MINUTES
BREVARD PLANNING BOARD SPECIAL CALLED
July 22nd, 2025
COUNCIL CHAMBERS CITY HALL

The Brevard Planning Board met for a special called meeting Tuesday, July 22nd, 2025 at 5:30 PM in the Council Chambers at City Hall.

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

Members Absent: Greg Hunter, Chair

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

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 confirmed with the Board Clerk that a quorum from the Board was present.

IV. Approval of Agenda

M. Jenkins made a motion to approve both the agenda and the May 27th draft minutes. P. Chaveas seconded, unanimously carried.

V. Approval of Minutes

See IV.

VI. Public Comments – None

VII. New Business

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a. Consideration of TXT-25-005: Clarification of District-Based Regulations Following Adoption of "Residential Zoning District" Definition

Aaron Bland, Assistant Planning Director, presented his staff report, a portion of which follows:

Background In April City Council adopted new definitions in the City's Unified Development Ordinance (UDO) in response to NC Session Law 2024-57 via Ordinance 2025-13. The two new definitions codified were "new construction" and "residential zoning district."

Discussion This is a staff-initiated text amendment to clarify various requirements throughout the UDO that relied on a former interpretation of the phrase "residential zoning district." When this term did not have a codified definition, it was standard practice to interpret it as meaning the General Residential and Residential Mixed Use zoning districts. However, the new codified definition changes this. The definition now reads "any zoning district that permits residential land uses" which includes several districts besides GR and RMX. This amendment replaces any vague language such as "residential districts" with an explicit list of applicable zoning districts. Staff also found and replaced other related terms like "non-residential districts" impacted by the new definition. This creates clear guidance on what requirements apply in what zoning districts.

Policy Analysis Ensuring the UDO is clear and understandable is an overarching goal of good planning practices and is supported throughout the Building Brevard comprehensive land use plan, most notably in LUH-19 which specifies "make planning documents and UDO more approachable and user friendly."

Following his staff report, A. Bland looked to the Board for questions.

A. Mercaldo noted that since “Residential District” now invokes a specific definition, it should be capitalized each place it might appear in the UDO. He acknowledged this detail is minute. A. Mercaldo asked, in the event that legal action is taken against the recently passed definition of “Residential District,” would any of the proposed text changes need to be changed back? A. Bland responded no, that all of the changes before the Board today would survive in that scenario. R. Wood clarified that the changes to the text would not change application of the UDO as it had previously been applied, and A. Bland assured that was correct. R. Wood asked if the proposed changes had any impact on Conditional Zoning Districts, and A. Bland said no. CZDs remain standalone, site-specific in application.

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P. Chaveas motioned to adopt as written with reference to the consistency statement. M. Jenkins seconded. The motion passed unanimously.

VIII. Remarks

The Board congratulated Senior Planer Emily Brewer on the birth of her baby and said it was good to see her back at work.

IX. Adjournment

There being no further business, A. Mercaldo made a motion to adjourn seconded by P. Chaveas, the motion carried unanimously, and the meeting adjourned at 5:41 PM.

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Greg Hunter, Chair

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Madalin Baker, Board Clerk

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