MINUTES
BREVARD PLANNING BOARD REGULAR MEETING
February 25TH, 2025
COUNCIL CHAMBERS CITY HALL

Brevard Planning Board met for a regular meeting Tuesday, February 25th, 2025, at 5:30 PM, in Council Chambers at City Hall.

Members Present: Reid Wood, Vice Chair
Molly Jenkins
Peter Chaveas
Alan Mercaldo
Karen Darity
James Carli

Staff Present: Paul Ray, Planning Director
Aaron Bland, Assistant Planning Director
Emily Brewer, Senior Planner
Stephanie Holland, Planner
Madalin Baker, Board Clerk

I. Welcome

At 5:30 PM, Reid Wood, Vice Chair, called the meeting to order.

II. Introduction of Planning Board Members

The Board introduced themselves.

III. Certification of Quorum

R. Wood, Vice Chair, confirmed with the Board Clerk that a quorum of the Board was present.

IV. Approval of Agenda

R. Wood, Vice Chair, made a motion to move public comments to above New Business. Motion to approve the agenda with that change by A. Mercaldo, second M. Jenkins, unanimously carried.

V. Approval of Minutes

Motion to approve January 28th, 2025 minutes by M. Jenkins second by P. Chaveas, unanimously carried.

DRAFT

VI. Public Comments – None

VII. New Business

a. Formal Recommendation on TXT-25-003 Architectural Standards

Emily Brewer, Senior Planner, presented her staff report, a portion of which follows:

Background
This is a continuation of the architectural standards draft review that the Board began at the January meeting.

In December 2023, City Council passed a resolution authorizing the City Manager to sign a contract with the planning and urban design consulting firm Plusurbia Inc. to begin updating the City's architectural standards, which are found primarily in Chapter 5 of the City's Unified Development Ordinance (UDO). Since that time, Plusurbia and Planning Staff have been working together researching and defining Brevard's architectural styles and vernacular.

Plusurbia's work has been split into two phases. The first was the creation of building design guidelines. These guidelines are a standalone document that act as the precursor to the new architectural standards for the UDO, and were endorsed by City Council on June 17, 2024. The second phase is actual codification of the design guidelines into the UDO. The standards are now fully developed and ready for the Board's review before being enacted by City Council.

Discussion
At the previous meeting, Planning Staff and Plusurbia introduced the new standards and reviewed the basics of how they are structured. The full draft of the new standards is now available for the Board's review and a recommendation.

Action
The Planning Board's role for any proposed amendment to the City's development regulations (aka a "text amendment") is to review and make recommendations to City Council pursuant to G.S. 160D-604. The BPB shall make one of the following recommendations with regard to a petition to amend the text of a development regulation:

- Adoption of the amendment as written;
- Adoption of the amendment as revised by the Board; or
- Rejection of the amendment.

DRAFT

In accordance with North Carolina General Statutes, the Planning Board must also submit a statement analyzing the consistency and reasonableness of this proposal with regards to existing policies or plans of the City of Brevard. A Statement of Consistency and Reasonableness is included for the Board's review.

Following the presentation, staff opened to questions and discussion from the Board. J. Carli requested further clarity on the definition of porch, which E. Brewer provided. A. Bland noted that there is not currently a definition for the word "façade" in the UDO, but that one will be created. M. Jenkins pointed to a formatting edit needed at 5.6.8.B.1, which E. Brewer agreed with and took note of. J. Carli thanked the Staff for their hard work on this project, highlighting how comprehensive the text amendment is.

M. Jenkins moved to adopt the amendment as advised and in congruence with the consistency statement below. P. Chaveas seconded, carried unanimously.

Consistency Statement: "The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed zoning map amendment is consistent with the following elements of the City's adopted plans and policies:

Building Brevard Comprehensive Land Use Plan:

• Goal 2: Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.

• Goal 3: Encourage a development pattern that respects Brevard's sense of place and prioritizes livable communities.

• LUH-7: Consider the development of a form-based code for Downtown that supports a human-scaled, pedestrian environment.

• LUH-10: Establish zoning overlay districts for the Asheville Highway Corridor and Pisgah Forest area with form-based elements.

• EDIR-3: Encourage building and site upgrades Downtown and in other key commercial areas. Page

b. <u>Formal Recommendation on TXT-25-003 Related Changes</u>
Aaron Bland, Assistant Planning Director, gave his staff report, a portion of which follows:

DRAFT

Background: Due to changes to the City's zoning authority as a result of Session Law 2024-57, the architectural standards update cannot be adopted exactly as was originally envisioned. Therefore, Staff is proposing some additional changes to the UDO that will help the new architectural standards be implemented within the confines of the new law. Staff introduced the legislation and the need for these changes at the January meeting.

