



TOWN OF BLACK MOUNTAIN

Town Hall, 160 Midland Avenue, Black Mountain, NC 28711

Date: September 14, 2020 Time: 6:00 p.m. Regular Session Agenda

*The agenda and all related documentation may be accessed electronically via Wi-Fi in Town Hall. From your laptop or smartphone, access the Town's website at www.townofblackmountain.org. Click on **Town Government** and select **Mayor and Board of Alderman** to download materials for all Town board meetings.*

 **Conserve resources; print only when necessary.**

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act (ADA). Hearing assistive devices are available at the door.

Should you need other assistance or accommodation for this meeting, please contact

Town Clerk at 419-9310, or by email at townclerk@townofblackmountain.org

(828) 419-9300 / TDD (800) 735-2962

1. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Invocation
- Announcements

2. PROCLAMATIONS, AWARDS & RECOGNITION

- A. Recognition of Jennifer Tipton for her service to the Town of Black Mountain.
- B. Proclamation presented by Mayor Larry Harris.
- C. Recognition of Chief Scottie Harris for receiving CFO designation.

3. CITIZEN COMMENTS

Individuals wishing to address the Board are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Board. Comments by any one speaker shall be limited to three (3) minutes.

To send comments prior to the meeting, please call Town Hall at 828-419-9310 or email comments to Comments@townofblackmountain.org. The Clerk will compile them and present them to the Mayor for consideration.

4. COMMUNICATIONS FROM STAFF, BOARDS, COMMISSIONS & AGENCIES

5. CONSENT AGENDA

All items on the consent agenda are considered routine, to be enacted by one motion without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the consent agenda and considered separately.

- A. Adoption of Minutes

TOWN OF BLACK MOUNTAIN- REGULAR SESSION AGENDA

September 14, 2020

Motion: *To adopt the minutes of August 10, 2020 Regular Session Meeting, the minutes of the June 8, 2020 (Regular Session and Closed Session), the minutes of the June 10, 2020 Budget Workshop CIP Meeting, and the minutes of the June 22, 2020 Budget Public Hearing Meeting.*

B. Budget Amendment for Golf Course Bridge Repair

Motion: *To approve Budget Amendment #BA-FY-21-04 in the amount of \$28,000.*

C. Budget Amendment for Lake Tomahawk Forebay and Sedimentation Project

Motion: *To approve Budget Amendment #BA-FY-21-05 in the amount of \$50,000.*

D. Call for Public Hearing to Rezone 324 N. Fork Road

Motion: *To call for a public hearing to rezone 324 N. Fork Road from CR-1 (conservation residential) to TR-4 (town residential) from N. Fork Road to the middle of the creek (the west side of the property) and rezone the east side of the property from CR-1 (conservation residential) to SR-2 (suburban residential) to be held on Monday, October 12, 2020, at 6:00 p.m., or as soon thereafter as possible in the Board Room of Town Hall at 160 Midland Avenue.*

E. Call for Public Hearing for Text Amendments to Amend Zoning Districts Intents and Purposes.

Motion: *To call for a public hearing for text amendments to intents and purposes of zoning districts to be held on Monday, October 12, 2020, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 160 Midland Avenue.*

F. Call for Public Hearing for Text Amendments to Clarify Prohibited Uses.

Motion: *To call for a public hearing for text amendments clarifying prohibited uses to be held on Monday, October 12, 2020, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 160 Midland Avenue.*

G. Budget Amendment for Governor's Crime Commission Grant

Motion: *To approve Budget Amendment #BA-FY-21-06 in the amount of \$22,000.*

Consent Motion: *To approve consent item A-G as presented.*

6. CITIZEN COMMENTS

*The chair will recognize individuals requesting to address the Board regarding the specific New Business or Unfinished Business items below. Comments by any one **speaker shall be limited to three (3) minutes.** If the topic you wish to discuss pertains to a **public hearing** scheduled for this meeting, please reserve your comment for the applicable public hearing.*

To send comments prior to the meeting, please call Town Hall at 828-419-9310 or email comments to Comments@townofblackmountain.org. The Clerk will compile and present written comments to the Mayor for consideration.

7. UNFINISHED BUSINESS

TOWN OF BLACK MOUNTAIN- REGULAR SESSION AGENDA
September 14, 2020

8. NEW BUSINESS

A. Utility Payment Plans

Motion: *To approve utility payment plans for past due water customers.*

B. Town Charter Discussion

9. PUBLIC HEARING

A. Blue Ridge Road Small Area Plan

Motion: *To open the public hearing to adopt the Blue Ridge Road Small Area Plan and presented [or as amended].*

*The chair will recognize individuals requesting to address the Board regarding the specific topic of the public hearing. **Public hearing comments by any on speaker shall be limited to ten (10) minutes.** The Mayor reserves the right to alter time limits and other rules of procedure at the beginning of each Public Hearing.*

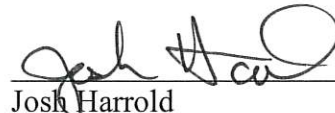
10. COMMUNICATION FROM STAFF

A. Town Attorney – Ron Sneed

B. Town Manager – Josh Harrold

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

12. ADJOURNMENT



Josh Harrold
Town Manager



PUBLIC NOTICE

BLACK MOUNTAIN BOARD OF ALDERMEN REGULAR SESSION MEETING

Monday, September 14, 2020 at 6:00 p.m.

In order to comply with the State, County, and Town State of Emergency Declarations and social distancing requirements the only individuals that will be located at Town Hall will be the Mayor, Board of Aldermen, Town Manager and Town Clerk. Other staff may participate remotely. The meeting will be recorded (audio only) and posted to the website.

There are three ways the public can participate in the meeting:

- 1. Join the meeting through YouTube Live on your computer or smart device.**

https://www.youtube.com/channel/UCWJmKy_6LVe7VFXUrHwpESA/

- 2. Join the meeting by telephone (listen only).**

Call U.S. Toll-free 877 853 5247 or U.S. Toll-free 1-888 788 0099

Meeting ID: 824 3916 5490 followed by the Pound sign (#).

- 3. Email or call in questions or comments prior to the meeting.**

Call in comments prior to meeting: Town Clerk at 828-419-9310

Email questions or comments to: Comments@townofblackmountain.org.

The Town is making every effort to ensure that the public is able to listen to the meeting, while still maintaining all of the Town's statutory requirements and keeping the public safe. **During the meeting, if at any time inappropriate content is detected the zoom meeting will be ended by the host.**

The meeting is open to the public.

**Savannah Parrish
Town Clerk**

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Please visit www.townofblackmountain.org to obtain agenda packets and other meeting information.

Posted to the Town Bulletin Board and website on 8/06/2020



TOWN OF BLACK MOUNTAIN

Town Hall, 160 Midland Avenue, Black Mountain, NC 28711

Date: **August 10, 2020** Time: **6:00 p.m.**

Regular Session Minutes

*The agenda and all related documentation may be accessed electronically via Wi-Fi in Town Hall. From your laptop or smartphone, access the Town's website at www.townofblackmountain.org. Click on **Town Government** and select **Mayor and Board of Alderman** to download materials for all Town board meetings.*

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1. CALL TO ORDER

Mayor Don Collins called the meeting to order at 6:00 p.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry B. Harris
Alderman Ryan Stone
Alderman Jennifer Willet
Alderman Tim Raines

The following staff members were present:

Josh Harrold, Town Manager
Savannah Parrish, Assistant to the Town Manager/Town Clerk
Ron Sneed, Town Attorney
Jennifer Tipton, Senior Admin
Jamey Matthews, Public Works Director
Jessica Trotman, Planning Director

Mayor Collins welcomed everyone and led the Pledge of Allegiance. Mayor Collins encouraged everyone to participate in the 2020 Census.

Alderman Larry Harris moved to approve adding item 8C – Riverwalk Greenway Update to the agenda. Motion was approved by a vote of 5-0.

2. PROCLAMATIONS, AWARDS & RECOGNITION

There were no proclamations, awards, or recognitions.

Black Mountain Board of Alderman – Regular Session Minutes
August 10, 2020

3. CITIZEN COMMENTS

Peter Fraser – A community of excellence should have a vehicle noise ordinance and it should be enforced.

Individuals wishing to address the Board are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Board. Comments by any one speaker shall be limited to three (3) minutes.

4. COMMUNICATIONS FROM STAFF, BOARDS, COMMISSIONS & AGENCIES

None.

5. CONSENT AGENDA

All items on the consent agenda are considered routine, to be enacted by one motion without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the consent agenda and considered separately.

A. Adoption of Minutes

Motion: *To adopt the minutes of July 13, 2020 (Regular Session).*

B. Call for Public Hearing for Blue Ridge Road Small Area Plan.

Motion: *To call for the public hearing for the Blue Ridge Road Small Area Plan to be held on Monday, September 14, 2020, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 160 Midland Avenue.*

C. Budget Amendment for Recognition of Insurance Proceeds

Motion: *To approve Budget Amendment FY 2021 - #3 as submitted, increasing expenditure account 30-91-8100-330 (Water Supplies) by \$13,350.28, increasing expenditure account 30-91-8100-150 (Maintenance & Repair – Wells) by \$10,000.00, and increasing revenue account 30-91-3840-800 (Insurance Settlement) by \$23,350.28.*

***Alderman Maggie Tuttle moved to approve consent items A-C as presented.
Motion was approved by a vote of 5-0.***

6. CITIZEN COMMENTS

Marilyn Sobanski - In the Solid Waste Ordinance up for adoption, I think the definition of Household Garbage needs work. There are items generally considered garbage that are NOT subject to putrefaction, such as aluminum foil, non-recyclable plastics (which may be containers

not accepted by the recycler, plastic silverware, plastic wrap, for example), drink glasses (not recyclable), etc. I think the definition needs to be broadened to include such items.

7. UNFINISHED BUSINESS

- A.** Offer to Purchase Town Property on Flat Creek Rd. and East Street PIN Numbers 0710-41-9092-00000 and 0710-41-9003-00000, for \$20,000.00.

Manager Josh Harrold addressed the Board concerning the possibility of using this property as a park. It would be possible for this property to be used as recreation space for the Town.

Mayor Don Collins suggested retaining ownership of the property. Mayor Collins introduced a motion to reject the offer to purchase the town property. The motion was approved by a vote of 5-0.

8. NEW BUSINESS

- A.** Amendment of Solid Waste Ordinance

Manager Josh Harrold highlighted several changes to the ordinance. There was a discussion between the aldermen concerning adding fees for additional services. There was also some discussion concerning constraints on staffing. Public Works Director Jamey Matthews entered the Board room to discuss the potential of charging citizens a fee for additional trash and/or brush pickup. Director Matthews expressed concerns about the ability of the staff to pick up additional waste due to constraints on their time.

Alderman Larry Harris moved to approve and adopt Ordinance #O-20-10 as amended to expand the definition of household garbage. The motion was approved by a vote of 5-0.

- B.** Designating the Riverwalk Greenway in honor of former Alderman Carlos Showers.

Manager Josh Harrold addressed concerns from the Greenway Commission as they were supportive of the idea, but concerned that adding an additional name could be confusing. Mayor Don Collins expressed support for designating the Riverwalk Greenway in honor of former Alderman Carlos Showers. He reminded the Board of Alderman's Showers' many accomplishments. Alderman Ryan Stone offered alternative ideas to honor Alderman Showers.

Alderman Larry Harris moved to approve Designating the Riverwalk Greenway in honor of former Alderman Carlos Showers. The motion was approved by a vote of 5-0.

- C.** Riverwalk Greenway Update

Black Mountain Board of Alderman – Regular Session Minutes
August 10, 2020

Manager Josh Harrold began by offering a brief history of the project. The Town currently has \$350,000 for that fund by allocating \$80,000 each year since 2015. This year due to COVID-19 related budget restraints only \$50,000 was allocated. The Town also has \$400,000 which was received from Buncombe County. This brings the total to \$750,000 of the \$1.2 million match. Manager Harrold explained the timeline and complexity of federally funded projects and communication that had taken place with NCDOT and Norfolk Southern Railway.

9. PUBLIC HEARING

A. Public Hearing for Text Amendments to Adopt Stream Buffer Ordinance.

Planning Director Jessica Trotman entered the meeting. She explained the importance of stream buffers. The ordinance will not impact to existing development. The streams are identified of USGS maps.

There were no public comments.

Alderman Maggie Tuttle moved to approve ordinance #O-20-08 Text Amendments to Adopt Stream Buffer Ordinance. The motion was approved by a vote of 5-0.

The chair will recognize individuals requesting to address the Board regarding the specific topic of the public hearing. Public hearing comments by any on speaker shall be limited to ten (10) minutes. The Mayor reserves the right to alter time limits and other rules of procedure at the beginning of each Public Hearing.

10. COMMUNICATION FROM STAFF

A. Town Attorney – Ron Sneed

The Town of Black Mountain owns the Hemphill Property as the deed has been recorded. The estate is in the process of being closed. This adds approximately 26 acres to the Town for recreational use.

The Watson property was partially destroyed in a windstorm. However, part of it is still standing. Attorney Sneed asked the Board if he should continue with the process of condemnation. The Board directed Attorney Sneed to continue toward demolition.

B. Town Manager – Josh Harrold

After being notified of available funds by Land of Sky, the Town of Black Mountain submitted a grant request vehicle replacements. The Town was approved for two (2) dump truck replacements.

The 19th Hole will be ready for business by the end of August. The Town Manager continues to check in every day.

Black Mountain Board of Alderman – Regular Session Minutes
August 10, 2020

Flooding caused damage to a bridge at the golf course. It will likely be \$20,000 to repair the bridge.

The executive order from the governor suspending late payments has ended. Manager Harrold asked the Board for direction on how to proceed with the collection of payments. Manager Harrold suggested payment plans be made available to citizens. A plan will be brought to the Board in September.

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

After offering a brief history of the accomplishments of the Board during his tenure, Mayor Don Collins resigned, effective immediately. Mayor Collins exited the meeting at approximately 7:18 p.m. Vice Mayor Maggie Tuttle then took control of the meeting. Vice Mayor Tuttle nominated Alderman Larry Harris to fill the remainder of Don Collins' term. Alderman Tim Raines seconded the motion.

Alderman Maggie Tuttle moved nominate Alderman Larry Harris to fill the remainder of Mayor Don Collins' term as mayor. The motion was approved by a vote of 4-1 with Alderman Ryan Stone voting in opposition.

Alderman Stone then exited the meeting at approximately 7:22 p.m.

Alderman Larry Harris was sworn in by Town Clerk Savannah Parrish.

Alderman Jennifer Willet to appoint Mr. Archie Pertiller to fill the seat left vacant by Mayor Larry Harris. The motion was approved by a vote of 4-0.

Alderman Stone's departure from the meeting defaulted to an affirmative vote.

There being no further business Mayor Larry Harris adjourned the meeting at 7:29 p.m.

12. ADJOURNMENT

ATTEST:

Savannah Parrish, Assistant to Manger/Town Clerk

Larry Harris, Mayor



TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
BUDGET WORKSHOP CIP MEETING MINUTES
June 10, 2020

THE BLACK MOUNTAIN BOARD OF ALDERMEN held a budget workshop and capital improvement plan meeting on Wednesday June 10, 2020 at 5:00 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of the meeting was to discuss the FY2020-21 budget and capital improvement plan projects for the Town. The budget public hearing is scheduled for Monday, June 22, 2020 at 5:30 p.m. at Town Hall.

1. CALL TO ORDER

Mayor Collins called the meeting to order at 5:00 p.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry Harris
Alderman Tim Raines
Alderman Ryan Stone
Alderman Jennifer Willet

The following staff members were present:

Josh Harrold, Town Manager
Jennifer Tipton, Zoning Administrator

The following staff members were present via Zoom conference call:

Charlotte Sullivan/Interim Financial Services Director
Ronald E. Sneed, Attorney
Shawn Freeman, Police Chief
Scottie Harris, Fire Chief
John Wilson, Deputy Fire Chief
Jessica Trotman, Planning Director
Jamey Matthews, Public Services Director
Joshua Henderson, Recreation Services Director

Mayor Don Collins called the meeting to order and opened the floor for discussion.

Town Manager Harrold began the discussion with revenue projections stating there will be significant shortfalls in revenues due to the COVID19 Pandemic. Manager Harrold stated sales tax revenues are currently projected to come in around 30% or lower depending on the economy. Manager Harrold discussed the part-time Community Garden and Golf Course positions stating it is approximately a \$50,000 impact to the budget to keep the positions and stated he based his recommendations of not funding the positions based on revenue projections with consideration of continuing to fund essential services while presenting a balanced budget. Manager Harrold stated he believes the positions can be funded with current revenues and revisited with a budget

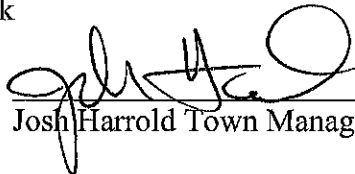
Black Mountain Board of Aldermen
Budget Workshop CIP Meeting Minutes - June 10, 2020

There being no further business, on a motion by Vice Mayor Maggie Tuttle and with a vote of 5-0, Mayor Don Collins adjourned the meeting at 5:37 p.m.

