TOWN OF BLACK MOUNTAIN
STAFF REPORT
For October 13, 2025 Public Hearing

REQUEST

Applicant:

Sikes Ragan, Principal, Village of Cheshire

Proposal:

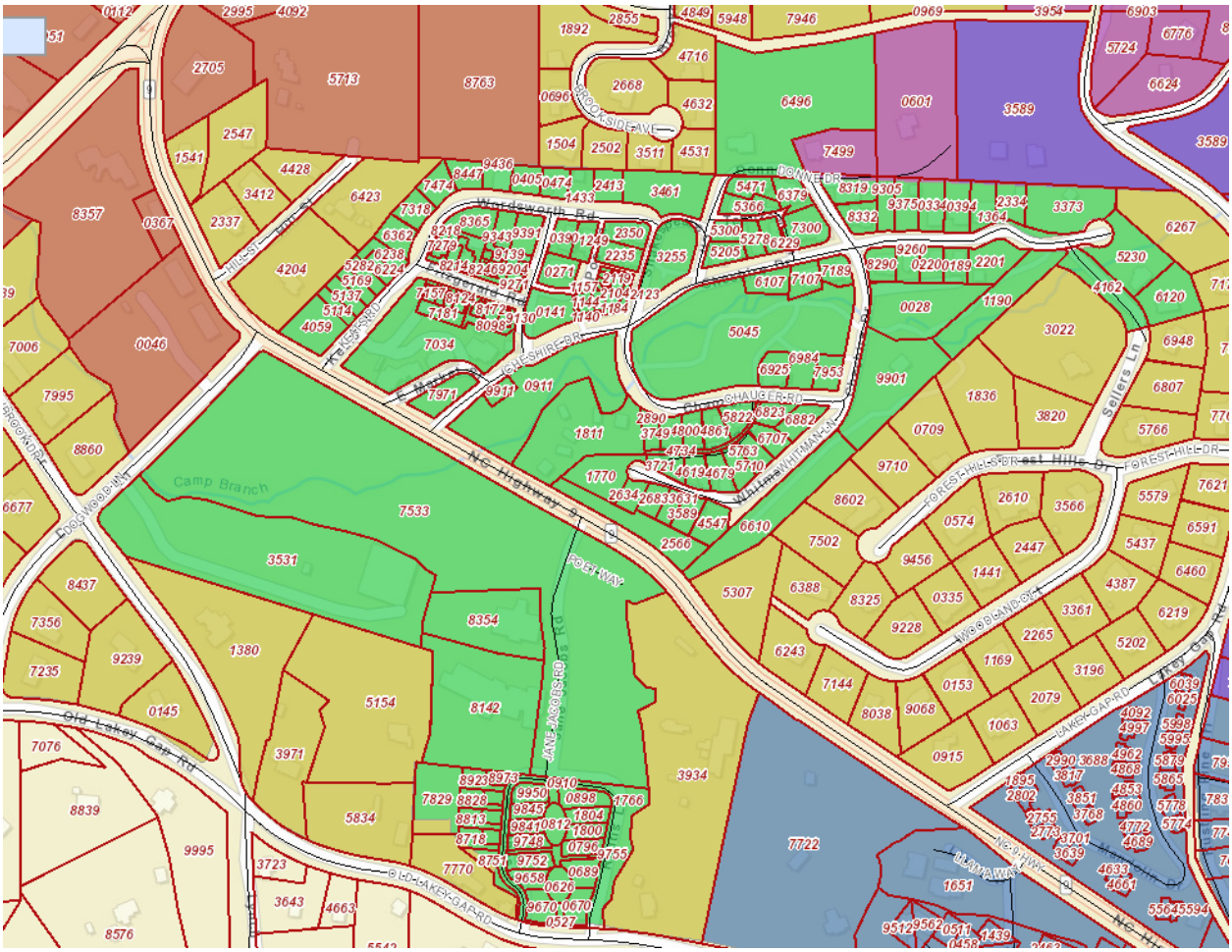
Traditional Neighborhood Development (TND) revised master plan

Relevant Ordinance Section:

