	3.04
Industrial	44	57.43	1.02%	1.31
Government	65	462.74	8.20%	7.12
Executive/Office	40	25.62	0.45%	0.64
Duplex	9	12.85	0.23%	1.43
Commercial	265	369.91	6.55%	1.40
Agriculture	119	1049.08	18.59%	8.82
Agriculture/Residential	24	334.83	5.93%	13.95

## West Jefferson Tax Value by Existing Land Use Table

Land Use Classification	Total Number of Parcels	Total Acreage	Minimum	Maximum	Median
Agriculture	119	1,049.08	\$826.20	\$48,193.34	\$10,167.48
Agriculture/Residential	24	334.83	\$2,802.27	\$154,125.99	\$19,811.02
Commercial	265	369.91	\$244.91	\$9,871,695.24	\$411,260.73
Doublewide Mobile Home	44	30.71	\$7,037.30	\$393,645.22	\$96,977.17
Duplex	9	12.85	\$57,347.64	\$642,828.79	\$257,809.48
Executive/Office	40	25.62	\$248,759.24	\$9,030,518.42	\$913,374.60
Government	65	462.74	\$218.13	\$5,736,228.25	\$51,820.09
Industrial	34	136.40	\$20,015.89	\$1,767,809.66	\$228,848.48
Insitutional	44	57.43	\$17,404.05	\$6,991,762.83	\$229,344.23
Mixed use	72	10.02	\$152,175.24	\$33,538,454.27	\$4,660,521.38
Mobile Home Park	12	26.38	\$15,187.93	\$536,485.36	\$46,677.07
Multifamily Residential	14	42.55	\$41,223.38	\$1,275,932.52	\$350,561.04
Recreation	21	141.41	\$5,001.62	\$381,455.36	\$15,350.05
Single Family Residential	1,371	1,336.69	\$312.04	\$1,708,913.45	\$247,170.00
Singlewide Mobile Home	79	107.16	\$5,900.75	\$218,938.48	\$31,513.14
Townhouses	34	4.24	\$242.40	\$6,796,560.32	\$1,016,952.91
Utilities	17	20.32	\$7,909.53	\$2,071,047.79	\$28,460.39
Vacant	919	1,632.97	\$274.95	\$1,313,623.44	\$21,053.86
<b>TOTAL ALL USES</b>	<b>3,183</b>	<b>5,801.30</b>	<b>\$218.13</b>	<b>\$33,538,454.27</b>	<b>\$162,912.83</b>



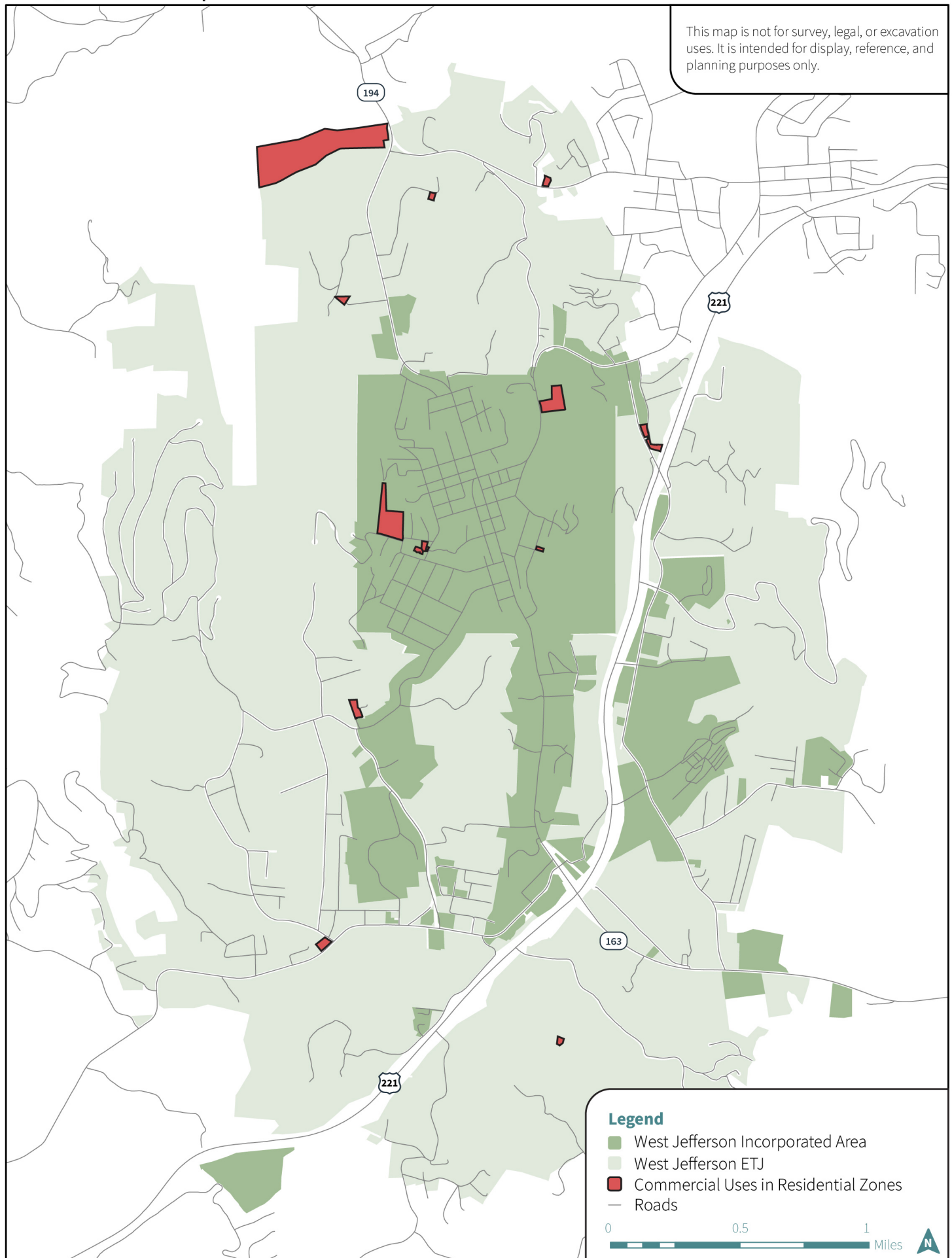
## West Jefferson | Existing Land Use Map





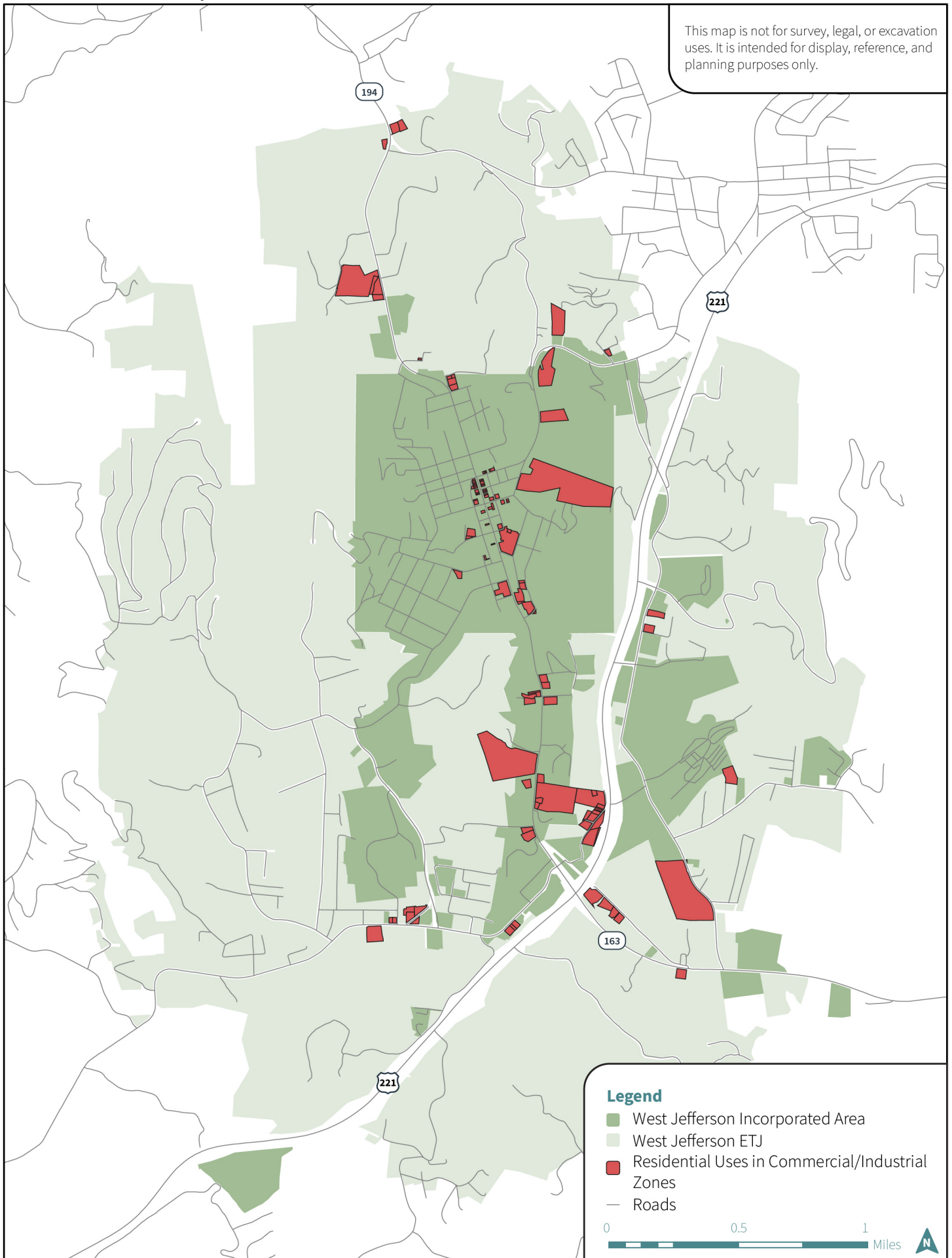






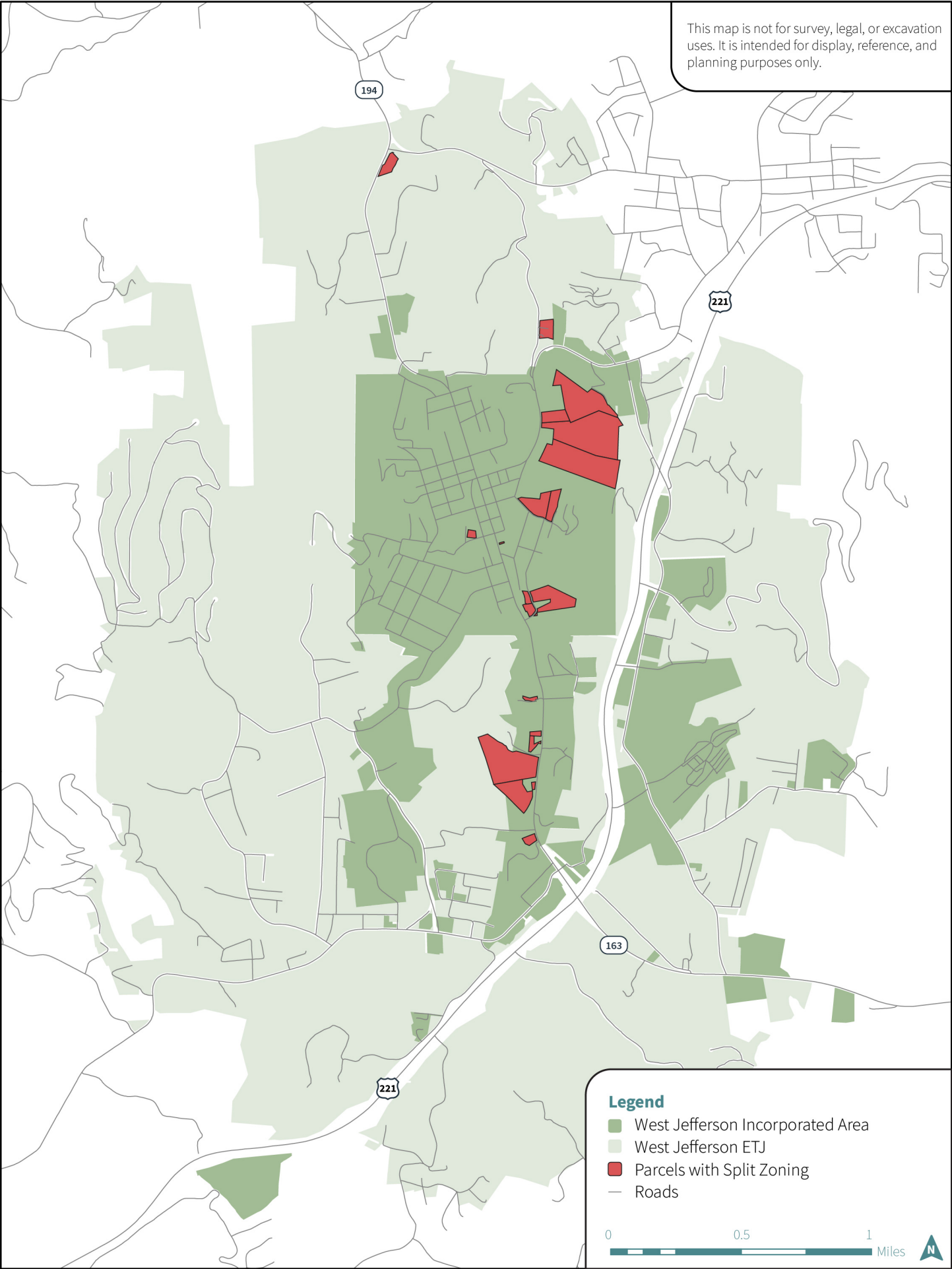
## West Jefferson Area | Residential Land Uses in Commercial or Industrial Zones

This map is not for survey, legal, or excavation uses. It is intended for display, reference, and planning purposes only.





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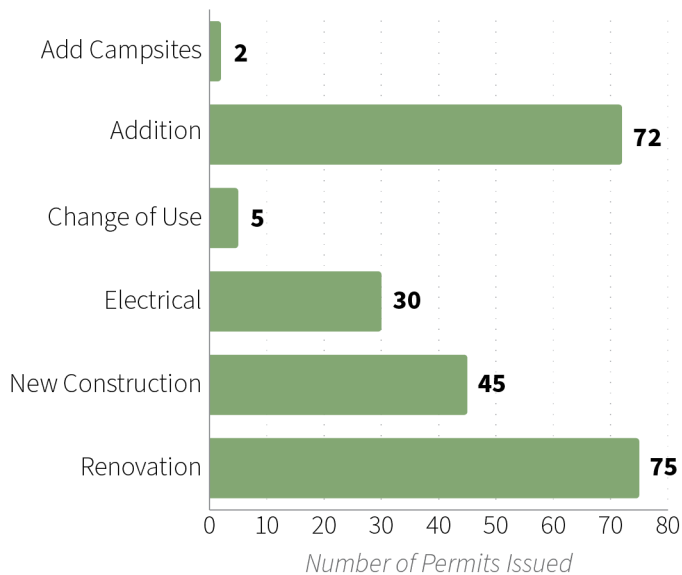


## Zoning Permit Patterns

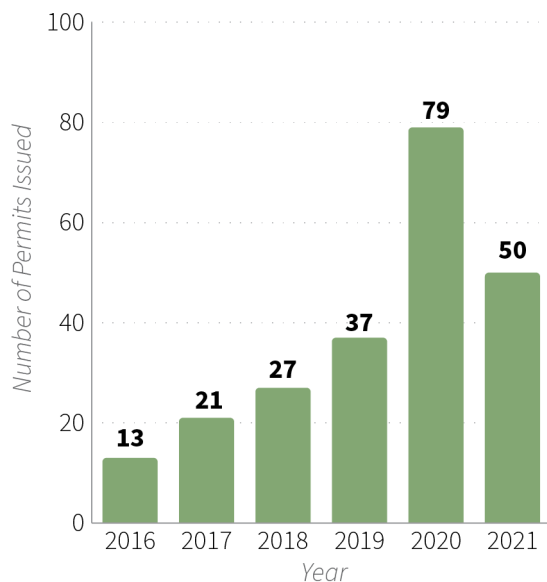
Staff from High Country Council of Governments cataloged zoning permits that had been approved by the Town over the past five and a half years. The results were used to compile the information contained in the charts on this page. This information allows Town leaders to analyze trends in the types and numbers of construction projects.

The number of permits varies considerably from year to year, but an increasing trend is evident, from 13 permits in 2016 to a high of 79 in 2020. Most were renovations and additions. Commercial and residential permits were about equal in number.