ATTEST:

Don Collins, Mayor

Savannah Parrish, Assistant to Manager/Town Clerk



Josh Harrold Town Manager



**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
FY20-21 BUDGET PUBLIC HEARING MEETING MINUTES**

June 22, 2020

THE BLACK MOUNTAIN BOARD OF ALDERMEN held a budget public hearing on Monday June 22, 2020 at 5:30 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of the meeting was to discuss approval of the FY2020-21 Budget and Capital Improvement Plan projects for the Town.

1. CALL TO ORDER

Mayor Collins called the meeting to order at 5:30 p.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry Harris
Alderman Tim Raines
Alderman Ryan Stone
Alderman Jennifer Willet

The following staff members were present:

Josh Harrold, Town Manager
Jennifer Tipton, Zoning Administrator

The following staff members were present via Zoom conference call:

Charlotte Sullivan/Interim Financial Services Director
Ronald E. Sneed, Attorney
Shawn Freeman, Police Chief
Scottie Harris, Fire Chief
John Wilson, Deputy Fire Chief
Jessica Trotman, Planning Director
Jamey Matthews, Public Services Director
Joshua Henderson, Recreation Services Director

Mayor Don Collins called the meeting to order and opened the Budget Public Hearing at 5:31 p.m.

The following addressed the Board of Aldermen:

Jennifer Billstrom of 825 North Oconeechee Avenue , Paul (inaudible) of 109 4th Street, Cortney Smith of Lakey Gap, Ms. Finley (inaudible) of South Cotton Ave.

Manager Harrold read comments received online.

Black Mountain Board of Aldermen
FY20-21 Budget Public Hearing Meeting Minutes – June 22, 2020

Town Manager Harrold began the discussion again discussing revenue projections stating there will be significant shortfalls in revenues due to the COVID19 Pandemic. Manager Harrold stated sales tax revenues are currently projected to come in around 30% or lower depending on the economy. Manager Harrold discussed the part-time Community Garden and Golf Course positions stating he has added them back into the proposed budget. Manager Harrold stated Black Mountain's total budget for FY 2020-21 is \$11,858,765, an increase of 2.30% from the previous fiscal year. Personnel, capital and debt costs show increases from the FY19-20 adopted budget, while operating costs shows a decrease. The increase in personnel costs is mainly due to a 0.5% COLA adjustment for all full time employees, five new sanitation positions and an increase in LGERS contribution to the retirement system.

Town Services

The Town of Black Mountain stays committed to the continuation of all of its existing services for the upcoming fiscal year to include recreation and parks, finance, administration, planning and zoning, building inspections, public services, residential garbage and recycling, police, and fire. Garbage and recycling services will transition from contracted services to town-operated beginning October 1, 2020. All services are proposed to continue at current service delivery levels for the upcoming fiscal year; however, we may need to reexamine our levels of service depending on the impacts of COVID-19.

Grants

We continue to look for grants during the year to supplement our programs and services for every department. In FY 2020-21 we will continue implementation of the NCDOT STP-DA funding for Phase II of the Riverwalk Greenway, PARTF Grant for improvements at Veterans Park including streambank restoration, playground, outdoor pavilion and overflow parking, PARTF Grant matching funds for Riverwalk Phase II, and NCDWR funding to continue streambank restoration at the Town's golf course. Due to NCDOT budget shortfalls, right of way acquisition and construction for Riverwalk Phase II has been delayed until further notice. The design portion of Riverwalk Phase II should be completed this fiscal year.

Fund Balance

The total fund balance for the Town of Black Mountain General Fund is estimated to be \$4,503,679 or 47% of projected General Fund expenditures at 06/30/2020. This includes restricted fund balances, capital reserve fund and our unassigned fund balance. Based on our most recent audit for the period ending June 30, 2019, unassigned fund balance was \$2,778,006 or 32.1% of General Fund expenditures. This compares with \$2,812,979 or 30.5% at the end of fiscal year 2018, a decrease of \$34,973. The Town has a fund balance policy requiring a percentage of 30%.

Debt

The Town is currently budgeted to expend \$467,528 on debt service in FY 20-21. This amount includes debt in the amount of \$151,765 related to the Police Department communications upgrade approved in the FY18-19 budget, \$90,000 for the Sanitation Department for equipment and infrastructure, and \$225,763 in Public Buildings. At 6/30/20, the Town will have outstanding debt of \$3,588,795. The Town will be taking on \$624,500 in debt for sanitation services. The debt is for sanitation trucks and infrastructure. Due to the unknown revenue shortfalls, it is critical to maintain as much cash on hand as possible.

Capital Reserve Funds

It is estimated that the Capital Reserve Fund for the General Fund will have a balance of \$530,000 at June 30, 2020. This represents money for building renovations and vehicle replacement at the Fire Department. The Water Capital Reserve Fund currently has a balance of \$450,000 which is designated for automated water meter replacement. Capital Project Funds, which differ slightly from Capital Reserve Funds, have been set up for the Swannanoa Watershed Restoration, Riverwalk Greenway Phase II, Tomahawk Stream, Veterans Park, and Commerce Park Infrastructure because the Town anticipates expending funds on these projects in FY 20-21 and future years.

General Fund Highlights

The FY 20-21 recommended General Fund budget is \$9,414,965, a 1.37% increase from FY 19-20.

Personnel

Five new positions are proposed for the Sanitation department at an average salary of \$47,000 per year including benefits. A 1.0 % COLA salary adjustment accounts for an increase of \$22,000. This will take effect in January 2021.

Operating

Police – \$10,750 has been budgeted to replace eight tasers for the department. \$7,000 has been budgeted for uniforms.

Police Chief Shawn Freeman addressed comments regarding specific line items for safety equipment and body armor stating these items were partially paid for with asset forfeiture funds in the last fiscal year and stressed the need for proper equipment for the safety of officers in performing their statutory duties. Chief Freeman discussed the use of force continuum and the need for less than lethal options such as tasers, gas and pepper spray as well as the amount of ammunition necessary to keep on hand for annual trainings which are mandated by the State.

Black Mountain Board of Aldermen
FY20-21 Budget Public Hearing Meeting Minutes - June 22, 2020

Fire - \$25,000 has been budgeted for turnout gear. The Town's goal is that every full time firefighter should have two sets of turnout gear. \$14,400 has been budgeted to replace nine AED's in all departments. \$5,000 has been budgeted for testing air packs. \$10,400 has been budgeted to purchase two battery powered ventilation fans. \$5,000 has been budgeted for fire hose replacement.

Sanitation – This is a new department for FY 20-21. Due to increased rates from our private contractor the Town will now be providing this service internally. The operating budget is \$419,400 for FY 20-21. This is approximately nine months due to the contract with WastePro ending on September 30, 2020. Disposal charges have also increased from \$132,000 to \$168,000. The increase is a result of recycling and yard waste disposal increases. Alderman Larry B. Harris reminded everyone that this amount is a cost savings over the proposed contract pricing Waste Pro submitted in the RFP process earlier this year. It is a significant savings to tax payers to bring sanitation services in house.

Alderman Larry B. Harris discussed the remainder of the proceeds from the sale of the old Public Works building on Highway 70 stating this is approximately \$500,000 and said he has proposed appropriating these funds toward the debt of the purchase of the new public works facility on Black Mountain Ave. Alderman Ryan Stone stated he was in agreement and recalled a number of public requests asking to utilize the proceeds to pay down debt on the new facility. Mayor Don Collins stated he was also in favor.

Alderman Larry B. Harris moved to appropriate the remaining sale proceeds of the former public works facility located on Highway 70 toward the principal debt on the new public works facility located at 304 Black Mountain Avenue. The motion was unanimously approved by a vote of 5-0.

Recreation – Pool – Chemicals and assorted equipment replacement have increased expenses by \$14,000.

Capital

Public Buildings - \$48,137 has been budgeted for IT needs, repair and painting at Town Hall, and replacement of HVAC at Black Mountain Center for the Arts.

Planning - \$50,000 has been budgeted for Riverwalk Greenway matching funds. This is a reduction of \$30,000 from FY 19-20. \$120,000 has been budgeted for Lake Tomahawk Dam repair.

Streets - \$20,000 has been budgeted for construction of Cherry Street pedestrian curb extensions.

Black Mountain Board of Aldermen
FY20-21 Budget Public Hearing Meeting Minutes – June 22, 2020

Debt

In spring 2020, the Town ordered four new sanitation trucks for \$572,000. Due to COVID-19, experts are projecting a substantial shortfall in revenues. Without knowing the impacts to the fourth quarter of FY19-20 and beyond, assuming debt is the more prudent option instead of spending fund balance. The principal and interest payment associated with this debt increase the FY20-21 budget by \$90,000.

General Fund Revenues

Ad Val/DMV Taxes - Budgeted 98% or \$3,965,595 for Ad Val and 95% or \$214,797 for DMV taxes. These revenues make up 45% of all General Fund revenues. I don't anticipate much of an impact from COVID-19 on these revenues.

Sales tax – Budgeted \$199,655 lower than FY19-20 levels, based on COVID-19 projections. FY19-20 revenue is projected to be down by over \$100,000. FY18-19 projections fell short of the budgeted amount by \$11,670.

Franchise Taxes – Budgeted \$25,000 lower than FY19-20 levels, based on State projections. Similar situation as sales tax mentioned above, except that actual franchise taxes peaked in FY1415, and have actually slightly decreased since.

Buildings Permits – Budgeted \$2,500 higher than FY19-20 levels based on relatively flat construction projections. Building permit revenue has exceeded budgeted amounts in recent years.

Fund Balance Appropriated – Currently a balanced budget. In the last five fiscal years, the Town has averaged appropriated fund balance of \$234,000.

Water Fund

The FY 20-21 Water Fund is recommended at \$1,814,500, a 4.62% increase from FY 19-20.

Personnel

A 1.0 % COLA salary adjustment accounts for an increase of \$3,750. This takes effect in January 2021.

Operating

Total water operating expenses have increased by \$76,874 mainly related to an increase in the amount of capital needed by the department because of the 600 water accounts the Town is expected to take over from the City of Asheville.

Capital

Black Mountain Board of Aldermen
FY20-21 Budget Public Hearing Meeting Minutes – June 22, 2020

Capital is budgeted at \$413,000. Major budgeted items include Asheville water line transfer infrastructure (\$300,000) and well pumps (\$113,000).

Debt

Decrease of \$2,828. The Water Fund is responsible for one half of the debt payment on the Foam and Fabric building.

Water Fund Revenues

The Town has budgeted a 5% rate adjustment for FY 20-21. For a resident of the Town using 5,000 gallons of water per month, this would equate to a monthly increase of \$1.63.

Golf Fund Highlights

The FY 20-21 Golf Fund is recommended at \$629,300, a 2.3% increase from FY 19-20. This includes a 1.0% COLA salary adjustment at \$983. This will take effect in January 2021.

Personnel

No full time positions are anticipated for the Golf Course in FY 20-21. The operations division continues to spend wisely while keeping the course well maintained.

Operations

The total operating cost of the golf course is \$6,700 higher than FY 19-20 levels. This is due to fuel and utility increases.

Capital

There are no capital improvements budgeted for the golf course in FY 20-21.

Golf Fund Revenues

In May 2020, golf course rates for individual and family memberships will be increased effective May 15th. Green fees are also being increased. Additional options such as a Player's Pass and a walking fee will provide more options for golfers and provide us the opportunity to make the golf course self-sufficient.

Manager Harrold stated the tax payers of Black Mountain should be proud of our emphasis on fiscal responsibility with a regionally competitive tax rate, a low level of debt service and the continued strengthening of our fund balance. The budget for FY 2020-21 proved to be a difficult budget due to the ongoing pandemic in the United States. In addition, we continue to pursue grant opportunities, streamline our service levels and make wise capital investments. Our commitment to excellence makes the Town of Black Mountain one of the greatest places to live, work and raise a family. Manager Harrold thanked staff for their work on the budget. Board of Aldermen

Black Mountain Board of Aldermen
FY20-21 Budget Public Hearing Meeting Minutes - June 22, 2020

members thanked Manager Harrold for the difficult task of preparing this budget given the extraordinary circumstances all municipalities have faced due to the COVID19 Pandemic and social unrest. Alderman Ryan Stone expressed appreciation of the Manager and of staff for their recommendations which resulted in the addition of a new department and positions while maintaining the same tax rate and services to the citizens of Black Mountain.

Alderman Larry B. Harris moved to adopt Fiscal Year 2020-21 Annual Budget and Capital Improvement Plan as presented. The motion was unanimously approved by a vote of 5-0.

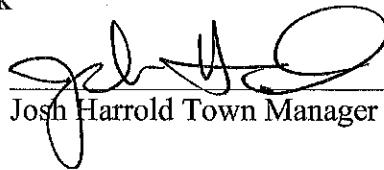
There was no further discussion.

There being no further business, on a motion by Alderman Ryan Stone and with a vote of 5-0, Mayor Don Collins adjourned the meeting at 6:37 p.m.

ATTEST:

Don Collins, Mayor

Savannah Parrish, Assistant to Manager/Town Clerk



Josh Harrold Town Manager



TOWN OF BLACK MOUNTAIN

Town Hall, 160 Midland Avenue, Black Mountain, NC 28711

Date: June 8, 2020 Time: 6:00 p.m. Regular Session Minutes

*The agenda and all related documentation may be accessed electronically via Wi-Fi in Town Hall. From your laptop or smartphone, access the Town's website at www.townofblackmountain.org. Click on **Town Government** and select **Mayor and Board of Alderman** to download materials for all Town board meetings.*

 **Conserve resources; print only when necessary.**

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*Should you need other assistance or accommodation for this meeting, please contact
Town Clerk Angela Reece at 419-9310, or by email at townclerk@townofblackmountain.org
(828) 419-9300 / TDD (800) 735-2962*

1. CALL TO ORDER

Mayor Don Collins called the meeting to order at 6:00 p.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry B. Harris
Alderman Ryan Stone
Alderman Tim Raines
Alderman Jennifer Willet

The following staff members were present:

Josh Harrold, Town Manager
Angela Reece, Assistant to Manager/Town Clerk
Ron Sneed, Town Attorney

The following staff members were present remotely using Zoom conference calling:

Shawn Freeman, Police Chief
Scottie Harris, Fire Chief
Jessica Trotman, Planning Director
Jamey Matthews, Public Works Director
Josh Henderson, Recreation Director

The public was invited to attend the meeting remotely using Zoom software due to the Stay-Home Stay-Safe orders issued by Buncombe County and the Governor with respect to the COVID-19 Pandemic.

Mayor Don Collins welcomed everyone and led the Pledge of Allegiance.

Mayor Collins thanked everyone in attendance and expressed appreciation to all those who were attending for the first time and also the viewing audience. The re-broadcast of each regular meeting

Black Mountain Board of Aldermen
Regular Session Minutes – June 8, 2020

is shown throughout the month on Charter Cable's Buncombe County Channel 192 at 8:00 p.m. on Sundays. Meetings initially air the same week in which they occur and are shown weekly until the next regularly scheduled meeting. Citizens may also go to the Town website www.townofblackmountain.org at any time and view the most recent regular meeting of the Board.

Mayor Collins and the Board of Aldermen expressed condolences on the passing of former Alderwoman Ruth Brandon. Ms. Brandon served the Town of Black Mountain from 1977 to 2011 and was a true asset to the Town of Black Mountain government.

2. PROCLAMATION AND AWARD RECOGNITION

A. Mayor Collins declared the month of May Building Safety Month.

3. CITIZEN COMMENTS

Individuals wishing to address the Board are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Board. Comments by any one speaker shall be limited to three (3) minutes. If the topic you wish to discuss pertains to a public hearing scheduled for this meeting, please reserve your comment for the applicable public hearing.

There were no citizen comments submitted.

4. COMMUNICATIONS FROM BOARDS, COMMISSIONS & AGENCIES

Libba Fairleigh, Secretary of the Beautification Committee presented the Annual Report to the Board of Aldermen. Secretary Fairleigh stated this is the 20th

5. CONSENT AGENDA

All items on the consent agenda are considered routine, to be enacted by one motion without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the consent agenda and considered separately.

Town Manager, Josh Harrold presented the consent agenda to the Board of Aldermen.

A. Adoption of Minutes

Motion: *To adopt the minutes of May 11, 2020 (Regular Session and May 28, 2020 (Budget Workshop).*

Alderman Larry B. Harris moved to approve the consent agenda as amended to add new Item 5B, CIP Ordinance for NC-9 Sidewalk and new Item 5C, and Allocation of \$5,000 to the Black Mountain Beautification Committee from the FY19-20 Budget. The motion was approved by a vote of 5-0.

Black Mountain Board of Aldermen
Regular Session Minutes – June 8, 2020

6. CITIZEN COMMENTS

The chair will recognize individuals requesting to address the Board regarding the specific New Business or Unfinished Business items below. Comments by any one speaker shall be limited to three (3) minutes. If the topic you wish to discuss pertains to a public hearing scheduled for this meeting, please reserve your comment for the applicable public hearing.

There were no citizen comments.

7. UNFINISHED BUSINESS

A. River Walk Phase II Greenway Update

Manager Harrold discussed Phase II & I Original design was January 2021 and has been delayed due to NCDOT funding issues until April 2021.

