



TOWN OF BLACK MOUNTAIN

160 Midland Avenue ♦ Black Mountain ♦ N.C. ♦ 28711

Phone: (828) 419-9300 ♦ Fax: (828) 669-2030

MEMORANDUM

To: Town of Black Mountain Planning Board
From: Jennifer Tipton, Senior Admin
Re: Agenda Packet for April 25, 2022
Date: April 18, 2022

The **Town of Black Mountain Planning Board** will meet on **Monday, April 25, 2022, at 6:00 p.m.** in Town Hall at 160 Midland Avenue.

Please find the following items for your information and use at the meeting:

1. The proposed agenda;
2. Draft minutes from February 28, 2022, and March 28, 2022;
3. Continued Discussion of Potential Tree Ordinance;
4. Right-of-Way Closure Petition – Remainder of Buckeye Street; and
5. Discussion of Ethics.

Please let Jennifer Tipton know if you are unable to attend this meeting.
jennifer.tipton@tobm.org or (828) 419-9371.

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. Should you need assistance or a particular accommodation for this meeting, please inform Jennifer Tipton at (828) 419-9371 or by email at jennifer.tipton@tobm.org.

CC: Jessica Trotman, Planning Director
Jake Hair, Planner 1/Zoning Administrator
Ron Sneed, Town Attorney



PUBLIC NOTICE
AVISO PÚBLICO

BLACK MOUNTAIN PLANNING BOARD

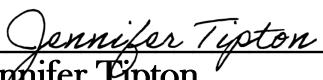
REGULAR MEETING
REUNIÓN ORDINARIA

Monday, April 25, 2022, at 6:00 p.m.
Lunes 25 de abril de 2022, a las 6:00 p.m.

The Black Mountain Planning Board will meet for their regular monthly meeting on **Monday, April 25, 2022, at 6:00 p.m.** at Town Hall, 160 Midland Avenue, Black Mountain, N.C.

La Junta de Planificación de Black Mountain se reunirá para su reunión mensual regular el **lunes 25 de abril de 2022 a las 6:00 p.m.** en el Ayuntamiento, 160 Midland Avenue, Black Mountain, N. C.

The meeting is open to the public.
La reunión está abierta al público.



Jennifer Tipton
Senior Admin

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La ciudad de Black Mountain se compromete a proporcionar instalaciones, programas y servicios accesibles para todas las personas en cumplimiento con la Ley de Estadounidenses con Discapacidades (ADA). Si necesita ayuda o un alojamiento en particular para esta reunión, comuníquese con Jennifer Tipton al (828) 419-9371 o por correo electrónico a Jennifer.tipton@tobm.org.

Posted to the Town Bulletin Board 04/01/2022

www.townofblackmountain.org



**Planning Board Regular Meeting
April 25, 2022**

PROPOSED AGENDA

I. CALL TO ORDER

- Welcome
- Determination of Quorum

II. ADOPTION OF AGENDA

- **Motion:** To adopt the agenda as presented [or as amended]

III. ADOPTION OF MINUTES

- **Motion:** To adopt the minutes of February 28, 2022, and March 28, 2022, as written [or as amended]

IV. OLD BUSINESS

- Continued Discussion of Potential Tree Ordinance

V. NEW BUSINESS

- Right-of-Way Closure Petition – Remainder of Buckeye Street
- Discussion of Ethics

VI. COMMUNICATION FROM PLANNING BOARD

VII. COMMUNICATION FROM STAFF

VIII. ADJOURNMENT

The Black Mountain Planning Board held its regular meeting on Monday, March 28, 2022, at 6:00 p.m. at Town Hall and electronically via Zoom.

I. CALL TO ORDER

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

Pam Norton, Vice Chair
Kathy Phillips
Lauronda Teeple
Shawn Slome
Chas Fitzgerald

Absent:

Chris Collins, Chair
Rick Earley

Staff:

Jennifer Tipton, Senior Admin
Jessica Trotman, Planning Director
Jake Hair, Planner
Ron Sneed, Town Attorney

The meeting was called to order at 6:05 p.m. and duly constituted and opened for business with a quorum of five (5) members.

II. ADOPTION OF AGENDA

The agenda was approved as presented by consensus.

III. ADOPTION OF MINUTES

Chas Fitzgerald noted that a word needed to be changed in bullet point five on the first page. Mr. Fitzgerald also noted that bullet point one on the first page appeared to be incomplete. Jennifer Tipton said she had received notes from Kathy Phillips and Rick Earley about adding the tree discussion under the UDO update. Ms. Tipton will make the requested changes and bring the minutes back for review at the April meeting.

IV. OLD BUSINESS

1. Road Closure Request – Buckeye Street

Jake Hair presented the staff report and explained that the applicant is Thomas Woodbury and he is petitioning to close a portion of the unopened, platted section of Buckeye Street that runs east to west alongside his property at 201 Swannanoa Avenue. The unopened portion is approximately 130 feet in length and 42 feet. The unopened, platted section does not have any structures but it does have a four-inch sewer line running the length of the right-of-way. The unopened, platted section is not identified in any current Town plan, nor is it needed for any storm drainage. The original intent of these platted right-of-way are for access, vehicular or pedestrian, and only if the Town were to create a road in the right-of-way could there be new utilities located within the right-of-way. Jessica Trotman spoke about the walking loop at Cragmont Park and that the goal is to extend the path down along the backside of the property at 201 Swannanoa Avenue and then eventually cross over the river to get to US 70 Highway. At

this time, it is not known if the path will terminate or continue as the bridge will have to span the entire floodway which is approximately sixty-eight feet in width. Shawn Slome said that this area is a key connector in the Greenway Masterplan and the Parks and Recreation Masterplan is outdated and they are in the process of updating the plan and he doesn't want the Town to tie their hands if that property might be needed for the development of the park and asked how the Town could take the right-of-way behind the requested section. Town Attorney Ron Sneed explained that the Town could not take the entire width without condemnation but the Town can make their own Resolution of Intent to close the latter section and have a public hearing. The Resolution of Intent would come to the Planning Board for review and recommendation. If the requested section of right-of-way were to be closed, the Town would receive half of the closed right-of-way. The fact that there is a sewer line that runs through the right-of-way does not mean that is Town property. Closure of the right-of-way would not affect Arnette Drive as the access to the park.

Thomas Woodbury, 143 Buckner Road, said that he uses that area as his garden and has planted trees and bushes and would like to preserve that area for his use. Mr. Woodbury said he cannot build on the property because of the sewer line easement.

Pam Norton said staff has given the information that has been asked of them and that the unopened, plated section is not identified in any plan. Ms. Trotman explained that the Town has a current and up-to-date Greenway Master Plan and Bike and Pedestrian Plan that come from the Elevate Black Mountain Plan. Shawn Slome said that the Parks and Recreation Long Range Plan is out-of-date and there is not a masterplan for Cragmont Park and feels that it would not be appropriate to give away land. It was explained that the Town couldn't use that property as their sole property because they don't have the clear title to it. Mr. Slome also added that Arnette Drive might not work in a new masterplan and that it is not an integral part of the grid system. Chas Fitzgerald made a motion to recommend the requested right-of-way closure that runs east to west approximately 130 feet in length and approximately 42 in width with the Town obtaining half of the closed portion. The motion was seconded by Lauronda Teeple and approved by a vote of 4-1 with Shawn Slome voting against.

Chas Fitzgerald made a motion to recommend to Town Council to initiate a petition to close the remainder of the unopened, platted right-of-way so that the Town can have clear title and have full and dedicated use of the right-of-way. The motion was seconded by Lauronda Teeple and approved by a vote of 4-0 with Shawn Slome abstaining from voting.

V. NEW BUSINESS

1. Potential Tree Ordinance Discussion

Jessica Trotman first explained that a tree ordinance would not be applicable to one- and two-family dwellings and because Black Mountain does not have a lot of diverse housing types, the goals for a tree ordinance will need to be creative. There are also opposing bills in Raleigh with House Bill 496 that says that towns and cities could adopt tree regulations but only with approval from the General Assembly and then Senate Bill 436 would allow cities and towns to have tree regulations. North Carolina is a Dillon Rule state so if Raleigh does not say that towns or cities have the authority then they cannot do it. Raleigh creates towns and cities and Raleigh can liquidate towns and cities. Ms. Trotman said that instead of have a stand-alone tree ordinance, regulations could come under the guise of site development with additional buffering and landscaping requirements. These requirements could be for commercial and residential and even include minor subdivisions. Chas Fitzgerald said he would like to see a tree survey done along

with the property survey so that locations of trees could be shown before any clearing is to take place. Ms. Trotman said the board needs to think about the how, what, size, canopy, and that there a variety of ways to go about creating a tree ordinance. Shawn Slome said he would prefer to be given the best practices so that the board is not struggling with legalities or constraints. Staff will send examples of tree ordinances from other municipalities that are similarly constrained. Kathy Phillips said she noticed that the Town has sign designating it as a Tree City and that to be a Tree City a town has to have an ordinance. The Town does have an existing ordinance, but it is only for trees in the public right-of-way. Staff will send out a digital version of the questionnaire and members can return them to Ms. Trotman who will compile the comments into a readable document. Also, if any board member has information that they would like to share, staff asked that it be sent no later than one week before the meeting so that it can be placed in agenda packets.

VI. PUBLIC COMMENT

None.

VII. COMMUNICATION FROM PLANNING BOARD

Lauronda Teeple asked about the process for selling Town property and how can there be a designation for Town properties so that they cannot be sold, as with the Cragmont Park property. The process for selling Town property is spelled out in the statutes but if any property is bought with federal funds, then there are conditions that are associated with that property and they typically will have to have a specific use, such as a park. If property that has not been purchased with federal funds is no longer needed, then the property has to be declared as surplus and then bids are entertained and there are upset bids so that the Town can get the best possible price. Land can be donated or gifted to the Town. The Hemphill property is an example of this. The Hemphill property was left in a conservancy and then gifted to the Town for the use of a park. If the property ceases to be a park, then it reverts back to the conservancy. Land banking is also allowed but if the land is accepted then the Town does have to assume some liability for that property even if it might be ten years before the property is developed. There is not a prohibition on land banking or gifting property.

Shawn Slome spoke about the south side of Veteran's Park and that there are no restrictions on it because it was not purchased with federal money, and it was rezoned from TR-4 to OI-6 and asked how it could be rezoned to a park. Jessica Trotman explained that there is not a stand-alone park designation and parks are an allowable use in the existing districts. If the purpose of rezoning to a park is to forestall potential development, that is not a good tool because the property could be rezoned again. Deed restrictions only work if there is a party to enforce them. The Town can place deed restrictions on the property, but the Town can also remove those deed restrictions. For example, if there is a forty-acre parcel for sell and the seller sets deed restrictions on the property that it is to be used as park and the Town purchases the property and then ceases to use it as a park, then the heirs can enforce the deed restrictions. Another way to ensure that a property is used for only a specific purpose is to do like the Hemphill property and it was given to the Southern Highlands Conservancy who then gifted to the Town for the use as a park. If the Town ceases to use the property as a park, then the property returns to the conservancy.

