



## TOWN OF BLACK MOUNTAIN

160 Midland Avenue ♦ Black Mountain ♦ N.C. ♦ 28711

Phone: (828) 419-9300 ♦ Fax: (828) 669-2030

### MEMORANDUM

To: Town of Black Mountain Planning Board  
From: Jennifer Tipton, Senior Admin  
Re: Agenda Packet for August 22, 2022  
Date: August 15, 2022

The **Town of Black Mountain Planning Board** will meet on **Monday, August 22, 2022, at 6:00 p.m.** in Town Hall at 160 Midland Avenue.

Please find the following items for your information and use at the meeting:

1. The proposed agenda;
2. Draft minutes from July 25, 2022;
3. Table of Permitted Uses; and
4. Tree Ordinance Review Discussion.

Please let Jennifer Tipton know if you are **unable** to attend this meeting.  
[jennifer.tipton@tobm.org](mailto:jennifer.tipton@tobm.org) or (828) 419-9371.

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act. Should you need assistance or a particular accommodation for this meeting, please inform Jennifer Tipton at (828) 419-9371 or by email at [jennifer.tipton@tobm.org](mailto:jennifer.tipton@tobm.org).

CC: Jessica Trotman, Planning Director  
Ron Sneed, Town Attorney



**PUBLIC NOTICE**  
**AVISO PÚBLICO**

**BLACK MOUNTAIN PLANNING BOARD**

**REGULAR MEETING**  
**REUNIÓN ORDINARIA**

**Monday, August 22, 2022, at 6:00 p.m.**  
**Lunes 22 de agosto de 2022, a las 6:00 p.m.**

The Black Mountain Planning Board will meet for their regular monthly meeting on **Monday, August 22, 2022, at 6:00 p.m.** at Town Hall, 160 Midland Avenue, Black Mountain, N.C.

La Junta de Planificación de Black Mountain se reunirá para su reunión mensual regular el **lunes 22 de agosto de 2022 a las 6:00 p.m.** en el Ayuntamiento, 160 Midland Avenue, Black Mountain, N. C.

The meeting is open to the public.  
La reunión está abierta al público.

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**Jennifer Tipton**  
**Senior Admin**

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La ciudad de Black Mountain se compromete a proporcionar instalaciones, programas y servicios accesibles para todas las personas en cumplimiento con la Ley de Estadounidenses con Discapacidades (ADA). Si necesita ayuda o un alojamiento en particular para esta reunión, comuníquese con Jennifer Tipton al (828) 419-9371 o por correo electrónico a [Jennifer.tipton@tobm.org](mailto:Jennifer.tipton@tobm.org).

*Posted to the Town Bulletin Board 08/01/2022*

[www.townofblackmountain.org](http://www.townofblackmountain.org)



**Planning Board Regular Meeting  
August 22, 2022**

**PROPOSED AGENDA**

**I. CALL TO ORDER**

- **Welcome**
- **Determination of Quorum**

**II. ADOPTION OF AGENDA**

- **Motion:** To adopt the agenda as presented [or as amended]

**III. ADOPTION OF MINUTES**

- **Motion:** To adopt the minutes of July 25, 2022, as written [or as amended]

**IV. OLD BUSINESS**

**V. NEW BUSINESS**

- **Table of Permitted Uses**
- **Tree Ordinance Review Discussion**

**VI. COMMUNICATION FROM PLANNING BOARD**

**VII. COMMUNICATION FROM STAFF**

**VIII. ADJOURNMENT**

**TOWN OF BLACK MOUNTAIN  
PLANNING BOARD**

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The Black Mountain Planning Board held its regular meeting on Monday, July 25, 2022, at 6:00 p.m. in the Board Room of Town Hall.

**I. CALL TO ORDER**

The meeting was called to order with the following members present:

Chris Collins, Chair  
Pam Norton, Vice Chair  
Kathy Phillips  
Lauronda Teeple  
Joe Laudenslayer  
Rick Earley  
Chas Fitzgerald

Staff:

Jennifer Tipton, Senior Admin  
Jessica Trotman, Planning Director  
Ron Sneed, Town Attorney

The meeting was called to order at 6:05 p.m. and duly constituted and opened for business with a quorum of seven (7) members.