Zoning Permits by Type of Work, 2016-2020



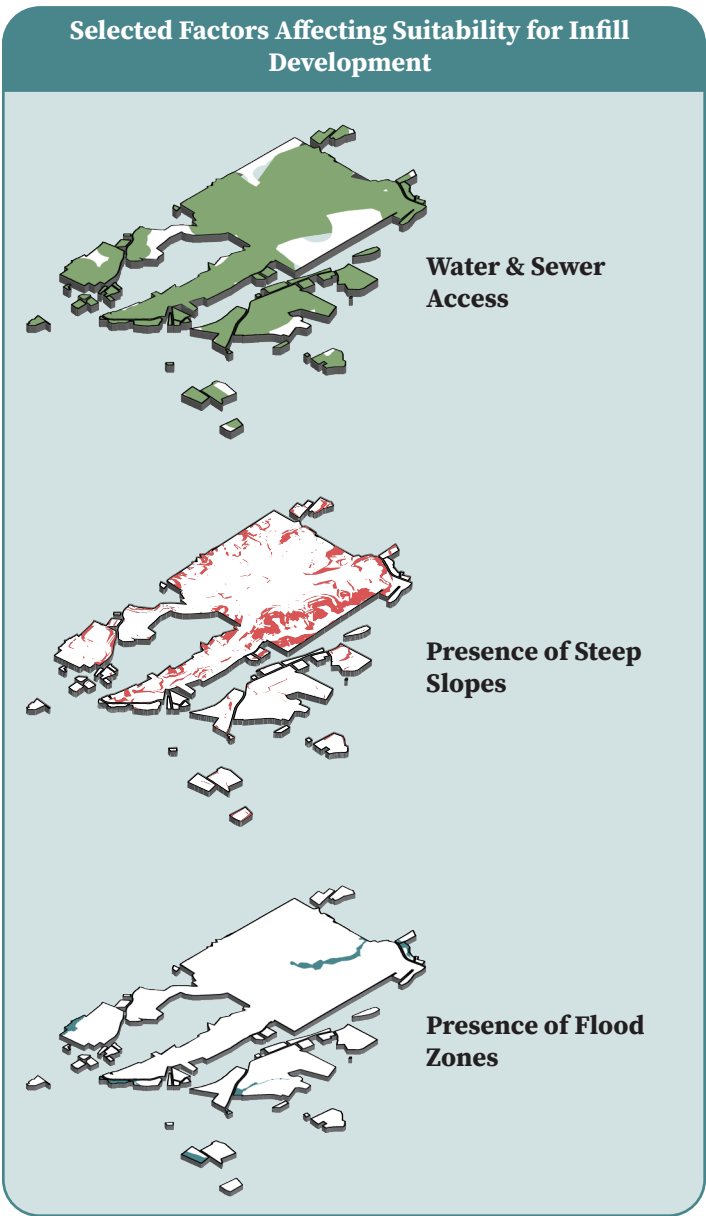
Number of Zoning Permits Issued, 2016-2021



## Land Supply for Infill Development

Infill development is the process of developing vacant or under-used parcels that already have access to public amenities such as streets and utilities. Infill development allows for population and tax base growth without annexation or costly expansion of public infrastructure. It is the most financially and environmentally sustainable form of growth, as it conserves land and increases local government revenues without adding to long-term maintenance responsibilities.

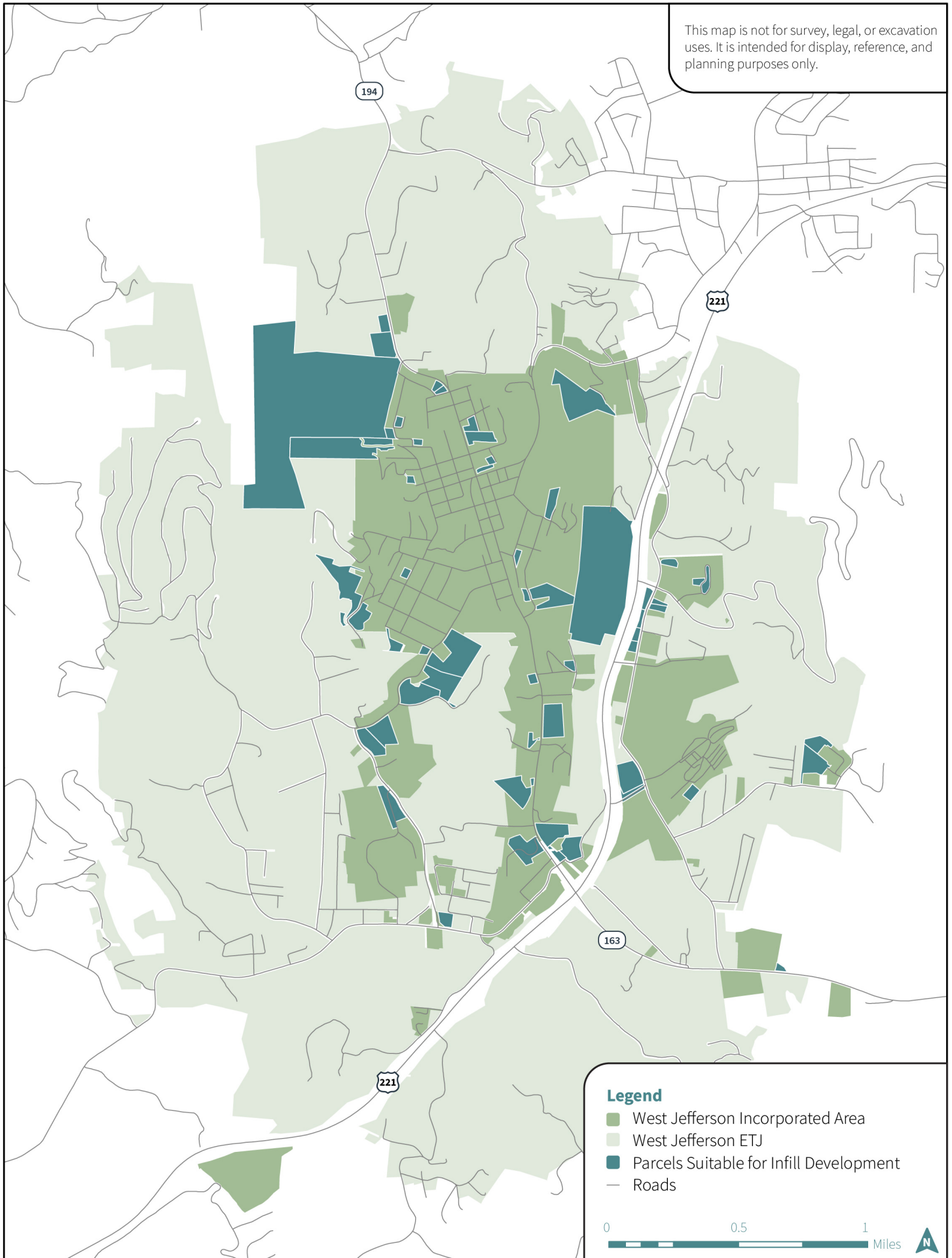
The map below displays parcels within West Jefferson that are suitable for infill development. Each parcel shown meets all of the following criteria: within 100 ft of water service, within 100 ft of sewer service, majority of the parcel is outside of a FEMA designated flood hazard area, majority of the parcel is not covered in slopes exceeding a 20% grade, and the parcel is vacant (recreational land uses were excluded). Staff used GIS software to evaluate West Jefferson's parcels using these criteria. The process identified 253 parcels that are suitable for infill development.





## West Jefferson Area | Parcels Suitable for Infill Development

This map is not for survey, legal, or excavation uses. It is intended for display, reference, and planning purposes only.





# Public Input & Stakeholders



West Jefferson Land Use Plan -  
2022



## Public Input

An online survey of land use issues was posted in late September 2021 and left open until December 21, 2021. 56 persons responded. 63% live in town or in the ETJ. 30% have lived in West Jefferson for 20 years or more, and 30% have lived in town less than five years. 31% of the respondents own a business in West Jefferson. The age bracket with the highest number of respondents (31%) was 55-64, followed by 25-34 and 65-74. Almost all (91%) own their home.

Support is high for raising property maintenance standards and increasing enforcement, 91% for commercial land uses and 70% for residential.

When asked the degree to which the Town should encourage or discourage various residential land uses, four land uses received over 50% of the vote to encourage or strongly encourage (combined)- single family homes on large lots, single-family homes on small lots, accessory dwelling units, and downtown housing. Townhomes were not far behind at 49%. The only land uses where over 50% of the respondents want the Town to discourage or strongly discourage is mobile homes and mobile home parks.

When asked the degree to which the Town should encourage or discourage various commercial land uses, eight land uses received over 50% of the vote to encourage or strongly encourage (combined)- downtown businesses, grocery stores, services, restaurants, offices, manufacturing, street vendors, and reuse of historic buildings. Downtown businesses and reuse of historic buildings exceeded 90%, with restaurants not far behind (87%). Only one- big box retail stores- received over 50% of the vote to discourage or strongly discourage. Analysis of these results should take into account that a relatively high number (20-30%) selected “neutral” for many categories.

When asked to prioritize resolving or encouraging various issues, nine issues exceeded 50% in the high priority category, with “improving recreational opportunities”, “preserving the small town environment”, and “preserving rural areas” ranking the highest. It is notable that three issues exceeding 50% in the high priority category- “preserving rural areas”, “encourage tree planting”, and “green space” are all conservation related.

In only two issues- “keeping commercial & residential space separate” and “reduce the size of the ETJ”- did the percent in the low priority category exceed medium and high priority. The neutral percentages are very low with one exception- 31% were neutral about reducing the size of the Town’s ETJ. The rest are less than 10%.

The downtown streetscape was mentioned most often as the past land use or development change that has had a positive impact on West Jefferson (question 12). The park was also cited frequently. There was no consensus on what past land use or development changes have had a negative impact on West Jefferson (question 13). Answers varied widely and included four-laning Jefferson Avenue, “too many storage buildings”, billboards,

and insufficient parking. No individual answer was repeated more than once or twice.

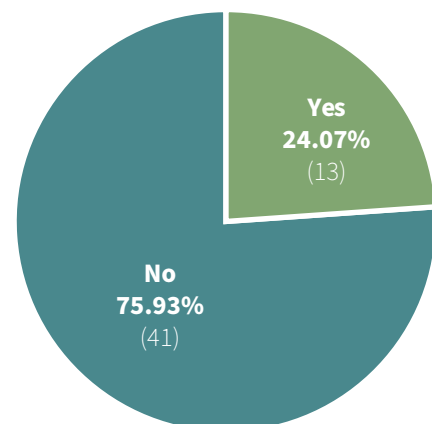
Similarly, many towns were mentioned as models for how West Jefferson should develop (question 17), without a clear favorite. Towns cited were Blowing Rock, Beaufort, SC, Mebane, Greenville, SC, Sylva, Brevard, Waynesville, Floyd, Va, Eugene, Oregon, “a mixture of Boone & Blowing Rock,” Abingdon, Va, Dahlonaga, Georgia, and Mooresville. When asked what characteristics of that town are appealing, responses included walkability, accessible parking, no abandoned buildings, green space/parks, clean, many shopping opportunities and restaurants, and sidewalks. Frequently mentioned was some variation of “small town charm,” though vague and nonspecific.

75% of respondents think the town needs more recreation opportunities. When asked what types of recreation features they would prefer, the clear favorite was trails/greenways. Also mentioned were bike lanes/trails, a YMCA, a dog park, and a swimming pool.

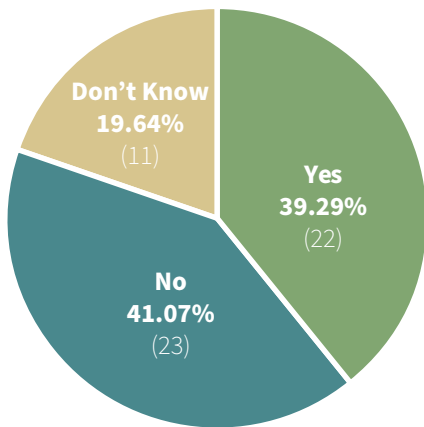
There were many and varied responses to question 21 “Are you aware of any roadways, intersections, or blind spots in town that pose a safety concern?”. Several locations mentioned are not actually within the corporate limits of West Jefferson. Of those that are, a tree at Wilton Street and 2nd Street was identified as a problem by more than one person. The intersection at McDonald’s is another. Similarly, responses varied to question 22 “Please tell us about any road sections, sidewalks, or other public infrastructure that need to be maintained better.” The need for sidewalks was frequently mentioned, particularly along Backstreet and Business 221 between the Jeffersons.

Responses to question 24, “Do you have any other thoughts or concerns about land use and development...?” were varied. A sentiment mentioned several times, however, was some variation of “rather than expanding... I believe the town should focus on continued growth ...in the downtown area” or “preserving the rural character of the ETJ area.” Such an attitude was also reflected in responses to question 23 “How much growth would you like to see in the next 20 years?” where 98% chose slight or moderate population and commercial growth.

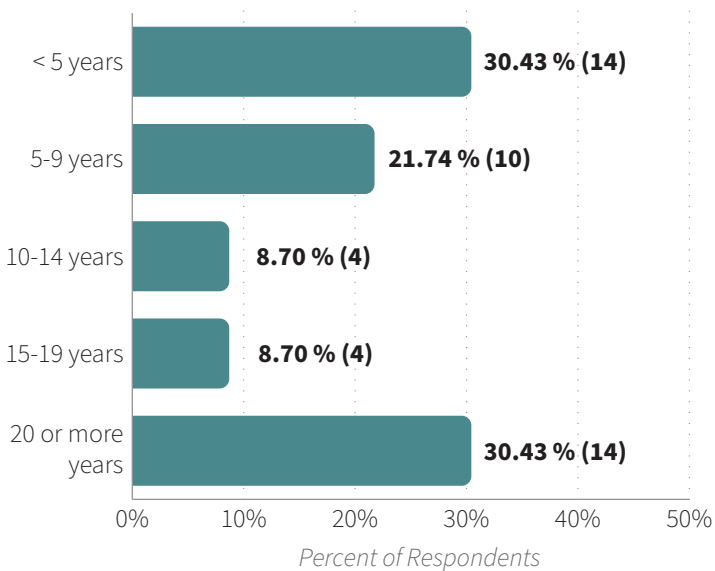
### Question # 1: Do you live within the town limits of West Jefferson?



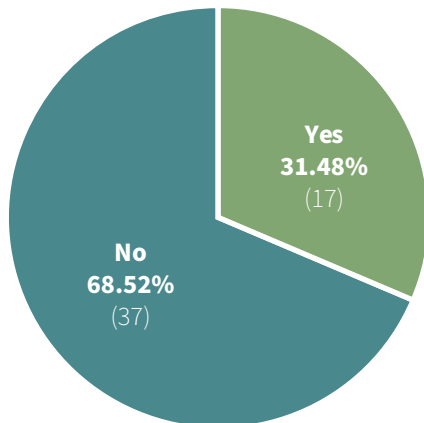
**Question # 2: Do you live within the town's extraterritorial jurisdiction?**



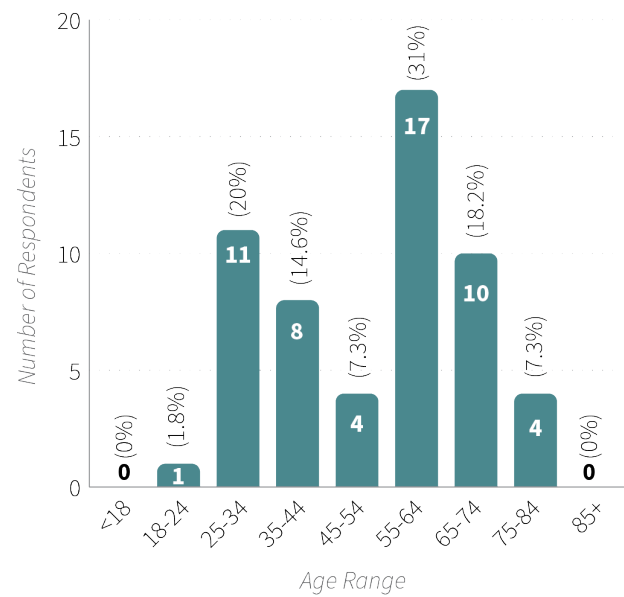
**Question # 3: How long have you lived in West Jefferson?**



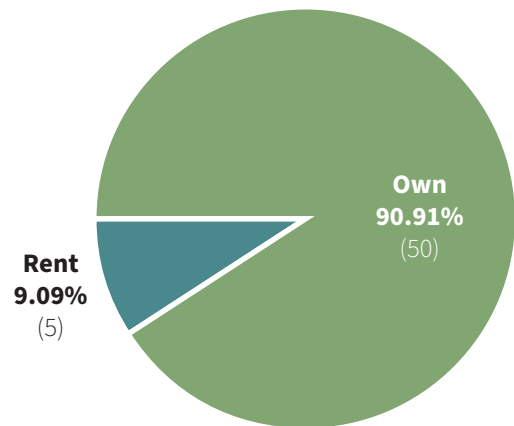
**Question # 4: Do you own a business in West Jefferson?**



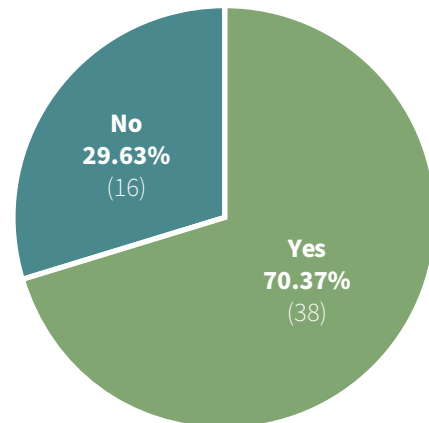
**Question # 5: What is your age?**



**Question # 6: Do you own your home or rent?**

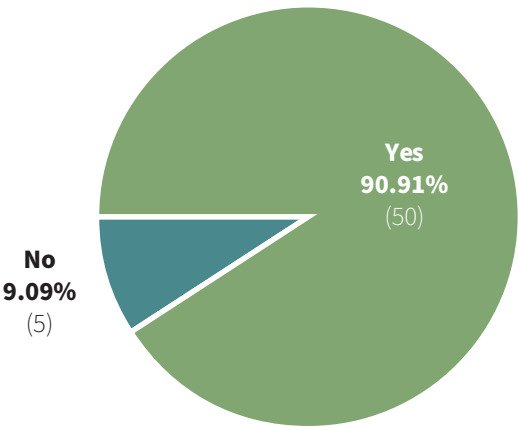


**Question # 7: Do you support raising property maintenance standards (e.g. architectural standards, junk vehicles, lawn maintenance, etc.) and increasing enforcement for residential land uses?**