VIII. COMMUNICATION FROM STAFF

Jessica Trotman said that we will be returning to all in-person meetings beginning in April. The Town does have the flexibility to return to remote meetings or allow the board to meet in-person and live-stream the meeting if conditions worsen.

VX. ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

Prepared by:

Chris Collins, Chair

Jennifer Tipton, Senior Admin

The Black Mountain Planning Board held its regular meeting on Monday, February 28, 2022, at 6:00 p.m. electronically via Zoom.

I. CALL TO ORDER

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

Chris Collins, Chair
Pam Norton, Vice Chair
Kathy Phillips
Shawn Slome
Rick Earley

Absent:

Lauronda Teeple
Chas Fitzgerald

Staff:

Jennifer Tipton, Senior Admin
Jessica Trotman, Planning Director
Jake Hair, Planner I/Zoning Administrator
Anna Stearns, Town Attorney

The meeting was called to order at 6:04 p.m. and duly constituted and opened for business with a quorum of five (5) members.

II. ADOPTION OF AGENDA

Kathy Phillips made a motion to adopt the agenda as presented. The motion was seconded by Rick Earley and approved by a vote of 5-0.

III. ADOPTION OF MINUTES

Rick Earley made a motion to approve the minutes of December 21, 2021. The motion was seconded by Shawn Slome and approved by a vote of 5-0.

IV. NEW BUSINESS

1. UDO Diagnostic Presentation – Kelli McCormick, Kendig Keast Collaborative

(a copy of the presentation is hereby attached to and made a part of the minutes)

Kelli McCormick presented the diagnostic report for the UDO (Unified Development Ordinance). Mrs. McCormick spoke about the background of the project and that we are almost at the iterative drafting of the project. The UDO will be presented in two parts. Mrs. McCormick stressed that the UDO is not a property tax policy, it is not a mass rezoning, it is not a capital improvement program. The UDO will tackle weaknesses in organization and consistency, zoning classifications and uses, including conditional subdivisions, open space, landscaping, trees, flood plain development, stormwater and stream buffers, and short-term rentals and housing type issues. The UDO will also place items in the correct places. The UDO will have visual representation of unclear standards and show additional details. The UDO will look at consistency, be more user friendly, clarify day-to-day administration for staff, consolidate administrative duties, review charts, track total development review, and be more efficient. A UDO is not a comprehensive plan and is a set of laws, procedures, standards, and a zoning map

that implements the policies identified in the comprehensive plan. A UDO should protect the public health, safety, and welfare, implement land use policies, and be flexible enough to allow property owners some freedom. The PARK analysis from the stakeholder interviews looked at items to preserve, add, remove, and keep out. Some of the land use items that will be addressed will be nonresidential uses, prohibited uses, temporary uses, and special and conditional uses and zoning. Site development standards will include parking, landscaping, signs, buildings, floodplain management. Procedures will include clarity and efficiency, additional staff decision-making, infrastructure responsibility, open space requirements, character, and resiliency. The diagnostic assessment found that the UDO will align with the Elevate Black Mountain plan by incorporating the following:

- Promote a variety of housing development
- Protect existing, stable neighborhoods
- Review mixed-use developments
- Conform with the State's building materials and restrictions
- Allow ADU's to promote aging in place and housing affordability
- Zoning districts chart
- Improve use regulations
- Rely on use categories
- Definitions
- Use standards
- Home occupations
- Post-Covid
- Accessory uses
- Enhance site development standards
- Parking and parking reform
- Low-impact development
- Legal matters
- Standardize and streamline review procedures
- Procedural streamlining – increased administrative authority and review clarity
- Legislation and case law
- Create a more user-friendly code
- Provide user-friendly enhancements
- Re-organize permits and procedures

The conversion will start with an annotated outline looking at items from a citizen's perspective. Then the outline is looked at from a technical user's perspective. Comments will be provided on the side of the annotated page so that everyone can see all the comments without having to email. A website will be setup that will have meeting dates, information, drafts, and other items related to the UDO. Major subdivisions currently have pedestrian circulation requirements, and the UDO has the ability to address some other ways of providing walkability. Shawn Slome asked if available land and zoning of neighborhoods will be looked at with the addition of different housing types. Mrs. McCormick said that the housing types will be incorporated into the existing land and zoning, and it may be that lot sizes or setbacks might have to be changed but all of that will be looked at. The UDO will look at existing conditions. Rick Earley asked about creating a tree ordinance between now and the creation of the UDO to control tree removal. Mrs. McCormick said that there are lots of good examples of tree ordinances throughout the state if

the Town wants to consider a band-aid until the UDO is resolved. Ms. Trotman said that tree protection was included in the RFP so that we could have the experts give their feedback, but the board could bring forth an amendment if they would like but we were trying to get away from doing band-aid text amendments so that we are not having to redo them in the UDO process. Mrs. McCormick did clarify that a tree ordinance would not be a stand-alone ordinance but would be woven in through several sections of UDO. Mrs. McCormick also clarified that the board will need to decide if they want a tree planting ordinance or a tree protection ordinance because they are separate ordinances.

2. Proposed Text Amendment – Mobile Food Vendors

Jessica Trotman said that the first mobile food vendor text amendment was approved by the Town Council but shortly after, it was discovered that the text amendment was in conflict with the NC Administrative Code. The main thing is that you are either a vehicle or a building. Felissa Vasquez, Buncombe County Environmental Health, spoke about how food trucks are not allowed to be permanently hooked up to water and sewer but may have an electrical outlet. Mobile food vendors must leave and return to their commissary kitchen at the end of the day. Mobile food vendors cannot offer seating but they are able to park at a brewery or park that has seating but that must be in writing. Mobile food vendors are temporary uses and mobile food vendor courts are a principal use on a property that would allow for permanent facilities and seating and is a place to allow the mobile food vendors to come and set-up. Propane tanks must be checked by the agricultural division for safety purposes. Chris Collins made a motion to recommend the updated mobile food vendor and mobile food vendor court text amendment as it is consistent with the comprehensive plan and reasonable in the public interest as it promotes a livable environment and a viable economy and promotes the general safety and welfare of the community. The motion was seconded by Rick Earley and approved by a vote of 5-0.

V. OLD BUSINESS

None.

VI. PUBLIC COMMENT

None.

VII. COMMUNICATION FROM PLANNING BOARD

Shawn Slome asked about the board disclosing a conflict of interest at each meeting. Ms. Stearns said that each board member has a responsibility to disclose a conflict of interest and the policy is covered in the Boards and Commissions Handbook. The requirement to disclose conflicts of interest is in Chapter 1, Section 1.4.3 of the Land Use Code and aligns with the new requirements from 160D. There are two types of conflict of interest: a direct financial impact or a close familial or business relationship. Board members are required be transparent and to be impartial when making decisions. Elected officials are only governed by the direct financial impact conflict of interest.

VIII. COMMUNICATION FROM STAFF

None.

VX. ADJOURNMENT

The meeting was adjourned at 7:53 p.m.

Prepared by:

Chris Collins, Chair

Jennifer Tipton, Senior Admin

and/or crown reduction in accordance with the current edition of “Tree, Shrub, and other Woody Plant Maintenance – Standard Practices” of the American National Standard for Tree Care Operations (ANSI 300) for any improperly pruned, damaged, or excessively trimmed tree. All such corrective pruning shall be done under the supervision of a Certified Horticulturist, Arborist or Forester, Landscape Architect, North Carolina Landscape Contractor, or North Carolina Certified Plant Professional and approved by the Administrator.

(Ord. 20160226, 06-16-2016; Ord. PL04727-050721, 07-01-2021)

31.13 Preservation of Existing Trees and Vegetation

31.13.01 Preserving trees can improve the aesthetic quality of the site and improve property values, provide environmental benefits, mitigate the impacts of development on the community, and help minimize opposition to the proposed development. It is recommended that groups of trees be preserved, as well as individual trees.

31.13.02 Existing healthy preserved trees and shrubs may be credited towards required buffer trees, street trees, and parking lot trees according to the following:

A. Preserved trees may be credited at the rate of:

1. 2” - 6” caliper tree = 1 tree
2. 7” – 12” caliper tree = 2 trees
3. 13” – 18” caliper tree = 3 trees
4. 19” – 24” caliper tree = 4 trees
5. 25” + caliper tree = 5 trees

Note: All replacement trees are required to be a minimum two and one-half inch (2 ½”) caliper with a height of twelve to fourteen feet (12’ - 14’).

31.13.03 In order to receive credit, preserved vegetation must be certified in good health and condition by a Certified Horticulturist, Arborist or Forester, Landscape Architect, North Carolina Landscape Contractor, or N. C. Certified Plant Professional. Trees designated to be preserved must be indicated on the Landscape and Grading Plans. Protective barriers must be shown on the Landscape and Grading Plans in accordance with the requirements of Subsection 31.13.10. If a preserved tree dies after completion of the project, it must be replaced with the total number of trees which were credited to the existing tree.

31.13.04 Every development shall retain all existing healthy Historic trees with drip lines outside the building footprint except new subdivisions. New subdivisions shall refer to Section 31.08. An applicant will be required to modify their design in order to preserve healthy Historic trees, provided the redesign can be accommodated without reducing the intensity of development on the site.

31.13.05 It shall be the responsibility of all applicants that submit site plans for new construction to submit a tree survey of the site proposed for development except for new subdivisions. New subdivisions shall submit a tree survey in accordance with Subsection 31.08.02. The

tree survey shall be drawn to engineers scale and accurately designate the species, location and diameter of all trees eight inches (8") in diameter or greater on the site, and all trees proposed for credit as provided in Subsection 31.13.02.

31.13.06 If a landowner contends a tree is or is not healthy and the Administrator is in disagreement with such claim, the landowner shall submit an evaluation of the tree's health, performed by an individual who meets the requirements established in Subsection 31.13.03. If such evaluation determines the tree is not in good health or will not remain healthy under new conditions proposed for the site, the Administrator shall permit the removal of the tree(s).

31.13.07 Every development shall retain all existing healthy significant trees with drip lines outside the building and paving area footprint to the greatest extent possible. An applicant may be required to modify their design in order to preserve healthy Significant trees, provided the redesign can be accommodated without reducing the intensity of development on the site.

31.13.08 The permit-issuing authority may approve reductions in the requirements for the number of parking spaces or loading area requirements in order to facilitate preservation of Historic and Significant trees.

