



AGENDA
BREVARD CITY COUNCIL - REGULAR MEETING
Tuesday, January 17, 2023 - 5:30 PM
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Rev. Bob Renjilian-Unitarian Universalists of Transylvania County

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. Tuesday, January 3, 2023 Regular Meeting

G. Public Comments

H. Certificates / Awards / Recognition

I. Special Presentation(s)

1. City of Brevard Annual Independent Audit for Year Ending June 30, 2022
2. Brevard Pedestrian & Bicycle Plan-Alta

J. Public Hearing(s)

1. Designation of Historic Landmark-McMinn Building, 2-14 West Main Street
2. Designation of Historic Landmark- Brevard City Hall and Fire Station, 114 & 116 West Main Street
3. Proposed Amendments to City of Brevard Unified Development Ordinance Chapters 15 and 16-Permit Categories
4. Proposed Amendments to City of Brevard Unified Development Ordinance Chapters 2, 4, 17 and 19-Setback Measurements

5. Proposed Amendments to City of Brevard Code of Ordinances Section 58-Solid Waste Management

K. Consent and Information

1. Tax Settlement Report-December, 2022
2. Financial Report-Quarter Ending December 31, 2022
3. Proclamation 2023-01-White Squirrel Day, February 2, 2023
4. Housing Trust Fund Selection Committee Minutes-November 8, 2022
5. Downtown Master Plan Committee Minutes-December 14, 2022

L. Unfinished Business

1. City Council Meeting Schedule Amendment

M. New Business

N. Remarks / Future Agenda Considerations

O. Closed Session(s)

1. Personnel and/or Employment: GS § 143-318.11. (a)(3)(6)

P. Adjourn

Agenda Posted, Website, Sunshine List (January 12, 2023)
D. Hodsdon, City Clerk

To review Agenda materials, go to the City's website www.cityofbrevard.com. Select "Your Government" tab followed by "Council Agenda Packet" tab. Agenda packet materials are posted on Thursday afternoon prior to Council's Monday meeting.

MINUTES
BREVARD CITY COUNCIL
Regular Meeting
January 3, 2023 – 5:30 PM

The Brevard City Council met in regular session on Tuesday, January 3, 2023, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Copelof presiding.

Present – Mayor Maureen Copelof, Mayor Pro Tem Gary Daniel and Council Members Mac Morrow, Aaron Baker, and Geraldine Dinkins.

Absent – Council Member Maurice Jones

Staff Present – City Attorney Mack McKeller, City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager/Finance Director Dean Luebbe, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, Police Chief Tom Jordan, Fire Chief Bobby Cooper, Acting Public Works Director Wesley Shook, Community Center Director Tyree Griffin, ORC Water Treatment Plant Dennis Richardson, and ORC Wastewater Treatment Plant Emory Owen

Press – Jon Rich, Transylvania Times

A. Welcome and Call to Order – Mayor Copelof called the meeting to order and welcomed those present.

B. Invocation – Pastor Keith Thompson of Brevard Davidson River Presbyterian Church offered an invocation.

C. Pledge of Allegiance - Mayor Copelof led the pledge of allegiance.

D. Certification of Quorum – City Clerk Denise Hodsdon certified a quorum present. Mayor Copelof noted that Council Member Jones was absent due to a death in his family and asked for a motion to excuse him. Mr. Morrow so moved, seconded by Mr. Daniel. The motion carried unanimously.

E. Approval of Agenda – Mr. Daniel asked to move Item M-5 Budget Amendment-Police Department-Governor's Crime Commission Grant and Item M-6 Budget Amendment-Fire-CPR Equipment to the Consent Agenda, however, Mr. Baker said that he had a question about item M-5, therefore only item M-6 would be moved to consent and would become item K-8. Ms. Dinkins moved, seconded by Mr. Baker to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes – Mr. Morrow moved, seconded by Mr. Daniel, to approve the minutes from the December 5, 2022 meeting as presented. The motion carried unanimously.

G. Public Comment –

Monica Driscoll said As the Reverend alluded to, I'm here in an effort "to do good work" in the best way I know how. My general focus in commenting this evening has to do generally with communications. I know that's a subject that has been brought up in the past and will likely continue to be until it is resolved. I object to anything being presented initially at a City Council meeting with a "request" for a vote at that time or, if not possible, at the next meeting, barring true emergencies. Such requests should be planned and prepared enough in advance by the requestor or requestors for the public to have access to the information for consideration. Whenever possible there should be an opportunity to pursue discussion with you or other resources in order to provide informed comments to members of this body for additional consideration and response before "deadlines" loom. This would allow - not stymie - community involvement, however great or meager. Doing otherwise is denying that participation and in direct opposition to what the mayor, council members and committee members have repeatedly professed as desirable and have encouraged. In order to

accept and consider public input, I urge City Council to table, at a minimum, any such requests that essentially bypass public participation. It is not appropriate for individuals or public bodies to determine if or when the community should be entitled to inquire about issues or voice concerns. At least one such request is on tonight's agenda. I encourage you not to rush to a vote.

H. Certificates/Awards/Recognition – None.

I. Special Presentation(s) – None.

J. Public Hearing(s) – None.

K. Consent and Information - Consent Agenda items are considered routine and are enacted by one motion. Mayor Copelof read aloud the items listed and asked for a motion to approve the consent agenda. Mr. Morrow moved, seconded by Mr. Baker to approve the consent agenda as presented. Motion carried unanimously.

K-1. Tax Settlement Report-November, 2022

K-2. Parks, Trails & Recreation Committee Minutes-October 19, 2022

K-3. Public Safety Committee Minutes-October 24, 2022

K-4. Public Works & Utilities Committee Minutes-November 2, 2022

K-5. Downtown Master Plan Committee Minutes-October 12, 2022

K-6. Parks, Trails & Recreation Committee Minutes-November 16, 2022

K-7. Correspondence (*No Action. Offered as information only.*)

a. Proclamation 2022-23 George Sarros Day

**Proclamation No. 2022-23
George Sarros Day**

WHEREAS, George Sarros was born in Chicago, Illinois in 1925 and, at the age of eighteen, joined the United States Navy; and

WHEREAS, George was a motor machinist on LST 515 which would unload tanks, ambulances, cargo and troops directly onto the Normandy Beach during the D-Day invasions of World War II; and

WHEREAS, on April 22, 1944 during “Exercise Tiger” George’s craft rescued survivors from Allied ships sunk by the German navy; and

WHEREAS, on June 6, 1944 George’s ship landed on Normandy Beach to unload supplies. It also collected wounded to take back to hospitals in England. Ultimately the craft made sixty-five crossings of the English Channel; and

WHEREAS, after the war George and his wife Enrica lived in Hawaii, California, and Oregon before settling in Western North Carolina in 2001; and

WHEREAS, in Brevard, George was an active part of the city’s large community of veterans, contributing to veterans’ and community causes; and

WHEREAS, on December 7, 2022 George was awarded the French Legion d’honneur Medal by Consul General of France in Atlanta Anne-Laure Desjonqueres.

WHEREAS, the medal is the highest merit bestowed by the French Government based on exemplary services rendered to France; and

WHEREAS, George’s services to the United States, France, and the community of Brevard are meritorious and deserving of recognition.

NOW, THEREFORE, be it proclaimed that I, Maureen Copelof, Mayor of the City of Brevard, do hereby proclaim December 7, 2022 as **GEORGE SARROS DAY** in the City of Brevard, North Carolina and commend its observance to all its residents.

IN WITNESS WHEREOF, I have set my hand and executed the Great Seal of the City of Brevard on this the 7th day of December, 2022.

K-8. (M-6) Budget Amendment – Fire – CPR Equipment

**ORDINANCE NO. 2023-03
AN ORDINANCE AMENDING THE FY2022-2023 BUDGET
AMENDMENT NUMBER 20**

SUBJECT: Budget Amendment to increase expenditures and revenues in the Fire Fund for \$18,600, for CPR equipment.

AGENDA INFORMATION

Agenda Location: Consent
Department: Finance
Contact: Dean Luebbe, Finance Director

BRIEF SUMMARY: The City and County split the cost of this needed expenditure. The amount received from the County (\$9,287.44) is separate from the quarterly tax contribution that was included in the FY22-23 Budget. The LUCAS is an automated CPR compression device that provides high quality uninterrupted chest compressions, and is much safer than trying to do manual compressions in the back of a moving ambulance.

MOTION FOR CONSIDERATION: To approve Budget Amendment Twenty as submitted, increasing the budget in expenditure accounts

40-5300-3300 (Department Equipment) \$18,600

And increasing the budget in the revenue accounts

40-3830-0100 (Contribution from Trans County) \$9,300
40-3990-0000 (Fund Balance Appropriated) \$9,300

ATTACHMENTS: None

MANAGER’S RECOMMENDATION: Adopt as presented

Approved and adopted this 3rd day of January, 2023.

L. Unfinished Business –

L-1. Order-Closing a Portion of Street So Named Woodlawn Avenue-Gilligan. Paul Ray recalled that a petition to close a portion of an unimproved right-of-way known as Woodlawn Avenue was received from Robert and Ainslye Gilligan and Jonathan and Laura Merrill. On November 3, 2022 Council adopted Resolution 2022-34 declaring the intent to permanently close a public street, which directed the City Clerk to advertise for a public hearing. The hearing was held before City Council on December 5, 2022. Council did not take action at that time and the item was continued to the January 3, 2023 meeting. Mr. Morrow moved, seconded by Mr. Daniel to adopt the order abandoning a portion of an unopened public right-of-way known as “Woodlawn Avenue”. The motion carried unanimously.

**ORDER NO. 2023-01
AN ORDER ABANDONING A PORTION OF AN UNOPENED PUBLIC RIGHT-OF-WAY
KNOWN AS “WOODLAWN AVENUE”.**

WHEREAS, on November 3, 2022, the City Council of the City of Brevard directed the City Clerk to publish a Resolution number 2022-34 declaring the intent to close a portion of a street so named Woodlawn; and,

WHEREAS, Resolution 2022-34 advertised that a public hearing would be held at 5:30 PM, on Monday, December 5, 2022, in the Council Chambers at City Hall located at 95 W. Main Street, Brevard, North Carolina and was published in the Transylvania Times newspaper once a week for four (4) successive weeks; and

WHEREAS, said right-of-way is represented and depicted upon the following plat:

SURVEY AND PLAT PREPARED OF CLOSURE FOR PETITIONED AREA ON WOODLAWN AVENUE, prepared for Robert J. and Ainslye L. Gilligan and Jonathan R. and Laura Carter Merrill, by Kevin D. Goldsmith, P.L.S., License Number #L-3669, 2847 Pleasant Grove Church Road, Hendersonville, NC 28739. Dated ____/____/____, recorded in the Transylvania County Registry on ____/____/____, in Plat File ____, Slide ____; and,

WHEREAS, the City Clerk has, in fact, sent notice to each of said abutting property owners advising them of the date, time and place of the public hearing, by copy of the City Council's Resolution of Intent, and advising said abutting property owners that the question as to the closing of said public right-of-way would be acted upon at the public hearing; and

WHEREAS, a notice of the closing and public hearing was prominently posted in at least two places along the street or alley; and

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said public right-of-way, City Council find as follows:

1. The abandonment of said public right-of-way will in no way degrade the efficiency of the provision of any City service, including but not limited to garbage, fire, police, EMS, sewer / water; and
2. The closing of the public right-of-way is not contrary to the public interest and no individual owning property either abutting the alleyway or in the vicinity of said alleyway, will as a result of said abandonment, be thereby deprived of a reasonable means of ingress and egress.

WHEREAS, it appears to the satisfaction of the City Council that the abandonment of said public right-of-way will be in the public interest.

NOW, THEREFORE, BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

Section 1. A portion of the public right-of-way named Woodlawn Avenue depicted and denoted upon the aforementioned plat is hereby abandoned and all rights, title, and interests that may be vested in the public to said area for public purposes is hereby released to the abutting property owners in accordance with Chapter § 160A-299, as amended, of the North Carolina General Statutes.

Section 2. The aforementioned plat shall serve as a plat of abandonment for the purposes of this order.

Section 3. The City Clerk is hereby authorized and directed to file in the Office of the Register of Deeds in Transylvania County a certified copy of this Order, a copy of the published Resolution of Intent and a notarized statement that all the abutting property owners were notified by certified mail.

Section 4. This Order shall become effective upon its adoption and approval.

Adopted and approved this the 3rd day of January, 2023.

L-2. Main Street Sewer Improvements Contract Award / Main Street Water Improvements Change Order Authorization. Mr. Hooper noted that this project is time sensitive, as we hope to have this project, as well as the Main Street and Times Arcade Alley Streetscape and Stormwater Project completed prior to NCDOT's Main Street repaving this summer. This project will replace existing water and sewer service lines on Main Street between Oaklawn Avenue and Gaston Street and has a budget of \$600,000. Initially the water and sewer portions were bid together, but no bids were received. On the recommendation of Summit Engineering, the project was then split into two components and the project was rebid as a sewer only project. One bid was received from Prism Contractors and Engineers in the amount of \$280,700. Summit Engineering approached Carolina Specialties, who had recently been awarded the contract for the Whitmire Waterline Replacement, to see if they would also agree to do the Main Street waterline work. They agreed to do so at a price of \$186,295. Staff is requesting that Council approve a resolution awarding Main St. sewer work to Prism Contractors and Engineers and authorizing the City Manager to execute a contract for \$280,700, and authorizing the City Manager to execute a change order in the amount of \$186,295 with Carolina Specialties to perform Main St. waterline work. Mr. Morrow moved, seconded by Ms. Dinkins to approve the resolution. The motion carried unanimously.

RESOLUTION NO. 2023-05

RESOLUTION AWARDING CONTRACT AND AUTHORIZING CITY MANAGER TO EXECUTE VARIOUS DOCUMENTS REGARDING MAIN ST. WATER AND SEWER LINE PROJECT

WHEREAS, the City of Brevard budgeted \$600,000 for repair and replacement of underground water and sewer utilities along Main St.;

WHEREAS, when the water and sewer portions were bid as a package, the City received no bidders;

WHEREAS, on the advice of its consulting engineer, the City split the water and sewer work and sought out interested firms;

WHEREAS, Prism Contractors and Engineers submitted a bid for sewer work, and Carolina Specialties agreed to perform the water work as a Change Order to their existing contract.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BREVARD, NORTH CAROLINA THAT:

A contract for \$280,700 for Main St. Sewer Line repair and replacement is hereby awarded to Prism Contractors and Engineers, and the City Manager (or his designee) is hereby authorized to execute

The City Manager (or his designee) is hereby authorized to execute a change order with Carolina Specialties for \$186,295 to add Main St. waterline maintenance and repair to the scope of work for the existing Whitmire Waterline Replacement project.

Approved and adopted this 3rd day of January, 2023.

L-3. Water Treatment Plant Improvements.

a. Accept Funding-ARPA Project Grant

b. Capital Project Ordinance

Mr. Hooper explained that this is an administrative action to accept the grant of \$4,929,000 in ARP funds for improvements to the Water Treatment Plant. Staff is requesting that Council approve a resolution authorizing the City Manager to accept the fund and to adopt a project ordinance establishing the Water Treatment Plant Improvement Project. Mr. Daniel moved, seconded by Mr. Morrow to approve the resolution and project ordinance. The motion carried unanimously.

**RESOLUTION NO. 2023-01
BY GOVERNING BODY OF THE CITY OF BREVARD**

WHEREAS, the City of Brevard has received an earmark for the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$4,929,000 to perform work detailed in the submitted application, and

WHEREAS, the City of Brevard intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD:

- 1) That the City of Brevard does hereby accept the American Rescue Plan Grant offer of \$4,929,000.
- 2) That the City of Brevard does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
- 3) That Wilson Hooper, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted and approved this the 3rd day of January, 2023.

ORDINANCE NO. 2023-01

**CAPITAL PROJECT ORDINANCE TO ESTABLISH PROJECT
FOR WATER TREATMENT PLANT IMPROVEMENTS**

BE IT ORDAINED by the City Council of the City of Brevard, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project will upgrade the major pumps used in the treatment process, and replace a forty two year old generator. The project also provides new electrical and control equipment.

Section 2: This project is entirely funded at \$4,929,000 through the American Rescue Plan funding from the State Recovery Fund.

Section 3: The following amounts are appropriated for the project:

Account Number	Account Name	Budget Amount
31-8540-5100	Water Treatment Plant Improv	\$4,929,000
TOTAL PROJECT APPROPRIATION		\$4,929,000

Section 4: The following revenues are anticipated to be available for project expenses:

Account Number	Account Name	Budget Amount
31-3760-0150	WTP Grant – ARP - 0222	\$4,929,000
TOTAL PROJECT REVENUE		\$4,929,000

Section 5: The Finance Director is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 6: Funds may be advanced from the General Fund or from any Enterprise Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 7: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 8: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 9: Copies of this capital project shall be furnished to the City Clerk, Finance Director and City Manager for direction in carrying out this project.

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 3rd day of January, 2023.

M. New Business –

M-1. Resolution Supporting RAISE Grant Application. Paul Ray informed Council that applications for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program are due on February 28, 2023. Staff is proposing that City Council authorize the City Manager to apply for the 2023 RAISE grant, and partner with NCDOT to secure funding to cover the cost of grant writing. NCDOT has agreed to sponsor the Ecusta Trail project including the entire 8-mile section in Transylvania County and parts in Henderson County. Alta Planning + Design has been chosen to write the grant application. Staff believes that NCDOT’s sponsorship of this project will carry considerable weight in strengthening our application. Mr. Baker moved, seconded by Ms. Dinkins to approve the resolution authorizing the City Manager to apply for a RAISE grant for the construction of the Ecusta Trail.

RESOLUTION NO. 2023-02

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
APPLY FOR A REBUILDING AMERICAN INFRASTRUCTURE
WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT FOR
THE CONSTRUCTION OF THE ECUSTA TRAIL**

WHEREAS, The City of Brevard has long valued quality multi-modal transportation infrastructure to meet the needs of our citizens, a value expressed through numerous public input efforts and planning processes over many years of various studies; and

WHEREAS, The City has already accepted \$1 million in grant funding through the Federal Lands Access Program for the design of the Ecusta Trail and is now seeking further funding for its construction; and

WHEREAS, the City has invested in multiple transportation related plans and partnered with other regional entities to develop these plans, including the: Downtown Masterplan of 2002, 2012 and 2021, the FHWA supported Ecusta Rail Trail Planning Study and Economic Impact Analysis of 2012, the Comprehensive Transportation Plan of 2007 and 2025, the Brevard Bicycle-Friendly Community Improvement Plan of 2018, the Transylvania County Bicycle Plan of 2019, the Blue Ridge Regional Bike Plan, and the Brevard Comprehensive Pedestrian Plan of 2006 and 2018, to name a few; and

WHEREAS, these plans and investments confirm the interest to provide efficient alternative modes of transportation such as bike, transit, pedestrian and multi-use spaces in existence and coordination with traditional vehicular use corridors; and

WHEREAS, the City has partnered with the North Carolina Department of Transportation on the Ecusta Trail project, and

WHEREAS, Brevard understands that a safe, reliable, affordable and accessible transportation system for all users is essential to the quality of life of our residents and to the health of our economy; and

WHEREAS, as stated in Resolution 2021-21, approved June 21, 2021, the City of Brevard has committed to taking on a lead role in securing funding, overseeing construction, and managing the public use of the section of the Ecusta Trail within Transylvania County; and

WHEREAS, the Ecusta Trail is a 19-mile regional trail system connecting Transylvania County to Henderson County that will bring many recreational, public health, and economic benefits to local residents and businesses within and beyond the City of Brevard; and

WHEREAS, the United States Department of Transportation has issued another round of its Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant program, providing \$1.5 billion of funding for planning and capital investments in surface transportation infrastructure, to be awarded on a competitive basis for projects that will have a significant local or regional impact; and

WHEREAS, RAISE funding can support roads, bridges, transit, rail, ports or intermodal transportation that include, implement or enhance safety, economic competitiveness, quality of life, environmental sustainability, state of good repair, innovation, and partnerships; and

WHEREAS, the 2023 RAISE applications are due by February 28, 2023, at 11:59pm and notification of awards is expected on or before June 28, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 1. The City Manager is hereby authorized to apply for a RAISE grant and accept funding for the construction of the Ecusta Trail.

SECTION 2. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 3rd day of January 2023.

M-2. Municipal Advocacy Goals. Mr. Hooper explained that the North Carolina League of Municipalities (NCLM) is the state's preeminent municipal advocacy and service organization. Prior to each biennial session of the North Carolina General Assembly (NCGA), the NCLM creates a list of legislative goals. These goals are the foundation of NCLM's lobbying strategy. As a member of NCLM, we are allowed to vote on what those goals are going to be. Of the sixteen proposed goals, each member organization may select their ten highest priority goals. He asked Council to select ten

of the sixteen proposals and to designate Mayor Copelof as our voting member to cast a vote on behalf of the City of Brevard. Mr. Hooper recommended the following ten priorities for Council's consideration:

- Expand federal and state resources for affordable housing
- Create an adequate and permanent funding stream for local infrastructure
- Extend deadlines for completion of federal infrastructure projects
- Expand state transportation funding streams for construction and maintenance for municipal and state-owned secondary roads
- Support integrated and multi-modal transportation solutions
- Expand incentives and funding for local economic development
- Expand incentives that encourage regionalization of water and sewer, as well as other municipal services, when appropriate
- Enhance state systems and resources for local law enforcement officer recruitment, training, and retention
- Provide state assistance for yearly financial audits, ensuring that an adequate number of auditors is available
- Provide local revenue options beyond property tax

Mr. Daniel moved, seconded by Mr. Morrow to approve the recommendation of the City Manager. Following discussion, the motion carried unanimously.

RESOLUTION NO. 2023-03

A RESOLUTION ENUMERATING THE CITY OF BREVARD'S PREFERRED LEGISLATIVE PRIORITIES FOR THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES (NCLM)

WHEREAS, the biennial "long-session" of the North Carolina General Assembly is scheduled to convene in January 2023; and

WHEREAS, during the "long-session" the North Carolina General Assembly develops the state's biennial budget, and considers new legislation; and

WHEREAS, in North Carolina, the General Assembly endows municipalities with their powers; and

WHEREAS, in North Carolina, the General Assembly may grant state funding to municipalities to fund projects of local concern; and

WHEREAS, for those reasons and others it is in municipalities' best interest to maintain positive working relationships with their legislators and make clear their needs; and

WHEREAS, on January 3, 2023 the Brevard City Council discussed in open session a list of legislative priorities that they ask the North Carolina League of Municipalities to lobby for on their behalf.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

1) The City of Brevard identifies the following ten items as its chosen priorities for NCLM's legislative advocacy during the 2023 General Assembly;

- Expand federal and state resources for affordable housing
- Create an adequate and permanent funding stream for local infrastructure
- Extend deadlines for completion of federal infrastructure projects
- Expand state transportation funding streams for construction and maintenance for municipal and state-owned secondary roads
- Support integrated and multi-modal transportation solutions
- Expand incentives and funding for local economic development
- Expand incentives that encourage regionalization of water and sewer, as well as other municipal services, when appropriate
- Enhance state systems and resources for local law enforcement officer recruitment, training, and retention
- Provide state assistance for yearly financial audits, ensuring that an adequate number of auditors is available
- Provide local revenue options beyond property tax

2) That Mayor Maureen Copelof is designated as Brevard’s voting delegate for the purposes of recording the city’s ten priority goals with NCLM.

Approved and adopted this 3rd day of January, 2023.

M-3. City of Brevard Legislative Requests. Mr. Hooper informed Council that Rep. Mike Clompitt visited Brevard on December 6, 2022 and he suggested that the City submit to him by January 31st a list of legislative priorities that he can advocate for in the upcoming long-session of the General Assembly. This could include requests for financial earmarks and legislative changes. He encouraged Brevard to submit now rather than wait until proposals are more refined so that he could begin lobbying on our behalf. Staff has developed list of legislative requests as follows:

- Funding Requests:
 - \$300,000 for Davidson River Pedestrian Bridge
 - \$65M for Wastewater Treatment Plan Process and Capacity Upgrades
 - \$3M for Azalea/Rhododendron Sewer Extension
- Policy Requests:
 - Amend NCGS 160D-1316 to permit municipalities to support the creation of workforce housing serving beneficiaries having incomes of up to 120% Area Median Income
 - Oppose legislation that limits local authority over zoning
 - Consider legislation that opens policies and funding sources currently reserved for economic development activities to be used for the provision of affordable housing.

Mr. Morrow moved, seconded by Mr. Daniel to approve the list of legislative requests as presented. Following discussion, the motion carried unanimously.

RESOLUTION NO. 2023-04

A RESOLUTION IDENTIFYING THE CITY OF BREVARD’S REQUESTS FOR THE 2023 SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY

WHEREAS, the biennial “long-session” of the North Carolina General Assembly is scheduled to convene in January 2023; and

WHEREAS, during the “long-session” the North Carolina General Assembly develops the state’s biennial budget, and considers new legislation; and

WHEREAS, in North Carolina, the General Assembly endows municipalities with their powers; and

WHEREAS, in North Carolina, the General Assembly may grant state funding to municipalities to fund projects of local concerns; and

WHEREAS, for those reasons and others it is in municipalities best interest to maintain positive working relationships with their legislators and make clear their needs; and

WHEREAS, on January 3, 2023 the Brevard City Council discussed in open session a list of legislative requests that they feel will enable them to better serve the people of Brevard and Transylvania County

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

- 1) The “City of Brevard’s 2023 Legislative Request” document, incorporated by reference, is hereby respectfully submitted to the North Carolina General Assembly for their consideration; and
- 2) The City Manager is instructed to submit, in a form acceptable to its recipients, its contents to Rep. Mike Clompitt (NC-119), Sen. Kevin Corbin (NC-50), and other appropriate parties.

Approved and adopted this 3rd day of January, 2023.

M-4. City Council Meeting Schedule Amendment. Mr. Hooper recommended that Council schedule its yearly Strategic Planning Session for Wednesday March 1,

2023 from 8:30 AM to 4:30 PM. This date works for the facilitator and staff. Staff also recommends that because the Strategic Planning Session is scheduled for the first week of March, that Council hold a second regular meeting in February on Monday, February 20, 2023 and that the March 6, 2023 meeting be canceled. Mr. Morrow moved, seconded by Mr. Daniel to approve the amended schedule. During discussion Ms. Dinkins said she would not be able to do an all-day meeting and asked Council to consider scheduling the Strategic Planning Session during the evening. Mr. Baker suggested breaking it up into two evenings. Ms. Dinkins moved, seconded by Mr. Daniel to table this item until the next meeting. The motion carried unanimously. Mr. Hooper will contact the facilitator to see if he is available the evenings of March 1 and March 2 and bring this back to the next meeting.

M-5. Budget Amendment-Police Department-Governor’s Crime Commission Grant. Dean Luebbe explained that the Police Department received a \$19,800 grant for the purchase of civil disturbance gear and this is a budget amendment recording the grant proceeds and increasing the budget. Mr. Morrow moved, seconded by Ms. Dinkins to approve the budget amendment. Following discussion, the motion carried unanimously.

**ORDINANCE NO. 2023-02
AN ORDINANCE AMENDING THE FY2022-2023 BUDGET
AMENDMENT NUMBER 19**

SUBJECT: Budget Amendment to increase expenditures and revenues in the General Fund for \$19,800, for a Police Grant received from the Governors Crime Commission.

AGENDA INFORMATION

Agenda Location:	New Business
Department:	Finance
Contact:	Dean Luebbe, Finance Director

BRIEF SUMMARY: Chief Jordan began the application process for the 2021-2022 Governor’s Crime Commission grant in January, 2021. The purpose of the funding was officer safety during crowd control and riots, and to provide the City with the capacity to assist neighboring jurisdictions when requested. Council passed a resolution authorizing reception of this grant and the requisitioning of funds in its implementation, on January 19, 2021. The City was awarded the grant in November of 2021. The City purchased twenty-six gas-masks, seventeen body-shields, and twenty-one side-handle batons, totaling \$19,763.49, and we received full reimbursement in December of 2022.

MOTION FOR CONSIDERATION: To approve Budget Amendment Nineteen as submitted, increasing the budget in expenditure accounts

10-5100-6000 (Department Equipment)	\$19,800
And increasing the budget in the revenue account	
10-3910-0775 (Grant – Governor’s Crime Commission)	\$19,800

ATTACHMENTS: None

MANAGER’S RECOMMENDATION: Adopt as presented

Approved and adopted this 3rd day of January, 2023.

M-6. (M-7) Paved Trails Feasibility Study Grant Program. Aaron Bland explained that the Integrated Mobility Division of NCDOT was allocated \$2 million in one-time funding from the North Carolina General Assembly to establish a Paved Trails Feasibility Study Program. The purpose of the program is to improve the pipeline of bicycle and pedestrian projects accessing state and federal funding, resulting in successful implementation of projects led by communities prioritizing multimodal infrastructure. The Parks, Trails & Recreation Committee discussed this grant opportunity at its November 16th and December 21st meetings and came to consensus on recommending that staff apply for the grant for a feasibility study for a greenway along Old Hendersonville Highway which would connect to the future Ecusta Trail. One of the requirements of the application is a resolution of support from the participating

jurisdiction. Mr. Baker moved, seconded by Mr. Morrow to approve the resolution. Following discussion, the motion carried unanimously.

RESOLUTION NO. 2023-06

A RESOLUTION OF SUPPORT FOR AN APPLICATION TO THE IMD FEASIBILITY STUDY GRANT PROGRAM

WHEREAS, the NCDOT was allocated \$2 million for a new one-time discretionary grant program to develop feasibility studies for sidewalk and shared-use path projects in North Carolina; and

WHEREAS, the Parks, Trails & Recreation Committee voted to recommend the City apply to this program seeking funding for a feasibility study for a greenway adjacent to Old Hendersonville Highway, from Broad Street to Ecusta Road; and

WHEREAS, a greenway along Old Hendersonville Highway would provide additional connections to residential, employment, and recreation destinations including the future Ecusta Trail; and

WHEREAS, a greenway along Old Hendersonville Highway is identified as a priority greenway in both the 2006 Pedestrian Plan and the draft 2022 Pedestrian and Bicycle Plan;

NOW THEREFORE, BE IT RESOLVED that the Brevard City Council supports the application to the IMD Feasibility Study Grant Program for a study of a greenway along Old Hendersonville Highway, and authorizes City Staff to submit all the required application documents and materials.

Adopted and approved this the 3rd day of January, 2023.

M-8. (M-9) Resolution of Support for Carbon Reduction Program Funding. Paul Ray explained that in 2021 the President signed the Bipartisan Infrastructure Law which authorizes a new Carbon Reduction Program (CRP) to reduce transportation emissions through the development of State carbon reduction strategies and by funding projects designed to reduce transportation emissions. Nationally, \$1.234 billion has been authorized for FY 2022. CRP funding may be used on projects that support the reduction of transportation emissions, including a transportation alternative such as the construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation. Consideration is also given to projects that support underserved communities. Staff believe the $\frac{3}{4}$ mile Tannery Park section of the Estatoe Trail is a strong project for CRP funding as this project clearly demonstrates a low carbon, connectivity model in the emergent field of urban green design and is located on city-owned land through a historically underserved part of town. An approved Brownfield Agreement and Environmental Management Plan provide the regulatory guidance and permissions from NCDEQ, and full design plans have been completed by an engineering firm. This section of the trail is separated by Silversteen Drive. The northern side, crossing the brownfield, is estimated to cost \$592,000. The southern side ends at Rosman Highway and is estimated to cost \$295,000. An environmental survey or categorical exclusion document will be necessary prior to construction, and 10% will go to NCDOT for managing the project. The City's grant application will be for one million dollars. If approved, the City would pay a local match of \$200,000 from the Multi-Use Path Fund. Applications are due to NCDOT by March 17, 2023, with notifications expected to be made in June, 2023. Mr. Morrow moved, seconded by Ms. Dinkins to approve the resolution of support for an application to the Carbon Reduction Program. Following discussion, the motion carried unanimously.

RESOLUTION NO. 2023-07

A RESOLUTION OF SUPPORT FOR AN APPLICATION TO THE CARBON REDUCTION PROGRAM

WHEREAS, the Bipartisan Infrastructure Law authorizes 1.234 billion in funding for FY 2022 for a new Carbon Reduction Program to reduce transportation emissions by funding projects designed to reduce transportation emissions and increase safety; and

WHEREAS, an objective in the Environmental Health Element of the 2015 Comprehensive Plan is the reduction of the City's carbon and ecological footprint; and

WHEREAS, the City of Brevard is committed to collaborating across all safety stakeholders including Land of Sky Regional Planning Organization and North Carolina Department of Transportation

to increase the safety of all road users, including those who walk, bike, drive, ride transit, and other modes of travel to lessen impact forces to the environment, promote good health and reduce injuries; and

WHEREAS, providing safe accommodations for walking and bicycling can help to reduce automobile dependency, which in turn leads to a reduction in vehicle emissions - a benefit for North Carolinian and the surrounding environment; and

WHEREAS, the Parks, Trails & Recreation Committee has been notified of CRP funding as an opportunity to construct sections of the Estatoe Trail; and

WHEREAS, the Estatoe Trail begins in Pisgah National Forest, the most frequently visited national forests in the country and connects people to shopping, hospitals, schools and industry via multi-use path, and the Tannery section will connect the Rosenwald neighborhood, a historically marginalized, underserved community of disinvestment, to a public, non-motorized greenway system.

NOW THEREFORE, BE IT RESOLVED that the Brevard City Council supports the application to the Carbon Reduction Program to fund the construction of the Estatoe Trail through Tannery Park in the Rosenwald Community and authorizes City Staff to submit all the required application documents and materials.

Adopted and approved this the 3rd day of January 2023.

N. Remarks/Future Agenda Considerations.

Mr. Baker said I want us to have options available for funding the Tannery section of the multi-use path ourselves the day we know that we did or did not get that grant. I think we also need to get the engineering done now on the next section. We can't always wait for the money to magically appear. I am appreciative of how much work staff puts into looking for and applying for these grants. I think on our end it is more of the administrative part of how do we make sure when we do apply for those grants that it doesn't represent potentially a slowdown in the whole process, which is what I don't want to see anymore.

Mayor Copelof thanked staff who worked over the holidays. We had really cold weather and it took a lot of extra effort at our Water Plant and Wastewater Treatment Plant and I appreciate the dedicated efforts to keep our services going under tough conditions. Also thank you to our Police and Fire Department for keeping the community safe through the holidays. It is easy to forget when we are with our families that there are people on watch and keeping everything going. I think today showed a lot of what we are going to be talking about at our strategic planning meeting. It was good to see a lot of the infrastructure funding that we've got, but also that long-range strategic look at what do we need to do to position this city so that we are ready for the next three or four decades in terms of our critical infrastructure. I want to commend everybody that worked to get the \$5M grant for the Water Treatment Plant, we've got the water and sewer upgrades going in on Main Street, and we are starting the discussion with Rep. Clampitt. The next Meet the Mayor session is on January 12th from 10:00 to 11:30 AM in the Council Chambers at City Hall.

O. Closed Session(s) – None.

P. Adjourn – There being no further business, at 7:15 p.m. Mr. Daniel moved, seconded by Mr. Baker, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

Minutes Approved: January 17, 2023

STAFF REPORT

City Council, Tuesday, January 17, 2023

Title: City of Brevard Annual Independent Audit for Year Ending June 30, 2022

Speaker: Travis Kever, Gould Killian CPA Group

Prepared by: Dean Luebke, Finance Director

Approved by: Wilson Hooper, City Manager

GS 159.34 requires that each local government entity annually compile its financial statements for the prior fiscal year, and have them audited according to GAAP -Generally Accepted Accounting Principles. By requiring financial review, the statute helps keep NC municipalities financially healthy, and ensures transparency in public spending. The City of Brevard contracts with Gould Killian CPA Group out of Asheville to both compile the financial statements and audit them according to GAAP.

The format of the document is prescribed by both the statute and guidance from the Local Government Commission (LGC). The financial statements express the city's overall financial condition, whereas the audit renders an independent opinion on the accuracy and reliability of those statements. It also comments on the adequacy of internal controls. The financial statements review more than just revenue in and expenses out, they calculate the value of all the city's assets and weighs them against the value of all the city's liabilities.

The report calculates the city's fund balance, which is an important bellwether used by the LGC to gauge the city's creditworthiness. Travis Kever from Gould Killian will give a presentation summarizing the audit's findings.

ACTION:

No action required. For information only

Attachments:

1. City of Brevard Audit Report - Year Ending June 30, 2022

City of Brevard, North Carolina

Financial Statements

Year Ended June 30, 2022



CITY OF BREVARD, NORTH CAROLINA



City Council As of June 30, 2022

Maureen Copelof (Mayor)
Gary Daniel (Mayor Pro Tem)
Aaron Baker
Geraldine Dinkins
Maurice Jones
Mac Morrow

City Staff As of June 30, 2022

Dean Luebbe, CPA, NCCLGFO

Jill Murray, CMC

Michael K. Pratt

Vacant at June 30, 2022

Wilson Hooper as of November 30, 2022

Assistant City Manager and Finance Director

City Clerk

City Attorney

City Manager

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**GOULD KILLIAN
CPA GROUP, P.A.**
CERTIFIED PUBLIC ACCOUNTANTS

Independent Auditors' Report

To the Honorable Mayor
and Members of the City Council
Brevard, North Carolina

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the remaining fund information of the City of Brevard as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the remaining fund information of the City of Brevard, as of June 30, 2022, and the respective changes in financial position, and, where applicable, cash flows thereof, and the general fund budgetary comparison for the year then ended in accordance with accounting principles generally accepted in the United States of America.

We did not audit the financial statements of the City of Brevard ABC Board. Those statements were audited by another auditor whose report has been furnished to us, and our opinion, insofar as it relates to the amounts included for the City of Brevard ABC Board, is based solely on the report of another auditor.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City of Brevard and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on pages 4 through 13, the Law Enforcement Officers' Special Separation Allowance Schedule of Changes in Total Pension Liability and Total Pension Liability as a Percentage of Covered Payroll on page 60, the Schedule of Changes in Net OPEB Asset (Liability) and Related Ratios and Contributions on pages 61 and 62, and the Local Government Employees' Retirement System's Schedules of the Proportionate Share of the Net Pension Liability (Asset) and Contributions, on pages 63 and 64, respectively, be presented to supplement the basic financial statements. Such information, although not a required part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial

statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The individual fund financial statements, budgetary schedules, and other schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America by us and other auditors. In our opinion, based on our audit and the report of the other auditors, the individual fund financial statements, budgetary schedules, and other schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated November 30, 2022 on our consideration of the City of Brevard's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, and other matters. The purpose of the report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Brevard's internal control over financial reporting and compliance.

Donald Killian CPA Group, P.A.

Asheville, North Carolina
November 30, 2022

Management's Discussion and Analysis

As management of the City of Brevard, we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended June 30, 2022. We encourage readers to read the information presented here in conjunction with additional information that we have furnished in the City of Brevard's financial statements, which follow this narrative.

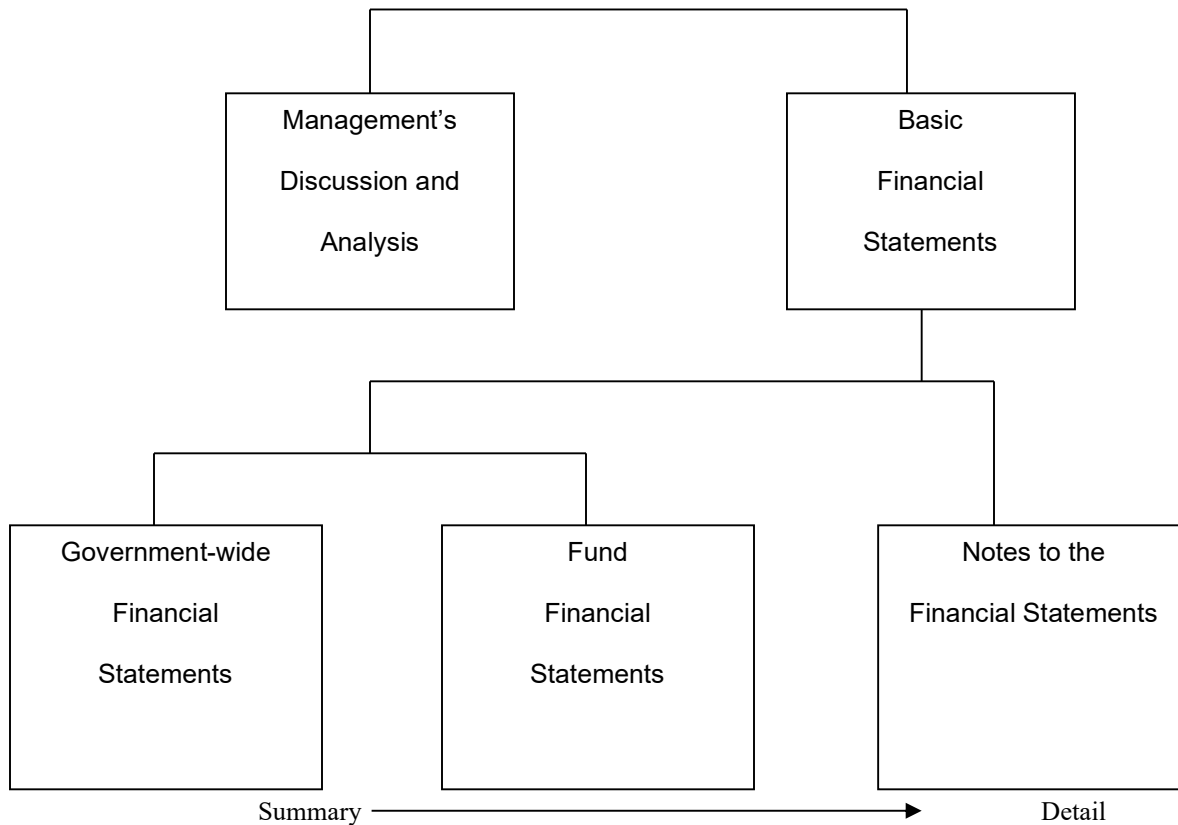
Financial Highlights

- The assets and deferred outflows of the City of Brevard exceeded its liabilities and deferred inflows at the close of the fiscal year by \$34,558,803 (net position).
- The City's total net position increased by \$1,726,918 primarily due to stronger than expected increases in the two main General Fund revenue sources, Property Tax and Sales Tax.
- As of the close of the current fiscal year, the City of Brevard's governmental funds reported combined ending fund balances of \$8,072,009, an increase of \$1,490,861, in comparison with the prior year. Approximately 27% of this total amount, or \$2,167,738 is nonspendable or restricted.
- At the end of the current fiscal year, unassigned fund balance for the General Fund was \$3,469,706. This represents approximately 36% of total general fund expenditures for the fiscal year.
- Outstanding direct placement governmental installment obligations increased by \$2,247,500. The City borrowed \$2,350,000 to fund the construction of the Mary C. Jenkins Center. Payments of \$102,478 were made as scheduled debt service payments came due.
- Outstanding direct placement installment and revolving loan debt in the Water and Sewer Fund decreased by \$215,981 due to principal repayments. Outstanding revolving loan debt decreased by \$263,241. The City borrowed \$946,548 to fund the ongoing Gallimore Sewer Basin Rehabilitation project. Payments of \$1,209,789 were made as schedule debt service payments came due.

Overview of the Financial Statements

This discussion and analysis are intended to serve as an introduction to the City of Brevard's basic financial statements. The City's basic financial statements consist of three components; 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements (see Figure 1). The basic financial statements present two different views of the City through the use of government-wide statements and fund financial statements. In addition to the basic financial statements, this report contains other supplemental information that will enhance the reader's understanding of the financial condition of the City of Brevard.

**Required Components of Annual Financial Report
Figure 1**



Basic Financial Statements

The first two statements (Exhibits 1 and 2) in the basic financial statements are the **Government-wide Financial Statements**. They provide both short and long-term information about the City of Brevard's financial status.

The next statements (Exhibits 3 through 11) are **Fund Financial Statements**. These statements focus on the activities of the individual parts of the City's government. These statements provide more detail than the government-wide statements. There are four parts to the Fund Financial Statements: 1) the governmental funds statements; 2) the budgetary comparison statements, 3) the proprietary fund statements and 4) the fiduciary fund statements.

The next section of the basic financial statements is the notes. The notes to the financial statements explain in detail some of the data contained in those statements. After the notes, individual fund statements and schedules are provided to show details about the City's individual funds. Budgetary information required by the General Statutes also can be found in this part of the statements.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide the reader with a broad overview of the City's finances, similar in format to a financial statement of a private-sector business. The government-wide statements provide short and long-term information about the City's financial status as a whole.

The two government-wide statements report the City's net position and how they have changed. Net position is the difference between the City's total assets and deferred outflows of resources and total liabilities and deferred inflows of resources. Measuring net position is one way to gauge the City's financial condition.

The government-wide statements are divided into three categories: 1) governmental activities; 2) business-type activities; and 3) component units. The governmental activities include most of the City's basic services such as public safety, parks and recreation, and general administration. Property taxes, sales taxes and grant funds finance most of these activities. The business-type activities are those that the City charges customers to provide. These include the water and sewer and sanitation services offered by the City of Brevard. The final category is the component unit. Although legally separate from the City of Brevard, the ABC Store is important to the City because the City exercises control over the Board by appointing its members and because the Board is required to distribute 75% of its profits to the City.

The government-wide financial statements are on Exhibits 1 and 2 of this report.

Fund Financial Statements

The fund financial statements (see Figure 2) provide a more detailed look at the City's most significant activities. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City of Brevard, like all other governmental entities in North Carolina, uses fund accounting to ensure and reflect compliance (or non-compliance) with finance-related legal requirements, such as the General Statutes or the City's budget ordinance. All of the funds of the City of Brevard can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental Funds – Governmental funds are used to account for those functions reported as governmental activities in the government-wide financial statements. Most of the City's basic services are accounted for in governmental funds. These funds focus on how assets can readily be converted into cash flow in and out, and what monies are left at year-end that will be available for spending in the next year. Governmental funds are reported using an accounting method called *modified accrual accounting* that provides a short-term spending focus. As a result, the governmental fund financial statements give the reader a detailed short-term view that helps him or her determine if there are more or less financial resources available to finance the City's programs. The relationship between government activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds is described in a reconciliation that is a part of the fund financial statements.

The City of Brevard adopts an annual budget for its General Fund, as required by the General Statutes. The budget is a legally adopted document that incorporates input from the citizens of the City, the management of the City, and the decisions of the Council about which services to provide and how to pay for them. It also authorizes the City to obtain funds from identified sources to finance these current period activities. The budgetary statement provided for the General Fund demonstrates how well the City complied with the budget ordinance and whether or not the City succeeded in providing the services as planned when the budget was adopted. The budgetary comparison statement uses the budgetary basis of accounting and is presented using the same format, language, and classifications as the legal budget document. The statement shows four columns: 1) the original budget as adopted by the council; 2) the final budget as amended by the council; 3) the actual resources, charges to appropriations, and ending balances in the General Fund; and 4) the difference or variance between the final budget and the actual resources and charges.

Proprietary Funds – The City of Brevard has two kinds of proprietary funds. *Enterprise Funds* are used to report the same functions presented as business-type activities in the government-wide financial statements. The City uses an enterprise fund to account for its water and sewer and sanitation operations. This fund is the same as that function shown in the business-type activities in the Statement of Net Position and the Statement of Activities. *Internal Service Funds* are an accounting device used to accumulate and allocate costs internally among the functions of the City. The City uses an internal service fund to account for its self-insured employee health insurance program. Because this operation benefits predominantly governmental rather than business-type activities, the internal service fund has been included with the governmental activities in the government-wide financial statements.

Fiduciary Funds – Fiduciary funds are used to account for resources held for the benefit of parties outside the government. The City of Brevard has one fiduciary fund: the OPEB trust fund, which holds accumulates and holds assets to pay current and future costs associated with retiree health care benefits.

Notes to the Financial Statements – The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

City of Brevard's Net Position
Figure 2

	Governmental Activities		Business-Type Activities		Total		Total Percentage Change
	2022	2021	2022	2021	2022	2021	
Current and other assets	\$ 11,271,709	\$ 7,949,684	\$ 2,130,761	\$ 1,999,343	\$ 13,402,470	\$ 9,949,027	35%
Noncurrent assets	11,530,826	9,982,859	36,905,877	36,417,815	48,436,703	46,400,674	4%
Total assets	22,802,535	17,932,543	39,036,638	38,417,158	61,839,173	56,349,701	10%
Deferred outflows of resources	1,367,090	1,405,842	456,376	272,192	1,823,466	1,678,034	9%
Long-term liabilities	3,879,035	2,956,477	18,228,478	19,046,393	22,107,513	22,002,870	0%
Other liabilities	2,380,751	1,262,525	2,468,760	1,740,508	4,849,511	3,003,033	61%
Total liabilities	6,259,786	4,219,002	20,697,238	20,786,901	26,957,024	25,005,903	8%
Deferred inflows of resources	1,715,883	157,907	430,929	32,040	2,146,812	189,947	1030%
Net position:							
Net investment in capital assets	8,974,668	9,284,892	17,563,405	16,637,278	26,538,073	25,922,170	2%
Restricted	1,821,193	1,970,460	-	-	1,821,193	1,970,460	-8%
Unrestricted	5,398,095	3,706,124	801,442	1,233,131	6,199,537	4,939,255	26%
Total net position	\$ 16,193,956	\$ 14,961,476	\$ 18,364,847	\$ 17,870,409	\$ 34,558,803	\$ 32,831,885	5%

As noted earlier, net position may serve over time as one useful indicator of a government's financial condition. The assets and deferred outflows of the City of Brevard exceeded liabilities and deferred inflows by \$34,558,803 as of June 30, 2022. The City's net position increased by \$1,726,918 for the fiscal year ended June 30, 2022. The largest portion (76.8%) of net position reflects the City's investment in capital assets, less any related debt still outstanding that was issued to acquire those items. The City of Brevard uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City of Brevard's investment in its capital assets is reported net of the outstanding related debt, the resources needed to repay that debt must be provided by other sources, since the capital assets cannot be used to liquidate these liabilities. An additional portion of the City of Brevard's net position (5.3%) represents resources that are subject to external restrictions on how they may be used. The remaining balance of \$6,199,537 (17.9%) is unrestricted.

Several particular aspects of the City's financial operations influenced the total governmental net position:

- Continued diligence in the collection of property taxes by maintaining a tax collection percentage of 98.28% for the year ending June 30, 2022, property tax revenues increased \$450,000 or 8% over the prior year as a result of continued economic improvements leading to growth in the tax base.
- Overall local option sales tax revenues for the year ended June 30, 2022 increased \$168,500 or 8.5% mainly due to strong local economy.
- Total expenses increased by \$439,954 or 4.6%.

City of Brevard's Changes in Net Position
Figure 3

	Governmental Activities		Business-Type Activities		Total		Total Percentage Change
	2022	2021	2022	2021	2022	2021	
Revenues							
Program revenues:							
Charges for services	\$ 447,840	\$ 1,313,158	\$ 7,156,750	\$ 6,014,862	\$ 7,604,590	\$ 7,328,020	4%
Operating grants and contributions	242,311	256,473	-	-	242,311	256,473	-6%
Capital grants and contributions	205,266	11,000	-	341,462	205,266	352,462	-42%
General revenues:							
Property taxes	6,359,325	5,899,464	-	-	6,359,325	5,899,464	8%
Sales taxes	2,123,511	1,954,998	-	-	2,123,511	1,954,998	9%
Other	1,033,239	1,031,954	-	-	1,033,239	1,031,954	0%
Total revenues	10,411,492	10,467,047	7,156,750	6,356,324	17,568,242	16,823,371	4%
Expenses							
General government	1,962,228	1,742,524	-	-	1,962,228	1,742,524	13%
Public safety	4,039,580	4,138,892	-	-	4,039,580	4,138,892	-2%
Public works	2,366,683	3,219,097	-	-	2,366,683	3,219,097	-26%
Economic and physical development	433,935	184,775	-	-	433,935	184,775	135%
Culture and recreation	333,801	299,007	-	-	333,801	299,007	12%
Interest on long-term debt	42,785	34,671	-	-	42,785	34,671	23%
Water and sewer	-	-	5,641,459	5,568,705	5,641,459	5,568,705	1%
Sanitation	-	-	1,020,853	-	1,020,853	-	4%
Total expenses	9,179,012	9,618,966	6,662,312	5,568,705	15,841,324	15,187,671	
Increase (decrease) in net position							6%
before transfers and special item	1,232,480	848,081	494,438	787,619	1,726,918	1,635,700	
Transfers	-	(205,000)	-	205,000	-	-	
Special item	-	572,500	-	-	-	572,500	
Increase in net position	1,232,480	1,215,581	494,438	992,619	1,726,918	2,208,200	
Net position, beginning (restated)	14,961,476	13,745,895	17,870,409	16,877,790	32,831,885	30,623,685	
Net position, ending	\$ 16,193,956	\$ 14,961,476	\$ 18,364,847	\$ 17,870,409	\$ 34,558,803	\$ 32,831,885	

Governmental activities. The City's net position increased due to governmental activities by \$1,232,479. This increase can be attributed to strong year to year growth in two large revenue sources of the City (Property and Sales Tax).

Business-type activities: Business-type activities increased the City of Brevard's net position by \$494,438. This increase can be attributed to strong collection practices and diligent monitoring of expenses.

Financial Analysis of the City's Funds

As noted earlier, the City of Brevard uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds. The focus of the City of Brevard's governmental funds is to provide information on near-term inflows, outflows, and balances of usable resources. Such information is useful in assessing the City of Brevard's financing requirements.

The General Fund is the chief operating fund of the City of Brevard. At the end of the current fiscal year, available fund balance in the General Fund was \$3,893,686, while total fund balance was \$5,076,218. City Council has determined that the City should maintain available fund balance of 25% of general fund budgeted expenditures in case of unforeseen needs or opportunities, in addition to meeting the cash flow needs of the City. The City currently has an available fund balance of 50% of general fund budgeted expenditures, 38% of total adjusted expenditures (includes transfers less installment obligations issued), and total fund balance represents 50% of total adjusted expenditures.

At June 30, 2022, the governmental funds of City of Brevard reported a combined fund balance of \$8,072,010 with a combined increase of \$1,490,862, which results from a \$197,117 decrease in the General Fund and a combined increase of \$1,687,979 in the other governmental funds. The decrease in the General Fund can be attributed primarily to increases in transfers to other funds. The increase in other governmental funds can be attributed to transfers in and debt issuance.

Proprietary Funds. The City of Brevard's proprietary funds provide the same type of information found in the government-wide statements but in more detail. Unrestricted net position of the Water and Sewer fund at the end of the fiscal year amounted to \$855,719. The sanitation fund had an unrestricted deficit of \$54,277. Other factors concerning the finances of this fund have already been addressed in the discussion of the City of Brevard's business-type activities.

Budgetary Highlights. For the year ended June 30, 2022, the City of Brevard revised the overall budget several times. Generally, budget amendments fall into one of three categories: 1) amendments made to adjust the estimates that are used to prepare the original budget ordinance once exact information is available; 2) amendments made to recognize new funding amounts from external sources, such as Federal and State grants; and 3) increases in appropriations that become necessary to maintain services.

Capital Asset and Debt Administration

Capital assets. The City of Brevard's investment in capital assets for its governmental and business-type activities as of June 30, 2022, totals \$48,436,703 (net of accumulated depreciation). These assets include land, construction in progress, buildings, infrastructure, equipment and vehicles.

Capital Asset Additions. The largest increase in capital assets involved the capitalization or addition to construction in progress of three City projects: Clemson Plaza, Mary C. Jenkins Community Center, and the Gallimore Road Sewer Improvements Project.

**City of Brevard's Capital Assets
(net of depreciation)**

Figure 4

	Governmental Activities		Business-Type Activities		Total		Total
	(As restated)		(As restated)		(As restated)		Percentage
	2022	2021	2022	2021	2022	2021	Change
Land	\$ 860,402	\$ 860,402	\$ 212,891	\$ 212,891	\$ 1,073,293	\$ 1,073,293	0%
Construction in progress	2,794,411	1,928,278	1,892,817	332,020	4,687,228	2,260,298	107%
Buildings and infrastructure	6,856,138	5,707,500	33,621,903	34,427,714	40,478,041	40,135,214	1%
Equipment	406,940	483,704	598,060	854,730	1,005,000	1,338,434	-25%
Vehicles and motorized equipment	612,935	678,503	580,206	566,758	1,193,141	1,245,261	-4%
Total capital assets	<u>\$ 11,530,826</u>	<u>\$ 9,658,387</u>	<u>\$ 36,905,877</u>	<u>\$ 36,394,113</u>	<u>\$ 48,436,703</u>	<u>\$ 46,052,500</u>	5%

Additional information on the City's capital assets can be found in Note 5 of the Basic Financial Statements.

Long-term Debt. As of June 30, 2022, the City of Brevard had no outstanding bonds. Installment contract debt increased for governmental activities due to new borrowing for construction of the Mary C. Jenkins Center in the amount of \$2,350,000. The City continued to make principal payments on existing debt, including \$102,478 for governmental installment contracts, \$215,981 for business-type installment contracts, and \$1,209,789 towards water and sewer revolving loans. As mentioned earlier, new governmental revolving loan debt was incurred to finance a water and sewer project in the amount of \$946,548.

**City of Brevard's Outstanding Debt
Figure 5**

	(As restated) Balance June 30, 2021	Additions	Retirements	Balance June 30, 2022
<u>Governmental Activities</u>				
Installment contracts	\$ 308,636	\$ 2,350,000	\$ 102,478	\$ 2,556,158
Total	<u>\$ 308,636</u>	<u>\$ 2,350,000</u>	<u>\$ 102,478</u>	<u>\$ 2,556,158</u>
<u>Business-Type Activities</u>				
Installment contracts	\$ 1,282,652	\$ -	\$ 215,981	\$ 1,066,671
Revolving loans	18,539,042	946,548	1,209,789	18,275,801
Total	<u>\$ 19,821,694</u>	<u>\$ 946,548</u>	<u>\$ 1,425,770</u>	<u>\$ 19,342,472</u>

The City of Brevard continues to strive to strengthen its financial position by maintaining a strong fund balance, reducing debt, and conservatively managing its budget.

North Carolina General Statutes limit the amount of general obligation debt that a unit of government can issue to 8% of the total assessed value of taxable property located within that government's boundaries. The remaining legal debt margin for the City of Brevard is approximately \$82 million. The City has no bonds authorized or un-issued at June 30, 2022.

Additional information regarding the City of Brevard's long-term debt can be found in Note 9 of the Basic Financial Statements.

Economic Factors and Next Year's Budgets and Rates

The following key economic factors reflect the growth, prosperity and challenges facing the City of Brevard.

- Recent employment statistics are shown in the table below.

<u>County and State</u>	<u>Labor Force</u>	<u>June 2022 Unemployment Rates</u>	
		<u>Number Unemployed</u>	<u>Unemployment Rate</u>
Transylvania	15,081	552	3.7%
Buncombe	141,501	4,682	3.3%
Henderson	55,366	1,953	3.5%
North Carolina	5,120,269	169,814	3.3%

Source: NC Department of Commerce – June 2022 Not Seasonally Adjusted

- The City of Brevard collects its own property taxes. The collection rate for the City, excluding motor vehicle collections, remains above the statewide average for municipalities as illustrated in the numbers below.

	2017-18	2018-19	2019-20	2020-21	2021-22
City of Brevard	99.89%	99.93%	99.48%	98.67%	98.28%
Statewide	99.04%	99.07%	98.83%	Not Available	Not Available

Source: State Treasurer's Office, Local Government Commission (Memo#2022-03)

- Within the City, sales tax generated from taxable sales increased 6.4% from \$1,954,998 in the fiscal year 2020-2021 to \$2,123,511 in the fiscal year 2021-2022.

Budget Highlights for the Fiscal Year Ending June 30, 2023

General Fund

- The general fund budget as adopted for fiscal year 2022-23 increased from \$9,887,900 to \$10,533,675, including transfers. The significant factors affecting this increase are: COLA increases and operating costs.

Water and Sewer Fund

- Management expects water usage in fiscal year 2022-2023 to remain consistent with fiscal year 2021-2022 or slightly increase. A 4% rate increase was budgeted for the 2022-2023 fiscal year.

Other Information:

The following statistics were provided by the Transylvania County Building Permitting and Enforcement Department for the calendar year ending December 31, 2021:

Detailed Residential Construction Value 2021

New home value: City - 33 homes - \$8,664,399
New home value: County – 144 homes - \$90,214,373

Addition/Remodel Value: City - 96 homes - \$4,409,094
Addition/Remodel Value: County - 350 homes - \$35,728,765

Manufactured Homes: City - 3 homes - \$341,558
Manufactured Homes: County - 38 homes - \$3,358,887

Detailed Residential Construction Value 2020

New home value: City -33 homes - \$10,941,438
New home value: County – 84 homes - \$35,273,416

Addition/Remodel Value: City - 121 homes - \$4,770,996
Addition/Remodel Value: County - 308 homes - \$26,951,671

Manufactured Homes: City - 4 homes - \$172,194
Manufactured Homes: County - 58 homes - \$2,713,301

Construction Values for last 7 years in the City of Brevard

2021 - \$ 30,338,501
2020 - \$ 29,838,362
2019 - \$ 32,003,444
2018 - \$ 26,374,131
2017 - \$ 21,494,392
2016 - \$ 26,094,691
2015 - \$ 23,975,307

Requests for Information

This report is designed to provide an overview of the City's finances for those with an interest in this area. Questions concerning any of the information found in this report or requests for additional information should be directed to the City Finance Director as follows:

Dean Luebbe, Finance Director
City of Brevard
95 W. Main Street
Brevard, N. C. 28712
828-885-5615
828-883-2853 - Fax
dean.luebbe@cityofbrevard.com

CITY OF BREVARD, NORTH CAROLINA

Statement of Net Position

June 30, 2022

	Primary Government			Component Unit
	Governmental Activities	Business-type Activities	Total	City of Brevard ABC Board
ASSETS				
Current assets:				
Cash and cash equivalents	\$ 7,074,547	\$ 235,107	\$ 7,309,654	\$ 920,109
Taxes receivable, net	133,192	-	133,192	-
Accrued interest receivable on taxes	10,785	-	10,785	-
Accounts receivable, net	-	1,200,859	1,200,859	-
Due from other governments	971,754	712,670	1,684,424	-
Internal balances	117,000	(117,000)	-	-
Inventories	80,226	-	80,226	761,195
Prepaid items	1,528	-	1,528	8,968
Restricted cash and cash equivalents	2,191,927	99,125	2,291,052	-
Total current assets	10,580,959	2,130,761	12,711,720	1,690,272
Non-current assets:				
Long-term notes receivable	210,879	-	210,879	-
Lease receivable	479,871	-	479,871	-
Right to use leased assets, net of amortization	-	-	-	705,464
Capital assets:				
Land, non-depreciable improvements & construction in progress	3,654,811	2,105,708	5,760,519	-
Other capital assets, net of depreciation	7,876,015	34,800,169	42,676,184	222,417
Total capital assets	11,530,826	36,905,877	48,436,703	222,417
Total non-current assets	12,221,576	36,905,877	49,127,453	927,881
Total assets	22,802,535	39,036,638	61,839,173	2,618,153
DEFERRED OUTFLOWS OF RESOURCES				
Pension deferrals	1,272,268	415,740	1,688,008	46,784
OPEB deferrals	94,822	40,636	135,458	-
Total deferred outflows of resources	1,367,090	456,376	1,823,466	46,784
LIABILITIES				
Current liabilities:				
Accounts payable	362,837	785,910	1,148,747	532,883
Salaries and payroll taxes payable	244,456	89,830	334,286	-
Payable from restricted assets:				
Customer deposits	118,218	99,125	217,343	-
Unearned revenue	1,284,998	-	1,284,998	-
Accrued interest payable	37,400	40,000	77,400	-
Current portion of long-term liabilities	332,842	1,453,895	1,786,737	81,288
Total current liabilities	2,380,751	2,468,760	4,849,511	614,171
Long-term liabilities:				
Net pension liability (LGERS)	612,263	250,081	862,344	24,538
Total pension liability (LEOSSA)	729,499	-	729,499	-
Net OPEB liability	25,233	10,814	36,047	-
Due in more than one year	2,512,040	17,967,583	20,479,623	644,412
Total long-term liabilities	3,879,035	18,228,478	22,107,513	668,950
Total liabilities	6,259,786	20,697,238	26,957,024	1,283,121

The accompanying notes are an integral part of these financial statements.

CITY OF BREVARD, NORTH CAROLINA

Statement of Net Position

June 30, 2022

	Primary Government			Component Unit
	Governmental Activities	Business-type Activities	Total	City of Brevard ABC Board
DEFERRED INFLOWS OF RESOURCES				
Pension deferrals	1,141,494	393,574	1,535,068	37,684
OPEB deferrals	87,163	37,355	124,518	-
Leases	467,523	-	467,523	-
Prepaid property taxes	19,703	-	19,703	-
Total deferred inflows of resources	1,715,883	430,929	2,146,812	37,684
NET POSITION				
Net investment in capital assets	8,974,668	17,563,405	26,538,073	222,416
Restricted for:				
Stabilization by State statute	1,090,282	-	1,090,282	-
Scholarship awards	4,923	-	4,923	-
Streets	60,879	-	60,879	-
Capital projects	474,162	-	474,162	-
Economic and physical development	188,748	-	188,748	-
Public safety	1,406	-	1,406	179,842
Perpetual maintenance	793	-	793	-
Unrestricted	5,398,095	801,442	6,199,537	941,874
Total net position	\$ 16,193,956	\$ 18,364,847	\$ 34,558,803	\$ 1,344,132

CITY OF BREVARD, NORTH CAROLINA

Statement of Activities
For the Year Ended June 30, 2022

		Program Revenues			Net (Expense) Revenue and Changes in Net Position			
Functions/Programs	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Primary Government			Component Unit
					Governmental Activities	Business-type Activities	Total	City of Brevard ABC Board
Primary Government:								
Governmental Activities:								
General government	\$ 1,962,228	\$ -	\$ -	\$ -	\$ (1,962,228)	\$ -	\$ (1,962,228)	\$ -
Public safety	4,039,580	4,615	6,100	-	(4,028,865)	-	(4,028,865)	-
Public works	2,366,683	347,175	236,211	-	(1,783,297)	-	(1,783,297)	-
Economic and physical development	433,935	92,775	-	205,266	(135,894)	-	(135,894)	-
Cultural and recreation	333,801	3,275	-	-	(330,526)	-	(330,526)	-
Interest on long-term debt	42,785	-	-	-	(42,785)	-	(42,785)	-
Total Governmental Activities	9,179,012	447,840	242,311	205,266	(8,283,595)	-	(8,283,595)	-
Business-Type Activities:								
Water and sewer	5,641,459	6,080,105	-	-	-	438,646	438,646	-
Sanitation	1,020,853	1,076,645	-	-	-	55,792	55,792	-
Total Business-Type Activities	6,662,312	7,156,750	-	-	-	494,438	494,438	-
Total Primary Government	\$ 15,841,324	\$ 7,604,590	\$ 242,311	\$ 205,266	(8,283,595)	494,438	(7,789,157)	-
Component Unit:								
ABC Board	\$ 5,775,776	\$ 6,069,693	\$ -	\$ -	-	-	-	293,917
Total Component Unit	\$ 5,775,776	\$ 6,069,693	\$ -	\$ -	-	-	-	293,917
General revenues:								
Taxes:								
Property taxes, levied for general purpose					6,359,325	-	6,359,325	-
Sales taxes					2,123,511	-	2,123,511	-
Other taxes					629,807	-	629,807	-
Grants and contributions not restricted to a specific program					247,757	-	247,757	-
Unrestricted investment earnings					34,949	-	34,949	-
Gain on sale of capital assets					8,058	-	8,058	-
Miscellaneous					112,668	-	112,668	-
Total general revenues					9,516,075	-	9,516,075	-
Change in net position					1,232,480	494,438	1,726,918	293,917
Net position, beginning, as previously reported					14,722,354	17,515,247	32,237,601	1,050,215
Restatement (Note 14)					239,122	355,162	594,284	-
Net position, beginning, as restated					14,961,476	17,870,409	32,831,885	1,050,215
Net position, ending					\$ 16,193,956	\$ 18,364,847	\$ 34,558,803	\$ 1,344,132

The accompanying notes are an integral part of these financial statements.