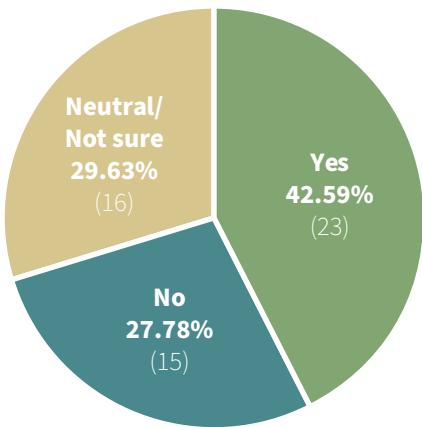




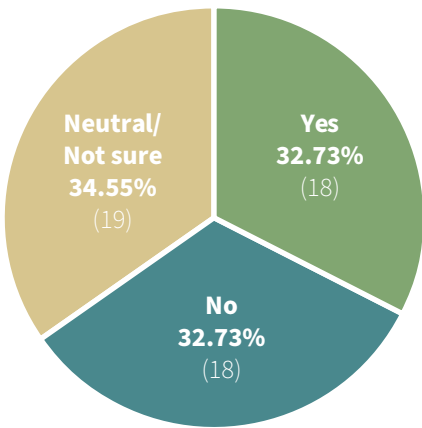
**Question # 8: Do you support raising property maintenance standards (e.g. architectural standards, junk vehicles, lawn maintenance, etc.) and increasing enforcement for commercial land uses?**



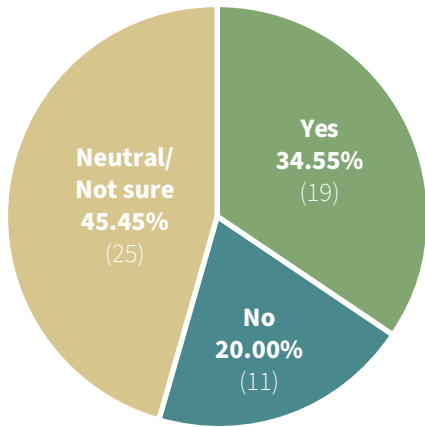
**Question # 14: If requested, should the Town extend water and sewer service to new commercial development beyond the Town limits?**



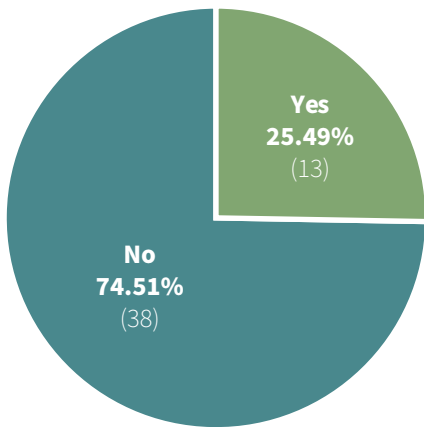
**Question # 15: If requested, should the Town extend water and sewer service to new residential development beyond the Town limits?**



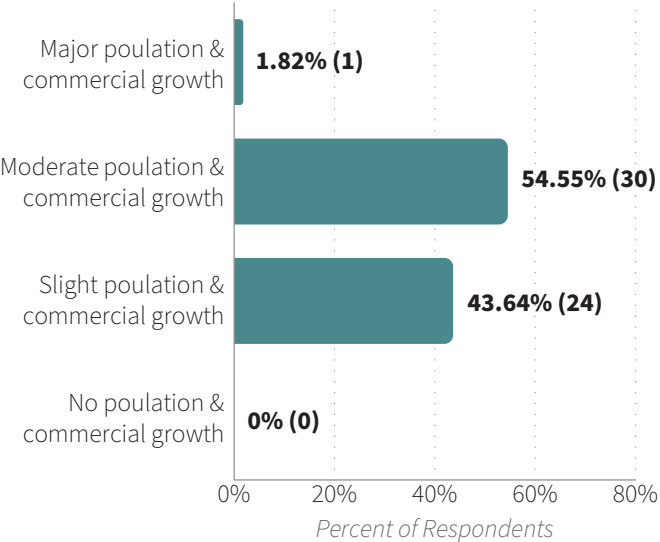
**Question # 16: If requested by a landowner, should the Town annex property (i.e. expand Town limits)?**



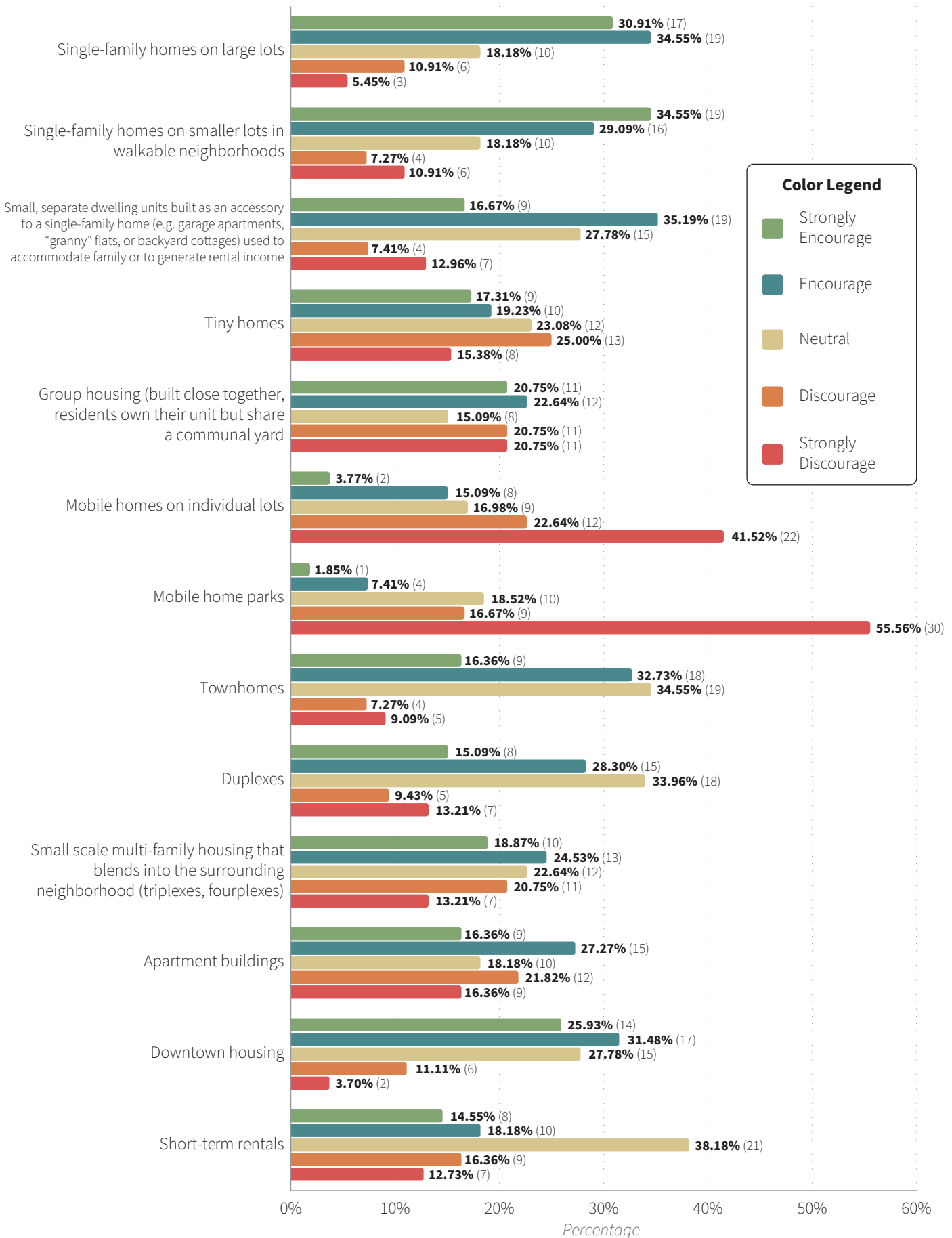
**Question # 19: Do you think West Jefferson has enough recreational opportunities?**



**Question # 23: How much growth would you like to see in West Jefferson in the next 20 years?**

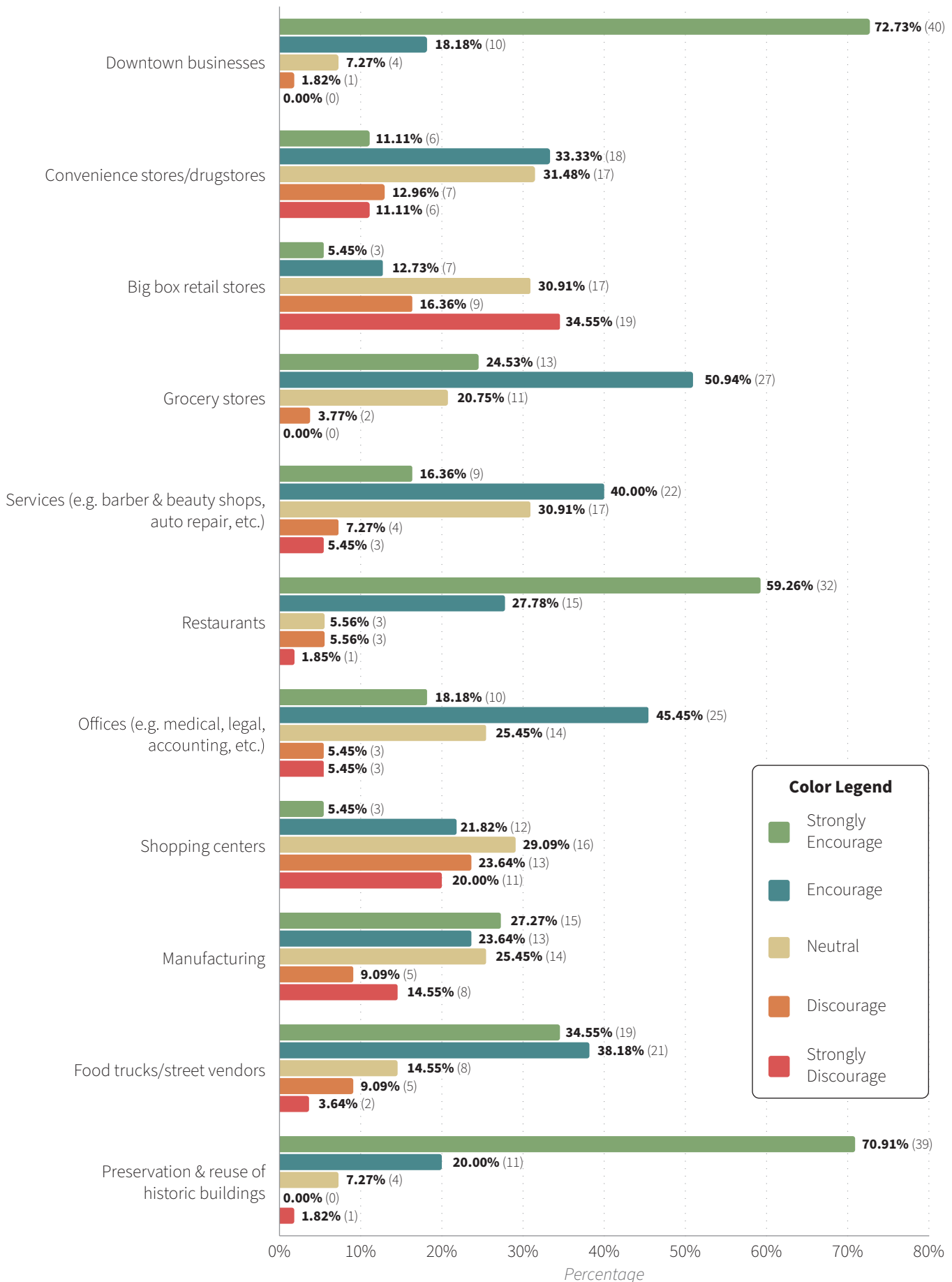


**Question # 9: Please choose the degree to which you would like the Town to encourage or discourage the following residential land uses.**

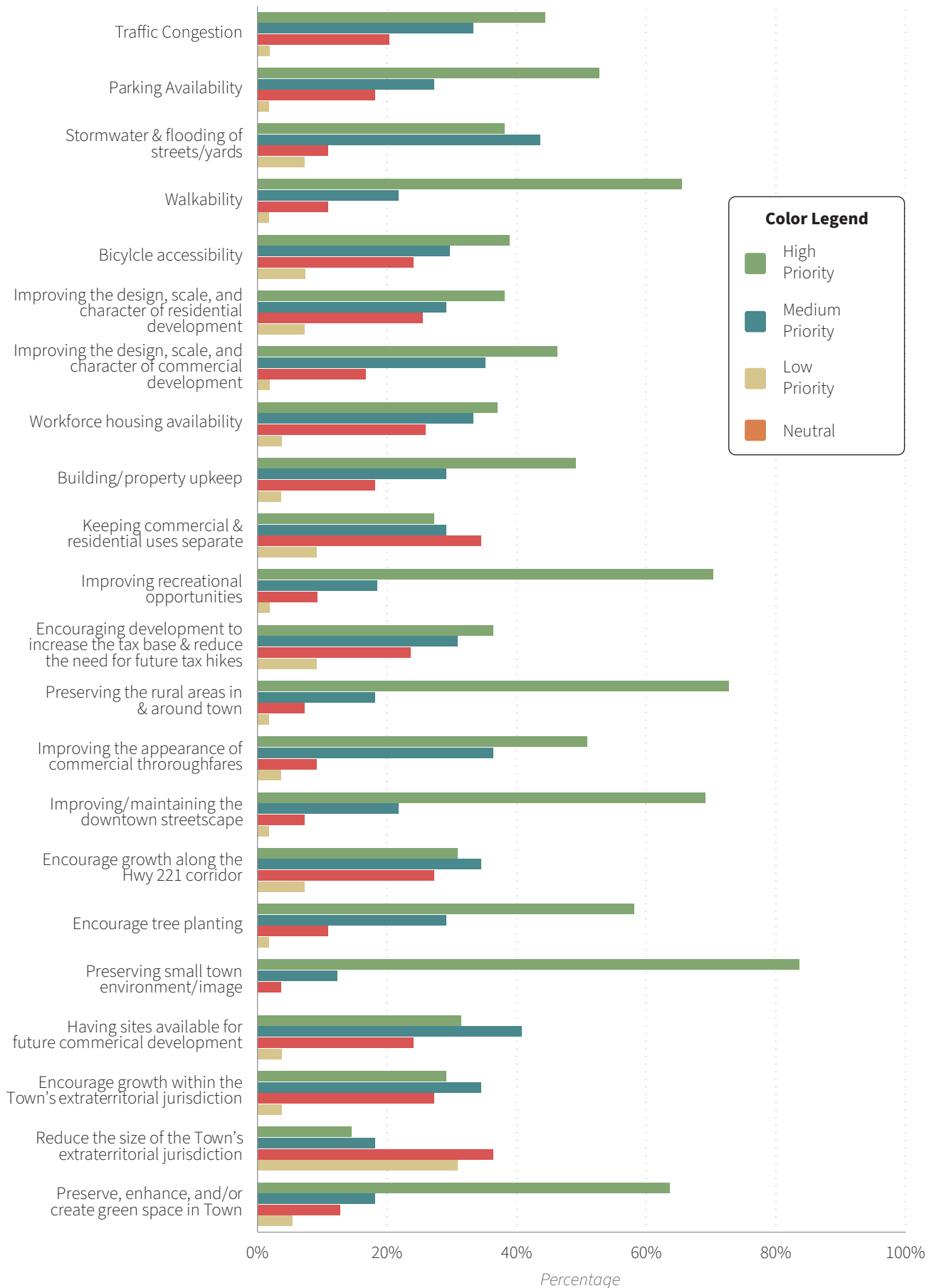




**Question # 10: Please choose the degree to which you would like the Town to encourage or discourage the following commercial land uses.**



**Question # 11: Please indicate how much priority the Town should place on resolving or encouraging the issues below.**





Breakdown of Responses to Question 11				
Issue	High Priority	Medium Priority	Low Priority	Neutral
Traffic congestion	44.44% (24)	33.33% (18)	20.37% (11)	1.85% (1)
Parking availability	52.73% (29)	27.27% (15)	18.18% (10)	1.82% (1)
Stormwater and flooding of streets/yards	38.18% (21)	43.64% (24)	10.91% (6)	7.27% (4)
Walkability	65.45% (36)	21.82% (12)	10.91% (6)	1.82% (4)
Bicycle accessibility	38.89% (21)	29.63% (16)	24.07% (13)	7.41% (4)
Improving the design, scale, and character of residential development	38.18% (21)	29.09% (16)	25.45% (14)	7.27% (4)
Improving the design, scale, and character of commercial development	46.30% (25)	35.19% (19)	16.67% (9)	1.85% (1)
Workforce housing availability	37.04% (20)	33.33% (18)	25.93% (14)	3.70% (2)
Building/property upkeep	49.09% (27)	29.09% (16)	18.18% (10)	3.64% (2)
Keeping commercial and residential uses separate	27.27% (15)	29.09% (16)	34.55% (19)	9.09% (5)
Improving recreational opportunities	70.37% (38)	18.52% (10)	9.26% (5)	1.85% (1)
Encouraging development to increase the tax base and reduce the need for future tax hikes	36.36% (20)	30.91% (17)	23.64% (13)	9.09% (5)
Preserving the rural areas in and around town	72.73% (40)	18.18% (10)	7.27% (4)	1.82% (1)
Improving the appearance of commercial thoroughfares	50.91% (28)	36.36% (20)	9.09% (5)	3.64% (2)
Improving/maintaining the downtown streetscape	69.09% (38)	21.82% (12)	7.27% (4)	1.82% (1)
Encourage growth along the Hwy 221 corridor	30.91% (17)	34.55% (19)	27.27% (15)	7.27% (4)
Encourage tree planting	58.18% (32)	29.09% (16)	10.91% (6)	1.82% (1)
Preserving small town environment/image	83.64% (46)	12.73% (7)	3.64% (2)	0.00% (0)

Table continued on next page...