B. I40/Blue Ridge Road Interchange Update

Manager Harrold stated he has spoken with Mike Clark, NCDOT Division Engineer who has advised ROW acquisition has been delayed until June 2021 and construction letting has been delayed to June 2023 due to NCDOT funding issues.

C. Black Mountain Montessori School and Art in the Afternoon Lease Payment Forgiveness

Manager Harrold stated due to COVID19 Pandemic and schools being closed both schools are having difficulties with making lease payments but said Montessori School has made their June payment.

Alderman Larry B. Harris moved to extend lease payment forgiveness for Art in the Afternoon through June 2020. The motion was approved by a vote of 5-0.

8. NEW BUSINESS

A. Acceptance of Easement for Greenway

#R-20-08

Attorney Ron Sneed discussed the criteria for accepting the easement stating this easement will eliminate the need for additional pedestrian bridges to be installed along the greenway.

Vice Mayor Maggie Tuttle moved to approve Resolution #R-20-08 to accept the easement from the Swannanoa Valley Friends Meeting, agreeing to the conditions set out in the proposed easement as prepared by Attorney Sneed. The motion was approved by a vote of 5-0.

B. Acceptance of Real Property Donation of Land for Greenway

#R-20-09

Alderman Ryan Stone moved to adopt Resolution #R-20-09 to accept the donation of land from the Swannanoa Valley Friends Meeting. The motion was approved by a vote of 5-0.

Black Mountain Board of Aldermen
Regular Session Minutes – June 8, 2020

C. Appointment to fill vacancies on Town Boards and Commissions

1. **ABC Board** – (1) vacancy/3 yr term ending June 30, 2023

Alderman Larry B. Harris moved to re-appoint James “Sam” Hobson to a second three year term on the ABC Board which will expire on June 30, 2023. The motion was approved by a vote of 5-0.

2. **Greenways Commission** – (2) vacancies/ 3-yr terms ending June 30, 2023

Alderman Larry B. Harris moved to appoint Cindy Costen to fill a 3 year term ending June 30, 2023. The motion was approved by a vote of 5-0.

Alderman Larry B. Harris moved to appoint Brandon Moffit to fill a 3 year term ending June 30, 2023. The motion was approved by a vote of 5-0.

9. **Historic Preservation Commission** – (1) vacancy/ 3-yr terms ending June 30, 2023

Alderman Ryan Stone moved to appoint Jim Fuller to fill a 3 year term ending June 30, 2023. The motion was approved by a vote of 5-0.

10. **Planning Board** – (1) vacancy/ 3-yr term ending June 30, 2023

AND (1) unexpired term ending June 30, 2021

Alderman Larry B. Harris moved to appoint Rick Earley to fill a 3 year term ending June 30, 2023. The motion was approved by a vote of 5-0.

11. **Zoning Board of Adjustment** – (1) vacancies/ 3-yr term ending June 30, 2023

AND 1st Alternate term

2nd Alternate term

3rd Alternate term

Black Mountain Board of Aldermen
Regular Session Minutes – June 8, 2020

Aldерwoman Jennifer Willet moved to appoint Janet McKimpson to fill a 3 year term ending June 30, 2023. The motion was approved by a vote of 5-0.

Vice Mayor Maggie Tuttle move to appoint Gregory Feightner to the 1st Alternate seat. The motion was approved by a vote of 5-0.

Aldерwoman Jennifer Willet moved to appoint Patrick Prosser to the 2nd Alternate seat. The motion was approved by a vote of 5-0.

D. Urban Forestry Committee Ordinance

#O-20-06

Manager Harrold advised there were three vacancies on this Committee and only one person has applied. Manager Harrold recalled difficulties filling seats on this committee for the past few years. Staff proposed an ordinance to decommission the Urban Forestry Commission and to convert it into a Committee with an appointed chairman whose responsibilities would be to facilitate meetings and educational activities in the Town and to report annually to the Board of Aldermen. Manager Harrold stated staff believes converting them to a committee will allow more freedom of meetings and of membership recruitment for those who have busy schedules. The Clerk will re-advertise to fill the position of Chairman.

Alderman Ryan Stone moved to approve Ordinance O-20-06 converting the Urban Forestry Commission into a Committee as presented. The motion was approved by a vote of 5-0.

12. PUBLIC HEARING -NONE

The chair will recognize individuals requesting to address the Board regarding the specific topic of the public hearing. Public hearing comments by any on speaker shall be limited to ten (10) minutes. The Mayor reserves the right to alter time limits and other rules of procedure at the beginning of each Public Hearing.

13. COMMUNICATION FROM STAFF

A. Town Attorney – none at this time.

B. Town Manager – Manager Harrold reminded everyone of the budget workshop scheduled for June 10, 2020 at 8:30 a.m. and advised the water pumping station came online today without incident.

14. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

Vice Mayor Maggie Tuttle acknowledged many communications from supports of the Community Garden stated she was in favor of looking into a way to continue supporting the part time staff at the garden. Board members agreed to discuss further at the next budget workshop.

15. ADJOURNMENT

Alderman Larry B. Harris moved to enter into closed session to consult with the town attorney, as permitted in NCGS § 143.318.11(a)(3) at 6:32 p.m. The motion was approved by a vote of 5-0.

Alderman Larry B. Harris moved to return to open session at 6:40 p.m. The motion was approved by a vote of 5-0.

There being no further discussion, on a motion by Vice Mayor Maggie Tuttle, with a vote of 5-0 Mayor Don Collins adjourned the meeting at 6:42 p.m.

ATTEST:

Savannah Parrish, Assistant to Manger/Town Clerk

Don Collins, Mayor

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: September 14, 2020

SUBJECT: Budget Amendment for Golf Course Bridge Repair

#BA-FY-21-04

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number: 5B
Department: Finance
Contact: Kirk Medlin, Finance Director
Presenter: Josh Harrold, Town Manager

SUMMARY: During a flash flood event in early August, a considerable amount of rain fell in a short period of time. A bridge utilized on Hole #12 was compromised during this flash flood event. We are currently using a temporary bridge for access but need to repair the damaged bridge to be fully operational. The cost to perform the necessary work is \$28,000.

MOTION FOR CONSIDERATION: To approve Budget Amendment FY 2021 - #4 as submitted, increasing expenditure account 10-00-5000-560 (Transfer to Golf Fund) by \$28,000 and revenue account 10-00-3905-900 (Fund Balance Appropriation) by \$28,000, increasing the expense account 50-92-6310-730 (Capital Outlay) by \$28,000, and revenue account 50-92-3808-800 (Transfer from General Fund) by \$28,000.

FUNDING SOURCE: General Fund

ATTACHMENTS: Budget Amendment - FY 2021 - #4

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

Budget Amendment # 2021-4
Fiscal Year 2020-2021

Dept.	Account #	Account Name	Debit	Credit	Comments
	10-00-5000-560	Transfer to Golf Fund	28,000.00		This amendment is for the repair of the damaged bridge at the 12th Hole of the Golf Course.
	10-00-3905-900	Fund Balance Appropriation		28,000.00	
	50-92-6310-730	Capital Outlay	28,000.00		
	50-92-3808-800	Transfer from General Fund		28,000.00	

Totals: 56,000.00 56,000.00

BD # _____

Journal # _____

Fiscal Yr _____

Date _____

Entered By: _____

Approved By: _____

Date _____

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: September 14, 2020

SUBJECT: Budget Amendment for Lake Tomahawk Forebay

#BA-FY-21-05

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number: 5C
Department: Finance
Contact: Kirk Medlin, Finance Director
Presenter: Josh Harrold, Town Manager

SUMMARY: During a flooding event in 2018, damage was sustained on the northern end of Lake Tomahawk where Tomahawk Creek enters the lake. The existing forebay has failed and is in need of repair. The pedestrian bridge abutment was also damaged and needs repair. The original estimate to perform the work was \$72,000, which the Board approved at the December 2019 meeting. After some engineering work, the construction costs have increased by \$50,000. This is mainly due to a new retaining wall and some additional dredging work. The new retaining wall will provide the Town much better access for yearly dredging to alleviate sediment loading in Lake Tomahawk.

MOTION FOR CONSIDERATION: To approve Budget Amendment FY 2021 - #5 as submitted, increasing expenditure account 10-00-5000-730 (Capital Outlay) by \$50,000 and revenue account 10-00-3905-900 (Fund Balance Appropriation) by \$50,000.

FUNDING SOURCE: General Fund

ATTACHMENTS: Budget Amendment - FY 2021 - #5

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

Budget Amendment # 2021-5
Fiscal Year 2020-2021

Dept.	Account #	Account Name	Debit	Credit	Comments
	10-00-5000-730	Capital Outlay	50,000.00		Amendment required for forebay repair and pedestrian bridge abutment repair. Increase due to new retaining wall and dredging work.
	10-00-3905-900	Fund Balance Appropriation		50,000.00	

Totals: 50,000.00 50,000.00

BD # _____

Journal # _____

Fiscal Yr _____

Date _____

Entered By: _____

Approved By: _____

Date _____

**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION**

Meeting Date: September 14, 2020

SUBJECT: Call for Public Hearing to Rezone 324 N. Fork Road from CR-1 to TR-4 from N. Fork Road to the Middle of the Creek (West Side) and from CR-1 to SR-2 on the East Side
#Z-O-20-04

AGENDA INFORMATION

Agenda Location:	CONSENT AGENDA
Item Number:	5D
Department:	Planning and Development Department
Contact:	Jessica Trotman, Planning Director
Presenter:	Jessica Trotman, Planning Director

BRIEF SUMMARY: Sam Decker submitted a rezoning application to rezone his property at 324 N Fork Road from CR-1 to UR-8. The property consists of 16 acres and has a stream and MSD sewer easement. The property is located across from the Golf Course and is one parcel away from the UR-8 zoning district. The difference in uses between the differing residential districts is comparable but the UR-8 district would allow a greater amount of density, however, the property is encumbered by the stream and MSD sewer easement. The Planning Board heard the request at their August 24th meeting. After much discussion and concern regarding greater density and wanting to keep the area more in line with what is existing, a motion was made to rezone the entire parcel from CR-1 to TR-4. The motion failed with a tied vote of 3-3. A second motion was made to rezone from N. Fork Road to the middle of the creek (the west side) from CR-1 to TR-4 and then rezone the east side from CR-1 to SR-2. The motion passed with a vote of 5-1.

The property is as follows:
324 N Fork Road – PIN # 0700-92-8001

MOTION FOR CONSIDERATION: To call for a public hearing to rezone 324 N. Fork Road from CR-1 (conservation residential) to TR-4 (town residential) from N. Fork Road to the middle of the creek (the west side of the property) and rezone the east side of the property from CR-1 (conservation residential) to SR-2 (suburban residential) to be held on Monday, October 12, 2020, at 6:00 p.m., or as soon thereafter as possible in the Board Room of Town Hall at 160 Midland Avenue.

FUNDING SOURCE: N/A

ATTACHMENTS: Zoning Ordinance **#Z-O-20-04**, Statement of Consistency, Zoning Map, Aerial Map

MANAGER'S COMMENTS AND RECOMMENDATIONS: To call for the public hearing to be held at the next regularly scheduled meeting on Monday, October 12, 2020, or as soon thereafter as possible.



LEGAL NOTICE

BLACK MOUNTAIN BOARD OF ALDERMEN

PUBLIC HEARING

Monday, October 12, 2020, at 6:00 p.m.

The Black Mountain Board of Aldermen will meet on **Monday, October 12, 2020, at 6:00 p.m.** in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to hold a public hearing to rezone 324 N. Fork Road (PIN #0700-92-8001) from CR-1 to TR-4 on the west side of the property and from CR-1 to SR-2 on the west side of the property.

The meeting is open to the public.

Savannah Parrish
Town Clerk

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or a particular accommodation for this meeting please contact, Savannah Parrish, Town Clerk at 419-9310 or by email at townclerk@townofblackmountain.org.

Posted to the Town Bulletin Board 09/17/2020
Published in the Black Mountain News 09/24/2020 and 10/01/2020

www.townofblackmountain.org

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: September 14, 2020

SUBJECT: Call for Public Hearing for Text Amendments to Amend Zoning Districts Intents and Purposes **# O-20-12**

AGENDA INFORMATION

Agenda Location: CONSENT AGENDA
Item Number:
Department: Planning and Development Department
Contact: Jessica Trotman, Planning Director
Presenter: Jessica Trotman, Planning Director

BRIEF SUMMARY: In some of the intents and purposes of the zoning districts, the descriptions read like standards and regulations. If there are any regulations or standards for the zoning districts, those are laid out in the ordinance and not in the intent and purpose statement. The intent and purpose statement is only meant to describe the district. The proposed amendments remove any language that appears to be a standard or regulation and makes them descriptive only. The Planning Board recommended the amendment to the Board of Aldermen as written by a vote of 6-0 at their August 24, 2020, meeting.

MOTION FOR CONSIDERATION: To call for a public hearing for text amendments to intents and purposes of zoning districts to be held on Monday, October 12, 2020, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 160 Midland Avenue.

FUNDING SOURCE: N/A

ATTACHMENTS: Ordinance # O-20-12

MANAGER'S COMMENTS AND RECOMMENDATIONS: To call for the public hearing to be held at the next regularly scheduled meeting on Monday, October 12, 2020, or as soon thereafter as possible.



LEGAL NOTICE

BLACK MOUNTAIN BOARD OF ALDERMEN

PUBLIC HEARING

Monday, October 12, 2020, at 6:00 p.m.

The Black Mountain Board of Aldermen will meet on **Monday, October 12, 2020, at 6:00 p.m.** in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to hold a public hearing for text amendments to the intents and purposes of the zoning districts.

The meeting is open to the public.

Savannah Parrish
Town Clerk

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Posted to the Town Bulletin Board 09/17/2020
Published in the Black Mountain News 09/24/2020 and 10/01/2020

www.townofblackmountain.org

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: September 14, 2020

SUBJECT: Call for Public Hearing for Text Amendments to Clarify Prohibited Uses
O-20-11

AGENDA INFORMATION

Agenda Location:	CONSENT AGENDA
Item Number:	5F
Department:	Planning and Development Department
Contact:	Jessica Trotman, Planning Director
Presenter:	Jessica Trotman, Planning Director

BRIEF SUMMARY: The Land Use Currently states that any use not specifically listed shall be prohibited. A 2015 court case states that prohibited uses must be clearly listed. Use categories shall be broad so as to accommodate uses that may not be specifically listed but are also not prohibited. The proposed amendment removes the sentence regarding uses not specifically listed.

MOTION FOR CONSIDERATION: To call for a public hearing for text amendments clarifying prohibited uses to be held on Monday, October 12, 2020, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 160 Midland Avenue.

FUNDING SOURCE: N/A

ATTACHMENTS: Ordinance # *O-20-11*

MANAGER'S COMMENTS AND RECOMMENDATIONS: To call for the public hearing to be held at the next regularly scheduled meeting on Monday, October 12, 2020, or as soon thereafter as possible.



LEGAL NOTICE

BLACK MOUNTAIN BOARD OF ALDERMEN

PUBLIC HEARING

Monday, October 12, 2020, at 6:00 p.m.

The Black Mountain Board of Aldermen will meet on **Monday, October 12, 2020, at 6:00 p.m.** in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to hold a public hearing for text amendments to remove a sentence regarding uses not specifically listed being prohibited.

The meeting is open to the public.

Savannah Parrish
Town Clerk

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Posted to the Town Bulletin Board 09/17/2020
Published in the Black Mountain News 09/24/2020 and 10/01/2020

www.townofblackmountain.org

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: September 14, 2020

SUBJECT: Budget Amendment for Governor's Crime Commission Grant

#BA-FY-21-06

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number: 5G
Department: Finance
Contact: Kirk Medlin, Finance Director
Presenter: Josh Harrold, Town Manager

SUMMARY: The Black Mountain Police Department was awarded a non-matching grant in the amount of \$22,000. This funding will be used for upgrading our PD squad room with new computers, cubicles, a smart TV, as well as purchasing rifles for officers.

MOTION FOR CONSIDERATION: To approve Budget Amendment FY 2021 - #6 as submitted, increasing revenue account 10-10-3395-300 (Government Crime Commission Grant) by \$22,000 and increasing expense accounts 10-10-5100-350 (LEO Supplies) by \$15,500, and 10-10-5100-160 (Maintenance and Repair - Equipment) by \$6,500.

FUNDING SOURCE: Grant received by Police Department

ATTACHMENTS: Budget Amendment - FY 2021 - #6

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

Budget Amendment # 2021-6
Fiscal Year 2020-2021

Dept.	Account #	Account Name	Debit	Credit	Comments
	10-10-3395-300	GCC Grant	22,000.00		Amendment to record grant received by the Police Department, which will be used for squad room upgrades and rifles.
	10-10-5100-350	LEO Supplies		15,500.00	
	10-10-5100-160	M&R - Equipment		6,500.00	

Totals: 22,000.00 22,000.00

BD # _____

Journal # _____

Fiscal Yr _____

Date _____

Entered By: _____

Approved By: _____

Date _____

**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION**

Meeting Date: September 14, 2020

SUBJECT: Utility Payment Plans Due To COVID-19

AGENDA INFORMATION

Agenda Location: NEW BUSINESS
Item Number: 8A
Department: Administration
Contact: Josh Harrold, Town Manager
Presenter: Josh Harrold, Town Manager

BRIEF SUMMARY: In March of 2020 coinciding with Governor Cooper's executive order the Town suspended all late fees and cutoffs for past due water bills. As of July 31, 2020 there are 460 customers past due totaling approximately \$56,000. Governor Cooper's Executive Orders 124 & 142 expired on July 29, 2020 giving utilities the ability to charge late fees and perform cutoffs for non-payment. Staff researched other municipalities and prepared a payment plan option for folks that are interested. Staff believes it would be much less time consuming to give all the past due customers 6 months to get caught up. If customers are interested in getting on a 6 month payment plan they can; however, if they do get on a payment plan and miss a payment we have the ability to cut them off.