CITY OF BREVARD, NORTH CAROLINA

GOVERNMENTAL FUNDS

Balance Sheet

June 30, 2022

	Major Fund			Total Non-Major	Total Governmental
	General Fund	American Rescue Plan Fund	Rosenwald Revitalization Fund	Funds	Funds
ASSETS					
Cash and cash equivalents, unrestricted	\$ 4,241,701	\$ -	\$ 208,042	\$ 1,964,834	\$ 6,414,577
Cash and cash equivalents, restricted	197,426	1,262,998	474,162	257,341	2,191,927
Taxes receivable, net	114,706	-	-	18,486	133,192
Prepays	1,528	-	-	-	1,528
Due from other governments	971,429	-	-	325	971,754
Due from other funds	117,000	-	-	-	117,000
Lease receivable	479,871	-	-	-	479,871
Inventories	80,226	-	-	-	80,226
Notes receivable	-	-	-	210,879	210,879
Total assets	<u>\$ 6,203,887</u>	<u>\$ 1,262,998</u>	<u>\$ 682,204</u>	<u>\$ 2,451,865</u>	<u>\$ 10,600,954</u>
LIABILITIES					
Accounts payable and accrued liabilities	\$ 151,063	\$ -	\$ 48,648	\$ 61,143	\$ 260,854
Salaries and payroll taxes payable	244,456	-	-	-	244,456
Payable from restricted cash	-	-	-	-	-
Developer deposits	118,218	-	-	-	118,218
Unearned revenue	12,000	1,262,998	-	10,000	1,284,998
Total liabilities	<u>525,737</u>	<u>1,262,998</u>	<u>48,648</u>	<u>71,143</u>	<u>1,908,526</u>
DEFERRED INFLOWS OF RESOURCES					
Prepaid taxes	19,703	-	-	-	19,703
Leases	467,523	-	-	-	467,523
Taxes receivable, net	114,706	-	-	18,486	133,192
Total deferred inflows of resources	<u>601,932</u>	<u>-</u>	<u>-</u>	<u>18,486</u>	<u>620,418</u>
FUND BALANCES					
Nonspendable:					
Leases	12,348	-	-	-	12,348
Inventories	80,226	-	-	-	80,226
Perpetual maintenance	-	-	-	55,440	55,440
Long-term notes receivable	-	-	-	210,879	210,879
Restricted:					
Stabilization by State statute	1,089,957	-	-	325	1,090,282
Streets	60,879	-	-	-	60,879
Public safety	1,406	-	-	-	1,406
Capital projects	-	-	474,162	-	474,162
Economic and physical development	-	-	-	188,748	188,748
Scholarship awards	4,923	-	-	-	4,923
Perpetual maintenance	-	-	-	793	793
Committed:					
Capital projects	356,773	-	159,394	1,614,433	2,130,600
Fire protection	-	-	-	291,618	291,618
Unassigned	3,469,706	-	-	-	3,469,706
Total fund balances	<u>5,076,218</u>	<u>-</u>	<u>633,556</u>	<u>2,362,236</u>	<u>8,072,010</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 6,203,887</u>	<u>\$ 1,262,998</u>	<u>\$ 682,204</u>	<u>\$ 2,451,865</u>	<u>\$ 10,600,954</u>

The accompanying notes are an integral part of these financial statements.

CITY OF BREVARD, NORTH CAROLINA

GOVERNMENTAL FUNDS

Balance Sheet

June 30, 2022

Amounts reported for governmental activities in the statement of net position (Exhibit 1) are different because:

Total fund balance, governmental funds	\$	8,072,010
Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.		
Gross capital assets at historical cost	\$	21,529,729
Accumulated depreciation		(9,998,903)
		<u>11,530,826</u>
The OPEB liability used in governmental activities is not a financial resource and is therefore not reported in the funds.		(25,233)
Deferred outflows of resources related to pensions are not reported in the funds		1,272,268
Deferred outflows of resources related to OPEB are not reported in the funds		94,822
The assets and liabilities of the internal service fund, which is used by management to charge the cost of insurance to individual funds, are included in governmental activities in the statement of net position.		557,987
Long-term liabilities used in governmental activities are not financial uses and therefore are not reported in the funds.		
Installment obligations	\$	(2,556,158)
Net pension liability - LGERS		(612,263)
Total pension liability - LEOSA		(729,499)
Compensated absences		(288,724)
		<u>(4,186,644)</u>
Taxes and interest receivable are considered deferred inflows of resources in the funds		143,977
Deferred inflows of resources related to pensions are not reported in the funds		(1,141,494)
Deferred inflows of resources related to OPEB are not reported in the funds		(87,163)
Other long-term liabilities (accrued interest) are not due and payable in the current period and therefore are not reported in the funds.		<u>(37,400)</u>
Net position of governmental activities	\$	<u><u>16,193,956</u></u>

CITY OF BREVARD, NORTH CAROLINA

GOVERNMENTAL FUNDS
Statement of Revenues, Expenditures, and Changes in Fund Balances
For the Year Ended June 30, 2022

	Major Funds			Total Non-Major Funds	Total Governmental Funds
	General Fund	American Rescue Plan Fund	Rosenwald Revitalization Fund		
REVENUES					
Ad valorem taxes	\$ 5,751,974	\$ -	\$ -	\$ 555,695	\$ 6,307,669
Other taxes and licenses	2,182,062	-	-	-	2,182,062
Unrestricted intergovernmental	819,013	-	-	-	819,013
Restricted intergovernmental	237,813	-	-	209,764	447,577
Sales and services	355,065	-	-	92,775	447,840
Investment earnings	34,857	-	-	92	34,949
Miscellaneous	61,268	-	106	51,294	112,668
Total revenues	<u>9,442,052</u>	<u>-</u>	<u>106</u>	<u>909,620</u>	<u>10,351,778</u>
EXPENDITURES					
Current:					
General government	1,913,283	-	-	-	1,913,283
Public safety	3,209,140	-	-	820,440	4,029,580
Public works	2,387,173	-	-	-	2,387,173
Economic and physical development	-	-	-	433,935	433,935
Cultural and recreation	194,805	-	-	-	194,805
Capital outlay	-	-	1,797,252	353,983	2,151,235
Debt service:					
Principal retirement	68,116	-	-	34,362	102,478
Interest and other charges	5,888	-	-	597	6,485
Total expenditures	<u>7,778,405</u>	<u>-</u>	<u>1,797,252</u>	<u>1,643,317</u>	<u>11,218,974</u>
Revenues over (under) expenditures	<u>1,663,647</u>	<u>-</u>	<u>(1,797,146)</u>	<u>(733,697)</u>	<u>(867,196)</u>
OTHER FINANCING SOURCES (USES)					
Transfers from other funds	413,458	-	208,000	2,074,280	2,695,738
Transfers to other funds	(2,282,280)	-	-	(413,458)	(2,695,738)
Installment obligations issued	-	-	2,350,000	-	2,350,000
Proceeds from sale of capital assets	8,058	-	-	-	8,058
Total other financing sources (uses)	<u>(1,860,764)</u>	<u>-</u>	<u>2,558,000</u>	<u>1,660,822</u>	<u>2,358,058</u>
Net change in fund balance	<u>(197,117)</u>	<u>-</u>	<u>760,854</u>	<u>927,125</u>	<u>1,490,862</u>
Fund balances, beginning, as originally stated	5,172,118	-	(127,298)	1,435,111	6,479,931
Restatement (Note 14)	101,217	-	-	-	101,217
Fund balances, beginning, as restated	<u>5,273,335</u>	<u>-</u>	<u>(127,298)</u>	<u>1,435,111</u>	<u>6,581,148</u>
Fund balances, ending	<u>\$ 5,076,218</u>	<u>\$ -</u>	<u>\$ 633,556</u>	<u>\$ 2,362,236</u>	<u>\$ 8,072,010</u>

CITY OF BREVARD, NORTH CAROLINA

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES
FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES

For the Year Ended June 30, 2022

Amounts reported for governmental activities in the Statement of Activities
(Exhibit 2) are different because:

Net changes in fund balances - total governmental funds		\$	1,490,862
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period.			
Capital outlay expenditures which were capitalized	\$	2,369,837	
Depreciation expense for governmental assets		<u>(497,398)</u>	1,872,439
Contributions to the pension plan in the current fiscal year are not included on the Statement of Activities			416,733
Benefit payments paid for the LEOSSA are not included on the Statement of Activities			26,522
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds.			
Change in unavailable tax revenues			47,102
Accrued interest receivable			4,554
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.			
Compensated absences accrued		2,901	
Pension expense - LGERS		(223,993)	
Pension expense - LEOSSA		(56,976)	
Other postemployment benefits		<u>(1,887)</u>	(279,955)
The issuance of long-term debt provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction has any effect on net position. This amount is the net effect of these differences in the treatment of long-term debt and related items.			
Installment obligations issued		(2,350,000)	
Principal payments on long-term debt		102,478	
Decrease in accrued interest payable		<u>(36,300)</u>	(2,283,822)
The internal service fund is used by management to charge the cost of health insurance to the individual funds. The net revenue (expense) of the internal service fund is reported with governmental activities.			
			<u>(61,955)</u>
Total changes in net position of governmental activities		\$	<u>1,232,480</u>

CITY OF BREVARD, NORTH CAROLINA

GENERAL FUND

Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
For the Year Ended June 30, 2022

	Original Budget	Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues:				
Ad valorem taxes	\$ 5,363,000	\$ 5,491,000	\$ 5,751,974	\$ 260,974
Other taxes and licenses	1,700,306	1,921,206	2,182,062	260,856
Unrestricted intergovernmental	827,500	827,500	819,013	(8,487)
Restricted intergovernmental	221,000	255,800	237,813	(17,987)
Sales and services	307,650	307,650	243,365	(64,285)
Investment earnings	1,800	1,800	34,857	33,057
Miscellaneous	3,000	3,000	61,268	58,268
Total revenues	8,424,256	8,807,956	9,330,352	522,396
Expenditures:				
Current:				
General government	2,389,847	1,979,347	1,913,283	66,064
Public safety	3,207,453	3,223,053	3,209,140	13,913
Public works	2,247,668	2,443,668	2,387,173	56,495
Cultural and recreation	208,050	215,050	194,805	20,245
Debt service:				
Principal retirement	80,365	80,365	68,116	12,249
Interest and other charges	6,400	6,400	5,888	512
OPEB expense	20,400	20,400	-	20,400
Total expenditures	8,160,183	7,968,283	7,778,405	189,878
Revenues over (under) expenditures	264,073	839,673	1,551,947	712,274
Other financing sources (uses):				
Fund balance appropriated	218,644	1,395,644	-	(1,395,644)
Transfers from other funds	1,245,000	-	413,458	413,458
Transfers to other funds	(1,727,717)	(2,282,317)	(2,282,280)	37
Installment obligations issued	-	37,000	-	(37,000)
Proceeds from sale of capital assets	-	10,000	8,058	(1,942)
Total other financing sources (uses)	(264,073)	(839,673)	(1,860,764)	(1,021,091)
Net change in fund balance	\$ -	\$ -	(308,817)	\$ (308,817)
Fund balance, beginning, as originally stated			4,927,045	
Restatement (Note 14)			101,217	
Fund balance, ending, as restated			5,028,262	
Fund balance, ending			4,719,445	
A legally budgeted Capital Reserve Fund is consolidated into the General Fund for reporting purposes:				
Fees in lieu of infrastructure			111,700	
Fund balance, beginning (Capital Reserve Fund)			245,073	
Fund balance, ending (Exhibit 4)			\$ 5,076,218	

CITY OF BREVARD, NORTH CAROLINA

PROPRIETARY FUNDS
Statement of Fund Net Position
June 30, 2022

	Enterprise Fund Water and Sewer Fund	Enterprise Fund Sanitation Fund	Total Enterprise Funds	Internal Service Fund Health Insurance Fund
ASSETS				
Current assets:				
Cash and cash equivalents, unrestricted	\$ 235,107	\$ -	\$ 235,107	\$ 659,970
Cash and cash equivalents, restricted	99,125	-	99,125	-
Accounts receivable, net	1,021,633	179,226	1,200,859	-
Due from other governments	712,670	-	712,670	-
Total current assets	2,068,535	179,226	2,247,761	659,970
Noncurrent assets:				
Capital assets:				
Land and other non-depreciable assets	2,105,708	-	2,105,708	-
Other capital assets, net of depreciation	34,415,131	385,038	34,800,169	-
Capital assets, net	36,520,839	385,038	36,905,877	-
Total noncurrent assets:	36,520,839	385,038	36,905,877	-
Total assets	38,589,374	564,264	39,153,638	659,970
DEFERRED OUTFLOWS OF RESOURCES				
Pension deferrals	315,389	100,351	415,740	-
OPEB deferrals	27,090	13,546	40,636	-
Total deferred outflows of resources	342,479	113,897	456,376	-
LIABILITIES				
Current liabilities:				
Accounts payable and accrued liabilities	766,011	19,899	785,910	101,983
Salaries and payroll taxes payable	65,866	23,964	89,830	-
Due from general fund	-	117,000	117,000	-
Payable from restricted assets:				
Customer deposits	99,125	-	99,125	-
Accrued interest	40,000	-	40,000	-
Compensated absences - current	63,890	15,116	79,006	-
Installment contracts and revolving loan, current	1,313,927	60,962	1,374,889	-
Total current liabilities	2,348,819	236,941	2,585,760	101,983
Noncurrent liabilities:				
Net pension liability	189,717	60,364	250,081	-
Net OPEB liability	7,210	3,604	10,814	-
Installment contracts and revolving loans, noncurrent	17,602,506	365,077	17,967,583	-
Total noncurrent liabilities	17,799,433	429,045	18,228,478	-
Total liabilities	20,148,252	665,986	20,814,238	101,983
DEFERRED INFLOWS OF RESOURCES				
Pension deferrals	298,573	95,001	393,574	-
OPEB deferrals	24,903	12,452	37,355	-
Total deferred inflows of resources	323,476	107,453	430,929	-
NET POSITION				
Net investment in capital assets	17,604,406	(41,001)	17,563,405	-
Unrestricted	855,719	(54,277)	801,442	557,987
Total net position (deficit)	\$ 18,460,125	\$ (95,278)	\$ 18,364,847	\$ 557,987

CITY OF BREVARD, NORTH CAROLINA

PROPRIETARY FUNDS

Statement of Revenues, Expenses, and Changes in Fund Net Position
For the Year Ended June 30, 2022

	Enterprise Fund Water and Sewer Fund	Enterprise Fund Sanitation Fund	Total Enterprise Funds	Internal Service Fund Health Insurance Fund
OPERATING REVENUES				
Charges for services	\$ 5,678,275	\$ 1,076,645	\$ 6,754,920	\$ 1,485,526
Water and sewer taps	106,556	-	106,556	-
Other operating revenues	295,274	-	295,274	-
Total operating revenues	6,080,105	1,076,645	7,156,750	1,485,526
OPERATING EXPENSES				
Water treatment and distribution	1,450,069	-	1,450,069	-
Waste collection and treatment	2,080,555	-	2,080,555	-
Sanitation operations	-	941,871	941,871	-
Payment to general fund in lieu of taxes & admin expenses	600,000	-	600,000	-
Depreciation	1,190,280	68,534	1,258,814	-
Claims	-	-	-	1,103,975
Insurance premiums	-	-	-	277,414
Other operating expenses	55,255	-	55,255	166,092
Total operating expenses	5,376,159	1,010,405	6,386,564	1,547,481
Operating income (loss)	703,946	66,240	770,186	(61,955)
NONOPERATING EXPENSES				
Interest expense	(265,300)	(10,448)	(275,748)	-
Change in net position	438,646	55,792	494,438	(61,955)
Total net position, beginning, as previously stated	17,515,247	-	17,515,247	619,942
Restatement (See Note 14)	506,232	(151,070)	355,162	-
Total net position (deficit), beginning, as restated	18,021,479	(151,070)	17,870,409	619,942
Total net position (deficit), ending	\$ 18,460,125	\$ (95,278)	\$ 18,364,847	\$ 557,987

CITY OF BREVARD, NORTH CAROLINA

PROPRIETARY FUNDS
Statements of Cash Flows
For the year ended June 30, 2022

	Major Enterprise Funds			Internal Service Fund
	Water and Sewer Fund	Sanitation Fund	Total	Health Insurance Fund
Cash flows from operating activities:				
Cash received from customers	\$ 6,051,949	\$ 897,419	\$ 6,949,368	\$ 1,485,527
Cash paid for goods and services	(2,711,738)	30,292	(2,681,446)	(1,519,757)
Cash paid to employees	(1,595,108)	(941,871)	(2,536,979)	-
Net cash provided (used) by operating activities	1,745,103	(14,160)	1,730,943	(34,230)
Cash flows from noncapital financing activities:				
Due to general fund	-	117,000	117,000	-
Cash flows from capital and related financing activities:				
Installment obligations issued	946,548	-	946,548	-
Acquisition and construction of capital assets	(1,770,578)	-	(1,770,578)	-
Principal retirement	(1,333,378)	(92,392)	(1,425,770)	-
Interest paid on long-term debt	(267,700)	(10,448)	(278,148)	-
Net cash used by capital and related financing activities	(2,425,108)	(102,840)	(2,527,948)	-
Net decrease in cash and cash equivalents	(680,005)	-	(680,005)	(34,230)
Cash and cash equivalents, beginning of year	1,014,237	-	1,014,237	694,200
Cash and cash equivalents, end of year	\$ 334,232	\$ -	\$ 334,232	\$ 659,970
Reconciliation of operating income (loss) to net cash provided (used) by operating activities:				
Operating income (loss)	\$ 703,946	\$ 66,240	\$ 770,186	\$ (61,955)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:				
Depreciation	1,190,280	68,534	1,258,814	-
Changes in assets and liabilities:				
(Increase) decrease in accounts receivable	(749,196)	(179,226)	(928,422)	-
(Increase) decrease in deferred outflows of resources for pensions	(46,020)	(7,619)	(53,639)	-
(Increase) decrease in deferred outflows of resources for OPEB	(24,267)	(12,134)	(36,401)	-
Increase (decrease) in accounts payable and accrued liabilities	647,817	43,863	691,680	27,725
Increase (decrease) in customer deposits	8,370	-	8,370	-
Increase (decrease) in compensated absences	(24,196)	1,841	(22,355)	-
Increase (decrease) in total OPEB liability	30,911	15,455	46,366	-
Increase (decrease) in net pension liability - LGERS	(283,978)	(102,707)	(386,685)	-
Increase (decrease) in deferred inflows of resources - pensions	297,540	94,645	392,185	-
Increase (decrease) in deferred inflows of resources - OPEB	(6,104)	(3,052)	(9,156)	-
Total adjustment	1,041,157	(80,400)	960,757	27,725
Net cash provided (used) by operating activities	\$ 1,745,103	\$ (14,160)	\$ 1,730,943	\$ (34,230)

The accompanying notes are an integral part of these financial statements.

CITY OF BREVARD, NORTH CAROLINA

FIDUCIARY FUNDS

Statement of Fiduciary Net Position

June 30, 2022

	<u>OPEB Trust Fund</u>
ASSETS	
Cash and cash equivalents, restricted	\$ 270,274
	<u>270,274</u>
NET POSITION	
Assets held for retiree health benefits	\$ 270,274
	<u>270,274</u>

CITY OF BREVARD, NORTH CAROLINA

FIDUCIARY FUNDS

Statement of Changes in Fiduciary Net Position
For the Year Ended June 30, 2022

	<u>OPEB Trust Fund</u>
ADDITIONS	
Employer contributions	\$ 1,203
Investment income	
Interest	433
Total additions	<u>1,636</u>
DEDUCTIONS	
Expenditures	<u>1,203</u>
Change in net position	433
Net position, beginning	269,841
Net position, ending	<u><u>\$ 270,274</u></u>

CITY OF BREVARD, NORTH CAROLINA

NOTES TO THE FINANCIAL STATEMENTS

For the year ended June 30, 2022

Note 1 – Summary of Significant Accounting Policies

The accounting policies of the City of Brevard and its discretely presented component unit conform to generally accepted accounting principles as applicable to governments. The following is a summary of the more significant accounting policies:

A. Reporting Entity

The City of Brevard is a municipal corporation which is governed by an elected mayor and a five-member council. As required by accounting principles generally accepted in the United States of America, these financial statements present the City and its component unit, City of Brevard ABC Board, a legally separate entity for which the City is financially accountable. The discretely presented component unit presented below is reported in a separate column in the City's financial statements in order to emphasize that it is legally separate from the City.

City of Brevard ABC Board

The members of the ABC Board's governing board are appointed by the City. In addition, the ABC Board is required by State statute to distribute its surpluses to the General Fund of the City (75%) and to Transylvania County (25%). The ABC Board, which has a June 30 year-end, is presented as if it were a proprietary fund (discrete presentation). Complete financial statements for the ABC Board may be obtained from the entity's administrative offices at City of Brevard ABC Board, P.O. Box 1016, Brevard, NC 28712.

B. Basis of Presentation - Fund Accounting

Government-wide Statements: The statement of net position and the statement of activities display information about the primary government and its component unit. These statements include the financial activities of the overall government. Eliminations have been made to minimize the double counting of internal activities. These statements distinguish between the *governmental* and *business-type activities* of the City. Governmental activities generally are financed through taxes, intergovernmental revenues, and other non-exchange transactions. Business-type activities are financed in whole or in part by fees charged to external parties.

The statement of activities presents a comparison between direct expenses and program revenues for the different business-type activities of the City and for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Indirect expense allocations that have been made in the funds have been reversed for the statement of activities. Program revenues include (a) fees and charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Fund Financial Statements: The fund financial statements provide information about the City's funds, including its fiduciary funds. Separate statements for each fund category – *governmental, proprietary and fiduciary* – are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are aggregated and reported as non-major funds.

Proprietary fund operating revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. Non-operating revenues, such as subsidies, result from non-exchange transactions. Other non-operating revenues are ancillary activities such as investment earnings.

The City reports the following major governmental funds:

General Fund. The General Fund is the general operating fund of the City. The General Fund accounts for all financial resources except those that are required to be accounted for in another fund. The primary revenue sources are ad valorem taxes, state grants, state sales taxes, and various other taxes and licenses. The primary expenditures are for public safety, street maintenance and construction, and sanitation services. Additionally, the City has legally adopted a Capital Reserve Fund. Under GASB 54 guidance the Capital Reserve Fund is consolidated in the General Fund. The budgetary comparison for the Capital Reserve Fund has been included in the supplemental information.

American Rescue Plan Fund. This fund accounts for the transactions related to funding received via the American Rescue Plan Act.

Rosenwald Revitalization Project Fund. This fund accounts for the capital projects related to the revitalization of the Rosenwald Community.

The City reports the following non-major governmental funds:

Special Revenue Funds. The City has six special revenue funds. The Special Fire District Fund is used to account for the City's fire department operations. The Heart of Brevard Municipal Services District Fund accounts for the receipt of tax revenue which is legally restricted to expenditures for specific activities related to the Heart of Brevard. The Emergency Telephone System Fund accounts for funds allocated from the State 911 Board for operations of and improvements to the 911 system. The Housing Trust Fund accumulates loan repayments made to the City as a result of affordable housing grants obtained by the City and loaned to the Developers of two different housing complexes. The Parking Lot Fund manages the rental and maintenance of City-owned parking facilities.

Permanent Fund. The Permanent Bjerg Fund accounts for assets held for the perpetual maintenance of a specific neighborhood's common property.

Capital Projects Funds. Capital projects funds account for the acquisition and construction of major capital facilities (other than those financed by the proprietary fund). The City has two non-major capital project funds: the Multi-Use Path Capital Project Fund, and the Downtown Master Plan Project Fund.

The City reports the following major enterprise funds:

Water and Sewer Fund. This fund is used to account for the City's water and sewer operations. This fund also covers acquisition and construction of major water and sewer capital facilities and infrastructure, which are accounted for in the Water and Sewer Capital Project Fund that is combined with the Water and Sewer Fund (the operating fund) for financial statement purposes. The non-GAAP budgetary comparison for the capital project fund has been included in the supplementary information.

Sanitation Fund. This fund is used to account for the City's refuse and recycling collection operation.

The City also reports the following fund types:

Internal Service Fund. The internal service fund is used to account for the accumulation and allocation of costs associated with the City's self-insured group health insurance program.

OPEB Trust Fund. Trust funds are used to report resources that are required to be held in trust for the members and beneficiaries of defined benefit pension plans, defined contribution plans, or other postemployment benefit plans. The Other Postemployment Benefits Trust Fund accounts for the City's contributions for healthcare coverage provided to qualified retirees.

C. Measurement Focus and Basis of Accounting

In accordance with North Carolina General Statutes, all funds of the City are maintained during the year using the modified accrual basis of accounting.

Government-wide and Proprietary Fund Financial Statements. The government-wide and proprietary fund financial statements are reported using the economic resources measurement focus. The government-wide and proprietary fund financial statements are reported using the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Nonexchange transactions, in which the City gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied.

Amounts reported as program revenues include 1) charges to customers or applicants for goods, services, or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the City enterprise funds are charges to customers for sales and services. The City also recognizes as operating revenue the portion of tap fees intended to recover the cost of connecting new customers to the water and sewer system. Operating expenses for the enterprise fund include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

Governmental Fund Financial Statements. Governmental funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as other financing sources.

The City considers all revenues available if they are collected within 90 days after year-end, except for property taxes. Ad valorem taxes receivable are not accrued as revenue because the amount is not susceptible to accrual. At June 30, taxes receivable for property other than motor vehicles are materially past due and are not considered to be an available resource to finance the operations of the current year. Also, as of September 1, 2013, State law altered the procedures for the assessment

and collection of property taxes on registered motor vehicles in North Carolina. Effective with this change in the law, the State of North Carolina is responsible for billing and collecting the property taxes on registered motor vehicles on behalf of all municipalities and special tax districts. Property taxes are due when vehicles are registered. The billed taxes are applicable to the fiscal year in which they are received. Uncollected taxes that were billed in periods prior to September 1, 2013 and for limited registration plates are shown as a receivable in these financial statements and are offset by deferred inflows of resources.

Sales taxes, and certain intergovernmental revenues, such as the beer and wine tax, collected and held by the State at year-end on behalf of the City are recognized as revenue. Sales taxes are considered a shared revenue for the City of Brevard because the tax is levied by Transylvania County and then remitted to and distributed by the State. Most intergovernmental revenues and sales and services are not susceptible to accrual because generally they are not measurable until received in cash. All taxes, including those dedicated for specific purposes are reported as general revenues rather than program revenues. Under the terms of grant agreements, the City funds certain programs by a combination of specific cost-reimbursement grants, categorical block grants, and general revenues. Thus, when program expenses are incurred, there is both restricted and unrestricted net position available to finance the program. It is the City's policy to first apply cost-reimbursement grant resources to such programs, followed by categorical block grants, and then general revenues.

D. Budgetary Data

The City's budgets are adopted as required by the North Carolina General Statutes. An annual budget is adopted for the General Fund, the Special Fire District Fund, the Emergency Telephone System Fund, the Housing Trust Fund, the Heart of Brevard Special Municipal Services District Fund, the Parking Lot Fund, the Nonexpendable Bjerg Fund, the Capital Reserve Fund, the Sanitation Fund and the Water and Sewer Fund. All annual appropriations lapse at the fiscal-year end. Project ordinances are adopted for the Multi-Use Paths Capital Project Fund, the Rosenwald Revitalization Capital Project Fund, the Downtown Master Plan Capital Project Fund and the Water and Sewer Capital Project Fund. The Water and Sewer Capital Project fund is consolidated with the operating fund for reporting purposes. The City's Health Insurance Fund, an internal service fund, operates under a financial plan that was adopted by the governing board at the time the City's budget ordinance was approved, as is required by the General Statutes. All budgets are prepared using the modified accrual basis of accounting. Expenditures may not legally exceed appropriations at the departmental level for all annually budgeted funds and at the project level for the multi-year fund. The Budget Officer is authorized to reallocate departmental appropriations within a department, as said officer believes necessary. The Budget Officer is authorized to effect interdepartmental transfers, in the same fund, provided that no departmental budget shall be reduced by more than ten percent without the prior approval of the City Council. Any such transfers shall be reported to the City Council at its next regular meeting and shall be entered in the minutes. The budget ordinance must be adopted by July 1 of the fiscal year or the governing board must adopt an interim budget that covers that time until the annual ordinance can be adopted. All amendments to the budget ordinance must be approved by the City Council.

E. Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Fund Equity

1. Deposits and Investments

All deposits of the City and of the ABC Board are made in board-designated official depositories and are secured as required by State law [G.S. 159-31]. The City and the ABC Board may designate, as an official depository, any bank or savings association whose principal office is located in North Carolina. Also, the City and ABC Board may establish time deposit accounts, money market accounts, and certificates of deposit.

State law [G.S. 159-30(c)] authorizes the City and the ABC Board to invest in obligations of the United States or obligations fully guaranteed both as to principal and interest by the United States; obligations of the State of North Carolina; bonds and notes of any North Carolina local government or public authority; obligations of certain non-guaranteed federal agencies; certain high quality issues of commercial paper and bankers' acceptances and the North Carolina Capital Management Trust (NCCMT). The City and the ABC Board's investments are reported at fair value as determined by quoted market prices. The Government Portfolio, which invests in treasuries and government agencies, is an SEC-registered (2a-7) money market mutual fund and maintains an AAAm rating from S&P and AAAmf by Moody's Investor Service. Because the NCCMT Government Portfolio has a weighted average maturity of less than 90 days, it is presented as an investment with a maturity of less than 6 months. It is reported at fair value.

2. Cash and Cash Equivalents

The City pools money from several funds to facilitate disbursement and investment and to maximize investment income. Therefore, all cash and investments are essentially demand deposits and are considered cash and cash equivalents. The ABC Board considers all highly liquid investments (including restricted assets) with a maturity of three months or less when purchased to be cash and cash equivalents.

3. Restricted Assets

Restricted assets include monies or other resources, the use of which is restricted by legal or contractual requirements. The unexpended balance of forfeiture funds, fire district funds, and emergency telephone system funds for Public Safety are classified as restricted assets for the governmental activities because their use is completely restricted for which the funds were intended. In addition, Powell Bill funds are also classified as restricted cash because they can be expended only for the purpose of maintaining, repairing, constructing, reconstructing or widening of local streets per G.S. 136-41.1 through 136-41.4.

City of Brevard Restricted Cash

Governmental activities:

General Fund

Streets	\$ 60,879
Public safety	1,406
Deposits	118,218
Unspent grant proceeds	12,000
Scholarship awards	4,923

ARPA Fund

Unspent grant proceeds	1,262,998
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Fire District Fund

Public safety	10,000
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Heart of Brevard Municipal Service District Fund

Economic and physical development	2,360
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Rosenwald Revitalization Capital Project Fund

Capital projects	474,162
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Housing Trust Capital Project fund

Economic and physical development	188,748
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Bjerg Trust Fund

Perpetual maintenance	56,233
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Total governmental activities	2,191,927
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Business-type activities:

Water and Sewer Fund

Customer deposits	99,125
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Total restricted cash	\$ 2,291,052
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4. Ad Valorem Taxes Receivable

In accordance with State law [G.S. 105-347 and G.S. 159-13(a)], the City levies ad valorem taxes on property other than motor vehicles on July 1, the beginning of the fiscal year. The taxes are due on September 1 (lien date); however, interest does not accrue until the following January 6. These taxes are based on the assessed values as of January 1, 2021.

5. Allowances for Doubtful Accounts

All receivables that historically experience uncollectible accounts are shown net of an allowance for doubtful accounts. This amount is estimated by analyzing the percentage of receivables that were written off in prior years. Outstanding balances for inactive customer accounts for trash collection service and water and sewer service were deemed by management to be written off during the current fiscal year. These amounts have been removed from the applicable gross receivable balances and therefore will not be shown as part of the allowance. The allowance shown related to these receivables only includes outstanding balances of active customers.

6. Lease Receivable

The City's lease receivable is measured at the present value of lease payments expected to be received during the lease term.

A deferred inflow of resources is recorded for the lease. The deferred inflow of resources is recorded at the initiation of the lease in an amount equal to the initial recording of the lease receivable. The deferred inflow of resources is amortized on a straight-line basis over the term of the lease.

7. Inventory and Prepaid Items

The inventories of the City and the ABC Board are valued at cost (first-in, first-out), which approximates market. The City's General Fund inventory consists of expendable supplies that are recorded as expenditures as used rather than when purchased.

The inventories of the City of Brevard ABC Board consist of merchandise held for resale. The cost of these inventories is expensed upon resale rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements and expensed as the items are used.

8. Capital Assets

Capital assets are defined by the government as assets with an initial, individual cost of more than a certain cost and an estimated useful life in excess of two years. Minimum capitalization costs are as follows: land, buildings, improvements, substations, lines, and other plant and distribution systems, infrastructure, furniture, equipment, and vehicles, \$5,000. Purchased or constructed capital assets are reported at cost or estimated historical cost. Donated capital assets received prior to June 30, 2015 are recorded at their estimated fair value at the date of donation. Donated capital assets received after June 30, 2015 are recorded at acquisition value. All other purchased or other constructed capital assets are reported at cost or estimated historical cost. General infrastructure assets acquired prior to July 1, 2003, consist of the road network and water and sewer system assets that were acquired or that received substantial improvements subsequent to July 1, 1980, and are reported at estimated historical cost using deflated replacement cost. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized.

Capital assets are depreciated using the straight-line method over the following estimated useful lives:

Asset Class	Estimated Useful Lives
Infrastructure	10-75 years
Buildings	15-50 years
Building improvements	20-50 years
Vehicles	4-10 years
Furniture and equipment	5-15 years
Computer equipment	3-5 years

Capital assets of the ABC Board are depreciated over their useful lives on a straight-line basis as follows:

Asset Class	Estimated Useful Lives
Buildings	15-50 years
Vehicles	4-10 years
Furniture and equipment	5-15 years
Computer equipment	3-5 years

9. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *Deferred Outflows of Resources*, represents a consumption of net position that applies to a future period and so will not be recognized as an expense or expenditure until then. The City has two items that meet this criterion, pension deferrals and OPEB deferrals.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *Deferred Inflows of Resources*, represents an acquisition of net position that applies to a future period and so will not be recognized as revenue until then. The City has several items that meets the criterion for this category – property taxes receivable, pension deferrals, OPEB deferrals, and leases.

10. Long-term Obligations

In the government-wide financial statements, and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position.

In fund financial statements, the face amount of debt issued is reported as other financing sources.

11. Compensated Absences

The vacation policy of the City provides for the accumulation of up to thirty (30) days earned vacation leave with such leave being fully vested when earned. The vacation policy for the ABC Board provide up to twenty days earned vacation with no accumulation allowed. For the City's government-wide and proprietary funds, an expense and a liability for compensated absences and the salary-related payments are recorded as the leave is earned. The City has assumed a first-in, first-out method of using accumulated compensated time. The portion of that time that is estimated to be used in the next fiscal year has been designated as a current liability in the government-wide financial statements.

The City's sick leave policy provides for an unlimited accumulation of earned sick leave. Sick leave does not vest, but any unused sick leave accumulated at the time of retirement may be used in the determination of length of service for retirement benefit purposes. The ABC Board's sick leave policy provides no accumulation of sick leave. Since neither the City nor the ABC Board has any obligation for the accumulated sick leave until it is actually taken, no accrual for sick leave has been made.

12. Reimbursements for Pandemic-Related Expenditures

In FY 2020/21, the American Rescue Plan Act (ARPA) established the Coronavirus State and Local Fiscal Recovery Funds to support urgent COVID-19 response efforts and replace lost

revenue for the eligible state, local, territorial, and tribal governments. The City was allocated \$2,525,995 of fiscal recovery funds to be paid in two equal installments. The first installment of \$1,262,998 was received in July 2021. The second installment will be received in early fiscal year 2023. The City plans on using the funds for revenue replacement in Fiscal Year 2023. Revenue replacement funds will be transferred to the appropriate funds once the intended use of the funds is determined.

13. Net Position/Fund Balances

Net Position

Net position in government-wide and proprietary fund financial statements are classified as net investment in capital assets; restricted; and unrestricted. Restricted net position represents constraints on resources that are either externally imposed by creditors, grantors, contributors, or laws or regulations of other governments or imposed by law through State statute.

Fund Balances

In the governmental fund financial statements, fund balance is composed of five classifications designed to disclose the hierarchy of constraints placed on how fund balance can be spent.

The governmental fund types classify fund balances as follows:

Nonspendable fund balance – This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.

Inventories – portion of fund balance that is not an available resource because it represents the year-end balance of inventories, which are not spendable resources.

Perpetual maintenance – portion of fund balance that is not an available resource because it represents funds which are held for specific purposes imposed by a trust for maintenance of the City.

Long-term notes receivable – portion of fund balance that is not an available resource because it represents the year-end balance of long-term notes receivable, which are not spendable resources.

Leases – portion of fund balance that is not an available resource because it represents the year-end balance of the lease receivable in excess of the deferred inflow of resources for the lease receivable, which are not spendable resources.

Restricted fund balance – This classification includes amounts that are restricted to specific purposes externally imposed by creditors or imposed by law.

Restricted for stabilization by State statute – North Carolina G.S. 159-8 prohibits units of government from budgeting or spending a portion of their fund balance. This is one of several statutes enacted by the North Carolina State Legislature in the 1930's that were designed to improve and maintain the fiscal health of local government units. Restricted by State statute (RSS), is calculated at the end of each fiscal year for all annually budgeted funds. The calculation in G.S. 159-8(a) provides a formula for determining what portion of fund balance is available for appropriation. The amount of fund balance not available for appropriation is what is known as "restricted by State statute". Appropriated fund balance in any fund shall not exceed the sum of cash and investments minus the sum of liabilities, encumbrances, and deferred revenues arising from cash receipts, as those figures stand at the close of the fiscal year next preceding the budget. Per GASB guidance, RSS is considered a resource upon which a restriction

is “imposed by law through constitutional provisions or enabling legislation.” RSS is reduced by inventories and prepaids as they are classified as nonspendable. Outstanding Encumbrances are included within RSS. RSS is included as a component of Restricted Net position and Restricted fund balance on the face of the balance sheet.

Restricted for public safety – portion of the fund balance that is restricted by revenue source for public safety. This amount represents the balance of total unexpended drug forfeiture funds.

Restricted for streets – portion of fund balance that is restricted by revenue source for street construction and maintenance expenditures. This amount represents the balance of the total unexpended Powell Bill funds.

Restricted for scholarship awards – portion of fund balance that is restricted to use on scholarship awards from the T.L. Scruggs Scholarship Fund (reporting in General Fund).

Restricted for capital projects – portion of fund balance that is represents unspent debt proceeds to be used for the construction of the Mary C. Jenkins Center.

Restricted for economic development – portion of fund balance that is restricted to use on affordable housing per terms of grant agreements.

Restricted for perpetual maintenance – portion of fund balance that represents investment earnings from the nonspendable Bjerg Trust Fund that is restricted for maintenance of a specific neighborhood’s common property.

Committed fund balance – portion of fund balance that can only be used for specific purposes imposed by majority vote by quorum of the City of Brevard’s governing body (highest level of decision-making authority.) The governing body can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation.

Capital projects – portion of capital reserve fund committed to City improvements as well as portion of capital project fund balance that represents funds contributed by the City for certain projects.

Fire District Fund – portion of the fire district fund that is committed to maintaining and improving fire safety in the City.

Assigned fund balance – portion of fund balance that the City of Brevard intends to use for specific purposes.

Unassigned fund balance – portion of total fund balance that has not been restricted, committed, or assigned to specific purposes or other funds.

The City of Brevard has a revenue spending policy that provides guidance for programs with multiple revenue sources. The Finance Director will use resources in the following hierarchy: bond proceeds, Federal funds, State funds, local non-City funds, City funds. For purposes of fund balance classification, expenditures are typically spent from restricted fund balance first, followed in-order by committed fund balance, assigned fund balance and lastly unassigned fund balance. The Finance Director has the authority to deviate from this if it is in the best interest of the City.

The City of Brevard has also adopted a minimum fund balance policy for the general fund which instructs management to conduct the business of the City in such a manner that available fund balance is at least equal to or greater than 25% of budgeted expenditures. Any portion of the general fund balance in excess of 25% of budgeted expenditures may be appropriated for one-time expenditures and may not be used for any purpose that would obligate the City in a future budget.

14. Defined Benefit Cost-Sharing Plans

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Local Governmental Employees' Retirement System (LGERS) and additions to/deductions from LGERS' fiduciary net position have been determined on the same basis as they are reported by LGERS. For this purpose, plan member contributions are recognized in the period in which the contributions are due. The City of Brevard and the ABC Board's employer contributions are recognized when due and both the City and the ABC Board have a legal requirement to provide the contributions. Benefits and refunds are recognized when due and payable in accordance with the terms of LGERS. Investments are reported at fair value.

15. Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Note 2 – Stewardship, Compliance, and Accountability

Excess of Expenditures over Appropriations

For the fiscal year ended June 30, 2022, the expenditures made in the City's General Fund exceeded the authorized appropriations made by the governing board in the Local Streets Department by \$31,186. This over-expenditure occurred due to unplanned non-payroll, non-capital expenditures in the department right near the year-end cutoff. Management and the Board will more closely review budget reports to ensure compliance in future years.

Note 3 – Cash and Investments

1. Deposits

All the deposits of the City and the ABC Board are either insured or collateralized by using one of two methods. Under the Dedicated Method, all deposits that exceed the federal depository insurance coverage level are collateralized with securities held by the City's or the ABC Board's agents in these units' names. Under the Pooling Method, which is a collateral pool, all uninsured deposits are collateralized with securities held by the State Treasurer's agent in the name of the State Treasurer. Since the State Treasurer is acting in a fiduciary capacity for the City and the ABC Board, these deposits are considered to be held by the City's and the ABC Board's agents in their names. The amount of the pledged collateral is based on an approved averaging method for non-interest bearing deposits and the actual current balance for interest-bearing deposits. Depositories using the Pooling Method report to the State Treasurer the adequacy of their pooled collateral covering uninsured deposits. The State Treasurer does not confirm this information with the City, the ABC Board, or the escrow agent. Because of the inability to measure the exact amounts of collateral pledged for the City and the ABC Board under the Pooling Method, the potential exists for under-collateralization, and this risk may increase in periods of high cash flows. However, the State Treasurer of North Carolina enforces strict standards of financial stability for each depository that collateralizes public deposits under the Pooling Method. The City has no formal policy regarding custodial credit risk for deposits, but relies on the State Treasurer to enforce standards of

minimum capitalization for all pooling method financial institutions and to monitor them for compliance. The City complies with the provisions of G.S. 159-31 when designating official depositories and verifying that deposits are properly secured. The ABC Board has no formal policy regarding custodial credit risk for deposits.

At June 30, 2022, the City's deposits had a carrying amount of \$1,180,400 and a bank balance of \$1,618,004. Of the bank balance, \$504,916 was covered by federal depository insurance and the remainder was covered by collateral held under the pooling method. The carrying amount of deposits for the ABC Board was \$915,109 and the bank balance was \$963,749. Federal depository insurance covered \$250,000 of the ABC Board's deposits and the remainder was covered by collateral held under the pooling method.

The City and ABC Board also had cash on hand at June 30, 2022 in the amount of \$400 and \$5,000, respectively.

2. Investments

At June 30, 2022, the City's investment balances were as follows:

Investments by Type	Valuation Measurement Method	Book Value at 6/30/22	Maturity	Rating
NC Capital Management Trust Government Portfolio	Fair Value Level 1	\$ 8,690,182	N/A	AAAm

All investments are measured using the market approach: using prices and other relevant information generated by market transactions involving identical or comparable assets or a group of assets.

Level of fair value hierarchy: Level 1 debt securities are valued using directly observable, quoted prices (unadjusted) in active markets for identical assets. Level 2 debt securities are valued using a matrix pricing technique. Matrix pricing is used to value securities based on the securities' benchmark quoted prices.

Interest Rate Risk – The City has no formal investment policy regarding interest rate risk.

Credit Risk – The City has no formal policy regarding credit risk, but has internal management procedures that limits the City's investments to the provisions of G.S. 159-30 and restricts the purchase of securities to the highest possible rating whenever particular types of securities are rated. The City's investment in the NC Capital Management Trust Government Portfolio carried a credit rating of AAAm by Standard & Poor's and AAAm-mf by Moody's Investors Service as of June 30, 2022.

At June 30, 2022, the ABC Board held no investments.

3. Reconciliation of Cash and Cash Equivalents

A reconciliation of cash and cash equivalents as shown on the government-wide statement of net position is as follows:

Reported value of deposits	\$ 1,180,400
Petty cash	400
Fair value of investments	8,690,182
	<u>\$ 9,870,982</u>
Statement of Net Position	
Cash and cash equivalents	\$ 7,309,654
Cash and cash equivalents, restricted	2,291,052
	<u>9,600,706</u>
Statement of Fiduciary Net Position	
Cash and cash equivalents, restricted	270,274
	<u>\$ 9,870,980</u>

Note 4 – Receivables1. Allowance for Doubtful Accounts

The amount of taxes receivable presented in the Balance Sheet and the Statement of Net Position does not include any penalties levied or outstanding. The amounts presented in the Balance Sheet and the Statement of Net Position for the year ended June 30, 2022 is net of the following allowances for doubtful accounts:

Funds

General Fund

Allowance for uncollectible property taxes receivable	\$ 37,000
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Water and Sewer Fund

Allowance for uncollectible water and sewer services receivable	\$ 8,600
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Sanitation Fund

Allowance for uncollectible sanitation services receivable	\$ 1,400
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2. Notes Receivable

In 2010 and 2012, the City obtained grant funding for the purpose of providing affordable housing for its citizens. These grant funds, in the amount of \$218,000 at 2% interest and \$157,036 at 0% interest, respectively, were loaned to two different developers who were building affordable housing units within the City. The first loan requires annual principal and interest payments of \$13,332 through December 31, 2030. The second loan requires annual principal payments in the amount of \$7,852 through December 31, 2034. At June 30, 2022, the combined outstanding balance of the notes receivable was \$210,879.

3. Lease Receivable

In July 2001, the City entered into a lease with National Wireless Construction, LLC. Under the lease, National Wireless Construction, LLC pays the City \$7,986 per month for 60 months in exchange for the right to place a cell tower on land owned by the City. The lease will automatically extend for 3 additional terms of 5 years and rent shall increase ten percent from the preceding amount. The lease receivable is measured as the present value of the future minimum rent payments

expected to be received during the lease term at a discount rate of 4%, which management has determined to be the incremental borrowing rate of the City.

In fiscal year 2022, the City recognized \$22,414 of lease revenue and \$19,948 of interest revenue under the lease.

Note 5 – Capital Assets

Capital asset activity for the Primary Government for the year ended June 30, 2022, was as follows:

	Beginning Balances (As Restated)	Increases	Decreases	Ending Balances
Governmental activities:				
Capital assets not being depreciated:				
Land	\$ 860,402	\$ -	\$ -	\$ 860,402
Construction in progress	1,928,278	2,275,012	1,408,879	2,794,411
Total capital assets not being depreciated	<u>2,788,680</u>	<u>2,275,012</u>	<u>1,408,879</u>	<u>3,654,813</u>
Capital assets being depreciated:				
Buildings and infrastructure	8,798,313	1,408,879	-	10,207,192
Equipment	1,948,189	21,160	-	1,969,349
Vehicles and motorized equipment	5,731,207	73,665	106,497	5,698,375
Total capital assets being depreciated	<u>16,477,709</u>	<u>1,503,704</u>	<u>106,497</u>	<u>17,874,916</u>
Less accumulated depreciation for:				
Buildings and infrastructure	3,090,813	260,241	-	3,351,054
Equipment	1,464,485	97,924	-	1,562,409
Vehicles and motorized equipment	5,052,704	139,233	106,497	5,085,440
Total accumulated depreciation	<u>9,608,002</u>	<u>497,398</u>	<u>106,497</u>	<u>9,998,903</u>
Total capital assets being depreciated, net	<u>6,869,707</u>			<u>7,876,013</u>
Governmental activities capital assets, net	<u>\$ 9,658,387</u>			<u>\$ 11,530,826</u>

Depreciation expense was charged to functions/programs of the primary government as follows:

General government	\$ 83,053
Public safety	142,154
Public works	127,330
Cultural and recreational	144,861
Total depreciation expense	<u>\$ 497,398</u>

	Beginning Balances (As Restated)	Increases	Decreases	Ending Balances
Business-type activities:				
<i>Water and Sewer Fund</i>				
Capital assets not being depreciated:				
Land	\$ 212,891	\$ -	\$ -	\$ 212,891
Construction in progress	332,020	1,560,797	-	1,892,817
Total capital assets not being depreciated	544,911	1,560,797	-	2,105,708
Capital assets being depreciated:				
Plant and distribution systems	46,324,400	-	-	46,324,400
Maintenance equipment and furniture	3,054,591	90,707	-	3,145,298
Vehicles	1,161,687	119,074	-	1,280,761
Total capital assets being depreciated	50,540,678	209,781	-	50,750,459
Less accumulated depreciation for:				
Plant and distribution systems	11,896,686	805,811	-	12,702,497
Maintenance equipment and furniture	2,231,038	342,252	-	2,573,290
Vehicles	1,017,324	42,217	-	1,059,541
Total accumulated depreciation	15,145,048	1,190,280	-	16,335,328
Total capital assets being depreciated, net	35,395,630			34,415,131
Water and sewer fund capital assets, net	35,940,541			36,520,839
<i>Sanitation Fund</i>				
Capital assets being depreciated:				
Maintenance equipment and furniture	51,250	-	-	51,250
Vehicles	1,088,330	-	-	1,088,330
Total capital assets being depreciated	1,139,580	-	-	1,139,580
Less accumulated depreciation for:				
Maintenance equipment and furniture	20,073	5,125	-	25,198
Vehicles	665,935	63,409	-	729,344
Total accumulated depreciation	686,008	68,534	-	754,542
Total capital assets being depreciated, net	453,572			385,038
Sanitation fund capital assets, net	453,572			385,038
Business-type activities capital assets, net	\$ 36,394,113			\$ 36,905,877

Construction commitments:

The City had the following commitments with contractors for construction projects as of June 30, 2022:

Project	Spent-to-Date	Remaining Commitment
Mary C. Jenkins Design	\$ 1,852,900	\$ 374,326
Estatoe Trail	174,032	376,728
Estatoe Trail	-	61,468
Gallimore Sewer	346,369	1,498,178
King St Waterline	-	597,096
	<u>\$ 2,373,301</u>	<u>\$ 2,907,796</u>

Discretely presented component unit:

Activity for the ABC Board for the year ended June 30, 2022 was as follows:

	Beginning	Increases	Decreases	Ending
Capital assets being depreciated:				
Leasehold improvements	\$ 300,374	\$ 24,059	\$ -	\$ 324,433
Furniture and equipment	99,307	-	-	99,307
Vehicle	11,979	-	-	11,979
Total capital assets being depreciated	<u>411,660</u>	<u>24,059</u>	<u>-</u>	<u>435,719</u>
Less accumulated depreciation	<u>193,267</u>	<u>20,035</u>	<u>-</u>	<u>213,302</u>
Total capital assets being depreciated, net	<u>\$ 218,393</u>			<u>\$ 222,417</u>

Note 6 – Pension Plan and Postemployment ObligationsLocal Governmental Employees' Retirement System

Plan Description. The City of Brevard is a participating employer in the statewide Local Governmental Employees' Retirement System (LGERS), a cost-sharing multiple-employer defined benefit pension plan administered by the State of North Carolina. LGERS membership is comprised of general employees and local law enforcement officers (LEOs) of participating local governmental entities. Article 3 of G.S. Chapter 128 assigns the authority to establish and amend benefit provisions to the North Carolina General Assembly. Management of the plan is vested in the LGERS Board of Trustees, which consists of 13 members – nine appointed by the Governor, one appointed by the State Senate, one appointed by the State House of Representatives, and the State Treasurer and State Superintendent, who serve as ex-officio members. The Local Governmental Employees' Retirement System is included in the Annual Comprehensive Financial Report for the State of North Carolina. The State's Annual Comprehensive Financial Report includes financial statements and required supplementary information for LGERS. That report may be obtained by writing to the Office of the State Controller, 1410 Mail Service Center, Raleigh, North Carolina 27699-1410, by calling (919) 981-5454, or at www.osc.nc.gov.

Benefits Provided. LGERS provides retirement and survivor benefits. Retirement benefits are determined as 1.85% of the member's average final compensation times the member's years of creditable service. A member's average final compensation is calculated as the average of a member's four highest consecutive years of compensation. Plan members are eligible to retire with full retirement benefits at age 65 with five years of creditable service, at age 60 with 25 years of creditable service, or

at any age with 30 years of creditable service. Plan members are eligible to retire with partial retirement benefits at age 50 with 20 years of creditable service or at age 60 with five years of creditable service (age 55 for firefighters). Survivor benefits are available to eligible beneficiaries of members who die while in active service or within 180 days of their last day of service and who have either completed 20 years of creditable service regardless of age (15 years of creditable service for firefighters and rescue squad members who are killed in the line of duty) or have completed five years of service and have reached age 60. Eligible beneficiaries may elect to receive a monthly Survivor's Alternate Benefit for life or a return of the member's contributions. The plan does not provide for automatic post-retirement benefit increases. Increases are contingent upon actuarial gains of the plan.

LGERS plan members who are LEOs are eligible to retire with full retirement benefits at age 55 with five years of creditable service as an officer, or at any age with 30 years of creditable service. LEO plan members are eligible to retire with partial retirement benefits at age 50 with 15 years of creditable service as an officer. Survivor benefits are available to eligible beneficiaries of LEO members who die while in active service or within 180 days of their last day of service and who also have either completed 20 years of creditable service regardless of age, or have completed 15 years of service as a LEO and have reached age 50, or have completed five years of creditable service as a LEO and have reached age 55, or have completed 15 years of creditable service as a LEO if killed in the line of duty. Eligible beneficiaries may elect to receive a monthly Survivor's Alternate Benefit for life or a return of the member's contributions.

Contributions. Contribution provisions are established by General Statute 128-30 and may be amended only by the North Carolina General Assembly. City of Brevard employees are required to contribute 6% of their compensation. Employer contributions are actuarially determined and set annually by the LGERS Board of Trustees. The City of Brevard's contractually required contribution rate for the year ended June 30, 2022, was 12.04% of compensation for law enforcement officers and 11.42% for general employees and firefighters, actuarially determined as an amount that, when combined with employee contributions, is expected to finance the costs of benefits earned by employees during the year. Contributions to the pension plan from the City of Brevard were \$586,948 for the year ended June 30, 2022.

Refunds of Contributions – City employees who have terminated service as a contributing member of LGERS, may file an application for a refund of their contributions. By state law, refunds to members with at least five years of service include 4% interest. State law requires a 60 day waiting period after service termination before the refund may be paid. The acceptance of a refund payment cancels the individual's right to employer contributions or any other benefit provided by LGERS.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At June 30, 2022, the City reported a liability of \$862,344 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2021. The total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2020. The total pension liability was then rolled forward to the measurement date of June 30, 2021 utilizing update procedures incorporating the actuarial assumptions. The City's proportion of the net pension liability was based on a projection of the City's long-term share of future payroll covered by the pension plan, relative to the projected future payroll covered by the pension plan of all participating LGERS employers, actuarially determined. At the measurement date of June 30, 2021, the City's proportion was 0.05623%, which was a decrease of 0.01005% from its proportion measured as of June 30, 2020.

For the year ended June 30, 2022, the City recognized pension expense of \$346,069. At June 30, 2022, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 274,342	\$ -
Changes of assumptions	541,770	-
Net difference between projected and actual earnings on pension plan investments	-	1,232,026
Changes in proportion and differences between City contributions and proportionate share of contributions	30,523	125,128
City contributions subsequent to the measurement date	586,948	-
Total	<u>\$ 1,433,583</u>	<u>\$ 1,357,154</u>

\$586,948 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a decrease of the net pension liability in the year ended June 30, 2023. Other amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended June 30:

2023	\$ 54,903
2024	(53,252)
2025	(135,162)
2026	(377,008)
2027	-
	<u>\$ (510,519)</u>

Actuarial Assumptions. The total pension liability in the December 31, 2020 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	3.25 percent
Salary increases	3.25 to 8.25 percent, including inflation and productivity factor
Investment rate of return	6.50 percent, net of pension plan investment expense, including inflation

The plan currently uses mortality tables that vary by age, gender, employee group (i.e. general, law enforcement officer) and health status (i.e. disabled and healthy). The current mortality rates are based on published tables and based on studies that cover significant portions of the U.S. population. The healthy mortality rates also contain a provision to reflect future mortality improvements.

The actuarial assumptions used in the December 31, 2020 valuation were based on the results of an actuarial experience study the period January 1, 2015 through December 31, 2019.

Future ad hoc COLA amounts are not considered to be substantively automatic and are therefore not included in the measurement.

The projected long-term investment returns and inflation assumptions are developed through review of current and historical capital markets data, sell-side investment research, consultant whitepapers, and historical performance of investment strategies. Fixed income return projections reflect current yields across the U.S. Treasury yield curve and market expectations of forward yields projected and interpolated for multiple tenors and over multiple year horizons. Global public equity return projections are established through analysis of the equity risk premium and the fixed income return projections. Other asset categories and strategies' return projections reflect the foregoing and historical data analysis. These projections are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class as of June 30, 2022 are summarized in the following table:

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Real Rate of Return</u>
Fixed Income	29.0%	1.4%
Global Equity	42.0%	5.3%
Real Estate	8.0%	4.3%
Alternatives	8.0%	8.9%
Credit	7.0%	6.0%
Inflation Protection	6.0%	4.0%
Total	<u>100.0%</u>	

The information above is based on 30 year expectations developed with the consulting actuary for the 2019 asset, liability and investment policy study for the North Carolina Retirement Systems, including LGERS. The long-term nominal rates of return underlying the real rates of return are arithmetic annualized figures. The real rates of return are calculated from nominal rates by multiplicatively subtracting a long-term inflation assumption of 3.25%. All rates of return and inflation are annualized.

Discount rate. The discount rate used to measure the total pension liability was 6.50%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current contribution rate and that contributions from employers will be made at statutorily required rates, actuarially determined. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of the current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the City's proportionate share of the net pension liability to changes in the discount rate. The following presents the City's proportionate share of the net pension liability calculated using the discount rate of 6.50 percent, as well as what the City's proportionate share of the net pension liability or net pension liability would be if it were calculated using a discount rate that is one percentage point lower (5.50 percent) or one percentage point higher (7.50 percent) than the current rate:

	1% Decrease (5.50%)	Discount Rate (6.50%)	1% Increase (7.50%)
City's Proportionate share of the net Pension liability (asset)	\$ 3,347,536	\$ 862,344	\$ (1,182,830)

Pension plan fiduciary net position. Detailed information about the pension plan's fiduciary net position is available in the separately issued Annual Comprehensive Financial Report for the State of North Carolina.

Law Enforcement Officers' Special Separation Allowance

1. Plan Description

The City of Brevard administers a public employee retirement system (the Separation Allowance), a single-employer defined benefit pension plan that provides retirement benefits to the City’s qualified sworn law enforcement officers under the age of 62 who have completed at least 30 years of creditable service or have attained 55 years of age and have completed five or more years of creditable service. The Separation Allowance is equal to 0.85 percent of the annual equivalent of the base rate of compensation most recently applicable to the officer for each year of creditable service. The retirement benefits are not subject to any increases in salary or retirement allowances that may be authorized by the General Assembly. Article 12D of G.S. Chapter 143 assigns the authority to establish and amend benefit provisions to the North Carolina General Assembly.

All full-time law enforcement officers of the City are covered by the Separation Allowance. At December 31, 2020 (valuation date), the Separation Allowance’s membership consisted of:

Retirees receiving benefits	2
Active plan members	<u>23</u>
Total	<u>25</u>

A separate report was not issued for the plan.

2. Summary of Significant Accounting Policies

Basis of Accounting - The City has chosen to fund the Separation Allowance on a pay as you go basis. Pension expenditures are made from the General Fund, which is maintained on the modified accrual basis of accounting. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan.

The Separation Allowance has no assets accumulated in a trust that meets the criteria that are outlined in GASB Statement 73.

3. Actuarial Assumptions

The entry age actuarial cost method was used in the December 31, 2020, valuation. The total pension liability in the December 31, 2020, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.5 percent
Salary increases	3.25 to 7.75 percent, including inflation and productivity factor
Discount rate	2.25 percent

4. Contributions

The City is required by Article 12D of G.S. Chapter 143 to provide these retirement benefits and has chosen to fund the amounts necessary to cover the benefits earned on a pay as you go basis through appropriations made in the General Fund operating budget. There were no contributions made by employees. The City’s obligation to contribute to this plan is established and may be amended by the North Carolina General Assembly. Administration costs of the Separation Allowance are financed through investment earnings. The City paid \$40,230 as benefits came due for the reporting period.

5. Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pension

At June 30, 2022, the City reported a total pension liability of \$729,499. The total pension liability was measured as of December 31, 2021 based on a December 31, 2020 actuarial valuation. The total pension liability was then rolled forward to the measurement date of December 31, 2021 utilizing update procedures incorporating the actuarial assumptions. For the year ended June 30, 2022, the City recognized pension expense of \$56,976.

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 41,511	\$ 155,721
Changes of assumptions	186,392	22,193
Benefits payments subsequent to the measurement date	26,522	-
Total	<u>\$ 254,425</u>	<u>\$ 177,914</u>

The City paid \$26,522 in benefit payments and administrative expenses subsequent to the measurement date that are reported as deferred outflows of resources related to pensions, and which will be recognized as a decrease of the total pension liability in the year ended June 30, 2023. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year ended June 30:</u>		
2023	\$	20,211
2024		24,266
2025		18,664
2026		552
2027		(13,704)
	<u>\$</u>	<u>49,989</u>

Sensitivity of the City's total pension liability to changes in the discount rate. The following presents the City's total pension liability calculated using the discount rate of 2.25 percent, as well as what the City's total pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (1.25 percent) or 1-percentage-point higher (3.25 percent) than the current rate:

	1% Decrease (1.25%)	Discount Rate (2.25%)	1% Increase (3.25%)
Total pension liability	\$ 795,280	\$ 729,499	\$ 669,479

Schedule of Changes in Total Pension Liability
Law Enforcement Officers' Special Separation Allowance

	Total Pension Liability
Balance at June 30, 2021	\$ 909,863
Service cost	46,733
Interest on the pension liability	17,172
Changes of benefit terms	-
Differences between expected and actual experience in the measurement of the total pension liability	(183,630)
Change of assumption or other inputs	(20,409)
Benefit payments	(40,230)
Other changes	-
Balance at June 30, 2022	<u>\$ 729,499</u>

Changes of assumptions and other inputs reflect a change in the discount rate from 1.93 percent at December 31, 2020, to 2.25 percent at December 31, 2021.

The plan currently uses mortality tables that vary by age, and health status (i.e. disabled and healthy). The current mortality rates are based on published tables and based on studies that cover significant portions of the U.S. population. The healthy mortality rates also contain a provision to reflect future mortality improvements.

The actuarial assumptions used in the December 31, 2020 valuation were based on the results of an actuarial experience study for the period January 1, 2015 through December 31, 2019.

Total Expense, Liabilities, and Deferred Outflows and Inflows of Resources Related to Pensions

Following is information related to the proportionate share and pension expense for all pension plans:

	<u>LGERS</u>	<u>LEOSSA</u>	<u>Total</u>
Proportionate share of the net pension liability	\$ 862,344	\$ -	\$ 862,344
Proportion of the net pension liability	0.05623%	N/A	N/A
Total pension liability	-	729,499	729,499
Pension expense	346,069	56,976	403,045

Deferred Outflows of Resources

Differences between expected and actual experience	\$ 274,342	\$ 41,511	\$ 315,853
Change of assumptions	541,770	186,392	728,162
Net difference between projected and actual earnings on pension plan investments	-	-	-
Change in proportion and differences between City contributions and proportionate share of contributions	30,523	-	30,523
City contributions (LGERS)/benefit payments (LEOSSA) subsequent to the measurement date	586,948	26,522	613,470
	<u>\$1,433,583</u>	<u>\$ 254,425</u>	<u>\$1,688,008</u>

Deferred Inflows of Resources

Differences between expected and actual experience	\$ -	\$ 155,721	\$ 155,721
Change of assumptions	-	22,193	22,193
Net difference between projected and actual earnings on pension plan investments	1,232,026	-	1,232,026
Change in proportion and differences between City contributions and proportionate share of contributions	125,128	-	125,128
	<u>\$1,357,154</u>	<u>\$ 177,914</u>	<u>\$1,535,068</u>

Supplemental Retirement Income Plan for Law Enforcement Officers

Plan description – The City contributes to the Supplemental Retirement Income Plan (Plan), a defined contribution pension plan administered by the Department of State Treasurer and a Board of Trustees. The Plan provides retirement benefits to law enforcement officers employed by the City. Article 5 of G.S. Chapter 135 assigns the authority to establish and amend benefit provisions to the North Carolina General Assembly. The Supplemental Retirement Income Plan for Law Enforcement Officers is included in the Annual Comprehensive Financial Report (ACFR) for the State of North Carolina. The State's ACFR includes the pension trust fund financial statements for the Internal Revenue Code Section 401(k) plan that includes the Supplemental Retirement Income Plan for Law Enforcement Officers. That report may be obtained by writing to the Officer of the State Controller, 1410 Mail Service Center, Raleigh, North Carolina 27609, or by calling (919) 981-5454.

Funding Policy – Article 12E of G.S. Chapter 143 requires the City to contribute each month an amount equal to five percent of each officer's salary, and all amounts contributed are vested immediately. Also, the law enforcement officers may make voluntary contributions to the plan. The City made contributions of \$74,454 for the reporting year. No amounts were forfeited.

Supplemental Retirement Income Plan for Non-Law Enforcement Employees

Plan Description. Effective October of 1992, all non-law enforcement employees of the City participate in the 401(k) Supplemental Retirement Income Plan of North Carolina. Participation begins when the employee becomes eligible for participation in the Local Government Employees Retirement System.

Funding Policy. Beginning July 1, 2021, the City began contributing one percent of each participant's compensation with plans to increase this contribution by an additional percent of compensation each year for five years. During the year ending June 30, 2022, the City contributed two percent. The City made contributions of \$38,170 for the reporting year. No amounts were forfeited.