Responses to Question # 11, continued...				
Issue	High Priority	Medium Priority	Low Priority	Neutral
Having sites available for future commercial development	31.48% (17)	40.74% (22)	24.07% (13)	3.70% (2)
Encourage growth within the Town's extraterritorial jurisdiction	29.09% (16)	34.55% (19)	27.27% (15)	9.09% (5)
Reduce the size of the Town's extraterritorial jurisdiction	14.55% (8)	18.18% (10)	36.36% (20)	30.91% (17)
Preserve, enhance, and/or create green space in town	63.64% (35)	18.18% (10)	12.73% (7)	5.45% (3)

**Question # 12: In your opinion, what past land use or development changes have had a positive impact on West Jefferson?**

Responses
The trucks and rocks along 163E began small and has become an eyesore. People reducing the riparian buffer to grass and creating erosion as they build their homes has caused the banks to start eroding and it's going to get worse. I don't know who owns/owned that horrible eyesore going up past Radio Hill but that is awful. Right across the street is now a fence where maintenance vehicles are parked.
The murals, restaurants, breweries, shops, stop signs (vs. traffic lights) and the farmer's market all make it an unique downtown.
Extending the WJ area of 221 Replacing old water and sewer lines repaving streets
The stop signs and landscaping
The parking lot across from Vannoy Law Firm, this is being used as a business parking lot and not for visitor/employee parking for town businesses. The Tavern knew what land and parking space they had prior to buying the old Sears building and its not right for the town to allow them to use the town parking lot for customer parking, it needs to be stopped as its not fair to other town business owners and town visitors for them to take over the parking lot. Maybe the lot needs parking meters installed
Downtown area/landscaping
Getting rid of two stoplights and replacing them with all-way stop signs
The improvements to the downtown streetscape, the addition of more parking in downtown, the addition of greenspace and parks, and farmland preservation.
Streetscaping obvious great move. Removing traffic lights. Murals.
Renovation of Old Hotel Improvements to Library Park Addition of non-antique/gift stores downtown
Unaware of any
Downtown revitalization, park and recreation improvement
Revitalizing the downtown area. The rise of Air Bnbs and short term rentals. Christmas tree farms.
Downtown revitalization
Introduction of high tech industries
farm land preservation, green space/parks, improvements to streetscape, sidewalks and trails
Downtown streetscape beautification
Being mindful of the restoration of older buildings to maintain our small town charm while still adapting to change.
Making downtown look so beautiful and adding more parking

Table continued on next page...



### Question #12 responses, continued...

downtown streetscape; Bowie Segraves municipal park; murals; dismantling Rainbow Recycling (although I have mixed feelings about this)

I think the park/library/caboose area is walkable and great.

the farmers market

Streetscape improvements on Jefferson Ave., Combining town park with County Library property

The downtown streetscape, new sidewalks and beautification of town

Commercial building exterior/interior improvements. Street-scapes & sidewalks

refurbishing existing buildings downtown

Rezoning as needed to accommodate changes in commercial/residential/agricultural use.

Downtown street scape enhancements

the caboose was nice

Streetscape, removal of stop lights, sidewalk upgrades

Sign ordinance - zoning regulations

Keeping big chains out of downtown

Adding additional annexed properties

Increased parking has helped. Downtown has a hometown appearance now

The preserving of Mount Paddy was huge! We need to preserve our mountains, especially ridges, to keep our mountains a beautiful place. I also think the extension of Mount Jefferson owned property should be accomplished when possible

The continued development of the park behind the library is strongly encouraged. Families need safe and beautiful places to raise their families in. My family moved here to escape the technological grind and to reconnect with nature. West Jefferson has a beauty built into its "small town feel" and this needs to be protected.

Encouraging small local businesses in the downtown area has been positive. It's a shame so many chain stores are moving in, though.

The park behind the public library. Families that live in West Jefferson crave more space and land for children to play outside in etc. The farmers market is another great impact for the town, if it could be dog friendly and perhaps expand out more that would be great.

**Question # 13: In your opinion, what past land use or development changes have had a negative impact on West Jefferson?**

**Responses**

In my humble opinion, the expansion of highway 221 was just fine! The destruction of the beautiful and natural wonders were killed, stripped, scalped and destroyed. Why did those developers create U-turns everywhere? I'm sure you have seen people make an illegal U-turn heading toward Boone from Idlewild on the left turn lane to Idlewild from West Jefferson. And how ridiculous was it to have NO merging lane to the landfill? Is that one closing since a new one is just a few miles away? I loved driving down 221 until they tore down my favorite trees and it hurt my soul every day as I've witnessed the destruction all the way past Mt. Jefferson and the Ashe County Civic center. T

Lumber plant/mill.

Town not enforcing jaywalking laws, people walking in the middle of the streets instead of the sidewalks. folks going the wrong way on one way street near black jacks. folks pulling into parking spaces the wrong direction causing traffic to back up, so they can turn into a spot, instead of going around the block.

Not enough lighting in town at night. Hard to see pedestrians while driving through.

expanding ETJ

Insufficient Parking and Insufficient affordable housing

Development on ridgetops, downtown spaces used for festivals without adequate parking.

Four-lane into WJ after McDonalds was a mistake. Not in character with present branding. Removing train tracks and water tower back in 70s.

Bill boards at intersection turning into West Jefferson. Bob's Girl produce lot is an eyesore in winter months

Sale of Paddy Mountain for lumber rather than preserving.

Parking by permit only in downtown area that limits parking for tourist.

The rise of Air Bnbs and short term rentals have been good for tourism but threaten to price out locals and lose the soul of Ashe County if unregulated. Lack of jobs; No replacement for the dying industries and manufacturers in the surrounding areas.

Live music close to funeral home prohibition was bad idea. Now resolved

Not having minimum lot sizes. One of the draws to Ashe county was the rural feel. Need to balance that with being on top of every-one

road widening, development on ridgetops, encouraging growth outside of downtown

Too many storage buildings

Parking continues to be an issue as businesses and restaurants grow.

Jefferson station

Rent or buy prices too high

loss of bowling alley and roller skating rink

Not adding space for needs of the community. There's plenty of shopping space, not a lot of livable or childcare space.

Work on 221

I think the use of the old thomasville plant showed us that industrial living quarters isn't popular.

While I understand that there needs to be a place that our local residents can afford housing, emphasis needs to be placed in improving the overall image of the surrounding town. There are trailers that are caving in, hotels that need to be rebranded, and downtown structured that have been neglected. Downtown West Jefferson feels safe. The surrounding town should feel safe as well.

Getting rid of the stop lights in WJ has just made it a terrible town to try to get through in a car and more unsafe to walk.

*Table continued on next page...*



### Question #13 responses, continued...

There are many abandoned buildings in and around downtown that are eyesores and look unkempt. Many of the buildings along with their landscapes are dirty looking and run down. The trailer parks around downtown have a negative impact on the town's image.

subdivision ordinance

### Question # 17: Is there another town anywhere that you think should be the model for how West Jefferson should develop, in terms of appearance, land use, development patterns, walkability, etc.?

#### Responses

Blowing Rock (2)

No, but the expansion and destruction of the small town beauty is quickly fading with so many new places popping up and spreading farther out of downtown into what should be left naturally.

Beaufort SC?

Not really town does look good but as those trees grow downtown the roots will pop the sidewalks up. The state needs a crosswalk in front of doc ryans office for people to cross. lots of traffic speeds up to beat the red light at abc store.

Blowing Rock, West Jefferson has been chasing after being like Blowing Rock for years. Blowing Rock has done well, they have 2 parking decks for visitors and business owners to use and the stores are open on the weekends to serve the visitors. West Jefferson looks like a ghost town on Sunday afternoon. Retail business owners in the town Should be open on Sunday afternoon.

Mebane, NC

I think WJ is more charming than Blowing Rock because big mountains are an imposing presence from so many different approaches. We have an opportunity to remain unique.

West Jefferson is #1 in this area, in my opinion

Greenville SC downtown streetscape.

Greenville, South Carolina

Sylva, NC. Brevard, NC. Waynesville, NC. Floyd, VA

downtown Mooresville

Eugene Oregon

I think checking out Charlotte's 2040 Comprehensive Plan would be helpful as leaders and community members engage in this process. I believe the larger ideas within this plan could be scaled down for WJ i.e. walkability, affordable housing, access to fresh food, etc. Above all else, this plan could help kickstart the process since it's very detailed. One thing from this plan I appreciated was multiple avenues for feedback from community members throughout the plans' development. For example, some folks may not have access or capabilities to utilize an online survey like this. I'd couple this approach with town halls, flyers, and perhaps conducting a survey of business and restaurants downtown. Below is a link to the plan if you'd like to consider it: <https://www.cltfuture2040plan.com/plan-policy/welcome-letter> Thanks!

Not really! Absolutely love what WJ has done!

Boone is too crowded. Blowing Rock is too ritzy. West Jefferson is the perfect medium and just needs to be protected.

"Walkability" is a buzzword for high-density housing and commerce and not enough parking. WJ should not try to emulate "walkable" cities.

A mixture of Boone and Blowing Rock. Boone has become too congested but there is a lot of support for local restaurants, stores, etc. Both Boone and Blowing Rock care tremendously about the landscape and environments around stores.

I think West Jefferson should continue to maintain its own unique character, but I'm sure we could learn from other towns as well. I don't have any suggestions though.

abingdon, va

*Table continued on next page...*

### Question #17 responses, continued...

Brevard, Waynesville

I think we have been the example!

Dahlonega, Georgia

Asheville

Blowing Rock's park and nearby library are critical assets to its shopping district. Family member scan shop while others take the play. Beats dragging uninterested family members into shops. You've used the same model. Continue to offer alternate activities to shopping in downtown district. A Greenway would be a wonderful asset (Boone and any number of towns to model.) Need better signage for the EV charging location. Need to encourage local hotels to install J1772 EV chargers and the Town needs to solicit Tesla to put in supercharger...before Boone gets one. We are in a supercharging deadzone

### Question # 18: What characteristics of that Town appeal to you?

#### Responses

character & look of town, small town charm, park/playground

Charm, maximum building height, parking, sidewalks, bike trails etc.

Its heritage. It changed a lot since the 60s but i still call it home.

The town is beautiful clean and has great potential

Walkability downtown

Small town living.

Pedestrian friendly; restaurants/open air.

They all seem to have sustainable tourism economies and inviting, walkable downtowns. Lots of promotion of recreation and natural amenities. (hiking, mountain biking, site seeing)

Everything

Walkability, green space, layout

Ensuring each smaller part of the town has its own neighborhood where everything you'd need is within 15 minutes. Engaging in affordable housing and mixed income housing so all folks have equal access to these businesses and restaurants and other needs within the same distance. Preserving the history that's there and building new when necessary.

Small town charm with historic buildings

Small shops, restaurants, friendly people

Small town appeal. Doesn't feel modern

Open, friendly

Small Town tucked away in the mountains, surrounded by meadows.

Small town, rural, local

Many local restaurants, stores, and businesses to choose from. Housing around downtown has good appearance. Little to no abandoned/dirty buildings. Lively positive vibe. Parks downtown or close by that are very well made and perfect for families. Outdoor seating/pet friendly places

Walkability and accessible parking. Public areas for outdoor concerts and activities. We need more access for outdoor dining. And the public bathrooms in WJ are the envy of many mountain towns. Those bathrooms are a big plus. Perhaps add sheltered tables for outdoor dining at that location?

walkable downtown, art, murals, restaurants

*Table continued on next page...*



### Question #18 responses, continued...

Commercial building appearances/facades, nice window displays, sidewalks on secondary streets to encourage visitor/tourist exploration

Small town USA. Very diverse downtown shopping

The town does a great job of promoting their location in the mountains and all the activities related to that location, local wineries and their quaint town charm. They have invested in the down town area, they capitalize on the aesthetics, but have enough diversity to appeal to the masses.

walkable and clean

Shopping and dining area easy to walk around, nearby parking, separate commercial and shopping mall areas. Interesting residential areas

ashe county park

Small town feel with larger town appeal. Ability to walk the town.

Small town with country charm

streetscape - walkability - historic buildings

ashe county park

Small town feel with larger town appeal. Ability to walk the town.

Small town with country charm

streetscape - walkability - historic buildings

**Question # 20: If you answered no to Question #20, what additional types of recreation features would you like to see?**

Responses
more parks
YMCA and more activities for children also offering child care or summer camps.
bicycle lanes/trails
Historic walking trails
Trails, greenways, and parks.
Hiking trails and sidewalks between towns. Instead of claiming big areas for parking and cars, I think a transportation system with the town from outlying parking areas would preserve the small town feel.
Greenway.
Walking trails (2)
Mountain biking! People who mountain bike usually have money and will spend it on local restaurants and shops. WNC is already a world class MTB destination and Ashe has perfect terrain for trails.
Outdoor stage in the park as a music venue
hiking and biking trails, greenways
I'm not sure of the recreation opportunities that are available at this point in time. But I would like to always be open to grow into new areas and new things that could be available for residents.
A ymca, more places with music and dancing
Dog park
More handicap parking
Green space, trails, bike paths, walking paths, dog parks, etc
Watauga county doesn't get it all right, but what they did get right was the Greenway Trail. The Watauga Recreation Center, along side the Greenway trail, is the only thing that is truly lacking from West Jefferson.
Dog park
Swimming pool
It would be amazing to have a nice trail or a large nice park for families to bring their children. The current park behind the library has a lot of potential but right now looks run down. There are no gyms nearby, you have to drive to Boone. It would be great to have more options for fitness centers/recreation centers.
things to do at night outdoors (not bars or clubs)
outdoor exercise equipment, bike lanes, walking routes
A walking greenway. Cyclist friendly areas. Outdoor eating locations. Town Parks programs in the summer.
mountain bike trails
Pool / splash pad, indoor recreation, climbing wall, biking trails
Maybe a decorative fountain in a town square/intersection with bench seating around it.
Biking/Walking trails
Recreation features for children and teens
More winter activities such as a snow tubing park. Possibly looking to encourage the development of a kid friendly activity center such as a trampoline park.
get little league and soccer games at the local intown park
Swimming center, ymca, bowling
biking
Expanded park areas. Basketball, Baseball/Softball, Tennis
greenway - bike trails



**Question # 21: Are you aware of any roadways, intersections, or blind spots in town that pose a safety concern? Be as specific as possible about the location and nature of the problem.**

Responses
I have witnessed many cars make a left turn on Lowes Drive. The stop sign at the intersection of Backstreet and W Main Street on the side where the Hardware Store and the Hotel mess is. The metal grate is where cars move to the middle of the road to avoid going over it and it's not safe. The parking spaces closest to the corners should be off limits in order to have a better view of who is coming up the road from Main Street. I'm thinking since a stop sign was put near Whole Lotta Donuts to have a 4 way stop, another would be good at the hardware store and hotel spot.
221 to turn onto Cranberry Springs is very dangerous
The intersection leading up to the library is steep and sometimes hard to see.
The street lights in town are to dim, they do not put out enough light at night to see pedestrians walking and crossing the streets
dogget road/4 lane & red light @ mcdonalds
Poor sight distance at the intersection of US 221 and Route 163 driving on Route 163 towards town. Crest curve issue that NCDOT should address with the future intersection improvements.
Heavy truck traffic through town is the worst. Speeding, loud, and the exhaust are dangerous and unpleasant.
Speeding through downtown West Jefferson, S. Jefferson Avenue.
All the road behind Parker Tie
Downtown in general.... The ability to cross traffic illegally at 221/lowes
Golf course road and beaver creek school road intersection.....need to slow speed limit at the curve.
The street crossing/road located between the cheese plant (where you shop and get ice cream) and the parkway theater is very hard to see to cross whichever way you approach to stop. Many times cars are lined up and down the street and it's hard to see. I think since there's been a lot of growth back behind where Parker Tie is it's also increased the traffic and parking through there.
People don't know how to use 4 way stops.
The new stop signs at mount jefferson really seem to be a problem. Also the big intersection at the medic base on 221.
Yes! Mount Jefferson Road around the area of State Farm building, civic center and vannoy dr. Horrible places to pull out and traffic just flies around that curve. Also, golf course road and beaver creek school road curve. Someone is going to get killed there because of the blind curve. Again, cars just got entirely too fast there for anyone turning left off golf course road.
N/A. The roads a fantastic.
There have been 4 accidents this year at the corner of the W 2nd Street and Wilton. I was one of them. The tree on that corner creates a blind spot. I stopped at the stop sign and looked both ways, but the truck I pulled into was in the blind spot when I checked before pulling out. There either needs to be a 4 way stop or that tree needs to come down.
The two intersections down by McDonald's/Ingles are pretty terrible. McDonald's has constantly got too much drive-through traffic and it's terrible to try to get out of there, even at the light, especially if you need to go left toward downtown.
Visibility is poor at the corner of Church Ave and Long St
Southwest corner of Wilton Ave. and Fourth St., Northeast corner of College Ave. and Second St., Parking spaces on Backstreet near-est intersection with First St., Parking spaces on Main St. (both sides) closest to Back Street, Parking space on Backstreet closest to NW corner of Main and Backstreet. When cars parked at all of these points it is difficult to cross safely. With the College and Second spot, a tree makes seeing clearly very difficult before entering the intersection traveling south on College.
Some folks turning off of N Jefferson Ave onto 2nd Street, speed (do quick sprints) down 2nd Street.
Wilton and 2nd St at Baptist church tree on corner at stop sign
certainly the one that all think, Jefferson Ave and 163 intersection
ABSOLUTELY !!!! 1. It is SO unsafe to permit left hand turns into or out of INGLES/McDonalds from 194. I have witnessed a few acci-dents and MANY near misses. No reason to permit this - utilize the light and turn onto Beaver Creek if coming from the other direction. 2. The "sharing" of Hice Avenue with the lumber facility. Trucks/forklifts pull in front of moving vehicles and or block the roadway causing issues.