31.13.09 The standard measurement for existing trees to be preserved shall be the Diameter-at-breast-height (Dbh) measured in inches at a height of four and one-half feet (4 ½') above ground. If a tree splits into multiple trunks below four and one-half feet (4 ½'), then each trunk is measured as a separate tree. A tree which splits into multiple trunks above four and one-half feet (4 ½') is measured as a single tree at four and one-half feet (4 ½').

31.13.10 Protection of Existing Vegetation

- A.** No grading or other land disturbing activity can occur on a site with existing trees which are designated to be preserved in order to meet the landscaping requirements until protective barriers are installed by the applicant and approved by the Administrator.
- B.** For purposes of this Article, the Tree Protection Area is defined as that area within a circle drawn with the tree's trunk as the center and a radius defined by the tree's drip line (which is the perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground). No storage of materials, dumping of waste materials, fill or parking of equipment shall be allowed within this protected area, either during construction or after completion. No structures shall be permitted within the protected area unless approved by the Administrator.
- C.** A protection fence constructed of a high visible material resistant to degradation by sun, wind and moisture for the duration of the construction, shall be used.
- D.** If a violation of Section 31.13 occurs and as a result protected trees or shrubs die after a certificate of occupancy is issued for the development, then the owner of the property and their agents, heirs, or assigns shall be required to replace the tree using the credits in Subsection 31.13.03. Such replacement must take place within thirty (30)

days after death and this condition shall be a continuing condition of the validity of the permit.

- E. Where tree-protection areas are damaged during the development of the site and trees or shrubs which are designated to be preserved are killed or removed, the permit recipient shall be penalized as follows:
 - 1. A fine of one hundred (\$100.00) dollars per each inch in diameter of the damaged tree and fifty (\$50.00) dollars per each shrub (For example, the penalty for damaging a six-inch (6") caliper tree shall be \$600.00), and
 - 2. Replacement vegetation shall be provided in accordance with Subsection 31.13.02.

(Ord. PL04727-050721, 07-01-2021)

8. Tree Protection, Buffers & Landscaping

8.1. Purpose

It is the intent of this chapter to protect, refurbish, and improve the aesthetic appeal, scenic beauty, historic character, and economic value of properties within the Town of Wake Forest. The regulations in this chapter seek to maintain an overall coverage of mature trees and existing landscaping for the community in order to:

- Maximize the economic vitality and positive community image associated with the town's mature vegetation;
- Protect and enhance property values;
- Maintain the aesthetic quality of the community as a whole;
- Moderate climate and reduce energy costs; and
- Mitigate the negative impacts of noise, glare, air and water pollution, and soil erosion on the environment of the town and on its inhabitants.

8.2. Applicability

8.2.1. General Provisions

The requirements of this section shall apply to all land, public and private, in the Wake Forest zoning jurisdiction. Occupancy certificates for uses authorized by this ordinance shall not be issued until such requirements are installed, unless provided otherwise in this section.

8.2.2. Exemptions

The following conditions are exempt from the provisions of this chapter:

- A. Improvements or repairs to interior and exterior features of existing structures or buildings which do not result in expansions or changes in the type of occupancy as set forth in the North Carolina Building Code.
- B. A single-family detached dwelling on an individual lot of record.
- C. Property covered by an active forestry management plan written by a North Carolina Registered Forester, provided documentation has been furnished to the town.

8.2.3. Pre-Existing Development

- A. Non-conforming preexisting development is subject to these standards as follows:
 - 1. A change in type of occupancy, as set forth in the North Carolina Building Code;
 - 2. A change in land use which requires an increase in the number of off-street parking spaces or the provision of a buffer yard;
 - 3. Additions or expansions which singularly or collectively exceed 25% of the land area or gross building floor area existing at the effective date of this ordinance.
- B. The Town of Wake Forest recognizes that designing preexisting development to meet new regulations is more difficult and expensive than applying these standards to undeveloped properties. Therefore, greater flexibility will be afforded preexisting development in meeting the requirements of this section, in that:

1. A variance of up to 25% percent may be granted by the Administrator for planting area and dimension requirements where compliance presents hardships due to building location, lot size, or vehicular area configuration;
2. A credit for reducing required off-street parking by 1 space shall be given for the construction of each landscape island.

8.2.4. Procedures

- A. When an application is made for a development approval on any land to which the requirements of this section apply, a Landscape Plan shall be prepared as part of the Site Master Plan as outlined in Section 15.8. The specific requirements for a Landscape Plan are included in the checklist for Site Master Plans in the Wake Forest Manual of Specifications, Standards and Design (MSSD).
- B. All planting materials specified by the landscape plan shall be installed prior to the issuance of the Certificate of Occupancy. An exception may be granted for a period not to exceed 180 days for the following circumstances, as determined by the Administrator:
 1. The unavailability of specified plant material;
 2. Weather conditions that prohibit the completion of the project or jeopardize the health of the plant material;
 3. Actions or directives issued by any governing body with jurisdictional authority.
- C. In such circumstances, the property owner or developer shall submit documentation of the estimated cost for the purchase and installation of the required planting areas and may be required to post a performance guarantee equal to the amount of the contract. The Administrator may issue a Conditional Certificate of Occupancy but shall not issue a Final Certificate of Occupancy until the planting requirements have been completed and approved.

8.2.5. Alternate Methods of Compliance

- A. Alternate landscaping plans, plant materials, planting methods or reforestation may be used where unreasonable or impractical situations would result from application of landscaping or tree preservation requirements. Such situations may result from streams, natural rock formations, topography, or other physical conditions; or from lot configuration, utility easements, unified development design, or unusual site conditions.
- B. The Administrator may approve an alternate plan, which proposes different plant materials or methods provided that quality, effectiveness, durability, and performance are equivalent to that required by this section.
- C. Decisions of the Administrator regarding alternate methods of compliance for landscaping and tree preservation may be appealed to the Board of Adjustment according to the provisions of Section 15.12.

8.3. Tree Canopy Coverage Requirement**8.3.1. Minimum Canopy Coverage Requirement**

All parcels, regardless of land use, shall maintain a minimum tree canopy coverage according to their district classification as follows:

District	Canopy Coverage Requirement
Rural and Suburban Districts	2 canopy trees per 5,000 sq. ft. of parcel area, OR 1 canopy tree and 1 understory tree per 4,000 sq. ft. of parcel area
UR, RMX	1 canopy tree per 10,000 sq. ft. of parcel area
NMX, RA-HC, UMX, PUD	1 canopy tree per 10,000 sq. ft. of parcel area – may be waived or altered by the Administrator depending on lot coverage of proposed development and adequate street tree installation.

8.3.2. Priority Tree Protection Areas

The minimum canopy coverage requirement may be met through the retention of existing vegetation, supplemental plantings, or a combination of both; however, every reasonable effort should be made to meet the baseline canopy coverage area through the retention of existing vegetation in the following priority areas of the site:

- A. Required buffer yards between conflicting uses (as defined in this chapter);
- B. Thoroughfare buffers and streetyards;
- C. Conservation easements;
- D. Special Flood Hazard Areas;
- E. Historic, landmark and/or specimen trees which meet the requirements of Section 8.4.3.

8.4. Tree Preservation

8.4.1. Credits For Tree Preservation

Credit may be applied toward the baseline tree canopy requirements by the preservation of existing trees in Priority Tree Protection Areas as well as other additional tree preservation areas on site. Credit will only be applied to existing vegetation that is healthy and meets the requirements of this section. Tree credit rates for each tree preserved shall be determined by the following methods, schedules, and standards:

- A. **Credit for Preservation of Wooded Areas:** In order to receive credit for wooded areas, the trees contained in these areas shall be a mixture of healthy and useful canopy and understory trees. The method for calculating tree credits in wooded areas is as follows: one tree per 700 square feet of protected area. Watercourse buffer areas and wetlands are not eligible for the tree credit and the respective amount of parcel area is exempt from the baseline tree coverage requirement.

- B. **Credit for Preservation of Specimen Trees**

Existing DBH of Preserved Tree(s)	Number/Type (Canopy or Understory) of Tree Credits
8" + (Understory)	2 / Understory
20" – 30"	3 / Canopy
31" – 41"	4 / Canopy
42" +	5 / Canopy
DBH shall be rounded off to the nearest inch. Trees must be of Specimen quality. See Section 8.4.3.	

- C. **All Other Trees:** All other trees preserved will receive 1 tree credit with the exception of trees less than 2.5 inches DBH and trees with less than 10 years of remaining life, as determined by the Administrator.

D. Invasive, Dead and Unhealthy Trees

1. No credit will be allowed for any invasive exotic tree, dead tree, any tree in poor health, or any tree subject to grade alterations.
2. The death or unhealthy state of any tree(s) used for preservation credit, within 3 years of establishing the TSA, shall require the property owner to plant new trees equal to the number of credited trees.
3. If any tree(s) used for preservation credit is improperly protected or determined to be hazardous, the Administrator may require new trees be planted equal to the number of credit trees.
4. The Administrator may require trees left outside preservations areas to be removed if improperly protected or determined to be hazardous.

- E. Land Dedication:** Land that is dedicated to the town that is part of the property being developed may be used towards the tree preservation requirement, if the dedicated land contains trees that meet the requirements above.

8.4.2. Tree Save Areas

Trees survive the stress of construction best when they are left in stands or larger groupings. For that reason, it is encouraged that, wherever possible, the site should be designed and developed so that tree save areas (TSAs) are designated in a single, contiguous unit. In order to qualify for the purpose of meeting the requirements of this section, designated tree save areas must conform to the following standards:

- A. Minimum Dimensional Requirements:** The extent of the Critical Root Zone (CRZ) of the tree or trees at the outer edges of the tree save area shall constitute the limits of construction for the purposes of this sub-section. The CRZ is the circular area of ground surrounding a tree extending from the center of tree to the greater of
1. 1.5 feet per caliper inch DBH of the tree,
 2. The dripline (furthest extent of tree canopy) of the tree, or
 3. 6 feet.
- B. Minimum Content Requirements:** The TSA should contain, as determined by an informal site assessment, predominantly canopy tree species which are at least 2 inches in diameter at breast height (DBH) and a minimum of 10 feet in height.
- C. Maintenance & Ownership:** When a TSA is established in association with the incentives as listed in this section, it should be designated, where possible, as a dedicated open space, or in a conservation easement.
- D. Tree Removal Inside Tree Save Areas:** Trees that are in poor health or invasive, exotic species, as determined by the Administrator, may be removed from tree save areas. All tree removal within TSA must have prior approval by the Administrator pursuant to the provisions of this section. However, in an emergency situation due to storm damage, or to alleviate an imminent hazard to the health, safety and welfare of the citizens, or to repair property damage, prior approval for tree removal in previously approved designated tree save areas is not required.
- E. Flexibility in Other Requirements:** Flexibility in other design requirements will be considered on a case-by-case basis to accommodate the establishment of a TSA.
- F. Tree Save Area Incentives:** The following incentives are offered to encourage tree preservation in tree save areas.

