

TOWN OF BLACK MOUNTAIN PLANNING BOARD

The Black Mountain Planning Board held its regular meeting on Monday, July 24, 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
Pam Norton, Vice Chair
Joe Laudenslayer
Rick Earley
Lauronda Teeple
Kathy Phillips

Absent:

Chas Fitzgerald

Staff:

Jennifer Tipton, Senior Admin
Jessica Trotman, Planning Director
Russell Cate, Planner I/Zoning Administrator
Brian Golden, 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. Member Kathy Phillips arrived late.

II. ADOPTION OF AGENDA

Jessica Trotman made one change to the agenda to add a proposed text amendment to the primary fire district as the first item under new business. Chris Collins made a motion to adopt the agenda as amended. The motion was seconded by Lauronda Teeple and approved by a vote of 5-0.

III. ADOPTION OF MINUTES

Pam Norton made a motion to adopt the minutes of June 26, 2023, as written. The motion was seconded by Rick Earley and approved by a vote of 4-0 with Chris Collins abstaining from voting.

IV. NEW BUSINESS

1. Proposed Text Amendment – Primary Fire District

Open Oven has petitioned the Town to be removed from the Primary Fire District. The proposed text amendment removes the parcel (102 Church Street) and references updated parcel identification numbers. Fire Chief John Coffey provided an email stating the Fire Department's concern with removing the parcel due to increased fuel loads that will contribute to fire extension to adjacent exterior exposures. The removal from the Primary Fire District would allow the use of combustible materials and reduce the distance allowed to the property lines. The board expressed some concerns about the combustible materials, but because it is a detached structure on the edge of the district, they were not opposed to the request. Chris Collins made a motion to recommend the removal of 102 Church Street from the Primary Fire District and that the amendment is consistent with the comprehensive plan and in the public interest because it

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promotes design principle five and assumes the same built to form as other structures in the immediate vicinity. The motion was seconded by Joe Laudenslayer and approved by a vote of 6-0.

2. Proposed Text Amendment – Conditional Zoning

When the conditional zoning section was created, it did not include TND and ICD because they were site-specific master planned projects. The idea to turn TND and ICD to conditional zoning districts came about during the UDO process to clean-up and administer these districts. The amendment adds these two districts to the list of allowed districts and this amendment will also retire the TND and ICD districts as stand along zoning districts. Chris Collins made a motion to recommend the text amendment as written and it is consistent with the comprehensive plan and in the public interest because it promotes design principles one and two and allows the town the tools to enable smart and orderly growth. The motion was seconded by Pam Norton and approved by a vote of 6-0.

3. Work Session for UDO

The board only provided comments for chapter five since chapter four is signs and those were just updated, and chapter six is environmental regulations that we cannot change, and a little more time was needed for chapter eleven which is definitions. The comments for chapter 5 are as follows:

- Section 5.01.01 B(3) – delete
- Section 5.01.02 B(4) – expand the sentence to add
- Section 5.02.01 A – delete 1 through 6
- Section 5.02.01 B – add Section 5.03 to this section and then delete 5.03
- Section 5.02.03 A(5) – change to where required
- Section 5.02.03 A(9) – change should to shall
- Section 5.02.03 B – correct wording and add DOT
- Table 5.02.04 – delete tables and reference standards and details manual
- Section 5.02.06 B – change 1,320 to 650
- Section 5.02.07 A – remove
- Section 5.02.07 B(1) – remove
- Section 5.02.07 B(3) – delete
- Section 5.02.07 C(4) – define adequate frontage
- Section 5.02.07 D – delete figure
- Section 5.02.08 H(1) – delete
- Section 5.02.10 B(1) – change developing to subdividing
- Section 5.02.10 E – delete
- Section 5.02.10 D(6) – delete most of sentence
- Section 5.02.13 E(2) – comment to landscaping chapter
- Section 5.02.14 B(2) – change 50 to 5
- Section 5.02.14 D(2)(d) – change shall to may
- Section 5.05.02 B(2) – delete

We will hold another workshop on August 17th and we will work on short term rentals, definitions, multifamily, infill, and duplexes.

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V. OLD BUSINESS

None.

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 7:56 p.m.

Prepared by:

Chris Collins, Chair

Jennifer Tipton, Senior Admin