MOTION FOR CONSIDERATION: To approve allow for utility payment plans for past due water customers.

FUNDING SOURCE: N/A

ATTACHMENTS: Sample payment plan form

MANAGER'S COMMENTS AND RECOMMENDATIONS: To approve as presented.

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: September 14, 2020

SUBJECT: Call for Public Hearing for Blue Ridge Road Small Area Plan

AGENDA INFORMATION

Agenda Location:	PUBLIC HEARING
Item Number:	9A
Department:	Planning and Development Department
Contact:	Jessica Trotman, Planning Director
Presenter:	Jessica Trotman, Planning Director

BRIEF SUMMARY: Due to the upcoming 1-40 Interchange and potential use and zoning changes along Blue Ridge Road, the Town contracted with Wetherill Engineering to conduct a Blue Ridge Road Small Area Plan. The plan focused on both transportation and land uses. There were two public meetings as well as two additional thirty-day comment periods. The plan will be used as a guiding document for future development and potential rezonings along Blue Ridge Road. The Planning Board made some minor amendments at the July 27th meeting and voted to recommend the plan with the amendments to the Board of Aldermen by a vote of 6-0.

MOTION FOR CONSIDERATION:

1. To open the public hearing to adopt the Blue Ridge Road Small Area Plan.
2. To close the public hearing.
3. To adopt the Blue Ridge Small Area Plan as presented [or as amended].

FUNDING SOURCE: N/A

ATTACHMENTS: Blue Ridge Road Small Area Plan

MANAGER'S COMMENTS AND RECOMMENDATIONS: To adopt the Blue Ridge Road Small Area Plan as presented.



Town of Black Mountain, North Carolina

Blue Ridge Road Small Area Plan

Acknowledgements

Note: A special thanks to the residents of the Blue Ridge Road Small Area Plan study area and adjacent neighborhoods who participated in the planning process and provided their valuable input.



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Board of Alderman

Larry B. Harris
Mayor

Mayor Don Collins
Former Mayor

Maggie Tuttle
Vice-Mayor

Archie Pertiller
Alderman

Ryan Stone
Alderman

Jennifer Willet
Alderman

Tim Raines
Alderman

Town Staff

Josh Harrold
Town Manager

Jessica Trotman
Planning Director

Jennifer Tipton
Zoning Administrator

Town Planning Board

Jesse Gardner, *Chair*

Pam Norton, *Vice Chair*

Lauronda Teeple

Chris Collins

Scott Reed

Rick Earley

Chas Fitzgerald

Report Prepared August 2020
Plan Adopted: TBD



1

Introduction

Growth and development patterns changed dramatically in 1979 with the opening of I-40, which increased the flow of visitors to the region and refocused commercial development to downtown Black Mountain and around the existing interchange at NC 9. The resulting increased flow of visitors through downtown Black Mountain triggered the rehabilitation of the Town's historic downtown area. Today, the new interchange with I-40 and Blue Ridge Road (NCDOT STIP No. I-4409 with an anticipated construction date in mid-2020) will provide all traffic, particularly truck traffic, with alternative access to the interstate that does not involve having to negotiate busy, narrow downtown streets that are often filled with pedestrians. This improved access to I-40 will encourage more commercial and industrial activity in the western portions of Black Mountain. NCDOT will also be constructing a roundabout at the intersection at NC 9 to create a safer transition from NC 9 to Blue Ridge Road.

The Black Mountain Commerce Park is an over 100-acre economic development site located along Blue Ridge Road in two tracts north and south of I-40. Planned uses focus on medical research, light manufacturing and distribution facilities, corporate and government offices, multi-modal transportation, a hotel and conference center, restaurants, and other commercial-service components within a

campus like business park or corporate center. Anticipated growth activity at the Commerce Park and the construction of this new I-40 interchange at Blue Ridge Road will increase the attractiveness to prospective developers, businesses, and future residents alike.

The Town's Comprehensive Plan calls for the Town to reduce downtown traffic and promote economic development by working with the French Broad Metropolitan Planning Organization (MPO) and NCDOT to make the I-40 Interchange project at Blue Ridge Road a priority in the Long-Range Transportation Plan. Now that this interchange is coming to fruition, the creation of this major interstate node will have a tremendous impact on this area of town. With pending development occurring at the Commerce Park and the I-40 interchange, the Town requested assistance with creating a Small Area Plan (Plan) for Blue Ridge Road in order to accommodate transitional land use patterns in relation to changing conditions.

Furthermore, the Town will soon be updating their Comprehensive Plan and Future Land Use Map. These policy documents are critical to managing existing and future growth and infrastructure needs. Area plans help to inform that process, though lack enforceable policy. The following section summarizes what area plans are, what they are not, and what they hope to achieve.



Study Area

The Plan's study area (solid red line) encompasses approximately a 210-acre area south of I-40 from the new interchange project (yellow hatched area on west end), 1.2 miles along Blue Ridge Road (SR 2500), to the NC 9 Roundabout Project (yellow hatched area on east end). Figure 1 identifies the study area.

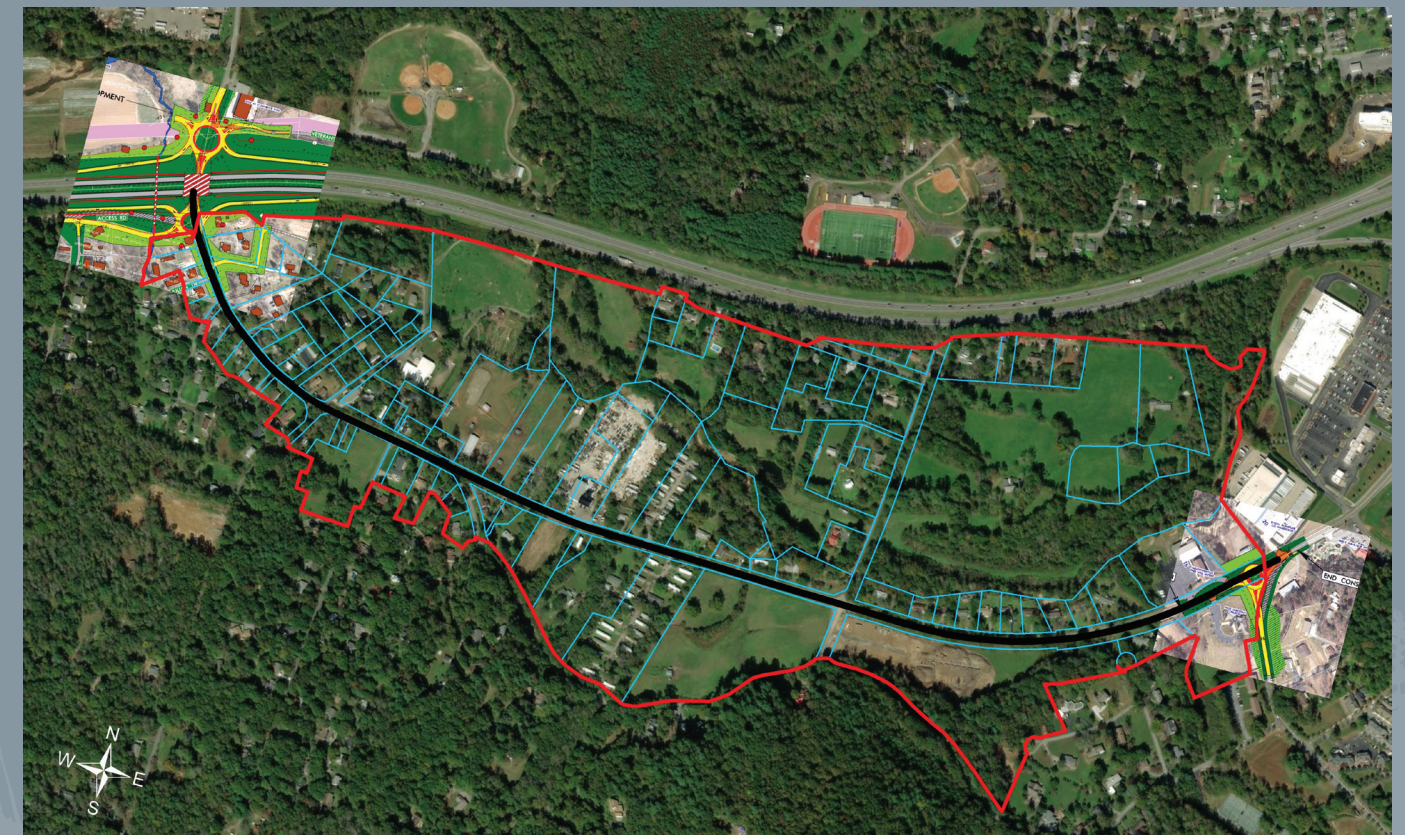
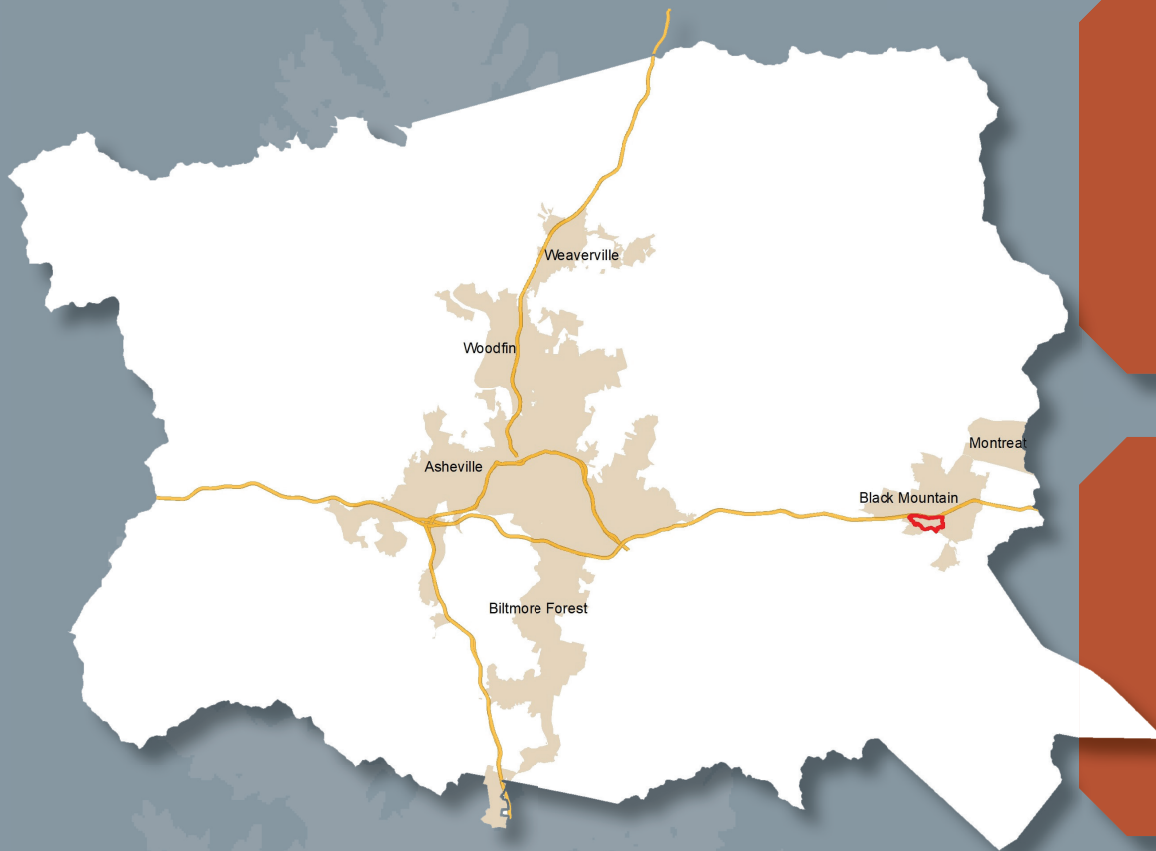


Figure 1: Project Study Area of the Blue Ridge Road Small Area Plan



Project Area in Relation to Buncombe County

What is a Small Area Plan?

A small area plan is a detailed, long-range land-use and transportation plan that is focused on a particular size limited area. Small area plans guide future transportation and land-use expectations **and decisions** by providing a collaborative process for citizens to create a shared, community-owned vision. Local planners and boards rely on this information to then shape land use policy and decisions responsive to community needs and desires.

What isn't a Small Area Plan?

This Plan is not a "canned" study and will be uniquely customized through feedback from the Town. Furthermore, it is not formally part of the new I-40 interchange project; therefore, it provides an independent and fresh look at reshaping Blue Ridge Road. Finally, this Plan is **not a traditional rezoning** effort but will offer **guidance and suggestions** as changes occur along Blue Ridge Road over time. It provides a tool to staff and elected officials to evaluate requests made by property owners for who may wish to be rezoned in the future, or inform a town initiated rezoning process in respond to changing conditions.

Why is it Important?

In the absence of a plan, undesirable development may occur. A small area plan will provide **community visioning and guidance** for how Blue Ridge Road and the surrounding area should change and grow in the future. It will identify land use, transportation, and development strategies responsive to changes in conditions associated with the new interchange

How will the Plan's Vision be Achieved?

The overall Plan will be informational and detailed enough to provide a **blueprint** the Town can follow and implement. The Plan will clearly define land use and transportation "drivers" and lay out steps to follow in order to achieve the vision, building on the current regulatory land use and zoning framework. The Plan will outline options including mixed use zoning strategies, transportation funding opportunities, and growth management practices, among others, aligned to the vision.

Note

Desired land use patterns formed through public input will not preclude other uses from being considered through traditional rezoning applications or in response to an unanticipated change in conditions. This Plan will inform future policy initiatives such as the Comprehensive Plan and Future Land Use Map as they take shape.

2 Study Process

To achieve this overall Plan and give the Town a blueprint for growth management, this study implemented a three-phased approach with key tasks to accomplish during each phase of the study. **Figure 2** illustrates the study process by phase and key task.

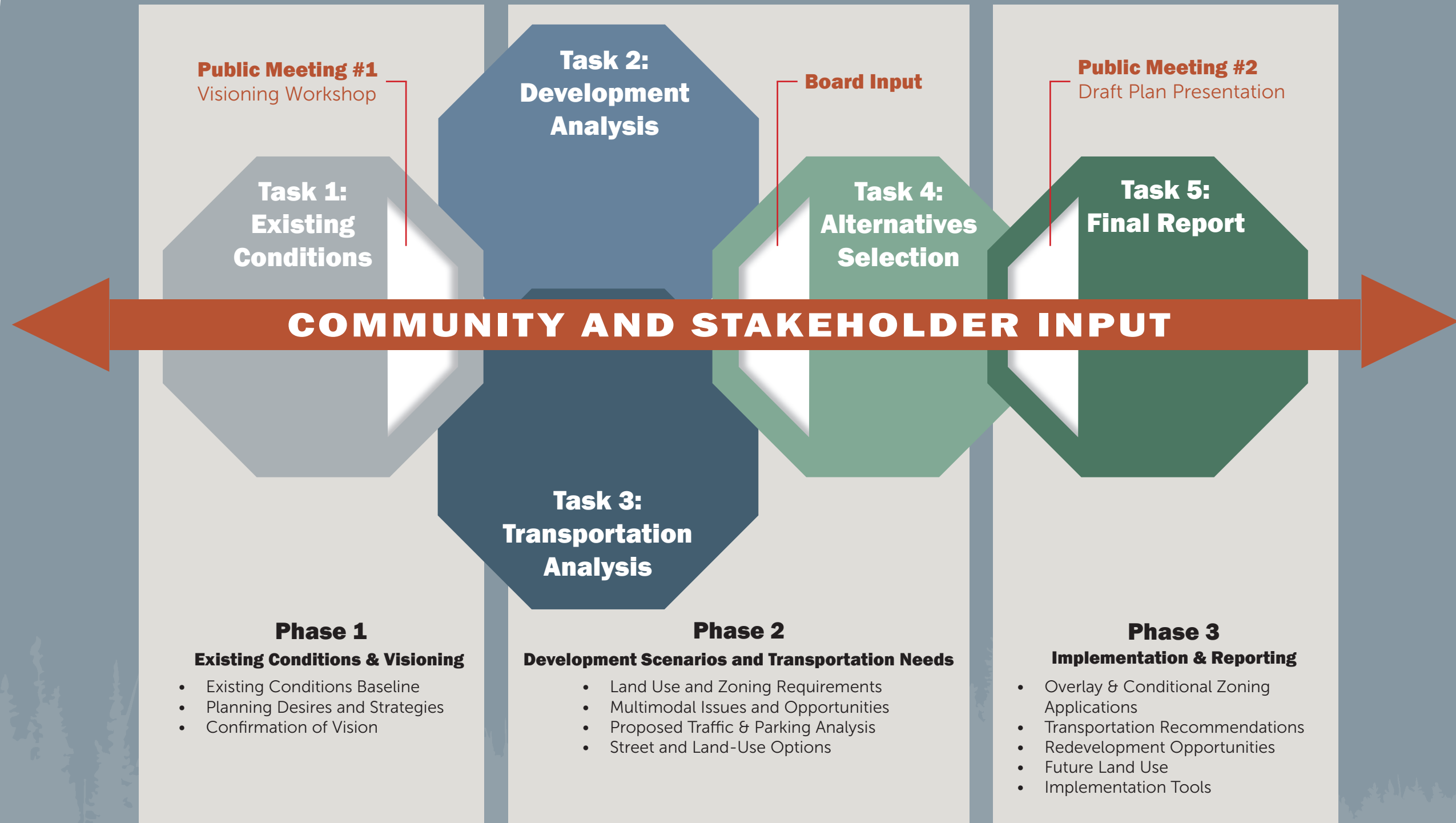


Figure 2: Study Process Overview

3 Condition Assessment

The Town of Black Mountain has been growing and developing since the opening of I-40. The increased flow of visitors to the region and refocused commercial development along US 70 has led to congestion and cut-through traffic conditions. As recognized in the Comprehensive Plan, opportunities to develop new mixed-use centers of activity will be created with the construction of the I-40 interchange at Blue Ridge Road in addition to relieving congestion downtown.