Action Taken	Incentive
A. Single Family Residential	
1. Establishment of tree save area (TSA)	Reduction of minimum lot area equal to area of TSA (up to 20% maximum reduction)
2. Establishment of a tree save area along a street	Reduction by up to 50% of required street tree plantings at the rate of one less street tree for every 200 square feet of TSA established.
3. Establishment of a tree save area in or along a required buffer yard	Reduction by up to 50% of required buffer yard plantings at the rate of 5% less plantings for every 200 square feet of TSA established.
B. Multi-Family Residential or Non-Residential	
1. Establishment of tree save area	Reduction by up to 20% of minimum parking requirement at the rate of one less parking space for each 200 square feet of TSA established
2. Establishment of a tree save area adjacent to a parking lot	Reduction by up to 50% of required parking lot plantings at the rate of one tree for each 200 square feet of TSA established

8.4.3. Specimen / Historic Trees

It is the intent of this section to promote the preservation of trees which are of a significant enough size and/or of such a historic nature as to be an asset to the community as a whole.

- A. Specimen Trees:** Where there exists one or more Specimen Trees on property subject to the regulations of this section, every effort shall be made to preserve and protect that tree or trees, according to the protection standards as outlined in this section. For the purposes of this section, Specimen Trees shall be defined as those trees which meet one or more of the following:

1. Any tree in fair or better condition which equals or exceeds the following diameter sizes or which otherwise is noteworthy because of species, age, size, or other exceptional quality, uniqueness and rarity:

Tree Type	Tree Diameter Size
Canopy	20 inch DBH
Understory	8 inch DBH (Reference ANSI Z60.1-2004 for multi-stem trees)

2. A tree in fair or better condition must meet the following minimum standards:
 - a. A life expectancy of greater than 10 years;
 - b. A relatively sound and solid trunk with no extensive decay or hollowness, and less than 20% radial trunk dieback;
 - c. No more than one major and several minor dead limbs;
 - d. No major insect or pathological problem.
3. Designation as a Champion, Landmark, or Meritorious Tree by the Triangle J Council of Governments Capital Trees Program
4. Designation as a Landmark Tree by the Wake Forest Board of Commissioners

- B. Historic Trees:** Where there exists one or more designated Historic Trees on property subject to the regulations of this section, every effort shall be made to preserve and protect that tree or trees, according to the methods outlined in this section. For the

purposes of this section, Historic Trees shall be defined as those trees which meet one or more of the following:

1. Designation as a Historical Tree by the Triangle J Council of Governments Capital Trees Program;
 2. Designation as a Historic Tree by the Wake Forest Board of Commissioners.
- C. Designation:** Upon petition by the owner of the property on which the tree(s) is located, and the recommendation of the Wake Forest Urban Forestry Board, the Wake Forest Board of Commissioners may designate a specific tree or group of trees as either a Landmark, Historic, or both. In order to be designated as such, the following criteria must be demonstrated by the owner:
1. Landmark Trees
 - a. Using the measurement and point system established for state and national champion trees, a nominated tree must have a point total of at least 50% of the current state champion for the particular species; or be a highly visible or recognizable tree or group of trees which has significance for the entire community; and,
 - b. Must exhibit such health, condition, and form as to have a reasonable prospect of continuing useful life.
 2. Historic Trees
 - a. Must be at least 50 years old and exhibit such health, condition, and form as to have a reasonable prospect of continuing useful life; and,
 - b. Must be associated with a specific and significant historic event or individual; or contribute to the character of a historic building or property.
- D. Replacement of Specimen Trees**
1. When a specimen tree is removed from a site during construction, or dies within 5 years following construction, the applicant or developer shall replace such tree on the lot with an amount of trees and/or landscaping of equal value. Valuation of the tree removed or lost shall be determined by the Administrator in consultation with a person qualified by training or experience to have expert knowledge of the subject. Valuation of trees and vegetation shall be established in accordance with standards established by the Council of Tree and Landscape Appraisers (CTLA).
 2. If replacement isn't feasible or desired, as determined by the Administrator, a monetary sum equal to the value of the lost or removed specimen tree(s) may be paid to a tree planting fund maintained by the Town of Wake Forest for the purposes of planting and maintaining trees throughout the jurisdiction of the town.

8.4.4. Tree Protection

It is the intent of this sub-section to establish minimum standards of protection in order to ensure that trees which are to be saved remain undamaged, thus improving their long-term chances of survival.

- A. Clear Delineation:** Tree save areas, buffers, or other areas where existing vegetation is to be preserved shall be delineated on the construction site as it is shown on the approved landscape plan.
1. All existing trees and vegetation that are to be preserved shall be completely enclosed with a sturdy and visible fence prior to any land disturbance. Fencing shall extend to the CRZ. In some instances, the Administrator may require an additional area of no disturbance.

2. Fencing of areas adjacent to existing and proposed roadways also is required. Fencing is required on all Town of Wake Forest and State Department of Transportation road projects that are adjacent to protected streetscapes or buffers. The tree protection fencing shall be clearly shown on the site and/or subdivision plan and shall comply with the standards in the MSSD.
3. A stop work order or notice of violation shall be issued if the project is found to be out of compliance with this section or an approved Landscape Plan.
4. All protected trees must be protected from silt with wire mesh fencing, as provided for in the MSSD, placed along the outer uphill edge of the tree protection zones at the land disturbance interface.
5. All tree fencing and erosion control measures shall be installed prior to and maintained throughout the land disturbance process and building construction and may not be removed until the authorization is given by the Town of Wake Forest.

B. Prohibited Activities in Tree Save Areas

1. **Land Disturbance:** There shall be no clearing, excavation, soil compaction or changes of the existing grade within the delineated tree save area or tree protection zones. Should the removal of underbrush vegetation take place, every effort should be made to minimize the disturbance.
2. **Storage of Equipment:** The storage of construction or other vehicles and/or equipment, site construction materials, portable buildings, including portable toilets, or other heavy objects is prohibited within delineated tree save areas and tree protection zones.
3. **Encroachments:** If during the course of construction, it does become necessary for activities to take place inside TSA or tree protection zones, then the Administrator shall be consulted, in advance of any activity. Such activities include but are not limited to the erection of scaffolding, vehicle movement, trenching or excavation. The Administrator shall review the most appropriate way to undertake such activities. If such an encroachment is anticipated, the following preventive measures shall be employed at a minimum:
 - a. Where utilities must encroach upon a delineated tree save area or tree protection zone, they should be installed by tunneling, rather than by trenching. If it is necessary for roots to be disturbed, then proper root pruning procedures shall be employed.
 - b. The removal of trees adjacent to tree saved areas can cause inadvertent damage to the protected trees. Wherever possible, it is strongly recommended to cut minimum one and one-half-foot trenches along the limits of land disturbance, so as to cut, rather than tear, roots.
 - c. Where compaction might occur due to traffic or materials through the tree protection zone, the area must first be mulched with a minimum 6-inch layer of processed pine bark or coarse wood chips (see MSSD). Equipment or materials storage or disposal shall not be allowed within tree protection areas.
 - d. Fences and walls may only be installed in tree save areas if:
 - i. The root systems of existing trees shall be taken into consideration;
 - ii. Post holes and trenches close to trees shall be dug by hand and adjusted as necessary to avoid damage to major roots; and

- iii. Continuous footers for masonry walls shall end at the point where major large roots are encountered and those roots are bridged.

8.4.5. Tree Replacement Standards

- A. **Replacement of Damaged, Removed or Excessively Pruned Trees and Vegetation:** Any tree or vegetation required as part of the development requirements of this ordinance that is damaged, removed or excessively pruned shall be replaced according to the following standards:
 - 1. **Square Inch for Square Inch Replacement.** Where the cross-sectional (basal) area can be documented, an equal amount of new vegetation ("square inch for square inch") shall be used to quantify the required replacement vegetation. All replacement trees shall have a DBH of at least 2 inches each and a cumulative cross-sectional (basal) area equal to or greater than that of the original tree(s).
 - 2. **Area Replacement.** For all other cases where existing vegetation is damaged or removed, the type and amount of replacement vegetation required shall be the type and amount that is necessary to provide the type of landscaped areas required under this section and/or as required by the approved landscape plan.
 - 3. **Location of Replacement Vegetation.** Replacement vegetation should be located within the vicinity of the violation. If replacement is not practical within the vicinity, a more suitable location on the site may be selected. If no suitable location can be found, a monetary payment may be required. This monetary payment will be based on the current market price for any replacement tree(s) and/or shrubs. This payment shall be used to fund plantings on public properties.
- B. **Establishment Period:** Replacement trees shall be maintained through an establishment period of at least 2 years. The applicant may be required to post a performance guarantee acceptable to the town guaranteeing the survival and health of all replacement trees during the establishment period and guaranteeing any associated replacement costs. If the replacement trees do not satisfactorily survive the establishment period in the judgment of the Administrator, the performance guarantee will be used to purchase and install new replacement trees.

8.4.6. Tree Clearing Permit

Pursuant to NCGS §160D, prior to the commencement of any vegetation clearing or removal on any undeveloped property, the owner (or authorized agent) of such property must obtain a Tree Clearing Permit in accordance with the provisions of Section 15.7.1.

8.5. Buffers and Screening

8.5.1. General Provisions

- A. **Buffer Yard Lot Standards**
 - 1. To determine the required buffer type along each property boundary, the proposed land use shall be matched with the corresponding existing/adjacent land use for each property boundary in Section 8.5.2.
 - 2. If a proposed development consists of one or more separate uses and is not developed as a mixed-use development with mixed use buildings, the use with the higher intensity shall provide a buffer, if required by Section 8.5.2, between the two uses.
 - 3. Perpendicular encroachments by driveways, pedestrian-ways, and utilities are permitted, but should be minimized to the extent feasible.

4. Buildings are not permitted within buffers. Structures shall not be permitted within buffer yards except those integrated into the design of the buffer, limited to fences, walls, monument signs, street lighting, bus stops/shelters, and street furniture.

B. Credit for Existing Vegetation: Existing vegetation in buffer yard areas, which meets the minimum standards for a tree save area (TSA) in Section 8.4.2, shall qualify for the screening requirements. Where existing vegetation is insufficient or must be removed due to construction activity, new plantings shall be used to supplement any remaining existing vegetation in order to meet the minimum screening requirements.

C. Ownership of Buffer Yards

1. Any required buffer yard, including those required as a zoning condition, for a single-family or two-family residential development shall not be credited toward meeting the minimum lot size requirements.
2. Where control and/or ownership of the buffer yard is by a separate entity, any disturbance, modifications, removal, or damage to the buffer yard by an adjacent homeowner or resident is prohibited.
3. The property owner's association or owner shall be responsible for the maintenance and any violation related to the buffer yard as defined in this section.
4. Buffer yards may be included within residential lots only when all of the following conditions are met:
 - a. The subdivision is limited in size and has no homeowners' association; and
 - b. There is no reason for the formation of a homeowner's association other than to retain ownership and maintenance responsibilities for the buffer yard; and
 - c. The buffer is placed within a permanent conservation easement or other legal instrument dedicated to the Town of Wake Forest.