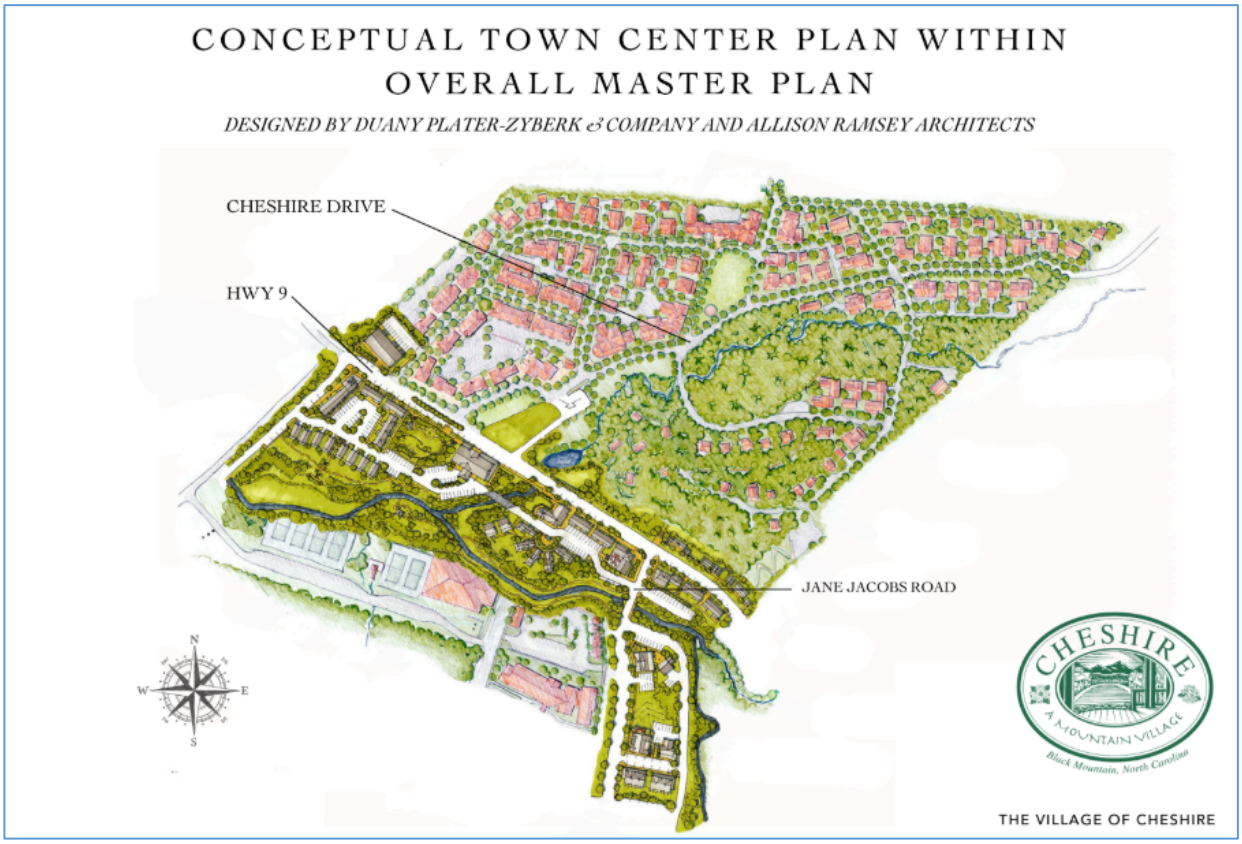
Section 4.7.11.2 (Master Plan Required) of Chapter 4 (Zoning) of the Land Use Code.
Subsection 4.7.11.2 (E) (7) states that "Approved master plans shall not be revised without re-submission through the approval process."