Table continued on next page...

### Question #21 responses, continued...

Hwy 221 from food lion to rt 16 has too many entrances making it dangerous to pull out into traffic and traveling down the road at the current speed limit. It would be smart to close or limit the number of cuts for businesses, shopping plazas to make this more efficient and safe

courthouse/pizza hut road entering 221.

Lumber yard needs to go. It brings large trucks in and out of town, it layers the streets and businesses with soot, the road is almost impassable. Space could be better utilized

Dump trucks and semi's, should be prohibited from downtown West Jefferson.

### Question # 22: Please tell us about any road sections, sidewalks, or other public infrastructure that need to be maintained better. Be as specific as possible about the location and nature of the problem.

#### Responses

At the back of the library where there is a fairly new playground, I've seen big people playing on and breaking the children's toys. The sturdy and metal slides are really fun, especially the longest one that is SO much fun for my grandchildren. It could use a safety check and update the steps that go along the slide. If one parks at the parking lot next to the picnic shelters, there is really not a safe way for elders to go down that set of steps. Then the culvert is the only way that one can go to the swings and library. A small (and wide enough for a wheelchair) wooden bridge could be made or someway for elders to get down to push their grandchildren on the swings. I witnessed a wedding there. It's such a lovely space and my grandchildren love the literacy walk. The last story they read was Pete the Cat. I'm glad the library did that.

Hice street needs yellow line at jefferson ave. some of the street in town need a solid yellow line in middle of street and on the right and left line. on burkett avenue the townb does cut weeds once a year late in the year. the area across from pollard glass belongs to cripple creek and they do not mow it. Above pollard glass property belongs to the rental complex, they should be responsible for their property when meeting traffic its hard to pass another car and stay out of the weeds. a lot of folks do not stop at badger funeral home.

There are areas that need to be cleaned up and should be ordinances in place already to make this happen, there are old vehicles, buildings, storage trailers, etc. sitting around in different areas of town that need to be removed.

jefferson station area/hice ave

There needs to be sidewalk along Business 221 4-lane between West Jefferson and Jefferson to tie the two Town's together

The pocket community at the corner of 221 and the road leading into West Jefferson on the right gives a poor early impression of WJ. I think it should stay as low income housing but improved.

Backstreet could use more defined pedestrian and traffic lanes. Maybe a Streetscape study with cost estimates for the upgrade would be helpful.

Backstreet could use sidewalks for pedestrians

Streets of downtown West Jefferson need to be cleaned of trash and sidewalks cleaned.

The old service station beside Mastercraft is junky. The kiln dry in old Phoenix Chair is a disaster

Lack of accessible parking in downtown WJ including business owners parking in front of their business. Deters customers from shopping.

There needs to be a sidewalk along Bus 221 between the Mid-Town Convenience Store and Mt. Jefferson Road.

Flashing light at crosswalk at Pams

Backstreet sidewalks near Parsons. They fill sidewalks and walkways where pedestrians would walk with materials. There could also be more parking in those areas if parsons didn't store materials there.

The only infrastructure issue that comes to mind is the downtown (outside) public dining issue. Converting the the rooftops of buildings into terraces for public dining could solve this issue without investing into parking lots that take away beauty.

There are a few spots on the downtown sidewalks that are covered in cigarette butts and litter.

We need more sidewalks in general.

*Table continued on next page...*



### Question #22 responses, continued...

Sidewalk on east side of Jefferson Ave. from Second St. walking north on Jefferson Ave. is in need of repair or replacement. There needs to be a sidewalk on Second St (221) from Doggett Rd. to point where WJ town limits abuts town limits of Jefferson. Hice St. is in need of repair.

Complete remaining sidewalks that haven't been updated

Continue to improve sidewalks, street parking, plantings on downtown side street.

flooding by hardies on 221

Very little attention has been paid between Market Street and Ingles. This is the gateway into downtown West Jefferson and it lacks appeal until you get to the Brew Haus. Hale's tire or what ever it is called needs to be leveled and having campers out back just looks nasty.

Same as 21 above. Need a by-pass and/or another route for dump trucks, semi's, etc.

### Question # 24: Do you have any other thoughts or concerns about land use and development that weren't addressed in this survey?

#### Responses

avoid any large scale residential/commercial development

Those car shows right in the middle of downtown and other activities could be held on the Backstreet road instead of downtown. I'd love to see police stationed right at the top of W. Jefferson Ave to control foolish children who drive up rev their motors then drive down about six or seven times. Those loud shenanigans are not appreciated. It's most annoying to try to get anywhere when that activity is happening. Taking it to the back part of the town would be much better. There is the grassy spot where the caboose is, people can sit and watch cars drive by and the traffic would not be horrible for people who don't care to have that noisy inconvenience. A few months ago, there was road construction that began at 10:00 PM and it was ridiculous. I have asthma and the tar smell came into the house with all the windows closed. There was a new mom and her newborn baby at a house close by. When I called Town Hall the next day to find out why road construction would be taking place with bright lights and all those vehicles at night in residential areas going up N. Jefferson Ave and up to 7th Street, Brantley Price told me that the town Board voted for night time road construction so as not to affect downtown businesses and it only happens every 10 years or so. What about people inside their homes who can't afford to go to a hotel to sleep because of health problems? Please consider how you would feel if it happened where you live for 4 to 6 hours in the middle of the night..

It may be helpful to install a roof over the sidewalks in the shopping district of South Jefferson Avenue to protect shoppers against the rain.

The number one thing the town needs to do is buy the old Thomasville plant location and build a nice large parking deck and create some green space and shops in that area that will be open on weekends for locals and visitors to enjoy.

rather than expanding or annexing property outside of WJ I believe the town should focus on continued growth and restoration in the downtown area

All development in West Jefferson town limits and ETJ should be sustainable.

Billboards on 221 undermine our image there at the foot of beautiful Mount Jefferson—poor impression right off the bat; commercial development in that corridor is unavoidable but keeping down the obnoxious lighting and increasing the trees should be emphasized. I think water and sewer should be extended to existing structures in the jurisdiction.

Abandoned/run down property in the county should be addressed; laws passed to require owners to clean up & maintain. Example: SEVERAL houses/trailers on Mulatto Mtn Rd

Accelerate cooperation with the Northern Peaks Trail Master Plan. A truck route and road diet may be needed.

Non-polluting industry that preserve natural resources and health of the residents should be encouraged.

Excited to see the growth of the town and surrounding area, and I hope that we maintain a sustainable growth that keeps the small town character and feel of West Jefferson. Short term rentals and the rise of remote work are opportunities for West Jefferson to grow but also threaten the character of the town.

*Table continued on next page...*

### Question #24 responses, continued...

I think the Town should promote tourism by preserving the rural character of the ETJ area, promoting re-development/ growth within the downtown area (i.e. building on empty or underutilized lots), and providing more recreational opportunities for both residents and tourists.

Yes, we could be a model green community: energy efficient buildings , solar retrofits, green spaces, greenways

Yes adult entertainment after 9pm

As to providing water and sewer, to new development, etc. town should only provide water and sewer if they have the ability to do so currently and in the future.

I think there is plenty of commercial land and existing space that needs to be used prior to considering expansions. All along Mount Jefferson rd, downtown building, and beside of ingles all together tons of large existing buildings.

Please, please, please, do not allow big box stores to enter our community. The locals, and the future locals, do NOT want a Chilis, Applebee's, or Best Buy to enter our town. Boone will soon be too big. Do not let Boone's growth change the atmosphere of West Jefferson.

Keep WJ rural!

Using Marion Va as an example, do a historic survey, add markers that tell about any famous people from WJ or detail historic events of the area. Walking maps of downtown.

none. Thanks for the opportunity to express my opinion.

The town needs to push for a truck bypass to keep large dump trucks and tractor trailers out of downtown area.

Make the entire town more pedestrian and or bike friendly.

Best use for downtown buildings/building owners should focus on the types of businesses/shops that attract tourist and aid in the growth of the towns economy.

Get additional opinions like you are doing here

Planning for growth must include all infrastructure: schools, fire, police, medical, traffic to avoid overcrowding or not enough resources to meet needs

more bike trails

If we need additional funds to support the work of maintaining and improving the Town through adequate compensation and updated equipment, I support an increase in property taxes.

## Stakeholders

In order to ensure that the concerns of various interest groups are reflected in the plan, a variety of stakeholders were interviewed. Unlike a survey where space is limited and a dialogue is not possible, interviews allow persons to elaborate on their answers and explain in detail their concerns.

The following persons were interviewed:

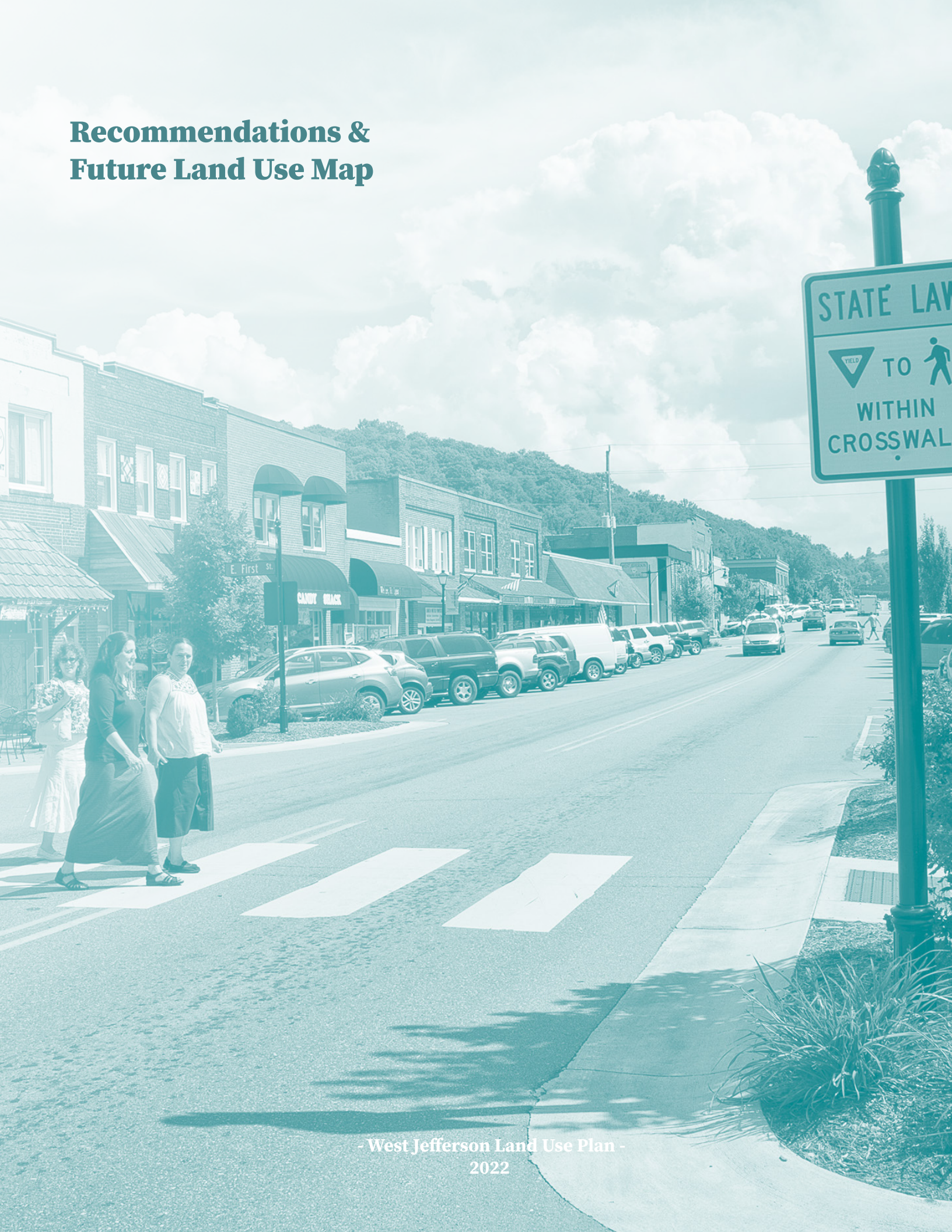
Resident- Kyle Hall  
Chamber of Commerce- Kitty Honeycutt, Executive Director  
Developer- Len Horton  
Realtor- Amy Spell  
Ashe County- Cathy Barr  
Jefferson Station owner- Tom Banks  
Farmers Market- Carol Griffith  
Business- Ashe County Cheese, Josh Williams  
Greenfield Campground- Eddie Smith  
Tourism Development Authority- Josh Williams

Following are highlights of the interviews and issues that were mentioned more than once (in no particular order):

- The proposed truck bypass (of downtown) needs to be constructed.
- The scarcity of affordable housing is an issue.
- Three large industrial-type properties in the downtown area need to be redeveloped into uses more suitable for their location.
- Land might be priced too high for the development of residential subdivisions. Little prospect for new residential subdivisions.
- County economic development efforts are concentrated on industrial development. Most economic development activity is concentrated in West Jefferson.
- The downtown streetscape has probably had the most positive impact on West Jefferson in the past decade.
- People want to live in or near downtown.
- Some concern was expressed about property maintenance; need for better enforcement or need for a minimum housing code.



# Recommendations & Future Land Use Map





## Recommendations

The following recommendations are numbered for reference purposes, but they are in no particular order or priority.

### 1. Allow accessory dwelling units as a permitted use in the residential districts.

An accessory dwelling unit (ADU for short) is “a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home.” (American Planning Association). These units are an excellent method of increasing housing affordability in a community - both for the tenant and the owner. They are often small in size - averaging 500 ft<sup>2</sup> - and can take several different forms, as shown in the illustration below. For homeowners, they represent an additional revenue stream (via rent) to help offset housing costs. They also are popular options for multi-generational families to allow the elderly to age in place or young adults to get a semi-independent start in life. For tenants, they represent an affordable housing option. Their size and subordinate status means they often cost significantly less to rent than a full-size home or apartment. Permitting accessory dwelling units is an easy method for increasing the availability of workforce housing. Parking and setbacks would have to be addressed.



Example of an ADU.  
Photo Credit: NC School of Government

### 2. Amend the zoning ordinance to allow single-family residences as a permitted use in commercial zoning districts.

The town has many non-conforming homes in commercial zoning districts. When a home is being sold, getting a mortgage to purchase such a house is difficult because banks don't want to lend for a non-conforming use. As a result, purchasers frequently request rezoning from the Town.

### 3. Adopt a minimum housing code.

Minimum housing codes, as their name suggests, set forth bare minimum standards that structures must meet for human habitation. Their purpose is two-fold: to protect

the health and wellbeing of occupants, and to protect the health and community character of neighborhoods. They are intended to address only the most egregious examples of dilapidation, disrepair, sanitation, and infestation. They act as a final fail-safe and are not intended to address minor or merely cosmetic issues. West Jefferson should adopt a complaint-driven, basic minimum housing code that requires minimal staff time for enforcement. An example minimum housing code from the nearby community of Wilkesboro, NC is attached in the Appendix for reference.

### 4. Use density bonuses to incentivize the construction of affordable multi-family housing by private developers.

To increase project viability and attract workforce housing development, West Jefferson should offer developers a reduction in minimum lot sizes and setbacks if they commit to leasing or selling their units at a price that is affordable for the median household in Ashe County. West Jefferson could offer this incentive townwide or in targeted geographic areas as determined by the Planning Board and Town Council.

### 5. Preserve the viability of West Jefferson's infrastructure network by evaluating requests for annexations or dedication of new roadways through the lens of revenue versus long-term costs.

Extending the Town's infrastructure network (water, wastewater, roads, or sidewalks) also increases the amount of long-term maintenance costs that will eventually come due. This plan recommends that the Town carefully consider any future requests for annexation or street dedication through the lens of return on investment. For annexations, this means only accepting a request for annexation if the property is already served by existing infrastructure or if the additional property tax generated by the annexation is enough to cover the cost of any new infrastructure that is extended to the annexed property. For roadway dedication requests within the existing corporate limits, this means only accepting maintenance responsibility for a street if the developer can demonstrate that improvements on the adjoining properties (by virtue of the new street access) will cover the cost of long-term maintenance of the street plus any other infrastructure extensions. Adopt a formal policy(ies) for evaluating these requests. Performing these calculations will prevent the Town from compromising its long-term financial health or the viability of its utility systems.