8.5.2. Buffer Yard Requirements

A. Buffer Yard Table for Districts

1. The following tables illustrate the required buffer yard types for each land use (zoning district for vacant property) and the composition of each buffer yard type:

	Existing/Adjacent Land Use										
	SF Detached Residential, Duplex	All other Residential, B&B	Civic, Educational / Institutional	Office / Service	Mixed Use, Lodging, Commercial / Entertainment	Industrial, Automotive, Agricultural ² , Infrastructure	Railroad	Cemetery	Overhead Transmission Utility	Vacant Land (OS, RD, UR, GR3/5/10, NB)	Vacant Land (HB, RMX, NMX, UMX, ICD, LI, HI)
SF Detached Residential, Duplex	X	C ¹	C ¹	C ¹	B ¹	AA ¹	AA	C	C	X	C
All other Residential, B&B	C	X	X	X	X	A ¹	AA	C	C	B	C
Civic, Educational / Institutional	B	C	X	X	X	B ¹	AA	C	C	B	X
Office / Service	B	B	C	X	X	C	A	B	X	B	X
Mixed Use, Lodging, Commercial / Entertainment	A	B	B	X	X	C	A	B	X	B	X
Industrial, Automotive, Agricultural ² , Infrastructure	AA	AA	AA	A	A	X	X	A	X	A	B
PUD ³	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
AA = Type AA Buffer; A = Type A Buffer; B = Type B Buffer; C = Type C Buffer; X = No buffer required ¹ Only required where an adjacent, more intense use is pre-existing and no equivalent buffer is provided on the adjacent property. If an adjacent, existing use provides a buffer that is less than the current, required width, the proposed use shall install 50% of the required buffer indicated. ² Agricultural Uses excluding Backyard pens/coops and Gardens. Nurseries and Garden Centers and Farm Stands shall be considered commercial uses for buffer purposes. ³ PUD District shall determine buffer yards as specified in the concept plan											

2. **Renaissance Area:** Except when abutting any of the following uses or uses located outside of the Renaissance Area, development in the Renaissance Area shall be exempted from landscape buffer standards in the preceding section. In cases where development abuts the following uses, buffers shall be provided in accordance with this Chapter:

- Cemetery
- Utility
- Railroad
- Existing residential
- Industrial

B. Street Yard Buffers

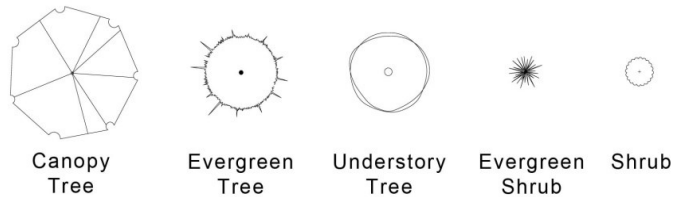
- Where a development abuts a major or minor thoroughfare as identified on the Wake Forest Transportation Plan, a street yard buffer of no less than 20' in width shall be required along the edge of the right-of-way.
- Street yard buffers shall be established using:

- a. Existing vegetation, which meet the minimum standards for a tree save area (TSA) in Section 8.4.2; or
 - b. A 20' Buffer containing the plantings required in Type B Buffer – Option 1 in Section 8.5.3.C; or
 - c. A combination of existing vegetation and new plantings which meet the minimum planting requirements of a Type B Buffer – Option 1.
 - d. In a PUD, street yard buffers shall be determined in the PUD Concept Plan.
3. When development in the LI or HI Districts abuts a major or minor throughfare as identified on the Wake Forest Transportation Plan, a Type AA Buffer shall be required along the edge of the right-of-way. If parking is limited to one single drive aisle and two bays between the principal building and the street, the standard 20' Street Yard Buffer may be utilized instead.
 4. When maximum front setbacks are required by the zoning district and the required street yard buffer exceeds the depth of the setback, the street yard buffer shall determine the setback dimension.

8.5.3. Buffer Yard Composition

The required buffer yard types may be established using a combination of yard widths, evergreen trees, canopy trees, understory trees, shrubs, fences, walls, and berms. The following tables illustrate the required elements for each buffer yard type.

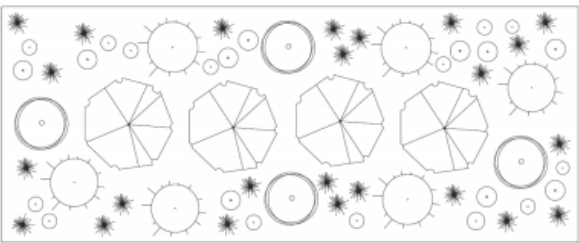
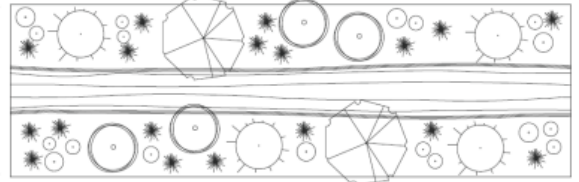
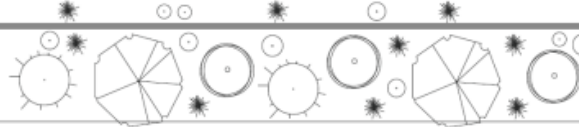
Buffer Yard Plantings



- A. Type AA Buffer:** The intent of the Type AA Buffer is to provide a completely opaque buffer to minimize visibility and noise between adjoining properties. A Type AA Buffer is achieved as specified below.

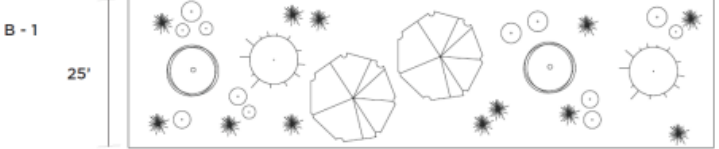
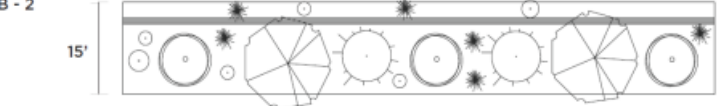
Type AA Buffer Yard Options	Minimum Depth	Minimum Plantings per 100 linear feet	Required Barrier
Option 1	50 feet	10 Evergreen Trees 6 Canopy Trees 6 Understory Trees 48 Shrubs	Not Required

- B. Type A Buffer:** The intent of the Type A Buffer is to create a completely opaque buffer, having no horizontal openings from the ground to a height of 8 feet within 2 years of planting. A Type A Buffer can be achieved in 3 ways as specified below.

Type A Buffer Yard Options	Minimum Depth	Minimum Plantings per 100 linear feet	Required Barrier
Option 1	40 feet	6 Evergreen Trees 4 Canopy Trees 4 Understory Trees 48 Shrubs	Not Required
	A - 1 40'		
Option 2	30 feet	4 Evergreen Trees 2 Canopy Tree 4 Understory Trees 36 Shrubs	Berm (See 8.5.4.B)
	A - 2 30'		
Option 3	20 feet	2 Evergreen Tree 2 Canopy Tree 3 Understory Trees 18 Shrubs	Min. 6' Opaque Fence or Wall (See 8.5.4.A)
	A - 3 20'		

* 50% of required plantings for all options must be evergreen species

- C. **Type B Buffer:** The intent of the Type B Buffer is to create a semi-opaque buffer, having only seasonal horizontal openings, not to exceed 10% of the total width, from the ground to a height of 8 feet within 2 years of planting. A Type B Buffer can be achieved in 2 ways as specified below.

Type B Buffer Yard Options	Minimum Depth	Minimum Plantings per 100 linear feet	Required Barrier
Option 1	25 feet	2 Evergreen Trees 2 Canopy Tree 2 Understory Trees 24 Shrubs*	Not Required
			
Option 2	15 feet	2 Evergreen Tree 2 Canopy Tree 3 Understory Trees 12 Shrubs*	Min. 4' Opaque or Semi-opaque Fence (See 8.5.4.A)
			

* 50% of required shrubs for all options must be evergreen species

- D. **Type C Buffer:** The intent of the Type C Buffer is to create a semi-opaque buffer, having only seasonal horizontal openings, not to exceed 25% of the total width, from the ground to a height of 6 feet within 2 years of planting. A Type C Buffer can be achieved in 2 ways as specified below.

Type C Buffer Yard Options	Minimum Depth	Minimum Plantings per 100 linear feet	Required Barrier
Option 1	20 feet	1 Canopy Tree 2 Understory Trees 8 Shrubs*	Not Required
			
Option 2	15 feet	2 Canopy Trees 2 Understory Trees 12 Shrubs*	Not Required
			

* 50% of required shrubs for all options must be evergreen species

8.5.4. Fences, Walls and Berms

The following standards shall apply to all new development, new fences and walls associated with the expansion of an existing principal structure, new fences or walls associated with the change in use, or any other linear barrier intended to delineate different portions of a lot. Special regulations for fences and walls located in buffer yards and in Overlay and Historic Districts supersede the regulations herein where a conflict exists.

- A. Fencing or Walls:** Where required as part of a buffer yard, fencing or walls must adhere to the provisions below. Nothing in this section shall prohibit the owner of a single family dwelling from constructing a separate fence along the borders of such property, provided that all required buffer plantings are maintained.
1. In all cases, the finished side of the fence must face the use with the lower intensity.
 2. **Material:** Permitted fence or wall materials include: masonry, stone, architectural block, stucco on masonry, stained or painted wood or composite material of similar solid appearance. Vinyl fences are not permitted. Decorative metal may be used for semi-opaque fences.
 3. **Opacity:** Solid and opaque fences shall not be permitted in front yards.
 4. **Design:** Fencing required as part of a landscape buffer shall incorporate masonry piers or columns at the corners and entrances of the development. The design of fencing or walls shall be sufficient to meet the extent of physical screening required by the Administrator.
 5. Height:
 - a. Minimum: The minimum height of a fence or wall required within a landscape buffer shall be as specified in Section 8.5.3. No minimum height applies to non-required fences or walls.
 - b. Maximum:

Uses	Front Yard	Side and Rear Yards
Single Family, Attached and Detached, Other Residential	4' max.	6' max
Multifamily, Commercial, Mixed-Use, Civic, and Institutional	4' max.	8' max.
Industrial	6' max	8' max. or 10' with Administrator approval

6. **Retaining Walls:** Retaining walls may not be located within a required landscape buffer unless 3.5 feet or less in height. Retaining walls greater than 3.5 feet in height may be permitted within the landscape buffer if integrated into the buffer through the wall material and design (ex. Split face architectural block, stone, vegetated living wall system, terraced design).
7. **Sight Distance:** No fence or wall shall be located so that it obstructs a sight triangle for any pedestrian, cyclist, or motorist. Heights of fences and walls in sight triangles shall not exceed 36".
8. **Easements:** Fences or walls shall be prohibited within any public easement, including but not limited to drainage, utility, and tree easements. Only with written permission by the City of Raleigh, may an applicant place a fence on or

within an easement under their jurisdiction. Written approval must be submitted to the Town of Wake Forest with a fence permit application. Further, the Town shall not be responsible for damage to, the repair or replacement of fences or walls that must be removed to access such easements if installed on or within an easement.