Other Post-Employment Benefits (OPEB) – Healthcare Benefits

Plan Description. Under the terms of a City resolution, the City administers a single-employer defined benefit Healthcare Benefits Plan (the HCB Plan). As of July 1, 2010, this plan provides postemployment healthcare benefits to retirees of the City, provided they participate in the North Carolina Local Governmental Employees' Retirement System (System) and have at least five years of creditable service with the City. These employees may elect to stay on the group health policy until they are Medicare eligible. Retirees pay full premium costs to cover themselves and their dependent(s). Coverage can continue until they become Medicare-eligible. The City will contribute \$750 per year into a Health Savings Account (HSA) for eligible retirees. The retiree may continue dependent coverage (and pay the full cost of this coverage) if enrolled in dependent coverage at the time of retirement. Dependent coverage terminates upon the retiree becoming eligible for Medicare or attaining age 65. The City has elected to partially pay the future overall cost of coverage for these benefits. The City Council may amend the benefit provisions. A separate report was not issued for the HCB Plan.

Membership of the HCB Plan consisted of the following at June 30, 2021, the date of the most recent actuarial valuation:

Retirees and dependents receiving benefits	4
Terminated plan members entitled to but not yet receiving benefits	-
Active plan members	89
Total	<u>93</u>

Funding Policy – The retirees pays the full cost of coverage for the healthcare benefits under a City resolution that can be amended by City Council. The City's members pay the following monthly premiums:

Tier	Cost
Retiree Only	\$ 725
Retiree and Children	1,189
Retiree and Spouse	1,450
Family	1,813

Retirees contributed \$37,555 in premiums for the year ended June 30, 2022.

This City funds current year benefits as they come due, with an additional amount to prefund benefits as determined annually by the Board. For the current year, the City contributed \$1,203. The Fund is accounted for as a trust fund.

Rate of return. For the year ended June 30, 2022, the annual money weighted rate of return on investments, net of investment expense, was 2.72 percent. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

The components of the net OPEB liability of the City at the measurement date of June 30, 2022, were as follows:

Total OPEB liability	\$ 306,321
Plan fiduciary net position	<u>270,274</u>
City's net OPEB liability (asset)	<u>\$ 36,047</u>
Plan fiduciary net position as a percentage of the total OPEB liability	88.23%

Actuarial assumptions – The total OPEB liability was determined by an actuarial valuation as of June 30, 2021, using the following actuarial assumptions, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.5 percent
Salary increases	3.25 to 8.41 percent including inflation and productivity factor
Investment rate of return	2.72 percent, net of OPEB plan investment expense, including inflation
Healthcare cost trend rates	7.00 percent for 2021 decreasing to an ultimate rate of 4.50% by 2031

Mortality rates were based on the RP-2014 Healthy Annuitant base rates projected to the valuation date using MP-2015, projected forward generationally from the valuation date using MP-2015.

The actuarial assumptions used in the June 30, 2021, valuation were based on the results of an actuarial experience study for the period 2015-2019.

The long-term expected rate of return on OPEB plan investments was determined using long-term historical data, estimates inherent in current market rates, and a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected return, net of investment expense and inflation) are developed by the investment consultant.

Discount rate – The discount rate used to measure the total OPEB liability at was 2.72 percent June 30, 2022, which is the same discount rate use at June 30, 2021.

Sensitivity of the net OPEB Liability to changes in the discount rate – The following presents the net OPEB asset of the City at June 30, 2022, as well as what the City's net OPEB asset would be if it were calculated using a discount rate that is 1-percentage-point lower (1.72 percent) or 1-percentage-point higher (3.72 percent) than the current discount rate:

	1% Decrease (1.72%)	Discount Rate (2.72%)	1% Increase (3.72%)
Net OPEB Asset	\$ 67,506	\$ 36,047	\$ 7,857

Sensitivity of the net OPEB Liability to changes in the healthcare cost trend rates – The following presents the net OPEB asset of the City, as well as what the City's net OPEB asset would be if it were to calculate healthcare cost trend rates that are 1- percentage-point lower (6.0 percent decreasing to 3.5 percent) or 1-percentage-point higher (8.0 percent decreasing to 5.5 percent) than the current healthcare cost trend rate:

	1% Decrease (6.0% decreasing to 3.5%)	Healthcare Cost Trend Rate (7.0% decreasing to 4.5%)	1% Increase (8.0% decreasing to 5.5%)
Net OPEB Asset	\$ 627	\$ 36,047	\$78,270

Changes in Net OPEB Liability, OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB – At June 30, 2022, the City reported a net OPEB liability of \$36,047. The total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of June 30, 2021. The total OPEB liability was then rolled forward to the measurement date of June 30, 2022 utilizing update procedures incorporating the actuarial assumptions.

At June 30, 2022, the components of the net OPEB asset of the City, were as follows:

	Increase (Decrease)		
	Total OPEB Liability (a)	Plan Fiduciary Net Position (b)	Net OPEB Asset (Liability) (b)-(a)
Balances at June 30, 2021	\$ 151,335	\$ 269,841	\$ 118,506
Changes for the year:			
Service cost	9,201	-	(9,201)
Interest on the total OPEB liability	4,133	-	(4,133)
Differences between expected and actual experience	118,941	-	(118,941)
Change of assumptions	21,508	-	(21,508)
Contributions	-	(1,203)	(1,203)
Net investment income	-	433	433
Benefit payments (net of participant contributions)	1,203	1,203	-
Net changes	154,986	433	(154,553)
Balances at June 30, 2022	\$ 306,321	\$ 270,274	\$ (36,047)

Changes of assumptions – Changes of assumptions and other inputs reflect no change in the discount rate of 2.72 percent between June 30, 2021 and June 30, 2022. Medical claims cost and rates were changed based on most recent experience and changed to the current schedule. The Excise Tax of 40

percent on health care plans that are above the thresholds set by the Affordable Care Act is effective in 2022 and has been reflected.

For the year ended June 30, 2022, the City recognized OPEB expense of \$1,493. At June 30, 2022, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 101,703	\$ 122,778
Changes of assumptions	22,217	1,740
Net difference between projected and actual earnings on plan investments	11,538	-
Total	<u>\$ 135,458</u>	<u>\$ 124,518</u>

Amounts reported as deferred inflows of resources related to OPEB will be recognized in OPEB expense in future years as follows:

<u>Year ended June 30:</u>	
2023	\$ (5,600)
2024	(5,830)
2025	(4,888)
2026	(3,130)
2027	12,069
Thereafter	18,319
	<u>\$ 10,940</u>

Note 7 – Deferred Outflows and Inflows of Resources

The City has several deferred outflows of resources. Deferred outflows of resources comprise the following:

Source	Amount
Contributions to the pension plan in the current fiscal year	\$ 586,948
Benefit payments made for LEOSSA	26,522
Differences between expected and actual experience (pension, OPEB)	417,556
Changes in assumptions (pensions)	750,379
Net differences between projected and actual earnings on plan investments (pension, OPEB)	11,538
Changes in proportion and differences between employer contributions and proportionate share of contributions (pension)	30,523
	<u>\$ 1,823,466</u>

Deferred inflows of resources at year end comprise the following:

Source	Statement of Net Position	Governmental Funds Balance Sheet
Taxes receivable, less penalties (General Fund)	\$ 19,703	\$ 152,895
Leases	467,523	467,523
Differences between expected and actual experience (Pensions, OPEB)	278,499	-
Net difference between projected and actual investment earnings (Pensions, OPEB)	1,232,026	-
Changes in proportion and differences between employer contributions and proportionate share of contributions (Pension)	125,128	-
Changes of assumptions and other inputs (Pensions, OPEB)	23,933	-
	<u>\$ 2,146,812</u>	<u>\$ 620,418</u>

Note 8 – Risk Management and Contingent Liabilities

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The City carries liability insurance for various risks of loss through the North Carolina League of Municipalities Risk Management Services. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three fiscal years.

The City carries flood insurance through the National Flood Insurance Plan (NFIP). Because the City is in an area of the State that has been mapped and designated an “A” area (an area close to a river, lake or stream) by the Federal Emergency Management Agency, the City is eligible to purchase coverage of \$500,000 per structure through the NFIP.

The City of Brevard ABC Board is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omission; injuries to employees; and natural disasters. The ABC Board has property, general liability, auto liability, workers’ compensation and employee health coverage. The ABC Board also has liquor legal liability coverage. There have been no significant reductions in insurance coverage from the prior year and settled claims have not exceeded coverage in any of the past three fiscal years.

In accordance with G.S. 159-29, the City’s employees that have access to \$100 or more at any given time of the City’s funds are performance bonded through a commercial surety bond. The City Finance Officer/City Manager and the City Clerk are each bonded for \$100,000. The remaining employees that have access to funds are bonded under a blanket bond for \$50,000. Additionally, each ABC Board Member and employees designated as the general manager and finance officer are bonded in the amount of \$50,000.

The City is presently a defendant in lawsuits and is also subject to claims which may arise out of the ordinary conduct of its affairs. It is the opinion of the City’s management and counsel that settlement of these matters, if any, will not have a material adverse effect of the City’s financial position.

Note 9 – Long-term Debt*Installment Contracts*

In December 2012, the City entered into a direct placement installment purchase contract for \$280,000 to finance the purchase of a Seagraves Tanker fire truck. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$2,751 including interest at 1.96% per annum through December 2022. This direct purchase installment contract was paid in full during the fiscal year ending June 30, 2022.

In December 2014, the City entered into a direct placement installment purchase contract for \$426,000 to finance the purchase of the former Duke Energy Building located at 400 Cashiers Valley Road, Brevard, NC. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$3,978, including interest at 2.25% per annum through January 2025.

In August 2016, the City entered into a direct placement installment purchase contract for \$122,000 for the purchase of fire extrication equipment. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$2,126, including interest at 1.74% through August 2021. This direct purchase installment contract was paid in full during the fiscal year ending June 30, 2022.

In April 2017, the City entered in to a direct placement installment purchase contract for \$421,234 to finance equipment for sanitation, streets, sewer collections, park management, and waste water treatment. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$7,376, including interest at 1.96% per annum through April 2022. This direct purchase installment contract was paid in full during the fiscal year ending June 30, 2022.

In May 2018, the City entered into a direct placement installment purchase contract for \$50,139 for the purchase of public works equipment. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$903, including interest at 3.09% per annum through May 2023.

In May 2018, the City entered into a direct placement installment purchase contract for \$257,197 for the purchase of a garbage truck, an excavator, and accessories. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$2,500, including interest at 3.09% per annum through May 2023.

In August 2019, the City entered into a direct placement installment purchase contract for \$332,154 for the purchase of utility equipment. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$3,178, including interest at 3.40% per annum through August 2029.

In June 2020, the City entered into a direct placement installment purchase contract for \$97,761 for the purchase of various public safety, public works, and water and sewer equipment. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$1,705, including interest at 1.79% per annum, through June 2025.

In June 2020, the City entered into a direct placement installment purchase contract for \$390,372 for the purchase of various public safety, public works, and water and sewer equipment. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$3,640, including interest at 2.24% per annum, through June 2030.

In September 2019, the City entered into a direct placement installment contract for \$245,631 the purchase of radio-read water meters. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$2,324, including interest at 2.578% per annum, through September of 2029.

In May 2021, the City entered into a direct placement installment contract for \$180,988 for the purchase of a new garbage truck. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$2,254, including interest at 1.610% per annum, through June 2028.

In September 2021, the City entered into a direct placement installment contract for \$2,350,000 for the construction of the Mary C Jenkins Center. The property is pledged as collateral for the debt while the debt is outstanding. The financing agreement requires monthly payments of \$182,753, including interest at 1.99% per annum, through September 2036.

The future minimum payments of the installment purchases as of June 30, 2022 are as follows:

Year ending June 30	Governmental Activities			Business-type Activities		
	Principal	Interest	Total	Principal	Interest	Total
2023	\$ 205,605	\$ 51,246	\$ 256,851	\$ 165,100	\$ 23,516	\$ 188,616
2024	184,758	47,287	232,045	165,917	19,615	185,532
2025	181,661	43,468	225,129	156,007	15,692	171,699
2026	155,662	40,017	195,679	141,467	12,242	153,709
2027	158,926	36,753	195,679	144,882	8,828	153,710
2028-2032	807,896	134,013	941,909	293,298	8,339	301,637
2033-2037	861,650	52,116	913,766	-	-	-
	<u>\$2,556,158</u>	<u>\$ 404,900</u>	<u>\$2,961,058</u>	<u>\$ 1,066,671</u>	<u>\$ 88,232</u>	<u>\$ 1,154,903</u>

Revolving Loans

In May 2011, the City entered into a direct placement federal revolving loan through a grant for \$1,142,606 with a loan term of 16 years at 2.455% per annum for the Belt Press Grit Removal Capital Project. Interest is due semiannually starting in November 2013 through May 2029. Beginning in May 2014, the City is required to make annual principal payments of \$71,875 through May 2029.

In May 2012, the City entered into a direct placement federal revolving loan through a grant for \$749,375 with a loan term of 20 years at 2.00% per annum for the Kings Creek Sewer Capital Project. Interest is due semiannually starting in November 2013 through May 2033. Beginning in May 2014, the City is required to make annual principal payments of \$37,469 through May 2033.

In February 2014, the City entered into a direct placement federal revolving loan for and estimated \$1,496,550 with a term of 20 years at 0% interest. The loan was for replacement of 3,484 manual-read meters with radio-read meters. Beginning in May 2017, the City is required to make annual principal payments of \$74,828 through May 2036.

In May 2014, the City entered into a direct placement federal revolving loan for \$1,680,000 with a term of 20 years at 2% per annum. The loan is for the City-wide 6 Inch Gravity Sewer Upgrade Project. Interest is due semiannually starting in November 2016. Beginning in May 2017, the City is required to make annual principal payments of \$84,000 through May 2036.

In March 2013, the City entered into a direct placement federal revolving loan for \$2,641,000 with a term of 18 years at 0% interest. The loan is for the Burrell Mountain Water Tank Project. Beginning in May 2016, the City is required to make annual principal payments of \$146,728 through May 2033.

In August 2015, the City entered into a direct placement federal revolving loan for \$1,435,784 with a term of 20 years at 0% per annum. The loan is for the Kings Creek Phase II Sewer Rehabilitation and Replacement Project. Beginning in May 2018, the City is required to make annual principal payments of \$71,789 through May 2037.

In October 2015, the City entered into a direct placement federal revolving loan for \$1,484,150 with a term of 20 years at 0% interest. The loan is for the Kings Creek Phase III Sewer Rehabilitation and Replacement Project. Beginning in May 2018, the City is required to make annual principal payments of \$74,208 through May 2037.

In October 2015, the City entered into a direct placement federal revolving loan for up to \$12,987,256 with a term of 20 years at 1.84% per annum. The loan is for the Neely Road Pump Station and Force Main Rehabilitation Project. Beginning in November 2018, the City was required to make semi-annual interest payments. Beginning in May 2019, the City is required to make annual principal payments of \$649,363 through May 2038.

In November 2021, the City entered into a direct placement federal revolving loan for \$1,741,300, net of an anticipated \$500,000 in principal forgiveness, with a term of 20 years at 0% interest. The loan is for the Gallimore Road Sewer Basin Rehabilitation Project. Upon completion of the project, the City is required to make annual principal payments of approximately \$87,000 per year. Repayment is anticipated to begin during the fiscal year ending June 30, 2024. At June 30, 2022, the City had drawn down \$946,548 in proceeds related to the ongoing work of the project.

The future minimum payments of the revolving loans as of June 30, 2022 are as follows:

Year ending June 30	Business-type Activities		
	Principal	Interest	Total
2023	\$ 1,209,789	\$ 235,208	\$ 1,444,997
2024	1,257,116	219,077	1,476,193
2025	1,257,116	202,946	1,460,062
2026	1,257,116	186,815	1,443,931
2027	1,257,116	170,684	1,427,800
2028-2032	6,071,342	616,719	6,688,061
2033-2037	4,961,089	257,115	5,218,204
2038-2042	1,005,117	11,948	1,017,065
	<u>\$ 18,275,801</u>	<u>\$ 1,900,512</u>	<u>\$ 20,176,313</u>

Changes in Long-term Debt

	July 1, 2021 As Restated	Increase	Decrease	June 30, 2022	Current Portion
Governmental Activities:					
Direct placement					
installment contracts	\$ 308,636	\$ 2,350,000	\$ 102,478	\$ 2,556,158	\$ 205,605
Total pension liability (LEOSSA)	909,863	-	180,364	729,499	-
Net pension obligation (LGERS)	1,731,703	-	1,119,440	612,263	-
Net OPEB obligation	-	25,233	-	25,233	-
Compensated absences	291,136	124,825	127,237	288,724	127,237
Governmental activity long-term liabilities	<u>\$ 3,241,338</u>	<u>\$ 2,500,058</u>	<u>\$ 1,529,519</u>	<u>\$ 4,211,877</u>	<u>\$ 332,842</u>
Business-type Activities:					
Water and Sewer					
Direct placement					
installment contracts	\$ 764,221	\$ -	\$ 123,589	\$ 640,632	\$ 104,138
Direct placement revolving loans	18,539,042	946,548	1,209,789	18,275,801	1,209,789
Net pension obligation (LGERS)	473,695		283,978	189,717	-
Net OPEB obligation	-	7,210	-	7,210	-
Compensated absences	88,086	59,282	83,478	63,890	63,890
Total Water and Sewer	<u>19,865,044</u>	<u>1,013,040</u>	<u>1,700,834</u>	<u>19,177,250</u>	<u>1,377,817</u>
Sanitation					
Direct placement					
installment contracts	\$ 518,431	\$ -	\$ 92,392	\$ 426,039	\$ 60,962
Net pension obligation (LGERS)	163,071	-	102,707	60,364	-
Net OPEB obligation	-	3,604	-	3,604	-
Compensated absences	13,275	21,192	19,351	15,116	15,116
Total Sanitation	<u>694,777</u>	<u>24,796</u>	<u>214,450</u>	<u>505,123</u>	<u>76,078</u>
Business-type activity long-term liabilities	<u>\$ 20,559,821</u>	<u>\$ 1,037,836</u>	<u>\$ 1,915,284</u>	<u>\$ 19,682,373</u>	<u>\$ 1,453,895</u>

Compensated absences typically have been liquidated in the general fund and are accounted for on a LIFO basis, assuming that employees are taking leave time as it is earned. Pension and OPEB liabilities typically have been liquidated in the general fund.

As of June 30, 2022, the City's remaining legal debt margin was approximately \$81,700,000.

Note 10 – Interfund Balances and Activity**A. Transfers to/from Other Funds**

<u>Payable Fund</u>	<u>Receivable Fund</u>	<u>Amount</u>	<u>Purpose</u>
General Fund	Special Fire District Fund	\$ 488,073	For use in operations of the fire department
	Downtown Master Plan Fund	219,000	For use in downtown capital projects
	Mult-Use Path Capital Project Fund	1,321,644	For use in construction of greenways around the City
	Rosenwald Fund	208,000	For construction and improvement of recreational facilities
	Emergency Telephone System Fund	45,563	For the reimbursement of non-PSAP approved expenses
Parking Lot Fund	General Fund	413,458	For the repayment of parking lot renovations

Note 11 – Net Investment in Capital Assets

The net investment in capital assets as of June 30, 2022 is calculated as follows:

		<u>Business-type</u>	
	<u>Governmental</u>	<u>Sanitation</u>	<u>Water and Sewer</u>
Capital assets	\$ 11,530,826	\$ 385,038	\$ 36,520,839
Less: Long-term debt	(2,556,158)	(426,039)	(18,916,433)
Net investment in capital assets	<u>\$ 8,974,668</u>	<u>\$ (41,001)</u>	<u>\$ 17,604,406</u>

Note 12 – Fund Balance

The following schedule provides management and citizens with information on the portion of the General Fund balance that is available for appropriation:

Total fund balance - General Fund	\$ 5,076,218
Less:	
Nonspendable - inventory	(80,226)
Nonspendable - leases	(12,348)
Stabilization by State statute	(1,089,957)
Minimum fund balance policy (25%)	<u>(1,992,071)</u>
Remaining Fund Balance	<u>\$ 1,901,616</u>

The City has adopted a minimum fund balance policy for the General Fund which instructs management to conduct business of the City in such a manner that available fund balance is at least equal to or greater than 25% of budgeted expenditures.

The City had no outstanding encumbrances related to purchase orders and contracts that remained unperformed at year-end.

Note 13 – Bjerg Nonexpendable Trust Fund

The Bjerg Nonexpendable Trust Fund, consisting of a gift of \$55,440 from the Estate of Dorothy S. Bjerg, is reported as a permanent fund. The income from the fund is to be used for the maintenance and upkeep of the building known as "French Broad Community Center" located within the City.

Note 14 – Prior Period Adjustments/Change in Accounting Policy

As of July 1, 2021, the City began budgeting and recording the activity related to the Terry L. Scruggs Scholarship fund in the General Fund. As a result, fund balance and net position were restated as of the beginning of the fiscal year by \$13,164 to include the Terry L. Scruggs Scholarship Fund as part of the General Fund. This fund had previously been reported as a special revenue fund.

Also, as of July 1, 2021, the City began budgeting and recording the activity related to refuse and recycling collection as part of a separate enterprise fund rather than as a department in the General Fund. As a result, net position of governmental activities and business-type activities were restated by \$151,070, the net liability that was transferred to the Sanitation Fund. This net liability is comprised of capital assets, net of depreciation (\$453,573), direct placement installment obligations (\$518,431), compensated absence liability (\$13,275), net pension liability (\$70,695), and net OPEB liability (\$2,241).

Also, during the fiscal year ending June 30, 2022, management implemented a new accounting policy whereby the unbilled portion of water, sewer, and refuse/recycling services provided would be recorded as a receivable and related service revenue. As a result, governmental fund balances and net position of governmental activities increased \$88,052. Net position of business-type activities increased \$506,232.

Note 15 – Summary Disclosure of Significant Contingencies**Federal and State Assisted Programs**

The City has received federal and state grants. Periodic audits of these grants are required and certain costs may be questioned as not being appropriate expenditures under the grant agreements. Such audits could result in the refund of grant monies to the grantor agencies. Management believes that any required refunds will be immaterial. No provision has been made in the accompanying financial statements for the refund of grant monies.

REQUIRED SUPPLEMENTAL FINANCIAL DATA

CITY OF BREVARD, NORTH CAROLINA

**LAW ENFORCEMENT OFFICERS' SPECIAL SEPARATION ALLOWANCE
REQUIRED SUPPLEMENTARY INFORMATION
LAST SIX FISCAL YEARS**

Schedule of Changes in Total Pension Liability						
	2022	2021	2020	2019	2018	2017
Beginning balance	\$ 909,863	\$ 615,927	\$ 506,819	\$ 519,416	\$ 539,753	\$ 563,585
Service cost	46,733	34,186	27,892	30,569	26,655	29,666
Interest on the total pension liability	17,172	19,527	17,832	15,878	19,948	19,069
Changes of benefit terms	-	-	-	-	-	-
Differences between expected and actual experience in the measurement of the total pension liability	(183,630)	8,435	78,298	(4,664)	(60,283)	-
Change of assumptions or other inputs	(20,409)	265,664	18,962	(20,504)	39,286	(13,688)
Benefit payments	(40,230)	(33,876)	(33,876)	(33,876)	(45,943)	(58,879)
Other changes	-	-	-	-	-	-
Ending balance of the total pension liability	<u>\$ 729,499</u>	<u>\$ 909,863</u>	<u>\$ 615,927</u>	<u>\$ 506,819</u>	<u>\$ 519,416</u>	<u>\$ 539,753</u>

Schedule of Total Pension Liability as a Percentage of Covered Payroll						
Total pension liability	\$ 729,499	\$ 909,863	\$ 615,927	\$ 506,819	\$ 519,416	\$ 539,753
Covered payroll	1,291,920	1,505,808	1,312,841	1,282,051	1,241,015	1,192,033
Total pension liability as a percentage of covered payroll	56.47%	60.42%	46.92%	39.53%	41.85%	45.28%

Notes to the schedules:

The City of Brevard has no assets accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement 73 to pay related benefits.

The amounts presented for each fiscal year were determined as of the prior year ended December 31. These schedules are intended to provide information for ten fiscal years. Additional years' information will be displayed as it becomes available.

CITY OF BREVARD, NORTH CAROLINA

RETIREE HEALTH BENEFITS PLAN
REQUIRED SUPPLEMENTARY INFORMATION
LAST SIX FISCAL YEARS

Schedule of Changes in Net OPEB Asset (Liability) and Related Ratios

Total OPEB Liability	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>
Service cost	\$ 9,201	\$ 9,595	\$ 17,553	\$ 16,959	\$ 16,386	\$ 15,869
Interest on the total OPEB liability	4,133	4,048	7,130	6,709	6,240	5,127
Changes of benefit terms			-	-	-	-
Differences between expected and actual experience	118,941	(21,960)	(149,720)	(25,310)	(22,306)	55,672
Change of assumptions or other inputs	21,508	5,410	(2,952)	-	-	-
Benefit payments	<u>1,203</u>	<u>10,783</u>	<u>18,517</u>	<u>15,731</u>	<u>18,104</u>	<u>(58,498)</u>
Net change in total OPEB liability	154,986	7,876	(109,472)	14,089	18,424	18,170
Total OPEB liability - beginning	<u>151,335</u>	<u>143,459</u>	<u>252,931</u>	<u>238,842</u>	<u>220,418</u>	<u>202,248</u>
Total OPEB liability - ending	<u>\$ 306,321</u>	<u>\$ 151,335</u>	<u>\$ 143,459</u>	<u>\$ 252,931</u>	<u>\$ 238,842</u>	<u>\$ 220,418</u>
 Plan Fiduciary Net Position						
Contributions (distributions) - employer	\$ (1,203)	\$ (10,783)	\$ 11,483	\$ 3,019	\$ 646	\$ 77,248
Net investment income	433	52	3,320	4,890	22	39
Benefit payments	<u>1,203</u>	<u>10,783</u>	<u>18,517</u>	<u>15,731</u>	<u>18,104</u>	<u>(58,498)</u>
Net change in plan fiduciary net position	433	52	33,320	23,640	18,772	18,789
Plan fiduciary net position - beginning	<u>269,841</u>	<u>269,789</u>	<u>236,469</u>	<u>212,829</u>	<u>194,057</u>	<u>175,268</u>
Plan fiduciary net position - ending	<u>\$ 270,274</u>	<u>\$ 269,841</u>	<u>\$ 269,789</u>	<u>\$ 236,469</u>	<u>\$ 212,829</u>	<u>\$ 194,057</u>
 City's net OPEB asset (liability) - ending	<u>\$ (36,047)</u>	<u>\$ 118,506</u>	<u>\$ 126,330</u>	<u>\$ (16,462)</u>	<u>\$ (26,013)</u>	<u>\$ (26,361)</u>
 Plan fiduciary net position as a percentage of the total OPEB liability	88.23%	178.31%	188.06%	93.49%	89.11%	88.04%
 Covered payroll	\$4,384,131	\$4,341,214	\$4,341,214	\$4,003,851	\$4,003,851	\$4,003,851
 City's net OPEB asset (liability) as a percentage of covered payroll	-0.82%	2.73%	2.91%	-0.41%	-0.65%	-0.66%

CITY OF BREVARD, NORTH CAROLINA

**RETIREE HEALTH BENEFITS PLAN
REQUIRED SUPPLEMENTARY INFORMATION
LAST SIX FISCAL YEARS**

Schedule of the City's Contributions

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>
Actuarially Determined Contribution	\$ 4,276	\$ 4,276	\$ 4,276	\$ 16,315	\$ 17,214	\$ 23,438
Contribution (distribution) in relation to the contractually required contribution	<u>(1,203)</u>	<u>(10,783)</u>	<u>11,483</u>	<u>3,019</u>	<u>646</u>	<u>77,248</u>
Contribution deficiency (excess)	<u>\$ 5,479</u>	<u>\$ 15,059</u>	<u>\$ (7,207)</u>	<u>\$ 13,296</u>	<u>\$ 16,568</u>	<u>\$ (53,810)</u>
City's covered payroll	\$ 4,384,131	\$ 4,341,214	\$ 4,341,214	\$ 4,003,851	\$ 4,003,851	\$ 4,003,851
Actual contributions as a percentage of covered payroll	(0.03%)	(0.25%)	0.26%	0.08%	0.02%	1.93%

Notes to Schedule:

Valuation date: Actuarially determined contribution rates are calculated as of June 30, one year prior to the end of the year in which contributions are reported. This schedule will build to a ten-year schedule as information becomes available.

Methods and assumptions used to determine contributions rates:

Actuarial cost method	Entry age normal
Amortization method	Level dollar
Amortization period	30 years
Asset valuation method	Market value
Inflation	2.50 percent
Healthcare cost trend rates	7.0 percent for 2021 decreasing to 4.5% by 2031
Salary increases	3.25 to 8.41 including inflation and productivity factor
Investment rate of return	2.72 percent, net of OPEB plan investment expense, including inflation
Retirement age and mortality	Assumed life expectancies are based on the RP-2019 Healthy Annuitant base rates projected to 2019 using MP-2019, projected forward generationally from 2010 using MP-2019.

CITY OF BREVARD, NORTH CAROLINA
LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM
REQUIRED SUPPLEMENTARY INFORMATION
LAST NINE FISCAL YEARS *

City's Proportionate Share of Net Pension Liability (Asset)

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
City's proportionate share of the net pension liability (asset) (%)	0.05623%	0.06628%	0.06861%	0.06332%	0.06516%	0.07112%	0.07737%	0.07524%	0.00728%
City's proportion of the net pension liability (asset) (\$)	\$ 862,344	\$ 2,368,469	\$ 1,873,686	\$ 1,502,167	\$ 995,464	\$ 1,509,405	\$ 347,232	\$ (443,725)	\$ 877,520
City's covered payroll	4,783,017	5,090,737	4,736,758	4,376,609	4,365,405	4,312,361	4,405,582	4,477,284	4,548,986
City's proportionate share of the net pension liability (asset) as a percentage of its covered payroll	18.03%	46.53%	39.56%	34.32%	22.80%	35.00%	7.88%	9.91%	19.29%
Plan fiduciary net position as a percentage of the total pension liability **	95.51%	88.61%	90.86%	91.63%	91.48%	91.47%	98.09%	99.07%	102.64%

* The amounts presented for each fiscal year were determined as of the prior year ended June 30. These schedules are intended to provide information for ten fiscal years. Additional years' information will be displayed as it becomes available.

** This will be the same percentage for all participant employers in the LGERS plan.

CITY OF BREVARD, NORTH CAROLINA

**LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM
REQUIRED SUPPLEMENTARY INFORMATION
LAST NINE FISCAL YEARS**

Schedule of the City's Contributions

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Contractually required contribution	\$ 586,948	\$ 491,486	\$ 466,606	\$ 378,589	\$ 339,990	\$ 328,218	\$ 296,217	\$ 315,304	\$ 319,008
Contribution in relation to the contractually required contribution	<u>586,948</u>	<u>491,486</u>	<u>466,606</u>	<u>378,589</u>	<u>339,990</u>	<u>328,218</u>	<u>296,217</u>	<u>315,304</u>	<u>319,008</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
City's covered payroll	\$ 5,143,855	\$ 4,783,017	\$ 5,090,737	\$ 4,736,758	\$ 4,376,609	\$ 4,365,405	\$ 4,312,361	\$ 4,405,582	\$ 4,477,284
Contributions as a percentage of covered payroll	11.41%	10.28%	9.17%	7.99%	7.77%	7.52%	6.87%	7.16%	7.13%

These schedules are intended to provide information for ten fiscal years. Additional years' information will be displayed as it becomes available.

**COMBINING AND INDIVIDUAL FUND STATEMENTS
AND SCHEDULES**

CITY OF BREVARD, NORTH CAROLINA

GENERAL FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual

For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Revenues			
Ad Valorem Taxes:			
Current year	\$ 5,493,000	\$ 5,685,037	\$ 192,037
Prior years	-	44,545	44,545
Penalties and interest	8,000	21,784	13,784
Refunds paid on ad valorem tax	(10,000)	608	10,608
	<u>5,491,000</u>	<u>5,751,974</u>	<u>260,974</u>
Other Taxes and Licenses:			
Local option sales tax	1,886,206	2,123,511	237,305
Zoning administration	35,000	58,551	23,551
	<u>1,921,206</u>	<u>2,182,062</u>	<u>260,856</u>
Unrestricted Intergovernmental Revenues:			
Utilities sales tax	540,000	540,431	431
Beer and wine taxes	35,000	30,825	(4,175)
Video franchise fees	45,000	38,479	(6,521)
City of Brevard ABC Board	200,000	209,278	9,278
Payments in lieu of taxes	7,500	-	(7,500)
	<u>827,500</u>	<u>819,013</u>	<u>(8,487)</u>
Restricted Intergovernmental Revenues:			
Powell Bill allocation	243,800	236,211	(7,589)
City narcotics investigation	10,000	-	(10,000)
Court facilities fees	2,000	1,602	(398)
	<u>255,800</u>	<u>237,813</u>	<u>(17,987)</u>
Sales and Services:			
Lease revenue	30,000	22,414	(7,586)
Rents	-	3,275	3,275
Parking violation penalties	1,000	4,615	3,615
Vehicle maintenance	276,650	213,061	(63,589)
	<u>307,650</u>	<u>243,365</u>	<u>(64,285)</u>
Investment earnings	<u>1,800</u>	<u>14,909</u>	<u>13,109</u>
Interest on lease receivable	<u>-</u>	<u>19,948</u>	<u>19,948</u>
Miscellaneous revenue	<u>3,000</u>	<u>61,268</u>	<u>58,268</u>
Total revenues	<u>8,807,956</u>	<u>9,330,352</u>	<u>522,396</u>
Expenditures			
General Government:			
Governing Body:			
Salaries and employee benefits		48,308	
Other operating expenses		51,254	
	<u>112,366</u>	<u>99,562</u>	<u>12,804</u>
Administration:			
Salaries and employee benefits		546,162	
Other operating expenses		170,256	
Capital outlay		1,025	
Allocation to utility fund		(300,000)	
	<u>419,333</u>	<u>417,443</u>	<u>1,890</u>

CITY OF BREVARD, NORTH CAROLINA

GENERAL FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Finance:			
Salaries and employee benefits		436,051	
Other operating expenses		323,030	
Allocation to utility fund		(300,000)	
	462,193	459,081	3,112
Legal:			
Other operating expenses	63,500	58,472	5,028
Planning:			
Salaries and employee benefits		414,833	
Other operating expenses		369,864	
Capital outlay		31,093	
	834,270	815,790	18,480
Special Appropriations:			
Arts Council		10,000	
Chamber of Commerce		13,685	
Heart of Brevard		14,250	
Bread of Life		5,000	
Boys and Girls Club		5,000	
Farmers Market		15,000	
	87,685	62,935	24,750
Total General Government	1,979,347	1,913,283	66,064
Public Safety:			
Police:			
Salaries and employee benefits		2,498,892	
Other operating expenses		611,138	
Capital outlay		99,110	
Total Public Safety	3,223,053	3,209,140	13,913
Public Works:			
Administration:			
Salaries and employee benefits		366,079	
Other operating expenses		162,248	
	532,169	528,327	3,842
Central Maintenance:			
Salaries and employee benefits		202,871	
Other operating expenses		207,975	
	467,999	410,846	57,153
Streets:			
Salaries and employee benefits		546,851	
Other operating expenses		253,963	
Capital outlay		13,250	
	782,878	814,064	(31,186)
Powell Bill:			
Other operating expenses	268,800	247,624	21,176

CITY OF BREVARD, NORTH CAROLINA

GENERAL FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Building and Grounds:			
Salaries and employee benefits		176,467	
Other operating expenses		209,845	
	391,822	386,312	5,510
Total Public Works	2,443,668	2,387,173	56,495
Cultural and Recreation:			
Recreation Department:			
Other operating expenses		182,361	
Capital outlay		7,910	
	210,516	190,271	20,245
Community Center:			
Salaries and employee benefits		4,234	
Other operating expenses		300	
	4,534	4,534	-
Total Cultural and Recreation	215,050	194,805	20,245
Debt Service:			
Principal retirement		68,116	
Interest		5,888	
Total Debt Service	86,765	74,004	12,761
OPEB Expense	20,400	-	20,400
Total expenditures	7,968,283	7,778,405	189,878
Revenues over expenditures	839,673	1,551,947	712,274
Other Financing Sources (Uses):			
Fund balance appropriated	1,395,644	-	(1,395,644)
Operating transfers (to) from other funds:			
Fire District Fund	(488,073)	(488,073)	-
Parking Lot Fund	-	413,458	413,458
Downtown Master Plan Capital Project Fund	(208,000)	(208,000)	-
Multi-use Path Capital Project Fund	(1,321,644)	(1,321,644)	-
Rosenwald Fund	(208,000)	(208,000)	-
Heart of Brevard	(11,000)	(11,000)	-
Emergency Telephone System Fund	(45,600)	(45,563)	37
Installment obligations issued	37,000	-	(37,000)
Proceeds from sale of capital assets	10,000	8,058	(1,942)
Total other financing sources (uses)	(839,673)	(1,860,764)	(1,021,091)
Net change in fund balance	\$ -	(308,817)	\$ (308,817)
Fund balance, beginning of year, as previously stated		4,927,045	
Restatement (See Note 14)		101,217	
Fund balance, beginning of year, as restated		5,028,262	
Fund balance, end of year		\$ 4,719,445	

CITY OF BREVARD, NORTH CAROLINA

CAPITAL RESERVE FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Revenues:			
Fees in lieu of infrastructure	\$ 90,000	\$ 111,700	\$ 21,700
Total revenues	<u>90,000</u>	<u>111,700</u>	<u>21,700</u>
Expenditures:			
Contingency	<u>-</u>	<u>-</u>	<u>-</u>
Revenues over expenditures	<u>90,000</u>	<u>111,700</u>	<u>21,700</u>
Other Financing Sources (Uses):			
Transfers to other funds	<u>(90,000)</u>	<u>-</u>	<u>90,000</u>
Total other financing sources (uses)	<u>(90,000)</u>	<u>-</u>	<u>90,000</u>
Net change in fund balance	<u><u>\$ -</u></u>	<u><u>111,700</u></u>	<u><u>\$ 111,700</u></u>
Fund balance, beginning of year		<u>245,073</u>	
Fund balance, end of year		<u><u>\$ 356,773</u></u>	
Fund balance committed for:			
Streets and sidewalks		\$ 91,126	
Water and sewer projects		<u>265,647</u>	
		<u><u>\$ 356,773</u></u>	

CITY OF BREVARD, NORTH CAROLINA

AMERICAN RESCUE PLAN FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual (Non-GAAP)

From inception and for the year ended June 30, 2022

	Actual through June 30, 2022				Variance Positive (Negative)
	Project Authorization	Reported in Prior Years	Current Year	Total to Date	
Revenues:					
Restricted intergovernmental	<u>\$ 2,525,995</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (2,525,995)</u>
Other financing uses:					
Transfer to Water and Sewer Fund	(765,453)	-	-	-	765,453
Transfer to Capital Project Fund	<u>(1,760,542)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,760,542</u>
Total other financing uses	<u>(2,525,995)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>2,525,995</u>
Net change in fund balance	<u>\$ -</u>	<u>\$ -</u>	<u>-</u>	<u>\$ -</u>	<u>\$ -</u>
Fund balance, beginning of year			<u>-</u>		
Fund balance, end of year			<u>\$ -</u>		

CITY OF BREVARD, NORTH CAROLINA

ROSENWALD REVITALIZATION CAPITAL PROJECT FUND
Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
From inception and for the year ended June 30, 2022

	Actual through June 30, 2022				Variance
	Project Authorization	Reported in Prior Years	Current Year	Total to Date	Positive (Negative)
Revenues:					
Restricted intergovernmental	\$ 95,000	\$ -	\$ -	\$ -	\$ (95,000)
Donations	37,200	40,661	106	40,767	3,567
Total revenues	132,200	40,661	106	40,767	(91,433)
Expenditures:					
Mary C. Jenkins Center	2,530,000	351,666	1,758,217	2,109,883	420,117
Silversteen Memorial Playground improvements	500,000	291,984	39,035	331,019	168,981
Total expenditures	3,030,000	643,650	1,797,252	2,440,902	589,098
Revenues under expenditures	(2,897,800)	(602,989)	(1,797,146)	(2,400,135)	497,665
Other Financing Sources:					
Proceeds from borrowing	2,350,000	-	2,350,000	2,350,000	-
Transfer from General Fund	547,800	475,691	208,000	683,691	135,891
Total other financing sources	2,897,800	475,691	2,558,000	3,033,691	135,891
Net change in fund balance	\$ -	\$ (127,298)	760,854	\$ 633,556	\$ 633,556
Fund balance (deficit), beginning of year			(127,298)		
Fund balance, end of year			\$ 633,556		

CITY OF BREVARD, NORTH CAROLINA

NONMAJOR GOVERNMENTAL FUNDS

Combining Balance Sheet

June 30, 2022

	Special Revenue					
	Special Fire District Fund	Heart of Brevard Municipal Service District Fund	Emergency Telephone System Fund	Housing Trust Fund	Parking Lot Fund	Permanent Bjerg Trust Fund
ASSETS						
Cash and cash equivalents	\$ 313,059	\$ -	\$ -	\$ -	\$ 274,459	\$ -
Cash and cash equivalents, restricted	10,000	2,360	-	188,748	-	56,233
Taxes receivable, net	-	18,486	-	-	-	-
Due from other governments	-	-	-	-	-	-
Notes receivable	-	-	-	210,879	-	-
Total assets	<u>\$ 323,059</u>	<u>\$ 20,846</u>	<u>\$ -</u>	<u>\$ 399,627</u>	<u>\$ 274,459</u>	<u>\$ 56,233</u>
LIABILITIES						
Accounts payable and accrued liabilities	\$ 21,441	\$ 2,360	\$ -	\$ -	\$ 5,888	\$ -
Payable from restricted cash						
Unearned revenue	10,000	-	-	-	-	-
Total liabilities	<u>31,441</u>	<u>2,360</u>	<u>-</u>	<u>-</u>	<u>5,888</u>	<u>-</u>
DEFERRED INFLOWS OF RESOURCES						
Taxes receivable, net	-	18,486	-	-	-	-
FUND BALANCES						
Nonspendable	-	-	-	210,879	-	55,440
Restricted for:						
Stabilization by state statute	-	-	-	-	-	-
Economic and physical development	-	-	-	188,748	-	-
Perpetual maintenance	-	-	-	-	-	793
Committed for fire protection	291,618	-	-	-	-	-
Committed for capital projects	-	-	-	-	268,571	-
Total fund balances	<u>291,618</u>	<u>-</u>	<u>-</u>	<u>399,627</u>	<u>268,571</u>	<u>56,233</u>
Total liabilities deferred inflows of resources and fund balances	<u>\$ 323,059</u>	<u>\$ 20,846</u>	<u>\$ -</u>	<u>\$ 399,627</u>	<u>\$ 274,459</u>	<u>\$ 56,233</u>

CITY OF BREVARD, NORTH CAROLINA

NONMAJOR GOVERNMENTAL FUNDS

Combining Balance Sheet

June 30, 2022

	Capital Projects		
	Multi-Use Path Project Fund	Downtown Master Plan Project Fund	Total Nonmajor Governmental Funds
ASSETS			
Cash and cash equivalents	\$ 1,080,110	\$ 297,206	\$ 1,964,834
Cash and cash equivalents, restricted	-	-	257,341
Taxes receivable, net	-	-	18,486
Due from other governments	325	-	325
Notes receivable	-	-	210,879
Total assets	<u>\$ 1,080,435</u>	<u>\$ 297,206</u>	<u>\$ 2,451,865</u>
LIABILITIES			
Accounts payable and accrued liabilities	\$ 10,528	\$ 20,926	\$ 61,143
Payable from restricted cash			
Unearned revenue	-	-	10,000
Total liabilities	<u>10,528</u>	<u>20,926</u>	<u>71,143</u>
DEFERRED INFLOWS OF RESOURCES			
Taxes receivable, net	<u>-</u>	<u>-</u>	<u>18,486</u>
FUND BALANCES			
Nonspendable	-	-	266,319
Restricted for:			
Stabilization by state statute	325	-	325
Economic and physical development	-	-	188,748
Perpetual maintenance	-	-	793
Committed for fire protection	-	-	291,618
Committed for capital projects	1,069,582	276,280	1,614,433
Total fund balances	<u>1,069,907</u>	<u>276,280</u>	<u>2,362,236</u>
Total liabilities deferred inflows of resources and fund balances	<u>\$ 1,080,435</u>	<u>\$ 297,206</u>	<u>\$ 2,451,865</u>

CITY OF BREVARD, NORTH CAROLINA

NONMAJOR GOVERNMENTAL FUNDS

Combining Schedule of Revenues, Expenditures and Changes in Fund Balances

For the year ended June 30, 2022

	Special Revenue					
	Special Fire District Fund	Heart of Brevard Municipal Service District Fund	Emergency Telephone System Fund	Housing Trust Fund	Parking Lot Fund	Permanent Bjerg Trust Fund
Revenues:						
Ad valorem taxes	\$ 413,736	\$ 141,959	\$ -	\$ -	\$ -	\$ -
Restricted intergovernmental	-	-	4,498	-	-	-
Rental income	-	-	-	-	92,775	-
Investment earnings	-	-	-	-	-	92
Miscellaneous	2,233	-	-	2,395	-	-
Total revenues	<u>415,969</u>	<u>141,959</u>	<u>4,498</u>	<u>2,395</u>	<u>92,775</u>	<u>92</u>
Expenditures:						
General government						
Public safety	692,678	-	127,762	-	-	-
Economic and physical development	-	141,959	-	-	144,866	-
Capital outlay	-	-	-	-	-	-
Debt service:						
Principal retirement	34,362	-	-	-	-	-
Interest	597	-	-	-	-	-
Total expenditures	<u>727,637</u>	<u>141,959</u>	<u>127,762</u>	<u>-</u>	<u>144,866</u>	<u>-</u>
Revenues over (under) expenditures	<u>(311,668)</u>	<u>-</u>	<u>(123,264)</u>	<u>2,395</u>	<u>(52,091)</u>	<u>92</u>
Other Financing Sources (Uses):						
Transfers from General Fund	488,073	-	45,563	-	-	-
Transfers (to) from other funds	-	-	-	-	(413,458)	-
Total other financing sources (uses)	<u>488,073</u>	<u>-</u>	<u>45,563</u>	<u>-</u>	<u>(413,458)</u>	<u>-</u>
Net change in fund balances	176,405	-	(77,701)	2,395	(465,549)	92
Fund balances (deficits), beginning	<u>115,213</u>	<u>-</u>	<u>77,701</u>	<u>397,232</u>	<u>734,120</u>	<u>56,141</u>
Fund balances, ending	<u>\$ 291,618</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 399,627</u>	<u>\$ 268,571</u>	<u>\$ 56,233</u>

CITY OF BREVARD, NORTH CAROLINA

NONMAJOR GOVERNMENTAL FUNDS

Com Combining Schedule of Revenues, Expenditures and Changes in Fund Balances

For the year ended June 30, 2022

	Capital Projects		
	Multi-Use Path Project Fund	Downtown Master Plan Project Fund	Total Nonmajor Governmental Funds
Revenues:			
Ad valorem taxes	\$ -	\$ -	\$ 555,695
Restricted intergovernmental	205,266	-	209,764
Rental income	-	-	92,775
Investment earnings	-	-	92
Miscellaneous	46,666	-	51,294
Total revenues	<u>251,932</u>	<u>-</u>	<u>909,620</u>
Expenditures:			
General government			
Public safety	-	-	820,440
Economic and physical development	-	147,110	433,935
Capital outlay	123,980	230,003	353,983
Debt service:			
Principal retirement	-	-	34,362
Interest	-	-	597
Total expenditures	<u>123,980</u>	<u>377,113</u>	<u>1,643,317</u>
Revenues over (under) expenditures	<u>127,952</u>	<u>(377,113)</u>	<u>(733,697)</u>
Other Financing Sources (Uses):			
Transfers from General Fund	1,321,644	219,000	2,074,280
Transfers (to) from other funds	-	-	(413,458)
Total other financing sources (uses)	<u>1,321,644</u>	<u>219,000</u>	<u>1,660,822</u>
Net change in fund balances	1,449,596	(158,113)	927,125
Fund balances (deficits), beginning	<u>(379,689)</u>	<u>434,393</u>	<u>1,435,111</u>
Fund balances, ending	<u>\$ 1,069,907</u>	<u>\$ 276,280</u>	<u>\$ 2,362,236</u>

CITY OF BREVARD, NORTH CAROLINA

SPECIAL FIRE DISTRICT FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Revenues:			
Ad valorem taxes	\$ 413,733	\$ 413,736	\$ 3
Miscellaneous	-	2,233	2,233
Total revenues	<u>413,733</u>	<u>415,969</u>	<u>2,236</u>
Expenditures:			
Public Safety:			
Salaries and employee benefits		378,270	
Other operating expenses		314,408	
Total public safety	<u>1,541,701</u>	<u>692,678</u>	<u>849,023</u>
Debt Service:			
Principal retirement		34,362	
Interest		597	
Total debt service	<u>35,105</u>	<u>34,959</u>	<u>146</u>
Total expenditures	<u>1,576,806</u>	<u>727,637</u>	<u>849,169</u>
Revenues under expenditures	<u>(1,163,073)</u>	<u>(311,668)</u>	<u>851,405</u>
Other Financing Sources:			
Transfer from general fund	488,073	488,073	-
Installment obligations issued	675,000	-	(675,000)
Total other financing sources	<u>1,163,073</u>	<u>488,073</u>	<u>(675,000)</u>
Net change in fund balance	<u>\$ -</u>	<u>176,405</u>	<u>\$ 176,405</u>
Fund balance, beginning of year		<u>115,213</u>	
Fund balance, end of year		<u>\$ 291,618</u>	

CITY OF BREVARD, NORTH CAROLINA

SPECIAL MUNICIPAL SERVICE DISTRICT FUND

HEART OF BREVARD

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual

For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Revenues:			
Ad valorem taxes	\$ 165,000	\$ 141,959	\$ (23,041)
Expenditures:			
Contracted services	165,000	141,959	23,041
Revenues over expenditures	<u>\$ -</u>	-	<u>\$ -</u>
Fund balance, beginning of year		-	
Fund balance, end of year		<u>\$ -</u>	

CITY OF BREVARD, NORTH CAROLINA

EMERGENCY TELEPHONE SYSTEM FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Revenues:			
Restricted intergovernmental	\$ -	\$ 4,498	\$ 4,498
Expenditures:			
Public safety - Transylvania County	123,301	127,762	(4,461)
Other Financing Uses:			
Transfer from general fund	123,301	45,563	(77,738)
Net change in fund balance	<u>\$ -</u>	<u>(77,701)</u>	<u>\$ (77,701)</u>
Fund balance, beginning of year		<u>77,701</u>	
Fund balance, end of year		<u>\$ -</u>	

CITY OF BREVARD, NORTH CAROLINA

HOUSING TRUST FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual

For the year ended June 30, 2022

	<u>Final Budget</u>	<u>Actual</u>	<u>Variance Positive (Negative)</u>
Revenues:			
Developer loan repayment	<u>\$ 2,400</u>	<u>\$ 21,185</u>	<u>\$ 18,785</u>
Expenditures:			
Economic and physical development	<u>2,400</u>	<u>-</u>	<u>2,400</u>
Revenues over expenditures	<u><u>\$ -</u></u>	<u><u>21,185</u></u>	<u><u>\$ 21,185</u></u>
Reconciliation from budget to actual schedule (budgetary basis) to the fund schedule (modified accrual) Reconciling item:			
Net collections on long-term loans		<u>(18,790)</u>	
Net change in fund balance		<u>2,395</u>	
Fund balance, beginning of year		<u><u>397,232</u></u>	
Fund balance, end of year		<u><u>\$ 399,627</u></u>	

CITY OF BREVARD, NORTH CAROLINA

PARKING LOT FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Revenues:			
Rental income	\$ 50,000	\$ 92,775	\$ 42,775
Expenditures:			
Parking lot maintenance	236,542	144,866	91,676
Revenues under expenditures	(186,542)	(52,091)	134,451
Other Financing Sources (Uses):			
Transfer to General Fund	(413,458)	(413,458)	-
Fund balance appropriated	600,000	-	(600,000)
Total other financing sources (uses)	186,542	(413,458)	(600,000)
Net change in fund balance	\$ -	(465,549)	\$ (465,549)
Fund balance, beginning of year		734,120	
Fund balance, end of year		\$ 268,571	

CITY OF BREVARD, NORTH CAROLINA

MULTI-USE PATH CAPITAL PROJECT FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
From inception and for the year ended June 30, 2022

	Actual through June 30, 2022				Variance
	Project Authorization	Reported in Prior Years	Current Year	Total to Date	Positive (Negative)
Revenues					
Restricted intergovernmental	\$ 1,612,300	\$ -	\$ 205,266	\$ 205,266	\$ (1,407,034)
Local grant	26,700	-	46,666	46,666	19,966
Total revenues	1,639,000	-	251,932	251,932	(1,387,068)
Expenditures:					
Estatoe Trail project	1,222,000	-	123,980	123,980	1,098,020
Railroad Avenue bridge replacement	1,740,000	-	-	-	1,740,000
Total expenditures	2,962,000	-	123,980	123,980	2,838,020
Revenues under expenditures	(1,323,000)	-	127,952	127,952	1,450,952
Other Financing Sources:					
Fund balance appropriated	290,000	-	-	-	(290,000)
Prior year deficit carryforward	(379,689)	(379,689)	-	(379,689)	-
Transfers from ARPA Fund	700,000	-	-	-	(700,000)
Transfers from General Fund	712,689	-	1,321,644	1,321,644	608,955
Total other financing sources	1,323,000	(379,689)	1,321,644	941,955	(381,045)
Net change in fund balance (deficit)	\$ -	\$ (379,689)	1,449,596	\$ 1,069,907	\$ 1,069,907
Fund balance (deficit), beginning of year			(379,689)		
Fund balance, end of year			\$ 1,069,907		

CITY OF BREVARD, NORTH CAROLINA

DOWNTOWN MASTER PLAN CAPITAL PROJECT FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual
From inception and for the year ended June 30, 2022

	Actual through June 30, 2022				Variance
	Project Authorization	Reported in Prior Years	Current Year	Total to Date	Positive (Negative)
Expenditures:					
Clemson Plaza	\$ 440,000	\$ 218,520	\$ 230,003	\$ 448,523	\$ (8,523)
Times Arcade Alley improvements	550,000	-	-	-	550,000
Streetscapes design	494,312	-	147,110	147,110	347,202
Total expenditures	<u>1,484,312</u>	<u>218,520</u>	<u>377,113</u>	<u>595,633</u>	<u>888,679</u>
Revenues under expenditures	<u>(1,484,312)</u>	<u>(218,520)</u>	<u>(377,113)</u>	<u>(595,633)</u>	<u>888,679</u>
Other Financing Sources (uses):					
Fund balance appropriated	440,000	-	-	-	(440,000)
Transfer from General Fund	687,212	652,913	219,000	871,913	184,701
Transfer from ARPA Fund	357,100	-	-	-	(357,100)
Total other financing sources (uses)	<u>1,484,312</u>	<u>652,913</u>	<u>219,000</u>	<u>871,913</u>	<u>(612,399)</u>
Net change in fund balance	<u>\$ -</u>	<u>\$ 434,393</u>	<u>(158,113)</u>	<u>\$ 276,280</u>	<u>\$ 276,280</u>
Fund balance, beginning of year			<u>434,393</u>		
Fund balance, end of year			<u>\$ 276,280</u>		

CITY OF BREVARD, NORTH CAROLINA

WATER AND SEWER FUND

Schedule of Revenues and Expenditures - Budget and Actual (Non-GAAP)

For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Revenues:			
Charges for utilities:			
Water	\$ 2,941,737	\$ 2,855,502	\$ (86,235)
Sewer	2,732,445	2,822,773	90,328
Taps and connection fees:			
Water	30,000	42,385	12,385
Sewer	50,000	64,171	14,171
Other operating revenues	233,620	295,274	61,654
Total revenues	5,987,802	6,080,105	92,303
Expenditures:			
Water Service:			
Water Treatment:			
Salaries and employee benefits	399,946	416,344	
Other operating expenses	603,200	479,461	
	1,003,146	895,805	107,341
Water Distribution:			
Salaries and employee benefits	291,867	299,324	
Other operating expenses	333,000	318,991	
	624,867	618,315	6,552
Total water service	1,628,013	1,514,120	113,893
Sewer Service:			
Sewage Treatment:			
Salaries and employee benefits	656,356	613,086	
Other operating expenses	888,731	922,339	
Capital outlay	117,000	122,657	
	1,662,087	1,658,082	4,005
Sewer Maintenance:			
Salaries and employee benefits	348,523	273,002	
Other operating expenses	489,400	380,815	
	837,923	653,817	184,106
Total sewer service	2,500,010	2,311,899	188,111
Debt Service:			
Interest and fees		267,700	
Debt principal		1,333,378	
Total debt service	1,636,911	1,601,078	35,833

CITY OF BREVARD, NORTH CAROLINA

WATER AND SEWER FUND

Schedule of Revenues and Expenditures - Budget and Actual (Non-GAAP)

For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Nondepartmental:			
Payment to general fund in lieu of taxes and administrative expenses	1,200,000	600,000	
Miscellaneous	50,000	55,255	
	<u>1,250,000</u>	<u>655,255</u>	594,745
Total expenditures	<u>7,014,934</u>	<u>6,082,352</u>	932,582
Revenues over (under) expenditures	<u>(1,027,132)</u>	<u>(2,247)</u>	1,024,885
Other financing sources:			
Fund balance appropriated	154,279	-	(154,279)
Loan proceeds	117,000	-	(117,000)
Transfer from other funds	755,853	-	(755,853)
Total other financing sources	<u>1,027,132</u>	<u>-</u>	<u>(1,027,132)</u>
Revenues and other sources over expenditures	<u><u>\$ -</u></u>	<u><u>(2,247)</u></u>	<u><u>\$ (2,247)</u></u>
Reconciliation of Budgetary Basis (modified accrual) to Full Accrual Basis:			
Reconciling items:			
Payment of debt principal		1,333,378	
Capital outlay		239,281	
Decrease in accrued interest		2,400	
Increase in net OPEB liability		(30,911)	
Increase in deferred outflows of resources - OPEB		24,267	
Decrease in deferred inflows of resources - OPEB		6,104	
Increase in deferred outflows of resources - pension		46,020	
Decrease in net pension liability		283,978	
Increase in deferred inflows of resources - pension		(297,540)	
Decrease in compensated absences		24,196	
Depreciation		<u>(1,190,280)</u>	
Change in net position		<u><u>\$ 438,646</u></u>	

CITY OF BREVARD, NORTH CAROLINA

WATER AND SEWER CAPITAL PROJECTS FUND

Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual (Non-GAAP)

From inception and for the year ended June 30, 2022

	Actual through June 30, 2022			Variance
Project Authorization	Reported in Prior Years	Current Year	Total to Date	Positive (Negative)
Revenues:				
Restricted intergovernmental	\$ 500,000	\$ -	\$ -	\$ (500,000)
Expenditures:				
Burrell Mountain Water Tank Project	2,915,211	39,540	242,385	281,925
Kings Street Water Line Project	1,108,656	100,218	104,050	204,268
WWTP- Drying Beds	147,000	-	-	-
Stormwater Project	1,613,542	-	-	-
Estatoe Trail Phase I	420,000	-	182,263	182,263
Main St. Water and Sewer Improvements	600,000	-	51,096	51,096
Whitemire St. Waterline Improvements	556,000	-	44,584	44,584
Gallimore Road Sewer Basin Project	2,373,366	192,262	906,920	1,099,182
Total expenditures	9,733,775	332,020	1,531,298	1,863,318
Revenues under expenditures	(9,233,775)	(332,020)	(1,531,298)	(1,863,318)
Other financing sources (uses):				
Transfer from ARPA Fund	765,453	-	-	-
Loan proceeds	5,686,268	-	946,548	946,548
Transfer to Water and Sewer Fund	2,782,054	13,694	-	13,694
	9,233,775	13,694	946,548	960,242
Revenues and other financing sources over expenditures and other uses	\$ -	\$ (318,326)	\$ (584,750)	\$ (903,076)

CITY OF BREVARD, NORTH CAROLINA

SANITATION FUND

Schedule of Revenues and Expenditures - Budget and Actual (Non-GAAP)

For the year ended June 30, 2022

	Final Budget	Actual	Variance Positive (Negative)
Revenues:			
Charges for:			
Refuse	\$ 830,790	\$ 819,616	\$ (11,174)
Recycling	230,000	257,029	27,029
Total revenues	<u>1,060,790</u>	<u>1,076,645</u>	<u>15,855</u>
Expenditures:			
Operations:			
Salaries and employee benefits	562,715	571,472	
Other operating expenses	383,019	383,969	
	<u>945,734</u>	<u>955,441</u>	<u>(9,707)</u>
Debt Service:			
Interest and fees		10,448	
Debt principal		92,392	
Total debt service	<u>115,056</u>	<u>102,840</u>	<u>12,216</u>
Total expenditures	<u>1,060,790</u>	<u>1,058,281</u>	<u>2,509</u>
Revenues over (under) expenditures	<u>\$ -</u>	<u>18,364</u>	<u>\$ 18,364</u>
Reconciliation of Budgetary Basis (modified accrual) to Full Accrual Basis:			
Reconciling items:			
Payment of debt principal		92,392	
Increase in net OPEB liability		(15,455)	
Increase in deferred outflows of resources - OPEB		12,134	
Decrease in deferred inflows of resources - OPEB		3,052	
Increase in deferred outflows of resources - pension		7,619	
Decrease in net pension liability		102,707	
Increase in deferred inflows of resources - pension		(94,645)	
Increase in compensated absences		(1,842)	
Depreciation		<u>(68,534)</u>	
Change in net position		<u>\$ 55,792</u>	

CITY OF BREVARD, NORTH CAROLINA

INSURANCE INTERNAL SERVICE FUND

Schedule of Revenues and Expenditures - Financial Plan and Actual (Non-GAAP)

For the year ended June 30, 2022

	Financial Plan	Actual	Variance Positive (Negative)
Revenues:			
Charges for services	<u>\$ 1,503,200</u>	<u>\$ 1,485,526</u>	<u>\$ (17,674)</u>
Expenditures:			
Claims		1,103,975	
Insurance premiums		277,414	
Other operating expenses		166,092	
Total expenditures	<u>1,594,295</u>	<u>1,547,481</u>	<u>46,814</u>
Revenues under expenditures	(91,095)	(61,955)	29,140
Other Financing Sources:			
Fund balance appropriated	<u>91,095</u>	<u>-</u>	<u>(91,095)</u>
Revenues and other financing sources over expenditures	<u>\$ -</u>	<u>\$ (61,955)</u>	<u>\$ (61,955)</u>

SUPPLEMENTAL FINANCIAL DATA

CITY OF BREVARD, NORTH CAROLINA

GENERAL FUND
Schedule of Ad Valorem Taxes Receivable
For the year ended June 30, 2022

<u>Fiscal Year</u>	<u>Uncollected Balance 6/30/2021</u>	<u>Additions</u>	<u>Collections And Credits</u>	<u>Uncollected Balance 6/30/2022</u>
2021-2022	\$ -	\$ 5,773,703	\$ 5,674,632	\$ 99,071
2020-2021	71,319	-	36,895	34,424
2019-2020	15,191	-	6,936	8,255
2018-2019	2,239	-	476	1,763
2017-2018	1,270	-	239	1,031
2016-2017	2,081	-	-	2,081
2015-2016	546	-	-	546
2014-2015	755	-	-	755
2013-2014	1,803	-	-	1,803
2012-2013	1,977	-	-	1,977
2011-2012	1,169	-	1,169	-
	<u>\$ 98,350</u>	<u>\$ 5,773,703</u>	<u>\$ 5,720,347</u>	<u>151,706</u>
Less: allowance for uncollectible accounts:				
General Fund				<u>(37,000)</u>
Ad valorem taxes receivable, net				<u>\$ 114,706</u>
<u>Reconciliation with revenues:</u>				
Ad valorem taxes - General Fund				\$ 5,751,974
Reconciling items:				
Interest collected				(21,784)
Taxes written off				1,169
Refunds and other adjustments, net				<u>(11,012)</u>
Total collections and credits				<u>\$ 5,720,347</u>

CITY OF BREVARD, NORTH CAROLINA

GENERAL FUND
Analysis of Current Tax Levy
For the year ended June 30, 2022

	Property Valuation	Rate	Total Levy	Property Excluding Registered Motor Vehicles	Registered Motor Vehicles
Original levy:					
Property taxed at current rates	1,281,158,667	0.0045	\$ 5,765,214	\$ 5,480,138	\$ 285,076
Penalties			1,980	1,980	-
Total			5,767,194	5,482,118	285,076
Discoveries	18,947,333		85,263	85,263	-
Abatements	(17,500,889)		(78,754)	(78,754)	-
Total property valuation	<u>\$ 1,282,605,111</u>				
Net levy			5,773,703	5,488,627	285,076
Uncollected taxes at June 30, 2022			99,071	99,071	-
Current year's taxes collected			<u>\$ 5,674,632</u>	<u>\$ 5,389,556</u>	<u>\$ 285,076</u>
Current levy collection percentage			<u>98.28%</u>	<u>98.19%</u>	<u>100.00%</u>

COMPLIANCE SECTION



**Report On Internal Control Over Financial Reporting
And On Compliance And Other Matters Based On An Audit Of Financial Statements
Performed In Accordance With *Government Auditing Standards***

Independent Auditors' Report

To the Honorable Mayor and
Members of the City Council
City of Brevard
Brevard, North Carolina

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the remaining fund information of the City of Brevard, North Carolina, as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprises the City of Brevard's basic financial statements, and have issued our report thereon dated November 30, 2022.

Our report includes a reference to other auditors who audited the financial statements of the City of Brevard ABC Board, as described in our report on the City of Brevard's financial statements. This report does not include the results of the other auditors' testing of internal control over financial reporting or compliance and other matters that are reported separately by those auditors. The financial statements of the City of Brevard ABC Board were not audited in accordance with *Government Auditing Standards*.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Brevard's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Brevard's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies, and therefore, material weaknesses or significant deficiencies may exist that

were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider material weaknesses. However, material weaknesses may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Brevard's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that is required to be reported under *Government Auditing Standards*.

Purpose of the Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Donald Killian CPA Group, P.A.

Asheville, North Carolina
November 30, 2022



**Report On Compliance For Each Major Federal Program; Report on Internal
Control Over Compliance; In accordance with OMB Uniform Guidance; and the
State Single Audit Implementation Act**

Independent Auditors' Report

To the Honorable Mayor and
Members of the City Council
City of Brevard
Brevard, North Carolina

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited the City of Brevard, North Carolina, compliance with the types of compliance requirements described in the OMB Compliance Supplement and Audit Manual for Governmental Auditors in North Carolina, issued by the Local Government Commission, that could have a direct and material effect on each of the City of Brevard's major federal programs for the year ended June 30, 2022. The City of Brevard's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

In our opinion, the City of Brevard complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2022.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of *Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act. Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City of Brevard and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provides a reasonable basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the City of Brevard's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to City Brevard federal programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on City of Brevard's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about City of Brevard's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance, we

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City of Brevard's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- obtain an understanding of the City of Brevard's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the City of Brevard's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a *material weakness in internal control over compliance*, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in Auditor's Responsibilities for the Audit of Compliance section and above and was not designed to

identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies or material weaknesses in internal control over compliance. Given these limitations, during our audit, we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Donald Killian CPA Group, P.A.