Discussion: The new statutory provision, included as a part of the Disaster Recovery Act of 2024 (SL 2024-57), alters the definition of "down-zoning" to include creating any sort of nonconformity, and provides that local governments cannot adopt down-zoning without written consent from all impacted owners. North Carolina law has limited down-zonings by third parties for some time to prevent an individual from requesting to reduce the development rights on their neighbor's property without their consent. However, a local government's authority to make decisions about rezoning property and adjusting zoning standards was maintained, and the local governing board could make local legislation decisions to adjust rules according to local needs and priorities. This new law changes that and prohibits local government-initiated down-zoning, as well as broadening the definition of what a "down-zoning" is in North Carolina.

Action: The Planning Board's role for any proposed amendment to the City's development regulations (aka a "text amendment") is to review and make recommendations to City Council pursuant to G.S. 160D-604. The BPB shall make one of the following recommendations with regard to a petition to amend the text of a development regulation:
• Adoption of the amendment as written;
• Adoption of the amendment as revised by the Board; or
• Rejection of the amendment.

In accordance with North Carolina General Statutes, the Planning Board must also submit a statement analyzing the consistency and reasonableness of this proposal with regards to existing policies or plans of the City of Brevard. A Statement of Consistency and Reasonableness is included for the Board's review.

New Construction:
Current Definition: Structures for which the "start of construction" commenced on or after the effective date of this ordinance.
Proposed Definition: Any newly constructed building or structure. This definition shall also apply to existing buildings that are altered in the following ways:

DRAFT

• Additions to existing structures that equal or exceed **[50%, two-thirds, 75%, etc.]** of the gross floor area of the existing structure;
• Substantial improvements to existing structure that equal or exceed **[50%, two-thirds, 75%, etc.]** of the value of the existing structure and require the issuance of at least **[two or three]** trade permits from the Transylvania County Building and Inspections Department.

Residential Zoning District:
Current Definition: None
Proposed Definition – Option # 1: A zoning district that is entirely reserved for residential land uses. [Note there are none in our jurisdiction]
Proposed Definition – Option # 2: A zoning district that is primarily intended for residential land uses. This shall apply to the following zoning districts: General Residential-4 (GR4), General Residential-8 (GR8), and Residential Mixed-Use (RMX).
Proposed Definition – Option # 3: Any zoning district that permits residential land uses. This shall apply to all zoning districts except General Industrial (GI).

Following A. Bland's staff report, the board discussed the proposed options. For the "New Construction" item, board agreed to adopt the following definition: "Any newly constructed building or structure. This definition shall also apply to existing buildings that are altered in the following ways: Additions to structures that equal or exceed 75% of the gross floor area of the existing structure; substantial improvements to the structure that equal or exceed 75% of the value of the existing structure and require the issuance of at least two trade permits from the Transylvania County Building and Inspections Department."
For the "Residential Zoning District" item, the board discussed the proposed definitions. The majority of board members favored option #3 proposed by staff: Residential Zoning District to be defined as "Any zoning district that permits residential land uses. This shall apply to all zoning districts except general residential."

Both definitions were to be included in one vote. J. Carli moved to accept the above outlined changes with consideration of the consistency statement, P. Chaevas seconded. A/ Mercaldo voted nay, all others voted in favor, and the motion passed.

c. Green Growth Audit Overview
E. Brewer gave her staff report, a portion of which follows. She presented using the slides attached in Exhibit A. No action from the board was requested.

DRAFT

Background & Discussion: Staff received a grant from the North Carolina Wildlife Resource Commission's (NCWRC) Partners for Green Growth cost-sharing assistance program. This program provides financial and technical assistance to communities that are pursuing planning initiatives that consider midlife and natural resource conservation in land use and development planning, incentives and ordinances. The City of Brevard is conducting a "Green Growth Audit" of the existing Unified Development Ordinance and developing an action plan for implementation.