8.5.5. Berms: Earthen berms may be required in combination with plant material and fencing for the purposes of screening. Berms shall be tapered appropriately to allow for practical maintenance.

1. The slope of all berms shall not exceed a 2:1 ratio (horizontal to vertical), shall have a top width at least one-half the berm height, and a maximum height of 6 feet above the toe of the berm.
2. All berms regardless of size, shall be stabilized. Topsoils brought in for mounds are to be mixed with native soil to avoid interfacing problems.
3. Berms shall be constructed as to provide adequate sight distances at intersections and along all roads.
4. Berms proposed to satisfy the screening requirements of this section shall be vegetated as required by this section. Use of berms as a substitute for existing healthy vegetation is strongly discouraged.

8.5.6. Watercourse (Riparian) Buffer Areas

All protected drainageways and surface waters shall maintain riparian buffers directly adjacent to such surface waters in accordance with the standards outlined in Section 12.7.

8.6. Street Trees

It is the intent of this section to ensure that Wake Forest remains a community of tree-lined streets in order to reduce excessive noise, glare, and heat, and to ensure the aesthetic quality of the town.

8.6.1. Street Tree Requirements

- A. **Location:** Street trees should be planted in the location specified for the corresponding street classification in Section 6.7. However, where not practical due to the location of utilities or other site constraints, street trees may be planted on private property upon dedication of a tree easement. Tree easements should be of a sufficient size to allow access by maintenance equipment to the entirety of the expected mature tree canopy.
- B. **Minimum Number of Trees:** Street trees shall be installed according to the following minimum standards (linear feet of planting area shall exclude driveways):
 1. At least 1 canopy tree for every 50 linear feet of planting area, or fraction thereof equal to or greater than 25 feet; or
 2. Only when planting of canopy trees is not practical due to the location of utilities, 1 understory tree for every 35 linear feet of planting area, or fraction thereof equal to or greater than 18 feet; or
- C. **Minimum Spacing:** Arrangement of and distance between trees is at the owner's option, except that the minimum spacing between trees should correspond to the expected mature spread of the adjacent trees and in no instance shall be less than:
 1. 30 feet between canopy trees,
 2. 20 feet between canopy trees and understory trees, and
 3. 15 feet between understory trees.

- D. **Conflict with Street Lighting:** Street trees shall be located and planted so as not to diminish the effectiveness of required street lighting, and in no instance shall street lights be located closer than:
 - 1. 15 feet to canopy trees, and
 - 2. 8 feet to understory trees.
- E. **General Standards**
 - 1. The location, species, and approximate planting date of any tree in the public right-of-way or tree easement must be approved by the Administrator prior to planting.
 - 2. Street trees shall be installed according to the standards in the Wake Forest Manual of Specifications, Standards and Design (MSSD).
 - 3. Trees species in major subdivisions should vary from street to street in accordance with Policy ST-3 from the Wake Forest Community Plan
- F. **Additional Requirements for Special Highway Overlay (SH-O) Districts:** Additional requirements for the preservation and planting of trees in streetyards in the SH-O Districts can be found in Section 2.4.3

8.7. Vehicular Use Area Screening & Landscaping

8.7.1. Screening

All off-street parking, loading areas, and service areas adjacent to and/or visible from a public right-of-way and adjacent properties shall be screened from view by use of one or more of the following:

- A. A building or buildings;
- B. A change in topography;
- C. A planting area a minimum of 8 feet wide planted with evergreen shrubbery placed a maximum of 5 feet on center. All shrubs shall achieve a height of 4 feet within 3 years.
- D. Fencing, walls, or berms.

8.7.2. Landscaping

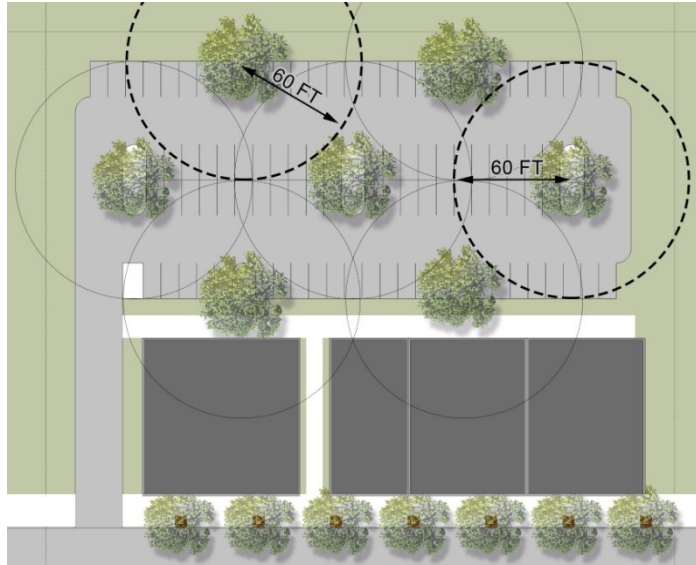
In addition to screening requirements, canopy trees shall be installed in planting areas within parking lots to provide shade coverage for all parking spaces within vehicle service areas. Such planting areas shall meet the following requirements:

- A. **Planting Area Size:** The minimum size of a planting area is dependent upon the number of canopy trees planted within it, as described below.

Number of Canopy Trees in Planting Area	Minimum Size of Planting Area
1	400 square feet
2	700 square feet
3 or more	300 square feet per tree

- B. **Planting Area Width:** A minimum horizontal dimension of 9 feet measured from back of curb, pavement, sidewalk, or other separating structure is required for all planting areas.

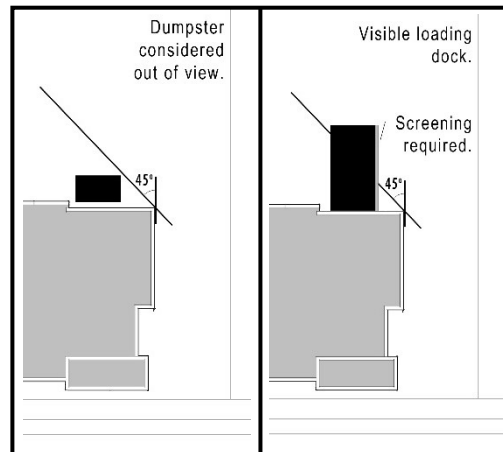
- C. **Planting Strip Location:** A continuous linear planting strip shall be provided between each 2 parking bays.
- D. **Minimum Spacing:** All parking spaces, or portions thereof, shall be within 60 feet of a planted canopy tree trunk as illustrated in the diagram at right.
- E. **Groundcover:** Each planting area shall be landscaped with mulch, groundcover, or shrubs to protect against soil erosion.
- F. **Barriers or Wheel Stops:** Barriers, such as wheel stops or 6-inch standard curbs, must be provided between vehicular use areas and landscaped areas.
- G. **Conflict with Parking Lot Lighting:** Trees shall be located and planted so as not to diminish the effectiveness of required parking lot lighting, and in no instance shall lighting be located closer than:
1. 15 feet to canopy trees, and
 2. 8 feet to understory trees.



8.8. Dumpsters and Mechanical Utilities Screening

8.8.1. Required Screening

- A. All dumpsters, loading docks, outdoor storage areas and utility structures, which are visible from a public street or adjacent property line, shall be screened unless already screened by an intervening buffer yard. Such equipment shall be considered out of view if it is within the 45 degree angles projected from the building edges.
- B. Screening shall consist of evergreen shrubs, fencing, walls, or berms, and shall comply with all other standards of this section.
- C. All screening of utilities shall comply with the requirements of the utility provider.
- D. Enclosures for dumpsters shall be constructed with materials that are compatible with the design and materials of the principal building and in accordance with the following.
1. **Material:** Allowable materials include painted or stained solid-wood, composite wood, fabricated metal, brick, split face block, decorative block, and stone.
 2. **Shrubs:** Evergreen shrub plantings shall be placed around the enclosure.



- 3. **Gates:** All enclosures shall be constructed with an opaque gate with a metal frame. Chain link gates with slates shall not be permitted, except for industrial uses. All gates shall be provided with wheels and drop pins or rods for securing gates when open and closed.
- E. Non-residential loading docks adjacent to the right-of-way, without any intervening buildings, shall be screened with a masonry wall a minimum of four feet in height.

8.8.2. Above Ground Utility Screening

- A. Ground equipment such as hotboxes, transformers, generators, and HVAC units shall be screened from view from streets, on-site sidewalk, greenways, and adjacent properties.
- B. All screening methods utilized to screen utilities shall meet the requirements of the utility provided and be approved by the Administrator
- C. Above ground utilities shall be of an earth-tone or muted color, where possible, to blend in with a vegetative screen.
- D. An opaque, planted screen shall be provided, reaching a height equal to or greater than that of the above-ground utility within two (2) years. The height of the screen shall be approved by the Administrator where heights of the utility exceed eight (8) feet. Alternatively, screen walls incorporated into the building design may be utilized for utility screen when the wall materials are consistent with those the principal building.

8.9. GENERAL INSTALLATION AND MAINTENANCE STANDARDS

It is the intent of this section to ensure that the planting and preservation areas established to meet the requirements of this section are maintained. Minimum spacing requirements are located in Sections 8.6.1.C and 8.7.2.D.

8.9.1. Installation standards For New Plantings

- A. **Plant Species:** Plantings installed to meet the baseline vegetation requirement and other requirements of this section shall be chosen from the Official Planting List maintained by the Town of Wake Forest Urban Forestry Board. Substitutions may be made only by advance approval of the Urban Forestry Board.
- B. **Variety:** When selecting species for planting, the applicant shall reference the Town of Wake Forest Urban Forest Management Plan as a guide to promote tree diversity.
Trees species in major subdivisions shall vary from street to street in accordance with Policy ST-3 from the Wake Forest Community Plan.
- C. **Canopy (Large Shade) Trees:** Canopy trees must be a native or locally-adapted species with an expected mature height of 40 feet or greater and an expected mature crown spread of 30 feet or greater. When planted, canopy trees must have a minimum caliper of 1.5 inches as measured at 6 inches above grade. Multi-stemmed trees shall have at least 3 stalks with a minimum 1.5 inch diameter at breast height (DBH), or approximately 4.5 feet above grade, and must be at least 8 feet in height when planted.
- D. **Understory (Small) Trees:** Understory trees have an expected mature height between 20 and 40 feet. When planted, understory trees must be a minimum of 1 inch as measured at 6 inches above grade. Multi-stemmed trees shall have at least 3 stalks and must be at least 6 feet in height when planted.
- E. **Shrubs:** At the time of planting, all shrubs except for shrubs planted as part of a buffer requirement shall be a minimum of 18 inches in height or spread and reach a minimum height of 36 inches and a minimum spread of 30 inches at maturity. Shrubs

required in buffers shall be a minimum of 3 feet in height at time of installation measured above grade and reach a minimum of 6 feet in height at maturity and shall be spaced a minimum of 5 feet on-center.