The existing land uses along Blue Ridge Road include residential, recreational, institutional, and even some commercial. While there is a mix of land uses, the land area is relatively undeveloped when compared to other areas within the Town. In fact, the building “floor area” makes up less than 4 percent of the total footprint in the study area. For this reason, the opening of the interchange will usher in opportunities that if unchecked, may result in undesirable land use outcomes that do not align with the interest and vision of the community. **Figures 3 and 4** illustrate existing land use and zoning in the study area.

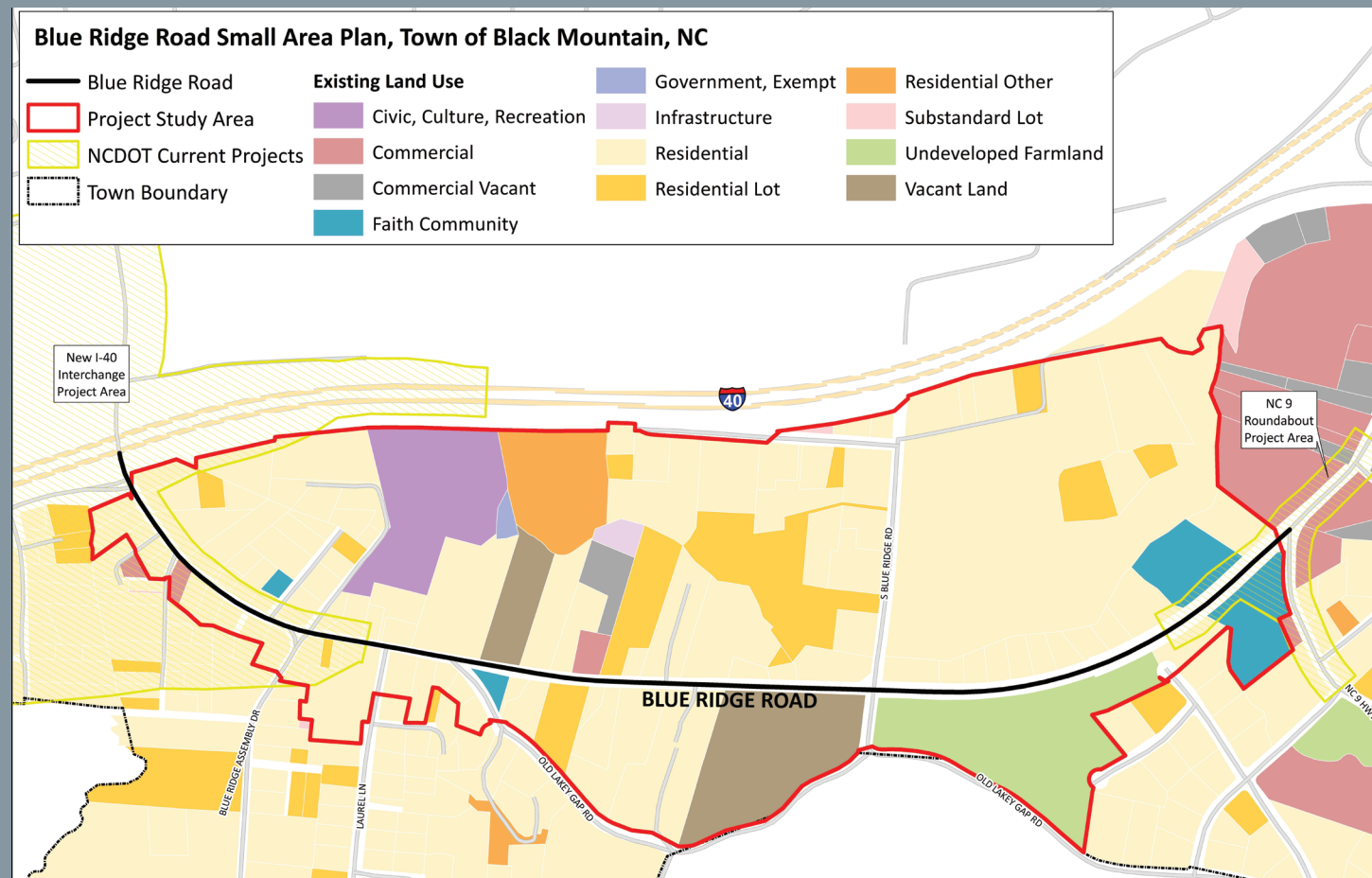


Figure 3: Existing Land Use

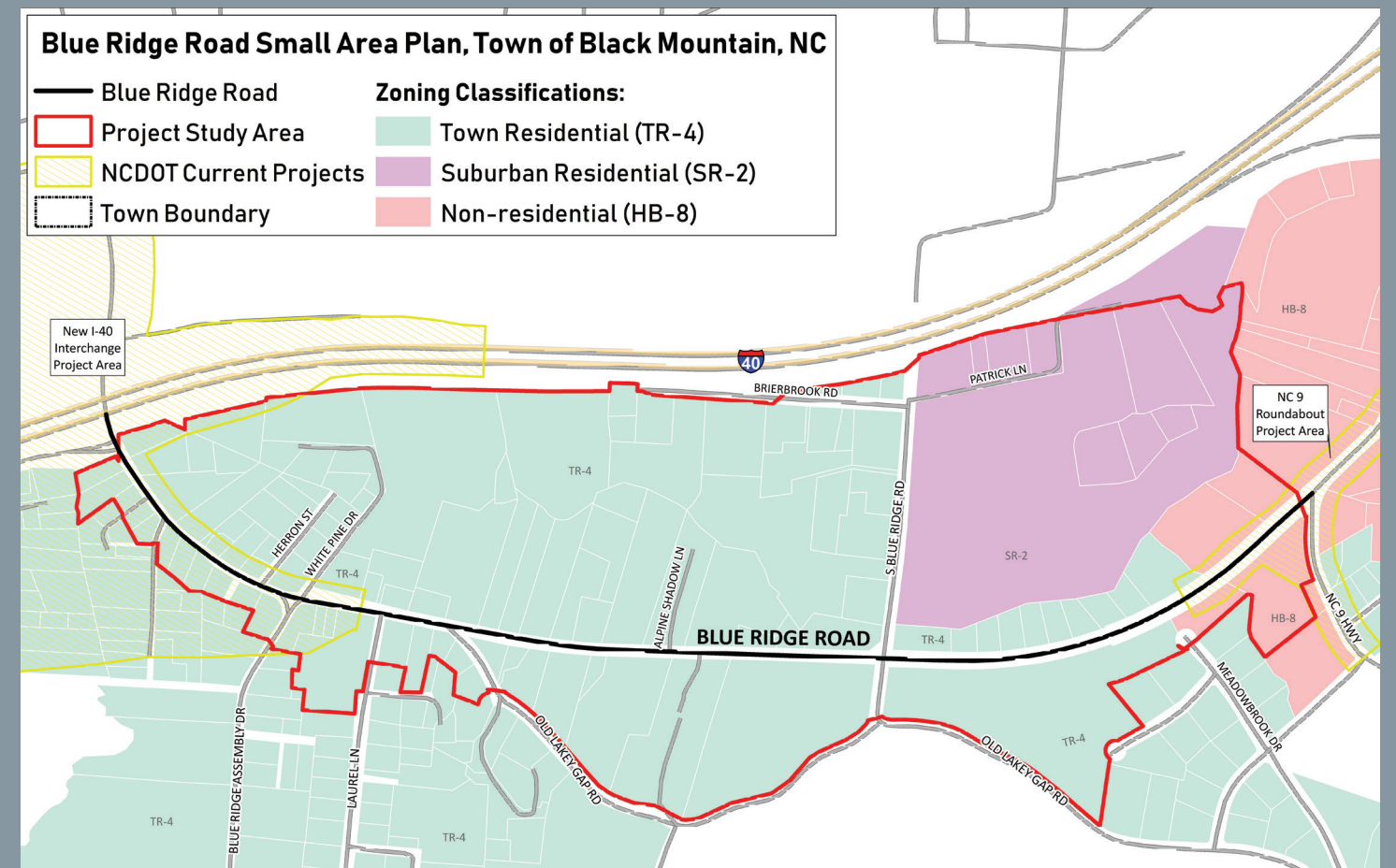


Figure 4: Existing Zoning

4

Public Input Session #1

Civic engagement is a necessary tool to promote and encourage community understanding and buy-in. The first of two public input sessions was held on March 14, 2019, at the Meadowbrook Freewill Baptist Church located on Blue Ridge Road.

The meeting consisted of table-top maps, interactive “dot” voting boards, and two (2) presentations followed by a question and answer session. Each presentation covered the same content and accommodated participants that arrived later. There were 40 walk-in participants that included Planning Board and Board of Alderman members, Town staff, and consultant support.

In general, there was consensus and acceptance that changes will be coming to the Blue Ridge Road area. Participants seemed to accept that the new interchange with the accompanying roundabouts as well as the proposed roundabout at NC 9 would usher in change to the area. They responded positively to the Town’s proactive response to anticipated impacts of the interchange and the accompanying new road design. Participants engaged in significant conversation one on one with town staff and the consulting team.

Meeting Purpose

1. **Introduce the study**
2. **Share land use and transportation options being considered**
3. **Gather feedback on issues and opportunities important to the community**
4. **Inform the Plan’s vision**



Photo Credit: Black Mountain News



Photo Credit: Black Mountain News

Dot Voting for Visioning

Participants were provided the opportunity to vote on a suitable, context-sensitive vision statement. Vision statements are important because they instill a hopeful and a positive outlook into the future. They succinctly describe an **inspirational, long-term** plan for what should be accomplished, who will benefit, and how the area will be perceived. The vision statement gives everyone a description of what they are working towards.

The selection of Vision statements A and D would suggest the community desires maintaining its heritage and small town feel for residents and businesses alike while planning for changes that will be ushered in by the new interchange. It also suggests the community is interested in expanding multimodal connections and ensuring safety is improved. Ultimately, Vision statement A was the most preferred and carries many of the elements included in Vision statement D.

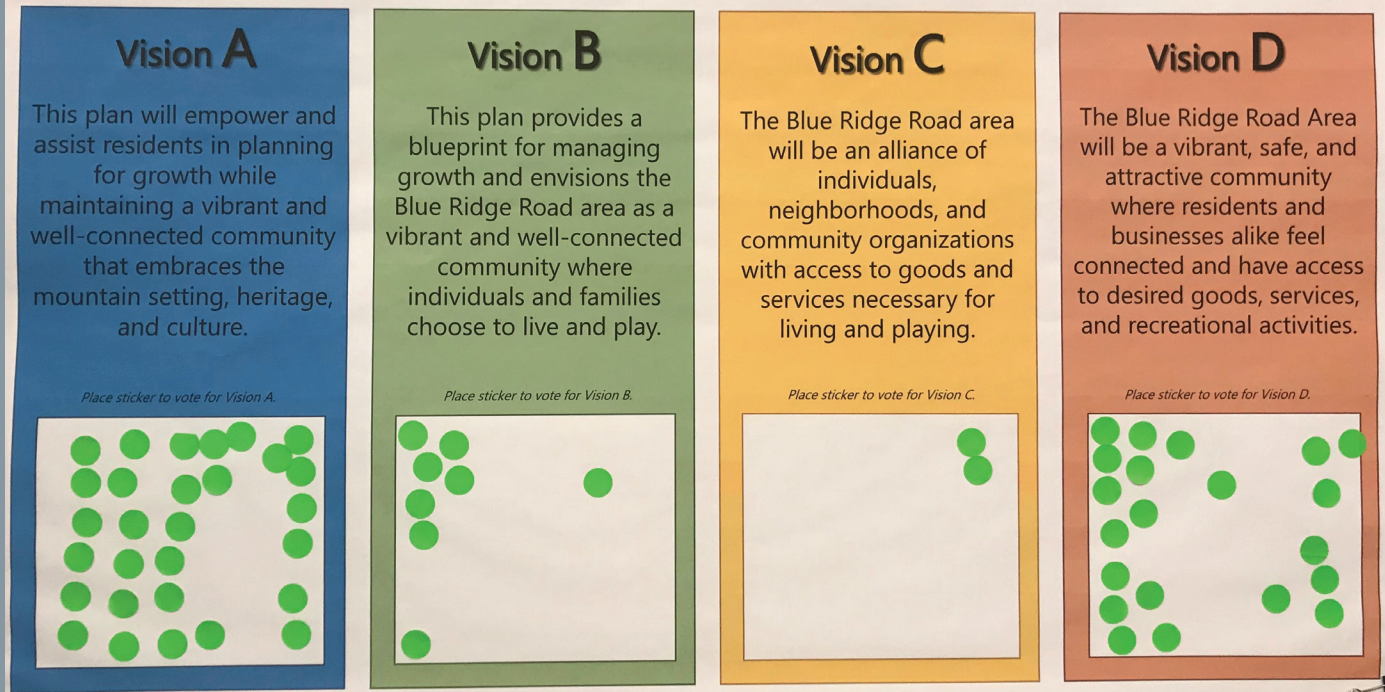
Dot Voting for Transportation

Participants were provided the opportunity to vote on multimodal roadway features most important to them. Participants were interested in biking but understood that multi-use paths also accommodate bikes

and may eventually connect to the existing and future multi-use paths. The results of the Complete Streets dot voting further align with Vision statements A and D.

“The Blue Ridge Road Small Area Plan will empower and assist residents in planning for growth while maintaining a vibrant, safe, attractive, and well-connected community that embraces the mountain setting, heritage, and culture.”

Future Vision Options of the Blue Ridge Road Small Area Plan



Visioning dot voting results

Defining Complete Streets

The principle for complete streets is to create roadways and related infrastructure that provide safe travel for all users, customized to the characteristics of the area the street services.



Transportation dot voting results

Comment Sheet Summary

Numerous comment sheets were submitted both during the meeting and over the course of the two-week comment period. In general, land use considerations include a mix of uses, though limited, on either end of the corridor near the new interchange and the NC 9 roundabout. Maintain affordable residential along central portions of the study area. There were differing views on whether commercial / business / industrial uses should be allowed – but a common theme was aesthetics and preserving the Town’s heritage; therefore, avoid specific uses such as gas stations and convenience stores. Boutique uses such as coffee and bagel shops were also desired along the corridor but avoid possible competition with downtown.

Safety was a top issue for the community, and there was shared concern over the intersection of Blue Ridge Road / White Pine Drive / Assembly Drive and the interaction of heavy turning movements, future day care traffic, and the EMS station. As for multimodal opportunities, responses confirmed that sidewalks and multi-use trails are the preferred option for pedestrian and bicycle accommodations though dedicated bike lanes were also desired. Most land use comments included a recommendation for improved multimodal accessibility.

Participant responses were overall proactive and positive.



Blue Ridge Road Small Area Plan Public Meeting Outcome

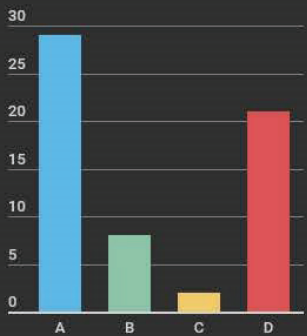
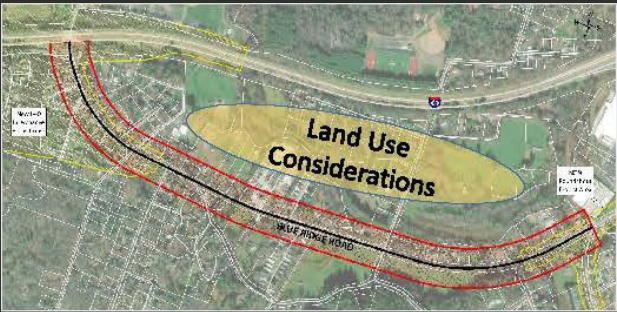


March 14, 2019
Meadowbrook Freewill Baptist Church



Study Area Location

Town of Black Mountain,
Buncombe County,
North Carolina



Multi-use Paths Sidewalks
Transit Stops Bicycle Lanes
Traffic Calming Safe Crossings

Vision Option Votes

With four Plan options, the town residents at the meeting voted most for the plan to “empower and assist residents in planning for growth while maintaining a vibrant and well-connected community that embraces the mountain setting, heritage, and culture.”