Policy Analysis: One of the major goals of the Building Brevard Comprehensive Land Use Plan is to One of the major goals of the plan is to: Celebrate Brevard's natural resources through conservation of environmentally sensitive areas, improving access to recreation, and restoration of native ecosystems." This conservation goal is then followed with recommendations, an entire section of which is centered around Parks, Natural Resources & Cultural Resource (PNRC). These include:

•PNRC-5: Require conservation design in areas with sensitive cultural resources.
•PNRC-6: Encourage natural amenities to be preserved as open space in new development.
•PNRC-10: Preserve steep slopes and natural areas adjacent to Pisgah Forest.
•PNRC-11: Preserve and restore natural areas adjacent to the French Broad River.
•PNRC-13: Encourage the use of native species in public projects and private development.
•PNRC-16: Maintain and improve diversity (age and species) of the urban tree canopy.

VIII. Remarks – None

IX. Adjournment

There being no further business, P. Chaveas made a motion to adjourn seconded by J. Carli, the motion carried unanimously, and the meeting adjourned at 7:27 pm.

_____
Greg Hunter, Chair

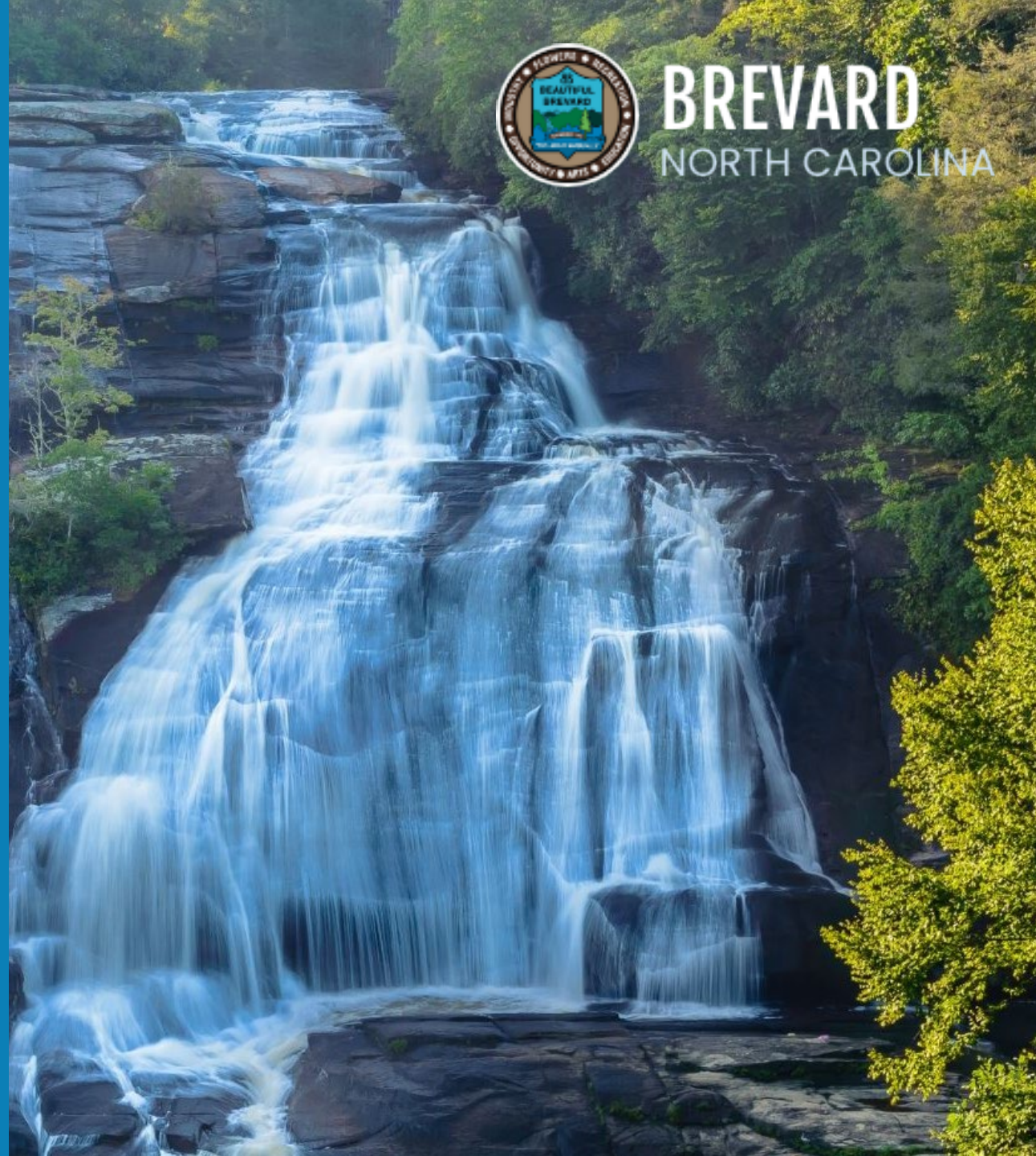
_____
Madalin Baker, Board Clerk

DRAFT

Attachment A

Green Growth Audit Overview

Planning Board | February 25, 2025



Building Brevard 2030

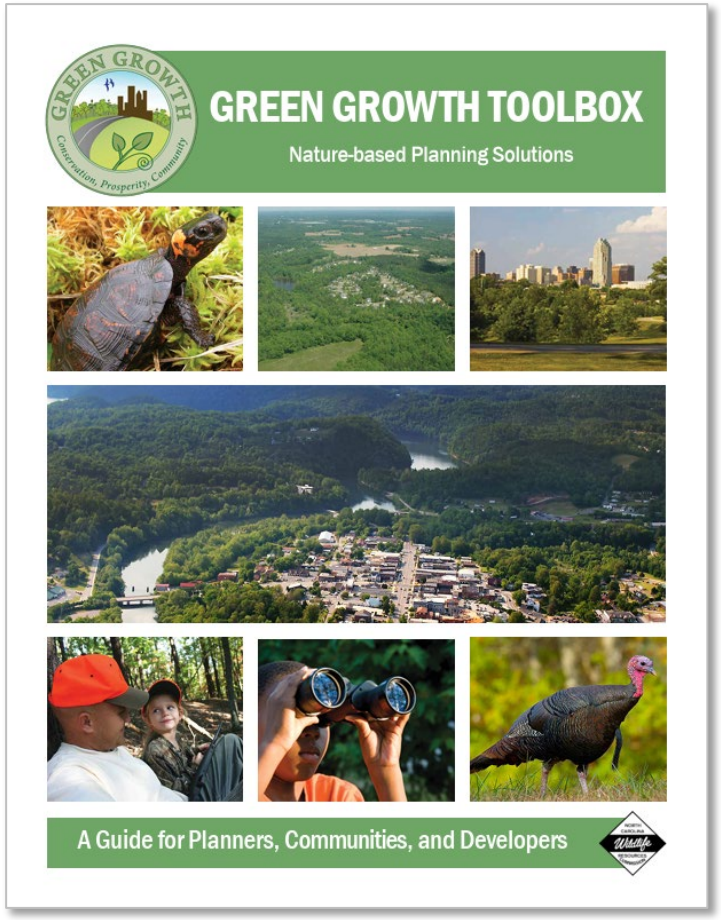
Goal 7: "*Celebrate Brevard's natural resources through conservation of environmentally sensitive areas, improving access to recreation, and restoration of native ecosystems*"

- PNRC-5: Require conservation design in areas with sensitive cultural resources.
- PNRC-6: Encourage natural amenities to be preserved as open space in new development.
- PNRC-10: Preserve steep slopes and natural areas adjacent to Pisgah Forest.
