

TOWN OF BLACK MOUNTAIN PLANNING BOARD

The Black Mountain Planning Board held its regular meeting on Monday, May 22, 2023, at 6:00 p.m. in the Board Room of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

I. CALL TO ORDER

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

Chris Collins, Chair
Rick Earley
Kathy Phillips
Chas Fitzgerald

Absent:

Pam Norton, Vice Chair
Joe Laudenslayer
Lauronda Teeple

Staff:

Jennifer Tipton, Senior Admin
Jessica Trotman, Planning Director
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 four (4) members.

II. ADOPTION OF AGENDA

Chris Collins made a motion to adopt the agenda as presented. The motion was seconded by Chas Fitzgerald and approved by a vote of 5-0.

III. ADOPTION OF MINUTES

Chas Fitzgerald made a motion to adopt the minutes of March 20, 2023, as written. The motion was seconded by Kathy Phillips and approved by a vote of 4-0.

Chas Fitzgerald made a motion to adopt the minutes of March 27, 2023, as written. The motion was seconded by Rick Earley and approved by a vote of 4-0.

IV. NEW BUSINESS

1. Second Review of Chapters 2, 3, and 8 of the UDO

Chapter 2 Comments:

- Page 32 – remove “four months continuous”
- Page 2 – conditional districts – keep 2.01.03 (c)(2) and delete (c)(1)
- Page 4 – 2.01.04 – organization – items a-g should be under general setbacks
- Page 12 – (i) planning board review after notice has been given
- Page 13 – (m) approval – remove sentence about copy to register of deeds
- Page 12 – (g)(3) add about fees – notice of hearing not refundable
- Page 13 – substantial change #2 – add 10%
- Page 12 – (1)(c) – add trees, floodway, and floodplain
- Page 12 – (g)(1)(h) – new – catch all

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- Page 14 – 2.03.01 (d) add intersection

Chapter 3 Comments:

- page 10 – (d)(d) remove
- page 11 - #4 – upon receipt of order
- page 11 – 5(a) – remove
- page 11 – 8(b) – remove
- page 11 – 8(c) – keep only 1st sentence
- page 11 – #9 – remove last sentence

Chapter 8 Comments:

Ron Sneed had concerns about the meeting types and that they seem to all sound alike. Mr. Sneed will work on comments for this section.

It was noticed that some changes from the first review had not been incorporated. Staff will do a comment bubble by comment bubble review and note changes that have been incorporated and changes that have not been incorporated and send the chapters back to the consultant to make the original changes as well as the new changes.

V. OLD BUSINESS

None.

VI. PUBLIC COMMENT

None.

VII. COMMUNICATION FROM PLANNING BOARD

Chas Fitzgerald asked about examples of site plans for developments, secondary dwelling, accessory dwellings, etc. that would show setbacks and other requirements to show how a site might be built out and is this something that could be put into the UDO. Jessica Trotman said this would be a good handout but not as an example in the UDO.

Rick Earley spoke about consistency with the comprehensive plan in terms of small town character and the amount of dwellings that could be allowed in UR-8 and other zoning districts. Ron Sneed spoke briefly about downzoning and that you have to have the consent of everyone in the area that you are trying to rezone. Mr. Sneed clarified that changing setbacks or lot sizes would constitute downzoning. Jessica Trotman said that this is outside the scope of the project of the UDO and that there are other aspects of the comprehensive plan that support the existing zoning.

VIII. COMMUNICATION FROM STAFF

We will use Encode for the UDO for the foreseeable future but will not use it for the Code of Ordinances.

The date for the workshop will likely be at the next regular meeting on June 26th and we will start early around 3:00 p.m. and will provide food.

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VX. ADJOURNMENT

Prepared by:

, Chair

Jennifer Tipton, Senior Admin