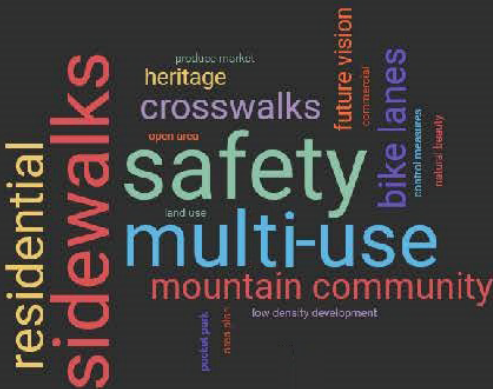
Street Feature Votes

Out of a total of six street features to incorporate as part of the Plan, the Town voted overwhelmingly for sidewalks and multi-use paths.



Safety First

Safety was a main concern of the community. Adding sidewalks and multi-use paths were the top most suggested features to assure a safer Blue Ridge Road. Improving the Blue Ridge Assembly Drive / White Pine Drive intersection was also a common topic.



Summary

In general, there was an overall positive response to the idea of proactive planning taking place to prepare for the anticipated impacts of the interchange and the accompanying new road designs. Future conditions may consist of a mix of uses but limit certain commercial and industrial uses such as gas stations and convenience stores. Maintain residential, preserve open space, and ensure new development fits the mountain setting context. As for multimodal opportunities, sidewalks and multi-use paths are the most preferred options to consider.

5

Land Use Recommendations

The construction of the new I-40 interchange with Blue Ridge Road will provide additional accessibility to the community and an opportunity for the community to guide future growth resulting from this additional gateway. It is important to set realistic goals for this area and map out a method in which to achieve these goals. In order to accommodate transitional land use patterns desired by the community in relationship to changing conditions, proactive measures should be implemented. See **Figure 7** for an illustration of the land use recommendations.

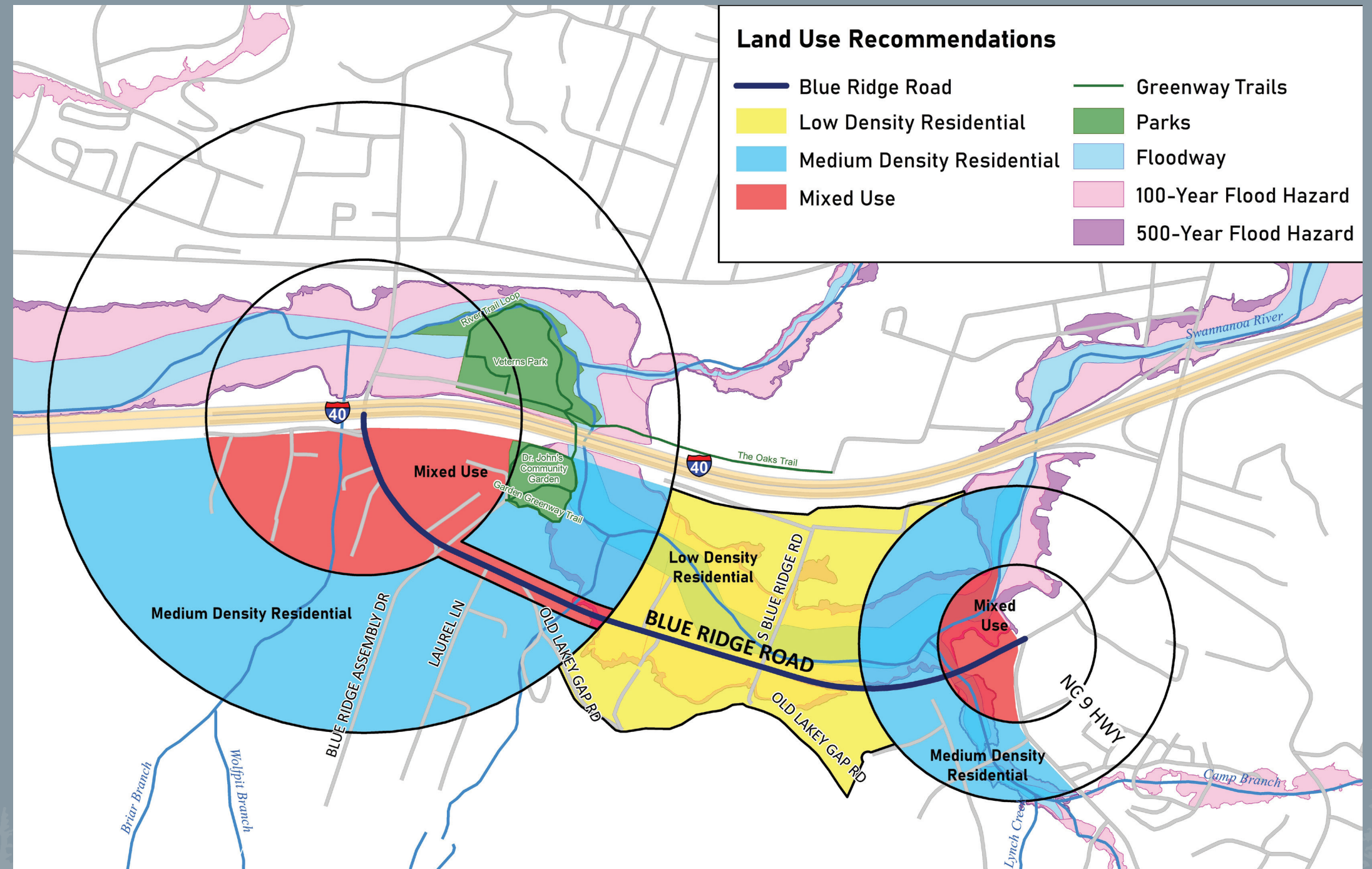


Figure 7: Land Use Recommendations

Mixed-Use Areas

As identified through the public input process for this project, it is envisioned for the areas surrounding the new interstate interchange and the area around the proposed roundabout at the intersection of Blue Ridge Road and NC 9 to allow for a desired mix of uses compatible with existing development. Mixed-use projects include a combination of various types of land uses and are typically characterized as development that blends residential and non-residential uses. This type of development brings stores, services, and workplaces within walking and biking distance of residents. The town currently identifies areas of this nature as NMU-8, noting the permitted uses of this transition district and the allowable density of eight units per acre.

Through public engagement, the need was recognized to extend this mixed-use area further along Blue Ridge Road, from the western side of the project area at the new interchange toward NC 9 along Blue Ridge Road (but not the entire length). The concept is to capture boutique uses fronting the road with residential in the back. This more compact and efficient pattern of growth creates activity centers that support local businesses, reduce dependency on automobiles, preserve open space, and improve the quality of life for residents. This pattern will not restrict further mixed-use development along Blue Ridge Road and will be compatible with existing land uses. The proposed land use pattern reflects consistent feedback received through the public engagement process and desire to blend residential with non-residential uses.



Medium and Low Density Residential Areas

The next spheres of the concentric circle areas of this Plan call for medium-density residential uses, followed by low-density residential use in the area remaining along the midsection of Blue Ridge Road. Medium-density residential would accommodate less than or equal to six dwelling units per acre and low-density residential would accommodate less than or equal to four units per acre. As per the Town's ordinance, [Town Residential-4](#) allows four dwelling units per acre and [Suburban Residential-2](#) is defined as two dwelling units per acre. As with mixed use areas, this pattern will not restrict other types of development or even a mix of medium and low density residential. In fact much of the study area is already zoned TR-4 and would be compatible with this Plan. Furthermore, the Town does not anticipate down zoning.

The proposed land use pattern reflects community feedback and desire to maintain some medium and low-density residential uses along Blue Ridge Road. Modest opportunities for increased densities exist in the zoning ordinance in both TR-4 and SR-2.

Land Use/Growth Management Strategies

The following points represent land use and growth management strategies for the study area that are necessary to assist the Town in realizing the vision set forth in the planning process:

Encourage only mixed-use development near the new interchange and NC 9 portions of Blue Ridge Road, with the exception of gas stations and other uses identified through the public involvement process.

Maintain the Black Mountain identity and recognize the importance of the downtown area to the residents and visitors of the Town such that a “new downtown” does not result on Blue Ridge Road, but identify uses that are permitted in this plan area that do not necessarily fit or compete with downtown but are still desired by the community.

Non-residential growth should occur primarily at the two “ends” of Blue Ridge Road study area.

In order to create a sense of place, the Town needs to adopt a policy that avoids typical, straight rezoning requests.

Identify uses that will complement the Commerce Park and future Avadim expansion in the western portion of the study area. These uses should also serve as transitioning or buffering type uses for the transition into the larger residential areas.

Encourage safe road crossing features by including ordinance requirements for any new development to provide pedestrian accessibility to the most feasible crossing locations.

Pursue the development of an overall tourism marketing strategy/plan that builds upon existing wayfinding signage and incorporates gateway signage.

Explore options for increasing incentives, such as density / intensity bonuses, for the use of LEED standards or Low Impact Design techniques for new development in this area.

Identify opportunities for the consolidation of commercial driveways and the development of shared access arrangements.

Promote an interconnected street network by avoiding the use of cul-de-sacs where topography would allow for a through connection.

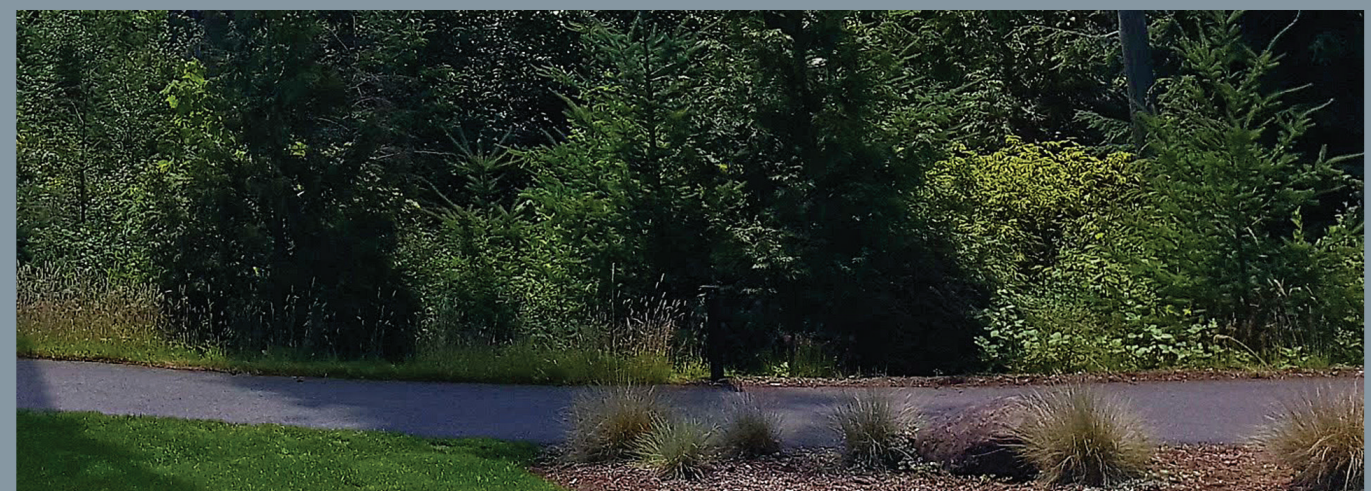
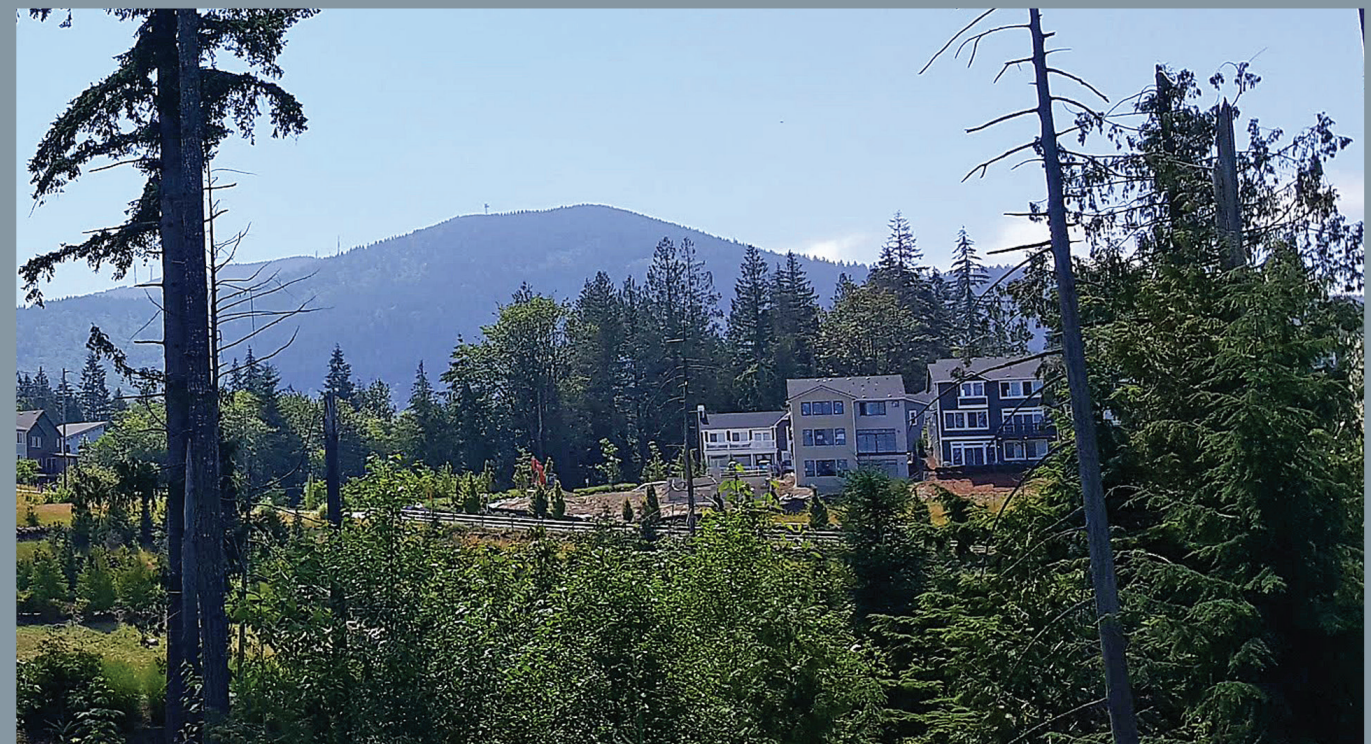
Encourage the use of the Conditional Zoning process to allow rezoning flexibility provided that future conditions remain compatible with this Plan.

As rezoning proposals are reviewed and considered for this area, ensure that such proposals are approved only in those cases where the resultant division of districts does not leave isolated dissimilarly zoned properties of lower intensity adjacent to areas zoned for higher intensity uses.

Maintain policies that prohibit the construction of buildings that are wholly out of scale with the character of the Town in terms of their height, bulk, or area.

Encourage a mix of housing types within the community to accommodate residents in different stages of life.

Establish open space requirements for new residential developments, placing emphasis on primary and secondary conservation areas, and allow conservation development as an option to cluster residential units in order to encourage the preservation of open space.



6

Transportation Recommendations

Historically speaking, development near the Town of Black Mountain has been constrained to the river valleys. Due to such topographical constraints, as well as the increasing population in the area, the region is experiencing congestion issues, and more such challenges are expected in the future. The MPO has developed a Congestion Management Process (CMP) to identify locations that are experiencing congestion or may expect congestion in the future and to understand the causes of congestion. The CMP leads to the identification of strategies to effectively mitigate the congestion.