### 6. Adopt commercial property maintenance standards.

The majority of respondents in the public input survey indicated that they would support adoption of commercial property maintenance standards. Commercial property maintenance standards set forth minimum requirements for exterior upkeep of buildings. They do not dictate interior appearance. West Jefferson should adopt a basic set of complaint-driven commercial property maintenance standards. The basic premise of such standards is that windows, doors, yard, etc. do not exhibit evidence of vacancy.



**7. Expand the sidewalk network and fill in gaps within the existing network as recommended in the Town's pedestrian plan.**

**8. Revise the zoning ordinance, add illustrations, and incorporate a permitted uses chart to increase accessibility.**

Although the zoning ordinance was recently amended to comply with state-mandated changes, further revisions are needed to delete obsolete sections and clarify regulations. The Town should add illustrations and charts to help explain concepts such as building setbacks or minimum lot sizes. Also, the Town should add a permitted use table. These allow developers, staff, and Board members to quickly ascertain in which districts certain uses are permitted.

**9. Adopt basic stormwater regulations.**

As detailed in the information and map on pg. 18-19, stormwater runoff is a major issue for the Town of West Jefferson. However, the Town's zoning ordinance contains little regulation or direction concerning stormwater requirements. West Jefferson should adopt a basic stormwater management ordinance to mitigate future issues as the Town continues to grow. An example developed by the High Country Council of Governments is included within the Appendix.

**10. Add standards stipulating that all new street lighting meet requirements designed to limit light pollution.**

West Jefferson should adopt regulations within its zoning ordinance and sign ordinance that require public or commercial lighting to be directed downward. A model dark sky lighting ordinance is included in the appendix.

**11. Adopt steep slope regulations to protect neighboring property owners.**

West Jefferson should adopt steep slope provisions to protect neighboring property owners against development activities and practices that could cause mudslides, severe runoff, or well contamination. Examples of regulations include maximum height of retaining walls, landscaping, and grade of cut slopes.

**12. Follow recommendations in the upcoming stormwater management plan.**

The Town is currently developing a stormwater management plan that will include recommendations for stormwater control devices that will retain, filter, and slowly release rainwater rather than channeling it immediately and directly into streams or back to the surface, therefore mitigating flooding.

**13. Periodically review parking requirements for large commercial and industrial development in the highway commercial and industrial districts to ensure minimums are justified.**

Private parking lot standards for large commercial retail developments are often excessive, resulting in many empty spaces most of the time. Parking requirements increase development costs and stormwater runoff, consume space, and reduce tax value per acre.

**14. Work with the RPO to move forward with the proposed Hwy 194 Bypass.**

The proposed bypass was mentioned favorably by several stakeholders and survey respondents as a way to divert noisy truck traffic from downtown. The bypass would extend from Hwy 88 just west of Jefferson and connect Mount Jefferson Road where it intersects Business 221.

**15. Rezone the Conditional District to Community Shopping**

The Conditional District is a small zone in downtown that consists mostly of the Jefferson Station property and abuts the Community Shopping District. The permitting process created for this district is complicated and overly restrictive, as it is subdivided into many sections with narrow uses. Much of the existing use already conforms to the neighboring Community Shopping District, and the Town desires that any nonconforming parcels should be redeveloped to uses allowed in the Community Shopping zone. Rezoning this district will allow owners of Jefferson Station more flexibility in developing the property, relieve the Town of a complex administrative procedure, and direct redevelopment toward uses more appropriate for the downtown location.

**16. Consult with the North Carolina Forest Service about urban forestry practices that might be appropriate for West Jefferson.**

In the survey, 58% said tree planting should be a high priority and 29% identified it as a medium priority. The North Carolina Forest Service offers a grant program that will help pay for a tree inventory and assessment, tree protection ordinance development, tree plantings, and tree care education, among other initiatives.

**17. Investigate the possibility of a lengthy trail somewhere in town.**

75% of survey respondents said the town needs more recreation opportunities and the clear favorite recreation feature was trails/greenways. The sidewalk recommendations from the pedestrian plan might be a good starting point. The pedestrian plan also recommends a couple of routes for walking trails.

**18. Consider larger directional signage for parking, and more promotion through visitor information materials.**

The parking study showed empty spaces were available even during the busiest days and hours.

**19. Continue to evaluate the extent of the ETJ for possible reduction, considering factors such as the availability of water and sewer, and the likelihood of future development.**

**20. Review subdivision ordinance for possible revisions.**

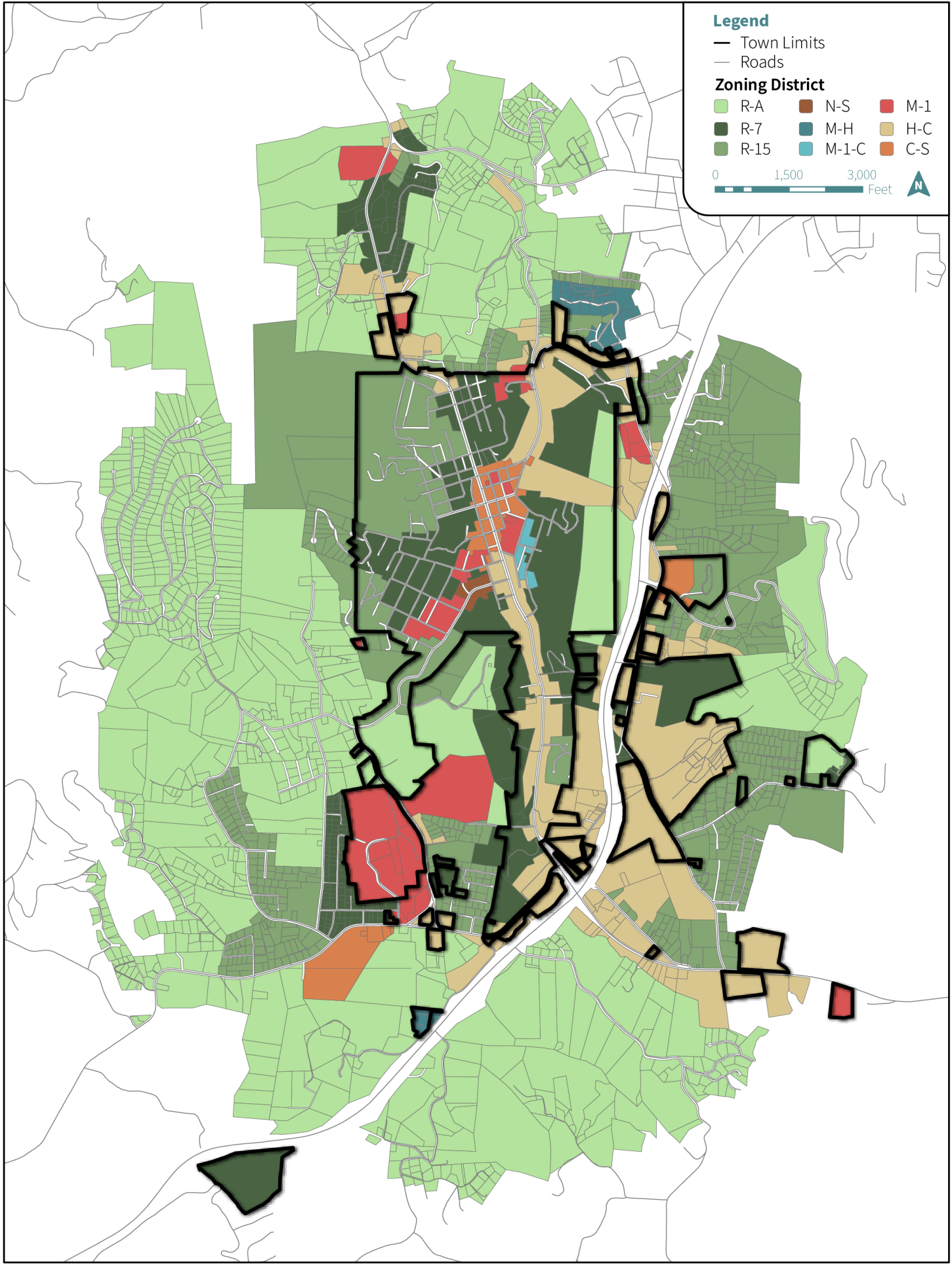
Some of the regulations might need to be relaxed to be in line with other towns.

**21. Rezone - into a single district - parcels split into two or more districts, by analyzing existing land use, the amount of land covered by each zone, the zoning designation of adjacent parcels, etc. in order to determine the appropriate uniform zoning district for each parcel.**

Following is the recommended zone for each parcel:

Parcel #	Recommended zone for entire parcel
1060	community shopping
1283	medium residential
1597	medium residential
1612	medium residential
1666	medium residential
1667	medium residential
3218	industrial
3151	residential agriculture
7091	highway commercial
7100	medium residential
7102	medium residential
7491	highway commercial
1677	medium residential
1678	medium residential
1679	medium residential
1680	medium residential
1737	highway commercial
1742	medium residential





# **Appendix A**

## Wilkesboro Housing Code





# Minimum Housing Code

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Town of Wilkesboro

2/3/2003

**BE IT ORDAINED** by the Board of Commissioners of the Town of Wilkesboro, North Carolina:

**Part 1.** That Chapter 5, Article IV, Sections 5-56 through 5-60 is hereby repealed and Sections 5-39 through 5-55 is hereby renamed and rewritten in its entirety to read as follows:

## **“ARTICLE V. MINIMUM HOUSING STANDARDS**

### **Section 5-39 Findings; Purpose; Authority.**

Pursuant to Section 160A-441 of the General Statutes of North Carolina, it is hereby found and declared that there exist in the Town dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and due to other conditions rendering such dwellings unsafe and unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the Town.

In order to protect the health, safety and welfare of the residents of the Town, as authorized by Part 6 of Article 19, Chapter 160A of the General Statutes of North Carolina, it is the purpose of this Article to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by Section 160A-444 of the General Statutes of North Carolina.

In addition, it is hereby found and declared, under the authority of North Carolina General Statutes 160A-174, that there exist in the Town dwellings which, although not meeting the classification as unfit for human habitation, fail to fully comply with all the minimum standards for housing fitness as established herein and therefore have present one or more conditions which are inimical to the public health, safety and general welfare. Such conditions, if not corrected can lead to deterioration and dilapidation of dwellings which render them unfit for human habitation.

### **Section 5-40 Scope.**

- (a) This Article is hereby declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof which are public safety, health and general welfare through structural strength, stability, sanitation, adequate light and ventilation and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, use and occupancy of dwellings, apartment houses, rooming houses or buildings, structures or premises used or intended for use as such.
- (b) The provisions of this Article shall apply to all existing housing and to all housing hereafter constructed within the corporate limits of the Town. Portable, mobile or demountable buildings or structures, including trailers, manufactured homes and mobile homes when used or intended for use for housing within the jurisdiction, shall be subject to the applicable



provisions of this Article. This Article establishes minimum requirements for the initial and continued occupancy of all buildings used for human habitation and does not replace or modify requirements otherwise established for the construction, repair, alteration or use of buildings, equipment or facilities except as provided in this Article.

- (c) The provisions of this Article shall also apply to abandoned structures which are found by the Board of Commissioners to be a health or safety hazard as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children or frequent use by vagrants as living quarters in the absence of sanitary conditions.

#### **Section 5-41 Definitions.**

The following definitions shall apply in the interpretation and enforcement of this Article:

**Abandoned Structure.** Any structure, whether designed and intended for residential or other uses, which has been vacant or not in active use, regardless of purpose or reason, for the past two-year period and which is determined by the Housing Inspector to be unfit for human habitation or occupancy based upon the standards as set forth in this Article.

**Basement.** A portion of a building which is located partly underground, having access to light and air from windows located above the level of the adjoining ground.

**Cellar.** A portion of a building located partly or wholly underground having inadequate access to light and air from windows located partly or wholly below the level of the adjoining ground.

**Deteriorated Dwelling.** A dwelling that is unfit for human habitation and can be repaired, altered or improved to comply with all of the minimum standards established by this Article, *at a cost not in excess of fifty percent of its value*, as determined by finding of the Housing Inspector.

**Dilapidated Dwelling.** A dwelling that is unfit for human habitation and cannot be repaired, altered or improved to comply with all of the minimum standards established by this Article, *at a cost not in excess of fifty percent of its value*, as determined by finding of the Housing Inspector.

**Dwelling.** Any building, structure, manufactured home or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any accessory buildings and structures and appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any manufactured home or mobile home, which is used solely for a seasonal vacation purpose.

**Dwelling Unit.** Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

**Extermination.** The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by

poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the Housing Inspector.

**Garbage.** The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**Habitable room.** A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, heater rooms, foyers or communicating corridors, closets and storage spaces.

**Housing Inspector.** The person appointed by the Town Manager to carry out the administration and enforcement of this Article.

**Infestation.** The presence, within or around a dwelling, of any insects, rodents or other pests in such number as to constitute a menace to the health, safety or welfare of the occupants or to the public.

**Manufactured Home (Mobile Home).** A structure as defined in G.S. 143-145(7).

**Multiple Dwelling.** Any dwelling containing more than two dwelling units.

**Occupant.** Any person over one year of age living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit or rooming unit.

**Operator.** Any person who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are let.

**Owner.** The holder of the title in fee simple and every mortgagee of record.

**Parties in Interest.** All individuals, associations and corporations who have interests of record in a dwelling and any who are in possession thereof.

**Public Authority.** Any housing authority or any officer who is in charge of any department or branch of the government of the Town, County, or State relating to health, fire, building regulations, or other activities concerning dwellings in the Town.

**Rooming House.** Any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband and wife, son or daughter, mother or father or sister or brother of, the owner or operator.

**Rooming Unit.** Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.



**Rubbish.** Combustible and noncombustible waste materials except garbage and ashes, and the term shall include, but not be limited to, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust.

**Supplied.** Paid for, furnished or provided by, or under the control of, the owner or operator.

Whenever the words "dwelling", "dwelling unit", "rooming house", "rooming unit" or "premises" are used in this Article, they shall be construed as though they were followed by the words "or any part thereof".

#### **Section 5-42 Office of Housing Inspector Created; Powers and Duties.**

For the purposes of administering and enforcing the provisions of this Article the office of Housing Inspector is hereby created. The Housing Inspector shall be appointed by the Town Manager, and shall have such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Article, including, without limiting the generality of the foregoing, in addition to others herein granted, the following powers:

(a) Investigations

To investigate the dwelling and building conditions in the Town in order to determine which dwellings therein are unfit for human habitation and dangerous, being guided in such examination of dwellings and buildings by the requirements set forth in this Article.

(b) Oaths, witnesses, etc.

To administer oaths and affirmations and to examine witnesses and receive evidence.

(c) Right of Entry

To enter upon and within premises and dwellings for the purpose of making examinations and investigations; provided, that such entries shall be made in such a manner as to cause the least possible inconvenience to the persons in possession.

(d) Warrants; Citations, etc.

To swear criminal warrants, issue civil citations and to take such other actions as may be necessary to carry out the enforcement procedures of this Article.

(e) Delegation of functions, etc.

To delegate any of his functions and powers under this Article to such officers and agents as he may designate.

### **Section 5-43 Inspections.**

For the purpose of carrying out the intent of this Article, the Housing Inspector, upon proper identification, is hereby authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming houses, rooming units and premises, including abandoned structures. The owners or occupants of every dwelling, dwelling unit, rooming unit, or rooming house, or the person in charge thereof, shall give the Housing Inspector free access to such dwelling, dwelling unit, rooming house or rooming unit, and its premises, at all reasonable times for the purposes of such inspection, examination and survey. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, and its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this Article or with any lawful order issued pursuant to the provisions of this Article.

### **Section 5-44 Preliminary Investigations; Notices; Hearings.**

Whenever a petition is filed with the Housing Inspector by a public authority or by at least five (5) residents of the Town charging that any dwelling is unfit for human habitation or whenever it appears to the Housing Inspector (on his own motion) that any dwelling is unfit for human habitation, the Housing Inspector shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner and parties in interest in such dwellings a complaint stating the charges in that respect and containing a notice that a hearing will be held before the Housing Inspector (or his designated agent) at a place within the Town therein fixed not less than 10 days nor more than 30 days after the serving of the complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Housing Inspector. Upon the issuance of a complaint and notice of hearing pursuant to this Section, the Inspector may cause the filing of a notice of lis pendens, with a copy of the complaint and notice of hearing attached thereto, in the Office of the Clerk of Superior Court of Wilkes County, to be indexed and cross-indexed in accordance with the indexing procedures of the North Carolina General Statutes. The Inspector shall cause a copy of the notice of lis pendens to be served upon the owners and parties in interest in the dwelling at the time of filing in accordance with Section 160A-445 of the North Carolina General Statutes, as applicable. Upon compliance with the requirements of any order issued based upon such complaint and hearing, the Inspector shall direct the Clerk of Superior Court to cancel the notice of lis pendens.

### **Section 5-45 Dwelling Unfit for Human Habitation.**

The Housing Inspector shall determine that a dwelling is unfit for human habitation if he finds that any one of the following conditions exist in such dwelling:

- (a) Interior walls or vertical studs which seriously list, lean or buckle to such an extent as to render the dwelling unsafe.