DETAILS OF PROPOSAL

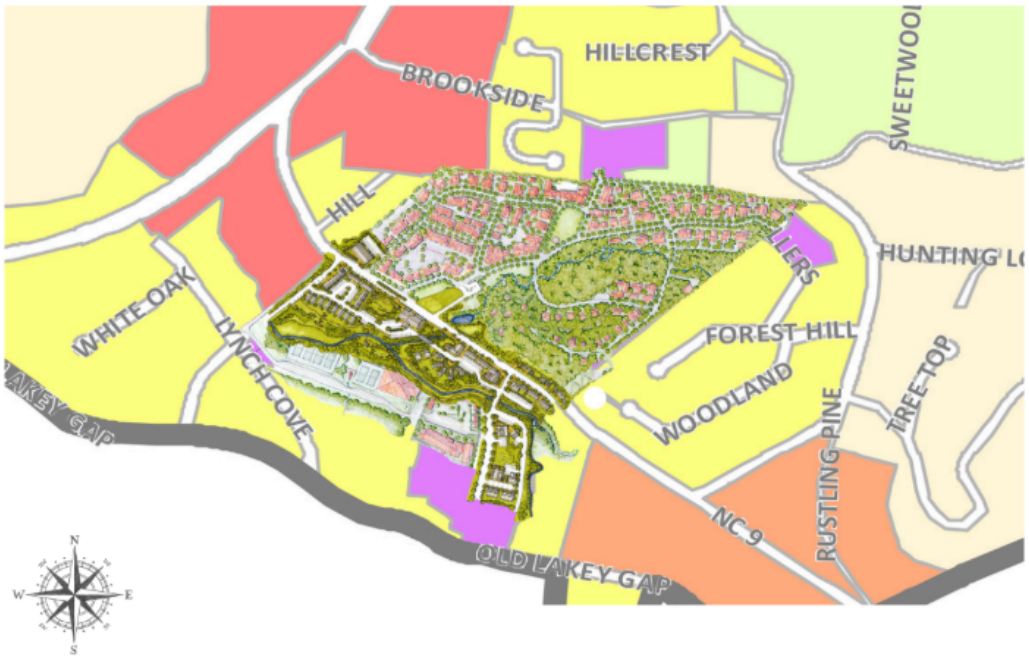
Parcels zoned Traditional Neighborhood Development (TND) are in green in this clip from Buncombe GIS:



Two sheets (*Conceptual Town Center Plan Within Overall Master Plan*, and *Site Plan Within Zoning Area*) depict the full extent of TND-zoned parcels:



THE VILLAGE OF CHESHIRE SITE PLAN WITHIN ZONING AREA



THE VILLAGE OF CHESHIRE

ANALYSIS

Section 4.7.11 [TND – Traditional Neighborhood Development (Master Planned)] *is attached for reference.*

Item ***A*** in Section 4.7.11.2 (Master Plan Required) explains how the TND zoning district is tied to a master plan approved by Town Council:

> A master plan in compliance with TND design standards and the general provisions of the subdivision regulations shall be provided with any application to reclassify a property to TND zoning. A rezoning request for TND zoning is contingent upon the approval of a master plan; if a master plan is not approved for the property, then it reverts to its previous zoning classification(s). No use or development of any property located in a TND district shall be permitted until a master plan, showing the proposed uses and development of the property, has been approved by the town council, upon a recommendation made by the planning board. Once the master plan has been approved, the developer must follow the processes and regulations set forth in the Town of Black Mountain's Subdivision Regulations to proceed with development of the property.

Subsection 4.7.11.2 (E) (7) states that "approved master plans shall not be revised without re-submission through the approval process." And subsection 4.7.11.2 (E) details the approval process, including the following two steps:

- Planning Board review of the revised master plan, in order to make a recommendation to Town Council

This step was completed at the August 25, 2025, Planning Board meeting. The Planning Board voted to recommend the revised master plan per the applicant making a few changes, one being:

> Revise *Block A (The Work Building)*, *Block B (Dogwood Lane/HWY 9)*, *Block C (The Cheshire Inn Boutique)*, *Block D (The Cheshire Hall & Boutique Village)*, *Block E (The East End)*, *Block F (The Office & Office Mate)*, *Block G (The Jacobs Lofts)*, **and** *Block H (The Farmers Market)* by adding a north indicator, having the illustration be oriented north, and labelling streets.
> (The edits are to be made to all of the sheets.)