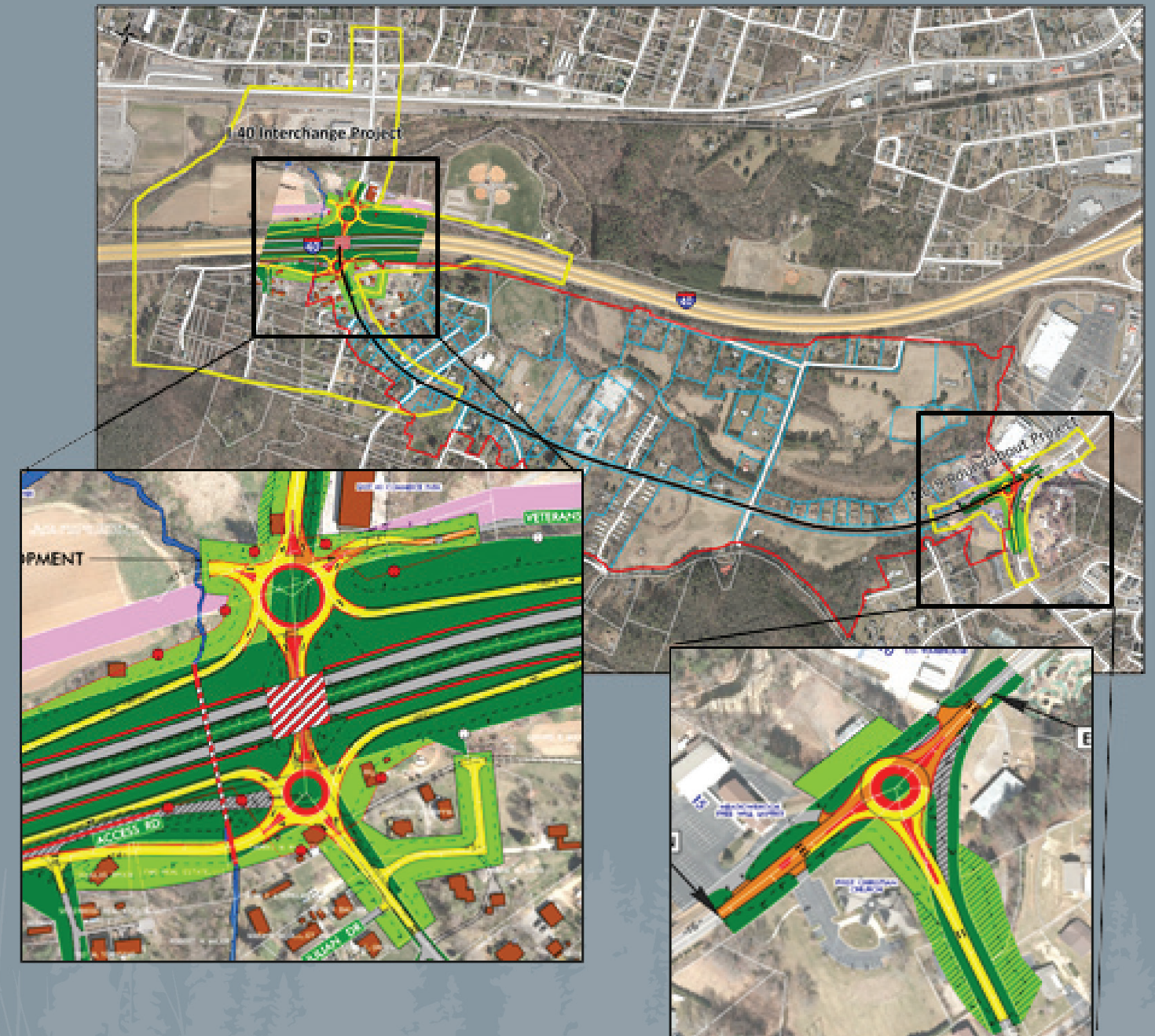
One of the future goals mentioned in the CMP is to address congestion and bottlenecks by improving travel time reliability. The new I-40 interchange will usher in significant changes along Blue Ridge Road, and NCDOT is identifying alternatives to address these changes in conditions. The new I-40 interchange, coupled with the

proposed NC 9 roundabout on Blue Ridge Road, will provide all traffic, including truck traffic, with alternative access to the Interstate and encourage more development activity along Blue Ridge Road. According to traffic projections developed for NCDOT as part of the new interchange project, demand along Blue Ridge Road will increase from approximately 4,500 vpd to over 13,000 vpd by 2040. While future projections do not indicate the need to widen Blue Ridge Road to four lanes, this added demand will only increase pressure on the roadway and further deteriorate conditions.

Blue Ridge Road is currently referenced in the SPOT 5.0 Regional Project Map developed by NCDOT while taking into consideration the inputs from the MPO. The project, per SPOT 5.0, would modernize Blue Ridge Road by upgrading the intersections, modernize the roadway, and include Complete Street accommodations.

Feedback from the first public input session confirmed the desire to:

- 1. increase safety and slow speeds,**
- 2. Provide multimodal improvements including sidewalks and crosswalks, and**
- 3. improve operational efficiency by adding turn lanes at key intersections.**



Alternatives Development

The following roadway alternatives were developed based on feedback from the first public input session, Town staff, the MPO, and NCDOT:



Option 1

2-lane roadway, curb and gutter, sidewalk and multiuse path



Option 2A

2-lane roadway, paved shoulder with ditch, sidewalk and multiuse path

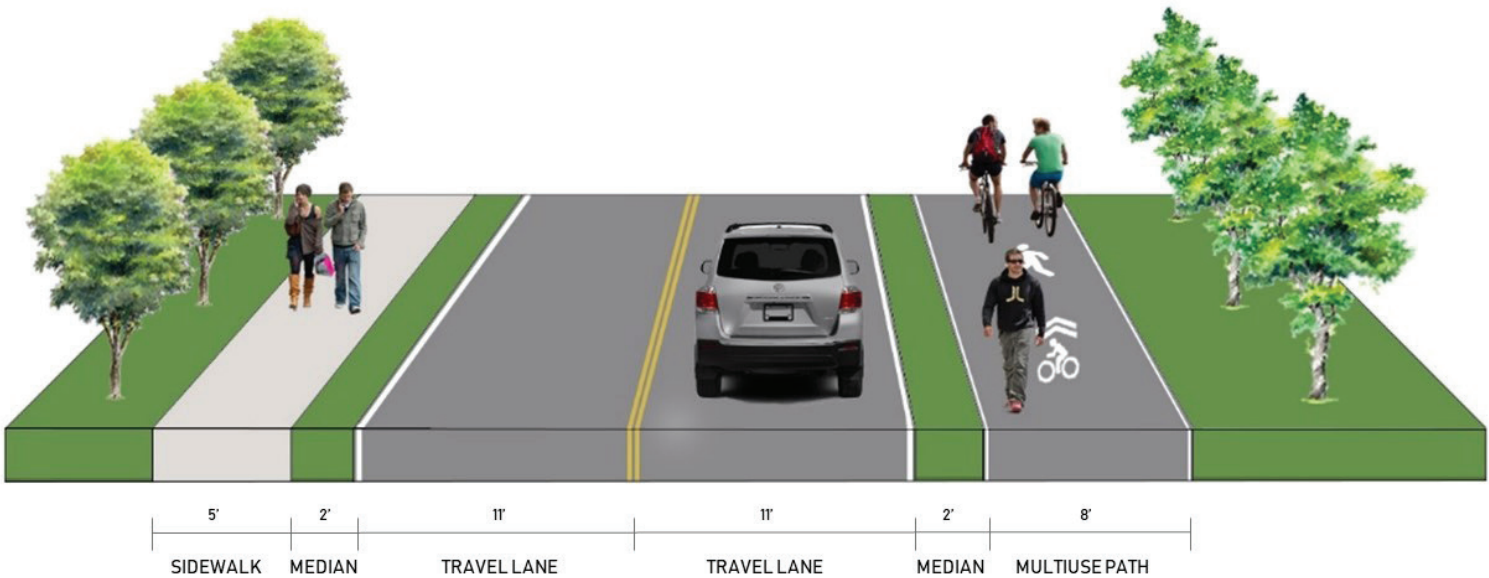


Option 2B

2-lane roadway, paved shoulder with ditch, no sidewalk or multiuse path (low impact option)

OPTION 1:

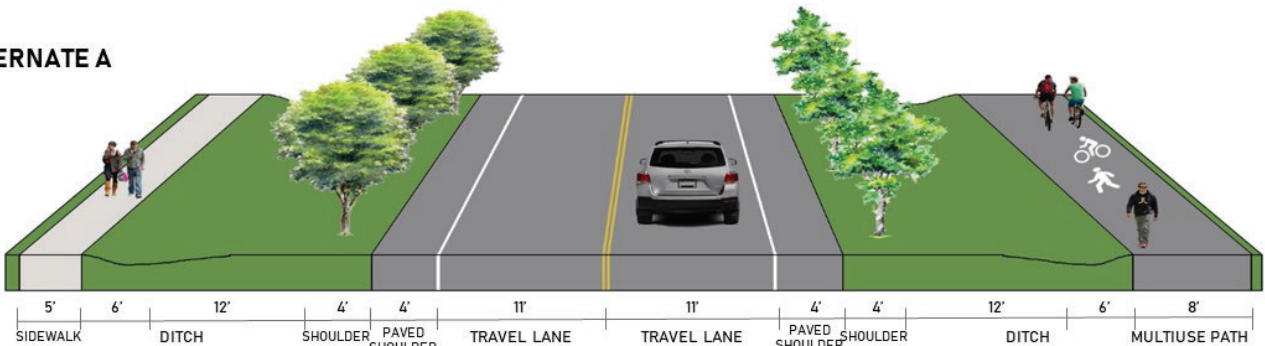
2-LANE TRAVEL WITH SIDEWALK & MULTIUSE PATH



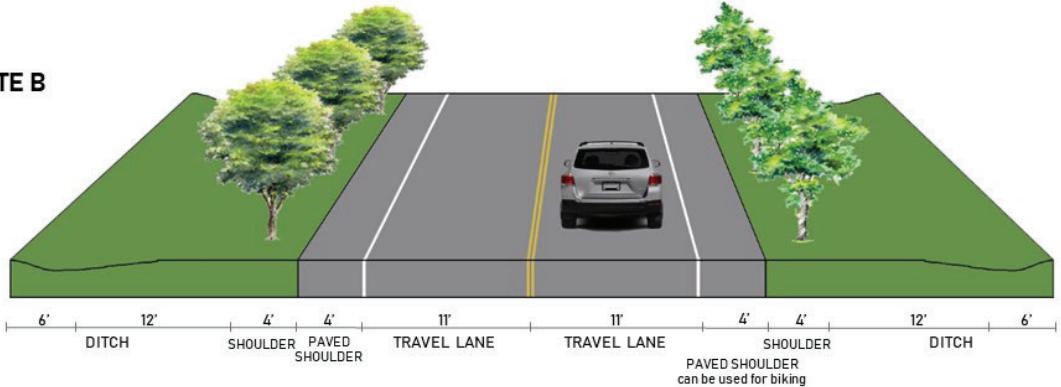
OPTION 2:

TWO-LANE TRAVEL WITH PAVED SHOULDER/DITCH AND SIDEWALK & MULTIUSE PATH

ALTERNATE A



ALTERNATE B



In addition to the roadway improvements, intersection recommendations were also developed for Assembly Drive and S. Blue Ridge Road. Recommendations included the addition of turn lanes, maintaining side street stop controls, or installing roundabouts. **Figures 8 and 9** illustrate the corridor wide transportation recommendations.

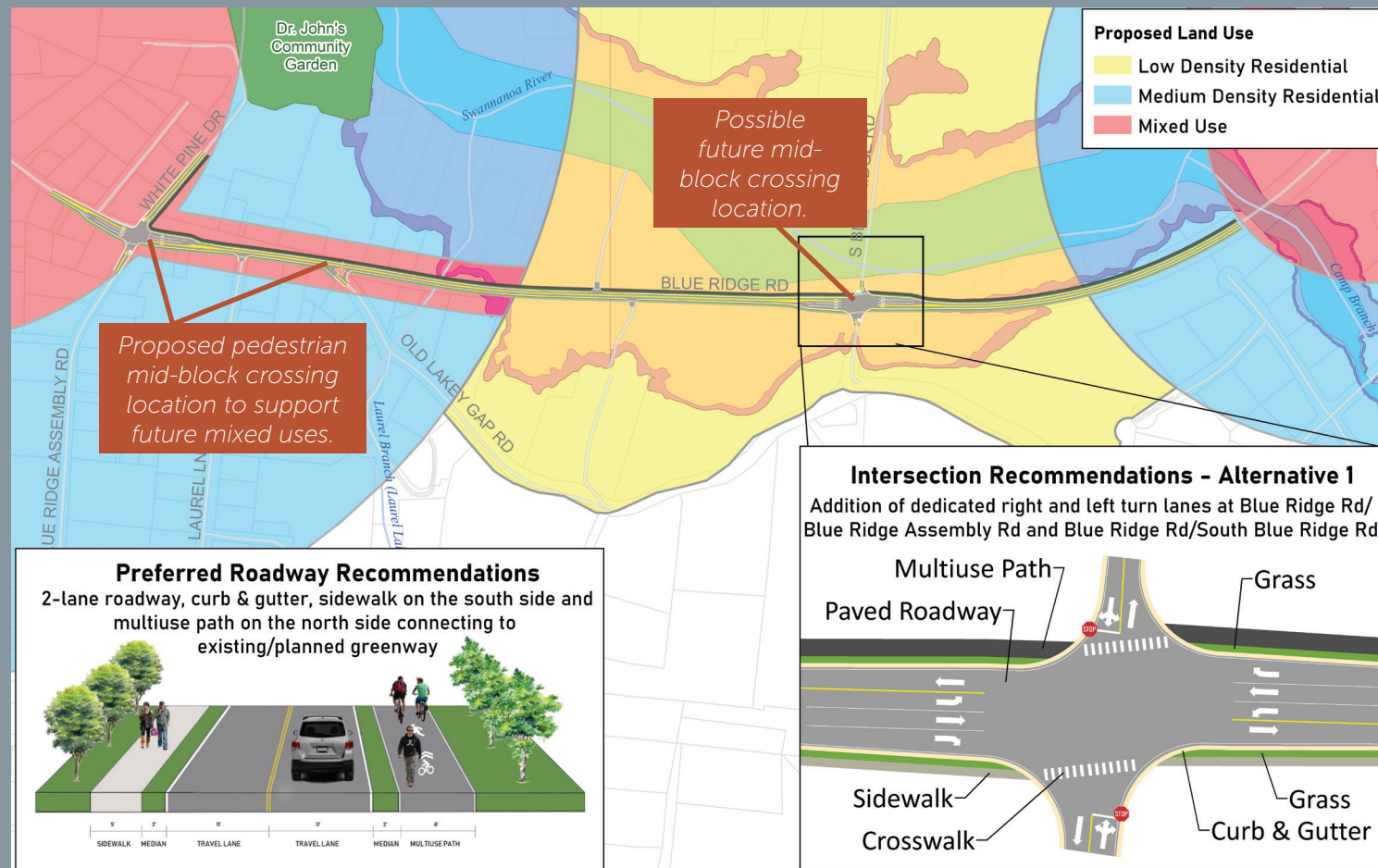


Figure 8: Transportation Recommendations (turn lane improvements)

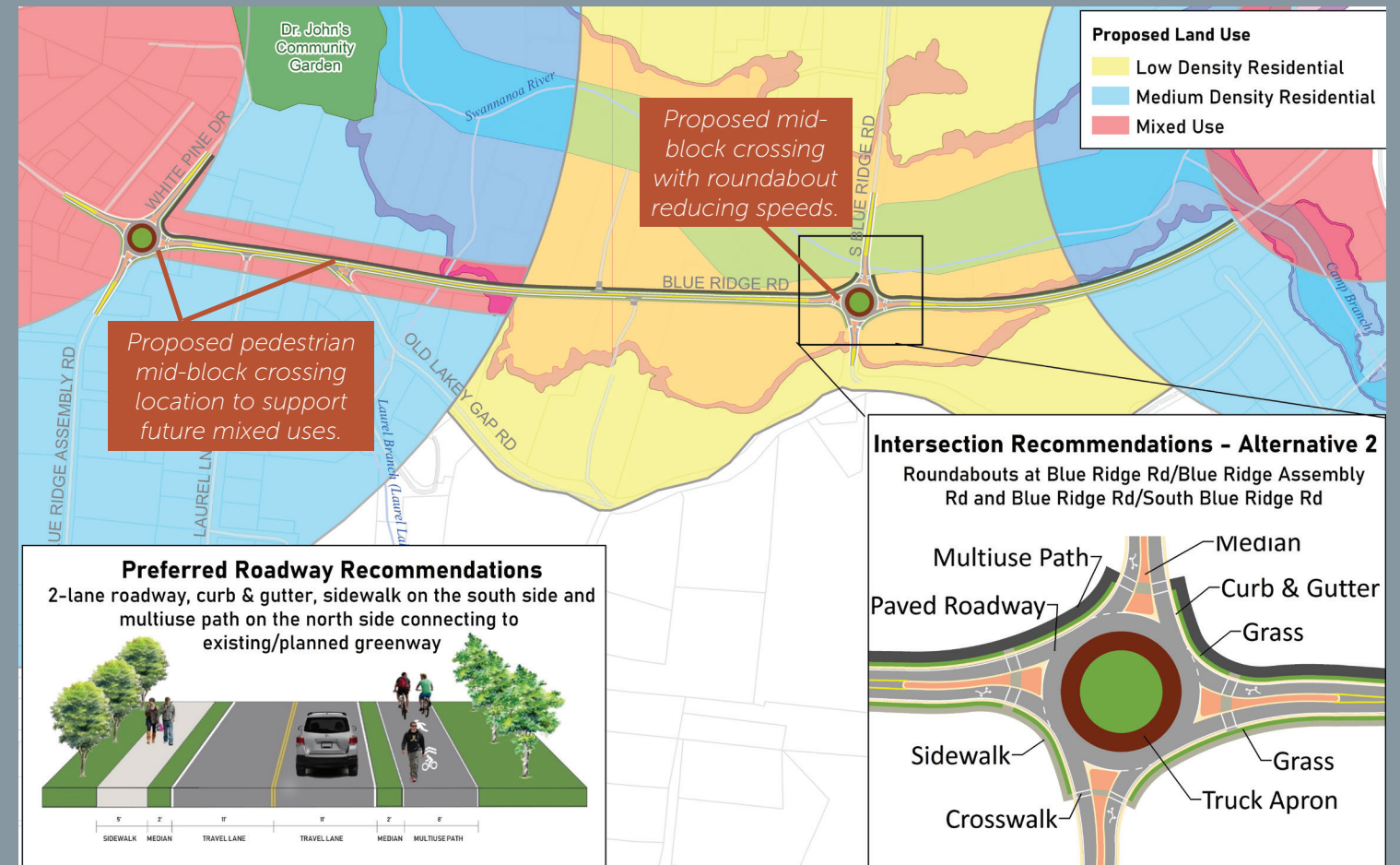


Figure 9: Transportation Recommendations

7

Public Input Session #2

The second public input session was held on June 11, 2019, at Town Hall.

