

**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: November 9, 2009**

SUBJECT: Continuation of the Public Hearing on proposed updates to the Land Use Codes

AGENDA INFORMATION

Agenda Location: Public Hearings
Item Number: 8-C
Department: Planning and Development Services
Contact: Elizabeth Teague, Rae Eberhardt
Presenter: Elizabeth Teague

BRIEF SUMMARY: This will be the fourth hearing opportunity for the draft of the Land Use Codes. At the Aldermen's direction, the Planning Board met to go over comments of Joe Tyson. Those comments are included in the attached summary of the Planning Board's recommended changes from the draft. After the Planning Board meeting on Oct. 26, 2009, two residents from the R-10 District approached staff with concerns about the proposed neighborhood mixed use district along Montreat Road.

MOTIONS FOR CONSIDERATION:

- 1) To adopt the attached Statement of Consistency
- 2) To adopt the Land Use Code Draft Text and Zoning Map with Amendments recommended by the Planning Board to date

- 3) (Optional Alternate Motion) To continue the Public Hearing to December 14, 2009 and direct the Planning Board to re-examine mapping recommendations and the permitted uses table for the NMU-8 district along Montreat Road.

FUNDING SOURCE: n/a

ATTACHMENTS: 1) Summary of recommended amendments to the LUC draft based on Aldermen and citizen comments; 2) revised zoning map; 3) Statement of Consistency. *A complete text of Land Use Code amendment provided previously in August, 2009 and is available on the Town website: www.townofblackmountain.org*

MANAGER'S COMMENTS AND RECOMMENDATIONS: Given the large number of revisions currently proposed and the latest request from citizens for the Aldermen to scale back or amend the mixed-use recommendation for Montreat Road, yet another continuation hearing may be needed for December. In consultation with Planning and Development staff, I recommend the effective date be moved back to March 1, 2010.