MINUTES
BREVARD PLANNING BOARD
October 27, 2026
COUNCIL CHAMBERS CITY HALL

The Brevard Planning Board met for a regular meeting Tuesday, October 27th, 2026, at 5:30 PM in the Council Chambers at City Hall.

Members' Present: Greg Hunter, Chair
Karen Darity
Reid Wood
Jerry Yunker
Peter Chaveas

Members' Absent: Alan Mercaldo

Staff Present: Emily Brewer, Senior Planner
Paul Ray, Planning Director
Vith Gass, Board Clerk

I. Welcome

At 5:30PM, Greg Hunter, Chair, called the meeting to order.

II. Introduction of Planning Board Members

The Board introduced themselves.

III. Certification of Quorum

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

IV. Approval of Agenda

R. Wood made a motion to approve the agenda. P. Chaveas seconded, unanimously carried.

V. Approval of Minutes

R. Wood motioned to approve the August minutes. J. Yunker, second, passed unanimously.

VII. Unfinished Business

None.

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VIII. New Business

a. REZ-26-0004 – 84 Georgia Hill St.

Senior Planner E. Brewer presented the staff report regarding a rezoning application for 84 Georgia Hill Street.

Background and Discussion

The Planning Department has received an application from Samantha Eubanks for a zoning map amendment (rezoning) at her property at 84 Georgia Hill Street (PIN 8586-21-7170-000). The property is zoned Neighborhood Mixed-Use (NMX), and the request is to rezone the property to General Residential-8 (GR8) in order to build a single-family home. The 0.78 acre-lot is adjacent to GR-8 and Institutional Campus (IC) to the west and NMX on all other sides.

The Neighborhood Mixed-Use (the current zoning district) is described by the Unified Development Ordinance as follows:

> Neighborhood Mixed-Use (NMX). The Neighborhood Mixed-Use District is coded to provide pedestrian-scaled, higher density residential homes and opportunities for limited scale commercial activities along existing mixed-use corridors, in areas of transition, and at the functional center of new neighborhoods. Development in this district should encourage pedestrian activity through construction of mixed-use buildings and connections to adjacent neighborhoods. Buildings in this district are typically small and detached.

Alternatively, the requested zoning district, GR, is described by the UDO as follows:

> General Residential (GR). The General Residential District is intended for the city's existing predominately-residential neighborhoods as well as provide for new primarily-residential development in accordance with this pattern.

The requested rezoning changes the allowable uses from a mixed-use zoning district to one that is predominately low-density residential. Single-family homes are not allowed in NMX but are allowed in GR. All other residential land uses — including duplexes, townhomes, and multifamily developments — are allowed in NMX. NMX includes a broad range of neighborhood-serving commercial, such as restaurants, retail, and medical offices. Alternatively, commercial use is very limited in GR with some professional services being allowed only with a special use permit.

E. Brewer describe the request as inconsistent with local planning policies, noting that it conflicts with the property's "Minor Activity Center" designation under the Brevard 2030 Comprehensive Land Use Plan. This designation specifically intends for the area to support denser housing and a walkable mix of uses.

During the discussion, G. Hunter questioned whether the Georgia Hill area was historically zoned as R8 when it was first subdivided and built out. E. Brewer noted that because the original development occurred so long ago, it predates current staff records, and she could not confirm its historical zoning status without further research.

K. Darity raised a question regarding environmental and space protections, asking what type of buffer the owner would be required to install between the park and the creek at the bottom of the hill to protect the Norton Creek restoration site under the proposed GR-8 zoning. E. Brewer addressed the question by evaluating how the zoning change impacts environmental and transitional borders.

Board members discussed the surrounding single-family homes, the lot's slope and floodplain, potential access, and the neighborhood's desire for mixed uses.

G. Hunter commented that the request presents a difficult decision because the property sits directly between different land uses. He noted that single-family residential homes line the entire drive approaching the site, and he anticipated that the property owner would continue to utilize Georgia Hill Street as their primary access road.

K. Darity observed that the property has a steep slope, noting that while a driveway could technically be positioned at the front corner tip off Mills Street, it would require navigating a steep grade. E. Brewer clarified that because this is a base district rezoning rather than a project-specific request, the city cannot legally stipulate or restrict access to a specific street or design. Any layout or access point permitted under the standard development code would be allowed.