Asheville, North Carolina
November 30, 2022

CITY OF BREVARD, NORTH CAROLINA

Schedule of Findings and Questioned Costs For the Fiscal Year Ended June 30, 2022

1. Summary of Auditor's Results

Financial Statements

Type of auditor's report issued on whether the financial statements were prepared in accordance to GAAP: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? Yes X No
- Significant deficiency(ies) identified that are not considered to be material weaknesses? Yes X None reported
- Non-compliance material to financial statements noted? Yes X No

Federal Awards

Internal control over major federal programs:

- Material weakness(es) identified? Yes X No
- Significant deficiency(ies) identified that are not considered to be material weaknesses? Yes X None reported

Type of auditor's report issued on compliance for major federal program Unmodified

- Any findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)? Yes X No

Identification of major federal programs:

<u>Program Name</u>	<u>Assistance Listing #</u>
Capitalization Grants for Clean Water State Revolving Funds	66.458

Dollar threshold used to distinguish between Type A and Type B Programs \$750,000

City of Brevard qualified as a low-risk auditee? yes X no

CITY OF BREVARD, NORTH CAROLINA

Schedule of Findings and Questioned Costs For the Fiscal Year Ended June 30, 2022

1. Findings Related to the Audit of the Basic Financial Statements of the City of Brevard

None reported.

2. Federal Award Findings and Questioned Costs

None reported.

3. Summary of Prior Audit Findings

None reported.

CITY OF BREVARD, NORTH CAROLINA

SUMMARY SCHEDULE OF PRIOR YEAR AUDIT FINDINGS

For the year ended June 30, 2022

No prior year findings.

CITY OF BREVARD, NORTH CAROLINA

Schedule of Expenditures of Federal and State Awards For the Year Ended June 30, 2022

	Federal Assistance Listing	State/Pass-Through Grantor's Number	Fed. (Direct & Pass-through) Expenditures	State Expenditures
Federal Grants:				
Non-Cash Programs:				
<u>U.S. Environmental Protection Agency</u>				
Passed-through N.C. Department of Environmental Quality:				
Capitalization Grants for Clean Water State Revolving Funds	66.458	CS30476-09	946,548	-
Total N.C. Department of Environmental Quality			946,548	-
Total Federal awards			946,548	-
State Awards				
Cash Programs:				
<u>N. C. Division of Parks and Recreation</u>				
Parks and Recreation Trust Fund		2019-881	-	80,266
Total N.C. Division of Parks and Recreation			-	80,266
<u>N. C. Department of Transportation:</u>				
Powell Bill		DOT-4; 32570	-	247,624
Total N.C. Department of Transportation			-	247,624
Total State awards			946,548	247,624
Total Federal and State awards			\$ 946,548	\$ 247,624

Notes to the Schedule of Expenditures of Federal and State Financial Awards:

- Basis of Presentation
The accompanying Schedule of Expenditures of Federal and State Awards (SEFSA) includes the federal and State grant activity of the City of Brevard under the programs of the federal government and the State of North Carolina for the year ended June 30, 2022. The information in this SEFSA is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) and the State Single Audit Implementation Act. Because the Schedule presents only a selected portion of the operations of the City of Brevard, it is not intended to and does not present the financial position, changes in net position or cash flows of the City of Brevard.
- Summary of Significant Accounting Policies
Expenditures reported in the SEFSA are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement. The City of Brevard has elected not to use the 10-percent de minimis indirect cost rate as allowed under the Uniform Guidance.
- Loans Outstanding
The City of Brevard had the following loan balances outstanding at June 30, 2022 for loans the grantor has still imposed continuing compliance requirements. Loans outstanding at the beginning of the year and loans made during the year are included in the SEFSA. The balance of the loans outstanding at June 30, 2022 consist of:

Program Title	Assistance Listing No.	Pass-through Grantor's Number	FY 2022 Expenditure	Amount Outstanding
Capitalization Grants for Clean Water State Revolving Funds	66.458	CS30476-09	\$ 946,548	\$ 946,548

STAFF REPORT

City Council, Tuesday, January 17, 2023

Title: Brevard Pedestrian & Bicycle Plan-Alta

Speaker: Matt Hayes, Vice President, Alta Planning + Design Inc.

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

In May of 2020 Council approved a resolution for Planning Department Staff to apply for the NCDOT Bicycle and Pedestrian Planning Grant. In the fall of 2020, the City was notified that it had received the grant and NCDOT assigned Alta Planning + Design as the consultant to produce the City's new combined pedestrian and bicycle plan. This plan would replace the current comprehensive pedestrian plan, which was originally adopted in 2006, with updates to the prioritization maps. The NCDOT grant covered 90% of the cost of the plan, with the City contributing the remaining 10%.

Discussion

The planning process started with a kickoff meeting on May 12, 2021. Alta studied the City's existing plans and policies and conducted an opportunities and constraints analysis. Public input efforts included a survey that received 105 responses, three targeted stakeholder meetings, and a general public input session held in October of 2021. Public input responses highlighted a trend that has been seen time and again when the City conducts public surveys: a large majority of respondents are in favor of new bicycle and pedestrian infrastructure such as sidewalks, bikeways, greenways, crosswalks, and intersection improvements.

The Parks, Trails & Recreation Committee acted as the project Steering Committee, with the plan appearing on their agenda a total of 8 times over the course of 2021 and 2022. In May of 2022, the Committee gave their final comments on the draft recommendations of the plan. The plan was then sent to NCDOT Integrated Mobility Division for their review in September of 2022. This was a requirement of the grant that funded the plan and was completed in November of 2022. Approval by the City Council is the final step towards adoption of the plan as official city policy.

Policy Analysis

The Brevard Pedestrian and Bicycle Plan features policy, program, and infrastructure recommendations that, if adopted, funded, and implemented, will create the walking- and bicycle-friendly community that residents have long supported.

Long-range planning documents, like comprehensive bicycle and pedestrian plans, should be updated regularly; the general rule of thumb is every 10 years. With an age of over 15 years, the City's existing Comprehensive Pedestrian Plan is due for an update. The 2015 Comprehensive Plan specifically calls for updating the plan (Policy 5.2.A) and the existing

plan itself recommends committee updates every five years.

Fiscal Impact

None at this time, the City has already paid its match for the Planning Grant. Council should consider prioritization of the Plans' identified pedestrian and bicycling infrastructure recommendations during annual budget discussions.

Action

No action requested. For information and discussion only. Staff will request full Council approval at an upcoming meeting.

Attachments:

1. Brevard Pedestrian Bicycle Plan Final Draft

BREVARD

 **PEDESTRIAN** *and*
BICYCLE   **PLAN**



ACKNOWLEDGMENTS

Thank you to the local residents, community leaders, and government staff that participated in the development of this plan through meetings, workshops, comment forms, and plan review. Special thanks to those who participated as steering committee members, listed below.

PROJECT STEERING COMMITTEE

The Steering Committee is made up of the City Council Parks, Trails, & Recreation Committee (CCPTRC), as well as representatives from regional planning agencies. The members include:

Mac Morrow, CCPTRC Chair
Aaron Baker, CCPTRC Vice Chair
Steve Harrell, Interim City Manager
David Lutz, Public Works Director
Paul Ray, Planning Director
Nancy DePippo, CCPTRC Citizen Member
Matt Christian, CCPTRC Citizen Member
Howie Granat, CCPTRC Citizen Member
Tim Robinson, CCPTRC Citizen Member
Ryan Olson, At-Large Member
Denise Hodsdon, City Manager's Executive Assistant
Maureen Copelof, Mayor, Ex Officio Member
Jared Mull, Ex Officio Member
Erik Emaus, former CCPTRC Citizen Member
Jim Fatland, former City Manager and CCPTRC Member
Jimmy Harris, former Ex Officio CCPTRC Member
Aaron Bland, Assistant Planning Director
Vickie Eastland, Land of Sky Rural Planning Organization
Lonnie Watkins, NCDOT District 1
Stephen Williams, NCDOT Division 14
John Vine-Hodge, NCDOT IMD

Prepared for the City of Brevard, North Carolina

Prepared by Alta Planning + Design

Reviewed by Alexius Farris, NCDOT IMD

Adopted by the City of Brevard on *date* _____



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EXECUTIVE SUMMARY

WHY SHOULD WE PLAN FOR BICYCLING AND WALKING IN BREVARD?

The City of Brevard is quickly gaining recognition as a top small city in the nation due to its unique combination of a robust downtown, college town setting, and access to surrounding mountains, trails, and parks. With this recognition, the City faces challenges and opportunities for retaining the small city character and quality of life that is attracting a growing number of people, most notably retirees. One essential aspect of small city living is the freedom and ability to walk out of your front door, and get where you want to go on foot or by bicycle. When residents have the ability to participate in these simple activities, the community often experiences a remarkable set of positive benefits related to public health and safety, recreation, transportation, local economy, and tourism.

As Brevard grows, its roads are not designed to accommodate vehicular traffic AND walkers and bicyclists. City roadways, in their current condition, feel unsafe for many experienced bicyclists, and intimidating for people who would otherwise

consider bicycling and walking. Brevard residents have long supported the idea of creating a safer and more connected network of bicycle facilities, as is well documented in many of the City's past and current plans and initiatives. The City has responded by investing in its initial greenways and side paths. What has been missing, that this plan provides, is a comprehensive analysis of the City's opportunities for creating such a network, and a strategic set of recommendations to successfully make it happen.

WHAT DOES THIS PLAN RECOMMEND?

The Brevard Pedestrian and Bicycle Plan features policy, program, and infrastructure recommendations that, if adopted, funded, and implemented, will create the walk- and bicycle-friendly community that residents have long supported.

This plan documents the past and current support for a walk- and bicycle-friendly Brevard, and highlights the current conditions impacting walking and bicycling in the city today (see Chapter 2).



Attendees of the Public Meeting in October 2021 review the bicycle and pedestrian network maps, and offer their feedback.

KEY STEPS IN THE PLANNING PROCESS:



PUBLIC INPUT RESPONSE HIGHLIGHTS:

How do you rate the overall walking conditions in Brevard?

9% EXCELLENT

36% GOOD

41% FAIR

14% POOR

How do you rate the overall biking conditions in Brevard?

8% EXCELLENT

22% GOOD

48% FAIR

22% POOR

What are your top priorities for walking + biking improvements

81%
NEW
SIDEWALKS,
CROSSWALKS,
+ BIKEWAYS

BASIS OF RECOMMENDATIONS:

Public & Steering Committee Input

Mapping exercises, workshops, group discussions, and survey forms (p. 22)

Connections to Key Destinations

Downtown, parks, schools, neighborhoods, commercial areas, and surrounding communities (p. 9)

Current Conditions

Roadway maintenance jurisdiction and Collision Analysis (p. 8, 11)

Existing Plans & Projects

Existing and in-development roadway, greenway, side path, and bicycle lane projects (p. 18)

Priority Project Analysis

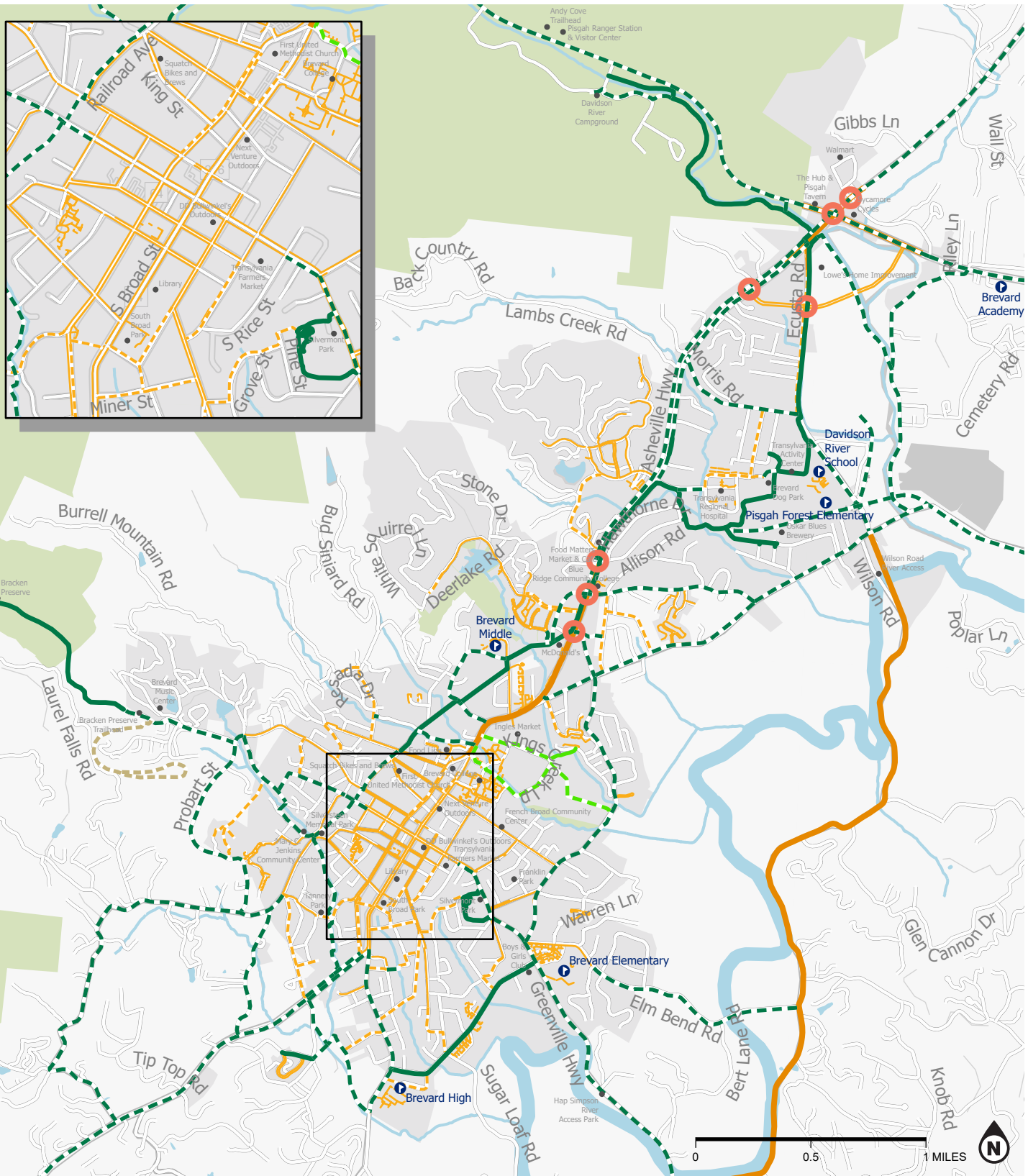
A priority project checklist taking into account nearly 4 unique factors (p. 42)

Top Priority Projects:

Completing the Estatoe Trail is the #1 overall Priority for the City of Brevard.

In addition to the Estatoe Trail, the following five projects were chosen to be representative of the types of bicycle and pedestrian project recommendations in the Plan:

1. Shared Use Path on Osborne Road
2. Shared Use Path on Neely Road
3. Separated Bicycle Lanes on Broad Street + Caldwell Street
4. Bicycle Boulevards on Morgan Street + Caldwell Street
5. Shared Lane Markings on French Broad Street



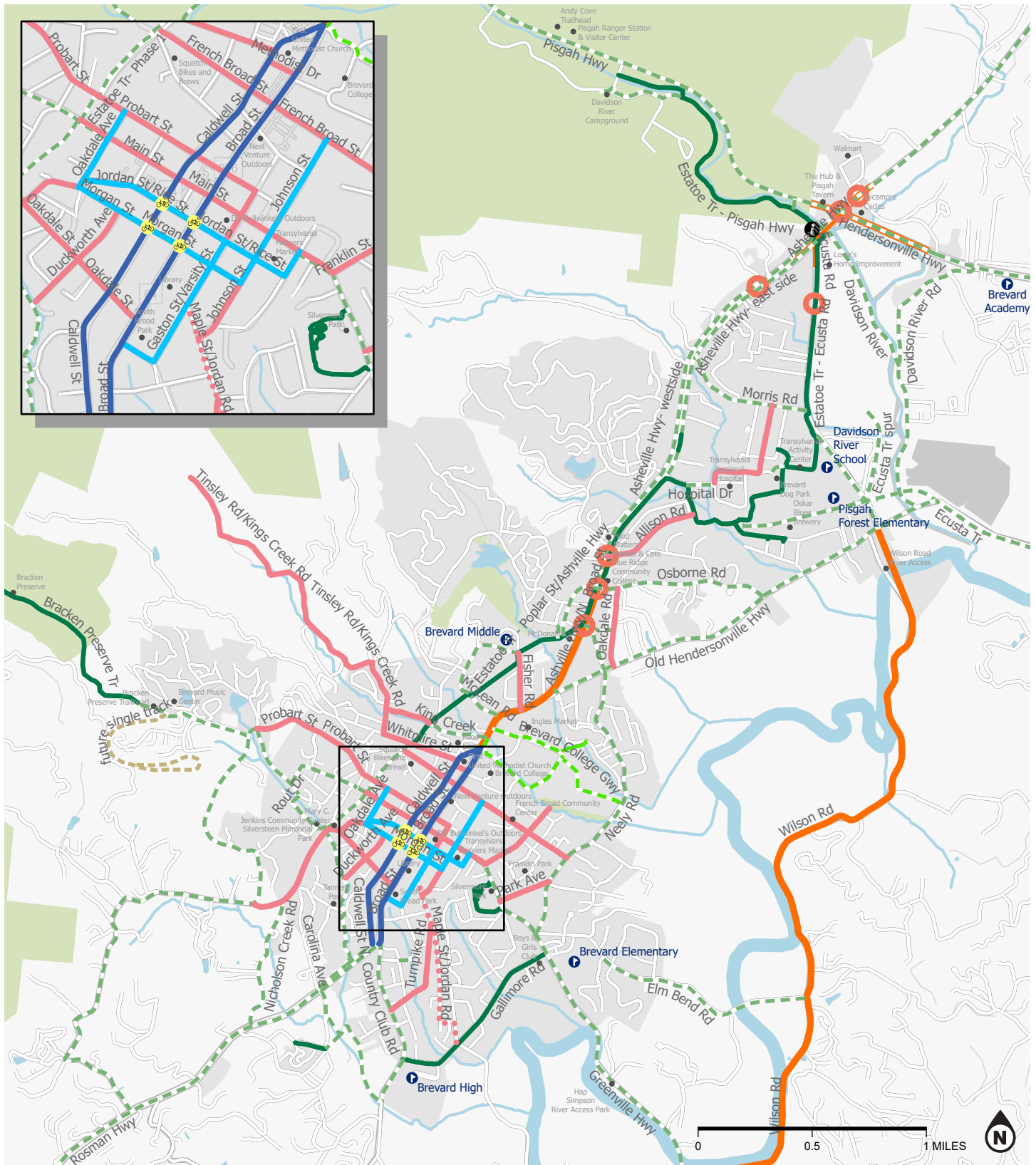
PEDESTRIAN FACILITY RECOMMENDATIONS

CITY OF BREVARD PEDESTRIAN & BICYCLE PLAN

- PEDESTRIAN FACILITIES**
- Sidewalks- Existing
 - Sidewalks- Proposed
 - Shared-Use Path- Existing
 - Shared-Use Path- Proposed
 - Natural Surface Trail- Existing
 - Natural Surface Trail- Proposed
 - Shared Use Path- private, existing
 - Shared Use Path- private, proposed

- Planned Roundabout
- Funded Roadway Projects

- DESTINATIONS + BOUNDARIES**
- Public Schools
 - Railroad
 - Streets
 - Transylvania County
 - Parks
 - Brevard City Limits



BICYCLE FACILITY RECOMMENDATIONS

CITY OF BREVARD
PEDESTRIAN & BICYCLE PLAN

BICYCLE FACILITIES

- Bike Crossing Signal
- Separated Bike Lane (SBL)- Proposed (long-term)
- Bike Boulevard- Proposed
- Shared Lane Markings (SLM)- Existing
- SLM- Proposed
- Shared-Use Path- Existing
- Shared-Use Path- Proposed
- Natural Surface Trail- Existing
- Natural Surface Trail- Proposed
- Shared Use Path- private, existing
- Shared Use Path- private, proposed

- Information Kiosk/Map- proposed
- Planned Roundabout
- Funded Roadway Projects

DESTINATIONS + BOUNDARIES

- Public Schools
- Railroad
- Streets
- Transylvania County
- Parks
- Brevard City Limits



01 INTRODUCTION

HISTORY & PROJECT BACKGROUND

In 2021, the City of Brevard began developing a comprehensive pedestrian and bicycle plan that synthesizes years of previous planning efforts to create a more walkable and bikeable Brevard. In 2018, the City passed a Complete Streets resolution to create a street network that integrates all modes of travel, including walking and biking. That same year, the City updated its Comprehensive Pedestrian Plan that was originally adopted in 2006. This update was followed by the 2019 Transylvania County Bicycle Plan and the Downtown Master Plan and Streetscape of 2021.

The Brevard Pedestrian + Bicycle Plan updates and combines these previous pedestrian and bicycle planning efforts, and others, into a single planning document with a cohesive network of infrastructure recommendations and related program and policy recommendations to support walking and biking in Brevard. Funded by the NCDOT Integrated Mobility Division Multimodal Planning Grant Program, this plan provides a framework for the City and its residents, the Blue Zones Project, developers, NCDOT, and other local and regional planning partners to strategically build better connections for walking and biking throughout the city.

VISION STATEMENT

Brevard will be a premier destination for biking and walking, with a safe and expansive network of bicycle and pedestrian facilities connecting the city to the surrounding outdoor recreation and cultural destinations.

PROJECT GOALS

With this plan, the City of Brevard has a guide for infrastructure, program, and policy improvements that can lead to a robust citywide active transportation network. The City of Brevard will use this plan to:



**CREATE SAFER
CONDITIONS FOR
WALKING AND BIKING**



**INCREASE OVERALL
QUALITY OF LIFE/
LIVABILITY/COMMUNITY
HEALTH**



**CREATE MORE CHOICES
FOR TRANSPORTATION,
RECREATION, AND
EXERCISE THROUGH
WALKING AND BIKING**



**GENERATE A POSITIVE
ECONOMIC IMPACT AND
INCREASE TOURISM
RELATED TO ACTIVE LIVING**



**PROTECT THE
ENVIRONMENT AND
PROMOTE ENVIRONMENTAL
STEWARDSHIP**

THE VALUE OF ACTIVE COMMUNITIES

Developing a robust network of pedestrian and bicycle infrastructure can provide many benefits to a community. Improvements can be seen in the safety, health, economy, environment, accessibility and mobility of a city and its residents. The following section provides examples of potential benefits in each of these areas.



SAFETY BENEFITS

Dedicated infrastructure for walking and biking, combined with measures to reduce vehicle speeds, help prevent crashes and save lives. Additionally, through an increased number of trail users, natural surveillance for trails and greenways creates a safer environment.

Bicycling infrastructure (specifically separated and protected bike lanes) significantly reduce fatalities and improve road-safety outcomes for all road users, not just cyclists.



Marshall, W. and Ferencsik, N. 2019 - Why cities with high bicycling rates are safer for all road users, Journal of Transport & Health

“Communities designed to be walkable can improve safety not only for people who walk but for all community members.”

U.S. Department of Health and Human Services, 2015. Step It Up! The Surgeon General's Call to Action To Promote Walking and Walkable Communities

A pedestrian hit by a vehicle traveling at
25 MPH



has a **89%** chance of survival

A pedestrian hit by a vehicle traveling at
35 MPH



has a **68%** chance of survival

A pedestrian hit by a vehicle traveling at
45 MPH



has a **35%** chance of survival

Rosén, E., & Sander, U. (2009). Pedestrian fatality risk as a function of car impact speed. Accident Analysis & Prevention, 41(3), 536-542.



HEALTH BENEFITS

Walking & biking trails offer safe and accessible opportunities for physical activity. People who utilize trails are able to connect with places that they want or need to go, and realize the health benefits of active transportation.

For every
0.6 MILES
WALKED
there is a

5%

**REDUCTION IN
THE LIKELIHOOD
OF OBESITY.**

Frank, 2004. Obesity relationships with community design, physical activity, and time spent in cars.

Obesity in Transylvania County = 32% of adults
Physical Activity* in Transylvania County = 72%

*% of adults who participated in the recommended physical activity
Source: 2019, CDC PLACES, <https://www.cdc.gov/places/>



Those who are **physically active** generally have **long-term benefits**, such as **lower risk for heart disease, stroke, and type-2 diabetes.**

CDC, 2021. Health Benefits of Physical Activity for Adults



20 MINUTES WALKING OR BIKING
each day is associated with a

29% LOWER RISK OF HEART FAILURE

Rahman, 2014. Relationship Between Physical Activity and Heart Failure Risk in Women



ECONOMIC BENEFITS

Connected walking and biking trails often yield high returns on investment through economic diversification, recreational tourism, increased property values, and small business opportunities.

A 2018 study looking at the economic impact of four greenways in North Carolina (Brevard Estate Trail, Little Sugar Creek Greenway, American Tobacco Trail, and Duck Trail) found that **every \$1.00** spent on trail construction **supports \$1.72 annually** from local business revenue, sales tax revenue, and benefits related to health and transportation.

Combined Study Results: A one-time \$26.7M capital investment in the four greenways supports:



\$19.4M

Estimated annual sales revenue at local businesses along the four greenways



\$684K

Estimated annual local and state sales tax revenue from businesses along the greenways



\$25.7M

Estimated annual savings due to more physical activity, less pollution and congestion, and fewer traffic injuries from use of the greenways



\$48.7M

Estimated business revenue from greenway construction



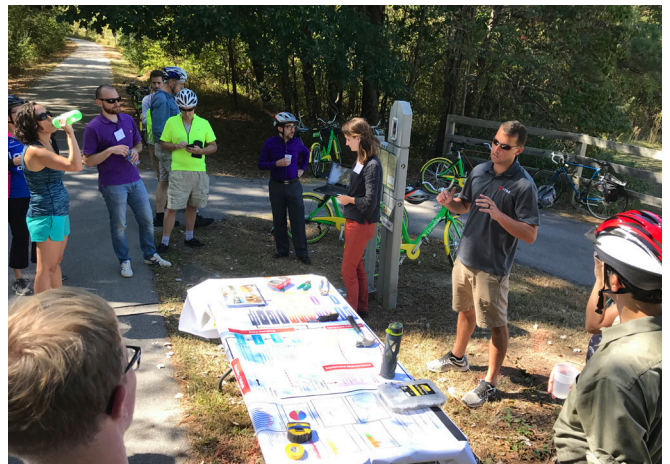
790 JOBS

Are supported annually through greenway construction



Source: Institute of Transportation Research and Education. (2017). Evaluating the Economic Impact of Shared Use Paths in North Carolina. <https://itre.ncsu.edu/focus/bike-ped/sup-economic-impacts/>

The study included extensive trail user surveys for each of the four greenways over a three year period..



ECONOMIC BENEFITS - RECREATION ECONOMY AND RISE IN WALKING/BIKING TRAIL USE



"Outdoor Recreation is a \$28 Billion industry in NC. Our greenways and blueways are the infrastructure that supports that industry. Outdoor recreation is going to play a huge role in the COVID recovery process." Amy Allison, NC Outdoor Recreation Industry Office

Trail counts across the country were at all-time highs in 2020, largely due the impact of COVID-19 and the changes in lifestyle during the pandemic. This could be for a number of reasons. Many gyms have been closed for a large portion of the year, forcing people to find new ways to exercise. Many people are telecommuting, meaning they have more time in the day to use trails. Options for long-distance vacationing and entertainment generally are limited, making people look for closer-to-home activities that still allow them to get out of the house. Whatever the reason, the data is clear: Trail use is at an all time high, and the associated benefits of trails stand to rise with increased trail use. As people form new habits, and as they invest in bicycles and gear associated with hiking, biking, and water trails, the increase in trail use and associated economic benefits may be sustained well after the pandemic.



THERMAL BELT RAIL TRAIL - RUTHERFORD COUNTY, NC

The Thermal Belt Rail Trail has seen tremendous growth in the number of visitors since it installed a counter and began keeping track. The Isothermal Planning & Development Commission estimated that as many as 20,000 trips per month were supported along the trail in the month after the trail was fully opened in 2020,

*Isothermal Planning & Development Commission;
Preliminary Analysis of Counts from the Thermal Belt Rail-Trail (May 2020)*

EAST COAST GREENWAY - MAINE TO FLORIDA

The East Coast Greenway is a walking and biking route stretching 3,000 miles from Maine to Florida, including through the Triangle Region of NC. Since the COVID-19 pandemic, trail counts along existing sections of the East Coast Greenway have recorded a significant rise in trail users.





ECONOMIC BENEFITS (CONTINUED)

Job creation and savings in transportation costs are supported in multiple studies analyzing the economic impacts of walking and biking facilities.



In 2020, outdoor recreation generated \$688 billion in economic output and created nearly 4.3 million jobs.

West, A. et al. (2022). Advancing Trails to Support Multimodal Networks. Pedestrian and Bicycle Information Center.

DRIVING 4 MILES/DAY COSTS

 **\$905** / year
in fuel and vehicle wear and tear

AAA, 2019

while...

WALKING AND BICYCLING COSTS

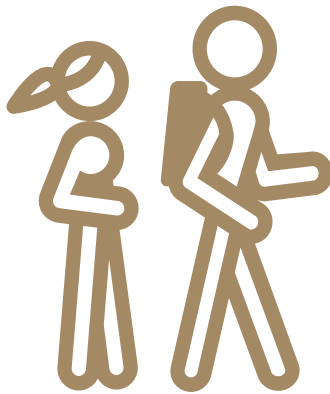
 **\$0-350** / year

Your driving Costs: How Much are you really Paying to Drive? (2019). <https://exchange.aaa.com/wp-content/uploads/2019/09/AAA-Your-Driving-Costs-2019.pdf>



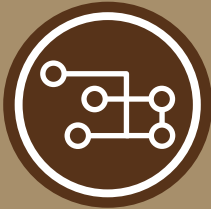
ENVIRONMENTAL BENEFITS

Decreasing reliance on automobiles and reducing congestion by utilizing walking & biking trails will lead to improved air quality. Trails and greenways serve as a tool for conserving open space and preserving wetlands.



Research has shown that people who bicycle everyday had 84% lower carbon dioxide emissions from all daily travel than non-bicyclists.

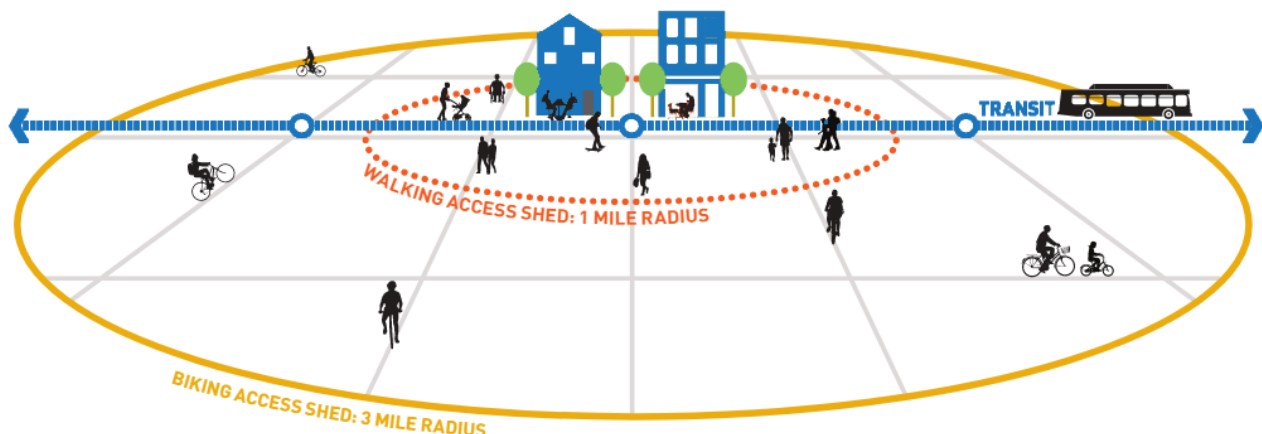
Brand, C. et al., 2021, The climate change mitigation effects of daily active travel in cities. Transportation Research Part D: Transport and Environment



ACCESSIBILITY AND MOBILITY BENEFITS

A robust active transportation network can capture a high percentage of 0-5 mile trips, helping to maximize transportation efficiency, and provide greater choice for residents and visitors.

ON AVERAGE, 40% OF ALL TRIPS WE MAKE ARE FOR A DISTANCE OF TWO MILES OR LESS—A DISTANCE THAT CAN EASILY BE COVERED BY A 10 MINUTE BICYCLE RIDE OR A 30 MINUTE WALK.



02 CURRENT CONDITIONS

COMMUNITY CONTEXT

Since 2010, the population of Brevard has grown by 4.5%.¹ The 2020 Census reports that there were an estimated 7,824 people living within Brevard city limits.²

The population is well-educated, with over 35% of residents over 25 years of age having a Bachelor's degree or higher, compared to 31% for the state of North Carolina; however, the median income for the area (\$42,213) is about 75% of the median income of North Carolina as a whole (\$54,602).² The city also has a poverty rate that is 1% higher than that of the state, with approximately 16% of persons below the federal poverty level.

Approximately 14% of the population is under the age of 18, while 31% are age 65 or older.² The proportion of residents who are over 65 is approximately twice that of the state. Opportunities to provide safe routes to access schools, services, and other key destinations for these particular demographic groups should be a priority.

TRANSPORTATION OVERVIEW

The transportation system in Brevard consists of its roads, sidewalks, and multi-use paths. Public transportation is available in the form of fixed route bus services provided by Transylvania in Motion, formerly Transylvania County Public Transportation. This transit service and name are new to the county, having started in early 2021. Along the new service route, transit vehicles stop at 27 designated stops along the path from Brevard to Pisgah Forest.

The roadway network in Brevard includes several major highways that are regionally significant. US Highway 64 is the major north-south route, while US Highway 276 provides east-west connectivity. US Highway 64, which is also Broad Street, runs the length of the city, and carries a large majority of traffic. With five lanes, it also stands as a significant barrier to pedestrian and bicycle travel, has only short stretches of sidewalks or shared-use paths along it, and has limited crossing opportunities.

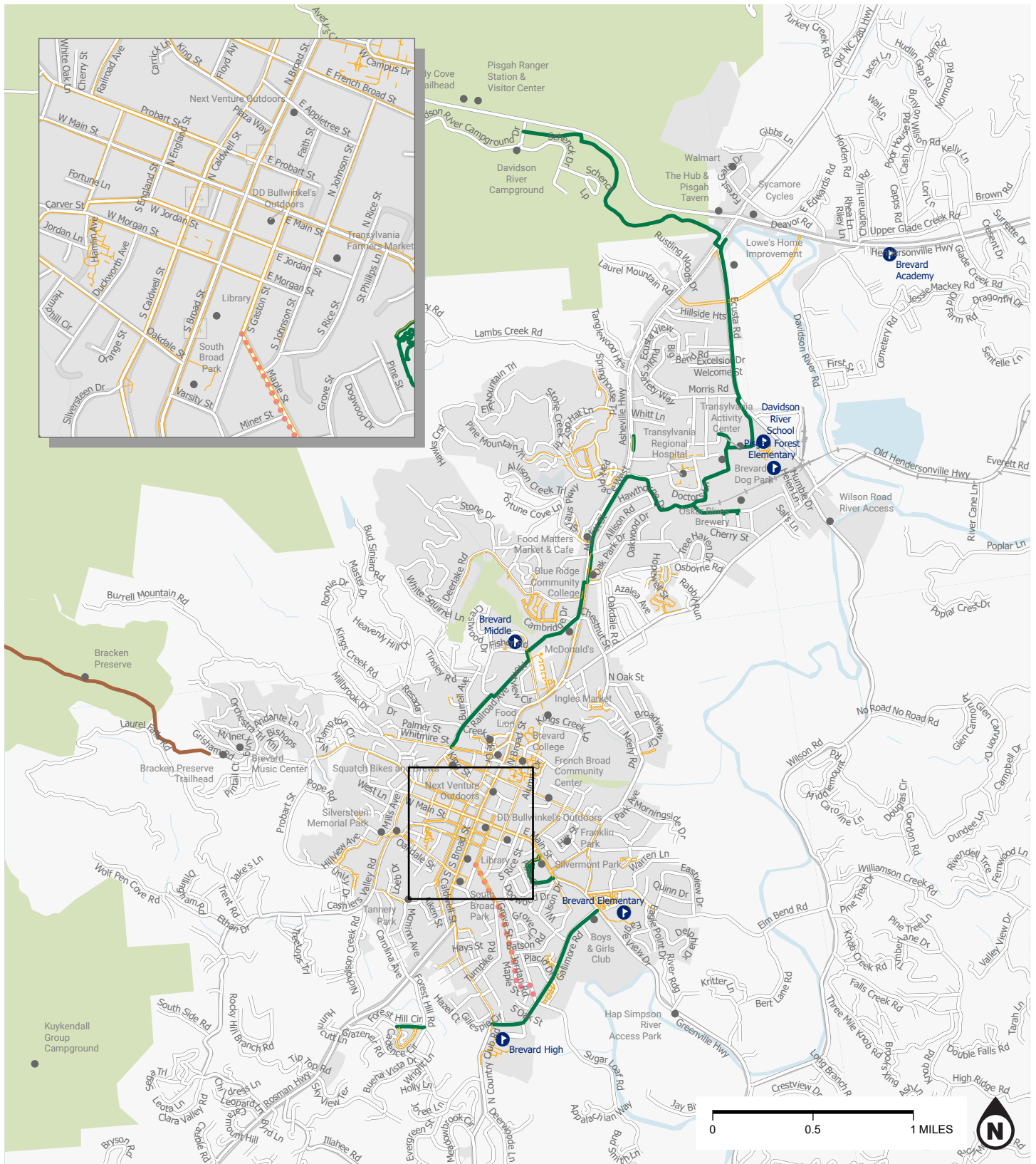
¹ 2020 Decennial Census

² 2019 ACS 5-year estimate

Brevard's greenway system provides some important connectivity for pedestrians and bicyclists. The sections of shared-use paths along US Highway 64 mentioned above, as well as sections along Railroad Avenue and Ecusta Road, and off-road path connections between these roadways create the spine of a greenway network that measures approximately 6 miles. The greenway connects important destinations in Brevard, including the Depot Railroad Avenue Park, Blue Ridge Community College, the Brevard Sports Complex, Pisgah Forest Elementary School, the Brevard Dog Park, Lowes shopping center, the Art Loeb Trail, and a number of mixed use trails in the Pisgah National Forest. However, connections to other important destinations are missing in the greenway network, including connections to Downtown Brevard, Brevard High School, and Main Street.

In addition to paved shared-use paths, there is an extensive network of unpaved, natural surface trails in the national public forests surrounding Brevard that are significant destinations and attractions for bicyclists and hikers alike. The greenway network connects to Pisgah National Forest, but does not connect to Bracken Preserve and the nearby Brevard Music Center. Connecting to these and other local trail heads, including the future Ecusta Trail to the east are important goals for the City of Brevard.

Given the extensive roadway network relative to the limited existing greenways and lack of dedicated bikeways, it is not surprising that the majority of workers in Brevard (74%) commute to work solely by driving by themselves². Another 7% carpool to work. Still, the walking and biking commute rates (9% and 5%, respectively) are significantly higher than statewide trends (2% and 0.2%, respectively).



EXISTING PLAN REVIEW

The following section summarizes the recommendations in previously adopted plans for the City and County as they relate to the future of walking and bicycling in Brevard.

Transylvania County Comprehensive Transportation Plan (CTP) (2021)

The CTP bicycle and pedestrian recommendations map specifies where bicycle, pedestrian, and multi-use path facilities are recommended. These recommendations were reviewed and incorporated into the recommendations of this plan, with updates based on the context, where necessary.

Brevard Downtown Master Plan and Streetscape (2021)

The Downtown Master Plan and Streetscape is an update to the Downtown Streetscape Plan of 2012, and it provides a vision for the future of downtown to address the issue of aging infrastructure and the need for improved bicycle and pedestrian circulation. The recommendations from the Streetscape Plan include improvements to crosswalks downtown and the creation of bicycle boulevards on secondary streets downtown. These recommendations have been reviewed, updated/modified where appropriate, and included in this plan.

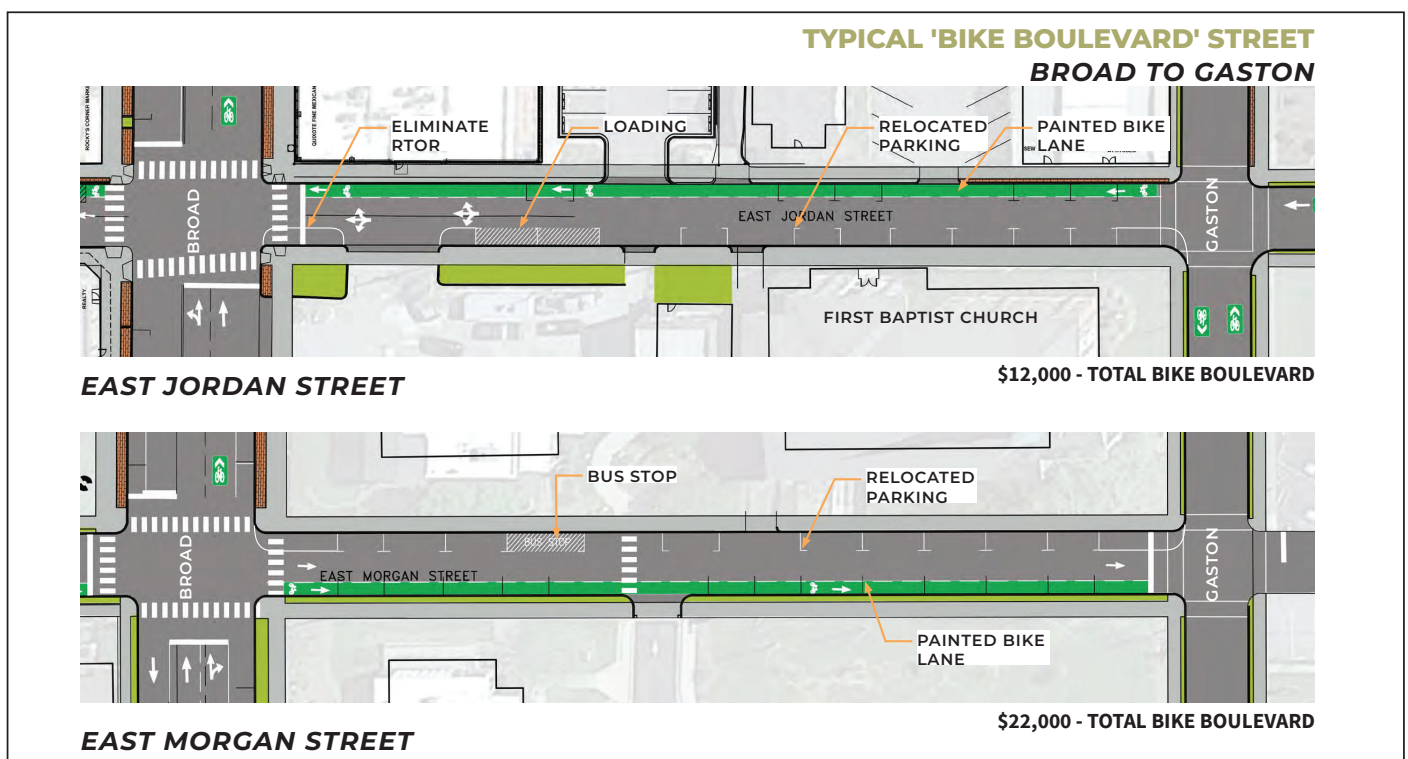
Brevard Blueprint (2020)

In 2019, Brevard was chosen as the fiftieth Blue Zone Project demonstration community in North America, and began working to improve the well-being of the Brevard community. Through this program, Brevard's Blue Zones Project Team conducted a comprehensive analysis of the community's well-being, and has identified challenges and opportunities for improvement. Brevard has now proceeded to develop implementation plans to address the challenges and opportunities identified in the initial discovery phase. Goals, objectives, and strategies have been identified to address thirteen pillar areas focused on people, places, and policies. One such pillar area is the built environment and active living, which has direct relevance to this Pedestrian and Bicycle Plan.

The Brevard Blueprint report includes goals related to the built environment and active living, most notably the following goal that speaks directly to the goal of this Bicycle and Pedestrian Plan:

Create safer, more accessible connections between businesses, service providers, schools, and recreation opportunities by utilizing existing roads, sidewalks, and trail networks and identifying and prioritizing new linkages or routes to better connect all of Brevard community.

This plan view of proposed bicycle boulevards on Jordan and Morgan Streets were reviewed, updated, and incorporated into the recommendations of this plan.



Transylvania County Bicycle Plan (2019)

The Transylvania County Bicycle Plan was adopted in November of 2019, and it provides a framework for the county and its regional partners to build better connections for bicycling throughout the county. The plan provides detailed recommendations for bicycle facilities, policies, programs, and implementation. The recommendations pertaining to Brevard have been incorporated into this plan's recommendations, with modifications and updates where necessary. The bicycle facility recommendations from the Transylvania County plan, especially recommendations for shared use facilities, like greenways, were compared with the pedestrian facility recommendations from the City's Pedestrian Plan of 2018 (see next column for summary) in order to synthesize a cohesive bicycle and pedestrian network for the purposes of this combined Pedestrian and Bicycle Plan effort.

Brevard Bicycle-Friendly Community Implementation Plan (2018)

The City of Brevard applied for Bicycle-Friendly Community Status in 2018 and received honorable mention. The recognition came with recommendations for how to improve bikeability in Brevard in order to reapply and improve its rating. Some of the recommendations in the Improvement Plan include:

- Investing in infrastructure to make transportation and utility bicycling safe and comfortable
- Working with law enforcement to improve bicycle-related training for law enforcement officers
- Expanding bicycling events to include Bike to Work Day and Bike to School Day event
- Using wayfinding improvements to create a low-stress network that uses existing low-speed streets

Brevard Comprehensive Pedestrian Plan (2018 update)

The Comprehensive Pedestrian Plan was originally written in 2006, and was then updated in 2018 to include the prioritization of multi-use path and sidewalk projects. The prioritization methodology from that 2018 update serves as the basis for prioritizing multi-use path projects recommended in this plan, and the top priority multi-use paths identified in the 2018 update are included in the recommendations in this plan.

The sidewalk recommendations in the Pedestrian Plan were reviewed and updated for this planning effort, and in some cases the recommended facility was changed to multi-use path recommendations along corridors where bicycle facilities were needed as well. Maps depicting the priority multi-use paths and sidewalks from the Pedestrian Plan update are included in the appendix.

2025 Transylvania County Comprehensive Plan (2017)

The 2025 Transylvania County Comprehensive Plan identified the themes of economic health, environment, land use and livability, and health/culture/equity as priorities for the County. Included under Action Step G under Objective 2 of the Land Use and Livability theme is to: "Develop appropriate infrastructure and educational programs for bikes and pedestrians to ensure safer roads."

Transylvania County Strategic Plan (2016-2021)

The Transylvania County Strategic Plan outlines six goals with implementation strategies. While this plan supports all six goals in some manner, Goal #5 would be most directly supported by this pedestrian and bicycle plan, with Goal #5 stating that "The community's quality of life includes resources that promote health, transportation connectivity, a sense of place, cultural heritage and public safety."

Brevard Comprehensive Plan (2015)

The Brevard Comprehensive Plan specifically cites improving sidewalk, greenway, and bicycle infrastructure, policies, and programming as part of several objectives in the plan. These include increasing the connectivity of pedestrian and bicycle infrastructure, becoming a Bicycle Friendly Community by the League of American Bicyclists, and improving the greenway system.

Ecusta Trail Planning Study and Economic Impact Analysis (2012)

The Ecusta Trail is a project aimed at creating a multi-use trail along a former rail line that runs from Hendersonville to Brevard, NC. In this plan, existing conditions, opportunities and constraints, potential economic impacts, and recommendations for implementation are discussed. This trail creates recreational opportunities for residents and visitors in this region, as the trail connects many destinations throughout Henderson and Transylvania counties.

EXISTING PROGRAMS & POLICIES REVIEW

PROGRAMS

Pedestrian and Bicycle Counts

In 2015, Brevard joined several other towns and cities in North Carolina as part of a study by North Carolina State University's Institute for Transportation Research and Education to monitor bicycle and pedestrian traffic. A permanent, continuous count station was installed along Brevard's Estatoe Trail, near the Dog Park. This count station has been recording pedestrian and bicycle traffic along the greenway ever since, providing both ITRE and many others with valuable data on bicycle and pedestrian travel data. Details on ITRE's studies related to this counter and access to the counter's data can be accessed on the ITRE website, here: <https://itre.ncsu.edu/focus/bike-ped/nc-nmvdv/>

Watch For Me NC Program (2016)

Brevard was selected to participate in the North Carolina Department of Transportation's Watch for Me NC program in 2016. Through this program, partner communities receive printed materials and media advertisements to help improve public awareness about bicycle and pedestrian safety. The city's police officers also receive specialized training as part of the program.

POLICIES

A comprehensive review of Brevard's Unified Development Ordinance as it pertains to sidewalks and other pedestrian and bicycle facilities is included in Chapter 4 and Appendix C. Below, current policies related to biking and walking in Brevard are summarized.

Electric Bicycles Policy

In 2020, Brevard passed a resolution to allow Class 1 and Class 3 electric bicycles (also referred to as e-bikes) on their multi-use paths. These classes of e-bikes are electrically assisted bicycles that require the user to pedal in order to make them move. The resolution restricts the use of Class 2 e-bikes, which are throttle-assisted bicycles that do not require pedaling or other human powered conveyance.

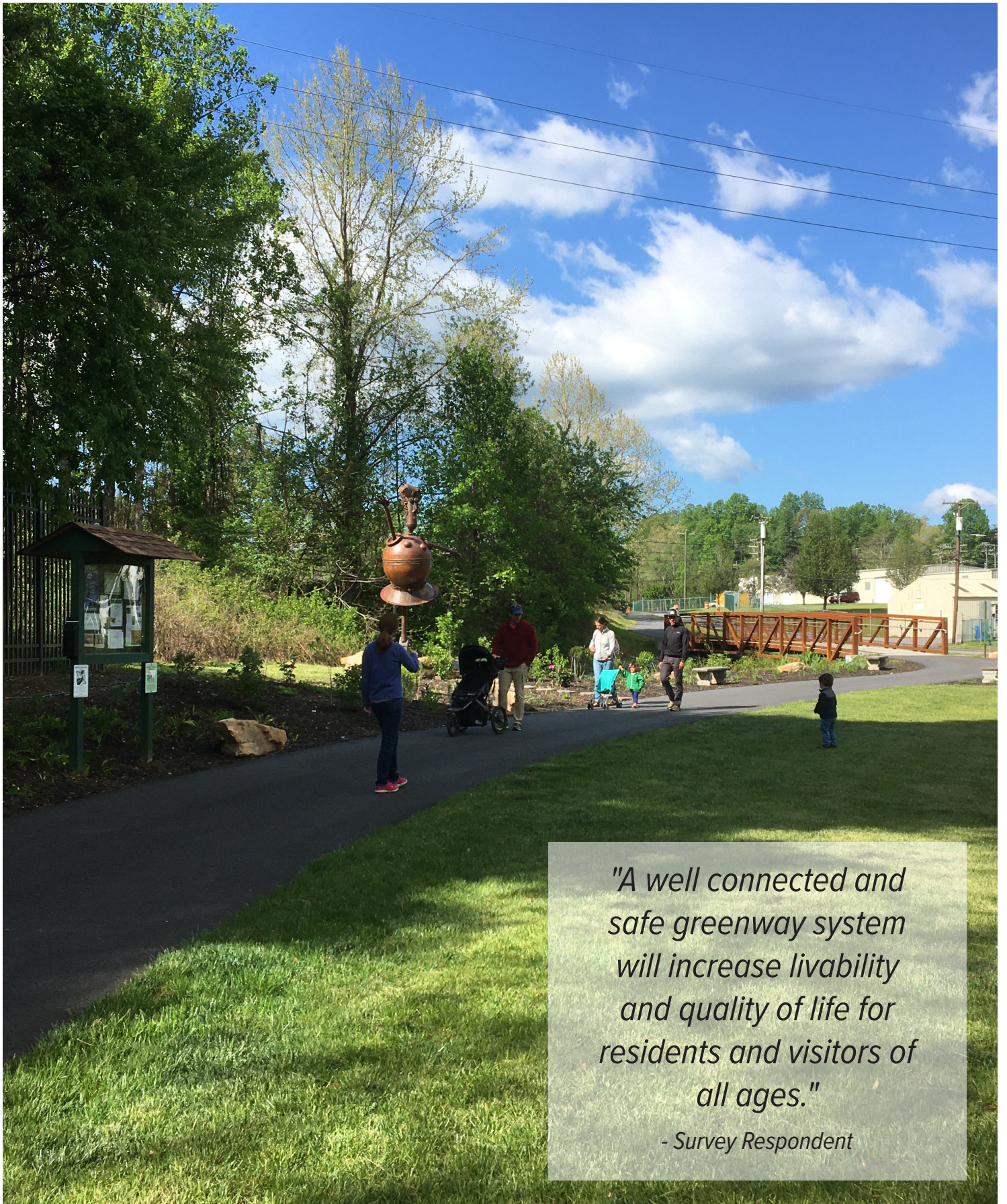


Complete Streets Policy

In 2018, and again in 2019, the City of Brevard passed resolutions endorsing and then adopting a Complete Streets approach to transportation planning within the City. The 2018 resolution states, in part:

The City of Brevard shall, to the maximum extent practical, plan, design, construct, operate, and maintain all City streets to provide a comprehensive and integrated street network for people of all ages and abilities traveling by foot, bicycle, automobile, and commercial vehicle.

This resolution, and the subsequent 2019 resolution to formally adopt the Complete Streets policy, establish that Brevard will plan for a more balanced and active transportation system in the City.



*"A well connected and
safe greenway system
will increase livability
and quality of life for
residents and visitors of
all ages."*

- Survey Respondent

COLLISION ANALYSIS

This map examines the most recently available NCDOT bicycle and pedestrian collision data for Brevard, North Carolina (2007-2019). During this time frame, 54 pedestrian collisions were recorded, two of which were fatal, and 27 bicycle collisions were recorded. Analysis of the contributing factors and patterns is provided on the following pages.

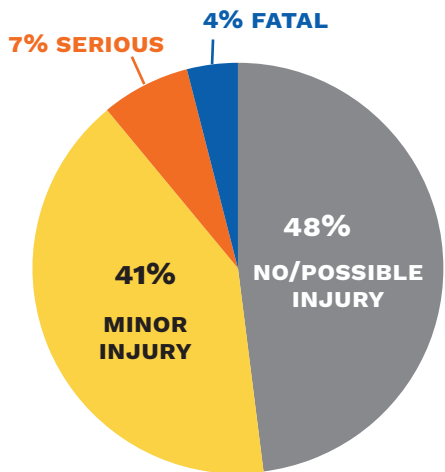
The majority of the pedestrian-involved collisions occurred along two-way, undivided roads, with speed limits of 25 miles per hour or less. The majority of

bicyclist-involved collisions also occurred along two-way, undivided roads, but the speed limits on those roadways ranged from 20-45 mph (see following pages for more details).

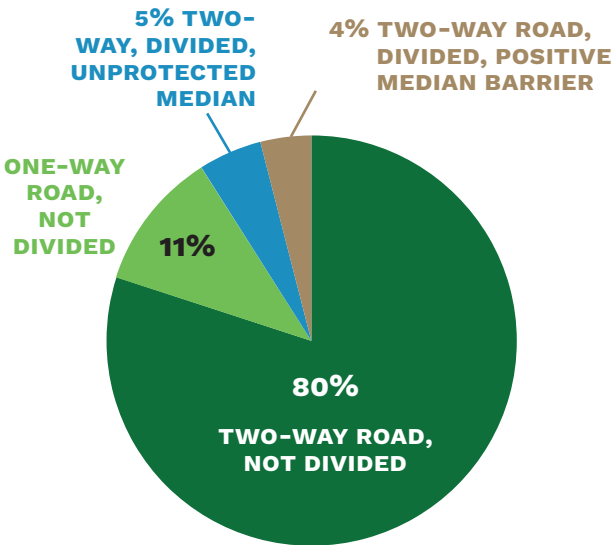
At least 21 bicyclist and pedestrian collisions, were reported along Broad Street/Asheville Highway. Seven collisions were reported along Old Hendersonville Highway, and five along Main Street in the downtown area.

**Additional collision analyses are provided in the Appendix.*

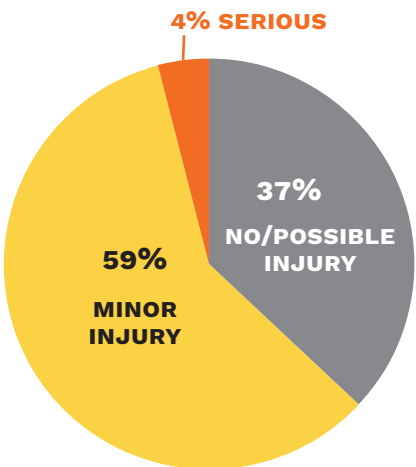
Pedestrian Crashes by Severity



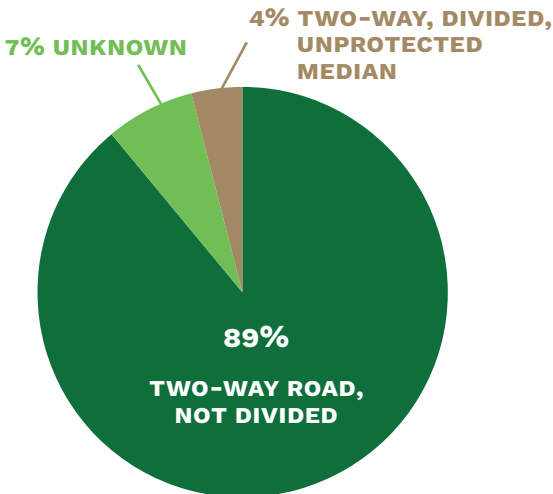
Pedestrian Crashes by Roadway Type



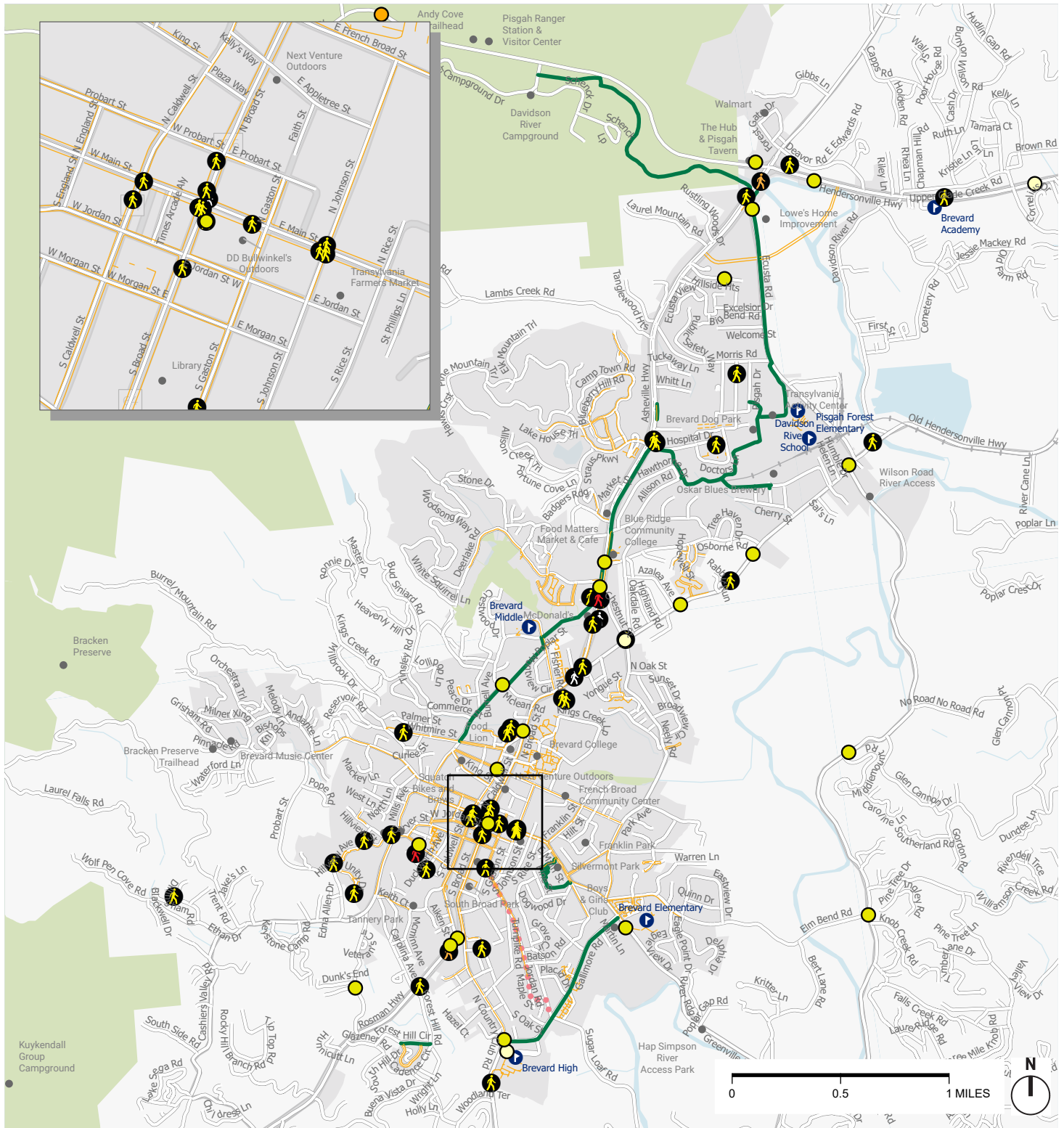
Bicycle Crashes by Severity



Bicycle Crashes by Roadway Type



Source: North Carolina Department of Transportation. Bicyclist and pedestrian crashes 2007-2019. Available at www.arcgis.com/home/item.html?id=b4fc266d054a1ca075b60715f88aef



SAFETY ANALYSIS: PEDESTRIAN- & BICYCLIST-INVOLVED COLLISIONS (2007-2019)

CITY OF BREVARD
PEDESTRIAN & BICYCLE PLAN

KEY SAFETY IMPROVEMENT AREAS (HIGH CRASH CORRIDORS)

Thirty-five percent (35%) of bicyclist and pedestrian crashes during the 2007-2019 period happened along two roadways, Broad Street/Asheville Highway/US Highway 64 and Old Hendersonville Highway. Two of the four serious/fatal injuries happened along these corridors. These two roadways carry significant traffic volumes and higher speeds, creating safety concerns for pedestrians and bicyclists.

Broad Street/Asheville Highway

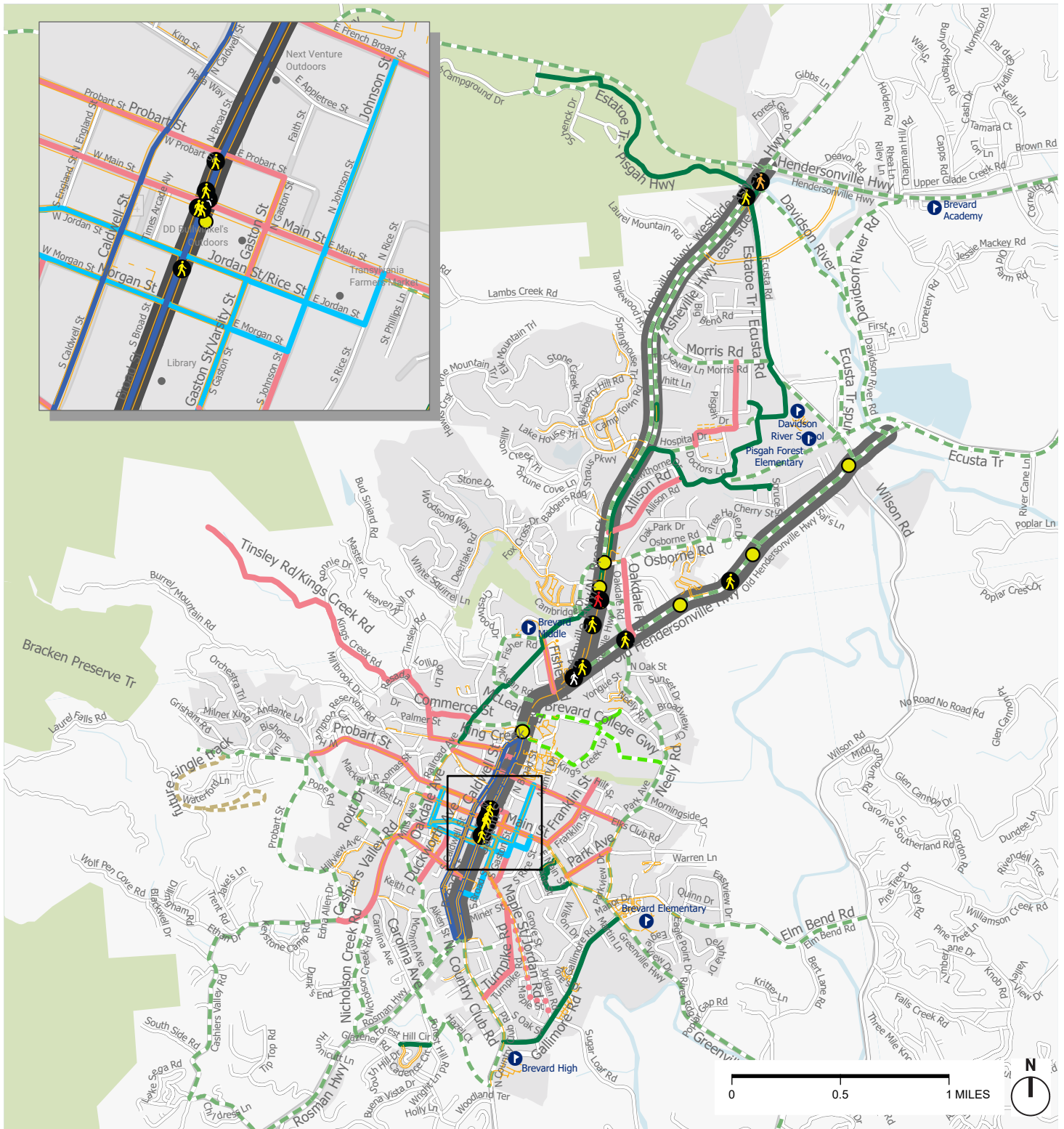
This roadway carries the heaviest amount of traffic through Brevard and has numerous destinations, places of employment, and institutions. As a five-lane highway entering into town with significant traffic, roadway crossings for pedestrians and bicyclists are challenging. Future roundabouts and bicycle lanes will help to calm and slow traffic, but additional attention to slowing traffic and improving pedestrian crossings (through the use of operational treatments such as lead pedestrian intervals) are important to prevent crashes, injuries, and fatalities.

Old Hendersonville Highway

This roadway is a two-lane rural roadway that provides no paved shoulder. Despite its rural characteristic, there are numerous residential areas and commercial destinations. Bicyclist crashes are actually more common than pedestrian crashes because it is another option for a transportation and recreation route. The plan recommends a sidepath to provide separation for bicyclists and pedestrians. To address safety, a sidepath is ideal but future development or roadway reconstruction should also consider/include paved shoulders to provide separation until funding for a sidepath can be provided.

