

**MINUTES
BREVARD PLANNING BOARD
MAY 15, 2012**

The Brevard Planning Board met in regular session on Tuesday, May 15, 2012 at 7:00 P.M. in the Council Chambers of City Hall.

Members Present: Rick Lasater, Chairperson
Norah Davis
Kimsey Jackson
Gary Daniel
Parker Platt
Seyl Park

Members Absent: Paul Welch

Staff Present: Joshua Freeman, Planning Director
Janice Pinson, Board Secretary
Michael K. Pratt, City Attorney

Others Present: Derek McKissock, Transylvania Times
Michael Goforth, High Country Engineering, PC
Bart Renner, NC Cooperative Extension Service
Liza Witherspoon

Chairperson Lasater called the meeting to order. A quorum was present and there was a moment of silent meditation.

Minutes - Motion was made by Chairperson Lasater, seconded and unanimously approved to accept the following meeting minutes subject to the described changes: Minutes for April 17, 2012, Chairperson Lasater made the correction that he requested a Motion to Adjourn, Motion was made by Norah Davis and seconded by Parker Platt.

Old Business –

1. Proposed amendments to Brevard City Code, Chapter 14. Animals and Fowl, and Brevard City Code, Unified Development Ordinance, Chapter 3. Additional Use Standards, to allow the keeping of chickens within the city of Brevard.

Josh Freeman gave an overview of the history of the proposed amendment. His Staff Report dated May 15, 2012, along with the Draft of Proposed Amendment labeled “Attachment A” was presented to the Board with their Agenda Packages for review prior to the meeting.

The Board discussed different aspects of the amendment and Bart Renner with NC Cooperative Extension Service offered opinions and information to assist with their discussion.

The Board recommended the following additions/corrections: Page 8. Permitted Uses to include: Chicken coops and runs. The Board recommended that Staff readdress the portion of the amendment that relates to one coop and run per household to read one coop and run per piece of property. Board approved amendment with these conditions met, Norah Davis moved, Parker Platt seconded and Board approved unanimously.

2. Proposed amendments to Brevard City Code, Chapter 4. General Lot and Structure Provisions, to permit the subdivision of inherited properties.

Josh Freeman gave an overview of the amendment and its purpose and stated that this was a continued discussion from the last meeting held March 20, 2012.

Mike Pratt, City Attorney's draft of the Amended Ordinance was attached to Staff Report dated May 15, 2012 and labeled "Attachment 01". Mike Pratt stated that the purpose of the amendment is to help folks who are caught because there is no way to physically divide property according to a Will and comply with the UDO. This amendment is a curative ordinance to take care of these situations so that decedents can comply with the Will and close the Estate with the Clerk of Superior Court. He included a termination clause in order to give Attorneys adequate time to comply and notify their clients of the need to revise their wills in order to comply with the revised ordinance.

There were discussions about different concerns, lot size, one year termination clause, notification of property owners as well as attorneys

After discussion of concerns the Board decided to approve the Amended Ordinance with the following amendments: Paragraph 4. Termination Provision: shall be amended to read 60 days after effective date of amendment. Add to (b) or add (c) to read that City Clerk will publish notice in the Transylvania Times to notify property owners of amendment to ordinance. Paragraph 4(b) should make reference to Section 4(a)

Chairperson Lasater asked for a motion to approve ordinance with changes. Norah Davis made motion and it was seconded by Gary Daniel. The Board approved unanimously.

3. The Cottages at Brevard PDD-11-030 – Consideration of the proposed Final Master Plan.

Josh Freeman updated the Board that all of the issues raised in the April 13, 2012 meeting had been addressed and satisfied including the lighting plan, with the involvement of Michael Goforth, Consulting Engineer, David Lutz Public Services and Planning Staff.

There was discussion by the Board about the traffic conditions, including the effects of the traffic upon the Emergency Medical Services facility located across Asheville Highway.

Josh Freeman notified the Board that the NC Department of Transportation would not approve a right turn only lane out of Green Acres. He noted that there will be no impact on Emergency Medical Services. He also discussed that there was ongoing work being done with NCDOT to improve the traffic pattern in that intersection to also improve safety issues on Chestnut Street.

The Board further discussed concerns about tree cutting, annual tax revenue amount of \$8,477.00 and the lighting plan.

The Board approved The Cottages Final Master Plan with the condition that the lighting plan be revisited with respect to fixture type to pole height.

Chairperson Lasater asked for a motion to approve. Motion made by Norah Davis, seconded by Kimsey Jackson. Board voted unanimously to approve.

New business: None.

Chairperson Lasater asked for a motion to adjourn. Motion was made and seconded by Norah Davis. Meeting adjourned at 8:11 PM.

Rick Lasater, Chairperson

Janice Pinson, Secretary