**II. ADOPTION OF AGENDA**

Jennifer Tipton made two changes to the agenda. One was to remove the new business item of the height limit in the TND district and the other was to add election of officers to new business. Pam Norton made a motion to adopt the agenda as amended. The motion was seconded by Lauronda Teeple and approved by a vote of 7-0.

**III. ADOPTION OF MINUTES**

Chas Fitzgerald made a motion to adopt the minutes of June 27, 2022, as written. The motion was seconded by Kathy Phillips and approved by a vote of 7-0.

**IV. NEW BUSINESS**

**1. Text Amendment – Residential Uses in Central Business District**

Jessica Trotman explained that the Town Council has directed the Planning Board to look at an amendment to remove ground level residential uses from the Central Business District. The proposed amendment is only in the table of permitted uses and removed all residential and multi-family from the ground level and added that they are allowed on the second floor and above. Ms. Trotman said the Planning Board should consider removing one- and two-family dwellings from the district. There have been two applications submitted to convert two commercial buildings in the CB district to residential. The Board decided to have mixed-use above street level and to remove one- and two-family dwellings. Chris Collins made a motion to recommend the text amendment to Town Council as amended as it supports the vibrant economy and the walkable and livable goal and helps further the activities of downtown. The motion was seconded by Chas Fitzgerald and approved by a vote of 7-0.

Planning Board Regular Meeting  
July 25, 2022

**Jay Longshore, 103 Cherry Street**, thanked the board from taking this issue seriously as he is concerned that other stores might want to do the same thing and convert to Air B&B's or short-term rentals and would detract tourists from visiting.

**Sarah Vekasi, 105 Cherry Street**, thanked the board and said she was deeply appreciative of the efforts.

Kathy Phillips asked if the board could receive some data and information about short-term rentals to start looking at before the conversation begins in the UDO process. Ms. Trotman will send that information out to the board.

**Robert Hope, 111 W. State Street**, said he is concerned about parking and Ms. Trotman said that a parking study had been done and it showed that there was not a supply problem, just that people don't like having to walk as far.

**2. Election of Officers**

Pam Norton nominated Chris Collins for Chairperson. The motion was seconded by Joe Laudenslayer and approved by a vote of 7-0.

Chris Collins nominated Pam Norton for Vice Chairperson. The motion was seconded by Rick Early and approved by a vote of 7-0.

Chris Collins nominated Chas Fitzgerald for Secretary. The motion was seconded by Lauronda Teeple and approved by a vote of 7-0.

**V. OLD BUSINESS**

None.

**VI. PUBLIC COMMENT**

None.

**VII. COMMUNICATION FROM PLANNING BOARD**

None.

**VIII. COMMUNICATION FROM STAFF**

Jessica Trotman said that board would be receiving a partial module to review at the next meeting. She will also get updates on credentials for the online portal for the UDO.

**VX. ADJOURNMENT**

The meeting was adjourned at 6:40 p.m. by consensus.

Prepared by:

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Chris Collins, Chair

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Jennifer Tipton, Senior Admin

#### 4.7.14 Table of uses by zoning district.

Table of Uses for Zoning Districts

Category	Uses	CR-1	SR-2	TR-4	UR-8	NMU-8	OI-6	CBD	HB-8	LI-8	HI-0
Special Uses	Conservation Subdivision	S	S	S	S	S	S	S			
Special Uses	Cottage Housing Development (CHD)	S	S	S	S	S	S	S	S		
Special Uses	Industrial Park Development								S	S	S
Special Uses	Planned Unit Development (PUD) - Commercial					S	S	S	S	S	S
Special Uses	Planned Unit Development (PUD) - Residential	S	S	S	S	S	S	S	S	S	
Residential	Manufactured Home Parks			S	S				S	S	
Residential	Manufactured Homes on individual lots	A	A	A	A						
Residential	Multi-family residential	S	S	S	S	S	S	S	S	S	
Residential	Secondary Dwellings	A	A	A	A	A					
Residential	Shared housing/Community living facilities				P	P	P		P	P	P
Residential	Single-Family Residences	P	P	P	P	P	P	P	P		
Residential	Two-family Residences (duplex)	P	P	P	P	P	P	P	P		
Public/Institutional	Government facilities	P	P	P	P	P	P	P	P	P	P
Public/Institutional	Group home					P	P		P	P	P
Public/Institutional	Hospitals								P	P	P
Public/Institutional	Meeting halls for civic, social, and fraternal uses							P	P	P	P
Public/Institutional	Places of worship	P	P	P	P	P	P	P	P	P	P
Public/Institutional	Boarding House	A	A	A	A	A	A	A			
Public/Institutional	Conference Centers					P		P	P	P	
Public/Institutional	Cultural, Community Facilities							P	P	P	P
Public/Institutional	Educational facilities						P		P	P	P
Public/Institutional	Family Care Homes	A	A	A	A	A	A	A	A	A	
Public/Institutional	Public utilities	P	P	P	P	P	P	P	P	P	P
Other	Accessory Structures	P	P	P	P	P	P	P	P	P	P
Other	Agriculture	A	A	A	A	A	A		A		