TABLE 2.1 High Crash Corridors

Corridor	Bike Crashes	Pedestrian Crashes
Old Hendersonville Highway	3 Minor Injuries	2 Minor Injuries
	1 No Injury	1 Possible Injury
		1 No Injury
US 64/Asheville Highway, north of Caldwell Street	1 Minor Injury	1 Fatality
	1 Possible Injury	1 Serious Injury
		3 Minor Injuries
US 64/Broad Street, south of Caldwell Street	1 Minor Injury	5 Minor Injury
	1 Possible Injury	1 Possible Injury
		1 No Injury



HIGH CRASH CORRIDORS

CITY OF BREVARD PEDESTRIAN & BICYCLE PLAN

Pedestrian Injury Severity

- Fatality
- Serious Injury
- Minor/Possible Injury
- No Injury

Bicyclist Injury Severity

- Fatality
- Serious Injury
- Minor/Possible Injury
- No Injury

Existing Pedestrian & Bike Facilities

- Sidewalk
- Shared Use Path (SUP)
- SUP- natural surface
- Shared Lane Markings

Proposed On-Street Facilities

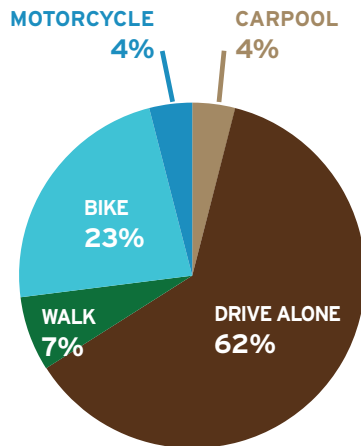
- Separated Bike Lane (SBL)- Proposed (long-term)
- Bike Boulevard- Proposed
- Shared Lane Markings (SLM)- Existing
- SLM- Proposed
- Shared Use Paths
- Shared-Use Path- Existing
- Shared-Use Path- Proposed
- Natural Surface Trail- Existing
- Natural Surface Trail- Proposed
- Shared Use Path- private, existing
- Shared Use Path- private, proposed

PUBLIC INPUT SUMMARY

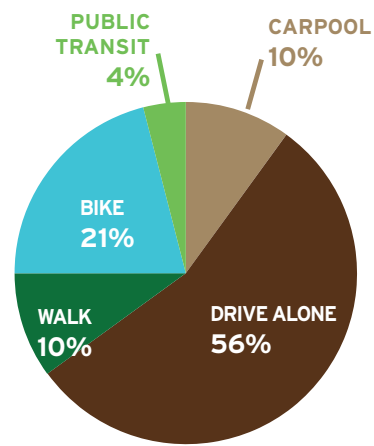
The following is a summary of public input from the public comment survey. There were 103 respondents to the survey.

Travel Mode*

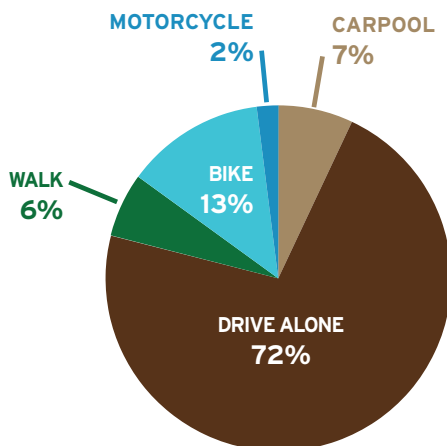
HOW DO YOU GET TO WORK?



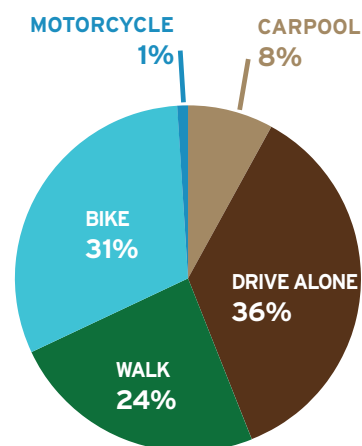
HOW DO YOU GET TO SCHOOL?



HOW DO YOU GET TO SHOPPING CENTERS?



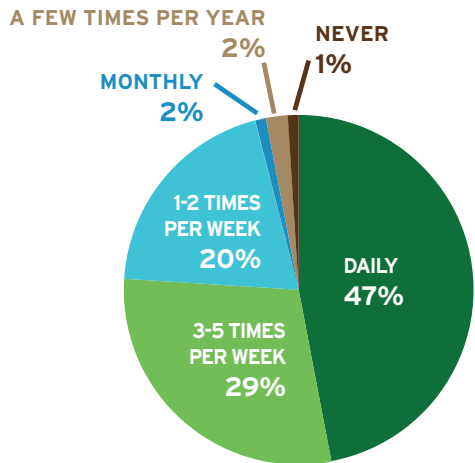
HOW DO YOU GET TO PARKS?



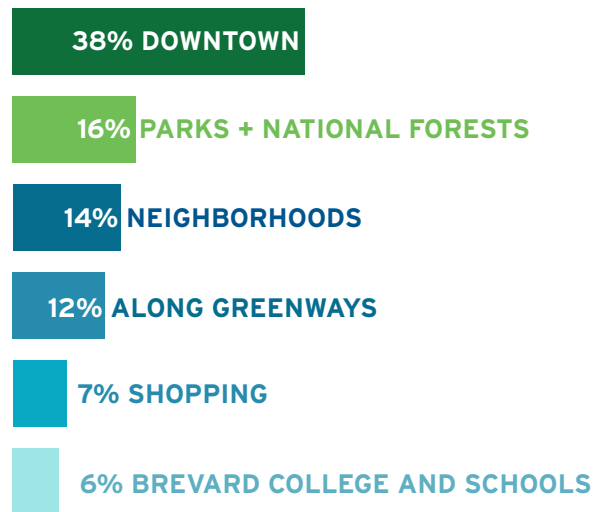
**These survey results are not based on a representative sample of the Brevard population. The 23% of survey respondents who report bicycling is a reflection of sampling bias and over-representation of the bicycling community in this survey, since according to the 2020 American Community Survey, only 3% of Brevard workers bike to work. Regardless of this over-representation of bicyclists, these survey results show that respondents travel by different modes depending on the trip's destination, and that walking and biking are preferred modes when going to parks.*

Walking Habits & Conditions

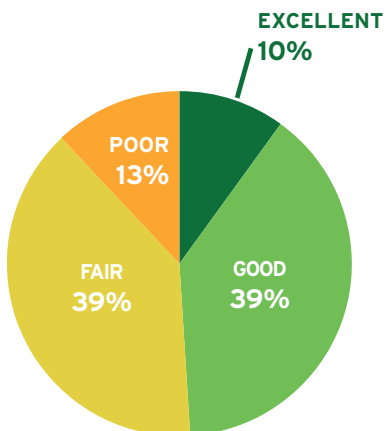
HOW OFTEN DO YOU WALK?



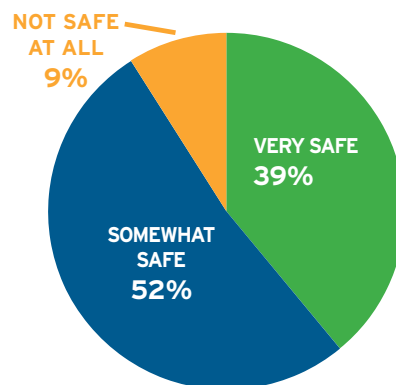
WHERE DO YOU MOST OFTEN WALK?



HOW WOULD YOU RATE THE WALKING CONDITIONS IN BREVARD?

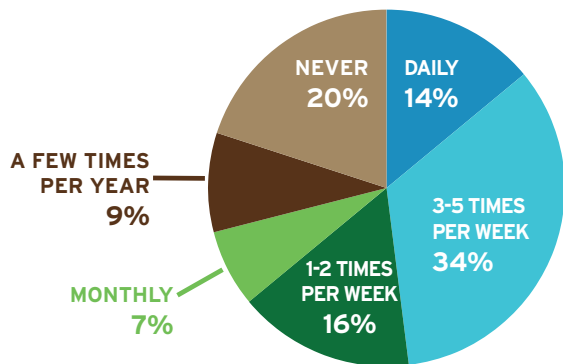


HOW SAFE DO YOU FEEL WALKING?

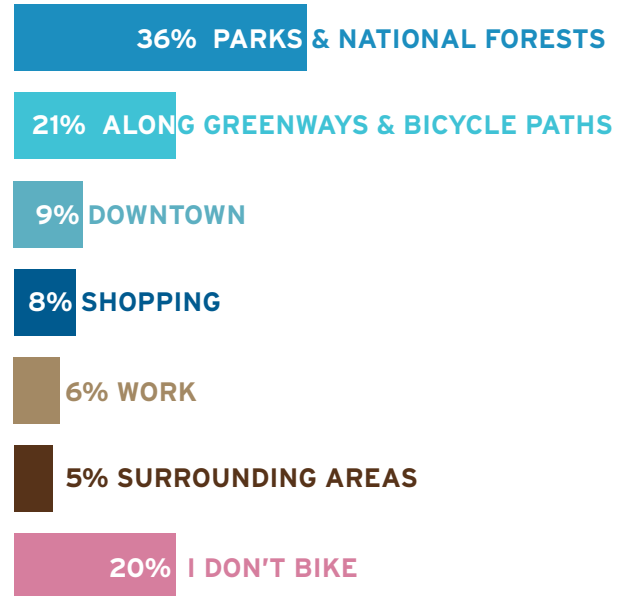


Biking Habits & Conditions

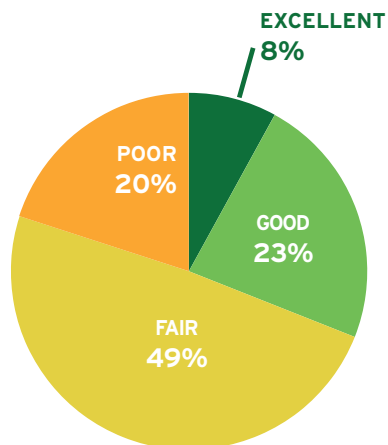
HOW OFTEN DO YOU BIKE?



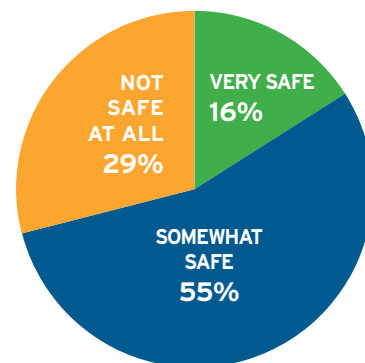
WHERE DO YOU MOST OFTEN BIKE?



HOW WOULD YOU RATE THE BIKING CONDITIONS IN BREVARD?



HOW SAFE DO YOU FEEL BIKING?

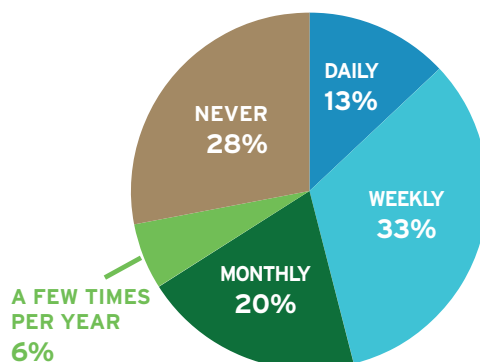


Biking Habits & Conditions, continued

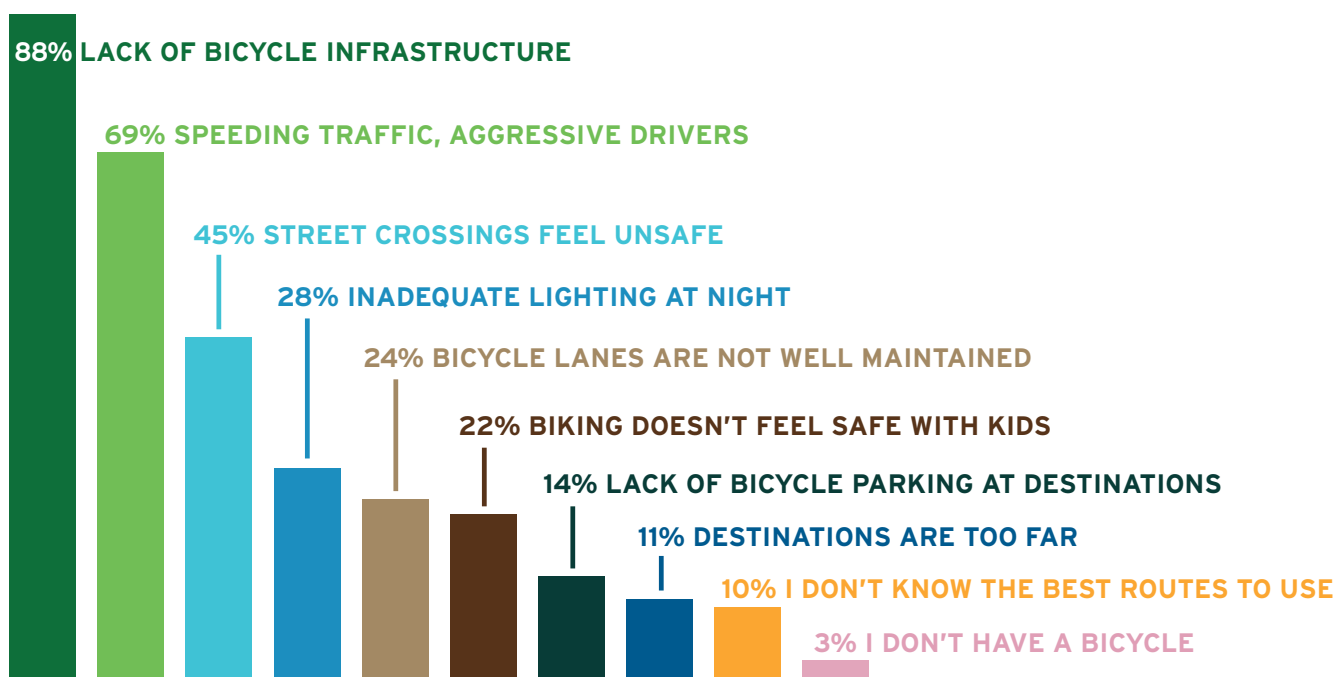
WHY DO YOU TYPICALLY RIDE YOUR BICYCLE?



HOW OFTEN DO YOU BIKE ALONG THE BREVARD GREENWAY?

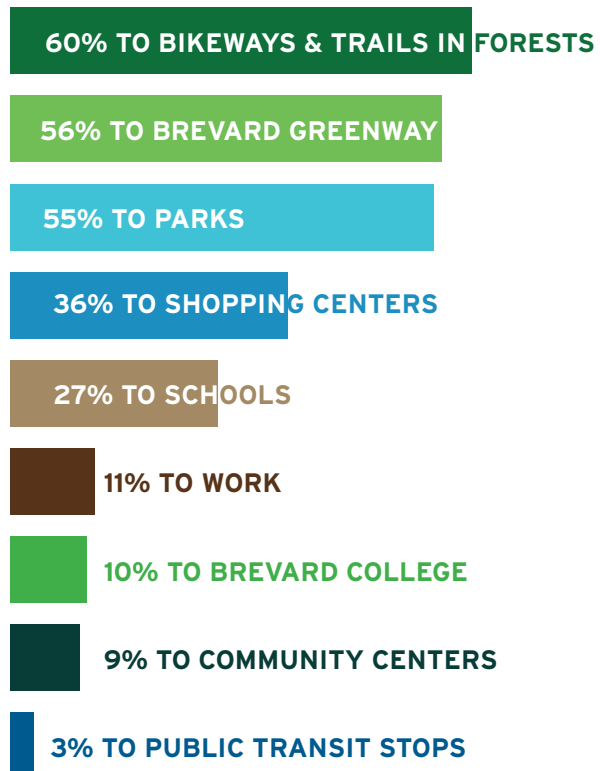


WHAT PREVENTS YOU FROM BIKING MORE OFTEN?

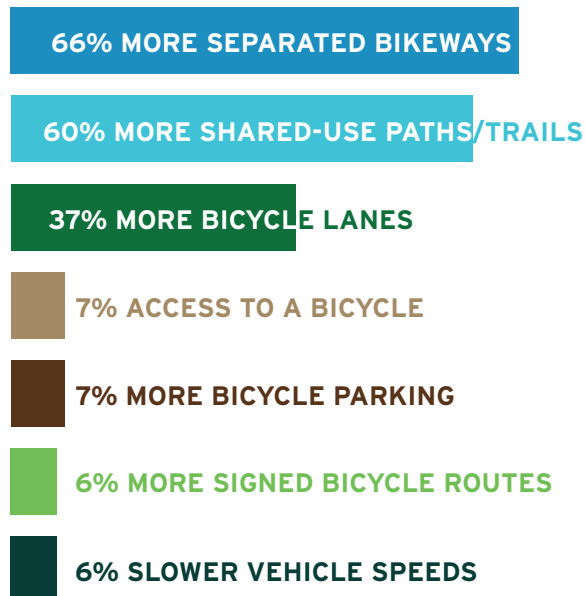


Biking & Walking Needs

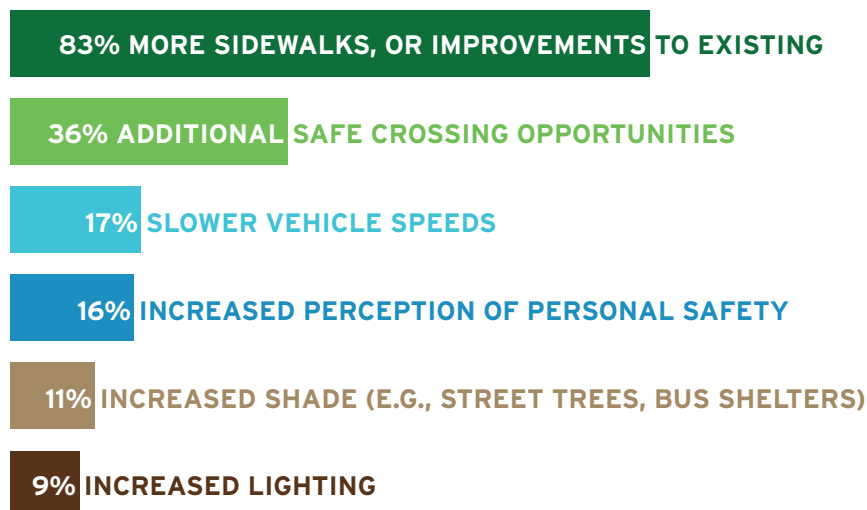
WHERE ARE BETTER BICYCLE & PEDESTRIAN CONNECTIONS NEEDED?



WHAT WOULD ENCOURAGE YOU TO BIKE MORE OFTEN?



WHAT WOULD ENCOURAGE YOU TO WALK MORE OFTEN?



Biking & Walking Needs, continued

WHAT WALKING AND BIKING IMPROVEMENTS NEED TO BE PRIORITIZED?

82% NEW SIDEWALKS, CROSSWALKS, + BIKEWAYS

67% PEDESTRIAN + BIKING PATHS TO KEY DESTINATIONS

17% UPGRADES TO EXISTING SIDEWALK,
RAMPS, + BIKEWAYS

16% IMPROVED ENFORCEMENT OF TRAFFIC LAWS

10% PROMOTION OF THE IMPORTANCE OF
WALKING + BIKING

2% EDUCATIONAL PROGRAMS FOR WALKERS,
BICYCLISTS, AND DRIVERS

WHAT TYPE OF BICYCLE PARKING WOULD YOU PREFER TO SEE MORE OF?

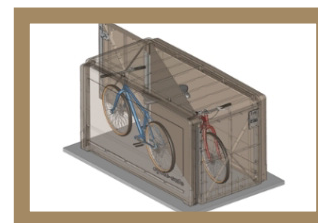
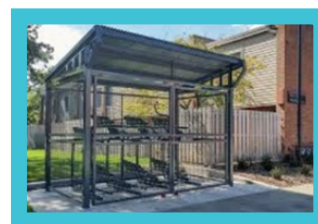
62% BICYCLE RACK

30% BICYCLE STATION

7% BICYCLE LID

6% BICYCLE LOCKER

37% NO PREFERENCE



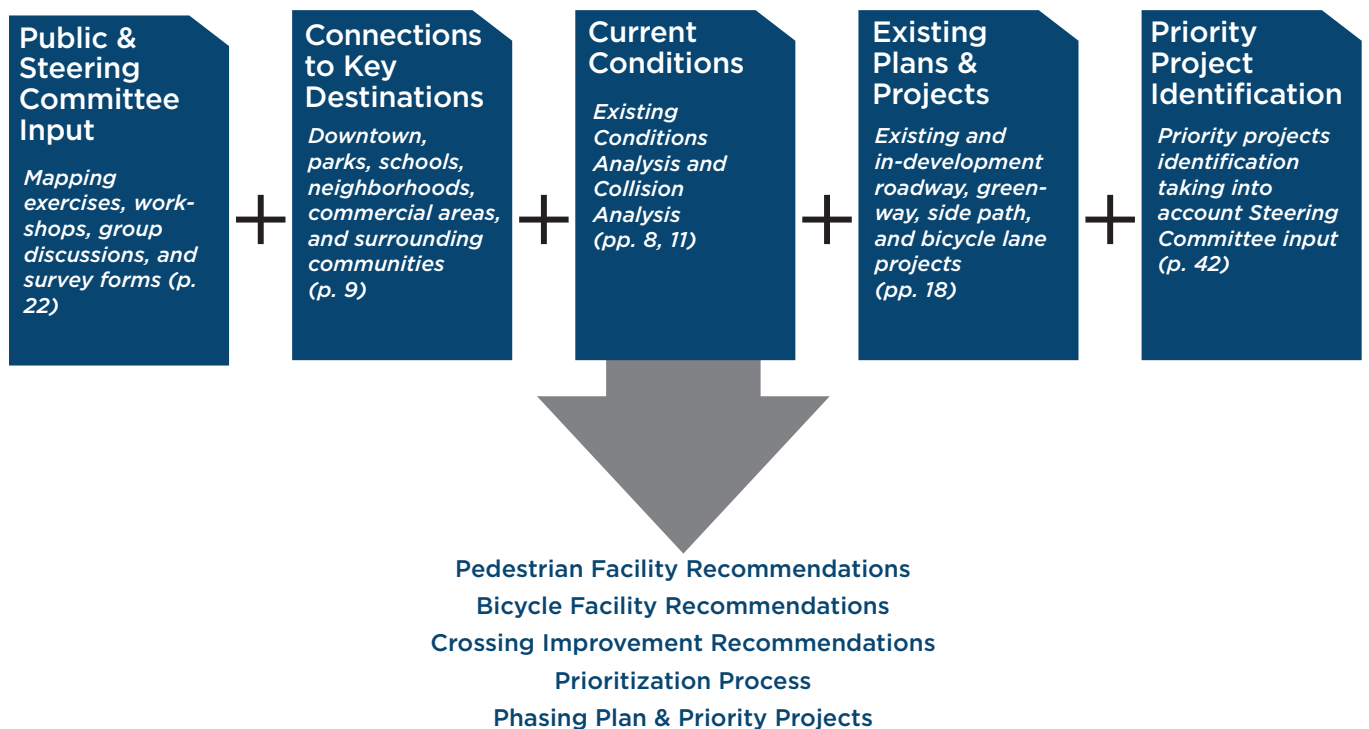
03 PEDESTRIAN + BICYCLE NETWORK RECOMMENDATIONS

PEDESTRIAN & BICYCLE FACILITY TYPES

The following pages detail recommended primary pedestrian and bicycle facilities. The recommended facility type for any given road was selected based on roadway characteristics (traffic volumes, speed limit, available right-of-way); review of previous plans and recommendations; review of planned projects; input from the public and steering committee on popular walking and bicycling corridors; opportunity for separation of pedestrian and bicycle travel from vehicular traffic, and connectivity to destinations.

In all cases, the recommended facility type was selected based on meeting the needs of pedestrians and bicyclists of all ages and abilities. All experience levels and abilities were considered in order to make walking and bicycling safer and convenient for a broader audience, as this was a main concern of the Steering Committee.

BASIS OF RECOMMENDATIONS





Sidewalks

Sidewalks provide dedicated space intended for use by pedestrians that is safe, comfortable, and accessible to all. Sidewalks are physically separated from the roadway by a curb or unpaved buffer space. Sidewalks are appropriate on all types of roadways where pedestrian activity is likely.



Shared-use paths

A shared-use path along a roadway is called a sidepath. It provides a travel area for pedestrians and bicyclists separate from motorized traffic. Sidepaths are desirable for bicyclists of all skill levels preferring separation from traffic. Shared-use paths may be implemented immediately adjacent and parallel to a roadway, or in their own independent right-of-way, also referred to as a greenway.

Separated bicycle lanes

Separated Bicycle Lanes, sometimes called “Cycle Tracks,” or “Protected Bicycle Lanes” are dedicated bikeways that use a vertical element to provide separation from motor vehicle traffic. The vertical separation discourages drivers from parking or idling in the bikeway.



Standard bicycle lanes

Standard bicycle lanes designate an exclusive space for bicyclists through the use of pavement markings and signage. Bicycle lanes make bicycling a more visible and comfortable option for people who usually would drive or walk.





Bicycle boulevard

A bicycle boulevard is a low-stress shared roadway that is designed to offer priority for bicyclists operating within a roadway shared with motor vehicle traffic. Bicycle boulevards may include traffic calming elements such as speed humps, chicanes, and traffic circles as well as lower speed limits, wayfinding signage and pavement markings.



Shared lane markings

Shared lane markings (SLMs) are roadway markings that are used to designate a shared lane environment for bicycles and automobiles, and also indicate proper bicyclist positioning. Shared lanes are typically only comfortable for confident bicyclists.

Crossing improvements

Roadway crossings represent a key safety challenge in Brevard for bicyclists and pedestrians, especially at non-signalized intersections, greenway crossings, or across streets lacking bicycle and pedestrian infrastructure. A combination of actuated signals and traffic controls can increase driver awareness of bicycle crossings. Crossing treatments are based on trail and roadway characteristics. Key roadway factors influencing the selected treatment include the posted speed limit, traffic volume, line of sight, street width, roadway and greenway geometry, and intersection configuration.



Natural surface trails

Natural surface trails can come in a variety of types and serve different types of users, including shared-use trails, hiking trails, mountain biking trails, and equestrian trails.



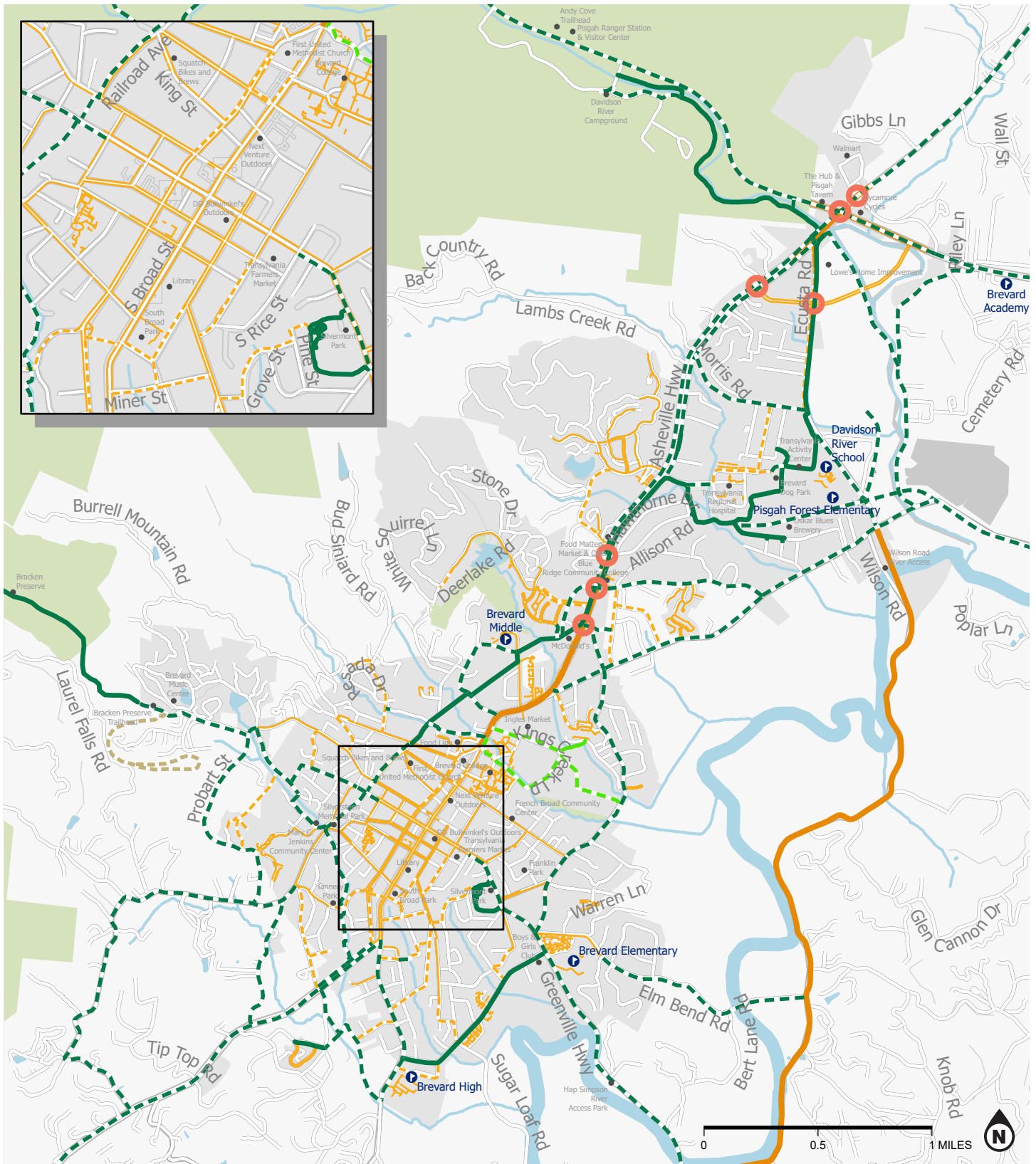
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RECOMMENDED NETWORKS

The pedestrian network recommendations are depicted on the facing page, and the projects are outlined in Table 3.1, below. The bicycle network and crossing improvement recommendations are mapped and outlined on the following pages.

TABLE 3.1 *Project List of Recommended New Pedestrian Facilities*

Project Number	Corridor (from/to)	Proposed Facility Type	Length (ft)
1	Azalea Avenue	Sidewalk	1593.8
2	Broad Street- westside	Sidewalk	385.6
3	Caldwell Street	Sidewalk	1123.9
4	Caldwell Street- eastside	Sidewalk	286.8
5	Caldwell Street- westside	Sidewalk	460.3
6	Caldwell Street- westside	Sidewalk	412.7
7	Caldwell Street- westside	Sidewalk	429.0
8	Caldwell Street- westside	Sidewalk	381.8
9	Carolina Avenue	Sidewalk	2543.1
10	Deerlake Road- eastside	Sidewalk	567.0
11	Deerlake Road- northside	Sidewalk	1147.8
12	Deerlake Road- southside	Sidewalk	608.7
13	Deerlake Road- southside	Sidewalk	526.7
14	Ecusta Road	Sidewalk	3826.4
15	French Broad Street- northside	Sidewalk	252.1
16	French Broad Street- southside	Sidewalk	128.0
17	Grove Lane/Grove Street	Sidewalk	1556.0
18	Hays St/Laurel Ln/Aspen Pl	Sidewalk	428.0
19	Hays St/Laurel Ln/Aspen Pl	Sidewalk	728.9
20	High School Road	Sidewalk	1283.4
21	Johnson Street	Sidewalk	1027.1
22	Kings Creek Road	Sidewalk	525.6
23	Kings Mill Road	Sidewalk	909.3
24	Main Street	Sidewalk	720.9
25	Maple Street/Jordan Road	Sidewalk	1,347.2
26	Medical Park Circle	Sidewalk	307.0
27	Medical Park Dr/Temple Church Road	Sidewalk	2,821.3
28	Miner Street	Sidewalk	504.8
29	Miner Street	Sidewalk	566.9
30	Oakdale Road	Sidewalk	1,759.2
31	Owen Street	Sidewalk	970.1
32	Rosenwald Lane	Sidewalk	895.8
33	Silversteen Drive	Sidewalk	1,078.5
34	Southview Drive	Sidewalk	1,002.2
35	Straus Parkway	Sidewalk	1,977.5
36	Thrift store parking lot	Sidewalk	357.6
37	Tinsley Road	Sidewalk	1,705.7
38	Turnpike Road	Sidewalk	2,376.4
39	Varsity St/Gaston St	Sidewalk	1,059.3



PEDESTRIAN FACILITY RECOMMENDATIONS

CITY OF BREVARD
PEDESTRIAN & BICYCLE PLAN

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PEDESTRIAN FACILITIES

- Sidewalks- Existing
- Sidewalks- Proposed
- Shared-Use Path- Existing
- Shared-Use Path- Proposed
- Natural Surface Trail- Existing
- Natural Surface Trail- Proposed
- Shared Use Path- private, existing
- Shared Use Path- private, proposed

Planned Roundabout

Funded Roadway Projects

DESTINATIONS +
BOUNDARIES

- Public Schools
- Railroad
- Streets
- Transylvania County
- Parks
- Brevard City Limits

TABLE 3.1 *Project List of Recommended Pedestrian Facilities, continued*

Project Number	Corridor (from/to)	Proposed Facility Type	Length (ft)
40	Varsity Street	Sidewalk	265.9
41	Verdery Avenue	Sidewalk	531.7
42	Wilson Drive	Sidewalk	355.3
43	Asheville Highway (Hudlin Gap Road/Deavor Road)	Shared-Use Path	6,491.6
44	Asheville Highway (Transylvania County line/Hudlin Gap Road)	Shared-Use Path	19,966.6
45	Asheville Highway- east side (Ecusta Road/existing sidepath south of Whitt Lane)	Shared-Use Path	5752.1
46	Asheville Highway- eastside (Tractor Supply driveway/Hospital Drive)	Shared-Use Path	598.1
47	Asheville Highway- westside (Straus Parkway/Osborne Road/existing Estatoe Trail)	Shared-Use Path	1,001.8
48	Asheville Highway- westside (Ecusta Road/Tanglewood Heights)	Shared-Use Path	3,833.5
49	Asheville Highway- westside (Tanglewood Heights/Straus Parkway)	Shared-Use Path	5,052.0
50	Asheville Highway- westside (Hendersonville Highway/existing Estatoe Trail)	Shared-Use Path	627.0
51	Brevard College Greenway - private property (Broad Street/Neely Road)	Shared-Use Path	3,808.2
52	Campus Drive/Kings Creek Loop - private property (Broad Street/backside of Kings Creek Loop)	Shared-Use Path	2,790.6
53	Cashiers Valley Road (Carolina Avenue/Rosman Highway)	Shared-Use Path	10,763.8
54	Chestnut Street (Asheville Highway/XX)	Shared-Use Path	1,214.1
55	Chestnut-Oakdale connector (Chestnut Street/Oakdale Road)	Shared-Use Path	522.4
56	Davidson River (Asheville Highway/Davidson River Road)	Shared-Use Path	3,661.2
57	Davidson River Bridge (Pisgah Highway/Estatoe Trail)	Shared-Use Path	256.5
58	Davidson River Campground trail spur (Estatoe Trail/Davidson River Campground)	Shared-Use Path	2,085.4
59	Davidson River Rd (Hendersonville Hwy/Old Hendersonville Hwy)	Shared-Use Path	6,985.1
60	Ecusta Road (existing greenway/Old Hendersonville Highway)	Shared-Use Path	2,568.2
61	Ecusta Trail (Davidson River Road/Estatoe Trail/Oskar Blues)	Shared-Use Path	3,950.4
62	Ecusta Trail (Everett Road/Davidson River Road)	Shared-Use Path	4,877.8
63	Ecusta Trail (Transylvania County Line/Valley Green Drive)	Shared-Use Path	14,402.9
64	Ecusta Trail (Valley Green Drive/Everett Road)	Shared-Use Path	18,646.8
65	Ecusta Trail spur (Ecusta Road/Carr Lumber Company Road)	Shared-Use Path	2,343.0
66	Elm Bend Road (Eagle Point Drive/Wilson Road)	Shared-Use Path	5,193.1
67	Estatoe Trail- Phase 1 (Whitmire Street/Main Street)	Shared-Use Path	1,173.7
68	Estatoe Trail- Phase 2 (Main Street/Mills Avenue)	Shared-Use Path	1,239.2
69	Estatoe Trail - Phase 3 (Mills Avenue/Rosman Highway)	Shared-Use Path	3,506.0
70	Estatoe Trail - Phase 4 (Rosman Highway/N. Country Club Road)	Shared-Use Path	3,483.8
71	Estatoe Trail- alternative route (Osborne Road/existing Estatoe Trail behind McDonald's)	Shared-Use Path	1,620.9
72	Estatoe Trail connector (Cambridge Drive/Estatoe Trail - Poplar Street/Ashville Highway)	Shared-Use Path	332.8
73	Estatoe Trail spur (Nicholson Creek/Forest Hill Road)	Shared-Use Path	462.7
74	Greenville Highway (Elm Bend Road/Barclay Road)	Shared-Use Path	12,367.6
75	Hays-Laurel connector (Hays Street/Laurel Lane)	Shared-Use Path	349.1
76	Hendersonville Highway (Asheville Highway/Deavor Road)	Shared-Use Path	2,415.6

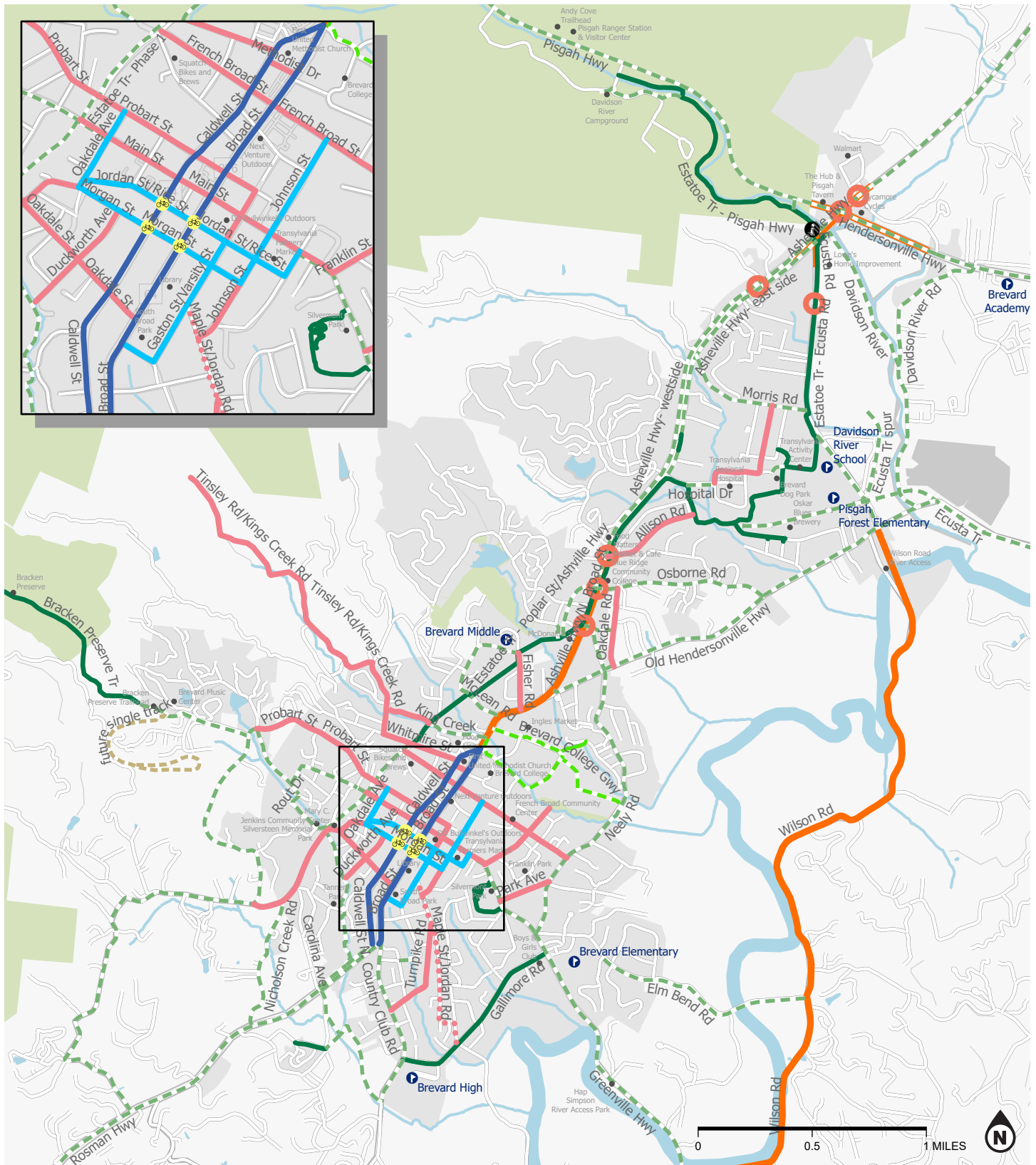
TABLE 3.1 *Project List of Recommended Pedestrian Facilities, continued*

Project Number	Corridor (from/to)	Proposed Facility Type	Length (ft)
77	Hendersonville Highway (Deavor Road/Lyday Loop)	Shared-Use Path	13,393.5
78	Hillview Street (Rout Drive/Hillview Circle)	Shared-Use Path	1,062.4
79	Holcombe Road + connector (Probart Street/Rout Drive)	Shared-Use Path	1,853.0
80	Hospital Drive (Cedar Hill Apartments entrance/Doctor Lane/Medical Park Dr)	Shared-Use Path	651.2
81	King Creek (Railroad Avenue/Broad Street)	Shared-Use Path	1,384.8
82	Main Street (Rice Street/Franklin Street)	Shared-Use Path	403.6
83	Main Street (Mills Avenue/Oaklawn Avenue)	Shared-Use Path	621.1
84	Main Street (Rosenwald Lane/Galloway Street)	Shared-Use Path	1,149.4
85	Main Street/Greenville Highway (Franklin Street/Parkview Drive)	Shared-Use Path	2,051.0
86	Main-Holcombe connector (Main Street/Holcombe Rd connector)	Shared-Use Path	726.1
87	McLean Road (Railroad Avenue/Broad Street)	Shared Use Path	767.3
88	McLean Road/Fisher Road (Poplar Street/Railroad Avenue)	Shared-Use Path	2,216.8
89	Medical Park-Dog Park connector (Medical Park Circle/Estatoe Trail- Dog Park)	Shared-Use Path	341.9
90	Morris Road (Asheville Highway/Ecusta Road)	Shared-Use Path	3,170.5
91	N. Country Club Road (Gallimore Road/Nicholson Creek Greenway)	Shared-Use Path	1,126.5
92	N. Country Club Road (Rosman Highway/Gallimore Road)	Shared-Use Path	2,851.6
93	Neely Rd (Old Hendersonville Highway/French Broad Street)	Shared-Use Path	5,200.8
94	Nicholson Creek Road (Cashiers Valley Road/Highway)	Shared-Use Path	3,110.6
95	Old Hendersonville Highway (Ecusta Trail/Osborne Road)	Shared-Use Path	4,587.1
96	Old Hendersonville Highway (Asheville Highway/Broad Street/Osborne Road)	Shared-Use Path	5,420.6
97	Old Hendersonville Highway (Grove Bridge Road//Lyday Loop)	Shared-Use Path	15,388.5
98	Osborne Road (Asheville Highway/Old Hendersonville Highway)	Shared-Use Path	3,965.0
99	Park Avenue (French Broad Street/Greenville Highway)	Shared-Use Path	1,933.6
100	Pinnacle Road/Music Camp Road (western terminus of Pinnacle/Probart Street)	Shared-Use Path	2,750.4
102	Pisgah Highway (Asheville Highway/Fish Hatchery Road)	Shared-Use Path	27,746.9
103	Probart Street (Holcombe Road/Cashiers Valley Road)	Shared-Use Path	5,366.9
104	future single track (Pinnacle Road/south of Club House Court)	Natural Surface Trail	5,808.8
105	Rosman Highway (Sky View Terrace/Red Sky Knoll)	Shared-Use Path	4,252.8
106	Rosman Highway (Forest Hill Road/Sky View Terrace)	Shared-Use Path	3,750.8
107	Rosman Highway- eastside (N. Country Club Road/Forest Hill Road)	Shared-Use Path	1,727.9
108	Rosman Highway- eastside (Red Sky Knoll/Clement Road)	Shared-Use Path	7,411.9
109	Rosman Highway- westside (Estatoe Trail- Norton Creek/Carolina Avenue)	Shared-Use Path	828.6
110	Rosman Highway- westside (Caldwell Street/Estatoe Trail- Norton Creek)	Shared-Use Path	772.8
111	Rosman Highway- westside (Pole Miller Road/Clement Road)	Shared-Use Path	4,100.9
112	Rosman Highway- westside (Selica Road/Pole Miller Road)	Shared-Use Path	2,328.6
113	Rosman Highway- westside (Red Sky Knoll/Selica Road)	Shared-Use Path	968.4
114	Rout Drive (northern terminus/Hillview Street)	Shared-Use Path	256.1
115	Tinsley-Commerce connector (Tinsley Road/Commerce Street)	Shared-Use Path	106.5

TABLE 3.2 *Project List of Recommended Bicycle Facilities**

Project Number	Corridor (from/to)	Proposed Facility Type	Implementation Method	Length (ft)
116	Allison Road (Ashville Highway/Estatoe Trail)	Shared Lane Markings (SLM)	Paint SLM Symbols	2,284.1
117	Ashville Highway/N. Broad Street (Caldwell Street/Straus Parkway)	Bicycle Lanes-planned R5800	Roadway Project	5,892.7
118	Broad Street (Caldwell Street/Main Street)	SLM (near-) Separated Bicycle Lane (long-term)	Paint SLM Symbols/ Restriping Project	2,213.2
118	Broad Street (Main Street/Rosman Highway)	SLM (near-) Separated Bicycle Lane (long-term)	Paint SLM Symbols/ Restriping Project	2,983.7
118	Caldwell Street (N. Broad Street/Rosman Highway)	SLM (near-) Separated Bicycle Lane (long-term)	Paint SLM Symbols/ Restriping Project	5,529.0
119	Carolina Avenue (Cashiers Valley Road/Rosman Highway)	Shared Lane Markings	Paint SLM Symbols	2,513.9
120	Carver Street (Oakdale Street/Oaklawn Avenue)	Shared Lane Markings	Paint SLM Symbols	705.0
121	Cashiers Valley Road (Oakdale Street/Probart Street)	Shared Lane Markings	Paint SLM Symbols	2,958.5
122	Commerce Street (Railroad Avenue/western terminus of Commerce Street)	Shared Lane Markings	Paint SLM Symbols	964.5
123	Davidson River Village (DRV) Connector (Asheville Highway/ Ecusta Road)	Bicycle Lanes-planned R5800	Roadway Project	1,335.6
124	Davidson River Village (DRV) Connector (Ecusta Road/ Hendersonville Highway)	Bicycle Lanes-planned R5800	Roadway Project	2,722.8
125	Duckworth Avenue (Morgan Street/southern terminus)	Shared Lane Markings	Paint SLM Symbols	1,347.8
127	Fisher Road (Poplar Street/Broad Street)	Shared Lane Markings	Paint SLM Symbols	1,320.4
128	Franklin Street (Main Street/northern terminus/King Creek)	Shared Lane Markings	Paint SLM Symbols	2,012.0
129	E French Broad Street, W French Broad Street (Railroad Avenue/Park Avenue)	Shared Lane Markings	Paint SLM Symbols	4,488.7
130	Gaston Street (Probart Street/Jordan Street)	Shared Lane Markings	Paint SLM Symbols	637.2
131	Gaston Street/Varsity Street (Jordan Street/Broad Street)	Bicycle Boulevard	Paint SLM Symbols + Traffic Calming	1,916.6
132	Johnson Street (French Broad Street/Morgan Street)	Bicycle Boulevard	Paint SLM Symbols + Traffic Calming	1,814.1
133	Johnson Street (Morgan Street/Maple Street)	Shared Lane Markings	Paint SLM Symbols	763.3
134	Jordan Street/Rice Street (Oaklawn Avenue/Main Street)	Bicycle Boulevard	Traffic Calming	2,768.4
135	Main Street (future greenway/Franklin Street)	Shared Lane Markings	Paint SLM Symbols	3,202.5
136	Methodist Drive (Caldwell Street/Broad Street)	Shared Lane Markings	Paint SLM Symbols	322.0
137	Morgan Street (Oaklawn Avenue/Johnson Street)	Bicycle Boulevard	Paint SLM Symbols + Traffic Calming	2,035.2
138	Oakdale Avenue (Probart Street/Carver Street)	Bicycle Boulevard	Paint SLM Symbols + Traffic Calming	958.4
139	Oakdale Road (Osborne Road/Old Hendersonville Highway)	Shared Lane Markings	Paint SLM Symbols	1,835.6
140	Oakdale Street (Carver Street/Broad Street)	Shared Lane Markings	Paint SLM Symbols	1,782.7
141	Park Avenue (Main Street/Parkview Drive)	Shared Lane Markings	Paint SLM Symbols	1,222.8
142	Probart Street (Holcombe Road/Gaston Street)	Shared Lane Markings	Paint SLM Symbols	5,319.1
142	Temple Church Road/Medical Park Drive (Morris Road/Hospital Drive)	Shared Lane Markings	Paint SLM Symbols	2,852.6
144	Tinsley Road/Kings Creek Road (northwestern terminus of Kings Creek Rd/Palmer Street)	Shared Lane Markings	Paint SLM Symbols	8,653.2
145	Turnpike Road (Maple Street/N. Country Club Road)	Shared Lane Markings	Paint SLM Symbols	2,424.9
146	Whitmire Street (Tinsley Road/Caldwell Street)	Shared Lane Markings		1,829.1
147	Wilson Road (Old Hendersonville Highway/Greenville Highway)	paved shoulders-planned R-5763	Roadway Project	19,424.4

*Note: Shared-use paths are depicted in the map, as they are shared-use facilities that accommodate pedestrian and bicycle travel, but they are not listed in the Bicycle Facility Recommendations Table since they are already listed in the Pedestrian Facility Recommendations Table on pages 30-33.



BICYCLE FACILITY RECOMMENDATIONS

CITY OF BREVARD
PEDESTRIAN & BICYCLE PLAN

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BICYCLE FACILITIES

- Bike Crossing Signal
- Separated Bike Lane (SBL)- Proposed (long-term)
- Bike Boulevard- Proposed
- Shared Lane Markings (SLM)- Existing
- SLM- Proposed
- Shared-Use Path- Existing
- Shared-Use Path- Proposed
- Natural Surface Trail- Existing
- Natural Surface Trail- Proposed
- Shared Use Path- private, existing
- Shared Use Path- private, proposed

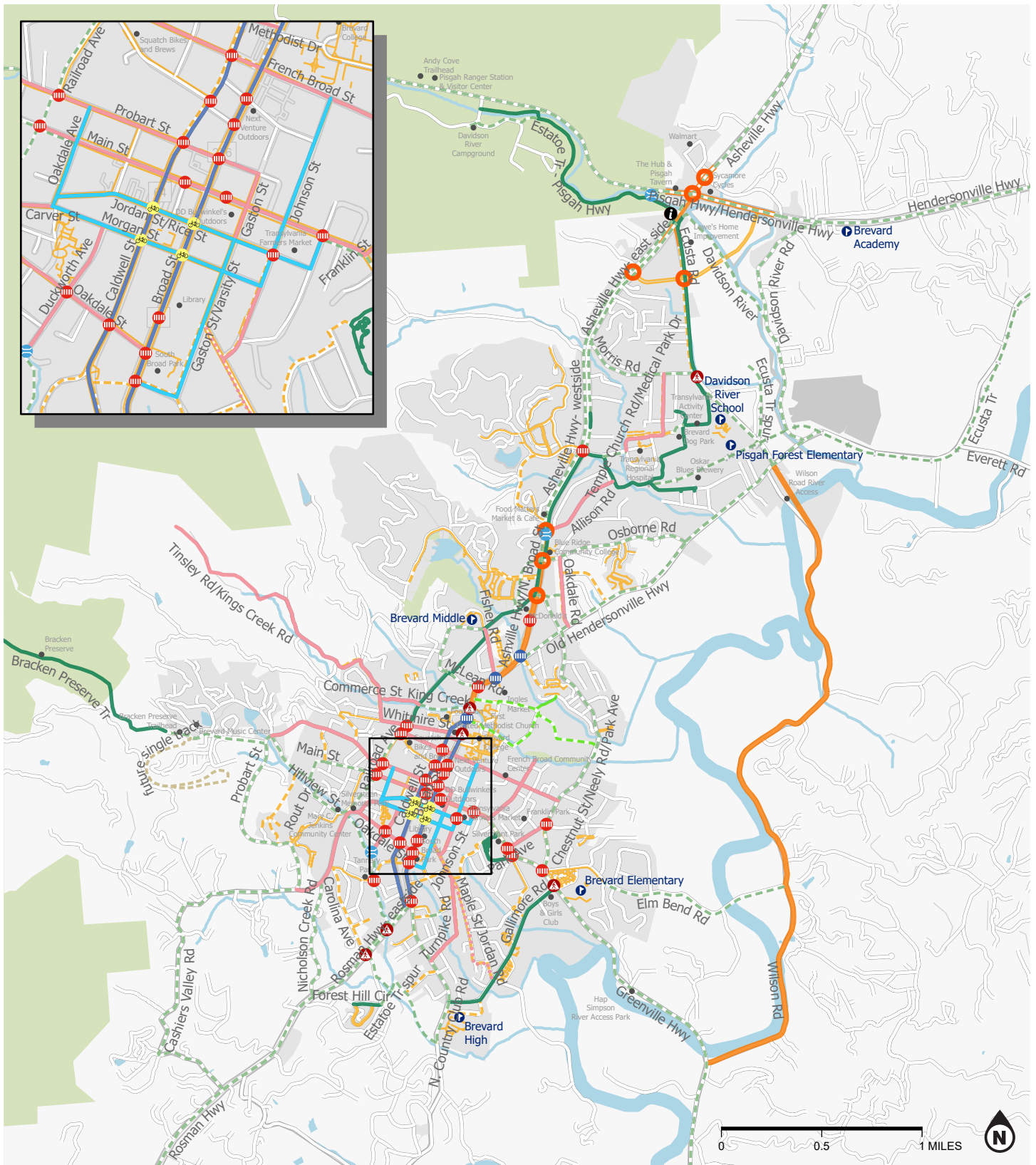
- Information Kiosk/Map- proposed
- Planned Roundabout
- Funded Roadway Projects

DESTINATIONS + BOUNDARIES

- Public Schools
- Railroad
- Streets
- Transylvania County
- Parks
- Brevard City Limits

TABLE 3.3 *Project List of Recommended Crossing Improvements*

Project Number	Corridor 1	Corridor 2	Proposed Treatment
148	Asheville Highway	new signal at Aldi's	Crossing Improvement
149	Asheville Highway	Hospital Drive	Crossing Improvement
150	Asheville Highway	Old Hendersonville Highway	Crossing Improvement- Planned (R-5800)
151	Asheville Highway	Brian Berg Lane	Pedestrian+Bicycle Tunnel
152	Asheville Highway	Osborne Road	Planned Roundabout
153	Asheville Highway	Pisgah Highway/Hendersonville Highway	Planned Roundabout
154	Asheville Highway	Forest Gate Drive/ Deavor Road	Planned Roundabout
155	Asheville Highway	Chestnut Street/Jackson Court	Planned Roundabout
156	Asheville Highway	Allison Road/Fortune Cove Road	Planned Roundabout
157	Asheville Highway	Davidson River Village (DRV) Connector	Planned Roundabout
158	Broad Street	Morgan Street	Bicycle Crossing Signal
159	Broad Street	Jordan Street	Bicycle Crossing Signal
160	Broad Street	McLean Road	Crossing Improvement
161	Broad Street	Varsity Street	Crossing Improvement
162	Broad Street	Oakdale Street	Crossing Improvement
163	Broad Street	Library entrance	Crossing Improvement
164	Broad Street	Probart Street	Crossing Improvement
165	Broad Street	Plaza Way	Crossing Improvement
166	Broad Street	Kelly's Way/Appletree Street	Crossing Improvement
167	Broad Street	Caldwell Street	Crossing Improvement- Planned (R-5800)
168	Broad Street	Fisher Road	Crossing Improvement- Planned (R-5800)
169	Broad Street	Kings Creek	Pedestrian Hybrid Beacon (PHB)
170	Broad Street	First Methodist Church/Brevard College	RRFB/PHB
171	Broad Street/ Rosman Highway	N. Country Club Road	Crossing Improvement
172	Caldwell Street	Morgan Street	Bicycle Crossing Signal
173	Caldwell Street	Jordan Street	Bicycle Crossing Signal
174	Caldwell Street	Probart Street	Crossing Improvement
175	Caldwell Street	King Street	Crossing Improvement
176	Caldwell Street	French Broad Street	Crossing Improvement
177	Caldwell Street	Oakdale Street	Crossing Improvement
178	Davidson River	Pisgah Highway	Pedestrian & Bicycle Bridge
179	Duckworth Avenue	Oakdale Street	Crossing Improvement
180	Duckworth Avenue	southern terminus of Duckworth	Pedestrian & Bicycle Bridge
181	Ecusta Road	south of Morris Road	Pedestrian Hybrid Beacon (PHB)
182	Ecusta Road	Davidson River Village (DRV) Connector	Planned Roundabout
183	Estatoe Trail	north of Ecusta Road	Crossing Improvement
184	Greenville Highway	Parkview Drive/Elm Bend Road	Crossing Improvement
185	Greenville Highway	Gallimore Road/Trowbridge Lane	RRFB/PHB
186	Jordan Street	Johnson Street	Crossing Improvement
187	Main Street	east of Galloway Street	Crossing Improvement
188	Main Street	Greenville Highway/Wilson Drive	Crossing Improvement
189	Main Street	Rice Street	Crossing Improvement
190	Main Street	midblock alley between Broad & Gaston	Crossing Improvement
191	Main Street	Times Arcade Alley	Crossing Improvement



CROSSING IMPROVEMENT RECOMMENDATIONS

CITY OF BREVARD
PEDESTRIAN & BICYCLE PLAN

alta

CROSSING IMPROVEMENT

- High Visibility Crosswalk
- RRFB/Ped Hybrid Beacon (PHB)
- Ped+Bike Bridge/Tunnel- planned
- Planned Crosswalks (R-5800)
- Bike Crossing Signal
- Proposed Amenities
- Information Kiosk/Map- proposed

- Sidewalks- Existing
- Sidewalks- Proposed
- Shared-Use Path- Existing
- Shared-Use Path- Proposed
- Natural Surface Trail- Existing
- Natural Surface Trail- Proposed
- Shared Use Path- private, existing
- Shared Use Path- private, proposed
- Planned Roundabout
- Funded Roadway Projects

DESTINATIONS + BOUNDARIES

- Public Schools
- Key Destinations
- Railroad
- Streets
- Transylvania County
- Parks
- Brevard City Limits

TABLE 3.3 *Project List of Recommended Crossing Improvements, continued*

Project Number	Corridor 1	Corridor 2	Proposed Treatment
192	Main Street	Park Avenue	Crossing Improvement
193	Parkview Drive	Park Avenue	Crossing Improvement
194	Probart Street	Railroad Avenue	Crossing Improvement
195	Railroad Avenue	King Street	Crossing Improvement
196	Rosman Highway	Carolina Avenue/Forest Hill Road	Pedestrian Hybrid Beacon (PHB)
197	Rosman Highway	Norton Creek/future greenway	Pedestrian Hybrid Beacon (PHB)
198	Silversteen Drive	Norton Creek/future greenway	Crossing Improvement
199	Whitmire Street	Railroad Avenue	Crossing Improvement

PRIORITIZATION PROCESS + PHASING PLAN

In 2018, Brevard's Pedestrian Comprehensive Plan was updated, and priority shared-use path and sidewalk projects were identified. Those priorities, especially the shared-use paths, remain the priorities or near-term implementation for the City of Brevard. In some cases, sidewalk recommendations were updated and upgraded to be shared-use path recommendations as the recommendations from the Transylvania County Bicycle Plan were integrated with those of the Pedestrian Plan. These shared-use path recommendations, as well as the other on-street bicycle facility recommendations developed through this planning effort have been prioritized using criteria developed to reflect the priorities expressed by the Steering Committee.

The project list with prioritization scores is provided on the following pages. The scores form the basis for a phased approach to funding and implementing the projects, with the higher ranking projects (scores of 5 or more) being designated as near-term priorities for implementation. Lower scoring projects are designated for later phases of implementation.

PRIORITIZATION CRITERIA:

- **Estatoe Trail:** the project connects to or extends the Estatoe Trail
- **Safety:** the project creates a separated facility in an area that has previously experienced a bicycle- and/or pedestrian-involved collision
- **Connectivity:** the project fills a gap in the current sidewalk or bicycle network or improves an important crossing in the network
- **Public Support:** the project reflects previously identified priority projects or was identified as a priority corridor/crossing during this planning effort. Priority corridors/crossings included:
 - » Probart Street
 - » Broad Street/Asheville Highway (especially between downtown and Chestnut Street)
 - » Neely Road
 - » Whitmire Street
 - » Allison Road
 - » Osborne Road
 - » Rosman Hwy (near future Estatoe Greenway crossing),
 - » future Ecusta Trailhead area

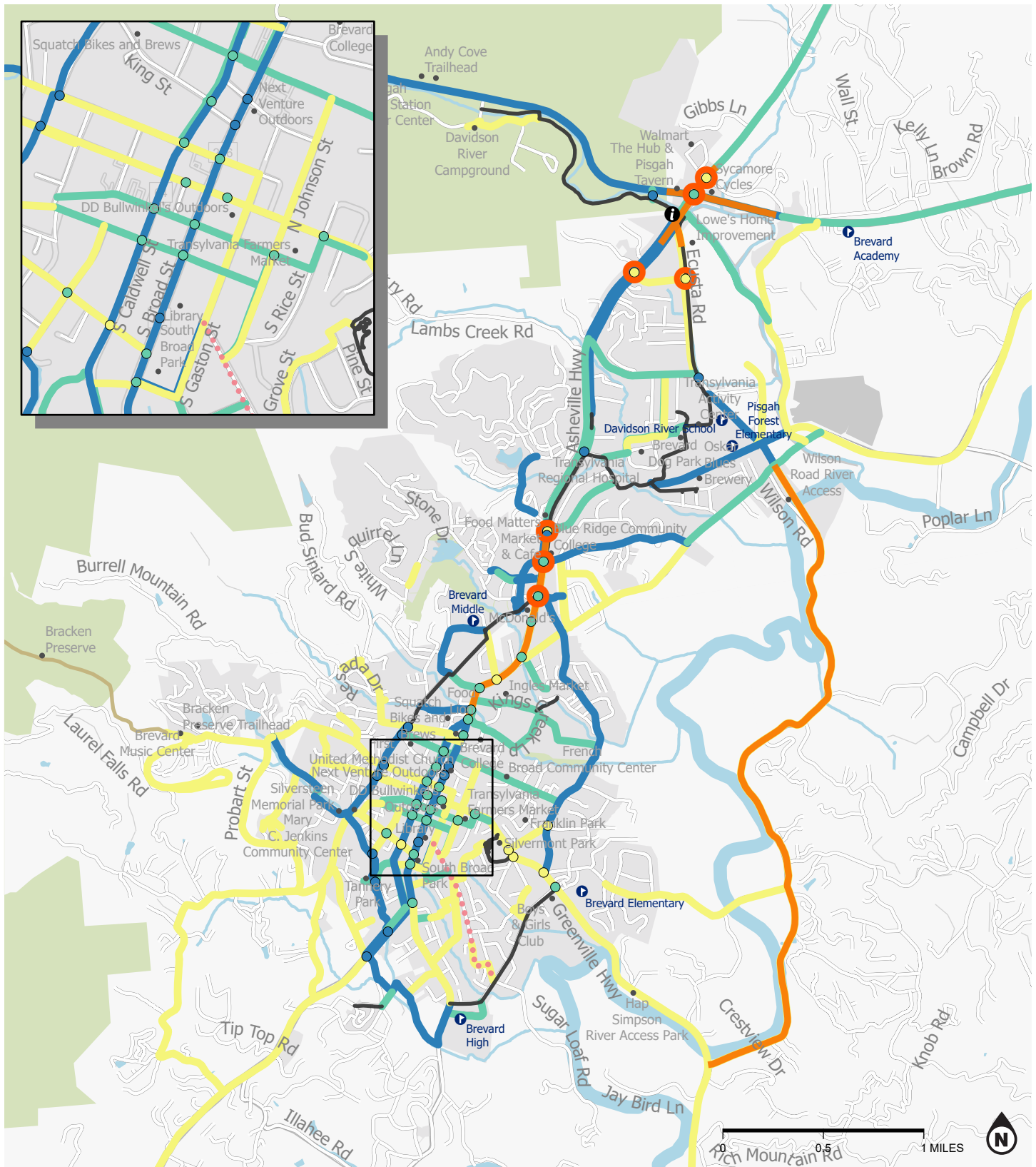


TABLE 3.4 Near-Term Priority Project List with Prioritization Scores

Project Number	Corridor	Proposed Facility/ Treatment	Prioritization Criteria				Total Priority Score
			Estatote Trail	Safety	Connectivity	Public Support	
68	<i>Estatote Trail (Phase 2)</i>	<i>Shared Use Path</i>	2	2	2	2	8
69	<i>Estatote Trail (Phase 3)</i>	<i>Shared Use Path</i>	2	2	2	2	8
70	<i>Estatote Trail (Phase 4)</i>	<i>Shared Use Path</i>	2	2	2	2	8
71	Estatote Trail- alternative route	Shared Use Path	2	2	2	2	8
72	Estatote Trail connector	Shared Use Path	2	2	2	2	8
98	Osborne Road	Shared Use Path	2	2	2	1	7
60	Ecusta Road	Shared Use Path	2	2	2	1	7
67	<i>Estatote Trail (Phase 1)</i>	<i>Shared Use Path</i>	2	1	2	2	7
47	Asheville Highway- westside	Shared Use Path	2	2	2	0	6
54	Chestnut Street	Shared Use Path	2	2	1	1	6
78	Hillview Street	Shared Use Path	2	2	1	1	6
91	N. Country Club Road	Shared Use Path	2	2	1	1	6
93	Neely Road	Shared Use Path	2	2	1	1	6
99	Park Avenue/Parkview Drive	Shared Use Path	2	2	1	1	6
107	Rosman Highway- eastside	Shared Use Path	2	2	0	2	6
198	Silversteen Drive/Norton Creek/ Future Greenway	Crossing Improvement	2	1	2	1	6
149	Asheville Highway/Hospital Drive	Crossing Improvement	2	1	1	1	5
151	Asheville Highway/Brian Berg Lane	Pedestrian+Bicycle Tunnel	2	1	1	1	5
45	Asheville Highway- east side	Shared Use Path	2	2	1	0	5
48	Asheville Highway- westside	Shared Use Path	2	2	1	0	5
118	Broad Street & Caldwell Street	Sharrows (near) Separated Bicycle Lanes (longterm)	0	2	2	1	5
163	Broad Street/Library entrance	Crossing Improvement	0	2	2	1	5
165	Broad Street/Plaza Way	Crossing Improvement	0	2	2	1	5
166	Broad Street/Kelly's Way/ Appletree Street	Crossing Improvement	0	2	2	1	5
55	Chestnut-Oakdale connector	Shared Use Path	2	2	1	0	5
178	Davidson River/Pisgah Highway	Pedestrian+Bicycle Bridge	2	1	1	1	5
11	Deerlake Road- northside	Sidewalk	2	2	1	0	5
12	Deerlake Road- southside	Sidewalk	2	2	1	0	5
180	Duckworth Avenue/southern terminus of Duckworth	Pedestrian+Bicycle Bridge	2	2	1	0	5
181	Ecusta Road/south of Morris Road	Pedestrian Hybrid Beacon (PHB)	2	1	1	1	5
61	Ecusta Trail	Shared Use Path	2	1	1	1	5
76	Hendersonville Highway	Shared Use Path	2	2	1	0	5
79	Holcombe Road + connector	Shared Use Path	2	1	1	1	5
81	King Creek	Shared Use Path	2	2	1	0	5
187	Main Street/east of Galloway Street	Crossing Improvement	2	1	1	1	5
87	McLean Road	Shared Use Path	2	2	0	1	5
88	McLean Road/Fisher Road	Shared Use Path	2	2	1	0	5
90	Morris Road	Shared Use Path	2	2	0	1	5
101	Pisgah Highway	Shared Use Path	2	2	1	0	5
194	Probart Street/Railroad Avenue	Crossing Improvement	2	1	1	1	5

Bolded rows denote projects for which a detailed cutsheet and cost estimate have been developed (see pages 46-55). Italicized rows denote the Estatote Trail segments that have been approved for construction in the next three years.