- F. **Timing of Plantings:** Any tree planted to satisfy the requirements of this chapter must be planted after October 1st and before March 31st. Any tree planted after April 1st and before September 30th will not count toward the landscape requirements of this chapter. If the project timing is such that trees to be counted toward the requirements of this chapter cannot reasonably be planted within the required October 1st to March 31st timeframe before the applicant requests a Certificate of Compliance, the Administrator may grant the applicant one additional year from the date of application for a Certificate of Compliance in which to plant such trees. In order to ensure that all such trees are planted within this one year period, the applicant shall provide the town with an improvement guarantee in accordance with the provisions of Section 6.12.
- G. **Plantings near Parking and Vehicular Use Areas:** All planting areas that are adjacent to parking or vehicular use areas shall be protected from vehicular intrusion or damage from excessive vehicular lubricants or fuels.
- H. **Motorist Obstruction Prohibited:** Landscaping shall not obstruct the view of motorists using any street, parking aisle, private driveway, or the approach to any street intersection so as to constitute a traffic hazard or a condition dangerous to public safety.
- I. **Conformance with Nursery Stock Standards:** Plant materials used in conformance with the provisions of this section shall conform to standards promulgated by the American Association of Nurseryman in "American Standards for Nursery Stock" (ANSI Z60.1-2004), as amended from time to time hereafter. All plant material shall be free of disease and pests; have good structure and branching form; be free from constricting ties; have a healthy root system without girdling roots; have a visible root collar at the time of planting; and be in vigorous health.
- J. **Planting in Utility Easements:** The planting of required trees and shrubs in utility easements is discouraged but may be permitted with written approval of the easement owner.
- K. **Ground Treatment:** All tree plantings shall be mulched with 3 inches of shredded bark or 4 inches of pine straw in a 3-foot radius around the tree, or to the dripline, whichever is greater. The mulch shall be free of trash and maintained weed free thereafter. The mulch shall not cover the root collar.
- L. **Trimming and Pruning:** All required plantings shall be allowed to reach their mature size and shall be maintained at their mature size. Trimming and pruning shall be done in strict accordance with the ANSI A300 standards, as amended from time to time hereafter. Topping is not an acceptable pruning practice. The Administrator may require the removal and replacement of any tree(s) that have been topped or excessively trimmed.
- M. **Staking:** Staking is required only when a plant is unable to support itself with its existing root system. Examples of this are: bare rooted plants, a strong wind situation, loose soil, wet conditions, steep slopes, and large size plant material. Tree ties are to be a soft, wide (minimum, 1 inch) polymer material. No knots are to be tied around the trunk that may restrict growth. Ties are to be removed after one year following installation.
- N. **Soil Modification:** Soil modifications shall be required on sites where the soil is poor in quality and structure. Soil modifications may include tilling, deep ripping, addition of nutrition/fertilizer or other organic compounds, conditioning additives to effect a change in the water holding capacity of the soil, soil structure, soil texture, and Ph,

such as gypsum, sand, lime, dolomite, chemicals, mulches, otherwise.

8.9.2. Maintenance

It shall be the responsibility of the property owner(s) or assigned caretakers to ensure that all regulated landscaped areas, buffers, fencing, and tree save areas are installed, preserved, and maintained in good growing conditions, appearance, and usefulness. Damage and disturbances to these areas shall result in vegetation replacement and/or fines and other penalties. Preservation and maintenance shall include:

- A.** Any dead, unhealthy, or missing vegetation, shall be replaced with vegetation that conforms to the standards of this section and the approved site and/or subdivision plan.
- B.** All required buffers, streetyards, vehicular use areas, tree save areas and other landscaped areas shall be free of refuse and debris, shall be treated for pest/diseases in accordance with the approved site and/or subdivision plan, and shall be maintained as to prevent mulch, straw, dirt, or other materials from washing onto streets and sidewalks.
- C.** The owner(s) shall take actions to protect all plant material from damage during all facility and site maintenance operations. All plant material must be maintained in a way that does not obstruct sight distances at roadways and intersections, obstruct traffic signs or devices, and interfere with the use of sidewalks or pedestrian trails. Plant material, whether located within buffers, tree save areas, or within planted areas (required by the site and/or subdivision plan) shall not be removed, damaged, cut or severely pruned so that their intended form is impaired. Shrubs within vehicular use areas, streetyards, and street fronts may be pruned, but must maintain at least 3 feet in height.
- D.** In the event that existing required vegetation located within any buffers, tree save areas, streetyards, vehicular use or other landscape areas poses an immediate or imminent threat to improved structures on private property or public property, excessive pruning or removal of the vegetation may be allowable provided authorization is obtained from the Administrator, and the performance standard of the landscape area is maintained consistent with this section. Replacement vegetation may be required as a condition of the permit.
- E.** In the event that any vegetation or physical element functioning to meet the standards of this section is severely damaged due to an unusual weather occurrence or natural catastrophe, or other natural occurrence, the owner may be required to replant if the requirements of the section are not being met. Replacement vegetation shall conform to the standards of this section and the approved site and/or subdivision plan.





**Town of Black Mountain
Building, Planning and Zoning**

160 Midland Avenue ♦ Black Mountain ♦ North Carolina ♦ 28711
Phone: 828-419-9300 ♦ Fax: 828-669-2030 ♦ TDD: 1-800-735-2962

Date: April 25, 2022

To: Black Mountain Planning Board

From: Planning Staff

RE: Middle Section of Buckeye Street Alley Closure Request

Please find pertinent information attached.

Summary:

The Town Council voted unanimously to file a petition to close the middle portion of the Buckeye Street alleyway that runs East and West intersecting two town owned parcels that make up Cragmont Park.

Definitions:

The land use defines the following terms:

Abut: Having a common boundary or lot line not separated by a street, alley, railroad or other right-of-way (distinguished from adjacent which can include abutting property or those across a street).

Adjacent: Either abutting or being directly across a street.

Alley: A service roadway providing a secondary means of public access to abutting property and not intended for general traffic circulation.

Right-of-Way: 1) A strip of land acquired by purchase, reservation dedication, forced dedication, prescription, or condemnation and intended to be occupied by a roadway, greenway, sidewalk, railroad, utility, storm sewer, or other uses; and 2) the right of one to pass over the property of another.

3.6.2 Dedication and closures of rights-of-way or land to the town.

- A. Improvements within rights-of-way, open space or easements, such as utility lines, street paving, drainage facilities or stormwater BMP's, sidewalks or trails may be accepted for maintenance by the town upon approval by the town board of aldermen.

Does not apply.

- B. Property owners or other parties of interest may petition for the closure of a right-of-way offering through the planning department. The planning board, planning department, or other government or utility agency may also request the closure of a right-of-way. Rights-of-way closures shall follow these procedures:
 - 1. A right-of-way closure petition is filed with the planning department. Owners of property abutting the right-of-way or portion of the right-of-way requested for closure must sign the petition and pay a fee as established by the board of aldermen. If all owners of the abutting properties do not sign the petition, notice to abutting property owners shall be given as required by G.S. 160A-299. If the request is generated from town staff or a board or commission, the fee shall not apply.

The Planning Board decided to extend the closure from an original application that was presented back in March 2022.

*N.C.G.S. 160A-299 (a) states that when a city proposed to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. The resolution shall be published once a week for four successive weeks prior to the hearing, **a copy thereof shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records** and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley.*

2. The planning director or his/her designee will prepare a staff report that includes a map that shows the length of the right-of-way from terminus to terminus, an inventory of uses within the right-of-way (if any utilities, etc.), information on possible future uses from any of the town's adopted plans, and comments from the fire department and place the issue on the next planning board agenda, if the petition is filed two weeks before the date of the next meeting, or otherwise at the next meeting.
 - *The requested alleyway closure is approximately 200' in length and 40' wide per Buncombe County GIS (map attached).*
 - *The alleyway currently contains trees, gravel road, and a portion of Tomahawk Branch Creek in the portion being requested to close.*
 - *The alleyway does have an 8" sewer line that runs through it (maps of both are attached).*
3. Notice of the request and pursuant review of the planning board shall be sent to all abutting property owners, and the notice may be sent to owners of property adjoining any portion of the street affected by a partial right-of-way closure, at the discretion of the planning board or staff.

Notice was sent to all property owners abutting the alleyway on April 13, 2022, by first class mail. A copy of the notice and a list of property owners is attached.

4. The planning board will review the request and make recommendation to the board of aldermen to accept the petition for closure, to accept the right-of-way into town control or maintenance, to close any additional area of right-of-way in addition to the petition, or to not accept the petition and leave the right-of-way as an offering.

The request is only for a portion of the alleyway to be closed. The board has the option of closing the remainder of the alleyway, which would be done as a separate application.

5. The planning board shall consider any or all of the following criteria in making their recommendation for closure of a right-of-way:

- (a) Alleyway identified is not part of adopted town plans.

The requested alleyway closure is not identified in any of the following plans: Bike Plan, Comprehensive Plan, Greenway Master Plan, Stormwater Master Plan, Recreation and Parks Master Plan, Pedestrian Plan, Wellhead Protection Plan, Hazard Mitigation Plan or Veteran's Park Master Plan.

- (b) Alleyway is not necessary for current or future utilities.

There are no plans for future utilities to be placed in this alleyway apart from the current sewer line.

- (c) Alleyway in its current condition poses a hazard to public health, safety or welfare.

The alleyway does not pose any hazard to public health, safety or welfare.

- (d) Alleyway is along a drainage that is part of a stormwater management plan.

There are no drainage areas or stormwater plans or systems along or in the alleyway.

- (e) Right-of-way provides a current or future corridor for a greenway, alley, or roadway that would meet a specific transportation need.

The alleyway is not identified on the Pedestrian Master Plan or Greenway Master Plan for any type of access. The alleyway does intersect Cragmont park which plans to have a greenway path cross the alleyway. Closing the ROW does not impact the Town's ability to utilize the property for greenway, trail or any other bike and ped facility in the park.

- (f) Abutting property owners have signed the petition in favor of the closure.

No property owners have signed since the application was requested by the Planning Board. All property owners have been notified by first class mail.