- Public hearing held by Town Council

Subsection 4.7.11.2 (E) (8) of Chapter 4 states: "Once a master plan has been approved, the project may proceed through the major subdivision and permitting processes outlined in the subdivision regulations of chapter 3, with the master plan being considered as a preliminary plat." And Section 3.2.1 (Conformance with Adopted Plans) of Chapter 3 (Subdivisions) states: "Subdivision plats shall conform to the adopted plans of the town. For subdivisions in traditional neighborhood development (TND) zoning districts or as part of special use permits (SUP), the plat shall conform to the approved master plan."

The master plan is to be "in compliance with TND design standards and the general provisions of the subdivision regulations."

The revised master plan aligns with the design standards (Section 4.7.11.5) in the following overall ways:

Neighborhood Form standards are reflected in various housing types, density toward the center, a variety of uses, and the apparent depiction of pedestrian/cycle paths. (Insufficient information is provided to be able to comment on the 'variety of price ranges' standard for housing.)

Lots and Buildings are shown with consistent build-to lines, in a street-facing manner.

Streets, Alleys and Pathways are depicted, including a hierarchy of street organization driven by function, size, capacity and design speed.

Parking that is removed from the street-facing side of structures, as well as on-street parking, is shown.

Landscaping is depicted throughout the portion of TND covered by the revised master plan, including trees within rights-of-way parallel to streets.

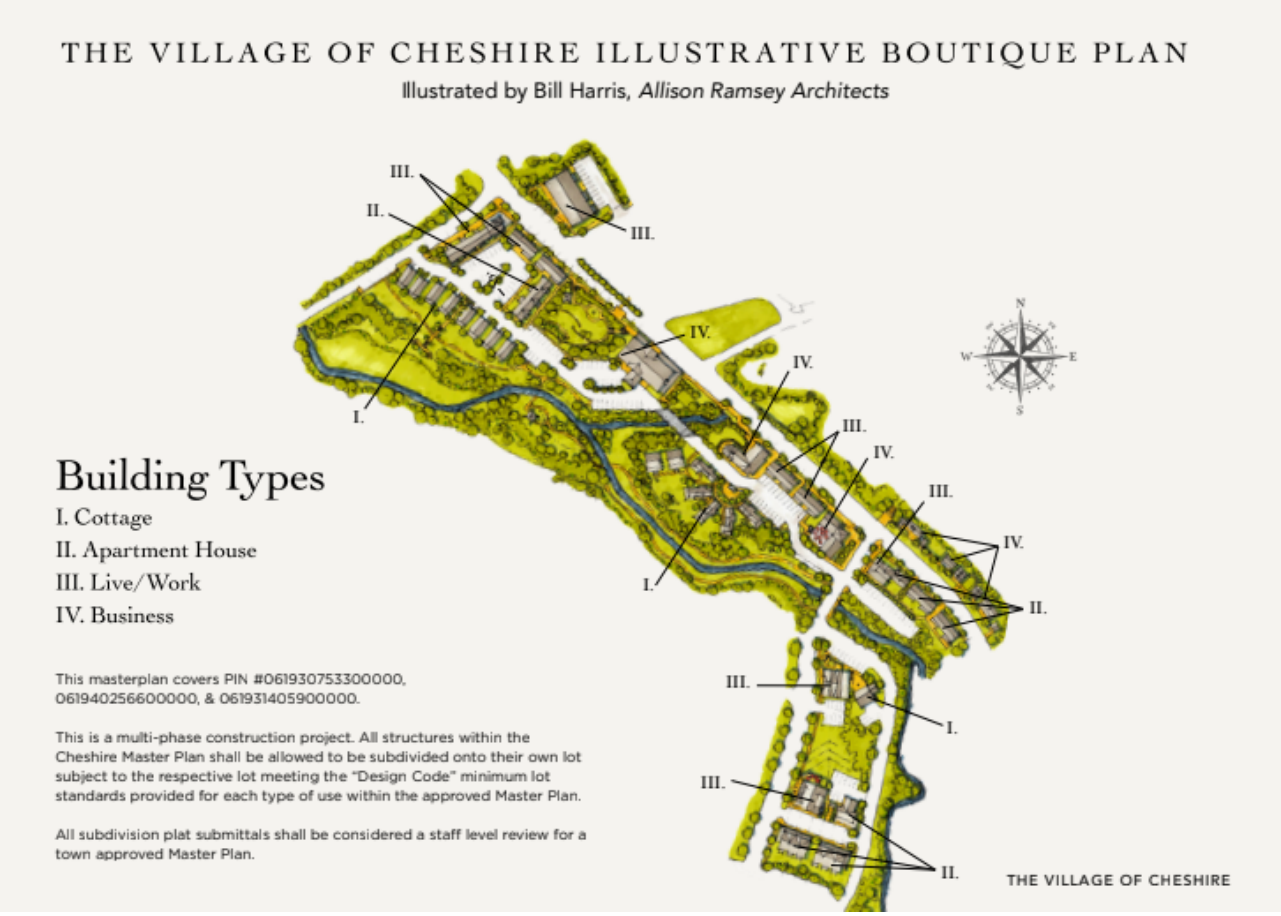
Requirements Concerning Sidewalks and Greenways commits development, at the time of permit application, to the provision of sidewalks or greenway easements shown on the Town's pedestrian master plan, with a fee-in-lieu option.