TABLE 3.4 Near-Term Priority Project List with Prioritization Scores, continued

Project Number	Corridor	Proposed Facility/Treatment	Prioritization Criteria				Total Priority Score
			Estate Trail	Safety	Connectivity	Public Support	
103	Probart-Main connector	Shared Use Path	2	1	1	1	5
195	Railroad Avenue/King Street	Crossing Improvement	2	1	1	1	5
196	Rosman Highway/Carolina Avenue/Forest Hill Road	Pedestrian Hybrid Beacon (PHB)	2	1	1	1	5
197	Rosman Highway/Norton Creek/Future Greenway	Pedestrian Hybrid Beacon (PHB)	2	1	1	1	5
109	Rosman Highway- westside	Shared Use Path	2	1	0	2	5
35	Straus Parkway	Sidewalk	2	1	2	0	5
39	Varsity Street/Gaston Street	Sidewalk	0	2	2	1	5
199	Whitmire Street/Railroad Avenue	Crossing Improvement	2	1	1	1	5

TABLE 3.5 Mid-Term Priority Project List with Prioritization Scores

Project Number	Corridor	Proposed Facility/Treatment	Prioritization Criteria				Total Priority Score
			Estate Trail	Safety	Connectivity	Public Support	
137	Morgan Street	Bicycle Boulevard	0	1	2	1	4
134	Jordan Street/Rice Street	Bicycle Boulevard	0	1	2	1	4
116	Allison Road	Shared Lane Markings	2	0	1	1	4
43	Asheville Highway	Shared Use Path	2	2	0	0	4
152	Asheville Highway/Osborne Road	planned roundabout	0	2	2	0	4
46	Asheville Highway- eastside	Shared Use Path	2	1	1	0	4
49	Asheville Highway- westside	Shared Use Path	2	1	1	0	4
50	Asheville Highway- westside	Shared Use Path	2	2	0	0	4
51	Brevard College Greenway	Shared Use Path (private property)	0	2	2	0	4
158	Broad Street/Morgan Street	Bicycle Crossing Signal	0	2	1	1	4
159	Broad Street/Jordan Street	Bicycle Crossing Signal	0	2	1	1	4
161	Broad Street/Varsity Street	Crossing Improvement	0	1	2	1	4
162	Broad Street/Oakdale Street	Crossing Improvement	0	1	2	1	4
164	Broad Street/Probart Street	Crossing Improvement	0	2	1	1	4
167	Broad Street/Caldwell Street	Crossing Improvement-Planned (R-5800)	0	2	1	1	4
169	Broad Street/Kings Creek	Pedestrian Hybrid Beacon (PHB)	0	2	1	1	4
170	Broad Street/First Methodist Church/Brevard College	RRFB/PHB	0	1	2	1	4
171	Broad Street/Rosman Highway/N. Country Club Road	Crossing Improvement	0	2	1	1	4
4	Caldwell Street- eastside	Sidewalk	0	2	2	0	4
5	Caldwell Street- westside	Sidewalk	0	2	2	0	4
56	Davidson River	Shared Use Path	2	2	0	0	4
13	Deerlake Road- southside	Sidewalk	2	1	1	0	4
185	Greenville Highway/Gallimore Road/Trowbridge Lane	RRFB/PHB	2	1	1	0	4
20	High School Road	Sidewalk	0	2	2	0	4
80	Hospital Drive	Shared Use Path	2	1	1	0	4
21	Johnson Street	Sidewalk	0	2	2	0	4
186	Jordan Street/Johnson Street	Crossing Improvement	0	2	2	0	4

Bolded rows denote projects for which a detailed cutsheet and cost estimate have been developed (see pages 46-55).

TABLE 3.5 *Mid-Term Priority Project List with Prioritization Scores, continued*

Project Number	Corridor	Proposed Facility/Treatment	Prioritization Criteria				Total Priority Score
			Estatoe Trail	Safety	Connectivity	Public Support	
189	Main Street/Rice Street	Crossing Improvement	0	2	2	0	4
190	Main Street/midblock alley between Broad & Gaston	Crossing Improvement	0	2	2	0	4
89	Medical Park-Dog Park connector	Shared Use Path	2	1	1	0	4
29	Miner Street	Sidewalk	0	1	2	1	4
114	Rout Drive	Shared Use Path	2	1	0	1	4
40	Varsity Street	Sidewalk	0	1	2	1	4
129	E French Broad Street, W French Broad Street	Shared Lane Markings	0	1	2	0	3
148	Asheville Highway/new signal at Aldi's	Crossing Improvement	0	2	1	0	3
150	Asheville Highway/Old Hendersonville Highway	Crossing Improvement-Planned (R-5800)	0	2	1	0	3
153	Asheville Highway/Pisgah Highway/Hendersonville Highway	Planned Roundabout	0	2	1	0	3
155	Asheville Highway/Chestnut Street/Jackson Court	Planned Roundabout	0	2	1	0	3
160	Broad Street/McLean Road	Crossing Improvement	0	1	1	1	3
2	Broad Street- westside	Sidewalk	0	2	1	0	3
3	Caldwell Street	Sidewalk	0	2	1	0	3
172	Caldwell Street/Morgan Street	Bicycle Crossing Signal	0	2	1	0	3
173	Caldwell Street/Jordan Street	Bicycle Crossing Signal	0	2	1	0	3
174	Caldwell Street/Probart Street	Crossing Improvement	0	2	1	0	3
175	Caldwell Street/King Street	Crossing Improvement	0	2	1	0	3
176	Caldwell Street/French Broad Street	Crossing Improvement	0	2	1	0	3
6	Caldwell Street- westside	Sidewalk	0	2	1	0	3
7	Caldwell Street- westside	Sidewalk	0	2	1	0	3
8	Caldwell Street- westside	Sidewalk	0	2	1	0	3
52	Campus Drive/Kings Creek Loop	Shared Use Path (private property)	0	2	1	0	3
57	Davidson River Bridge	Shared Use Path	2	1	0	0	3
179	Duckworth Avenue/Oakdale St	Crossing Improvement	0	2	1	0	3
183	Estatoe Trail/north of Ecusta Rd	Crossing Improvement	0	2	1	0	3
73	Estatoe Trail spur	Shared Use Path	2	1	0	0	3
15	French Broad Street- northside	Sidewalk	0	2	1	0	3
16	French Broad Street- southside	Sidewalk	0	2	1	0	3
18	Hays St/Laurel Ln/Aspen Pl	Sidewalk	0	2	1	0	3
77	Hendersonville Highway	Shared Use Path	0	2	1	0	3
82	Main Street	Shared Use Path	0	2	1	0	3
191	Main Street/Times Arcade Alley	Crossing Improvement	0	2	1	0	3
26	Medical Park Circle	Sidewalk	0	1	2	0	3
27	Medical Park Dr/Temple Church Road	Sidewalk	0	2	1	0	3
95	Old Hendersonville Highway	Shared Use Path	0	2	0	1	3
31	Owen Street	Sidewalk	0	2	1	0	3
110	Rosman Highway- westside	Shared Use Path	0	2	0	1	3
33	Silversteen Drive	Sidewalk	0	1	2	0	3

Bolded rows denote projects for which a detailed cutsheet and cost estimate have been developed (see pages 46-55).

TABLE 3.6 Long-Term Priority Project List with Prioritization Scores

Project Number	Corridor	Proposed Facility/Treatment	Prioritization Criteria				Total Priority Score
			Estate Trail	Safety	Connectivity	Public Support	
1	Azalea Avenue	Sidewalk	0	2	0	0	2
14	Ecusta Road	Sidewalk	0	2	0	0	2
17	Grove Lane/Grove Street	Sidewalk	0	1	1	0	2
19	Hays St/Laurel Ln/Aspen Pl	Sidewalk	0	2	0	0	2
23	Kings Mill Road	Sidewalk	0	2	0	0	2
24	Main Street	Sidewalk	0	1	1	0	2
25	Maple Street/Jordan Road	Sidewalk	0	1	1	0	2
28	Miner Street	Sidewalk	0	1	1	0	2
30	Oakdale Road	Sidewalk	0	2	0	0	2
36	Thrift store parking lot	Sidewalk	0	1	1	0	2
38	Turnpike Road	Sidewalk	0	1	1	0	2
42	Wilson Drive	Sidewalk	0	1	1	0	2
58	Davidson River Campground trail spur	Shared Use Path	0	1	1	0	2
59	Davidson River Road	Shared Use Path	0	1	0	1	2
62	Ecusta Trail	Shared Use Path	0	1	0	1	2
65	Ecusta Trail spur	Shared Use Path	0	1	0	1	2
66	Elm Bend Road	Shared Use Path	0	2	0	0	2
74	Greenville Highway	Shared Use Path	0	1	1	0	2
75	Hays-Laurel connector	Shared Use Path	0	2	0	0	2
83	Main Street	Shared Use Path	0	1	1	0	2
85	Main Street/Greenville Highway	Shared Use Path	0	1	1	0	2
92	N. Country Club Road	Shared Use Path	0	2	0	0	2
94	Nicholson Creek Road	Shared Use Path	0	2	0	0	2
96	Old Hendersonville Highway	Shared Use Path	0	2	0	0	2
97	Old Hendersonville Highway	Shared Use Path	0	2	0	0	2
100	Pinnacle Road/Music Camp Road	Shared Use Path	0	1	1	0	2
102	Probart Street	Shared Use Path	0	1	0	1	2
104	Future Single Track	Natural Surface Trail	0	1	1	0	2
105	Rosman Highway	Shared Use Path	0	2	0	0	2
108	Rosman Highway- eastside	Shared Use Path	0	2	0	0	2
111	Rosman Highway- westside	Shared Use Path	0	2	0	0	2
117	Ashville Highway/N. Broad Street/Caldwell Street	Bicycle Lanes-planned R5800	0	1	1	0	2
120	Carver Street	Shared Lane Markings	0	1	1	0	2
121	Cashiers Valley Road	Shared Lane Markings	0	1	1	0	2
130	Gaston Street	Shared Lane Markings	0	1	1	0	2
131	Gaston Street/Varsity Street	Bicycle Boulevard	0	1	1	0	2
132	Johnson Street	Bicycle Boulevard	0	1	1	0	2
135	Main Street	Shared Lane Markings	0	1	1	0	2
136	Methodist Drive	Shared Lane Markings	0	1	1	0	2
140	Oakdale Street	Shared Lane Markings	0	1	1	0	2
142	Probart Street	Shared Lane Markings	0	1	1	0	2
146	Whitmire Street	Shared Lane Markings	0	0	1	1	2
147	Wilson Road/Old Hendersonville Highway/Greenville Highway	Paved Shoulders-Planned R-5763	0	1	1	0	2

See Appendix E on page 134 for the remainder of the Long-term projects and prioritization scores.

PRIORITY PROJECTS

This section outlines preliminary concept-level design for five specific projects as examples of the variety of facility types recommended in the Plan. They show realistic examples of what implementation of each type of project might look like, including the coordination of intersection improvements to connect new and existing facilities. These project locations include:

1. **Osborne Road - Shared Use Path**
2. **Neely Road - Shared Use Path**
3. **Broad Street + Caldwell Street - Paired Separated Bicycle Lanes**
4. **Morgan Street + Jordan Street - Paired Bicycle Boulevards**
5. **French Broad Street - Shared Lane Markings**

For each project, the following details are provided:

- Project description and locator map
- Project challenges
- Concept design¹
- Roadway Characteristics
- Project Detail
- Construction cost opinion

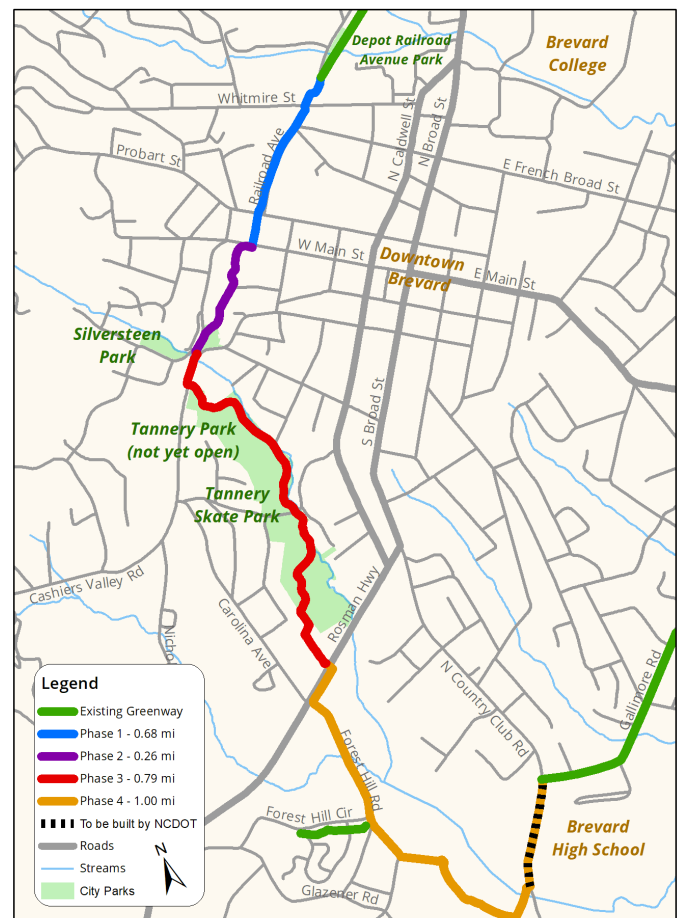
¹ The facility types and concept designs provided on the following pages were developed and reviewed by engineers, but they are only examples of what can be implemented and are not intended as required design features.

Estatoe Trail is Top Priority

Completing the Estatoe Trail was a recurring priority for the public who participated in this planning process. As this plan was being developed, the City of Brevard passed a resolution to extend the Estatoe Trail to Brevard High School in three years. At right is a map of the phased planned to complete the construction of the Estatoe Trail that was provided with the announcement of the City's resolution in September 2021. The goal of completing the Estatoe Trail remains the top priority of Brevard's constituents.

Ecusta Trail is Top Priority

The City of Brevard has long supported the Ecusta Trail as an asset to our community with cultural, economic, and transportation benefits. The first formal act was a resolution of support adopted in March of 2015. In June of 2021, the Brevard City Council adopted Resolution 2021-21, officially declaring its intent to be the lead governmental agency working towards securing funding, overseeing construction, and managing public use of the Ecusta Trail within Transylvania County. The City has already taken several steps in pursuit of this goal, including applying for a \$15 million Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant for trail construction, and entering into a long-term lease agreement with Conserving Carolina, the land trust that owns the rail corridor. In May of 2022, the City was awarded a \$1 million grant from the Federal Lands Access Program (FLAP) to begin final engineering and design work of the trail. The Ecusta Trail is—and will remain – a key priority for the City through construction and beyond.



PROJECT 1: Shared-Use Path along Osborne Road, from Asheville Highway to Old Hendersonville Highway

Osborne Road is an important east-west connector between Asheville Highway and Old Hendersonville Highway. Although it typically does not have a high volume of traffic on it, the roadway is curvy and hilly, which warrants a recommendation for a more separated bicycle facility. Also, given that there are no sidewalks on Osborne, a shared use path is recommended in order to safely support both walking and biking along this corridor.

The right of way is approximately 60-feet along the entire length of the corridor so there is room for a shared use path; however, buildings near the property lines, topographic changes, and heavy tree cover along the roadways all present significant challenges to installing a shared use path. Still, the connections to key destinations like Blue Ridge Community College and the Asheville Highway corridor make this an invaluable connection.

Roadway Characteristics (Existing):

- » Average Annual Daily Traffic (AADT) = 750 – 1,900
- » Speed Limit = 35 mph
- » Curb + Gutter presence: both
- » Pavement Width: ~22 feet
- » Number of Lanes: 2.

Project Details:

- » 10-foot Sidepath
- » 5-foot planted buffer
- » Length: 0.75 miles

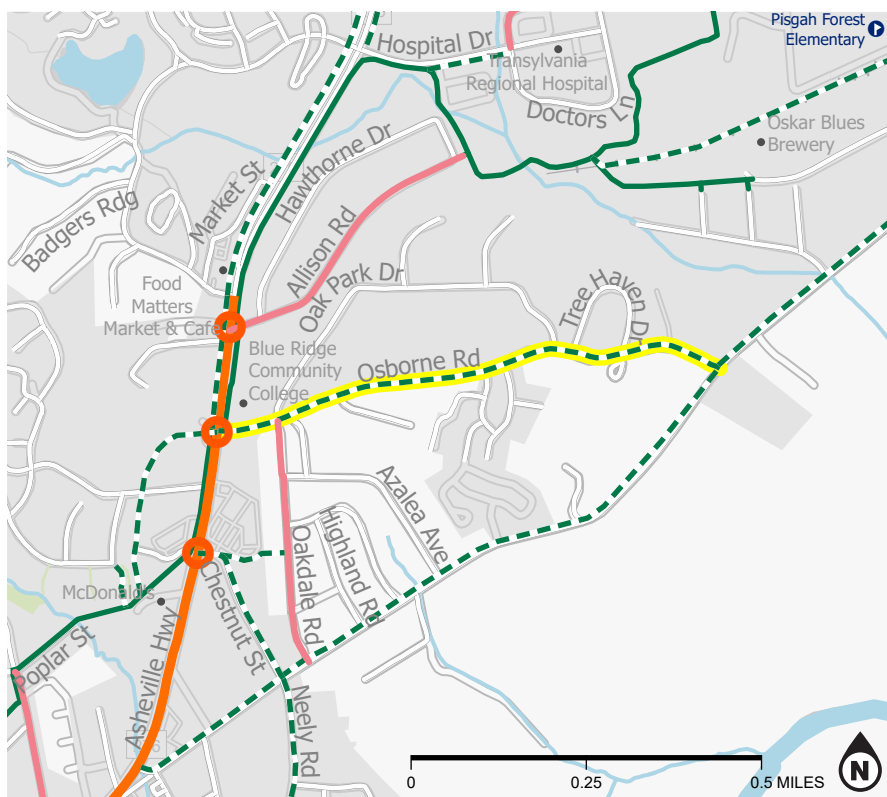
Construction Cost Opinion:

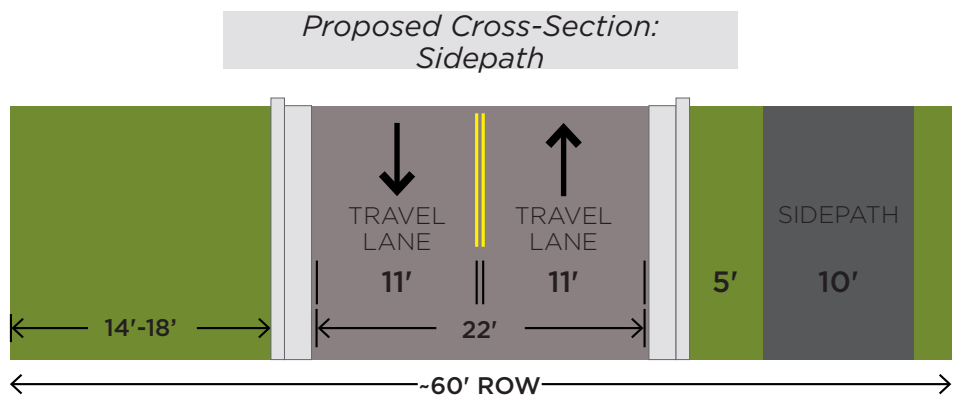
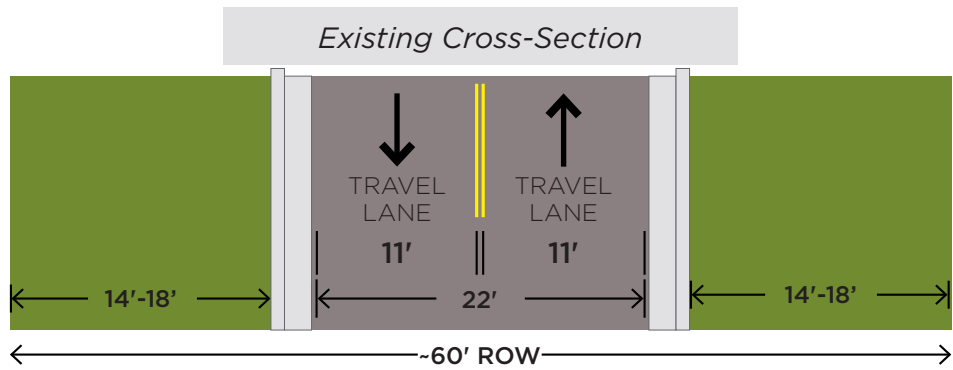
- » \$2,035,000*

**Detailed cost estimates are provided in the Appendix and are based on NCDOT's P6.0 Bicycle-Pedestrian Cost Estimation Tool.*

PRIORITIZED PROJECT RECOMMENDATIONS

- Representative Priority Project
- Proposed Bike + Ped Facilities**
 - Shared Lane Markings (SLM)
 - - - Shared-Use Path
- Existing + Funded Facilities**
 - Shared-Use Path
 - Funded Roadway Projects
 - Planned Roundabout





PROJECT 2: Shared-Use Path along Neely Road, from Old Hendersonville Highway to French Broad Street

Neely Road is an important north-south connection on the east side of town and is a long-standing top priority corridor from the Pedestrian Plan update of 2018, where the recommended facility was a sidewalk. Given the narrow right-of-way and more rural nature of the roadway, the sidewalk recommendation was updated and upgraded to a shared-use path in order to accommodate both pedestrian and bicycle traffic along this important corridor. This facility type offers the benefit of all active travel modes on one facility, rather than sidewalks and bicycle lanes, which would require significantly more right-of-way and cost more to widen the road.

Roadway Characteristics (Existing):

- » Average Annual Daily Traffic (AADT) = 5,300
- » Speed Limit = variable 25/35 mph
- » Curb + Gutter presence: none
- » Presence of Shoulders: none
- » Pavement Width: ~22 feet
- » Number of Lanes: 2

Project Details:

- » 10-foot Sidepath
- » 5-foot planted buffer
- » Length: 0.98 miles

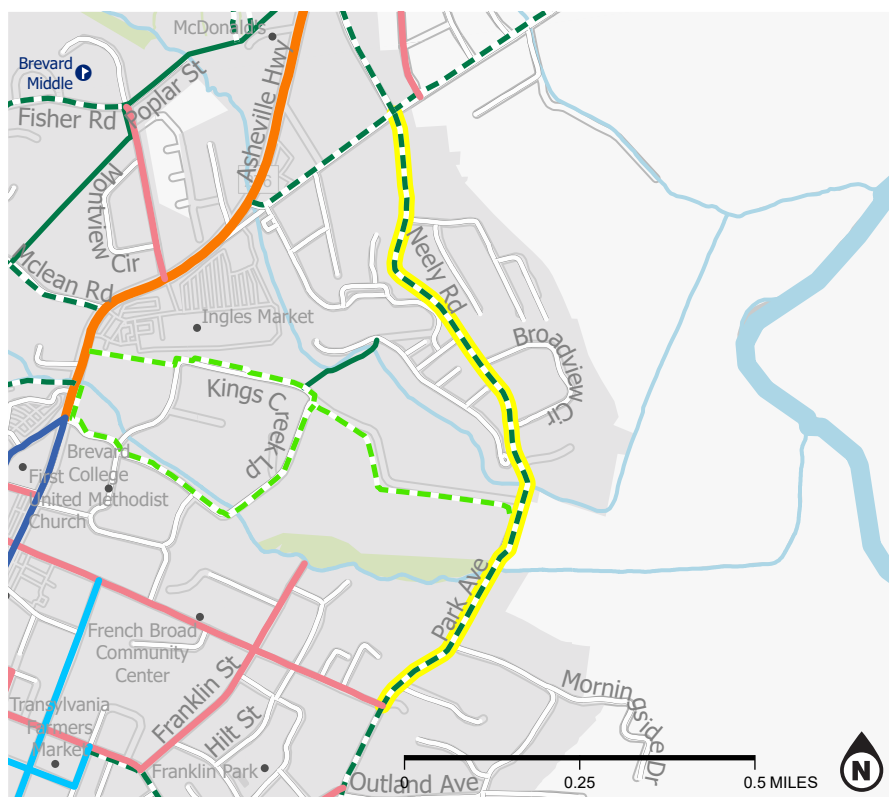
Construction Cost Opinion:

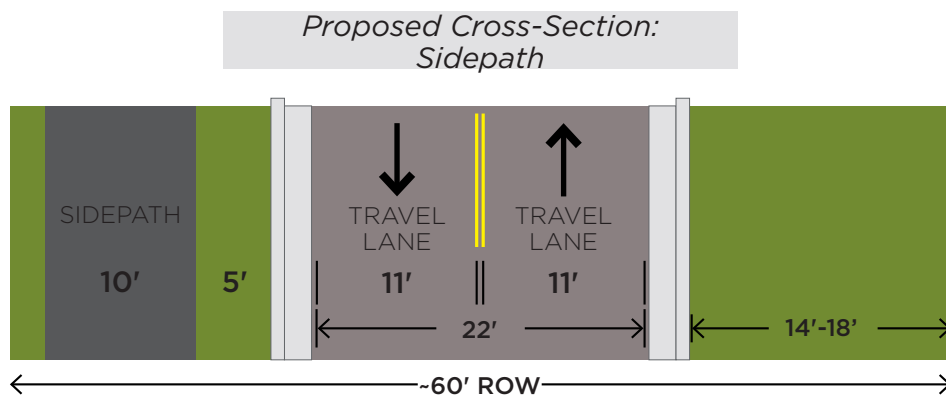
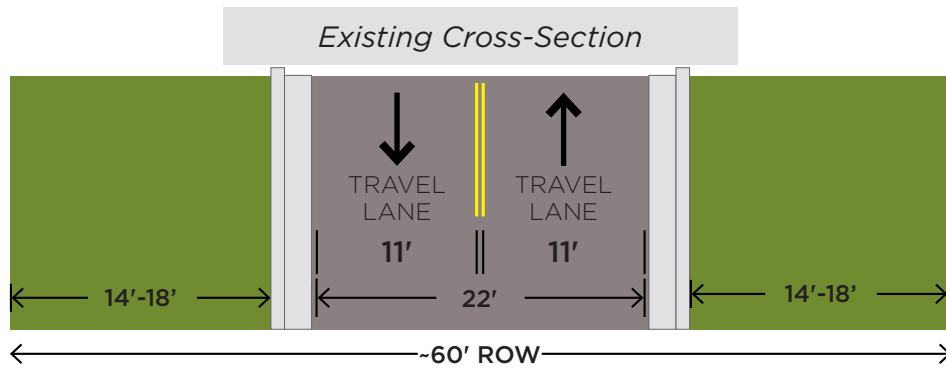
- » \$3,165,000*

**Detailed cost estimates are provided in the Appendix and are based on NCDOT's P6.0 Bicycle-Pedestrian Cost Estimation Tool.*

PRIORITIZED PROJECT RECOMMENDATIONS

- Representative Priority Project
- Proposed Bike + Ped Facilities**
- Separated Bike Lane (SBL)
- Bike Boulevard
- Shared Lane Markings (SLM)
- - - Shared-Use Path
- · - · - Shared Use Path- private
- Existing + Funded Facilities**
- Shared-Use Path
- Funded Roadway Projects
- Planned Roundabout





PROJECT 3: Separated Bicycle Lanes on Broad Street and Caldwell Street, for the full length of the Caldwell/Broad pair

Broad Street and Caldwell Street each have two travel lanes in one direction and one lane in the other, forming an uneven pair of roadways that, combined, have three lanes of north-bound travel and three lanes of southbound. The traffic volumes on these two roadways are at or below the threshold where two lanes in each direction could accommodate the traffic. The excess travel lane on each roadway could be converted into a separated bicycle lane, creating a pair of separated bicycle lanes. This pair of separated bicycle lanes would create an important bicycle connection through downtown Brevard that would be safe for all ages and abilities, and increase bicycle access to downtown and its many restaurants and businesses.

A full traffic analysis is recommended to evaluate how this roadway design would affect traffic on these two roadways. This analysis could also evaluate converting Broad and Caldwell into a true one-way pair, with two lanes of travel in each direction, which would offer simplified intersections and remove high crash-potential left turns across opposing traffic.

Roadway Characteristics (Existing):

- » Average Annual Daily Traffic (AADT) = 9,900 - 14,500 (Broad Street) and (8,100 - 13,000)
- » Speed Limit = variable 20/35 mph on Broad Street, 25 mph on Caldwell Street
- » Curb + Gutter presence: curb is present throughout, gutter is present throughout except for downtown blocks of Broad Street
- » Pavement Width: 50 feet (Broad Street) 33 - 36 ft (Caldwell Street)
- » Number of Lanes: 6 total (3 north, 3 south)

Project Details:

- » Restripe Broad Street and Caldwell Street to convert outside lane to be Separated Bicycle Lanes
- » Length: 0.98 miles (Broad Street) 1.04 miles (Caldwell Street)

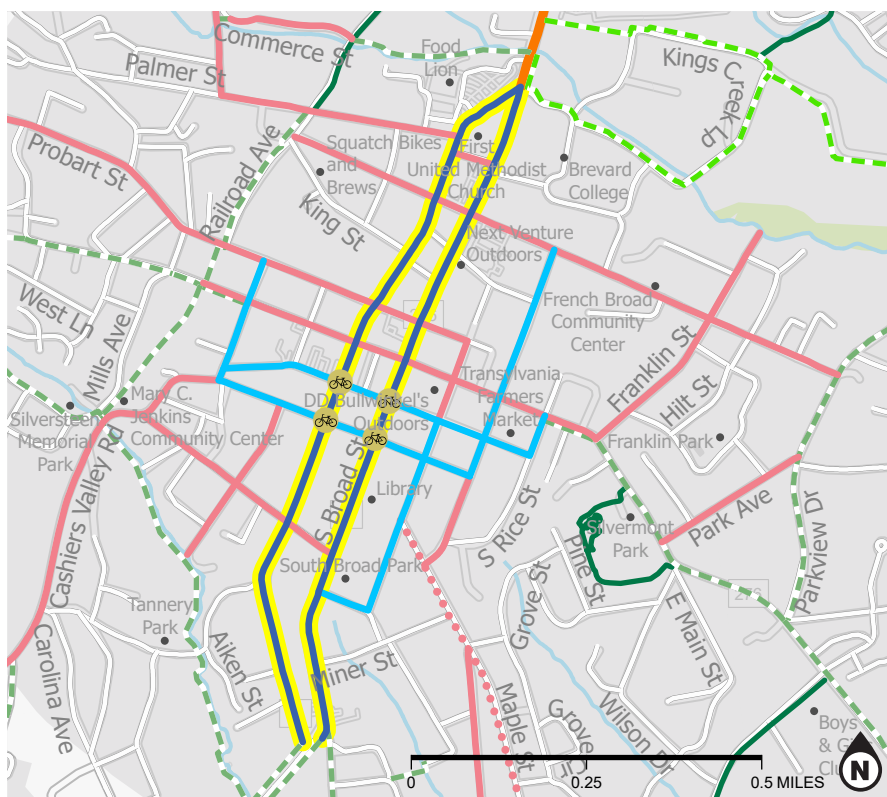
Construction Cost Opinion:

- » \$5,345,000*

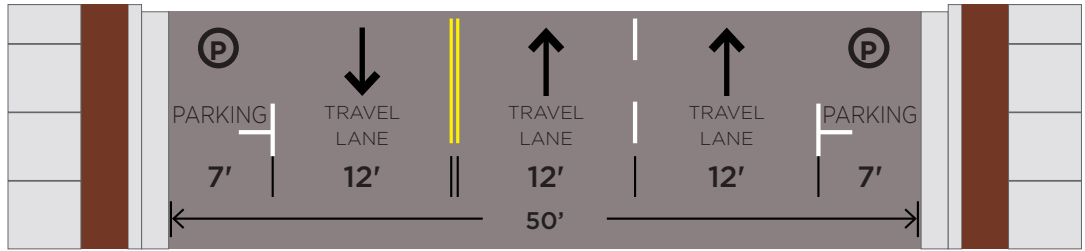
**Detailed cost estimates are provided in the Appendix and are based on NCDOT's P6.0 Bicycle-Pedestrian Cost Estimation Tool.*

PRIORITIZED PROJECT RECOMMENDATIONS

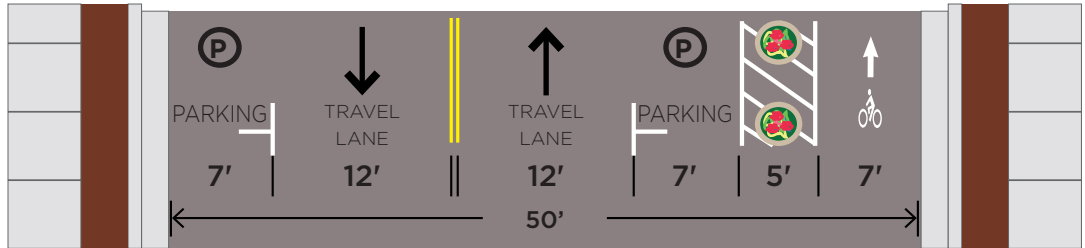
- Representative Priority Project
- Proposed Bike + Ped Facilities**
 - Separated Bike Lane (SBL)
 - Bike Boulevard
 - Shared Lane Markings (SLM)
 - - - Shared-Use Path
 - - - Shared Use Path- private
 - ⦿ Bike Traffic Signal
- Existing + Funded Facilities**
 - Shared-Use Path
 - - - Shared Lane Markings (SLM)
 - Funded Roadway Projects



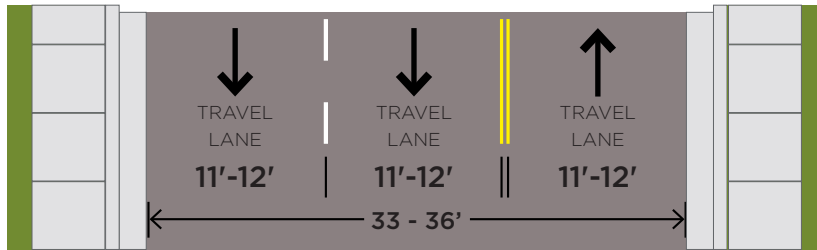
Existing Cross-Section
(Broad St)



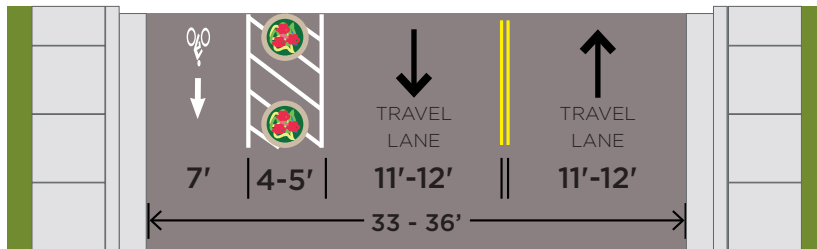
Proposed Cross-Section:
Separated Bicycle Lanes



Existing Cross-Section
(Caldwell St)



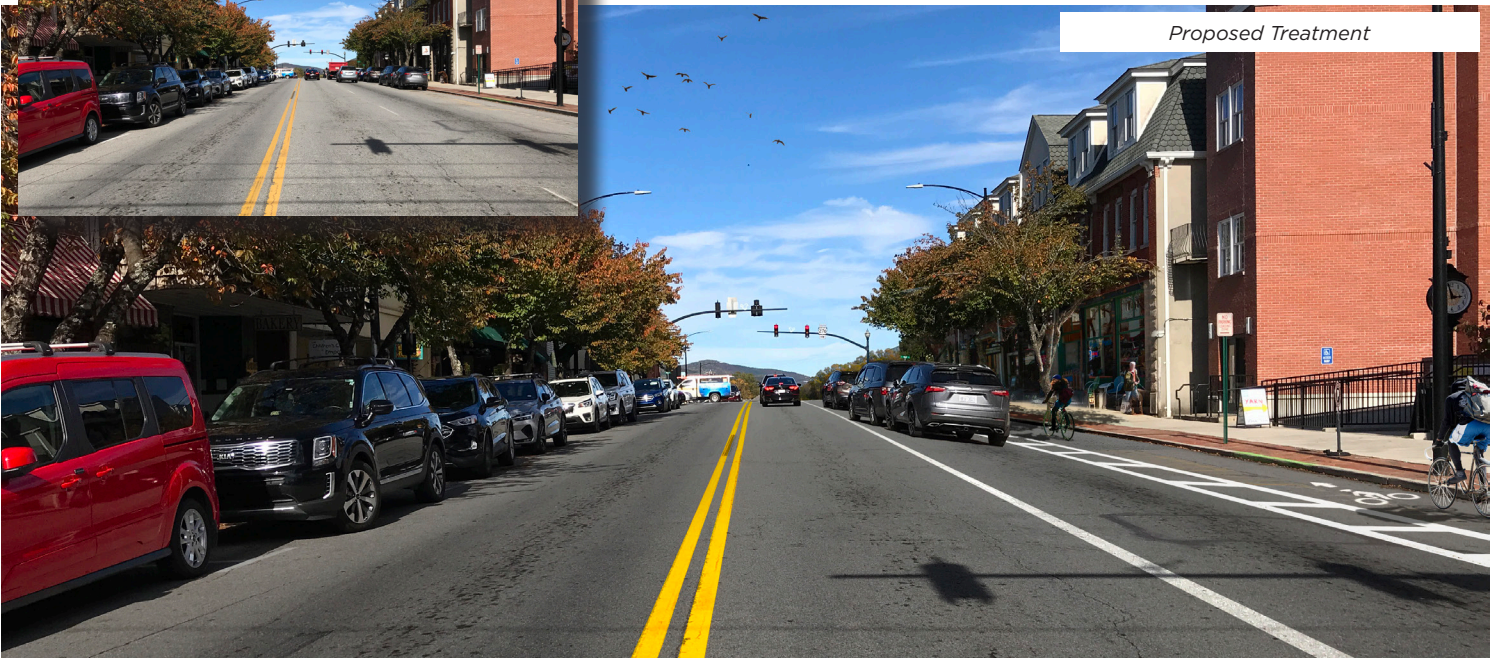
Proposed Cross-Section:
Paired Separated Bicycle Lanes



Existing Conditions



Proposed Treatment



PROJECT 4: Bicycle Boulevards on Morgan Street and Jordan Street, from Oaklawn Avenue to Johnson Street

Morgan Street and Jordan Street are an important pair of one-way roads in downtown Brevard, offering cross-town access for traffic of all kinds. One-way streets already offer ideal routes for bicyclists to travel without encountering high-speed motor vehicles. Adding additional features to prioritize bicyclists enhances the safety and comfort for people of all ages and abilities.

This project modifies the recommendations of the Downtown Master Plan and Streetscape, which also recommends bicycle boulevards on Morgan and Jordan Streets. This plan recommends buffered bicycle lanes to help provide separation between motor vehicle traffic and bicycle traffic. These buffered bicycle lanes can also be configured as contraflow bicycle lanes where the bicycle traffic is in the opposite direction of the one-way motor vehicle traffic (see photo-simulation on facing page).

This plan also recommends bicycle traffic signals be installed at the intersections of Morgan Street and Broad Street, Morgan and Caldwell Street, Jordan and Broad, and Jordan and Caldwell.

Roadway Characteristics (Existing):

- » Average Annual Daily Traffic (AADT) = unknown
- » Speed Limit = 25 mph
- » Curb + Gutter presence: curb, no gutter pan
- » Pavement Width: 24 feet
- » Number of Lanes: one travel lane, 1 parking lane on each road

Project Details:

- » Green-backed buffered bicycle lane
- » Wayfinding Signage
- » Length: 0.52 miles (Jordan Street) 0.39 miles (Morgan Street)

Construction Cost Opinion:

- » \$1,870,000*

**Detailed cost estimates are provided in the Appendix and are based on NCDOT's P6.0 Bicycle-Pedestrian Cost Estimation Tool.*

PRIORITIZED PROJECT RECOMMENDATIONS

Representative Priority Project

Proposed Bike + Ped Facilities

— Separated Bike Lane (SBL)

— Bike Boulevard

— Shared Lane Markings (SLM)

— Shared-Use Path

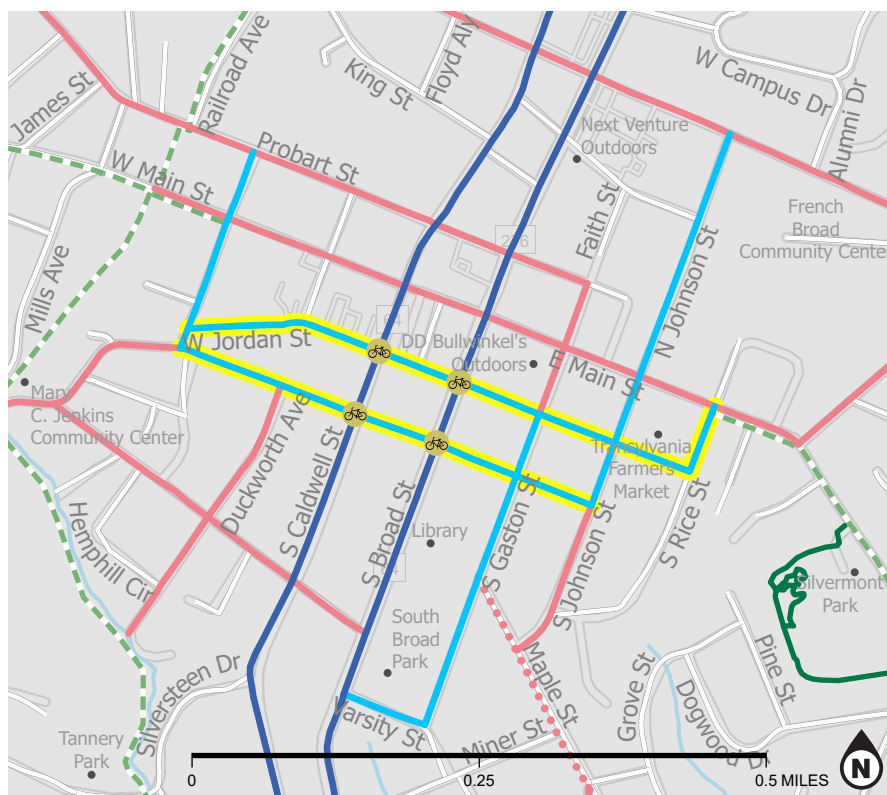


Bike Traffic Signal

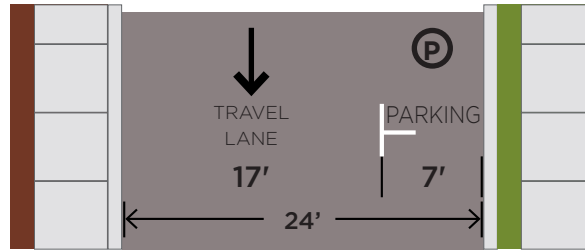
Existing Bike + Ped Facilities

— Shared-Use Path

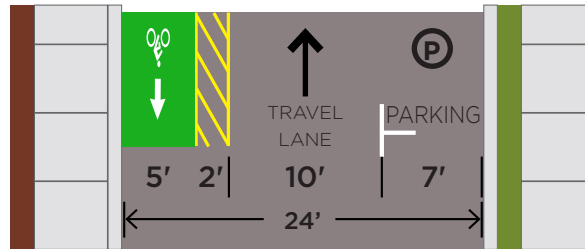
... Shared Lane Markings (SLM)



Existing Cross-Section



Proposed Cross-Section:
Bicycle Boulevard



Existing Conditions



Proposed Treatment



PROJECT 5: Shared Street on French Broad Street, from Railroad Avenue to Park Avenue

French Broad Street is another important east-west connector that provides direct access between Park Avenue and Railroad Avenue. A sidewalk already exists on the north side of the road, and there is enough right-of-way on the south side (10 feet) that a sidewalk could be also provided there as well. The full right-of-way is only 40 feet, and the paved roadway is only 22-feet wide, which limits the options for on-street facilities.

This plan recommends shared lane markings and traffic calming, including speed humps/tables and reducing the speed limit to 25 miles per hour.

A long-term option to study further might be reconstructing East French Broad Street to shift the roadway south and create more space on the north side for a shared-use path.

Roadway Characteristics (Existing):

- » Average Annual Daily Traffic (AADT) = 600 - 1,500
- » Speed Limit = 35 mph
- » Curb + Gutter presence: curb, no gutter pan
- » Pavement Width: 22 feet
- » Number of Lanes: 2

Project Details:

- » Shared Lane Markings
- » Traffic Calming
- » Reduce Speed Limit to 25 mph
- » Wayfinding Signage
- » Length: 0.85 miles

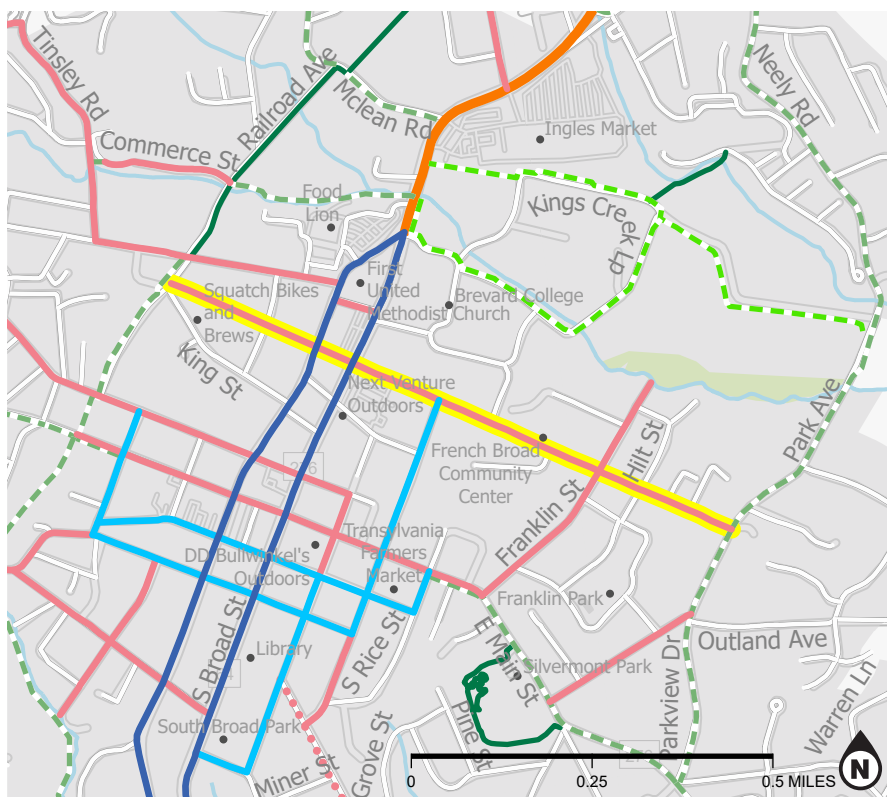
Construction Cost Opinion:

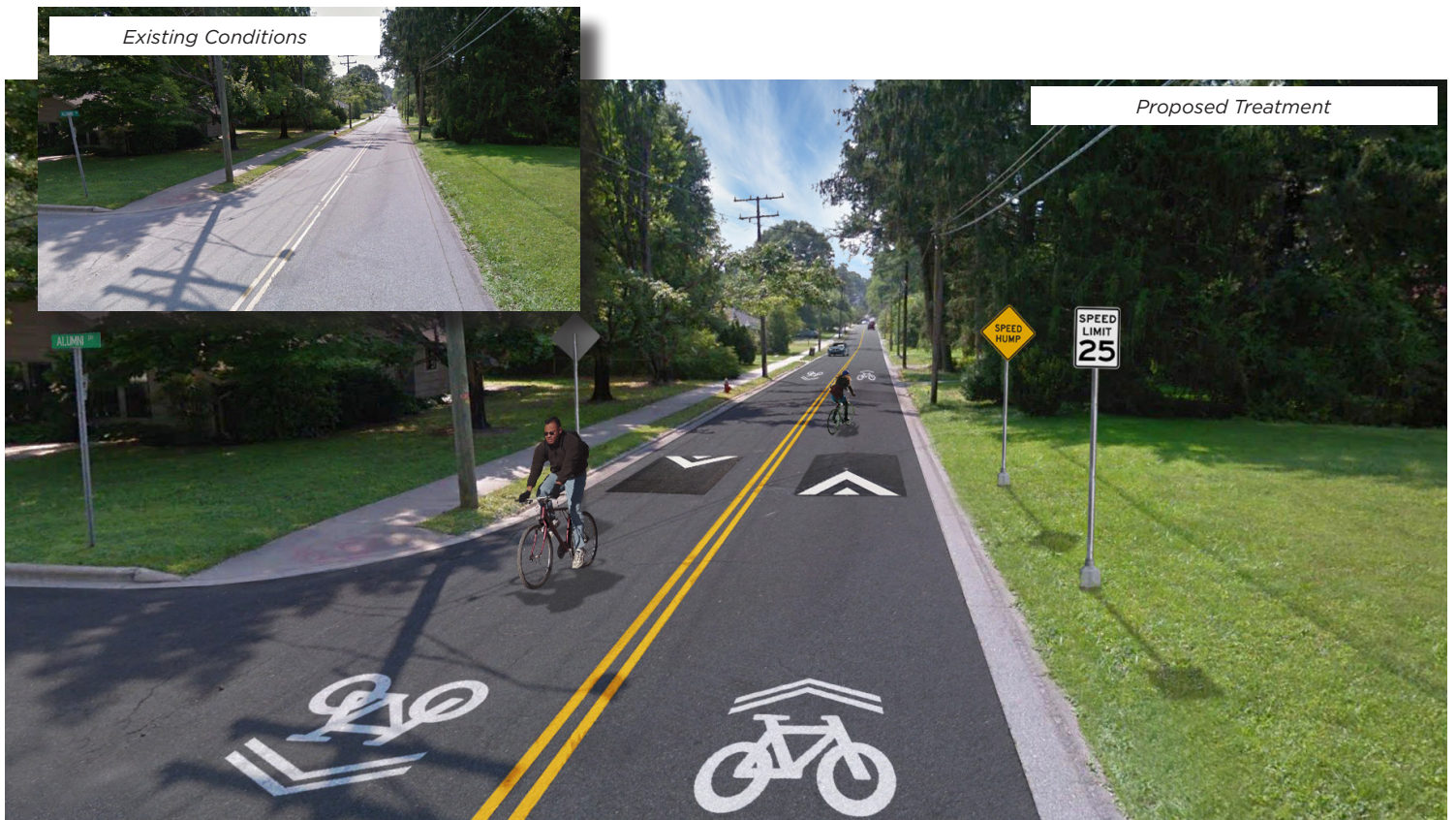
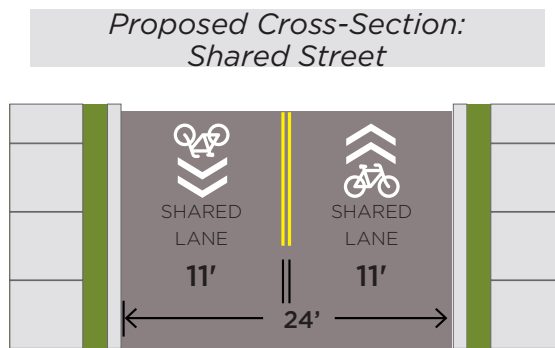
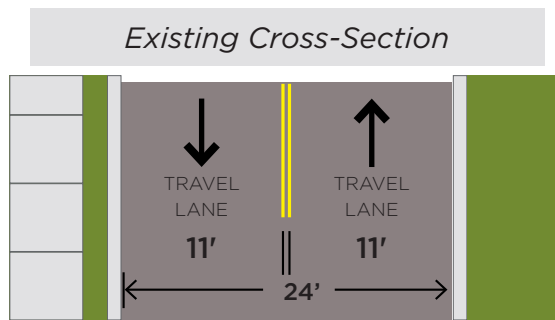
- » \$20,000*

**Detailed cost estimates are provided in the Appendix and are based on NCDOT's P6.0 Bicycle-Pedestrian Cost Estimation Tool.*

PRIORITIZED PROJECT RECOMMENDATIONS

- Representative Priority Project
- Proposed Bike + Ped Facilities**
 - Separated Bike Lane (SBL)
 - Bike Boulevard
 - Shared Lane Markings (SLM)
 - - - Shared-Use Path
 - - - Shared Use Path- private
- Existing + Funded Facilities**
 - Shared-Use Path
 - - - Shared Lane Markings (SLM)
 - Funded Roadway Projects





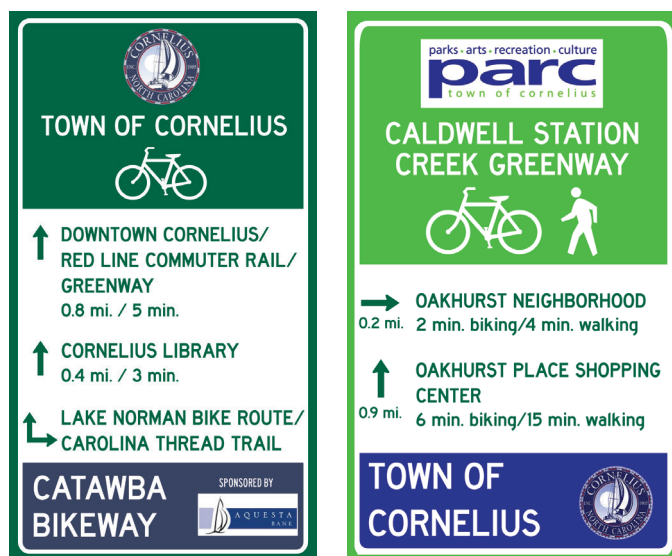
04 PROGRAM + POLICY RECOMMENDATIONS

PROGRAM RECOMMENDATIONS

Education, encouragement, enforcement, and promotional programs will help improve safety and accessibility for residents, as they learn how to safely travel along sidewalks, trails, and bikeways.

WAYFINDING SIGNAGE PROGRAM

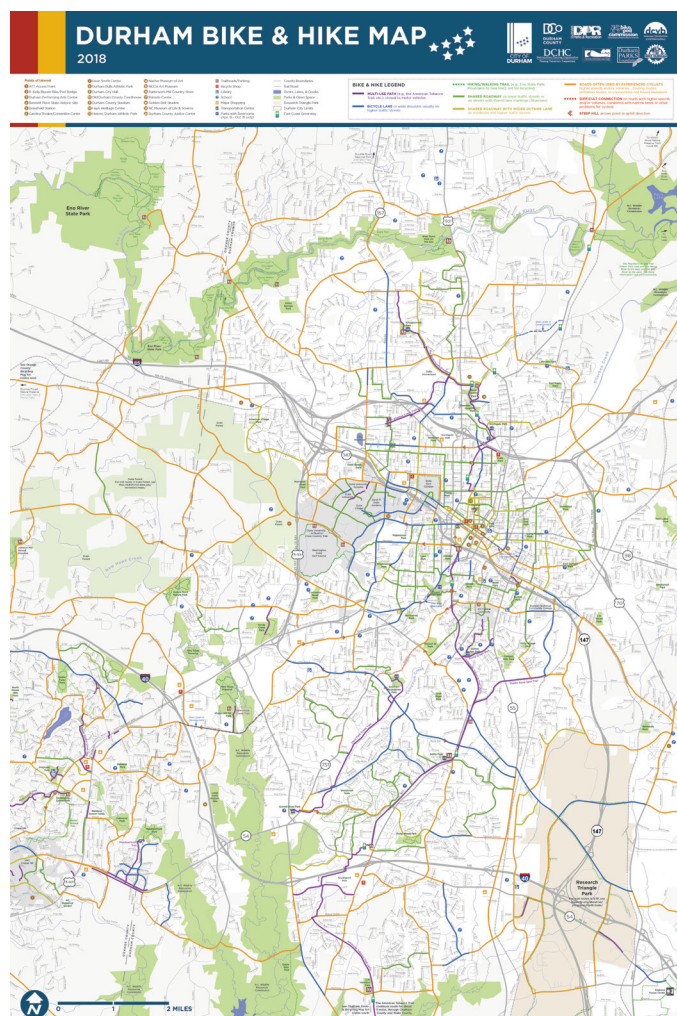
Wayfinding signage enhances resident and visitor orientation by directing pedestrians, bicyclists, and motorists to popular destinations around town. Brevard should develop a customized wayfinding program that provides effective orientation and direction to key destinations (see example at right). A wayfinding program can include directional signage, on-road markings, and kiosks with city maps. Signs can be customized for bicycling.



Above: Example wayfinding signage from Cornelius. A customized wayfinding signage design could be developed for Brevard to include Brevard logos; destinations; walking and bicycling-oriented travel times; and sponsorship branding.

CITYWIDE BICYCLE MAP (PAPER + DIGITAL)

One of the most effective ways of encouraging people to ride a bicycle is through the use of maps and guides to show where you can bike, and to guide people to enjoyable routes and destinations. These maps can also be designed so that a portion of the map is devoted to bicycle safety education, such as informational graphics that demonstrate bicycle hand signals and how to share the road and the trail safely. The map can be made available online and printed as needed to be actively distributed to residents and visitors. A City Bicycle Map could be created following completion of this plan.



OPEN STREETS EVENTS/CICLOVIAS

Car-free, open street events have many names-Sunday Parkways, Ciclovias, Summer Streets, and Sunday Streets-and involve periodic street “openings” that create a temporary park that is open to the public for walking, bicycling, dancing, and other physical activity. The purpose of the event is to encourage physical activity by providing a fun, welcoming environment for activity. Car-free street events have been very successful internationally and are rapidly becoming popular in the US. Local businesses open doors and set up tables along sidewalks to support the event and generate foot and bicycle traffic for their businesses. See <http://openstreetsproject.org/> for more information.



Examples of Open Street events in Durham and Boone, NC



BIKE/WALK TO SCHOOL DAY & BIKE TO WORK DAY EVENTS

Bike and Walk to School Day events often include walking and biking competitions, outreach to parents, and pop-up infrastructure on routes to schools. These activities help parents figure out how to safely transport children by foot and bicycle and help children learn safe walking and bicycling skills. Activities may include a walking school bus, bicycle safety checks, a group ride or parade, “freedom from training wheels” clinics, and opportunities to try out different ways to transport children (e.g., walking, scooters, bicycle trailers, cargo bicycles, kid seats, etc.).

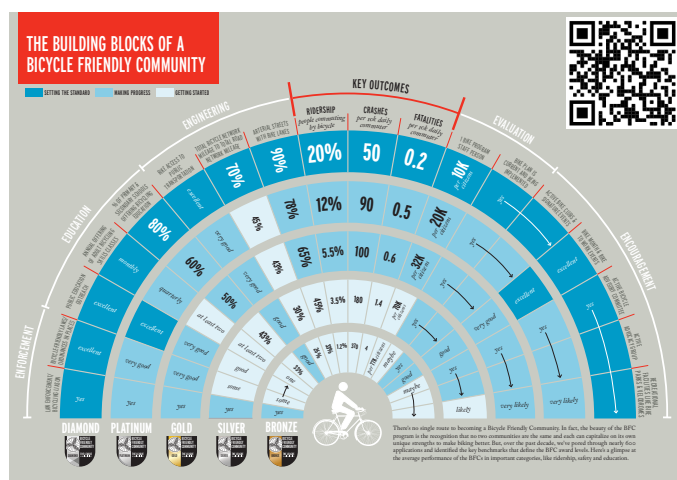
Bike to Work Day is a nationwide event that promotes bicycling to work and is typically the third Thursday in May. Organized events, such as group rides with elected officials and team-based bicycle challenges, can create opportunity for bicyclists to ride the streets of Brevard for utilitarian purposes and encourage new riders to bike to work.



BIKE- AND WALK FRIENDLY COMMUNITY STATUS

The Bike Friendly Community (BFC) program (administered by the League of American Bicyclists) is a national recognition program developed to encourage towns and cities across the US to create more bikeable environments. By reapplying for the BFC program, the City of Brevard could work towards a higher designation than its previous “Honorable Mention”, and would receive valuable feedback from the League of American Bicyclists on how to further improve conditions for bicycling as compared to peer communities in NC and nationwide.

The Walk-Friendly Community program is a national program that recognizes towns and cities across the US that have created more walkable environments through comprehensive programs, plans, and policies. The City of Brevard can use the recommended guidelines and criteria for recognition to help improve conditions for walking as compared to peer communities in NC and nationwide. Visit <http://walkfriendly.org> for more information.



BFC Infographic. Download the full version here: <http://bikeleague.org/sites/default/files/BFC%20infographic.pdf>



VISION ZERO PLANNING

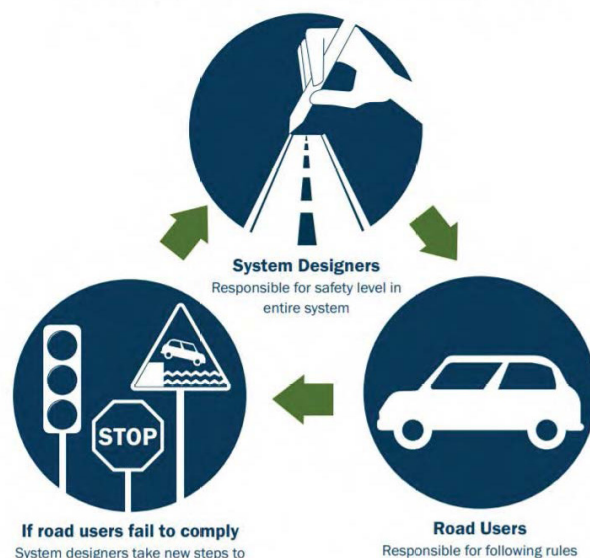
Vision Zero (VZ) is a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all. First implemented in Sweden in the 1990s, VZ has proved successful across Europe—and now it's gaining momentum in major American cities.

Adopting a VZ Policy is a community's commitment to creating a more balanced transportation system by prioritizing the safety of all roadway users—pedestrians and bicyclists; not just vehicle drivers and passengers—in the design and construction of its streets. A VZ Policy sets goals and objectives for eliminating traffic fatalities and injuries, and can be a city's first step towards establishing a VZ Plan.

A VZ Plan is a specific plan intended to reduce conflicts between cars and other roadway users—drivers, bicyclists, pedestrians, and others. By reducing conflicts between cars and other roadway users, VZ will prioritize safety as it encourages all modes of transportation with the primary goal of reducing bicycle and pedestrian conflicts, recognizing that when people feel safe and comfortable, they are more likely to walk and ride.

A VZ Plan is used to identify and address the causes of roadway-related injury and deaths through a data-driven process. With a VZ Plan in place, existing streets and any future street reconstruction projects would be reviewed for their compatibility with the goals and objectives of its Vision Zero Policy. Vision Zero focuses on human behavior; it emphasizes design solutions that account for human error and awareness to improve human behavior. More information on Vision Zero can be found at: ncvisionzero.org/.

Vision Zero Ethical Platform



LAW ENFORCEMENT TRAINING

As Brevard develops new laws to improve the safety of vulnerable roadway users, partnering with the Brevard Police Department to improve the police department's curriculum on bicyclist safety laws will be important. When police officers are knowledgeable about bicycle laws and safety, they are more able and willing to enforce the laws that keep bicyclists safe.

A curriculum on existing laws around sharing the road can be oriented towards enforcement of bicyclists and drivers. This may include updating course material to include laws around new forms of micromobility, such as e-bikes.

The Brevard Police Department can work with local bicycle advocates to review any existing training materials and to develop course material. They can create a brief presentation that can be incorporated in a training, with a presentation that lasts no more than 20 minutes. Pamphlets on applicable laws (with the enforcement codes listed) can be made so police officers can quickly reference and pass out when enforcing bicycle safety laws. The Town should consider including additional information on reporting bicycle crashes that is based on best practices.

An example of a law enforcement training and education program on bicycle (and pedestrian) safety is available through the BikeCleveland advocacy group's website here: www.bikecleveland.org/enforcement/



SPEED ENFORCEMENT

Speed feedback signs show “Your Speed and the “Speed Limit” to alert drivers to their actual speed and the posted speed limit (speed trailers serve a similar function, but are portable). They work best if they flash or provide a SLOW DOWN message if drivers exceed a preset speed threshold. Other effective features can include flashing a bright white light that mimics a photo speed camera or a blue and red light that mimics a police car when drivers are moving too fast. Some speed trailers have the capability to collect traffic count data and speed data throughout the day, which can be used to identify the most dangerous traffic times when more enforcement is needed.

Additional guidance from SafeRoutesInfo.org:

- Speed feedback signs still need to be used with other standard speed limit signs placed in advance of or next to it
- Typically, officers do not issue tickets based on the speed on the display unit. Instead, they use certified radar equipment if they are monitoring speed at the location
- Speed trailers need to be placed in locations where they do not block pedestrians, bicyclists, motor vehicle traffic or other vital traffic control signs
- Speed trailers are not substitutes for permanent actions, such as traffic-calming treatments to address neighborhood speeding issues.



POLICY RECOMMENDATIONS

One of the most cost-effective implementation strategies for the City of Brevard to improve pedestrian and bicycle facilities is to establish land development regulations and street design standards within their Unified Development Ordinance (UDO) that promote walkable and bikeable new development and capital projects. As part of a comprehensive approach to developing recommendations for a more walkable and bikeable community, Brevard's development ordinances, standards and policies were reviewed to identify general issues and opportunities impacting the pedestrian and bicycling environment. Regulatory standards and policies were analyzed through the lens of the project vision and goals, and to be consistent with the vision for this plan:

“Brevard is a premier destination for biking and walking, with a safe and expansive network of bicycle and pedestrian facilities connecting the city to the surrounding outdoor recreation and cultural destinations.”

Model regulatory and policy language from around North Carolina and the US was identified for elements including land use/transportation integration, connectivity, Complete Streets, and bicycle parking, enabling the City to maximize sidewalk, on-road bicycle, and multi-use trail improvements in conjunction with new development, redevelopment, and corridor improvement projects.

Based on the policy and ordinance review, the following priority policy recommendations are identified:

Priority Policy and Regulatory Recommendations:

- Update the Unified Development Ordinance (UDO) to reflect **bicycle facility design** standards for the facility types recommended in this plan, including traffic calming elements of a bicycle boulevard.
- Update the UDO to specify short- and long-term **bicycle parking standards**.

By updating the design standards for pedestrian and bicycle facilities, and bicycle parking, the City of Brevard will be more prepared to have these facilities built as roadways are repaved and widened, and as new developments are built. These approaches to infrastructure improvements will complement other specific capital projects, and education, enforcement, and evaluation recommendations provided elsewhere in this planning document. The full policy and regulatory review is in the Appendix.