Other	Automobile parking (principal use)											P
Other	Campgrounds						A		A	A		A
Other	Camps, summer	P	P	P	P		P					
Other	Communications towers								S	S		S
Other	Laboratories and research facilities									P		P
Other	Outdoor Theater									P		P
Other	RV, camper hook-up						A					
Industrial	Breweries/Distilleries/Wineries/ Cideries						P	P	P	P		P
Industrial	Chemical treatment									P		P
Industrial	Crematories											P
Industrial	Distribution									P		P
Industrial	Freight handling facilities								P	P		P
Industrial	Junkyards and salvage yards											S
Industrial	Manufacturing											P
Industrial	Manufacturing, light (indoor)								P	P		P
Industrial	Recycling sorting, processing, or storage									P		P
Industrial	Warehousing								P	P		P
Industrial	Wood and Yard Waste Facility											P
Commercial	Adult Establishments								S			
Commercial	Agriculture	A	A	A	A	A	A		A			
Commercial	Amusements and entertainment uses								P	P		P
Commercial	Animal services							P	P	P		P
Commercial	Art studio and galleries					P	P	P	P	P		P
Commercial	Automotive sales, rental and service								P	P		P
Commercial	Bank and financial services							P	P	P		P
Commercial	Bar						P	P	P	P		P
Commercial	Bed and Breakfast Homes	P	P	P	P	P	P	P	P	P		
Commercial	Bed and Breakfast Inns	A	A	A	A	A	A	A	A	A		
Commercial	Building material sales									P		P
Commercial	Business services							P	P	P		P

Commercial	Construction or contractor services									P	P
Commercial	Convenience Store					P		P	P	P	P
Commercial	Day care centers				A	A	A	A	A	A	A
Commercial	Farm supply stores								P	P	P
Commercial	Funeral homes								P	P	P
Commercial	Garden Markets	A	A	A	A	A	A	A	A		
Commercial	Health and fitness facilities					P	P	P	P	P	P
Commercial	Heavy equipment sales, rental and service								P	P	P
Commercial	Heritage crafts							P	P	P	P
Commercial	Home Occupations	P	P	P	P		P	P	P		
Commercial	Hotels and motels							P	P	P	P
Commercial	Industrial cleaning services							P	P	P	P
Commercial	Instruction services and studios								P	P	P
Commercial	Laundromat					P	P		P	P	P
Commercial	Laundry and dry cleaning							P	P	P	P
Commercial	Lumber yards										P
Commercial	Manufactured home sales and service								P		
Commercial	Medical offices and clinics					P	P	P	P	P	P
Commercial	Micro-breweries/distilleries/wineries/cideries							P	P	P	P
Commercial	Mini-storage									P	P
Commercial	Mini-storage or self-storage								P	P	P
Commercial	Mixed use buildings							P	P	P	P
Commercial	Neighborhood Fueling Facility					A	A				
Commercial	Professional offices and services					P	P	P	P	P	P
Commercial	Restaurant (sit down)					P			P	P	P
Commercial	Restaurant brew pub/tavern						P	P	P	P	P
Commercial	Restaurants and taverns (walk- up, drive-thru, sit down)						P	P	P	P	P
Commercial	Retail							P	P	P	P
Commercial	Retail (Up to 2,500 sf)						P		P	P	P



Commercial	Taxi and Transportation Services					P	P	P	P	P	P
Commercial	Warehousing (accessory to retail)							P	P	P	P
Commercial	Wholesale								P	P	P
Commercial	Wholesale and retail bakery							P	P	P	P
						P = Permitted by Right			C = Special Use		
** See Land Use Code Section 1.2.3 for definitions of uses						A = Additional Requirements					