E. Brewer describe the request as inconsistent with local planning policies, noting that it conflicts with the property's "Minor Activity Center" designation under the Brevard 2030 Comprehensive Land Use Plan. This designation specifically intends for the area to support denser housing and a walkable mix of uses.

J. Yunker raised a point about the interpretation of the Comprehensive Plan, asking why a single-family home would not satisfy the plan's call for a variety of uses near a community center, particularly when similar housing already exists in the neighborhood. While E. Brewer confirmed the plan's emphasis on true mixed-use development, R. Wood expressed

skepticism, arguing that because single-family homes already border the site, it is highly unlikely those neighboring properties would ever evolve into mixed-use spaces.

E. Brewer added that because the existing adjacent homes are located within a mixed-use district, they operate as legal non-conforming residential uses. Consequently, those properties could potentially transition to commercial operations in the future, utilizing the existing residential-scale structures for neighborhood-serving business uses.

G. Hunter noted that the city cannot control driveway placements. Hunter then moved to recommend denial of the rezoning request, citing the consistency statement provided in the agenda packet. Hunter stated that while the decision may seem harsh to the landowner, the board spent significant time planning Brevard's future development and must uphold the integrity of that established framework.

Following the conclusion of the board's discussion and deliberation, and there being no further public or board comments, a motion to recommend denial of the rezoning request was introduced. Seconded by P. Chaveas.

The motion passed by a 3–2 vote, with the majority citing the request's inconsistency with the Brevard 2030 Comprehensive Land Use Plan as the basis for the recommendation.

b. TXT 26-0010 – Chapter 5 Glazing and Fenestration

E. Brewer delivered the staff report. An excerpt of the presentation follows:

Background & Discussion

North Carolina Session Law 2026-59 adopted August 11, 2026, enacted NCGS Section 160D-702.1 - Glazing and Transparency Limitations. This new section limits how much glazing, transparency or fenestration that a local government can require on ground floor of mixed-use development. Transparency and fenestration are important architectural design principles to promote human-scaled design and pedestrian-oriented development. The City's recent changes to development architectural standards identified transparency and fenestration as an important strategy, particularly for storefront buildings. This state law now states that transparency requirements must be limited to 35%. For certain commercial or mixed-use "non-storefront uses," that limit is set at 20%. The proposed amendment incorporates those limitations into our regulations and instead encourages shopfronts to have higher ground floor transparency.

G. Hunter inquired whether recommending a rejection would carry any liability and asked if the 35% minimum ground floor transparency requirement on page 23 would be sufficient for the relevant authorities, noting that shopfronts are encouraged to have 70% to 90% transparency. E. Brewer clarified that the 35% 'shall' provision is the only enforceable requirement, while the higher percentage is encouragement rather than a mandate.

With no further questions or discussions raised, E. Brewer reiterated the state's directive to eliminate parking minimums and reviewed its implications for the local ordinance.

P. Chaveas moved to recommend the adoption of the amendment regarding the consistency statement as written. The motion was seconded by R. Wood and carried unanimously.

c. TXT 26-0009 – Chapter 16 Site-Specific Vesting Plan

E. Brewer delivered the staff report. An excerpt of the presentation follows:

Background & Discussion

North Carolina Session Law 2026-59, adopted August 11, 2026, amended NCGS Section 160D-108.1: Vested Rights - Site Specific Vesting Plans. These amendments extend the statutorily required duration of site-specific vesting plans. A site-specific vesting plan is a development plan submitted to a local government that describes the type and intensity of use for a specific property, establishing a statutory zoning vested right (an immunity from subsequent changes in local zoning ordinances) once it receives valid approval. Previously, NCGS required that site-specific vesting plans receive approval for a minimum of two years and a maximum of five years. Now, the minimum period is five years with a maximum of eight. This amendment incorporates those higher periods into our ordinance language.

G. Hunter raised a general question regarding how frequently that situation arises. E. Brewer clarified that it occurs very infrequently.

Hearing no further comments or questions, P. Chaveas moved to recommend the adoption of the amendment regarding the consistency statement as written. The motion was seconded by K. Darity and carried unanimously.

IX. Final Remarks

None.

X. Adjournment

The meeting concluded following a motion to adjourn from G. Hunter, which was seconded by R. Wood. The meeting officially adjourned at 6:18 PM.

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Greg Hunter, Chair

Date Signed: _____

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Edievith Gass, Board Clerk

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