BICYCLE FACILITY DESIGN

The City should review and update all relevant policy and design guidance regarding bikeway design, materials, and supporting amenities to be consistent with best practices and regional guidance in order to ensure consistency and continuity across jurisdiction lines. The City should clearly define opportunities for relevant departments to coordinate on design, implementation, and maintenance of the network so that it can best serve the needs of all users.

Design Guidance Resources for the development of bicycle facilities by roadway type are provided in Chapter 5, Implementation Plan.

BICYCLE PARKING STANDARDS

Bicycle parking is an important component of the bicycle network. Secure end-of-trip accommodations encourage people to travel by bicycle. The following policies seek to enhance current efforts to provide functional, secure and convenient bicycle parking.

Bicycle Corrals

Develop appropriate policies and standards to allow and promote the implementation of bicycle corrals. Bicycle corrals offer more short-term bicycle parking (that would normally be placed on the sidewalk) in a consolidated space on the street, occupying a traditional motor vehicle parking space. Bicycle corrals are commonly installed at locations that attract bicyclists and where parking bicycles at traditional short-term racks may crowd or clutter available sidewalk space.

Before installing bicycle corrals, a maintenance plan should be developed defining responsibilities, schedule, and methods for improving their longevity, maintaining their utility, and how corrals will fit into snow removal and street sweeping programs.

The bicycle corral parking area can be delineated or protected using poured concrete curbs, bollards, or planter boxes. Regardless of delineation type, corrals should be designed with the user in mind, maintaining ingress and egress and the same aisle and spacing standards desired for the short-term bicycle parking.

The benefits of bicycle corrals are not limited to the users themselves. Corrals can also provide, on average, a ratio of eight to twelve customers to one parking space,

thus fostering more commercial opportunities for nearby businesses.

Long-Term Bicycle Parking

Consider developing requirements for long-term bicycle parking where land uses might encourage high demand for more secure, weather-proof bicycle parking. These could include places like schools, universities, or places that offer end of trip facilities such as changing rooms and lockers.

These facilities may include:

- *Lockers.* Fully enclosed and secure bicycle parking space accessible only to the owner or operator of the bicycle.
- *Restricted Access Parking.* A location that provides short-term-style bicycle racks within a locked room or locked enclosure accessible only to the owners of bicycles parked within.
- *Personal Storage.* Storage within view of the bicycle owner either in his or her office or another secure location within the building.

Request-A-Rack

Implementing a Request-A-Rack program will allow and encourage requests for bicycle racks that meet the standards set forth in this section. The City should maintain a supply of standard bicycle racks that can be installed upon request by business and property owners, managers and other bicycle parking requesters to provide increased bicycle parking in Brevard and mitigate bicycles locked to posts, signs, and trees. The rack request form can be hosted on the city's website. Each request should be sent to the appropriate staff as well.

ADDITIONAL POLICY RECOMMENDATIONS

In addition to the policy updates identified in development ordinance review, the following policy areas are recommendations to address the long-term vision and goals of this plan.

Maintenance

Routine maintenance can prolong the life of surface materials, increase the utility of the system, and encourage greater use. This includes maintaining bicycle lanes, protected facilities, and shared use paths by keeping them clear of debris, surfaces free from obstructions, and crossings well-marked. For shared use paths and trails, maintaining access points, trail surface, and crossings are important components to a well-functioning and effective system that supports trips of all types.

It is recommended that the City develop a routine maintenance schedule and track maintenance over time. These activities should include all components of the bicycle, shared use path, and trail networks.

In addition to routine maintenance, the City should track more significant maintenance needs and integrate these improvements into annual budgeting. This information should be tracked in a manner consistent with the system inventory recommended as part of this plan.

Develop a Dedicated Pedestrian & Bicycle Funding Stream

Communities that are successful in expanding their pedestrian and bicycling network leverage funds from a variety of sources and consistently make investments in capital and maintenance projects. A dedicated funding source is one mechanism to ensure sustainability and consistent expansion of bikeways.

Local governments can create a dedicated funding source by setting aside portions of general transportation revenue, public school bonds, county health department funding, parking fees, and traffic violation revenue for upgrades to biking facilities.

Brevard should consider partnering with other area governmental agencies, such as the Land of Sky RPO and Transylvania County to identify potential funding mechanisms. As an example, the City of Columbia, SC, implements bikeways through Richland County, which created a 1% sales tax for transportation, one-third of which goes to funding greenways and trails.

05 IMPLEMENTATION PLAN

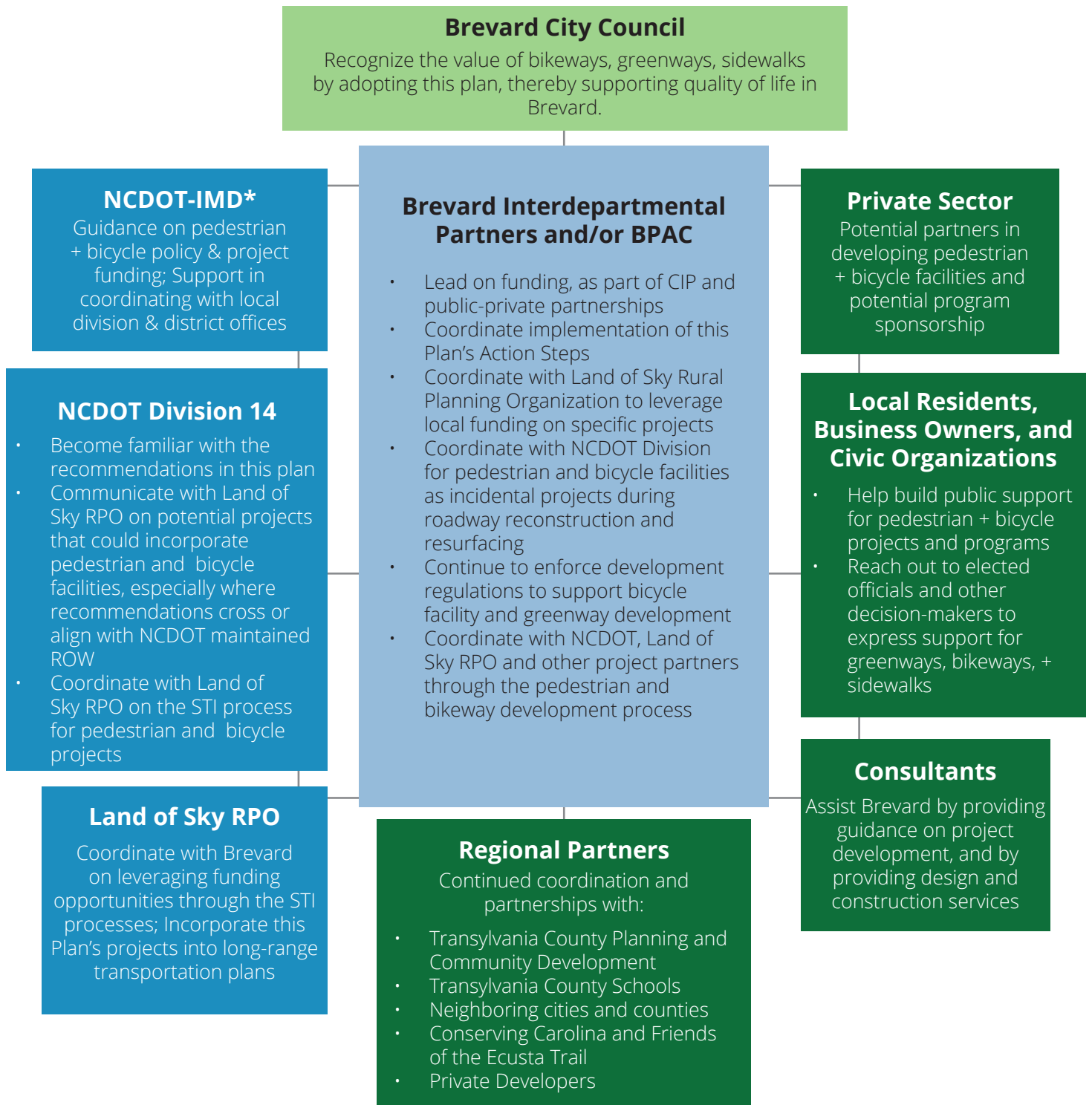
This chapter defines a structure for managing the implementation of this Plan. Implementing its recommendations will require leadership and dedication to pedestrian and bicycle facility development on the part of a variety of agencies. Equally critical, will be meeting the need for a recurring source of revenue. Even small amounts of local funding are essential for matching and leveraging outside sources. Most importantly, the City need not accomplish the recommendations of this plan by acting alone; success will be realized through collaboration with regional and state agencies, the private sector, and non-profit organizations.

Other important actions can be taken in advance of major investments, including formalizing a Bicycle and Pedestrian Advisory Committee (BPAC), initiating education and safety programs, and incorporating recommendations from this Plan into other City documents, policies, and procedures. Getting a project “shovel-ready” can be a huge step towards implementation, as many outside funding sources look more favorably upon projects that are already in public right-of-way, planned, and designed. Following through on these priorities will allow the key stakeholders to prepare for the development of larger bicycle and trail projects over time, while taking advantage of strategic opportunities as they arise.



IMPLEMENTATION FRAMEWORK

KEY PARTNERS & ROLES IN IMPLEMENTATION



*Acronym Legend:

BPAC: Bicycle & Pedestrian Advisory Committee

NCDOT: North Carolina Department of Transportation

IMD: Integrated Mobility Division

RPO: Regional Planning Organization

STI: Strategic Transportation Investments

ACTION STEPS

Table 5.1 Implementation Action Steps

#	TASK	LEAD	SUPPORT	DETAILS	PHASE
ADMINISTRATIVE A ADMINISTRATIVE ACTION STEPS ACTION STEPS					
1	Adopt the <i>Brevard Pedestrian + Bicycle Plan</i> .	City Council	City Staff, Project Consultants, Steering Committee	Through adoption, the Plan becomes an official planning document of the City. Adoption does not commit the city to dedication of funding, but rather shows intention to support plan implementation over time. It also signals to outside funding groups that Brevard has undergone a successful, supported planning process, which is key to securing outside funding.	2022
2	Designate staff to lead implementation of <i>Brevard Pedestrian + Bicycle Plan</i> , including a "Pedestrian + Bicycle Plan Coordinator".	City Council & City Manager	Multiple departmental directors	The City Manager; City directors of Planning & Zoning, and Public Works; and the Public Safety Committee should each identify their respective departmental staff leads for implementing this pedestrian & bicycle plan. A staff organizational chart for plan implementation should be shared among departments, so there is a known point person for each. A single point person among the designated staff should be designated as the "Pedestrian + Bicycle Plan Coordinator".	2022
3	Designate a Bicycle and Pedestrian Advisory Committee (BPAC) for plan implementation.	City Council	City Manager and designated staff from step above	The City of Brevard should form a Bicycle and Pedestrian Advisory Committee (BPAC) out of the plan's steering committee to assist in the implementation of this plan. The BPAC should have representation from active pedestrians and commuting and recreational bicyclists and should champion the recommendations of this plan. The formation of this group would be a significant step in becoming designated as a Walk and Bicycle Friendly Community. The committee would provide a communications link between the residents of the community and local government. They should also continue to meet periodically, and be tasked with assisting City staff in community outreach, marketing, and educational activities recommended by this plan. See Chapter 4 for program recommendations.	2022
4	Communicate this plan's priority projects to potential implementation partners.	[future] Pedestrian + Bicycle Plan Coordinator	BPAC & NCDOT-Integrated Mobility Division (IMD)	The purpose of this step is to network with potential project partners, and to build support for implementing the top projects. Possible groups to receive a presentation/coordination meeting include: Land of Sky RPO, NCDOT Division 14, Transylvania County Parks & Recreation, neighboring jurisdictions. Consider a presentation at an annual Brevard Pedestrian & Bicycle Workshop.	2022

Table 5.1 Implementation Action Steps, continued

#	TASK	LEAD	SUPPORT	DETAILS	PHASE
ADMINISTRATIVE ACTION STEPS (CONTINUED)					
5	Begin Annual Brevard Pedestrian + Bicycle meeting.	[future] Pedestrian + Bicycle Plan Coordinator	Departmental leads, stakeholders, NCDOT Division 14 highway staff and planning engineer	Coordination between key project partners will provide a level of accountability, and ensure that recommendations are implemented. Key project partners (see task 4 above & organizational chart) should meet on an annual basis to discuss and evaluate the implementation of this Plan. A brief progress benchmark memo should be a product of these meetings, and participants should reconfirm the plan's goals each year. The meetings could also occasionally feature special training sessions, or include on-site tours of recently completed projects and upcoming priority project corridors.	Ongoing (Beginning Summer 2022)
6	Update Brevard Pedestrian + Bicycle Plan	City Council & [future] Pedestrian + Bicycle Plan Coordinator	BPAC	This plan should be updated by 2027 (about five years from adoption). If many projects and programs have been completed by then, a new set of priorities should be established. If not, a new implementation strategy should be established, potentially reassigning project priorities.	2027
INFRASTRUCTURE, POLICY, AND FUNDING ACTION STEPS					
7	Ensure that Brevard Pedestrian + Bicycle Plan recommendations are implemented as part of new development.	[future] Pedestrian + Bicycle Plan Coordinator	Designated staff from Planning & Zoning, Public Works departments	Other City documents and maps should be updated with recommendations from Brevard Pedestrian + Bicycle Plan, to ensure pedestrian and bicycle facilities are implemented with new development. Consider updates to the development standards to better support pedestrian bicycling infrastructure and bicycle parking standards.	2022 onward
8	Ensure that projects are incorporated in NCDOT's prioritization process and in the future planning of the NCDOT Planning Branch	[future] Pedestrian + Bicycle Plan Coordinator	Land of Sky RPO, NCDOT Division 14, and NCDOT Planning Branch, Transylvania County Transportation Advisory Council (TCTAC)	The City of Brevard, Land of Sky RPO, and NCDOT Division 14 should coordinate to fund recommendations from this plan over time. Use the plan cut-sheets and recommendation maps to communicate project details and to submit projects for funding. The City will need to be prepared to match at least 20% of their submitted project totals. Projects that have secured public right-of-way and design completed (or at least underway) will be more competitive.	2022 onward
9	Seek multiple funding sources and facility development options.	[future] Pedestrian + Bicycle Plan Coordinator	BPAC (for potential grant writing assistance, funding research, letters of support, etc.)	It will be necessary to consider many different sources of funding that together will support plan implementation. Funding sources can be used for a variety of activities, including: programs, planning, design, implementation, and maintenance. The appendix outlines the most likely sources of funding from the federal, state, and local government levels as well as from the private and non-profit sectors.	2022 onward

Table 5.1 Implementation Action Steps, continued

#	TASK	LEAD	SUPPORT	DETAILS	PHASE
10	Adopt guidelines for greenway trail accessibility	City Council	Brevard Planning & Zoning	Adopt the Outdoor Area Guidelines from the US Access Board. The guidelines are available for download and review here: https://www.access-board.gov/webinars/2021/08/05/accessible-pedestrian-trails-and-shared-use-paths/	2022
INFRASTRUCTURE, POLICY, AND FUNDING ACTION STEPS (CONTINUED)					
11	Develop a long-term funding strategy.	[future] Pedestrian + Bicycle Plan Coordinator & Departmental leads, including Finance	City Council	To allow continued development of the project recommendations, capital funds for pedestrian and bicycle facility construction should be set aside every year. Funding for an ongoing maintenance program should also be included in the City's operating budget. Consider incorporating the <i>Brevard Pedestrian & Bicycle Plan's</i> recommendations into a multi-year bond package for the City of Brevard, along with other initiatives, such as with projects related to parks, recreation, and transportation improvements.	2022 onward
12	Begin Priority Projects	[future] Pedestrian + Bicycle Plan Coordinator	City Council, departmental leads, private contractors	Dedicate funding, seek proposals, and hire a contractor for a site survey, construction documents, and permitting. Confirm that the project can be designed completely within existing public right-of-way, and secure easements if needed. When design is complete, select a phase of the project to be constructed first, based on costs and funding available at that stage. Send the project out to bid, select a contractor, and begin work. See typical project development cycle later in this chapter.	2022 onward
13	Invest in staff training opportunities related to pedestrian and bicycle infrastructure.	City Council	[future] Pedestrian + Bicycle Plan Coordinator & departmental leads	Consider trainings from the National Association of City Transportation Officials (NACTO) on the Urban Bikeway Design Guide. These trainings can be customized for Brevard staff, helping to ensure that as new facilities are designed and constructed, they are up to world-class standards for safety and functionality. If Brevard hosts the workshop, they could strategically invite NCDOT division staff, Land of Sky RPO staff, and others who would be partners in implementation. Cost sharing for the training could come from participation of staff from neighboring municipalities. More info: https://nacto.org/training-and-workshops/	Training would be most beneficial before design phase of major projects

Table 5.1 Implementation Action Steps, continued

#	TASK	LEAD	SUPPORT	DETAILS	PHASE
14	Maintain pedestrian and bicycle facilities.	Designated staff from Public Works	BPAC & General Public (for reporting maintenance needs); NCDOT	Brevard should define a maintenance plan, budget, and schedule for existing and future pedestrian and bicycle facilities, pavement markings, and sidewalks, working with NCDOT where necessary. See maintenance program recommendations in Chapter 3 for more on this topic.	2022 onward
INFRASTRUCTURE, POLICY, AND FUNDING ACTION STEPS (CONTINUED)					
15	Continue participating in NCDOT and ITRE's Non-Motorized Traffic Monitoring Program (Pedestrian & Bicycle Counts)	Public Works & Transportation and Parks, Recreation, and Cultural Resources	NCDOT & ITRE https://www.ncdot.gov/divisions/bike-ped/Pages/research-data.aspx	Since late 2014, NCDOT and local governments have installed equipment that uses electromagnetic bicycle detectors and infrared technology to count bicycle and pedestrian traffic. Over time, Brevard can expand this program as more bicycle facilities are constructed, and use this data to justify investment, prioritize projects, and understand preferred bicycling routes and behavior.	2022 onward
16	Coordinate with NCDOT Division 14 on their 3-year road resurfacing schedule (and any short term changes to it) to accomplish projects that require pavement markings.	[future] Pedestrian + Bicycle Plan Coordinator & Designated staff from Public Works & Transportation	NCDOT Division 14	Resurfacing is a very important opportunity for implementing bicycle facilities, especially ones that are primarily pavement markings. It is essential for implementation that the City stay in close touch with NCDOT Division 14 Operations and Maintenance staff to stay on top of the resurfacing schedule and keep closely abreast of any updates or changes to the schedule. Checking in with the Division at least once every quarter is not too often. Additionally, a BPAC representative could be assigned to reviewing the three-year resurfacing/restriping schedule from Division 14 on a regular basis to ensure there are no missed opportunities.	2022 onward
PROGRAM ACTION STEPS					
17	Initiate efforts to provide safe routes to school	City of Brevard	Transylvania County Schools, NCDOT Bike/Pedestrian Division	This effort will complement the objectives and priorities of the <i>Brevard Pedestrian & Bicycle Plan</i> . Additionally, NCDOT is looking for ways to continue some Safe Routes to School (SRTS) funding; coordinate with NCDOT-IMD regarding future opportunities for SRTS funding.	2022 onward
18	Launch new programs.	[future] Pedestrian + Bicycle Plan Coordinator & BPAC	NCDOT IMD, Brevard Police Dept., Transylvania County Schools & Transylvania County Public Health, public health advocates	These groups should coordinate new programs, as described in Chapter 4, such as launching a safety campaign, developing a map or mobile app with bicycle routes, hosting an "open streets" event, and pursuing some form of greenways signage and wayfinding program. The <i>Brevard Pedestrian & Bicycle Plan</i> steering committee members could also be called upon for program involvement.	Most feasible to begin programs after a BPAC is formed

Table 5.1 Implementation Action Steps, continued

#	TASK	LEAD	SUPPORT	DETAILS	PHASE
PROGRAM ACTION STEPS (CONTINUED)					
19	Distribute bicycle and pedestrian safety information.	BPAC	NCDOT IMD, Police Department, Heart of Brevard, Chamber of Commerce, Transylvania County Tourism Development Authority, Transylvania Times, bicycle shops and advocacy groups	NCDOT has print material with safety tips for motorists, bicyclists and pedestrians available for download at https://www.watchformenc.org/program-materials/ . Other methods of distribution could include web sites, social media, and 'on-the-ground' in park kiosks. The Watch for Me NC program is another resource for this task (with more information at https://www.watchformenc.org/).	2022 onward
20	Conduct communication & outreach campaigns related to walking and bicycling.	BPAC	Local newspapers, City website & social media managers	BPAC should publicly announce their successes as progress is made. This could be achieved through social media and by establishing a page on the City website dedicated to bicycle/ pedestrian education and project updates. Also, BPAC should provide regular (annual) reports to the City Council on implementation progress.	2022 onward
21	Seek designation as a Bicycle-Friendly Community and Walk Friendly Community	[future] Pedestrian + Bicycle Plan Coordinator	BPAC (members could be assigned tasks to complete individual portions of the application process)	The development and implementation of this plan is an essential first step toward becoming a designated Bicycle-Friendly Community and Walk Friendly Community. With progress on program, policy, and infrastructure recommendations, the City should be in a position to apply for and receive recognition by 2023. See https://bikeleague.org/community for more information on the application process.	2022

Facility Development Methods

NCDOT Strategic Transportation Investments (STI)

The NCDOT's State Transportation Improvement Program is based on the Strategic Transportation Investments Bill, signed into law in 2013. The Strategic Transportation Investments (STI) Initiative introduces the Strategic Mobility Formula, a new way to fund and prioritize transportation projects. See the appendix for more information.

RESIDENTIAL AND COMMERCIAL DEVELOPMENT

The construction of sidewalks, bicycle facilities, trails, greenways, and safe crosswalks should be required during development. Construction of facilities that corresponds with site construction is more cost-effective than retrofitting. In commercial development, emphasis should also be focused on safe pedestrian and bicyclist access into, within, and through large parking lots. This ensures the future growth of the pedestrian and bicycle networks and the development of safe communities.

ROADWAY CONSTRUCTION

Pedestrians and bicyclists should be accommodated any time a new road is constructed or an existing road is reconstructed. In the longer-term, all new roads with moderate to heavy motor vehicle traffic should have sidewalks, bicycle facilities, and safe intersections. Also, case law surrounding the Americans with Disabilities Act (ADA) has found that roadway resurfacing constitutes an alteration, which requires the addition of curb ramps at intersections where they do not yet exist.

Repaving

Repaving projects provide a clean slate for revising pavement markings. When a road is repaved, the roadway should be restriped to provide space for bicycle lanes and shoulders, where feasible. In addition, if the spaces on the sides of non-curb and gutter streets have relatively level grades and few obstructions, the total pavement width can be widened to include paved shoulders, though this will likely require a local contribution. NCDOT provides three-year plans that include resurfacing schedules. Please see the following website: <https://connect.ncdot.gov/resources/Asset-Management/HMIP-Plans/Pages/HMIP.aspx>.

BRIDGE CONSTRUCTION OR REPLACEMENT

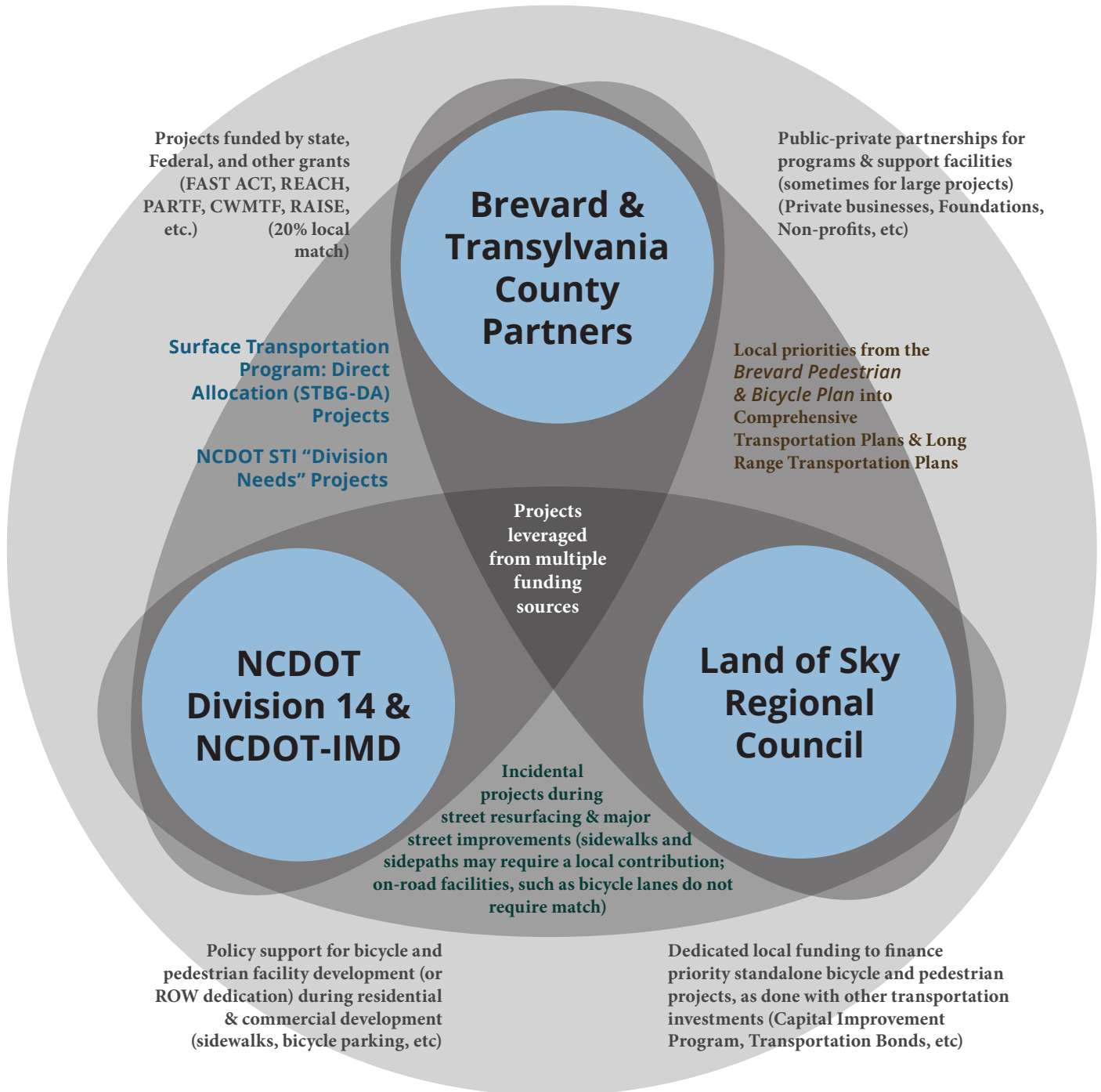
Provisions should always be made to include walking and bicycling facilities as a part of vehicular bridges. See NCDOT's "List of Bridges and Current Status": <https://www.ncdot.gov/initiatives-policies/Transportation/bridges/Pages/default.aspx>. Even though bridge construction and replacement does not occur regularly, it is important to consider these policies for long-term bicycle planning.

City Easements

Brevard should continue to revise existing utility easements to accommodate public access greenway trail facilities. Adopting policy language to allow for public access for trail users, as a matter of right, on all new sewer and utility easements would greatly enhance the development of greenways. Sewer easements are very commonly used for this purpose, offering cleared and graded corridors that easily accommodate trails. This approach avoids the difficulties associated with acquiring land, and it better utilizes the City's resources.

FUNDING OPPORTUNITIES

TYPICAL PROJECT FUNDING PARTNERS AND METHODS



TYPICAL PROJECT DEVELOPMENT PROCESS

These are the steps typically involved in pedestrian and bicycle facility development, when the project is being built independent of other major development or roadway projects. Certain funding sources may have additional requirements, and some steps may occur simultaneously or in a different order.



THE INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA) (ALSO KNOWN AS THE BIPARTISAN INFRASTRUCTURE BILL)

The following is a preliminary summary of how IIJA may affect funding sources related to bicycle, pedestrian, and trail infrastructure based on what is known at the time this plan was written (late 2021).

FORMULA FUNDS (STATE DOTs ADMINISTER TO LOCALS)

TRANSPORTATION ALTERNATIVES PROGRAM (TAP)

TAP funding will increase from \$850 million to \$1.44 billion per year. This is the largest dedicated source of funds for walking and biking projects in the US, and it just got 70% bigger. The North Carolina Department of Transportation (NCDOT) administers this funding for rural areas of the state that do not have a metropolitan planning organization.

Land of Sky Regional Planning Organization administers Transportation Alternatives Program funding on a competitive basis to local jurisdiction in Brevard and Transylvania County.

Every state and MPO will be required to use at least 2.5% of its apportioned funding to develop planning documents that can include but are not limited to, Complete Streets standards, a Complete Streets prioritization plan, multimodal corridor studies, or active transportation plans (among other uses).

FOR MORE INFORMATION on these programs, check with Land of Sky RPO staff.

HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

States where more than 15% of all fatalities involve bicyclists or pedestrians (Vulnerable Road Users or VRU), will be required to spend 15% of their Highway Safety Improvement Program (HSIP) funding on bicycle/pedestrian projects. The percentage of VRU fatalities in North Carolina has been over 15% for the last five years (15.9%-17.1%).¹ Projects are evaluated, prioritized, and selected at the NCDOT district level based on three years of crash data (targeted funds) or systemic approved projects as outlined in the HSIP guidance.

¹ NC Vision Zero. Visualization: Safety Dashboard. Accessed at <https://ncvisionzero.org/visualizations/safety-dashboard/>

DISCRETIONARY GRANTS (US DOT ADMINISTERS TO LOCALS)

REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE)

In the first RAISE grant cycle, nearly one in five funded grant applications involved trail development. In addition, the selection committee awarded another 21% of funding to projects focused on making roads safer for vulnerable road users like bicyclists and pedestrians. The Ecusta Trail and/or Estatoe Trail projects might compete well for the RAISE program with a focus on connecting people to local and regional destinations.

Under the Infrastructure Investment and Jobs Act (IIJA), the RAISE grant program will have \$7.5 billion available over the next five years. Competitive applications to this program have the following in common:

1. The project can demonstrate broad community support and is a recognized local or regional priority.
2. The project explicitly considers how it will address climate change and racial equity.
3. The project documents direct and significantly favorable local or regional impact relative to the scoring criteria:
 - Safety
 - Environmental Sustainability
 - Quality of Life
 - Economic Competitiveness
 - State of Good Repair
 - Innovation
 - Partnership
4. The project has a high benefit to cost ratio.

5. The project demonstrates readiness by providing a detailed scope of work and budget, a realistic project delivery schedule, an understanding of the environmental risks, permit requirements, and mitigation measures, and is within the public right-of-way.
6. A United States Senator or Congress member actively champions the project.

For more information on RAISE program guidelines and upcoming Notice of Funding Opportunities, see:

www.transportation.gov/RAISEgrants

HEALTHY STREETS PROGRAM

This new program is a \$500 million federal grant program to fund projects that address urban heat island effect, to include porous pavement changes and improvements to the tree canopy, especially along pedestrian walkways and public transit stops.

ACTIVE TRANSPORTATION INFRASTRUCTURE INVESTMENT PROGRAM

This is another new program through which local, regional, state, and tribal governments can apply to receive funding for active transportation projects and planning grants that build upon a local/regional/state network or network spine. The projects and planning efforts have to account for safety and facilitate more people walking and biking.

SAFE STREETS AND ROADS FOR ALL

With \$6 billion, this new federal grant program will fund Vision Zero plans, infrastructure, and programs.

US DOT is developing grant program guidelines and will publish Notices of Funding Opportunities (NOFO) as they become available for each of the programs above.

When considering possible funding sources for bicycle and pedestrian projects, it is important to remember that not all construction activities or programs will be accomplished with a single funding source. It will be necessary to consider several sources of funding that together will support full project completion. Funding sources can be used for a variety of activities, including: programs, planning, design, implementation, and maintenance. This section outlines the most likely sources of funding from the federal, state, and local government levels as well as from the private and non-profit sectors.

Note that this reflects the funding available at the time of writing. Funding amounts, cycles, and the programs themselves may change over time.

Federal Funding Sources

AMERICAN RESCUE PLAN ACT (ARPA)

Funding Agency: Various Federal agencies including USDA; Consumer Product Safety Fund; Elementary and Secondary School Emergency Relief Fund; EPA; CDC; FEMA; PPP; Veterans Health Administration

Match: 0%

Description: The Coronavirus State and Local Fiscal Recovery Funds provide substantial flexibility for each government to meet local needs—including support for households, small businesses, impacted industries, essential workers, and the communities hardest hit by the crisis. These funds can also be used to make necessary investments in water, sewer, and broadband infrastructure.

Source: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds>

GREAT AMERICA OUTDOORS ACT (GAOA)

Funding Agency: National Park Service; US Fish and Wildlife Service; Bureau of Land Management; Bureau of Indian Education; US Forest Service

Match: 0%

Description: This legislation will use revenues from energy development to provide needed maintenance for critical facilities and infrastructure in our national parks, forests, wildlife refuges, recreation areas, and American Indian schools. It will also use royalties from

offshore oil and natural gas to permanently fund the Land and Water Conservation Fund to invest in conservation and recreation opportunities across the country.

Source: <https://www.nps.gov/subjects/legal/great-american-outdoors-act.htm>

INFRASTRUCTURE INVESTMENT AND JOBS ACT (PENDING CONGRESS)

Funding Agency: Various government agencies

Match: 0%

Description: The fund will rebuild the nation's deteriorating roads and bridges and fund new climate resilience and broadband initiatives such as modernizing the nation's power grid, repairing and replacing aging public works projects, moving communities vulnerable to climate change, reconnect communities divided by highway construction, improve access to running water in tribal and Alaska Native communities, restore lakes across the country, provide funding for Amtrak, provide more funding for programs intended to provide safe commutes for pedestrians, reduce collisions between vehicles and wildlife, clean up drinking water by removing lead-contaminated pipes, and reserve at least \$25 million per year for "small and disadvantaged communities."

Source: <https://www.congress.gov/bill/117th-congress/house-bill/3684>

BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES

Funding Agency: Federal Emergency Management Agency (FEMA)

Match: Contextually dependent

Description: Building Resilient Infrastructure and Communities (BRIC) will support states, local communities, tribes and territories as they undertake hazard mitigation projects, reducing the risks they face from disasters and natural hazards.

The BRIC program guiding principles are supporting communities through capability- and capacity-building; encouraging and enabling innovation; promoting partnerships; enabling large projects; maintaining flexibility; and providing consistency.

Source: <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>

ENVIRONMENTAL PROTECTION AGENCY FLOOD MITIGATION ASSISTANCE PROGRAM (FMA)

Funding Agency: Federal Emergency Management Agency (FEMA)

Match: 0%

Description: FMA is a competitive grant program that provides funding to states, local communities, federally recognized tribes, and territories. Funds can be used for projects that reduce or eliminate the risk of repetitive flood damage to buildings insured by the National Flood Insurance Program. FEMA requires state, local, tribal, and territorial governments to develop and adopt hazard mitigation plans as a condition for receiving certain types of non-emergency disaster assistance, including funding for hazard mitigation assistance projects.

Source: <https://www.ncdps.gov/our-organization/emergency-management/disaster-recovery/hazard-mitigation/non-disaster-grants>

UNITED STATES DEPARTMENT OF AGRICULTURE HEALTHY FORESTS RESERVE PROGRAM (HFRP)

Funding Agency: USDA Natural Resources Conservation Service

Match: 0%

Description: HFRP helps landowners restore, enhance and protect forestland resources on private lands through easements and financial assistance. HFRP aids the recovery of endangered and threatened species under the Endangered Species Act, improves plant and animal biodiversity and enhances carbon sequestration. Land enrolled in HFRP easements must be privately owned or owned by Indian tribes and restore, enhance or measurably increase the recovery of threatened or endangered species, improve biological diversity, or increase carbon storage.

Source: <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements/forests/>

UNITED STATE DEPARTMENT OF AGRICULTURAL CONSERVATION EASEMENT PROGRAM (ACEP)

Funding Agency: USDA Natural Resources Conservation Service

Match: 17%

Description: ACEP helps landowners, land trusts, and other entities protect, restore, and enhance wetlands, grasslands, and working farms and ranches through conservation easements. Land protected by agricultural land easements protect the long-term viability of the nation's food supply by preventing conversion of productive working lands to non-agricultural uses, and provides additional public benefits, including environmental quality, historic preservation, wildlife habitat and protection of open space.

Source: <https://www.nrcs.usda.gov/wps/portal/nrcs/detail/nc/programs/easements/acep/?cid=stelprdb1249510>

REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE)

Funding Agency: US Department of Transportation (USDOT)

Match: 20%

Description: RAISE provides an opportunity for DOTs to invest in road, rail, transit and port projects that promise to achieve national objectives. RAISE grants are for capital investments in surface transportation infrastructure and are to be awarded on a competitive basis for projects that will have a significant local or regional impact.

Source: <https://www.transportation.gov/RAISEgrants>

INFRASTRUCTURE FOR REBUILDING AMERICA

Funding Agency: US Department of Transportation (USDOT)

Match: 20%

Description: These grants advance the priorities of rebuilding America's infrastructure and creating jobs by funding highway and rail projects of regional and national economic significance. NFRA grants are selected based on several criteria: how they would improve local economies, create jobs, and meet all statutory requirements, and how they would address climate change, environmental justice, and racial equity.

Source: <https://www.transportation.gov/buildamerica/financing/infra-grants/infrastructure-rebuilding-america>

COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)

Funding Agency: US Department of Housing and Urban Development

Match: 0%

Description: CDBG provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

Source: <https://www.hudexchange.info/programs/cdbg/>

FEDERAL LANDS ACCESS PROGRAM (FLAP)

Funding Agency: US Federal Highway Administration (FHWA)

Match: 20%

Description: FLAP was established to improve transportation facilities that provide access to, are adjacent to, or are located within Federal lands. FLAP supplements State and local resources for public roads, transit systems, and other transportation facilities, with an emphasis on high-use recreation sites and economic generators.

Source: <https://highways.dot.gov/federal-lands/programs-access>

TRANSPORTATION ALTERNATIVES SET-ASIDE (TA)

Funding Agency: US Federal Highway Administration (FHWA)

Match: 20%

Description: TA provides funding for projects and activities defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation, trails that serve a transportation purpose, and safe routes to school projects.

Source: <https://www.fhwa.dot.gov/fastact/factsheets/transportationalalternativesfs.cfm>

SURFACE TRANSPORTATION BLOCK GRANT (STBG)

Funding Agency: US Federal Highway Administration (FHWA)

Match: 5%

Description: STBG provides flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals.

Source: <https://www.fhwa.dot.gov/specialfunding/stp/>

HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

Funding Agency: US Federal Highway Administration (FHWA)

Match: 0%

Description: The HSIP is a core Federal-aid program with the purpose to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned roads and roads on tribal land. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads with a focus on performance.

Source: <https://safety.fhwa.dot.gov/hsip/>

NATIONAL HIGHWAY PERFORMANCE PROGRAM (NHPP)

Funding Agency: US Federal Highway Administration (FHWA)

Match: 20%

Description: The NHPP provides support for the condition and performance of the National Highway System (NHS), for the construction of new facilities on the NHS, and to ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in a State's asset management plan for the NHS.

Source: <https://www.fhwa.dot.gov/fastact/factsheets/nhppfs.cfm>

SAFE ROUTES TO SCHOOL (SRTS) PROGRAM

Funding Agency: US Department of Transportation (USDOT)

Match: 0%

SRTS enables and encourages children to walk and bike to school. The program helps make walking and bicycling to school a safe and more appealing method of transportation for children. SRTS facilitates the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools. Most of the types of eligible SRTS projects include sidewalks or shared use paths. However, intersection improvements (i.e. signalization, marking/upgrading crosswalks, etc.), on-street bicycle facilities (bicycle lanes, wide paved shoulders, etc.) or off-street shared use paths are also eligible for SRTS funds.

Source: <https://www.transportation.gov/mission/health/Safe-Routes-to-School-Programs>

FEDERAL LAND AND WATER CONSERVATION FUND

Funding Agency: State and Local Assistance Programs Division (SLAD)

Match: 50%

Description: The Land and Water Conservation Fund (LWCF) has historically been a primary funding source of the US Department of the Interior for outdoor recreation development and land acquisition by local governments and state agencies. Over its first 49 years (1965 - 2014), LWCF has provided more than \$16.7 billion to acquire new Federal recreation lands as grants to State and local governments.

Over 40,000 grants to states and localities have been approved under the LWCF grants program for acquisition, development and planning of outdoor recreation opportunities in the United States. Grants have supported purchase and protection of 3 million acres of recreation lands and over 29,000 projects to develop basic recreation facilities in every State and territory of the nation.

As of August 2020, the LWCF is now permanently funded by the federal government for \$900 million every year. This is hundreds of millions more per year than the fund typically receives.

Source: <https://www.nps.gov/subjects/lwcf/stateside.htm>

ENVIRONMENTAL CONTAMINATION CLEANUP FUNDING SOURCES

Funding Agency: US Environmental Protection Agency (EPA)

EPA's Brownfields Program provides direct funding for brownfields assessment, cleanup, revolving loans, and environmental job training. EPA's Brownfields Program collaborates with other EPA programs, other federal partners, and state agencies to identify and leverage more resources for brownfields activities. The EPA provides assessment grants to recipients to characterize, assess, and conduct community involvement related to brownfields sites. They also provide Area-wide planning grants (AWP) which provides communities with funds to research, plan, and develop implementation strategies for areas affected by one or more brownfields.

Source: <https://www.epa.gov/brownfields>

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND GRANTS

Funding Agency: US Fish and Wildlife Service (USFWS)

Match: 25%

Description: Section 6 of the ESA authorizes the Service to provide federal financial assistance through the Cooperative Endangered Species Conservation Fund (CESCF) to states and territories (states) to support the development and implementation of conservation programs for the benefit of resident listed, candidate, and at-risk species on non-federal lands. This financial assistance, provided in the form of competitive grants and made available through four CESCF grant programs, contributes approximately \$51.8 million toward species and habitat conservation annually.

Source: <https://www.fws.gov/endangered/grants/>

State Funding Sources

There are multiple sources for state funding of bicycle and pedestrian transportation projects. However, beginning July 1, 2015, state transportation funds cannot be used to match federally-funded transportation projects, according to a law passed by the North Carolina Legislature.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) STRATEGIC TRANSPORTATION INVESTMENTS (STI)

Passed in 2013, the Strategic Transportation Investments law (STI) allows NCDOT to use its funding more efficiently and effectively to enhance the state's infrastructure, while supporting economic growth, job creation and a higher quality of life. This process encourages thinking from a statewide and regional perspective while also providing flexibility to address local needs.

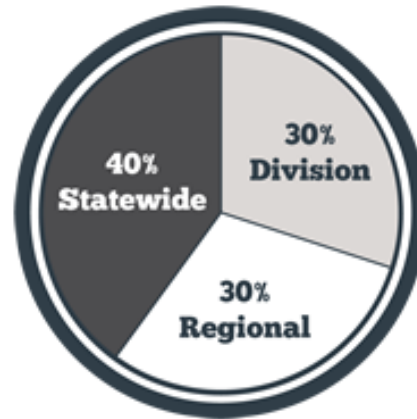
STI also establishes the Strategic Mobility Formula, a new way of allocating available revenues based on data-driven scoring and local input. It was used for the first time to develop NCDOT's current construction schedule, the 2016-2025 State Transportation Improvement Program (STIP).

The STIP, which identifies the transportation projects that will receive funding during a 10-year period, is a state and federal requirement. Federal law requires it to be updated at least every four years. NCDOT, however, updates it every two years. Work is currently underway to update the STIP for 2023-2032.

The new Strategic Mobility Formula funds projects in three categories: Division Needs, Regional Impact, and Statewide Mobility. All independent bicycle and pedestrian projects are placed in the "Division Needs" category, and are currently ranked based on 50% data (safety, access, demand, connectivity, and cost effectiveness) and 50% local input, with a breakdown as follows:

Safety 15%

- Definition: Projects or improvements where bicycle or pedestrian accommodations are non-existent or inadequate for safety of users
- How it's measured: Crash history, posted speed limits, and estimated safety benefit
- Calculation:



STI Revenue Distribution (Source: www.ncdot.gov/strategic-transportationinvestments)

- » Bicycle/pedestrian crashes along the corridor within last five years: 40% weight
- » Posted speed limits, with higher points for higher limits: 40% weight
- » Project safety benefit, measured by each specific improvement: 20% weight

Access 10%

- Definition: Destinations that draw or generate high volumes of bicyclists/pedestrians
- How it's measured: Type of and distance to destination

Demand 10%

- Definition: Projects serving large resident or employee user groups
- How its measured: # of households and employees per square mile within 1 ½ mile bicycle or ½ mile pedestrian facility + factor for unoccupied housing units (second homes)

Connectivity 10%

- Definition: Measure impact of project on reliability and quality of network
- How it's measured: Creates score per each Strategic Transportation Investments based on degree of bicycle/pedestrian separation from roadway and connectivity to similar or better project type

Cost Effectiveness 5%

- Definition: Ratio of calculated user benefit divided by NCDOT project cost
- How it's measured: Safety + Demand + Access + Connectivity)/Estimated Project Cost to NCDOT

Local Input 50%

- Definition: Input from MPO/RPOs and NCDOT Divisions, which comes in the form points assigned to projects.
- How it is measured: Base points + points for population size. A given project is more likely to get funded if it is assigned base points from both the MPO/RPO and the Division, making the need for communicating the importance of projects to these groups critical. Further, projects that have a local match will score higher.

ADDITIONAL BICYCLE AND PEDESTRIAN PROJECT REQUIREMENTS:

Federal funding typically requires a 20% non-federal match

State law prohibits state match for bicycle and pedestrian projects (except for Powell Bill). Since state law prohibits state monies from being the match for bicycle and pedestrian projects, the Town will need to supply the 20% match from other sources, such as the Town's own funds, matching grants, etc.

- Limited number of project submittals per MPO/RPO/Division
- Minimum project cost requirement is \$100,000
- Bicycle/Pedestrian projects typically include: bicycle lanes, side path/greenway, paved shoulders, sidewalks, pedestrian signals, SRTS infrastructure projects, and other streetscape/multi-site improvements (such as median refuge, signage, etc.)

These rankings largely determine which projects will be included in NCDOT's State Transportation Improvement Program (STIP). The STIP is a federally mandated transportation planning document that details transportation planning improvements prioritized by the stakeholders for inclusion in NCDOT's Work Program over the next 10 years. "More than 900 non-highway construction projects were prioritized for years 2015-2020, totaling an estimated \$9 billion. NCDOT will only have an estimated \$1.5 billion to spend during this time period." The STIP is updated every 2 years. The STIP contains funding information for various transportation divisions of NCDOT, including, highways, rail, bicycle and pedestrian, public transportation and aviation.

For more information on STIP: www.ncdot.gov/initiatives-policies/Transportation/stip/Pages/default.aspx

To access the STIP: [connect.ncdot.gov/projects/planning/Pages/State-Transportation-Improvement-](http://connect.ncdot.gov/projects/planning/Pages/State-Transportation-Improvement-Program.aspx)

Program.aspx

For more about the STI process: www.ncdot.gov/initiatives-policies/Transportation/stip/Pages/strategic-transportation-investments.aspx

INCIDENTAL PROJECTS

Bicycle accommodations, such as bicycle lanes, wide paved shoulders, , intersection improvements, bicycle safe bridge design, etc., are frequently included as "incidental" features of larger highway/roadway projects. This is increasingly common with the adoption of NCDOT's "Complete Streets" Policy.

In addition, bicycle safe drainage grates and handicapped accessible sidewalk ramps are now a standard feature of all NCDOT highway construction. Most pedestrian safety accommodations built by NCDOT are included as part of scheduled highway improvement projects funded with a combination of federal and state roadway construction funds, and usually with a local match. On-road bicycle accommodations, if warranted, typically do not require a local match.

"Incidental Projects" are often constructed as part of a larger transportation project, when they are justified by local plans that show these improvements as part of a larger, multi-modal transportation system. Having a local bicycle or pedestrian plan is important, because it allows NCDOT to identify where bicycle and pedestrian improvements are needed, and can be included as part of highway or street improvement project. It also helps local government identify what their priorities are and how they might be able to pay for these projects. Under "Complete Streets" local governments may be responsible for a portion of the costs for bicycle and pedestrian projects.

DUKE ENERGY WATER RESOURCES FUND

Duke Energy is investing \$10 million in a fund for projects that benefit waterways in the Carolinas. The fund supports science-based, research-supported projects and programs that provide direct benefit to at least one of the following focus areas:

- Improve water quality, quantity and conservation;
- Enhance fish and wildlife habitats;
- Expand public use and access to waterways; and
- Increase citizens' awareness about their roles in protecting these resources.

Brevard could consider this resource for its proposed greenway network. For more information: www.nccommunityfoundation.org/apply/grants/corporate-grantmaking-programs/duke-energy-water-resources-fund

CLEAN WATER MANAGEMENT TRUST FUND

The Clean Water Management Trust Fund is available to any state agency, local government, or non-profit whose primary purpose is the conservation, preservation, and restoration of North Carolina's environmental and natural resources. Grant assistance is provided to conservation projects that:

- enhance or restore degraded waters;
- protect unpolluted waters, and/or
- contribute toward a network of riparian buffers and greenways for environmental, educational, and recreational benefits;
- provide buffers around military bases to protect the military mission;
- acquire land that represents the ecological diversity of North Carolina; and
- acquire land that contributes to the development of a balanced State program of historic properties.

The application deadline is typically in February. For more information: nclwf.nc.gov/grants

SPOT SAFETY PROGRAM

The Spot Safety Program is a state funded public safety investment and improvement program that provides highly effective low cost safety improvements for intersections, and sections of North Carolina's 79,000 miles of state maintained roads in all 100 counties of North Carolina. The Spot Safety Program is used to develop smaller improvement projects to address safety, potential safety, and operational issues. The program is funded with state funds and currently receives approximately \$9 million per state fiscal year. Other monetary sources (such as Small Construction or Contingency funds) can assist in funding Spot Safety projects, however, the maximum allowable contribution of Spot Safety funds per project is \$250,000.

The Spot Safety Program targets hazardous locations for expedited low cost safety improvements such as traffic signals, turn lanes, improved shoulders, intersection upgrades, positive guidance enhancements (rumble strips, improved channelization, raised pavement markers, long life highly visible pavement markings), improved warning and regulatory signing, roadside safety improvements, school safety improvements, and safety appurtenances (like guardrail and crash attenuators).

A Safety Oversight Committee (SOC) reviews and recommends Spot Safety projects to the Board of Transportation (BOT) for approval and funding. Criteria used by the SOC to select projects for recommendation

to the BOT include, but are not limited to, the frequency of correctable crashes, severity of crashes, delay, congestion, number of signal warrants met, effect on pedestrians and schools, division and region priorities, and public interest. For more information: connect.ncdot.gov/resources/safety/Pages/NC-Highway-Safety-Program-and-Projects.aspx

POWELL BILL FUNDS

Annually, State street-aid allocations (Powell Bill Funds) are made to incorporated municipalities which establish their eligibility and qualify as provided by G.S. 136-41.1 through 136-41.4. Powell Bill funds shall be expended only for the purposes of maintaining, repairing, constructing, reconstructing or widening of local streets that are the responsibility of the municipalities or for planning, construction, and maintenance of bikeways or sidewalks along public streets and highways. Beginning July 1, 2015 under the Strategic Transportation Investments initiative,

Powell Bill funds may no longer be used to provide a match for federal transportation funds such as Transportation Alternatives. Certified Statement, street listing, add/delete sheet and certified map from all municipalities are due between July 1st and July 21st of each year. Additional documentation is due shortly after. More information: connect.ncdot.gov/municipalities/State-Street-Aid/Pages/default.aspx

HIGHWAY HAZARD ELIMINATION PROGRAM

The Hazard Elimination Program is used to develop larger improvement projects to address safety and potential safety issues. The program is funded with 90 percent federal funds and 10 percent state funds. The cost of Hazard Elimination Program projects typically ranges between \$400,000 and \$1 million. A Safety Oversight Committee (SOC) reviews and recommends Hazard Elimination projects to the Board of Transportation (BOT) for approval and funding. These projects are prioritized for funding according to a safety benefit to cost (B/C) ratio, with the safety benefit being based on crash reduction. Once approved and funded by the BOT, these projects become part of the department's State Transportation Improvement Program (STIP). For more information: connect.ncdot.gov/resources/safety/Pages/NC-Highway-Safety-Program-and-Projects.aspx

GOVERNOR'S HIGHWAY SAFETY PROGRAM

The Governor's Highway Safety Program (GHSP)

funds safety improvement projects on state highways throughout North Carolina. All funding is performance-based. Substantial progress in reducing crashes, injuries, and fatalities is required as a condition of continued funding. This funding source is considered to be “seed money” to get programs started. The grantee is expected to provide a portion of the project costs and is expected to continue the program after GHSP funding ends. State Highway Applicants must use the web-based grant system to submit applications. For more information: www.ncdot.gov/initiatives-policies/safety/ghsp/Pages/default.aspx

THE NORTH CAROLINA DIVISION OF PARKS AND RECREATION – RECREATIONAL TRAILS AND ADOPT-A-TRAIL GRANTS

The North Carolina Division of Parks and Recreation and the State Trails Program offer funds to help citizens, organizations and agencies plan, develop and manage all types of trails ranging from greenways and trails for hiking, biking, and horseback riding to river trails and off-highway vehicle trails. “The Adopt-a-Trail Grant Program (AAT) awards \$108,000 annually to government agencies, nonprofit organizations and private trail groups for trail projects. The Recreational Trails Program (RTP) is a \$1.3 million grant program funded by Congress with money from the federal gas taxes paid on fuel used by off-highway vehicles. Grant applicants must be able to contribute 20% of the project cost or in-kind contributions. Both grant applications are typically due in January or February. For more information: trails.nc.gov/trail-grants

NC PARKS AND RECREATION TRUST FUND (PARTF)

The Parks and Recreation Trust Fund (PARTF) provide dollar-for-dollar matching grants to local governments for parks and recreational projects to serve the general public. Counties, incorporated municipalities, and public authorities, as defined by G.S. 159-7, are eligible applicants. A local government can request a maximum of \$500,000 with each application. An applicant must match the grant dollar-for-dollar, 50 percent of the total cost of the project, and may contribute more than 50 percent. The appraised value of land to be donated to the applicant can be used as part of the match. The value of in-kind services, such as volunteer work, cannot be used as part of the match. Grant applications are typically due in February. For more information: www.ncparks.gov/more-about-us/parks-recreation-trust-fund/parks-and-recreation-trust-fund

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Community Development Block Grant (CDBG) funds are available to local municipal or county governments that qualify for projects to enhance the viability of communities by providing decent housing and suitable living environments and by expanding economic opportunities, principally for persons of low and moderate income. State CDBG funds are provided by the US Department of Housing and Urban Development (HUD) to the state of North Carolina. All North Carolina small cities are eligible to apply for funds except for 23 entitlement cities that receive funds directly from the US Department of Housing and Urban Development (HUD) (Brevard does not receive direct funds, so it is eligible to apply). Each year, CDBG provides funding to local governments for hundreds of critically-needed community improvement projects throughout the state. More information: www.nccommerce.com/grants-incentives

CLEAN WATER MANAGEMENT TRUST FUND (CWMTF)

This fund was established in 1996 and has become one of the largest sources of money in North Carolina for land and water protection, eligible for application by a state agency, local government, or non-profit. At the end of each year, a minimum of \$30 million is placed in the CWMTF. The revenue of this fund is allocated as grants to local governments, state agencies, and conservation non-profits to help finance projects that specifically address water pollution problems. Funds may be used for planning and land acquisition to establish a network of riparian buffers and greenways for environmental, educational, and recreational benefits. Deadlines are typically in February. For more information: nclwf.nc.gov/

SAFE ROUTES TO SCHOOL (SRTS)

SRTS is managed by NCDOT, but is federally funded; See Federal Funding Sources above for more information.

URBAN AND COMMUNITY FORESTRY GRANT

The North Carolina Division of Forest Resources Urban and Community Forestry grant can provide funding for a variety of projects that will help toward planning and establishing street trees as well as trees for urban open space. The goal is to improve public understanding of the benefits of preserving existing tree cover in communities and assist local governments with projects which will lead to a more effective and efficient management of urban and community forests. Grant requests should range between \$1,000 and \$15,000 and must be matched equally with non-federal funds. Grant funds may be awarded to any unit of local or state government, public educational institutions, approved non-profit 501(c)(3) organizations, and other tax-exempt organizations. First

time municipal applicant and municipalities seeking Tree City USA status are given priority for funding. Grant applications are due by March 31 at 5:00 pm and recipients are notified by mid-July each year.

For more about Tree City USA status, including application instructions, visit: www.ncforestservice.gov/Urban/urban_grant_program.htm

Local Government Funding Sources

Municipalities often plan for the funding of pedestrian and bicycle facilities or improvements through development of Capital Improvement Program (CIP) or occasionally, through their annual Operating Budgets. In Raleigh, for example, the greenways system has been developed over many years through a dedicated source of annual funding that has ranged from \$100,000 to \$500,000, administered through the Recreation and Parks Department. CIPs should include all types of capital improvements (water, sewer, buildings, streets, etc.) versus programs for single purposes. This allows municipal decision-makers to balance all capital needs. Typical capital funding mechanisms include the capital reserve fund, capital protection ordinances, municipal service district, tax increment financing, taxes, fees, and bonds. Each category is described below. A variety of possible funding options available to North Carolina jurisdictions for implementing pedestrian and bicycle projects are also described below. However, many will require specific local action as a means of establishing a program, if not already in place.

CAPITAL RESERVE FUND

Municipalities have statutory authority to create

capital reserve funds for any capital purpose, including pedestrian facilities. The reserve fund must be created through ordinance or resolution that states the purpose of the fund, the duration of the fund, the approximate amount of the fund, and the source of revenue for the fund. Sources of revenue can include general fund allocations, fund balance allocations, grants, and donations for the specified use.

CAPITAL PROJECT ORDINANCES

Municipalities can pass Capital Project Ordinances that are project specific. The ordinance identifies and makes appropriations for the project.

LOCAL IMPROVEMENT DISTRICT (LID)

Local Improvement Districts (LIDs) are most often used by cities to construct localized projects such as streets, sidewalks, or bikeways. Through the LID process, the costs of local improvements are generally spread out among a group of property owners within a specified area. The cost can be allocated based on property frontage or other methods such as traffic trip generation.

MUNICIPAL SERVICE DISTRICT

Municipalities have statutory authority to establish municipal service districts, to levy a property tax in the district additional to the town-wide property tax, and to use the proceeds to provide services in the district. Downtown revitalization projects are one of the eligible uses of service districts, and can include projects such as street, sidewalk, or bikeway improvements within the downtown taxing district.

TAX INCREMENT FINANCING

Project Development Financing bonds, also known as Tax Increment Financing (TIF) is a relatively new tool in North Carolina, allowing localities to use future gains in taxes to finance the current improvements that will create those gains. When a public project (e.g., sidewalk improvements) is constructed, surrounding property values generally increase and encourage surrounding development or redevelopment. The increased tax

revenues are then dedicated to finance the debt created by the original public improvement project. Streets, streetscapes, and sidewalk improvements are specifically authorized for TIF funding in North Carolina. Tax Increment Financing typically occurs within designated development financing districts that meet certain economic criteria that are approved by a local governing body. TIF funds are generally spent inside the boundaries of the TIF district, but they can also be spent outside the district if necessary to encourage development within it. Although larger cities use this type of financing more often, Woodfin, NC is an example of another small town that has used this type of financing.

OTHER LOCAL FUNDING OPTIONS

- Bonds/Loans
- Taxes
- Impact fees
- Exactions
- Installment purchase financing
- In-lieu fees
- Partnerships

Private and Non-Profit Funding Sources

Many communities have solicited funding assistance from private foundations and other conservation-minded benefactors. Below are several examples of private funding opportunities available.

LAND FOR TOMORROW CAMPAIGN

Land for Tomorrow is a diverse partnership of businesses, conservationists, farmers, environmental groups, health professionals, and community groups committed to securing support from the public and General Assembly for protecting land, water, and historic places. The campaign was successful in 2013 in asking the North Carolina General Assembly to continue to support conservation efforts in the state. The state budget bill includes about \$50 million in funds for key conservation efforts in North Carolina. Land for Tomorrow works to enable North Carolina to reach a goal of ensuring that working farms and forests, sanctuaries for wildlife, land bordering streams, parks, and greenways, land that helps strengthen communities and promotes job growth, and historic downtowns and neighborhoods will be there to enhance the quality of life for generations to come. For more information: www.land4tomorrow.org/

THE ROBERT WOOD JOHNSON FOUNDATION

The Robert Wood Johnson Foundation was established as a national philanthropy in 1972 and today it is the largest US foundation devoted to improving the health and health care of all Americans.

Grant making is concentrated in four areas:

- To ensure that all Americans have access to basic health care at a reasonable cost
- To improve care and support for people with chronic health conditions
- To promote healthy communities and lifestyles
- To reduce the personal, social and economic harm caused by substance abuse: tobacco, alcohol, and illicit drugs

Projects considered for funding typically are innovative and aim to create meaningful, transformative change. Project examples include: service demonstrations; gathering and monitoring of health-related statistics; public education; training and fellowship programs; policy analysis; health services research; technical assistance; communications activities; and evaluations. For more specific information about what types of

projects are funded and how to apply, visit: www.rwjf.org/en/how-we-work/grants-and-grant-programs.html

NORTH CAROLINA COMMUNITY FOUNDATION

The North Carolina Community Foundation, established in 1988, is a statewide foundation seeking gifts from individuals, corporations, and other foundations to build endowments and ensure financial security for non-profit organizations and institutions throughout the state. Based in Raleigh, the foundation also manages a number of community affiliates throughout North Carolina, that make grants in the areas of human services, education, health, arts, religion, civic affairs, and the conservation and preservation of historical, cultural, and environmental resources. The foundation also manages various scholarship programs statewide. For more information: <https://www.nccommunityfoundation.org/>

RITE AID FOUNDATION GRANTS

The Rite Aid Foundation is a foundation that supports projects that promote health and wellness in the communities that Rite Aid serves. Award amounts vary and grants are awarded on a one year basis to communities in which Rite Aid operates. The Rite Aid Foundation focuses on three core areas for charitable giving: children's health and well-being; special community health and wellness needs; and Rite Aid's own community of associates during times of special need. Online resource: foundation.riteaid.com/

Z. SMITH REYNOLDS FOUNDATION

This Winston-Salem-based Foundation has been assisting the environmental projects of local governments and non-profits in North Carolina for many years. The Foundation focuses its grant making on five focus areas: Community Economic Development; Environment; Public Education; Social Justice and Equity; and Strengthening Democracy. Deadline to apply is typically in August. For more information: www.zsr.org/grants-programs

BANK OF AMERICA CHARITABLE FOUNDATION, INC.

The Bank of America Charitable Foundation is one of the largest in the nation. There are numerous different initiatives and grant programs, yet the ones most relevant to increased recreational opportunities and trails are the Revitalizing Neighborhoods and Environment Programs. Starting in 2013, a new

10-year, \$50 billion goal to be a catalyst for climate change was launched. This initiative aims to spark the “innovation economy and advance a transition to a low-carbon future.” For more information: <https://about.bankofamerica.com/en/making-an-impact/find-resources>

DUKE ENERGY FOUNDATION

Funded by Duke Energy shareholders, this non-profit organization makes charitable grants to selected non-profits or governmental subdivisions. Each annual grant must have:

- An internal Duke Energy business “sponsor”
- A clear business reason for making the contribution

The grant program has several investment priorities: Education; Environment; Economic and Workforce Development; and Community Impact and Cultural Enrichment. Related to this project, the Foundation would support programs that support conservation, training, and research around environmental and energy efficiency initiatives. For more information: www.duke-energy.com/community/duke-energy-foundation

NATIONAL TRAILS FUND

American Hiking Society created the National Trails Fund in 1998, the only privately supported national grants program providing funding to grassroots organizations working toward establishing, protecting and maintaining foot trails in America. 73 million people enjoy foot trails annually, yet many of our favorite trails need major repairs due to a \$200 million backlog of badly needed maintenance. National Trails Fund grants help give local organizations the resources they need to secure access, volunteers, tools and materials to protect America’s cherished public trails. To date, American Hiking has granted more than \$588,000 to 192 different trail projects across the US for land acquisition, constituency building campaigns, and traditional trail work projects. Awards range from \$500 to \$10,000 per project.

Projects the American Hiking Society will consider include:

- Securing trail lands, including acquisition of trails and trail corridors, and the costs associated with acquiring conservation easements.
- Building and maintaining trails which will result in visible and substantial ease of access, improved hiker safety, and/or avoidance of environmental damage.
- Constituency building surrounding specific trail projects - including volunteer recruitment and support.

For more information: <https://americanhiking.org/National-Trails-Fund/>

THE CONSERVATION ALLIANCE

The Conservation Alliance is a non-profit organization of outdoor businesses whose collective annual membership dues support grassroots citizen-action groups and their efforts to protect wild and natural areas. Grants are typically about \$35,000 each. Since its inception in 1989, The Conservation Alliance has contributed \$4,775,059 to environmental groups across the nation, saving over 34 million acres of wild lands.

The Conservation Alliance Funding Criteria are as follows:

- The Project should be focused primarily on direct citizen action to protect and enhance our natural resources for recreation.
- The Alliance does not look for mainstream education or scientific research projects, but rather for active campaigns.
- All projects should be quantifiable, with specific goals, objectives, and action plans and should include a measure for evaluating success.
- The project should have a good chance for closure or significant measurable results over a fairly short term (within four years).

For more information: <http://www.conservationalliance.com/grants>

NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF)

The National Fish and Wildlife Foundation (NFWF) is a private, non-profit, tax exempt organization chartered by Congress in 1984. The National Fish and Wildlife Foundation sustains, restores, and enhances the Nation’s fish, wildlife, plants, and habitats. Through leadership conservation investments with public and private partners, the Foundation is dedicated to achieving maximum conservation impact by developing and applying best practices and innovative methods for measurable outcomes.

The Foundation provides grants through more than 70 diverse conservation grant programs. A few of the most relevant programs for bicycle and pedestrian projects include Acres for America, Conservation Partners Program, and Environmental Solutions for Communities. Funding priorities include bird, fish, marine/coastal, and wildlife and habitat conservation. Other projects that are considered include controlling invasive species, enhancing delivery of ecosystem services in agricultural systems, minimizing the impact on wildlife of emerging energy sources, and developing future conservation leaders and professionals.

For more information: <http://www.nfwf.org/whatwedo/grants/Pages/home.aspx>

THE TRUST FOR PUBLIC LAND

Land conservation is central to the mission of the Trust for Public Land (TPL). Founded in 1972, the TPL is the only national non-profit working exclusively to protect land for human enjoyment and well-being. TPL helps acquire land and transfer it to public agencies, land trusts, or other groups that have intentions to conserve land for recreation and spiritual nourishment and to improve the health and quality of life of American communities.