The revised master plan does not appear to address the following design standard that's in **Inclusion of Affordable Housing**: ten percent of units meet the affordable housing thresholds established by Buncombe County Community Development.

The revised master plan includes a sheet titled *Illustrative Boutique Plan*. As noted in the lower-left of the sheet, the *Illustrative Boutique Plan* covers the following parcels:

- 061930753300000 (an approximately 10.6-acre parcel)
- 061940256600000 (an approximately 0.5-acre parcel)
- 061931405900000 (an approximately .33-acre parcel)

This is the *Illustrative Boutique Plan*:



Design-related information can be found in area-specific depictions that are part of the revised master plan:

- *Block A (The Work Building)*
- *Block B (Dogwood Lane/HWY 9)*
- *Block C (The Cheshire Inn Boutique)*
- *Block D (The Cheshire Hall & Boutique Village)*
- *Block E (The East End)*
- *Block F (The Office & Office Mate)*
- *Block G (Jacobs Lofts)*
- *Block H (The Farmers Market)*

The revised master plan includes phasing information, with each of the area-specific depictions including phase information – phases **I**, **II**, **III**, and/or **IV**. The information and depiction of the phasing appears to align with the allowances and requirements for phasing stated in subsection 4.7.11.2 (D).

Three pages of the revised mater plan cover six "design code" standards (lot size, setbacks, building frontage at setback, encroachments, height, parking). The design code standards are the same as found in the original approved master plan (1998). The six standards are for:

Neighborhood General
- House
- Cottage

Neighborhood Center
- Townhouse
- Apartment
- Live/Work
- Shopfront (Commercial)

Item ***B*** in Section 4.7.11.2 (Master Plan Required) states that "all submissions for approval shall include an agreement and approval by the associated TND master association governing the overall development." Two documents were submitted:

- **Cheshire's Town Center Community Operating Agreement**; Part 1 contains the following overview:

	CHESHIRE'S TOWN CENTER ASSOCIATION
PURPOSE	Maintain and support the Neighborhood Commons, provide resources for Owners and help prevent or resolve conflicts between neighbors.
LEGAL STATUS	Nonprofit corporation
ENTITY	Cheshire's Town Center Association, Inc.
MEMBERS	All individuals or entities owning Residential, Commercial or Civic Lots within Cheshire's Town Center
PRIMARY SOURCE OF FUNDS	Assessments on Lots within Cheshire's Town Center secured by real property lien.

  On page 3, the document does not have the date and month lines filled in (the year is listed as 2019). And, on page 22, the signature and notary sections are blank.

- **Cheshire's Town Center Association Declaration**; the *Statement of Purpose* states that the Town Center Association maintains all of the Association's common elements, and notes a structure of committees and subzones.

  On page 36, the signature and notary sections are blank. And, in **Exhibit A** (page A-1) and **Exhibit B** (page B-1), the documents do not have the plat and plat-recordation lines filled in.

(Note that item ***B*** explains how a "supplemental master declaration" is submitted as part of each phase's design standards and restrictions.)

REPORT PREPARATION

This report was prepared by Planning Department staff member Russell Cate, Planner and Zoning Administrator, and reviewed by Michelle Kennedy, Planning Director.