- PNRC-11: Preserve and restore natural areas adjacent to the French Broad River.
- PNRC-13: Encourage the use of native species in public projects and private development.
- PNRC-16: Maintain and improve diversity (age and species) of the urban tree canopy.

Green Growth

Green growth means conserving wildlife, habitat, and other valuable natural resources as communities continue to grow.

- Leads to all-around healthy communities
- Maintains ecosystem services, which can have significant economic returns
- Mitigates damages from natural disasters, flooding, drought, and climate change
- Avoids environmental conflicts and reduces environmental permit delays
- Attracts new businesses and workers
- Increases property values and economic competitiveness of the community
- Generates nature-based tourism opportunities
- Reduces costs to tax payers with more intentional development
- Responds to public demand and interest
- Leaves a natural, economic and cultural legacy for future generations



Assessment of Environmental Context

- https://ncnhde.natureserve.org/content/map

Overview of Green Growth Audit

1. Conservation of developable area with efficient land use patterns and development strategies

- Limit development capability in sensitive areas
- Prioritize infill development in regulations.

2. Mitigation of negative impacts of development

- Environment surveys prior to large-scale construction
- Control sedimentation and erosion
- Stormwater management
- Tree preservation and landscaping requirements
- Heat island management
- Building design standards
- Provision of green infrastructure

3. Preservation of sensitive areas

- Slope development regulations
- Flood damage prevention
- Surface water protection

4. Restoration of natural ecosystems and wildlife habitats

- Open space requirements
- Lighting / dark sky compliance
- Native species in landscaping