

TOWN OF BLACK MOUNTAIN PLANNING BOARD

The Black Mountain Planning Board held a workshop meeting on Thursday, February 23, 2023, at 6:00 p.m. in the Board Room of Town Hall.

I. CALL TO ORDER

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

Pam Norton, Vice Chair
Joe Laudenslayer
Rick Early
Kathy Phillips
Chas Fitzgerald

Absent:

Chris Collins, Chair
Lauronda Teeple

Staff:

Jennifer Tipton, Senior Admin
Russell Cate, Planner I/Zoning Administrator
Ron Sneed, Town Attorney

The meeting was called to order at 6:03 p.m. and duly constituted and opened for business with a quorum of five (5) members.

II. ADOPTION OF AGENDA

III. ADOPTION OF MINUTES

There were no minutes to adopt.

IV. NEW BUSINESS

1. UDO Section Review

Jennifer Tipton explained that the sections for review would be Sections 2.03, 2.04, Chapter 9, and Chapter 10.

Section 2.03, Special Purpose and Overlay Districts, the board made the following comments:

- Section 2.03.01 (C) instead of saying immediately adjacent the board would like it to say “at least 200’ from the center of road, but not less than one parcel deep”
- Section 2.03.01 (D) (1), the board would like this area to be from Swannanoa River at Kearfott to Exit 65, so it is just one corridor
- Section 2.03.01 (D) (3), the board would like this to be from US 70 to NC 9 along Blue Ridge Road
- Section 2.03.01 (E), add non-residential in front of building for entire section

Section 2.04, Land Use Standards (Administrative and Special), the board made the following comments:

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- Section 2.04.05 (D) (2), change chickens to hens and add fowl to cover quail, guinea fowl , etc.
- Section 2.04.05 (D) (4) (c), the board would like to not have a time limit on garden markets and staff will verify if there is a reason behind the time limit. The board also wants to know how many days a garden market would have to cease operation before they could begin for another four months
- Section 2.04.05 (D) (5) (f) and (g), item f contradicts item g, so the board recommends removing item f
- Section 2.04.05 (D) (5) (h), the board would like this to be one parking space per secondary dwelling unit and staff let the board know that the parking table would also have to be amended
- Section 2.04.05 (D) (13), not sure what the rest of the second sentence is supposed to be.
- Section 2.04.05 (D) (15), items c, d, and e, need to be reformatted as 1, 2, and 3 under item b and then the letters after b will need to be reformatted
- Section 2.04.05 (D) (21) and (22), our requirements need to be added
- Section 2.04.07 (F) (3) (d) (viii), since the state doesn't allow aesthetics to be dictated, "shall match the architecture of the cottages in style and material", should be deleted
- Section 2.04.07 (F) (21) (f) (i), spell out sexually oriented businesses, don't abbreviate
- Section 2.04.07 (F) (21) (f) (v), what are protected corridors?

Chapter 9

Section 9.01 Classification of Nonconformities

- Section 9.01.01 (B), Ron suggested breaking this out into two paragraphs
- Section 9.01.02 (B) (2), Ron is checking to make sure we can have different timelines for reestablishment of a nonconformity
- Section 9.01.02 (F) (3), Ron does not think we can do this, so it should be deleted
- Section 9.01.02 (G), Ron is again checking to make sure we can make this a separate timeframe and if we can, the board would like this timeline to also pertain to vape and tobacco shops
- Section 9.01.04 (D), remove allowance for director to make a call on a variance and put it all to Board of Adjustment
- Section 9.01.06 (D) (4), the board thinks thirty days is too short of a timeline and recommends changing it to 180 days

Chapter 10

Section 10.02 Remedies

Section 10.02.02, remove entire section regarding criminal penalties

V. OLD BUSINESS

None.

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VI. PUBLIC COMMENT

None.

VII. COMMUNICATION FROM PLANNING BOARD

None.

VIII. COMMUNICATION FROM STAFF

None.

VX. ADJOURNMENT

With no further business, the meeting was adjourned at 8:10 p.m.

Prepared by:

Chris Collins, Chair

Jennifer Tipton, Senior Admin