- (b) Supporting member or members which show thirty-three (33) percent or more damage or deterioration, or non-supporting, enclosing or outside walls or covering which shows fifty (50) percent or more of damage or deterioration.
- (c) Floors or roofs which have improperly distributed loads, which are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
- (d) Such damage by fire, wind or other causes as to render the dwelling unsafe.
- (e) Dilapidation, decay, unsanitary conditions or disrepair which is dangerous to the health, safety or welfare of the occupants or other people in the Town.
- (f) Inadequate facilities for egress in case of fire or panic.
- (g) Defects significantly increasing the hazards of fire, accident or other calamities.
- (h) Lack of adequate ventilation, light, heating or sanitary facilities to such extent as to endanger the health, safety or general welfare of the occupants or other residents of the Town.
- (i) Lack of proper electrical, heating or plumbing facilities required by this Article which constitutes a definite health or safety hazard.
- (j) Lack of connection to a potable water supply and/or to the public sewer or other approved sewage disposal system, the lack of either one of which renders a dwelling unfit for human habitation. For the purposes of this standard, a dwelling is not connected to a potable water supply if the water supply has been "cut off" because of nonpayment of the water bill or otherwise or if the system for any reason is not receiving a flow of potable water to the tap.

In addition to the ten (10) conditions stated above, any one of which renders a dwelling unfit for human habitation, the Housing Inspector shall determine that a dwelling is unfit for human habitation if he finds that a dwelling fails to fully comply with seven (7) or more of the following enumerated standards of dwelling fitness:

## **STRUCTURAL STANDARDS**

### Structural Integrity

- (1) Walls, partitions, supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.

### Supports

- (2) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.

#### Foundations

- (3) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.

#### Steps

- (4) Steps, stairs, landings, porches or other parts or appurtenances shall be maintained in such condition that they will not fail or collapse.

#### Egress

- (5) Adequate facilities for egress in case of fire or panic shall be provided.

#### Interior Materials

- (6) Interior walls and ceilings of all rooms, closets and hallways shall be furnished of suitable materials which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in such a manner so as to enable the occupants to maintain reasonable privacy between various spaces.

#### Weatherization

- (7) The roof, flashings, exterior walls, basement walls, floors and all doors and windows exposed to the weather shall be constructed and maintained so as to be weather and watertight.

#### Chimneys

- (8) There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling, or in such condition or location as to constitute a fire hazard.

#### Floors

- (9) There shall be no use of the ground for floors, or wood floors on the ground.



## **PLUMBING STANDARDS**

### Facilities

- (10) Each dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, water closet, and an adequate supply of both cold water and hot water. All water shall be supplied through an approved pipe distribution system connected to a potable water supply. For the purposes of this standard, a dwelling is not connected to a potable water supply if the water supply has been "cut off" because of non-payment of the water bill or otherwise or if the system for any reason is not receiving a flow of potable water to the tap.

### Maintenance

- (11) All plumbing fixtures shall meet the standards of the Town Plumbing Code and shall be maintained in a state of good repair and in good working order.

### Accessible

- (12) All required plumbing fixtures shall be located within the dwelling and be accessible to the occupants of the same. The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.

## **HEATING STANDARDS**

### Generally

- (13) Every dwelling shall have facilities for providing heat in accordance with either paragraph (a) or (b) below. Such facilities shall be maintained in a state of good repair and good working order.
- (a) Central and electrical heating systems. Every central or electric heating system shall be of sufficient capacity so as to heat all habitable rooms, bathrooms and water closet compartments in every dwelling to which it is connected with a minimum temperature of seventy (70) degrees Fahrenheit measured at a point three (3) feet above the floor during average winter conditions.
  - (b) Other heating facilities. Where a central or electric heating system is not provided, each dwelling shall be provided with sufficient electrical receptacles, fireplaces, chimneys, flues or gas vents whereby heating appliances may be connected so as to heat all habitable rooms, bathrooms and water closet compartments with a minimum temperature of seventy (70) degrees Fahrenheit measured three (3) feet above the floor during average winter conditions.

## **ELECTRICAL STANDARDS**

### Wiring

- (14) Every dwelling shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two floor or wall type electrical convenience receptacles, connected in such manner as determined by the Town Electric Code. There shall be installed in every bathroom, water closet room, laundry room and furnace room at least one supplied ceiling or wall type electric light fixture. In the event wall or ceiling light fixtures are not provided in any habitable room, then each such habitable room shall contain at least three floor or wall type electric convenience receptacles.

### Hall Lights

- (15) Every public hall and stairway in every multiple dwelling shall be adequately lighted by electric lights at all times when natural light is not sufficient.

### Maintenance

- (16) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the Town Electric Code.

## **VENTILATION STANDARDS**

### Generally

- (17) Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be ten percent of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light obstructions are located less than five feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight type window in the top of such a room, the total window area of such skylight shall equal at least fifteen percent of the total floor area of such room.

### Habitable rooms

- (18) Every habitable room shall have at least one window or skylight which can easily be opened, or such other device as will adequately ventilate the room. The total openable window area in every habitable room, shall be equal to at least forty-five percent of the minimum window area



size or minimum skylight type window size as required, or shall have other approved equivalent ventilation.

#### Bathroom and water closet room

- (19) Every bathroom equipped with more than one water closet compartment shall comply with the light and ventilation requirements for habitable rooms.

### **SPACE, USE AND LOCATION STANDARDS**

#### Room sizes

- (20) Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the Town Residential Building Code. (Floor area shall be calculated on the basis of habitable room area. However, closet area and wall area within the dwelling may count for not more than ten percent of the required habitable floor area. The floor area of any part of any room where the ceiling height is less than four and one-half feet shall not be considered as a part of the floor area in computing the total area of the room to determine maximum permissible occupancy.) Every dwelling unit shall contain at least one hundred fifty (150) square feet of habitable floor area for the first occupant, at least one hundred (100) square feet of additional habitable area for each of the next three (3) occupants, and at least seventy-five (75) square feet of additional habitable floor area for each additional occupant. In every dwelling unit and in every rooming unit, every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and over, and at least thirty-five (35) square feet of floor area for each occupant under twelve (12) years of age.

#### Ceiling Height

- (21) At least one-half of the floor area of every habitable room shall have a ceiling height of not less than seven feet and six inches.

#### Cellar

- (22) No cellar shall be used for living purposes unless:
- (a) the floor and walls are substantially watertight;
  - (b) the total window area, total operable window area and ceiling height are equal to those required for a habitable room;
  - (c) the required minimum window area of every habitable room is entirely above the grade adjoining such window area, except where the windows face a stairwell, window well or access way.

## **SAFE AND SANITARY MAINTENANCE STANDARDS**

### Exterior foundation, walls and roofs

- (23) Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof; shall be kept in sound condition and good repair; shall be capable of affording privacy; shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon. Every exterior wall shall be protected with paint or other protective covering to prevent the entrance of penetration of moisture or the weather.

### Interior floors, walls and ceilings

- (24) Every floor, interior wall and ceiling shall be substantially rodent proof; shall be kept in sound condition and good repair; and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

### Windows and doors

- (25) Every window, exterior door, basement or cellar door and hatchway shall be substantially weather tight, water tight and rodent proof; and shall be kept in sound working condition and good repair.

### Stairs porches and appurtenances

- (26) Every inside and outside stair, porch and any appurtenances thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.

### Bathroom and kitchen floors

- (27) Every bathroom and kitchen floor surface and water closet compartment floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in sound condition and good repair.

### Supplied facilities

- (28) Every supplied facility, piece of equipment or utility which is required under this Article shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

### Drainage



- (29) Every yard shall be properly graded so as to obtain thorough drainage and so as to prevent the accumulation of stagnant water.

### Smoke Detector Systems

- (30) Every dwelling unit shall be provided with an approved listed smoke detector installed in accordance with the manufacturer's recommendations and listing. When activated, the detector shall provide an audible alarm. The detector shall be tested in accordance with and meet the requirements of UL 217, Single and Multiple Station Smoke Detectors.

## **INSECT, RODENT AND INFESTATION CONTROL STANDARDS**

### Screens

- (31) For protection against mosquitoes, flies and other insects ever, dwelling shall have:
- (a) Supplied and installed screens on every door opening leading directly from the dwelling to outdoor space. Except, that sliding doors, doors with self-closing devices, doors on mobile homes with self-closing devices and doors that open into rooms of living spaces that are artificially ventilated or air conditioned are exempt from this provision.
  - (b) Supplied and installed screens on every window or other device with an opening to outdoor space, except that this requirement shall not apply for any room or rooms of a dwelling that are ventilated year round with an operable and installed heating and air conditioning system.

### Rodent control

- (32) Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with screens installed or such other approved device as will effectively prevent their entrance.

### Infestation

- (33) Every dwelling shall be maintained in a manner to be free of any infestations of insects, rodents or other pests. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Whenever infestation exists in two or more of the dwelling units in any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

### Rubbish storage and disposal

- (34) Every dwelling shall be supplied with approved containers and covers for storage of rubbish as required by Town ordinances, and the owner, operator or agent in control of such dwelling or dwelling unit shall be responsible for the removal of rubbish.

### Garbage storage and disposal

- (35) Every dwelling shall be supplied with an approved garbage disposal facility, which may be an adequate mechanical garbage disposal unit (mechanical sink grinder) in each dwelling unit or an incinerator unit, to be approved by the Inspector, in the structure for the use of the occupants of each dwelling unit, or an approved outside garbage container as required by Town ordinances.

## **ROOMING HOUSE STANDARDS**

All of the provisions of this Article, and all of the minimum standards and requirements of this Article, shall be applicable to rooming houses, and to every person who operates a rooming house or who occupies or lets to another for occupancy any rooming unit in any rooming house, except as provided in the following Subsections:

### Water closet, hand lavatory and bath facilities

- (36) At least one water closet, lavatory basin and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four rooms within a rooming house wherever such facilities are shared. All such facilities shall be located within the residence building served, shall be directly accessible from a common hall or passageway and shall not be more than one story removed from any of the persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times. Such required facilities shall not be located in a cellar.

### Minimum floor area for sleeping purposes

- (37) Every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and over and at least thirty-five (35) square feet of floor area for each occupant under twelve (12) years of age.

### Sanitary conditions

- (38) The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for the sanitary maintenance of every other part of the rooming house; and shall be further responsible for the sanitary maintenance of the entire premises



where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.

### Sanitary facilities

- (39) Every water closet, flush urinal, lavatory basin and bathtub or shower required by Subsection (37) of this Section shall be located within the rooming house and within a room or rooms which afford privacy and are separate from the habitable rooms, and which are accessible from a common hall and without going outside the rooming house or through any other room therein.

[Note: Full compliance with a standard means that if any part of the stated standard is not complied with by a particular dwelling then that dwelling has failed to fully comply with the enumerated standard. For example, in regard to standard #10, if all standards are met in a dwelling except that a supply of hot water is not provided then the dwelling fails to fully comply with standard #10.]

### **Section 5-46 Dwellings Not in Compliance But Not Unfit for Human Habitation.**

In any case where the Housing Inspector determines that a dwelling fails to fully comply with one or more but less than seven (7) of the above enumerated standards of dwelling fitness, such dwelling shall not be found to be unfit for human habitation and shall not be subject to the procedures and remedies as provided for in this Ordinance for dwellings unfit for human habitation. Each such failure of noncompliance, however, shall constitute a violation of the terms of this Ordinance and shall subject the violator to the penalties and enforcement procedures, civil or criminal or both, of Chapter 1, Section 51, of the Town Code of Ordinances.

In making the determination as described in this Section, the Housing Inspector shall not be required to make notice and hold the hearing as called for in Section 5-44, but the Housing Inspector may do so if the determination of the severity and classification of dwelling fitness is not clear to the Housing Inspector upon preliminary investigation.

### **Section 5-47 Procedure After Hearing; Order.**

If, after notice and hearing, the Housing Inspector determines that the dwelling under consideration is unfit for human habitation in accordance with the standards set forth above, he shall state in writing his findings of fact in support of that determination and shall issue and cause to be served upon the owner thereof an order:

- (a) If the repair, alteration or improvement of the dwelling can be made at a cost of less than fifty (50) percent of the value of the dwelling, requiring the owner, within the time specified, to repair, alter or improve the dwelling in order to render it fit for human habitation or to vacate and close the dwelling as a human habitation, based upon the Housing Inspector's standards for closing dwellings;

OR

- (b) If the repair, alteration or improvement of the dwelling cannot be made at a cost of less than fifty (50) percent of the value of the dwelling, requiring the owner, within the time specified in the order, to remove or demolish such dwelling.

If, after notice and hearing the Housing Inspector determines that the dwelling under consideration is not unfit for human habitation but is not in full compliance with one or more standards of dwelling fitness as set forth above, he may proceed with the enforcement procedures of Chapter 1, Section 51, of the Town Code of Ordinances, civil or criminal or both.

Whenever a determination is made pursuant to Subsections (a) or (b) of this Section that a dwelling must be vacated and closed, or removed or demolished, under the provisions of the Section, notice of the order shall be given by first-class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of forty-five (45) days from the mailing of such notice shall be given before removal or demolition by action of the Inspector, to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The Inspector shall certify the mailing of the notices, and the certifications shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the Inspector to wait forty-five (45) days before causing removal or demolition.

#### **Section 5-48 Failure to Comply with Order.**

- (a) If the owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the Housing Inspector may:
  - (1) Cause the dwelling to be repaired, altered or improved or to be vacated and closed.
  - (2) Cause to be posted on the main entrance of any such dwelling, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a violation of this Article.
- (b) If the owner fails to comply with an order to remove or demolish the dwelling, the Housing Inspector may:
  - (1) Cause such dwelling to be vacated and removed or demolished.
  - (2) Cause to be posted on the main entrance of any such dwelling, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a violation of this Article.



- (c) The duties of the Housing Inspector set forth in Subsections (a) and (b) shall not be exercised until the Board of Commissioners shall have by ordinance ordered the Housing Inspector to proceed to effectuate the purpose of this Article with respect to the particular property or properties which the Housing Inspector shall have found to be unfit for human habitation and which property or properties shall be \_\_\_\_\_ described in the ordinance. No such ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with the Housing Code. For the purposes of this subsection, a period of ninety (90) days following the date of the Housing Inspector's order shall constitute a reasonable opportunity. This ordinance shall be recorded in the Office of the Register of Deeds in the county wherein the property or properties are located and shall be indexed in the name of the property owner in the grantor index.
- (d) The amount of the cost of repairs, alterations or improvements, or vacating and closing, or removal or demolition by the Housing Inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of the General Statutes of North Carolina. If the dwelling is removed or demolished by the Housing Inspector, he shall sell the materials of the dwelling, and any personal property, fixture or appurtenances found in or attached to the dwelling, and shall credit the proceeds of the sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Superior Court by the Housing Inspector, shall be secured in a manner directed by the Court, and shall be disbursed by the Court to the persons found to be entitled thereto by final order of the decree of the Court.
- (e) If any occupant fails to comply with an order to vacate dwelling, the Housing Inspector may file a civil action in the name of the Town to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any persons occupying such dwelling. The Clerk of Superior Court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date and place not to exceed 10 days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. 42-29. The summons shall be returns according to its tenor, and if on its return it appears to have been duly served, and if at the hearing the Housing Inspector produces the certified copy of an ordinance adopted by the Board of Commissioners pursuant to Subsection (c) authorizing the Housing Inspector to proceed to vacate the occupied dwelling, the magistrate shall enter judgment ordering that the premises be vacated and that all persons be removed. The judgment ordering that the dwelling be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. 42-30. An appeal from any judgment entered hereunder by the magistrate may be taken as provided in G.S. 7A-228, and the execution of such judgment may be stayed as provided in G.S. 7A-227. An action to remove an occupant of a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this paragraph unless such occupant was served with notice at least 30 days before the filing of the summary ejectment proceeding that the Board of

Commissioners has ordered the Housing Inspector to proceed to exercise his duties under Subsections (a), (b) and (c) of this Section to vacate and close or remove and demolish the dwelling.

#### **Section 5-49 Service of Complaints and Orders.**

Complaints or Orders issued by an inspector shall be served upon persons either personally or by registered or certified mail. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but the regular mail is not returned by the post office within ten (10) days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the inspector in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by registered or certified mail, and the inspector makes an affidavit to that effect, then the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the town at least not later than the time at which personal service would be required under the provisions of this Article. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

#### **Section 5-50 Appeals.**

- (a) The Board of Adjustment is hereby appointed as the Housing Appeals Board to which appeals from any decision or order of the Housing Inspector may be taken. Except where this Article provides for different rules or procedures, the Board of Adjustment acting as the Housing Appeals Board shall follow its rules of procedure, which may be amended to provide specifically for this function.
- (b) An appeal from any decision or order of the Housing Inspector may be taken by any person aggrieved thereby or by any officer, board or commission of the Town. Any appeal from the Housing Inspector shall be in writing and shall take within ten days from the rendering of the decision or service of the order by filing with the Housing Inspector and with the Board a notice of appeal which shall specify the grounds upon which the appeal is based. Upon the filing of any notice of appeal, the Housing Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the decision appealed from was made. When an appeal is from a decision of the Housing Inspector refusing to allow the person aggrieved thereby to do any such act, his decision shall remain in force until modified or reversed. When any appeal is from a decision of the Housing Inspector requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the Board, unless the Housing Inspector certifies to the Board after the notice of appeal is filed with him, that because of facts stated in the certificate (a copy of which shall be furnished the appellant),



a suspension of his requirement would cause imminent peril to life or property. In that case the requirement shall not be suspended except by a restraining order, which may be granted for due cause shown upon not less than one day's written notice to the Housing Inspector, by the Board, or by a court of record upon petition made pursuant to Subsection (e) of this Section.

