

**AN ORDINANCE TO AMEND SECTION 1.2 OF THE LAND USE CODE; TITLE XV:
LAND USAGE OF THE CODE OF ORDINANCES OF THE TOWN OF BLACK
MOUNTAIN**

The Code of Ordinances of the Town of Black Mountain is hereby amended to add the following definition to Section 1.2 of the Land Use Codes:

Wood and Yard Waste Facility - An operation which collects, stores and/or processes waste accumulation of tree branches, tree limbs, bushes, shrubbery, cuttings or clippings usually created as refuse in the trimming or cutting of trees, shrubs or bushes, including parts of trees, plant clippings, prunings, leaves and other discarded vegetative material from yards and gardens. Processing may include chipping or mulching to reduce woody material by mechanical means into small pieces to be used as mulch or fuel.

And that "Wood and Yard Waste Facility" is hereby added as a specified conditional use to Section 4.6.9 "Light Industrial District," and as a permitted use to Section 4.6.10 "Heavy Industrial District."

This ordinance shall become effective immediately upon its adoption.

I move the Planning Board recommend the adoption of the foregoing ordinance.



Planning Board Member

READ, APPROVED AND ADOPTED, by a vote of 5 to 0, this the 24th day of May, 2010.



Planning Board Chair

ATTEST:



Deputy Town Clerk

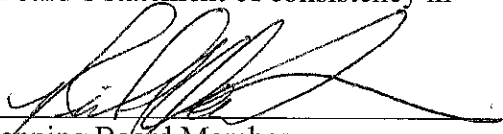
CONSISTENCY STATEMENT

Action to Amend the Land Use Codes to add a Definition for "Wood and Yard Waste Facility" and to specify this activity within the Permitted Uses Tables of the Light and Heavy Industrial Districts.

BE IT HEREBY RESOLVED by the Planning Board for the Town of Black Mountain, that in accordance with the provisions of North Carolina General Statute 160A-383, the Board hereby finds and determines that the adoption of the recommended zoning text amendment is consistent with the adopted 2004 Comprehensive Plan and Section 1.5 "Amendments" of the Land Use Code, because the Planning Board finds that:

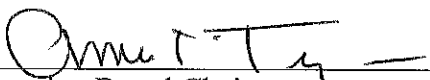
- A Wood and Yard Waste Facility has specific noise, traffic, dust and other impacts which might make this use objectionable to adjacent residents or some businesses; and that
- Such a facility should be clearly defined and distinguished ^{From} ~~from~~ other types of recycling activities; and that
- Such a facility could provide a needed service within the Town while creating a new economic opportunity and jobs within the Town; and that
- This change clarifies a regulatory concern effecting local businesses and residences.

I move that the foregoing statement be adopted as the Board's statement of consistency in support of the ordinance amendment proposed.



Planning Board Member

READ, APPROVED AND ADOPTED, by a vote of 4 to 1, this the 24th day of May, 2010.



Planning Board Chair

ATTEST:



Deputy Town Clerk