- (g) The planning board shall have 35 days from the date of the first regular meeting of the planning board held after receipt of the request within which to submit a recommendation to the board of aldermen. If the planning board fails to act within the 30-day period, it shall be deemed to support and recommend the requested closure and the petition shall proceed to the board of aldermen.

The planning board may also amend the scope or length of the alleyway closure petition as a complimentary petition to the board of aldermen.

6. Planning board recommendation is forwarded to board of aldermen who shall establish a date for a public hearing by adopting a resolution of intent to close. The town attorney shall prepare a description of the right-of-way in question for use in setting the public hearing.

If the planning board recommends the closure, then the next step would be a call for public hearing.

7. Staff shall place the resolution of intent stating the date of the public hearing in a newspaper of general circulation within the Town of Black Mountain once a week for four successive calendar weeks. Staff shall prominently post the area for closure at two locations with a visible sign indicating the scope of the petition, the date for the public hearing and the phone number of the staff person to contact for information. Staff shall also provide notice by first class mail to all abutting property owners, and may, at the discretion and direction of the aldermen, mail such notice to all owners of property adjoining any portion or all of the street affected by a partial right-of-way closure. Notice shall also be posted to the town website indicating the date and time of the hearing.

Staff will take care of this portion.

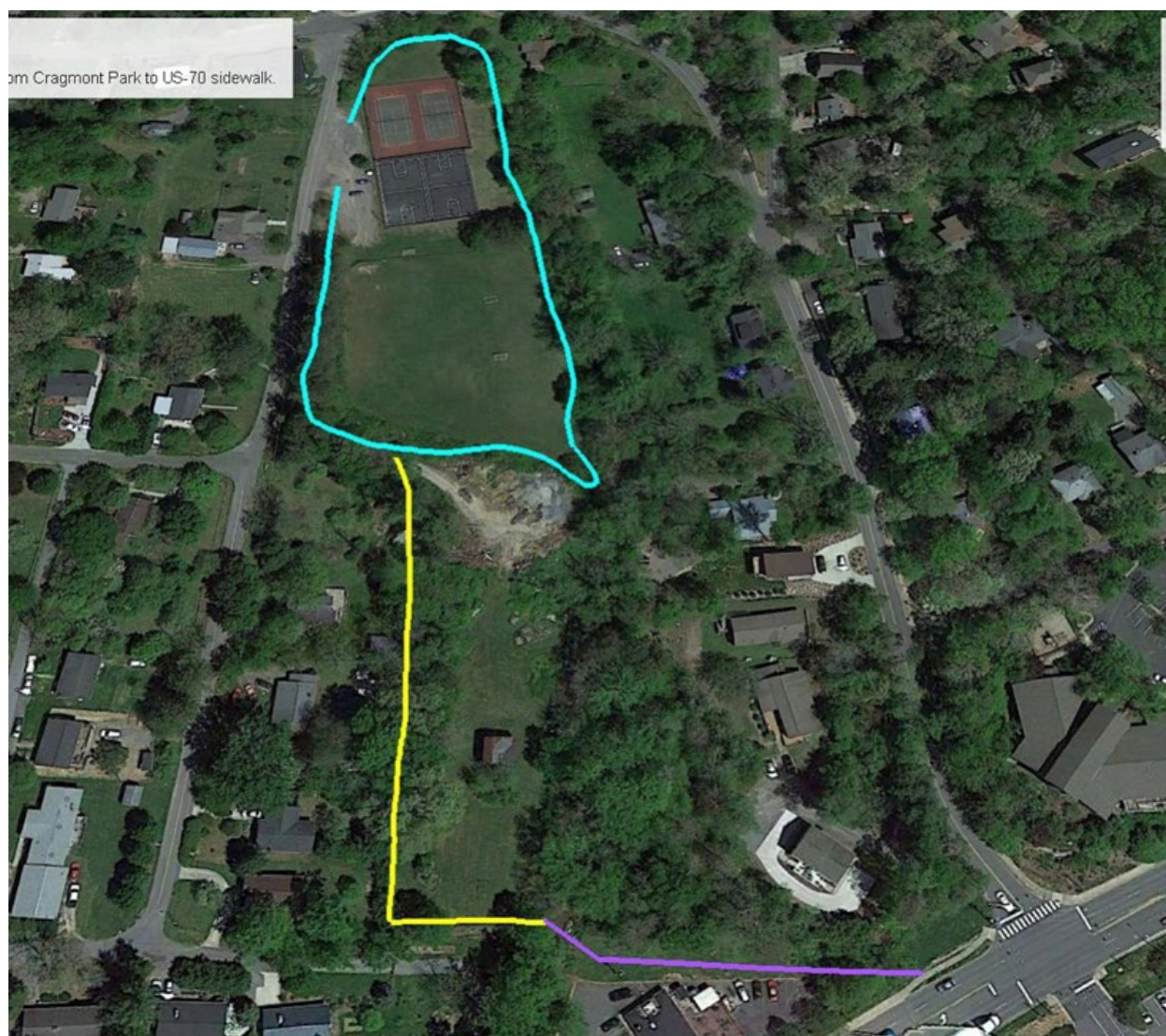
8. Board of aldermen holds the public hearing and accepts or rejects the petition for closure.

The public hearing will be advertised and held at a regularly scheduled meeting of the Board of Aldermen.



Highlighted portion is section being proposed for closure.

Bike and Ped Connection Drawing



Map of Existing Sewer 8" Line



**TO THE TOWN COUNCIL OF THE
TOWN OF BLACK MOUNTAIN**

We, the undersigned, being (some) (all) of the owners of the property adjoining the street or alley described below, do hereby petition the Town Council of the Town of Black Mountain, to close the following described street or alley:

Remainder of Buckeye Street

The undersigned petitioners do certify that the closing of the above described street or alley will not be contrary to the public interest and that no individual owning property in the vicinity of said street or alley, and if it is located in a subdivision, no individual owning property in said subdivision, will be deprived of reasonable means of ingress and egress to his/her property.

The following persons, in addition to the petitioners, own property adjoining the above described street or alley:

NAME

ADDRESS

WHEREFORE, your petitioners respectfully request the Town Council of the Town of Black Mountain to adopt a resolution ordering the closing of the above described street or alley.

Witness our signatures the day and year first above written.

NAME

ADDRESS

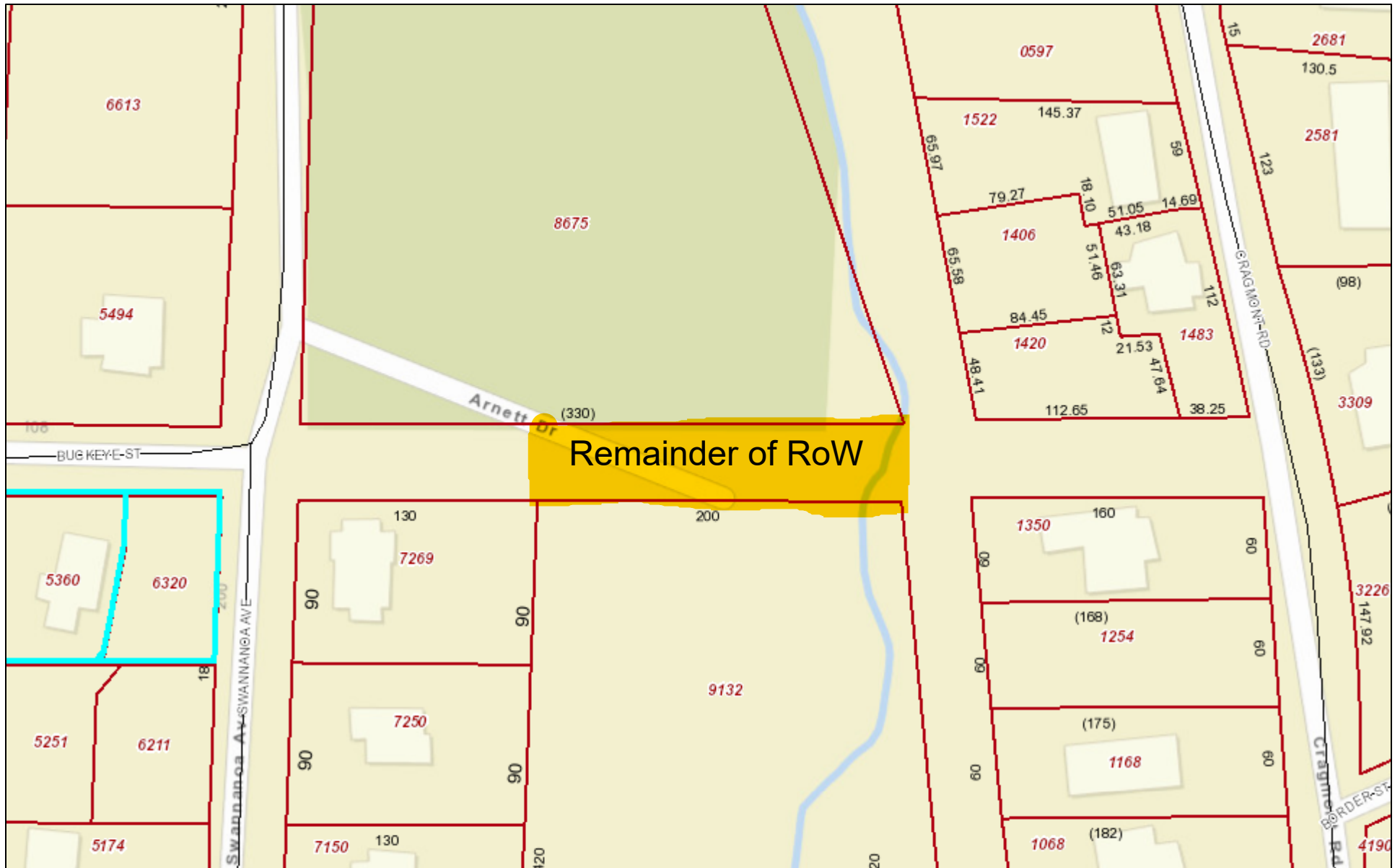
PHONE #

Town of Black Mountain Town Council

160 Midland Avenue

828-419-9300

Buncombe County



April 14, 2022

1:1,128

0 0.0075 0.015 0.03 mi

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),



DATE: April 14, 2022

TO: Jessica Trotman, Planning Director

FROM: Josh Henderson, Recreation Director

SUBJECT: ROW Closure of Buckeye St at Cragmont Park

Black Mountain Recreation and Parks is in support of the right of way (ROW) closure on Buckeye Street at Cragmont Park. This ROW closure will not impact future development of the park. By closing this ROW, it will in turn allow for the current separate parcels of property, to become a more streamlined and cohesive piece of park property. Please feel free to contact me with any questions or concerns that may arise.

Thank you,

Joshua Henderson
Recreation and Parks Director