The meeting was an open-house session and consisted of table-top maps that illustrated background materials, land use, and transportation recommendations. Comment sheets were also available for participants to either return that evening or take home and submit during the two-week comment period. Consultants and Town Staff were available throughout the meeting to answer any questions.

As with the first public input session held in March, there was consensus and acceptance that changes will be coming to the Blue Ridge Road area and that the new interchange with the accompanying roundabouts as well as the proposed roundabout at NC 9 will usher in change to the area. Participants were eager to hear more about the timing of upcoming changes, and it was conveyed that while the interchange and NC 9 improvements are just a few years out, the Area Plan will be implemented over a longer period of time. It was further shared that NCDOT has already initiated a feasibility study along Blue Ridge Road between NC 9 and the new interchange that incorporates the transportation recommendations set forth in the Area Plan.

Meeting Purpose

1. Share transportation and land use recommendations developed from the conditions assessment
2. Share feedback from the first public input session



Response to Recommendations

Overall, participants were interested in the two transportation options but favored the roundabouts over more traditional turn lane improvements, understanding that roundabouts provide speed control in addition to improving how intersections operate. Furthermore, while participants were interested in biking and use of bike lanes, they are aware that multi-use paths also accommodate bikes and may eventually connect to the existing and future multi-use paths. However, there were participants that questioned the need for both a multi-use trail and a sidewalk. No participants were interested in improving Blue Ridge Road without multimodal accommodations.

The land use recommendations were non-controversial and widely understood and accepted. Boutique shops and cafes were highly desired while chain establishments, gas stations, and convenience stores were not. There were comments related to how the land use concentric zones were determined, and it was explained that the pattern of residential land use along the midsection of Blue Ridge Road that increases in density and mix of use approaching the new interchange and NC 9 **reflects feedback received at the first public input session.**

It was further communicated that the Town will soon be updating their Comprehensive Plan and Future Land Use Map. These policy documents are critical to managing existing and future growth and infrastructure needs. Area plans help to inform that process, though lack enforceable policy. Furthermore, the concentric zones do not preclude other uses from being considered. They simply reflect overall community desires established through the public engagement process.

Following public meeting #2 and preparation of the Draft Report, the Town decided to provide the public with a 30-day review period of project documents. Therefore, a notice was sent to residents in the study area notifying them where documents could be reviewed and comments submitted. All materials to date were uploaded to the project website and hard copies available for review at Town Hall. In summary, three (3) comment submittals were received during the review period. While one submittal was not directly relevant to the project, the other two indicated support for option 1 and intersection improvements (both traditional and roundabouts). **They also urged the Town to address the Land Use Priority Items (discussed on page 21) as key, immediate action items to increase development standards and improve non-residential design guidelines.**



8

Blue Ridge Road Area Plan Conclusions

With pending development occurring at the Commerce Park and the I-40 interchange, the Town requested assistance with creating a Small Area Plan for Blue Ridge Road in order to accommodate transitional land use patterns in relation to changing conditions and provide recommendations to modernize the roadway and include pedestrian and bicycle accommodations.

It is important to set realistic goals for this area and map out a method in which to achieve these goals. Therefore, in order to accommodate transitional land use patterns in relationship to changing conditions, the following proactive land use measures identified through the planning process should be implemented:

Mixed-Use Areas

It is envisioned for the areas surrounding the new interstate interchange and the area around the proposed roundabout at the intersection of Blue Ridge Road and NC 9 to be designated for mixed-use development, by maintaining the existing Highway Business-8 zoning designation, and potentially expanding a transition zone of NMU-8. This will allow for a combination of the various types of land uses and ideally results from an overall master plan for proposed development, and avoid creating non-conforming uses in the existing HB-8 district. This type of development brings stores, services, and workplaces within walking and biking distance of residents. This more compact and efficient pattern of growth creates activity centers that support local businesses, reduce dependency on automobiles, preserve open space, and improve the quality of life for residents



Medium and Low Density Residential Areas

The next spheres of the concentric circle areas of this Plan call for medium-density residential uses on the peripheral of each mixed-use circle area, followed by low-density residential in the remaining midsection of Blue Ridge Road. Medium-density residential would accommodate less than or equal to six dwelling units per acre and low-density residential would accommodate less than or equal to four units per acre. Much of the study area is already zoned compatible with this Plan.

In order to address increases in traffic demand associated with changing conditions and enhance the land use/ transportation interface, the following alternatives should be advanced in coordination with the MPO and NCDOT:

Alternative 1

**2-lane roadway, curb and gutter, sidewalk and multiuse path
– Turn lane intersection alternatives**

Alternative 2

**2-lane roadway, curb and gutter, sidewalk and multiuse path
– Roundabout intersection alternatives**

Alternative 3

**2-lane roadway, combination of Alternative 1 and Alternative 2
(roundabout and turn lane intersection alternatives, sidewalk and multiuse path)**

“The Plan will empower and assist residents in planning for growth while maintaining a vibrant, safe, attractive, and well-connected community that embraces the mountain setting, heritage, and culture.”

9

Next Steps and Implementation

The second public input session reaffirmed the transportation and land use recommendations developed as part of this planning process. The Plan has further defined land use and transportation “drivers” and developed detailed recommendations that align to community needs and desires. The next and final stage will be to lay out steps to follow to achieve the vision, building on the current regulatory land use and zoning framework.

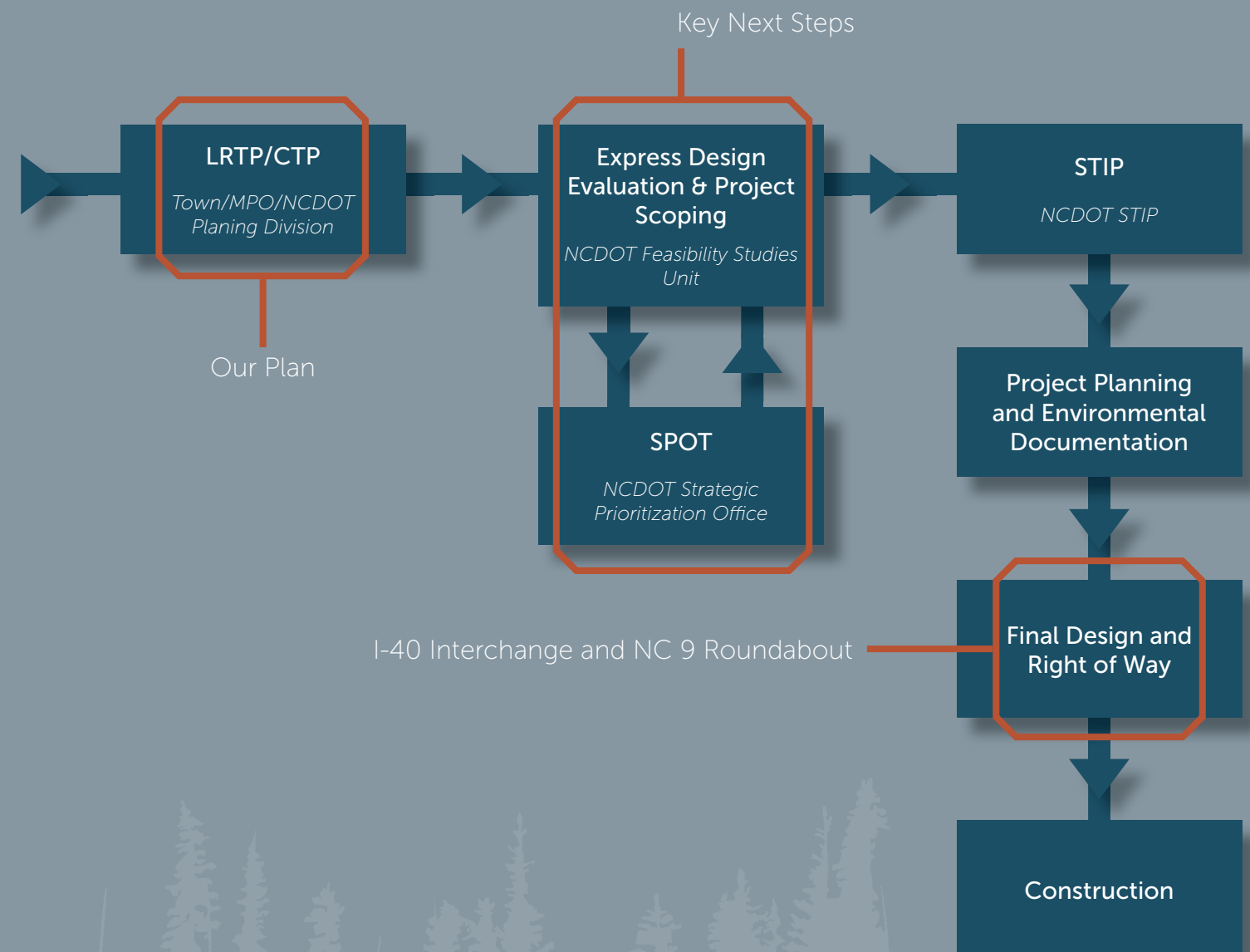
The following transportation and land use options include mixed use zoning strategies, transportation funding opportunities, and growth management practices, among others. These steps will provide the Town with a blueprint to follow that will assist with implementing the recommendations set forth in the Blue Ridge Road Small Area Plan.

Transportation Realization

Blue Ridge Road (SR 2500) is a state-owned and maintained facility; therefore, NCDOT will be involved with implementation and funding of all roadway projects. Sidewalk and multiuse trail projects have a shared funding structure where local municipalities pay 20 percent of costs matched with the remaining 80 percent from NCDOT. The following graphic illustrates where this Plan falls within the planning process from concept to construction.

The next stage in the planning process will be to conduct a feasibility study. A feasibility study is a preliminary assessment that is the initial step in the planning and design process for a candidate State Transportation Improvement Program (STIP) project and not the product of exhaustive environmental or design investigations. The purpose of this type of study is to describe the proposed project, develop alternatives or investigate proposed options, provide preliminary cost estimates, and identify potential issues/problems that may require consideration in the planning and design phases. Blue Ridge Road is currently referenced in the SPOT 5.0 Regional Project Map developed by NCDOT while taking into consideration the inputs from the MPO.

Passed in 2013, the Strategic Transportation Investments (STI) law allows NCDOT to use its funding more efficiently and effectively to enhance North Carolina’s infrastructure while supporting economic growth, job creation, and a higher quality of life. This process encourages thinking from a statewide and regional perspective while also providing flexibility to address local needs. The STI law also establishes the Strategic Mobility Formula, which allocates available revenues based on data-driven scoring and local input. It is used to develop NCDOT’s STIP (as noted above), which identifies the transportation projects that will receive funding during a 10-year period.



For Blue Ridge Road, a feasibility study would investigate the preferred options developed as part of this Plan:

Alternative 1
2-lane roadway, curb and gutter, sidewalk and multiuse path
– Turn lane intersection alternatives

Alternative 2
2-lane roadway, curb and gutter, sidewalk and multiuse path
– Roundabout intersection alternatives

Alternative 3
2-lane roadway, combination of Alternative 1 and Alternative 2
(roundabout and turn lane intersection alternatives, sidewalk and multiuse path)

If a feasibility study is completed and a candidate project is identified for funding in the STIP, it will then be followed by a rigorous planning and design process that meets the appropriate requirements of the National Environmental Policy Act (NEPA) and/or State Environmental Policy Act (SEPA). The Town should encourage pedestrian crossing features by including ordinance requirements for any new development to provide pedestrian accessibility to the most feasible crossing locations consistent with this Plan.

Other funding options could include zoning and development ordinance requirements, US DOT Better Utilizing Investments to Leverage Development (BUILD) discretionary grant program, or Highway Safety Improvement Program funding.



Land Use Realization

Implement overlay zoning for increased design standards and to avoid “franchise” type architecture from developing along the corridor. Along with conditional zoning, the overlay tool allows the Town to ensure increased design standards and desirable growth patterns.

Adopt provisions to encourage and give priority to master-planned and concerted effort development projects to create a sense of place.

Amend the Land Use Code to provide for the use of the legislative Conditional Zoning Process.

Implement a sidewalk or bicycle/pedestrian access plan for the area, and adopt requirements for providing this space as part of any future development projects. Ideally, the primary route along the study area of Blue Ridge Road would be located on the northern side of the road. This will encourage further connectivity with the Town’s greenway system, provide a safer area of accessibility, and ultimately tie the Blue Ridge Road area to downtown and other amenity areas, establishing a more closely networked community.

Adopt provisions that accommodate a variety of land uses in a concentrated and well-planned project area.

Avoid high density residential development, including multi-family, by using low-and medium-density zoning and implementing conditional zoning measures.

Develop zoning and subdivision ordinance amendments to encourage development to include landscaping and buffers compatible with the surrounding areas and to soften the overall visual impact on the area.

Develop zoning and subdivision ordinance amendments that require the reservation of right-of-way for greenway extension and connection to pedestrian pathways.

Develop a multi-use side path or greenway facility from downtown to Blue Ridge Road. Encourage development patterns that will not inhibit the introduction of pedestrian features compatible with this Plan.

Review and revise zoning regulations to establish design guidelines for the east and west ends of the Blue Ridge Road (mixed-use zones).

Identify areas of transition between high intensity and low intensity development, and proactively amend the Zoning Map to implement sound transitional land use regulations.

Review the Land Use Code to ensure that wholly incompatible uses are not allowed within the same zoning district, and amend the code if such conflicts are identified.

Review the Land Use Code to ensure that adequate regulations exist to address the ongoing impacts of nonresidential uses that are located in close proximity to residential uses.

Develop enhanced standards for commercial driveway connections with the goal of ensuring safety while preserving adequate access.

Require the stubbing of streets to adjacent properties when new rights-of-way are established.

Amend the Land Use Code to include one or more specialized conditional zoning district(s) for use in the development of larger scale mixed use projects.

Examine the Official Zoning Map annually to identify underutilized properties in growth areas that are zoned in a manner that would discourage appropriately-located infill development or redevelopment. As appropriate, and in cooperation with property owners, initiate amendment to the Official Zoning Map to zone any identified properties in a manner that is more conducive to their development or redevelopment.

Develop and implement an incentive-based approach by which residential density can be increased above the allowed maximum in exchange for preserving a certain percentage of the developed units at price points that are proportionate to the financial capacity of working families.



Land Use Priority Items



Update the Land Use Plan to more specifically reflect the arrangement of uses proposed in this plan.



Allow flexibility in development phasing provided it follows the Small Area Plan. Though a mixture of uses in future development is desired, the phasing of development should allow for single uses to develop in response to current market demands, so long as future phases introduce other uses that complement first-phase development and create the mixture intended.

Adopt Conditional Zoning

Implement an Overlay for the Blue Ridge Road area with increased development standards and non-residential design guidelines to achieve desired outcomes, enhanced development patterns.

Adopt design standards to ensure a greater quality, atypical development product

10 Other Relevant Projects

The following on-going planning and policy development projects are consistent with action items identified in the Blue Ridge Road Area Plan:



Development Master Planning was recently conducted for the Black Mountain Commerce Park. The Black Mountain Commerce Park is an over 100-acre economic development site located along Blue Ridge Road in two tracts north and south of Interstate 40. Planned uses focus on medical research, light manufacturing and distribution facilities, corporate and government offices, multimodal transportation, a hotel and conference center, restaurants, and other commercial-service components within a campus like business park or corporate center. The final Master Plan reduces the risks associated with development by establishing detailed information about the sites, including price and availability, utilities, access, environmental concerns, and potential development costs.



The Black Mountain Commerce Park Access Road (U-6053/ SR 2870) is being constructed in order to accommodate the planned Avadim Technologies corporate headquarters and new manufacturing facility near Black Mountain. This access road is located immediately south of the pending new interchange on Interstate 40 on the west side Blue Ridge Road. The roadway improvements include a widening and overlay of the existing road entering the Commerce Park and new one-quarter mile extension into the Commerce Park site. The project was funded by an Appalachian Regional Commission and NCDOT improvement grant through a regional funding award in response to a projected \$25 million investment and 550 new jobs.



A Parks Declaration of Development Standards, Covenants and Restrictions document has been completed, which was approved, executed, and recorded by the Commerce Park Planning Committee. The document establishes protective development and construction specifications, restricted and prohibited uses, and general aesthetic and landscaping standards within the Commerce Park.



Top: Commerce Park Northside Rendering
Bottom: Commerce Park Southside Rendering