

TOWN OF BLACK MOUNTAIN PLANNING BOARD

The Black Mountain Planning Board held its regular meeting on Monday, March 24, 2025, at 6:00 p.m. in the Board Room of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

I. CALL TO ORDER

The meeting was called to order with the following members present:

Chris Collins, Chair
Pam Norton, Vice Chair
Joe Laudenslayer
Rick Earley
Lauronda Teeple
Kathy Phillips
Chas Fitzgerald

Staff:

Jennifer Tipton, Senior Admin
Russell Cate, Planner I/Zoning Administrator
Jessica Trotman, Assistant Town Manager/Interim Planning Director
Anne Phillip, Stormwater Administrator
Brian Goulden, Town Attorney

The meeting was called to order at 6:04 p.m. and duly constituted and opened for business with a quorum of seven (7) members.

II. ADOPTION OF AGENDA

There was one change to the agenda to move the stormwater amendments to the first item of new business. Chris Collins made a motion to adopt the agenda as presented. The motion was seconded by Lauronda Teeple and approved by a vote of 7-0.

III. ADOPTION OF MINUTES

Lauronda Teeple made a motion to adopt the minutes of September 23, 2024, as written. The motion was seconded by Rick Earley and approved by a vote of 7-0.

Chas Fitzgerald noted one change to the minutes of December 16, 2024, to change the date. Mr. Fitzgerald made a motion to adopt the minutes of December 16, 2024, as amended. The motion was seconded by Lauronda Teeple and approved by a vote of 7-0.

Chas Fitzgerald made a motion to adopt the minutes of February 24, 2025, as written. The motion was seconded by Lauronda Teeple and approved by a vote of 7-0.

IV. NEW BUSINESS

1. Proposed Text Amendment – Phase II Stormwater Ordinance

Jessica Trotman introduced the proposed text amendments to the Phase II Stormwater Ordinance. The changes are mostly updates due to changing conditions. The amendments are not intended to regulate single- and two-family dwellings and small commercial projects. The current ordinance has a stricter threshold that has caused a financial burden on citizens. One major change is increasing the 5,000 square foot requirement to ½ acre and then rescinding

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permits for those that do not meet that threshold. The changes will also align with the Town's NPDES permit and the Stormwater Master Plan. The changes also clean up some of the language. The changes will reduce the inspection requirements for single-family dwellings and will allow the Town to do inspections of low- and high-density projects. The current ordinance is not working as intended and the changes will solve problems of historic permits and inspections that were not done correctly. The changes will also allow staff to do things that are good and will make a difference as the current ordinance is not working as intended. Chas Fitzgerald applauded the amendments and suggested some additional definitions, clarification of fees and renewal periods, and inspecting properties at the two-year mark to check for plant growth.

Chas Fitzgerald made a motion to recommend the Phase II Stormwater amendments with the following changes:

- Provide two time periods on the review
- Make it clear regarding the resubmittal fee
- Inspect at the two-year mark for plant growth
- Provide definitions of disturbed land and impervious land

The motion was seconded by Lauronda Teeple and approved by a vote of 7-0.

2. Givens Highland Farms Annexation and Rezoning Request

Givens Highland Farms is seeking voluntary annexation of two additional parcels that are currently zoned R-1. They would like to rezone them to OI-6 if the annexation is successful. The properties are not in a floodplain and there is only one stream on the eastern edge of the property. Russell Cate read through the purpose of OI-6 and the requirements and uses of OI-6.

Jim Boyer, Director of Facility Services for Givens Highland Farms, said that there is an access easement to the property that they do not intend to use. If the properties are successfully annexed, they will then be combined with the existing 75+ acre parcel. The goal is to provide more housing units. The board looked at the future land use map and noted that the OI-6 zoning request is similar to the future land use category of Valley Residential. Rick Earley expressed concerns about how the Town would receive payment for services such as police and fire protection. Town Attorney Brian Goulden reminded the board that Council would have to address that issue. Mr. Boyer said that they provide community benefit and that is why they would like to annex the parcels.

Chris Collins made a motion to recommend the rezoning request of OI-6 to the two parcels and that the rezoning is consistent with the comprehensive plan in that benefits outweigh any impacts and the lot requirements and uses are similar to those for Valley Residential. The motion was seconded by Joe Laudenslayer and approved by a vote of 7-0.

The board said that they would like to add the following comments to the annexation request for council:

- Consider access and taxes for services rendered

V. OLD BUSINESS

None.

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VI. PUBLIC COMMENT

None.

VII. COMMUNICATION FROM PLANNING BOARD

None.

VIII. COMMUNICATION FROM STAFF

Jennifer Tipton announced that Michelle Kennedy, the new Planning Director, would be starting on April 21st.

Staff will continue to work with Craig Justus on dates for future UDO workshops.

VX. ADJOURNMENT

With no further business, the meeting was adjourned at 7:53 p.m.

Prepared by:

Chris Collins
Chris Collins, Chair

Jennifer Tipton
Jennifer Tipton, Senior Admin