- (c) The Board of Adjustment shall fix a reasonable time for hearing appeals, shall give due notice to the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The Board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make any decision and order that in its opinion ought to be made in the matter, and to that end it shall have all the powers of the Housing Inspector, but the concurring vote of four-fifths of the members of the Board shall be necessary to reverse or modify any decision or order of the Housing Inspector. The Board shall have power also in passing upon appeals, when practical difficulties or unnecessary hardships would result from carrying out the strict letter of the Article, to adapt the application of the Article to the necessities of the case to the end that the spirit of the Article shall be observed, public safety and welfare secured, and substantial justice done.
- (d) Every decision of the Board shall be subject to review by proceedings in the nature of certiorari instituted within 15 days of the decision of the Board, but not otherwise.
- (e) Any person aggrieved by an order issued by the Housing Inspector or a decision rendered by the Board may petition the Superior Court for an injunction, restraining the Housing Inspector from carrying out the order or decision and the Court may, upon such petition, issue a temporary injunction restraining the Housing Inspector pending a final disposition of the cause. The petition shall be filed within 30 days after issuance of the order or rendering of the decision. Hearings shall be had by the Court on a petition within 20 days, and shall be given preference over other matters on the Court's calendar. The Court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. It shall not be necessary to file bond in any amount before obtaining a temporary injunction under this Subsection.

#### **Section 5-51 Alternative Remedies.**

Nothing in this Article nor any of its provisions shall be construed to impair or limit in any way the power of the Town to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise nor shall enforcement of one remedy provided herein prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws. In addition to the remedies provided for herein, any violation of the terms of this Article shall subject the violator to the penalties and remedies, either criminal or civil or both, as set forth in Chapter 1, Section 51 of the Code of the Town of Wilkesboro.

No dwelling shall be hereafter erected, altered, moved, or changed in occupancy without a Certificate of Occupancy. In any case where the Housing Inspector, after notice and hearing as required herein, finds that a dwelling or dwelling unit is unfit for human habitation, he shall withhold

issuance of a Certificate of Occupancy for such dwelling or dwelling unit: until such time that he determines that it is fit for human habitation. In addition, in any case where the Housing Inspector, after preliminary investigation as provided for herein, concludes, based upon that investigation, that a dwelling or dwelling unit is unfit for human habitation and believes that the occupancy of such dwelling or dwelling unit could cause imminent peril to life or property from fire or other hazards, he shall withhold issuance of a Certificate of Occupancy for such dwelling or dwelling unit until such time that he determines that it is fit for human habitation.

If any dwelling is erected, constructed, altered, repaired, converted, maintained, or used in violation of this Article or of any valid order or decision of the Housing Inspector or Board made pursuant to any ordinance or code adopted under authority of this Article, the Housing Inspector may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration or occupancy, to restrain, correct or abate the violation, to prevent the occupancy of the dwellings, or to prevent any illegal act, conduct or use in or about the premises of the dwelling.

#### **Section 5-52 Conflict with Other Provisions.**

In the event any provision, standard or requirement of this Article is found to be in conflict with any provision of any other ordinance or code of the Town, the provision which establishes the higher standard or more stringent requirement' for the promotion and protection of the health and safety of the residents of the Town's jurisdiction shall prevail. The North Carolina Building Code, current edition, shall serve as the standard for all alterations, repairs, additions, removals, demolitions and other acts of building made or required pursuant to this Article.

#### **Section 5-53 Violations.**

In addition to the conditions, acts or failures to act that constitute violations specified in this Article above, it shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect or refuse to repair, alter or improve the same, or to vacate and close or vacate and remove or demolish the same, upon order of the Inspector duly made and served as herein provided, within the time specified in such order. It shall be unlawful for the owner of any dwelling, with respect to which an order has been issued pursuant to Section 5-47, to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing, or vacation and removal or demolition.

#### **Section 5-54 Repeal and Reenactment of Existing Housing Code.**

The rewriting of this Article in part carries forth by reenactment some of the provisions of the existing Housing Code of the Town of Wilkesboro and it is not intended to repeal but rather to reenact and continue in force such existing provisions so that all rights and liabilities that have been accrued are preserved and may be enforced. All provisions of the Housing Code which are not reenacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of the Housing Code in effect, which are now pending in any of the courts of this State or of



the United States, shall not be abated or abandoned by reason of the adoption of this Article, but shall be prosecuted to their finality the same as if this Article had not been adopted; and any and all violations of the existing Article, prosecutions for which have not been instituted may be filed and prosecuted; and nothing in this Article shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending and/or which may have been instituted or prosecuted.

#### **Section 5-55 Validity.**

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Commissioners hereby declares that it would have passed this Ordinance and each section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid."

**Part 2.** All ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

This Ordinance shall become effective upon its adoption by the Board of Commissioners of the Town of Wilkesboro, North Carolina.

## **Appendix B**

### Model Stormwater Ordinance



# **MODEL**

## **LOCAL GOVERNMENT STORMWATER MANAGEMENT ORDINANCE**

### **PURPOSE**

The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint and point source pollution associated with new development and redevelopment as well as illicit discharges into municipal stormwater systems. It has been determined that proper management of construction-related and post-development stormwater runoff will minimize damage to public and private property and infrastructure; safeguard the public health, safety, and general welfare; and protect water and aquatic resources.

### **APPLICABILITY AND JURISDICTION**

- (A) The provisions of this ordinance shall apply within the Town Limits and any Extraterritorial Jurisdiction (ETJ).
- (B) The following development activities are exempt from the provisions of this ordinance:
  - (1) Construction of a single-family or two-family residence
  - (2) Redevelopment, or change in use of a structure, that does not involve more than 5,000 square feet of land disturbance
  - (3) Redevelopment, or change in use of a structure, that does not involve construction of more than 5,000 square feet of additional impervious surface
  - (4) Agriculture and forestry practices

### **RELATIONSHIP TO OTHER LAWS, REGULATIONS AND PRIVATE AGREEMENTS**

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation or other provision of law. Where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human or environmental health, safety, and welfare shall control.

### **EFFECTIVE DATE AND TRANSITIONAL PROVISIONS**

- (A) This Ordinance shall take effect on \_\_\_\_\_, 201\_\_.
- (B) All development and redevelopment projects for which all necessary permits were issued prior to the effective date of this ordinance and which remain valid, unexpired, unrevoked and not otherwise terminated at the time of development or redevelopment shall be exempt from complying with all provisions of this ordinance dealing with the control and/or management of post-construction runoff, but shall be required to comply with all other applicable provisions (including but not limited to illicit discharge provisions).

## **DRAINAGE PLAN REQUIRED**

Any development or redevelopment subject to the provisions of this ordinance shall submit a Drainage Plan for review by the Town in conjunction with application for a Zoning Permit. The Town shall review the Drainage Plan for compliance with the provisions of this ordinance. The Drainage Plan shall be prepared and bear the seal of a licensed professional engineer, and include the following:

- (A) Topographic Map of the total drainage area that includes the project site. The Topographic Map shall have a scale not smaller than 1 inch = 50 feet, and include the following:
  - (1) Contours at two-foot intervals
  - (2) Property lines
  - (3) Project construction elements (structures, parking lots, driveways, and other impervious surfaces)
  - (4) Existing perennial and intermittent streams; wetlands; and springs
  - (5) Existing man-made stormwater facilities
- (B) Engineering drawings depicting design and details of proposed piping, drainage structures, retention/detention structures, and channels connecting to a network of man-made or natural drainage features
- (C) Specifications of piping, drainage structures, permanent erosion control measures, and retention/detention structures
- (D) Computations to support the design and specifications

## **GENERAL PROVISIONS**

- (A) To the extent practical, lot lines in subdivisions shall follow natural and existing man-made drainage features
- (B) Stormwater shall not be channeled into a sanitary sewer system

## **DEVELOPMENT STANDARDS**

- (A) Stormwater runoff from the development shall be transported from the development by vegetated conveyances to the maximum extent practicable.
- (B) All built-upon area shall be at a minimum of 30 feet landward of all perennial and intermittent surface waters.
- (C) Post-development runoff rate shall not exceed pre-development runoff rate. Runoff rates must be based on the same calculation method.
- (D) Stormwater management facilities shall have a minimum design capacity of the 10-year discharge. The design capacity for cross drainage facilities in public streets shall be the 25-year discharge.
- (E) Stormwater management facilities shall be designed in accordance with 15A NCAC 2H .1008
- (F) Stormwater management facilities shall be permanent, shall be protected with easements or covenants that run with the land, and shall be provided with public access

(G) Projects that drain to Class Tr waters shall include stormwater management measures that do not result in a sustained increase in water temperature of the receiving stream

(H) Minimum pipe diameter shall be 18 inches for open-ended culverts and 15 inches for closed systems and driveway culverts. Minimum pipe diameter for portions of closed systems outside the public right-of-way shall be 12 inches.

## **MAINTENANCE**

The owner (or other responsible party) of each stormwater management facility installed pursuant to this ordinance shall maintain and operate it so as to preserve and continue its function in controlling stormwater quality and quantity at the degree or amount of function for which the facility was designed.

## **PERFORMANCE SECURITY FOR INSTALLATION AND MAINTENANCE**

The Town may, at its discretion, require the submittal of a performance security or bond with surety, cash escrow, letter of credit or other acceptable legal arrangement prior to issuance of a permit in order to ensure that the stormwater management facilities are:

- (A) Installed as indicated in the Drainage Plan
- (B) Maintained by the owner as required by this ordinance

## **REMEDIES AND PENALTIES**

(A) The remedies and penalties provided for violations of this ordinance, whether civil or criminal, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

(B) The Town may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site and served by the stormwater practices in question until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

(C) As long as a violation of this ordinance continues and remains uncorrected, the Town may disapprove any request for permit or development approval or authorization on the land on which the violation occurs.

(D) If the violation is deemed dangerous or prejudicial to the public health or public safety and is within the geographic limits prescribed by North Carolina G.S. § 160A-193, the Town may cause the violation to be corrected and the costs to be assessed as a lien against the property.

(E) The Town may issue a stop work order to the person(s) violating this ordinance. The stop work order shall remain in effect until the person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein. The stop work order may be withdrawn or modified to enable the person to take the necessary remedial measures to cure such violation or violations.

(F) Violation of this ordinance may be enforced as a misdemeanor subject to the maximum fine permissible under North Carolina law.



## **Appendix C**

### Dark Sky Lighting Ordinance

## **Dark Sky Lighting Ordinance**

**Town of Perry  
Dane County, Wisconsin**

### **Section 1: Purpose.**

1.00 Purpose. This ordinance is intended to promote the preservation of dark skies over the Town of Perry and to protect the view of the night sky for the enjoyment of the citizens of the Town of Perry.

### **Section 2: Applicability.**

2.00 Applicability. This ordinance applies to all outdoor lighting within the Town of Perry unless otherwise exempted in this Section.

2.1 This ordinance does not apply to emergency lighting.

2.2 This ordinance does not apply to temporary lighting.

2.2 This ordinance does not apply to vehicular lighting.

2.3 This ordinance does not apply to lighting on wheeled farm machines.

### **Section 3: Severability.**

3.00 Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

### **Section 4: Definitions.**

4.00 Definitions.

4.1 Light fixture means any device intended to produce illumination.

4.2 “Dark Sky” fixture means any light fixture that emits its light below 90 degrees when measured from 0 to 180 degrees vertical. Dark Sky fixtures keep most of their light from reaching the night sky.

4.3 “Dark Sky Cutoff” fixture means any light fixture that emits its light below 45 degrees when measured from 0 to 180 degrees vertical. Dark Sky Cutoff fixtures keep most of their light from reaching the night sky and also minimize ground reflection and reduce light scatter beyond the property line.

4.4 “Dark Sky Shade” means anything that is used to shade a light fixture so that it behaves as a Dark Sky fixture. These include but are not limited to, for example, fixtures outfitted with caps or housings or installed under canopies, building overhangs, roof eaves or shaded by other structures, objects or devices.

4.5 “Dark Sky Shield” means anything that is used to shield a light fixture so that it behaves as a Dark Sky Cutoff fixture. These include but are not limited to, for example, fixtures outfitted with caps or housings or installed under canopies, building overhangs, roof eaves or shielded by other structures, objects or devices.

## Dark Sky Lighting Ordinance

- 4.6 “Motion sensor” means any device that turns a light fixture on when it detects motion and off when motion stops.
- 4.7 “Switch” means any device that can be manually controlled by a person to turn a light fixture on and off. For the purpose of this ordinance, switches include motion sensors but switches do not include light sensors or timers.
- 4.8 “Emergency” refers to lighting as required by civil officers, agents and officials to perform their duties to maintain the public health, safety and welfare.
- 4.9 “Temporary” refers to lighting as required by citizens to carry out legally approved activities for durations as specified in the permits for those activities. These include but are not limited to, for example, activities such as nighttime agricultural operations, construction work lighting, and seasonal decorations, but in no case for more than a period of 3 months without an Exemption granted by the Town of Perry.

### **Section 5: General prohibition of Non-Dark Sky lights and fixtures.**

- 5.00 General prohibition of Non-Dark Sky lights and fixtures.
- 5.1 Non-Dark Sky fixtures are prohibited in the Town of Perry unless the fixtures are permitted by this ordinance.

### **Section 6: Light fixtures permitted by this ordinance.**

- 6.00 Light fixtures permitted by this ordinance.
- 6.1 All light fixtures that were installed *prior* to the effective date of this ordinance are grandfathered, approved and permitted by this ordinance.
- 6.2. All light fixtures that are Dark Sky fixtures and Dark Sky Cutoff fixtures are approved and permitted by this ordinance.
- 6.3 All light fixtures that have a Dark Sky Shade or a Dark Sky Shield are approved and permitted by this ordinance.

### **Section 7: Replacement of Non-Dark Sky fixtures.**

- 7.0 Replacement of Non-Dark Sky fixtures.
- 7.1 When a Non-Dark Sky fixture is replaced, it shall be replaced with one of the following:
  - 7.1.1 Dark Sky fixture, or
  - 7.1.2 Dark Sky Cutoff fixture, or
  - 7.1.3 Non-Dark Sky fixture that has a Dark Sky Shade or a Dark Sky Shield that causes it to operate as if it were a Dark Sky fixture or a Dark Sky Cutoff fixture.

### **Section 8: Installation of new Dark Sky fixtures and Dark Sky Cutoff fixtures.**

- 8.0 Installation of new Dark Sky fixtures and Dark Sky Cutoff fixtures.
- 8.1 When a new light fixture is installed, it shall be installed with a switch to allow it to be manually turned on and off or with a motion sensor to automatically turn it on when motion is detected and turn it off when motion ends.



## Dark Sky Lighting Ordinance

### **Section 9: Light fixtures encouraged but not required under this ordinance.**

#### 9.00 Light fixtures encouraged but not required.

- 9.1 Light fixtures with motion sensors are encouraged to minimize the duration of nighttime lighting
- 9.2 Light fixtures with soft yellow or orange lights instead of harsh white lights are encouraged to protect the view of the night sky.
- 9.3 Dark Sky Shades and Dark Sky Shields are encouraged for old existing fixtures to protect the view of the night sky, minimize ground reflection and reduce light scatter beyond the property line.
- 9.4 Dark Sky Cutoff fixtures are encouraged where light fixtures are mounted on structures or poles higher than the first level above ground level to protect the view of the night sky, minimize ground reflection and reduce light scatter beyond the property line.

### **Section 10: Exemptions.**

#### 10.00 Exemptions.

- 10.1 The Town of Perry Board may allow Exemptions from this ordinance as needed to relieve any unusual circumstances or difficulties or costs that would be encountered if an attempt were made to comply with this ordinance.
- 10.2 The Town of Perry Board may allow Exemptions from this ordinance to recognize that a good faith attempt has been made to comply with this ordinance but compliance is still not possible due to unusual circumstances or difficulties or costs encountered.
- 10.3 The Town of Perry Board may grant Variances from this ordinance for the historic restoration of Historic Properties, Historic Resources and Historic Structures as defined by the Town of Perry in its Historic Preservation Ordinance

### **Section 11: Liability.**

- 11.00 Liability. A person utilizing or maintaining an outdoor light shall be responsible for all costs and any other liability resulting from failure to comply with this ordinance.
- 11.1 Responsibility for costs and liability begins from and after the day after passage and publication of this ordinance as required by law.

### **Section 12: Enforcement and penalties.**

#### 12.00 Enforcement and penalties.

- 12.1. The Town Building Inspector and Town Board are authorized to enforce the provisions of this ordinance.
- 12.2 The penalty for violation of any portion of this ordinance shall be:
  - 12.2.1 First violation: A notice to the property owner requesting compliance within 6 months.
  - 12.2.2. Second violation: If after 6 months no Exemption from this ordinance has been granted and there is continued non-compliance, a forfeiture of \$100 plus the cost of prosecution. Penalties are doubled for third and subsequent offenses.

Dark Sky Lighting Ordinance

**Section 13: Disclaimer.**

13.00 The Town of Perry does not, by approving or disapproving a lighting fixture, warranty or make assurance of any kind whatsoever, specifically as to whether the subject of the approval or disapproval is safe, suitable for its intended purpose, merchantable, or in compliance with any applicable codes or regulations.

**Section 14: Effective Date.**

This Ordinance shall take effect and be in force from and after the day after passage and publication as required by law.

**Town Board Approval.**

This Ordinance was adopted by the Town Board on this 14 day of July, 2009.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor

Attest: \_\_\_\_\_  
Mary L. Price, Town Clerk