For more information: <http://www.tpl.org>

BLUE CROSS BLUE SHIELD OF NORTH CAROLINA FOUNDATION (BCBS)

Blue Cross Blue Shield (BCBS) focuses on programs that use an outcome approach to improve the health and well-being of residents. Healthy Places grant concentrates on increased physical activity and active play through support of improved built environment such as sidewalks, and safe places to bike. Eligible grant applicants must be located in North Carolina, be able to provide recent tax forms and, depending on the size of the non-profit, provide an audit. For more information: <http://www.bcbsncfoundation.org/>

ALLIANCE FOR BIKING & WALKING: ADVOCACY ADVANCE GRANTS

Bicycle and pedestrian advocacy organizations play the most important role in improving and increasing biking and walking in local communities. Rapid Response Grants enable state and local bicycle and pedestrian advocacy organizations to develop, transform, and provide innovative strategies in their communities. Since 2011, Rapid Response grant recipients have won \$100 million in public funding for biking and walking. The Advocacy Advance Partnership with the League of American Bicyclists also provides necessary technical assistance, coaching, and training to supplement the grants. For more information, visit www.peoplepoweredmovement.org

LOCAL TRAIL SPONSORS

A sponsorship program for trail amenities allows smaller donations to be received from both individuals and businesses. Cash donations could be placed into a trust fund to be accessed for certain construction or acquisition projects associated with the greenways and open space system. Some recognition of the donors is appropriate and can be accomplished through the placement of a plaque, the naming of a trail segment, and/or special recognition at an opening ceremony. Types of gifts other than cash could include donations of services, equipment, labor, or reduced costs for supplies.

CORPORATE DONATIONS

Corporate donations are often received in the form of liquid investments (i.e. cash, stock, bonds) and in the form of land. Municipalities typically create funds to facilitate and simplify a transaction from a corporation's donation to the given municipality. Donations are mainly received when a widely supported capital improvement program is implemented.

PRIVATE INDIVIDUAL DONATIONS

Private individual donations can come in the form of liquid investments (i.e. cash, stock, bonds) or land. Municipalities typically create funds to facilitate and simplify a transaction from an individual's donation to

the given municipality. Donations are mainly received when a widely supported capital improvement program is implemented.

FUNDRAISING/CAMPAIGN DRIVES

Organizations and individuals can participate in a fundraiser or a campaign drive. It is essential to market the purpose of a fundraiser to rally support and financial backing. Often times fundraising satisfies the need for public awareness, public education, and financial support.

VOLUNTEER WORK

It is expected that many citizens will be excited about the development of a greenway corridor. Individual volunteers from the community can be brought together with groups of volunteers from church groups, civic groups, scout troops and environmental groups to work on greenway development on special community workdays. Volunteers can also be used for fund-raising, maintenance, and programming needs.

INNOVATIVE FUNDING OPTIONS

Crowdsourcing “is the process of obtaining needed services, ideas, or content by soliciting contributions from a large group of people, and especially from an online community, rather than from traditional employees or suppliers.” An example crowdsourcing tool used locally with some success is “ioby”, which offers the ability to organize different forms of capital—cash, social networks, in-kind donations, volunteers, advocacy: <https://ioby.org/about>

PERFORMANCE MEASURES

The City of Brevard should establish performance measures to benchmark progress towards achieving the goals of this Plan. These performance measures should be stated in an official report within two years after the Plan is adopted. Baseline data should be collected as soon as the performance measures are established. Example performance measures to address aspects of this Plan's goals for pedestrian and bicycle transportation and recreation in Brevard are outlined below:

- **Safety**
 - » Measures of pedestrian and bicycle crashes and injuries;
 - » Measures of the number of people educated and/or number of people ticketed as a part of a pedestrian/bicycle safety campaign
- **Quality of life**
 - » Measures of accessibility of local destinations/nodes via the pedestrian and bicycle network;
 - » Measures of how many people are meeting daily physical activity recommendations.
- **Transportation Choices.**
 - » Measures of how many pedestrian and bicycle facilities are available and the quality of these facilities;
 - » Measures of how many people are walking and biking on on-road and off-road facilities;
 - » Measures of commute mode share.
- **Economic Impact**
 - » Measures of household transportation cost savings;
 - » Measures of traffic congestion cost savings
- **Environment.**
 - » Measures of greenhouse gas emissions;
 - » Measures of vehicle miles traveled.

PROJECT GOALS



CREATE SAFER CONDITIONS
FOR WALKING AND BIKING



INCREASE OVERALL QUALITY
OF LIFE AND LIVABILITY



CREATE MORE CHOICES
FOR TRANSPORTATION,
RECREATION, AND
EXERCISE THROUGH
WALKING AND BIKING



GENERATE A POSITIVE
ECONOMIC IMPACT
AND INCREASE
TOURISM RELATED TO
ACTIVE LIVING



PROTECT THE
ENVIRONMENT
AND PROMOTE
ENVIRONMENTAL
STEWARDSHIP

*"I'm really excited to
see this walking and
biking improvement
initiative within the city
and beyond!"*

- Survey Respondent



A bicyclist turning off of N. Broad Street onto McLean Road.

DESIGN GUIDANCE RESOURCES

This Design Guidance section presents a toolbox of current design guidance and standards to implement bicycle improvements. It has been developed to complement the City's Pedestrian + Bicycle Plan and reflects other nationally recognized efforts to promote pedestrian and bicycle safety and comfort. The information assembled here is not, however, a substitute for a more thorough evaluation by a professional engineer prior to implementation of facility improvements with considerations to physical, right of way, and other constraints.

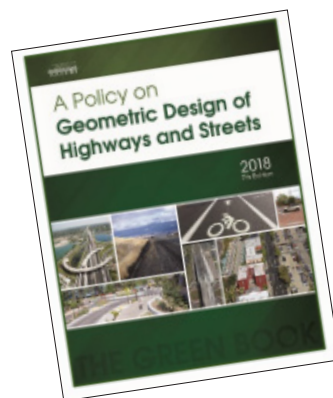
NATIONAL GUIDANCE



National Association of city Transportation Officials' (NACTO) Urban Street design Guide

<https://nacto.org/publication/urban-street-design-guide/>

The National Association of City Transportation Officials' (NACTO) *Urban Street Design Guide* (2013) is a collection of nationally recognized street design standards, and offers guidance on the current state of the practice designs. This guide provides best practice for streets to serve as not only efficient travel corridors but public spaces, and it includes a toolkit of street design elements with key dimensions and applications.



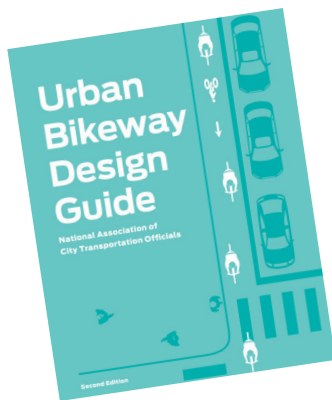
American Association of State Highway and Transportation Officials' (AASHTO) A Policy on Geometric Design of Highways and Streets

A Policy on Geometric Design of Highways and Streets (2018) provides national guidance on the design of highways and streets. The 7th edition of the "The Green Book" offers an updated framework for geometric design that is more flexible, multimodal, and performance based than in previous editions.



Federal Highway Administration's (FHWA) Separated Bike Lane Planning and Design Guide

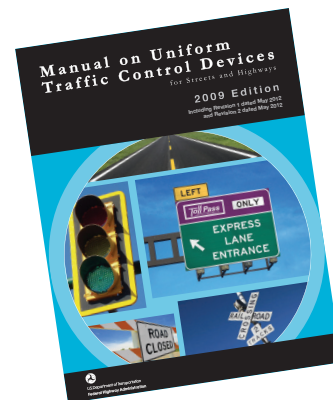
The *Separated Bike Lane Planning and Design Guide* (2015) is the latest national guidance on the planning and design of separated bicycle lane facilities released by the Federal Highway Administration (FHWA). The resource documents best practices as demonstrated around the US and offers ideas on future areas of research, evaluation and design flexibility.



NACTO Urban Bikeway Design Guide

<https://nacto.org/publication/urban-bikeway-design-guide/>

The NACTO *Urban Bikeway Design Guide* is a publication of nationally recognized bicycle way design and offers guidance on current state-of-the-practice designs. This guide is based on current practices in the best cycling cities in the world. The intent of the guide is to offer substantive guidance for cities seeking to improve bicycle transportation in places where competing demands for the use of the right of way present unique challenges. All of the NACTO *Urban Bikeway Design Guide* treatments are in use internationally and in many cities around the US.



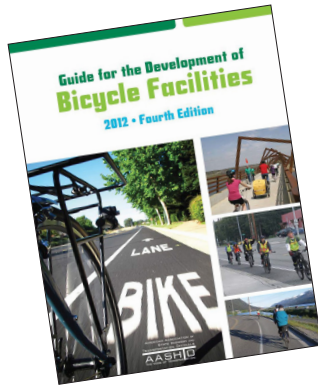
FHWA Manual on Uniform Traffic Control Devices (MUTCD)

<https://mutcd.fhwa.dot.gov/>

The *MUTCD* defines the standards used by road managers nationwide to install and maintain traffic control devices on public streets, highways, bikeways, and private roads open to public traffic. The *MUTCD* is the primary source for guidance on lane striping requirements, signal warrants, and recommended signage and pavement markings.

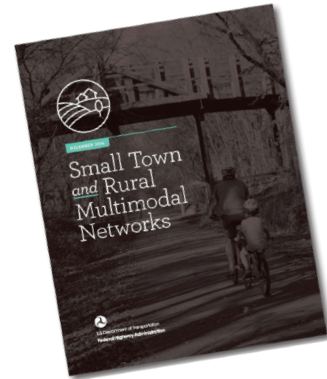
To further clarify the *MUTCD* standards, the FHWA created a table of contemporary bicycle facilities that lists various bicycle related signs, markings, signals, and other treatments and identifies their official status (e.g., can be implemented, currently experimental).

Bicycle way treatments not explicitly covered by the *MUTCD* are often subject to experiments, interpretations and official rulings by the FHWA. The *MUTCD* Official Rulings is a resource that allows website visitors to obtain information about these supplementary materials. Copies of various documents (such as incoming request letters, response letters from the FHWA, progress reports, and final reports) are available on this website.



AASHTO Guide for the Development of Bicycle Facilities

The AASHTO *Guide for the Development of Bicycle Facilities*, updated in June 2012, provides guidance on dimensions, use, and layout of specific bicycle facilities. The standards and guidelines presented by AASHTO provide basic design information, such as minimum shared use pathway widths, bicycle lane dimensions, geometric design, detailed striping requirements and recommended signage and pavement markings.



US Department of Transportation (USDOT) Small Town and Rural Multimodal Networks Guide

https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/small_towns/

The *Small Town and Rural Multimodal Networks Guide* translates existing street design guidance and facility types for bicycle and pedestrian safety and comfort for the smaller scale places not addressed in guides such as the NACTO *Street Design Guide* and ITE *Walkable Urban Thoroughfares* report. The guide provides clear examples of how to interpret and apply design flexibility to improve bicycling and walking conditions. This guide pertains in particular to the Municipality of Anchorage as it is comprised of a small urbanized area and large rural area.

The stated goals of the guide include “to provide a bridge between existing guidance on bicycle and pedestrian design and rural practice, encouraging innovation in the development of safe and appealing networks for bicycling and walking in small towns and rural areas, and to provide examples of peer communities and project implementation that is appropriate for rural communities.”

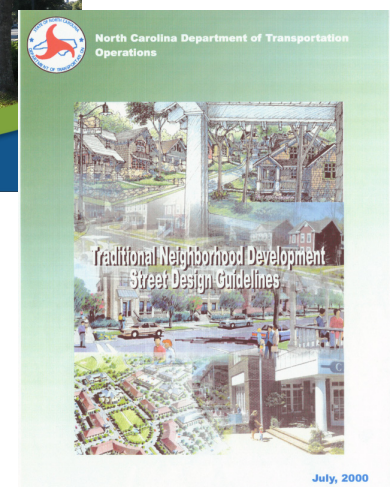
STATE GUIDANCE

North Carolina Department of Transportation (NCDOT):

- WalkBikeNC: The Statewide Pedestrian and Bicycle Plan: <https://www.ncdot.gov/bikeped/walkbikenc/default.aspx>
- North Carolina Terminology for Active Transportation: <https://connect.ncdot.gov/projects/BikePed/Documents/NC%20Terminology%20for%20Active%20Travel.pdf>
- NC Local Programs Handbook: <https://connect.ncdot.gov/municipalities/Funding/Pages/LPM%20Handbook.aspx>
- Traditional Neighborhood Development Guidelines: https://rosap.nhl.bts.gov/view/dot/34002/dot_34002_DSI.pdf?

Greenway Construction Standards:

- Greenway Standards Summary Memo: <https://connect.ncdot.gov/projects/BikePed/Documents/Greenway%20Standards%20Summary%20Memo.pdf>
- Design Issues Summary: <https://connect.ncdot.gov/projects/BikePed/Documents/Design%20Issues%20Summary.pdf>
- Greenway Design Guidelines Value Engineering Report: <https://connect.ncdot.gov/projects/BikePed/Documents/Greenway%20Design%20Guidelines%20Value%20Engineering%20Report.pdf>
- Summary of NCDOT Responses to Greenway Design Standards Value Engineering Study: <https://connect.ncdot.gov/projects/BikePed/Documents/Summary%20of%20Recommendations.pdf>
- Minimum Pavement Design Recommendations for Greenways: <https://connect.ncdot.gov/projects/Roadway/RoadwayDesignAdministrativeDocuments/Minimum%20Pavement%20Design%20Recommendations%20for%20Greenways.pdf>



A **APPENDICES**

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A - Priority Multi-Use Path and Sidewalks from the 2018 update to the Brevard Comprehensive Pedestrian Plan

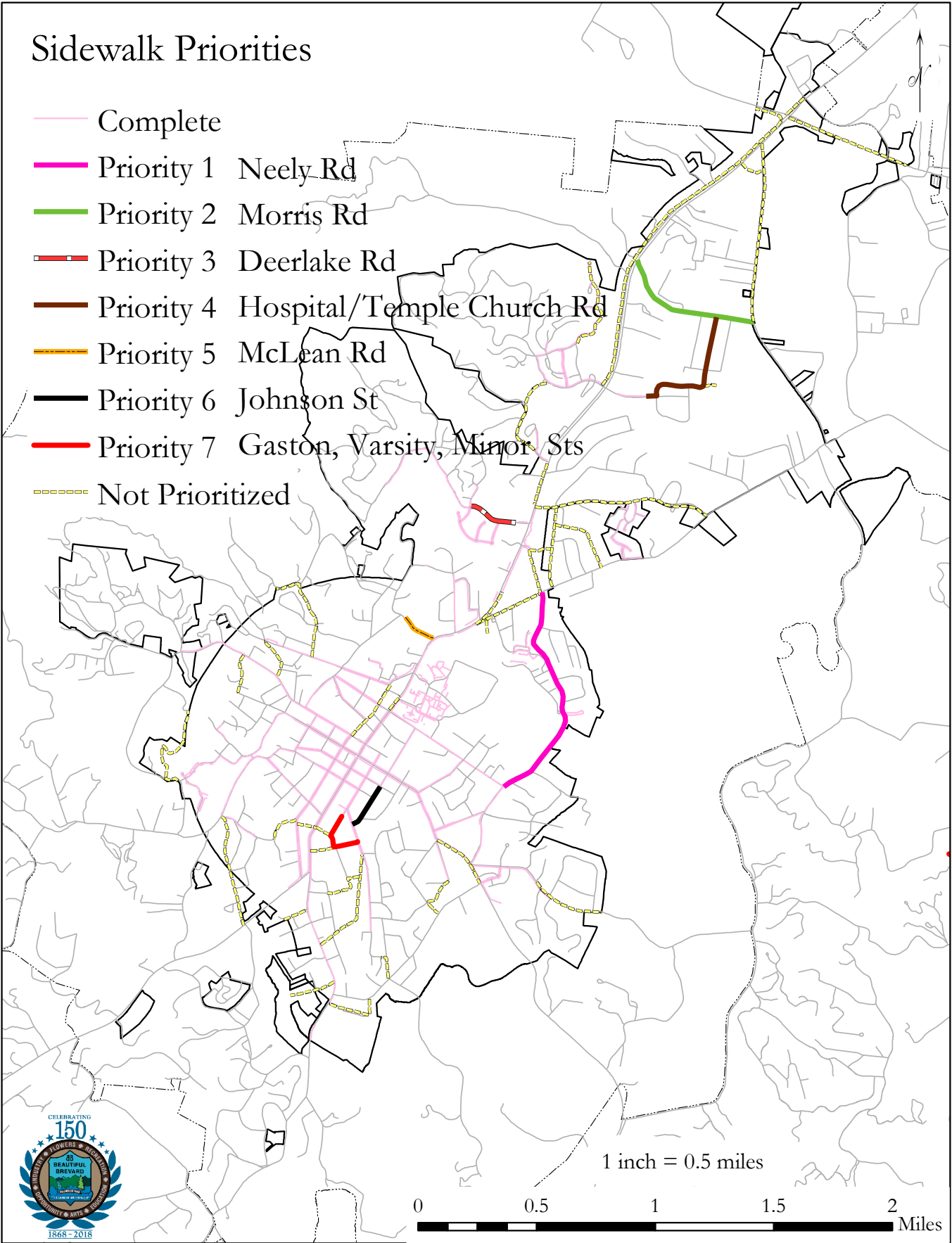
B - Collision Analysis (Continued)

C - Policy + Regulatory Review

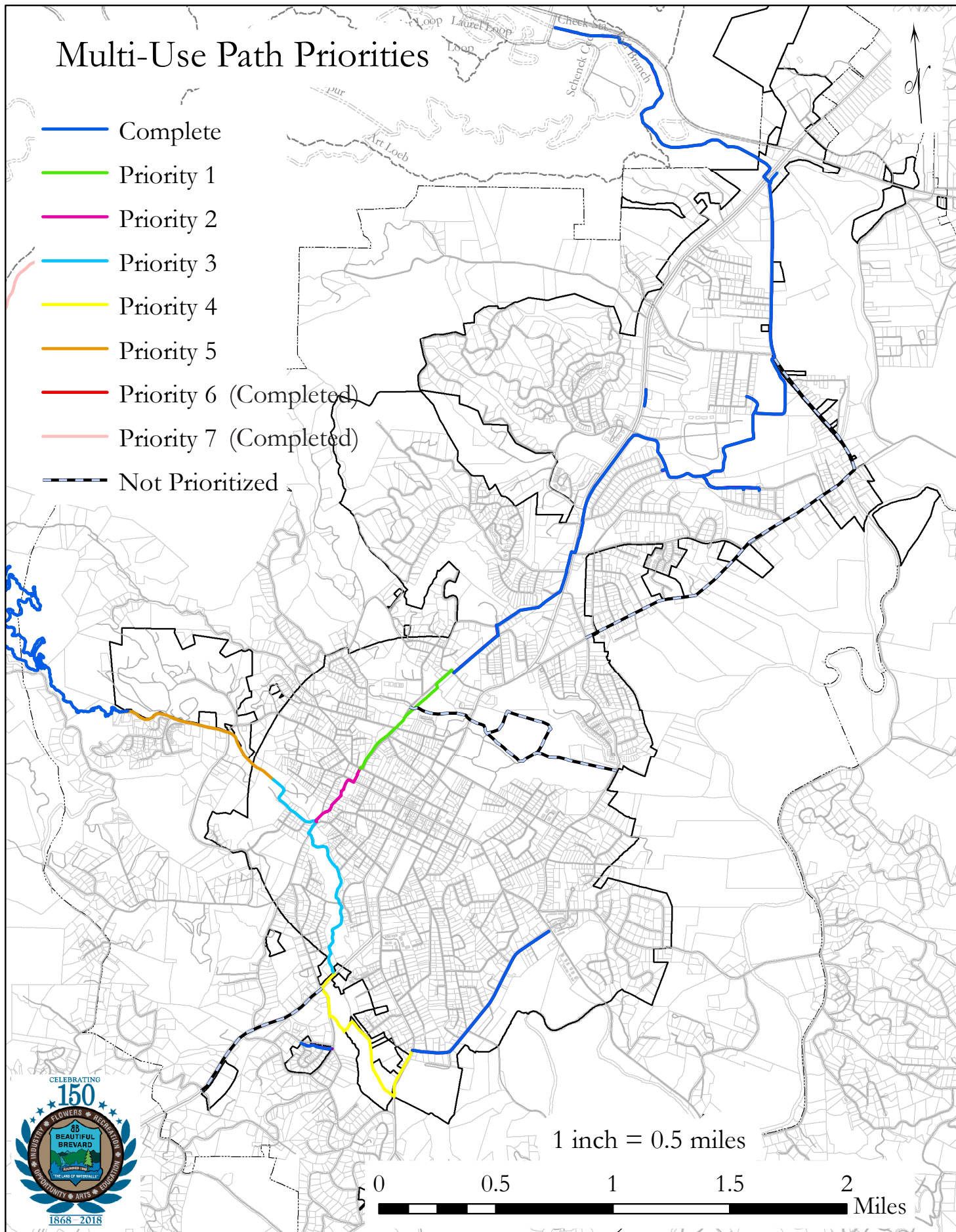
D - Detailed Cost Estimates

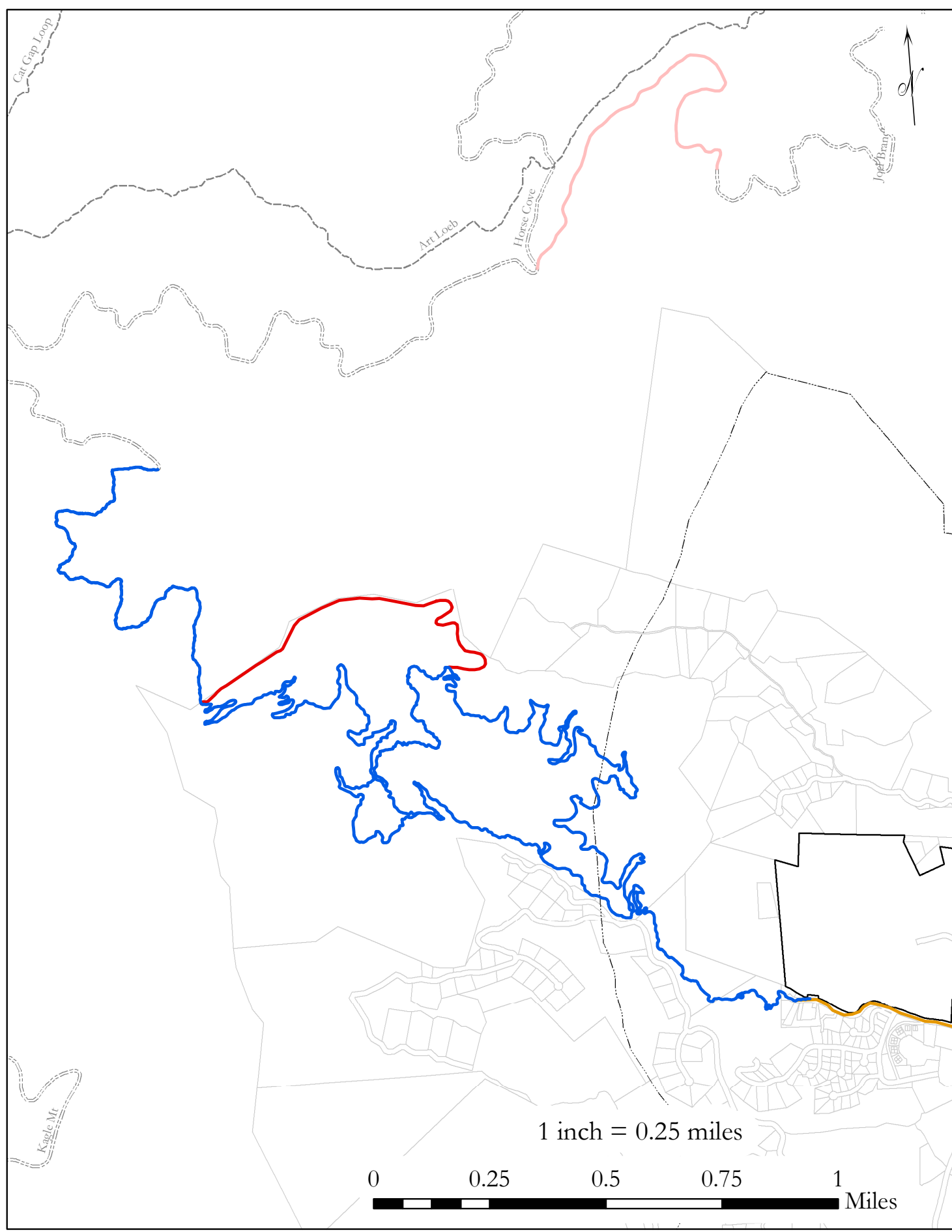
**E - LONG-TERM PROJECT LIST WITH PRIORITIZATION SCORES
(CONTINUED)**

APPENDIX A - PRIORITY SIDEWALK AND MULTI-USE PATH MAPS FROM THE 2018 UPDATE TO THE BREVARD COMPREHENSIVE PEDESTRIAN PLAN



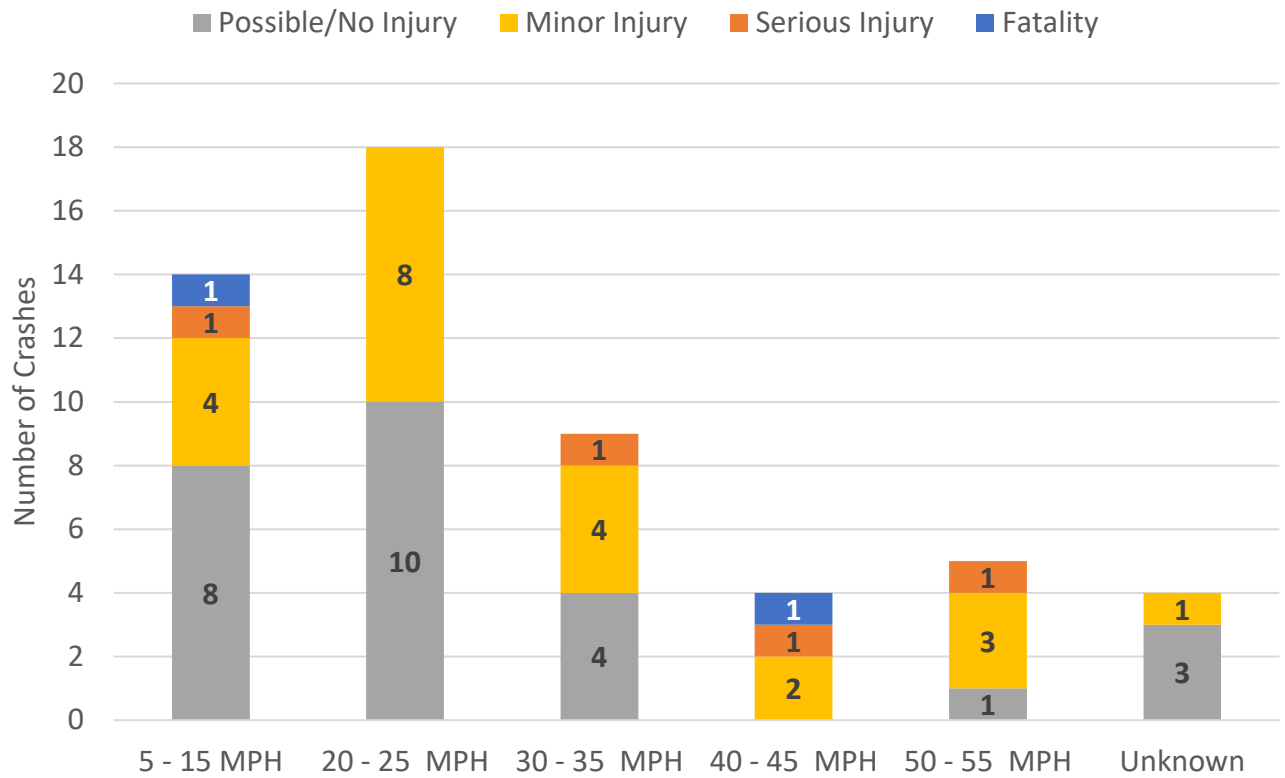
2018 Sidewalk Priorities



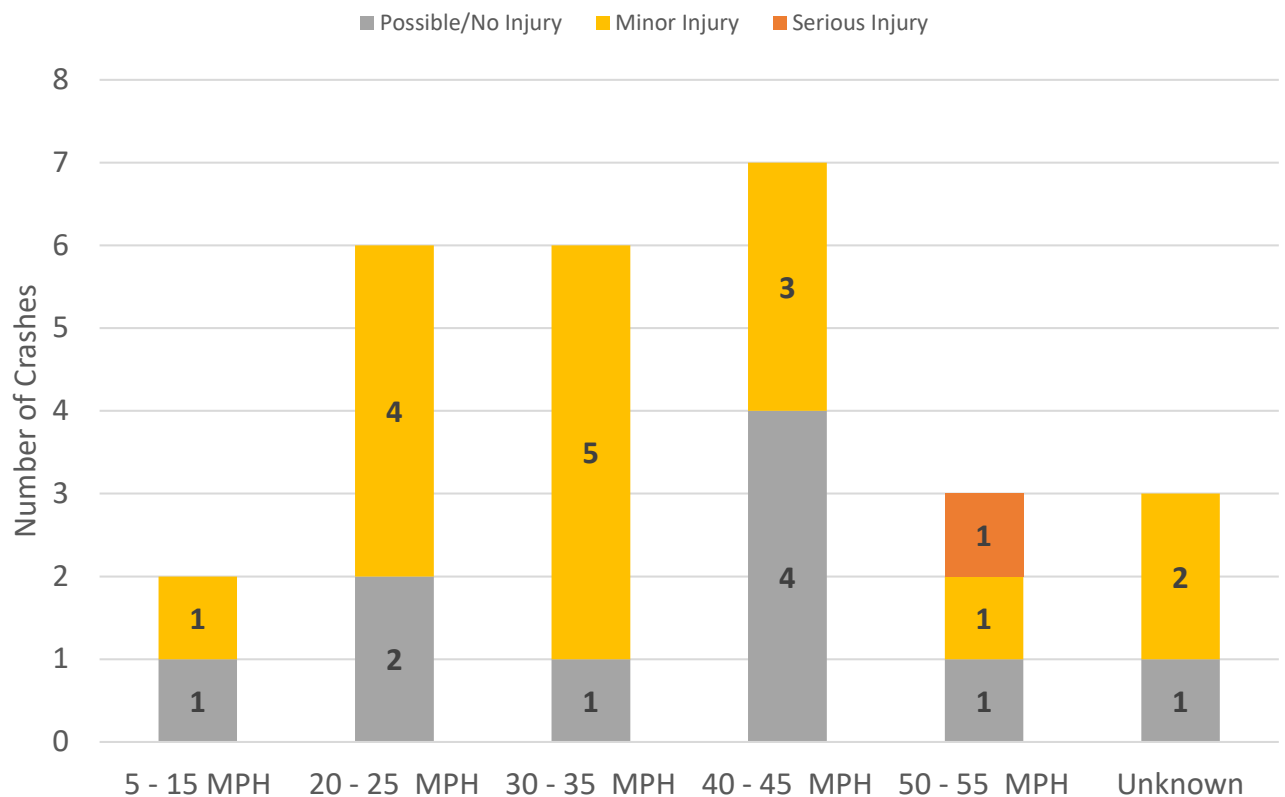


APPENDIX B - COLLISION ANALYSIS (CONTINUED)

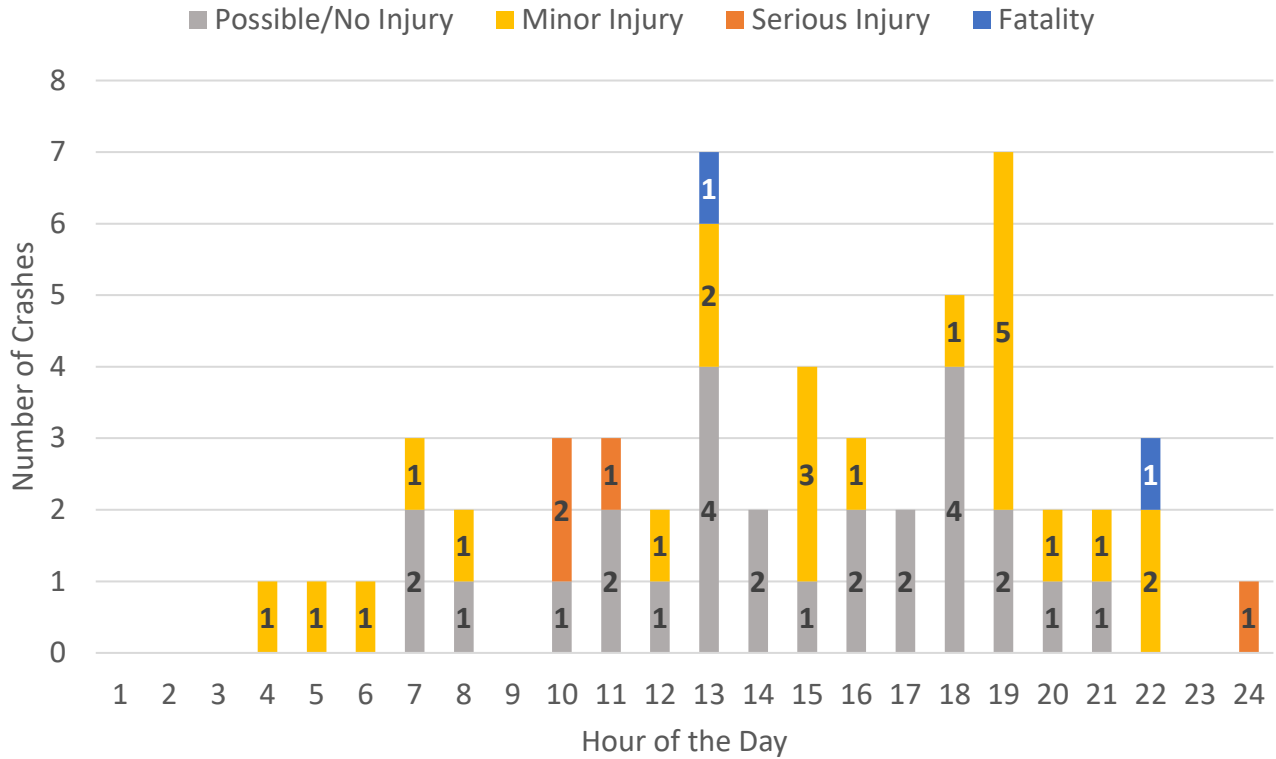
Pedestrian Injury Severity by Roadway Speed Limit (2007-2019)



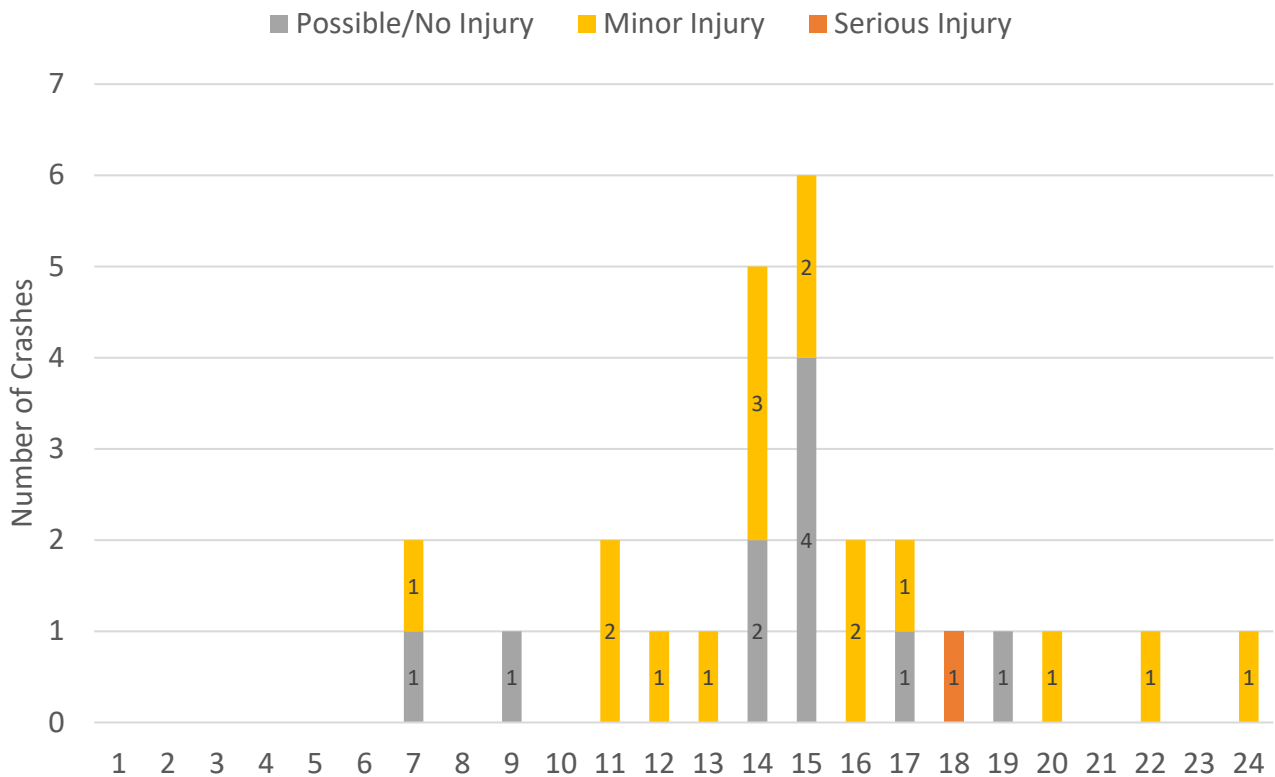
Bicycle Injury Severity by Roadway Speed Limit (2007-2019)



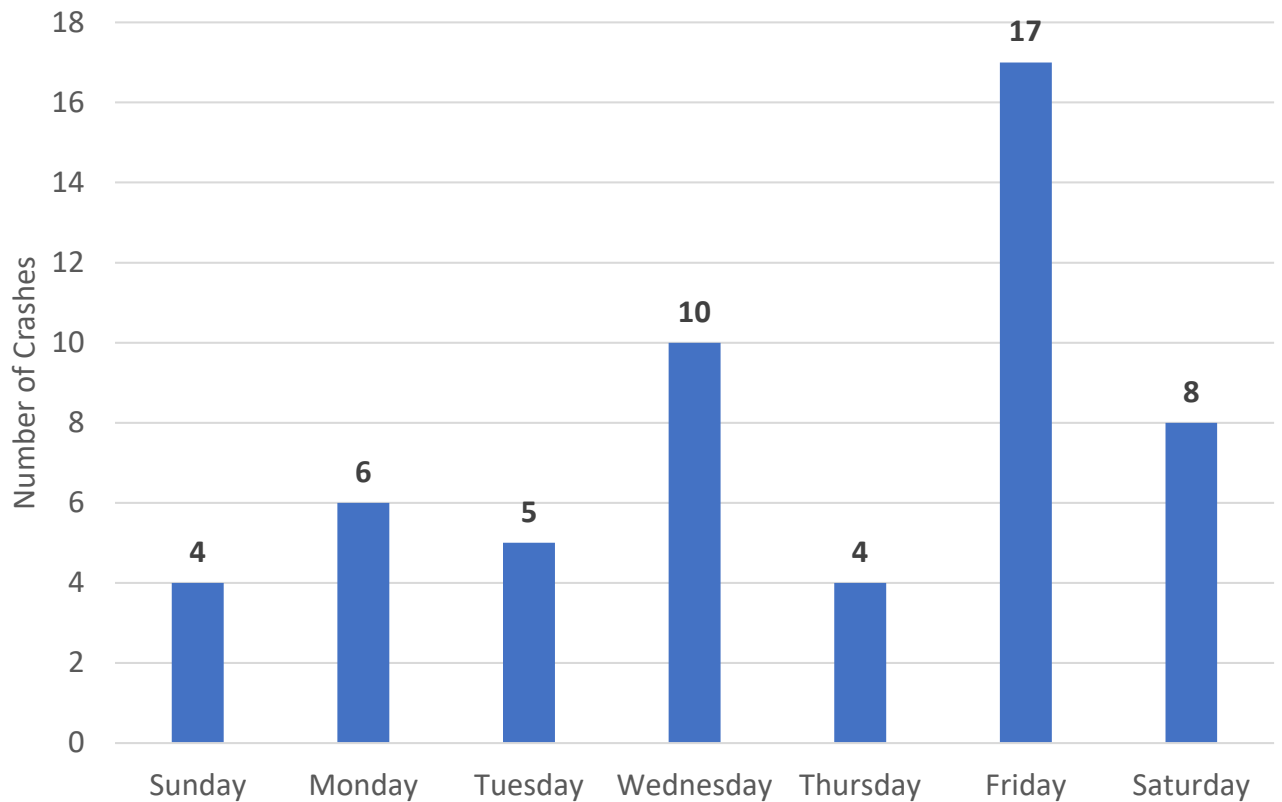
Time of Day Pedestrian Crashes Occurred (2007-2019)



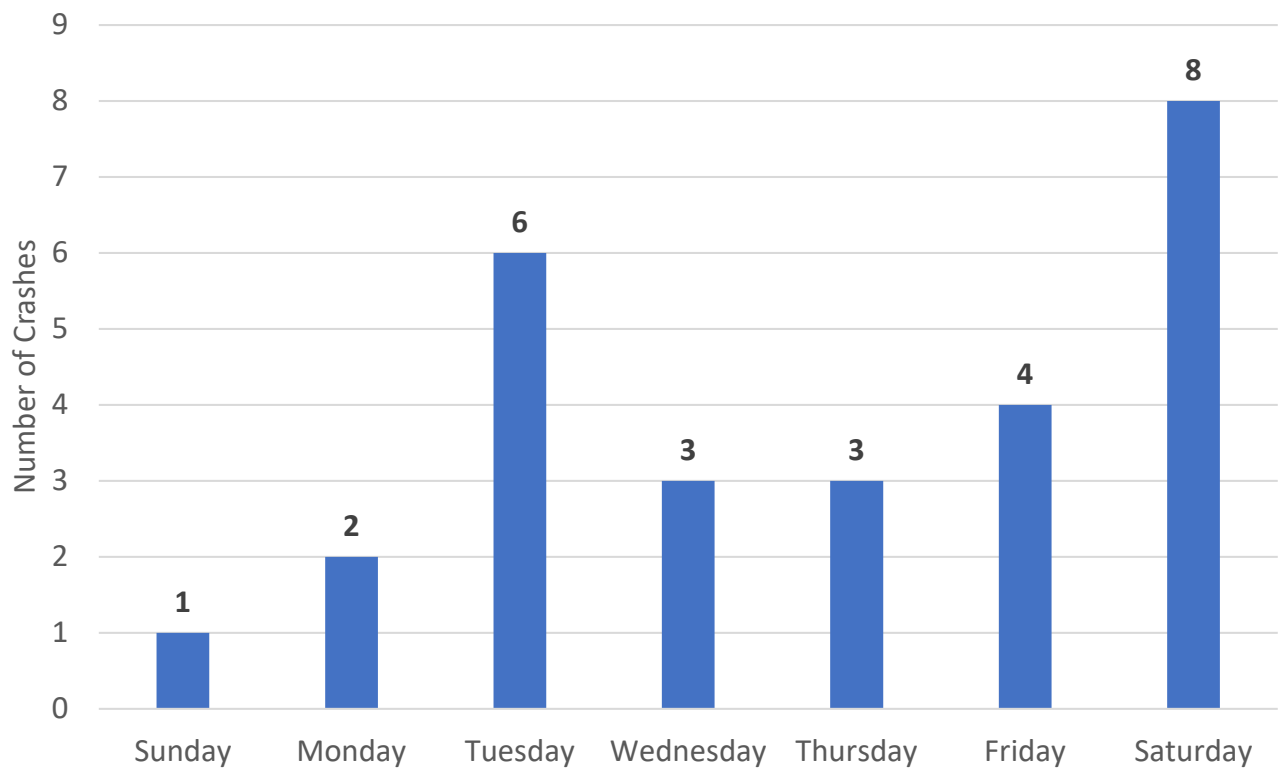
Time of Day Bicycle Crashes Occurred (2007-2019)



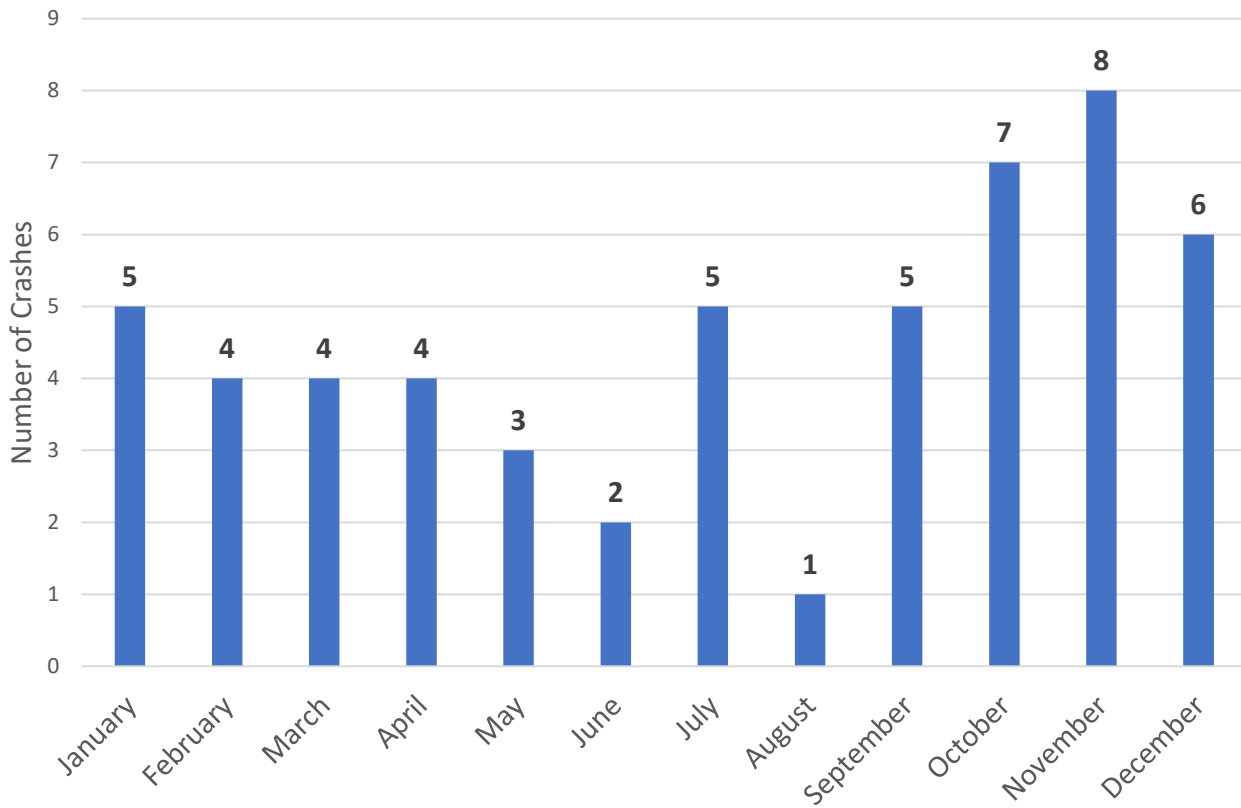
Pedestrian Crashes by Day of Week (2007-2019)



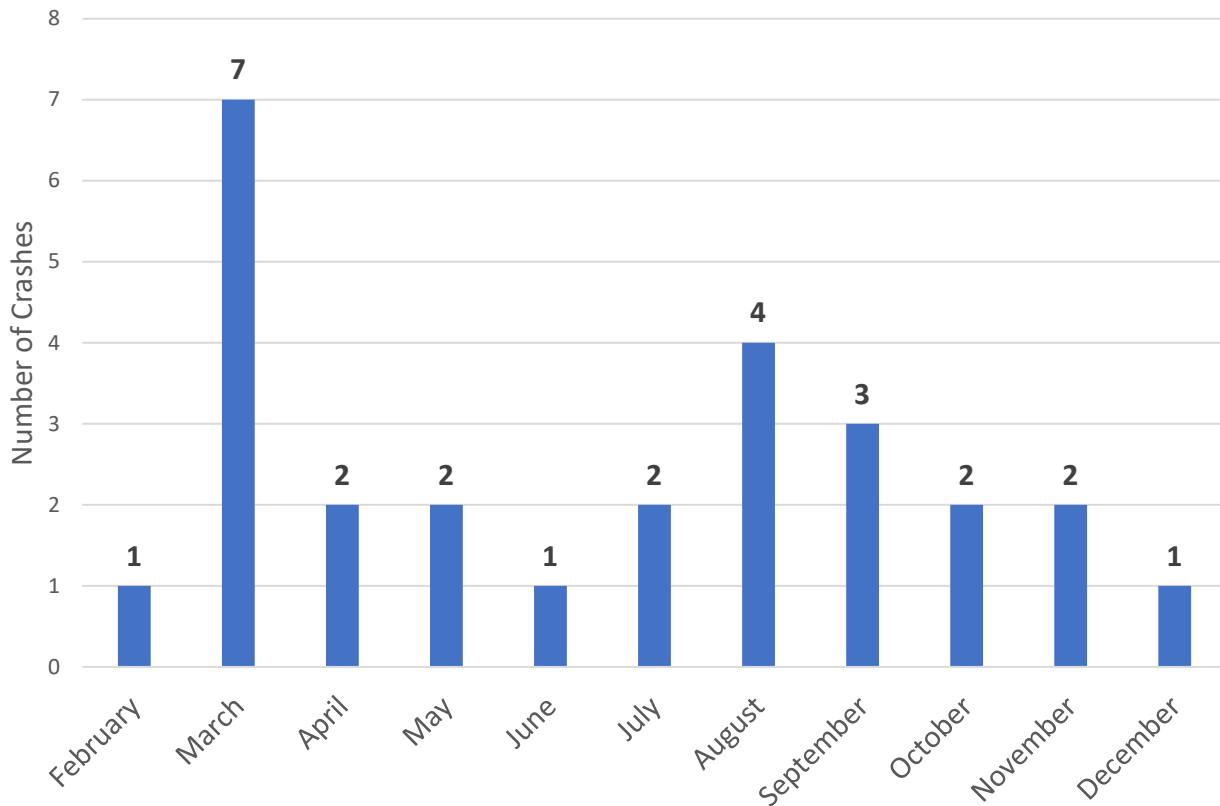
Bicycle Crashes by Day of Week (2007-2019)



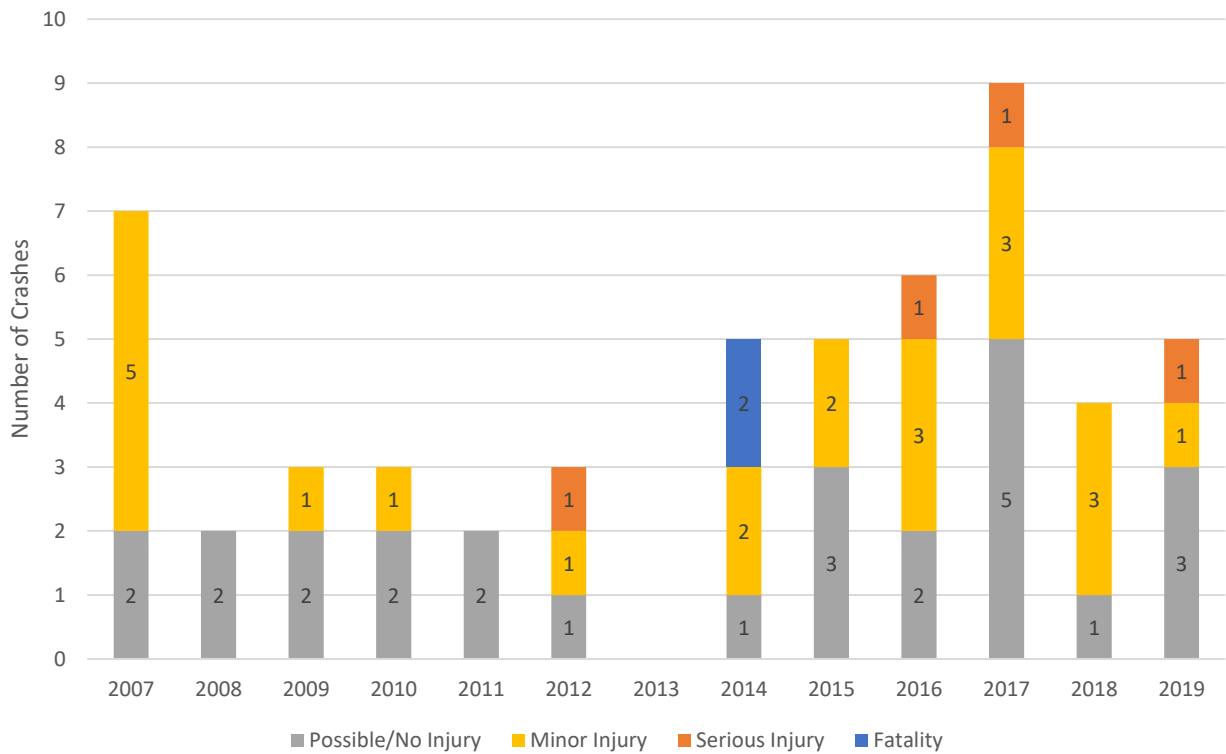
Pedestrian Crashes by Month (2007-2019)



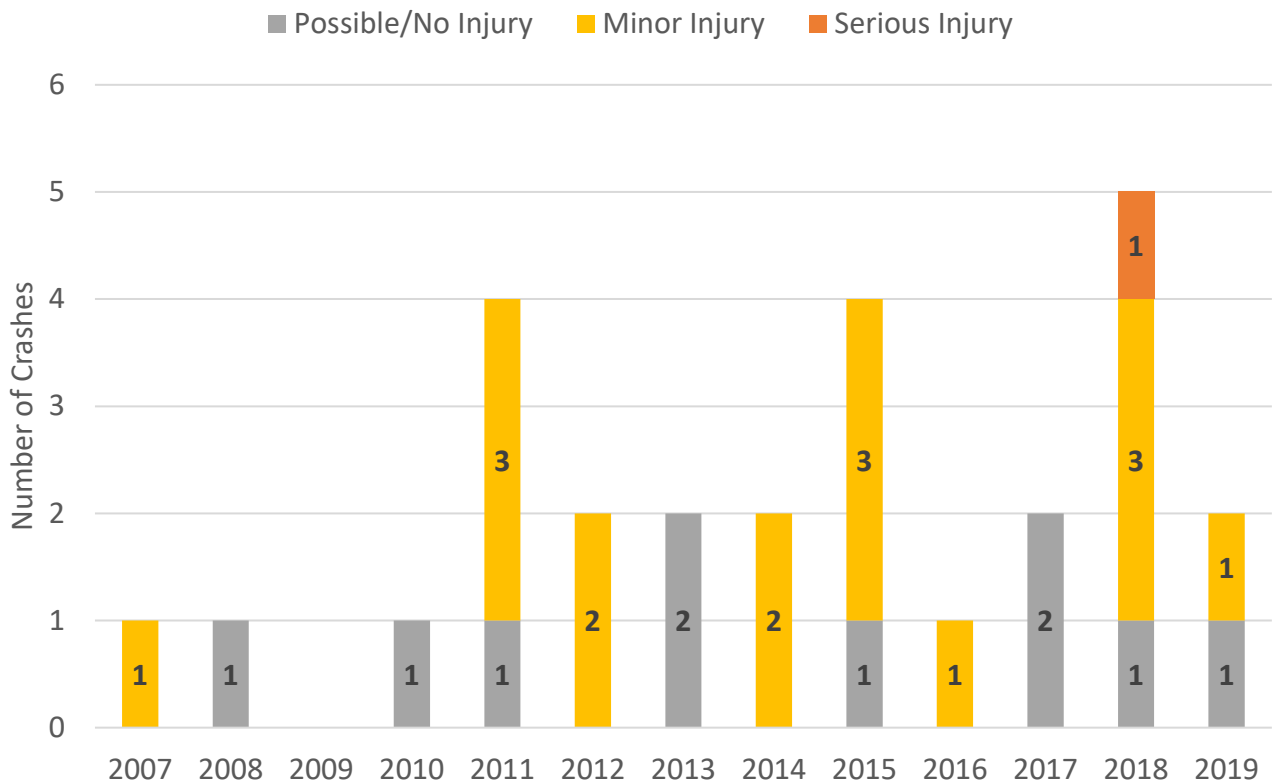
Bicycle Crashes by Month (2007-2019)



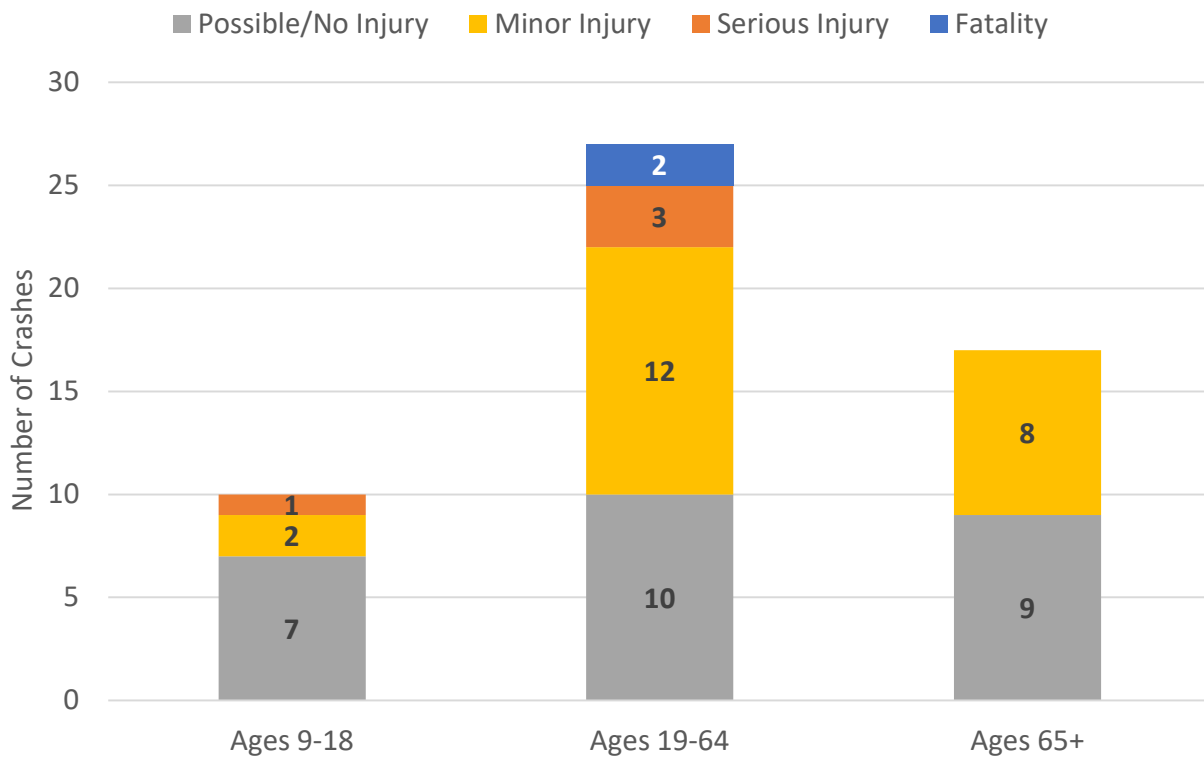
Pedestrian Crash Severity by Year (2007-2019)



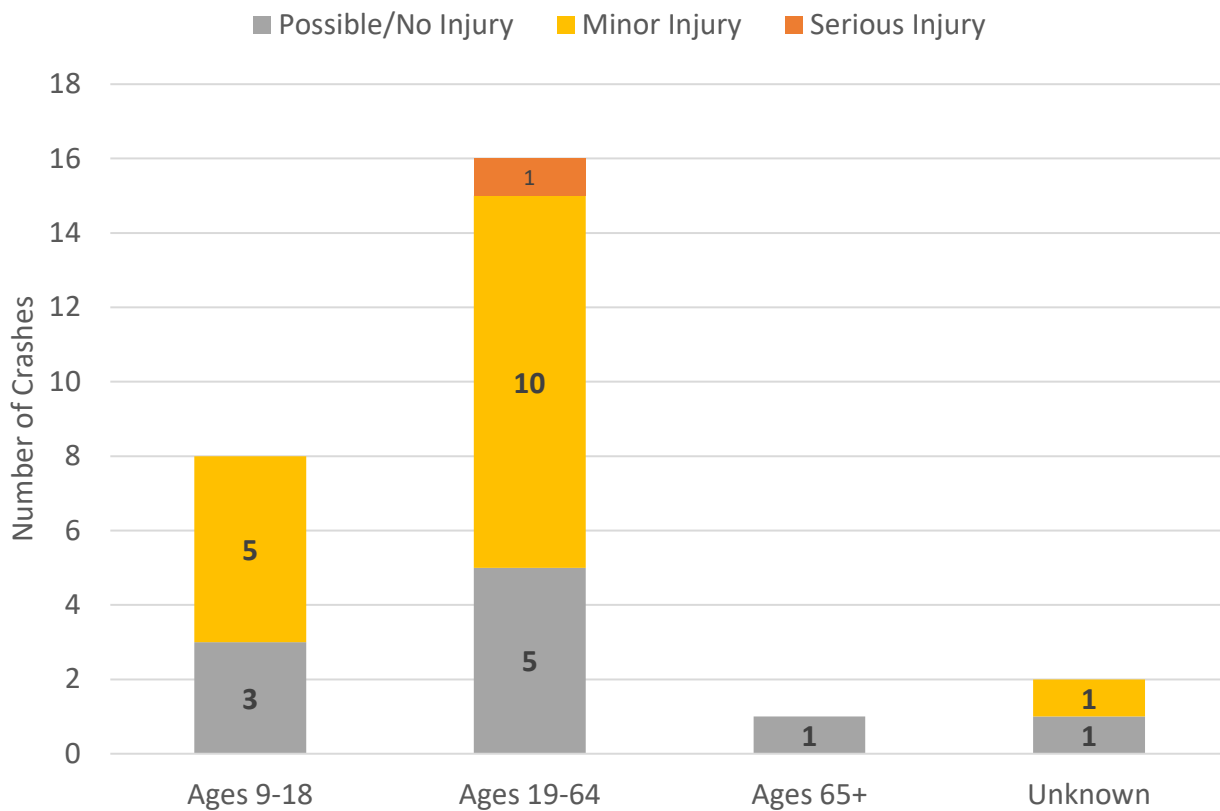
Bicycle Crash Severity by Year (2007-2019)



Pedestrian Crash Severity by Age Group (2007-2019)



Bicycle Crash Severity by Age Group (2007-2019)



APPENDIX C - POLICY & REGULATORY REVIEW

Brevard's regulatory standards and policies were analyzed and compared to model regulatory and policy language from around North Carolina and the US to identify and improve the regulatory language. This will enable the City to maximize sidewalks, on-road bicycle facilities, and multi-use trail improvements as new development, redevelopment, and corridor improvement projects are considered. The complete policy review is summarized on the following pages. The priority policy changes and recommendations that were identified through this review are presented in Chapter 4.

Topics/Strategies	Policies/Recommendations
1. Complete Streets and Greenways	
1.1. Implement Complete Streets Policy A complete streets policy allows cities and towns to work towards creating a street network that encourages pedestrian and bicycle travel and provides safe and comfortable roadways for all users. NCDOT's Complete Streets Planning and Design Guidelines will apply to all NCDOT-maintained streets in the City. The NCDOT guidelines also provide excellent guidance for locally maintained streets and street networks and complete streets planning and design processes, which can be applied in Brevard.	UDO, Adopted Plans, or Engineering/Design Standards EXCELLENT. Complete Streets Statement. From Resolution N. 2018-06: <i>The City of Brevard strongly endorses a Complete Streets approach to enhance transportation options for all and to improve quality of life for the residents of Brevard as follows:</i> 1. <i>The City of Brevard shall, to the maximum extent practical, plan, design, construct, operate, and maintain all City streets to provide a comprehensive and integrated street network for people of all ages and abilities traveling by foot, bicycle, automobile, and commercial vehicle.</i> 2. <i>The City of Brevard shall, to the maximum extent practical, advocate for State -maintained roads in the City to provide a comprehensive and integrated street network for people of all ages and abilities traveling by foot, bicycle, automobile, and commercial vehicle when coordinating on such projects with NCDOT officials.</i>
	General Recommendations Consider adding as acceptable references for street design: - <i>NCDOT Complete Street Implementation Guide</i> - <i>NCDOT Complete Streets Policy Guidance memo</i> - <i>NCDOT Roadway Design Manual</i> - <i>NCDOT Complete Streets Planning and Design Guidelines</i> - <i>NCDOT Traditional Neighborhood Street Design Guidelines</i> - <i>FHWA Bikeway Selection Guide</i> - <i>FHWA Separated Bike Lane Guide</i> - <i>AASHTO Guide for the Design of Bicycle Facilities (latest edition; in the process of being updated at time of plan adoption.)</i> - <i>NACTO Urban Street Design Guide</i> - <i>NACTO Urban Bikeway Design Guide</i> - <i>Other State and national guidance, as relevant</i>
	In addition to the very thorough NCDOT's Complete Streets Policy documents and Complete Streets Planning and Design Guidelines*, Smart Growth America provides great resources for designing streets that cater to all users, including a best practices guide co-authored with the National Complete Streets Coalition. (*NCDOT's Planning & Design Guidelines were developed to provide planners, designers and decision makers with a framework for evaluating and incorporating various design elements into transportation projects and processes. For NCDOT's policy on implementation and funding of Complete Streets, see NCDOT's 2019 Complete Streets Policy Guidance memo and the NCDOT Complete Street Implementation Guide and NCDOT Roadway Design Manual .)

Topics/Strategies	Policies/Recommendations
1.2 Develop Complete Street Design Guidelines for a variety of contexts and all street/roadway user groups The subsections below include recommendations for pedestrian- and bicycle-related elements of Complete Streets and complete pedestrian and greenway networks. Sidewalks, greenways, and streetscape amenities such as street trees and lighting are some most fundamental elements of Complete Streets for pedestrians and greenway users. Access management, multi-modal level of service assessments, and traffic calming are also critical for developing complete street networks for walking through the development review and capital project implementation process..	UDO, Adopted Plans, or Engineering/Design Standards
	Good , but there are areas for improvement noted in the sections to follow.
	General Recommendations The NCDOT <i>Complete Street Planning and Design Guidelines</i> and the design guidelines that accompany this plan include recommendations on complete street design elements for pedestrians and greenway users. Brevard could adopt and endorse the NCDOT guidelines and other national guidelines, including the NACTO Urban Street Design Guide . The design guidance should be integrated into Brevard's Unified Development Ordinance. See examples from the Raleigh Street Design Manual and the Charlotte Urban Street Design Guidelines . Consider adopting by reference for street design one or more of the following and including in the new UDO: - NCDOT Complete Streets Planning and Design Guidelines - NCDOT Traditional Neighborhood Street Design Guidelines - The design guidelines included in this plan
1.3. Require pedestrian accommodations, including by roadway type Pedestrian facilities should be determined based on street types and land uses of a given roadway corridor.	UDO, Adopted Plans, or Engineering/Design Standards
	Excellent.
	Section 13.5.N.10, <i>Pedestrian and bicycle infrastructure</i> , requires pedestrian and bicycle improvements based on Zoning District and by street type—whether it is a City Street or an NCDOT Street. General Recommendations Consider adopting by reference for street design one or more of the following and including in the new UDO: - NCDOT Complete Streets Planning and Design Guidelines - NCDOT Traditional Neighborhood Street Design Guidelines - The design guidelines included in this plan

Topics/Strategies	Policies/Recommendations
1.4. Require designated bikeways (bicycle lanes, shoulders, greenways, etc) during new development or redevelopment or capital roadway projects	UDO, Adopted Plans, or Engineering/Design Standards
	Excellent. <i>Section 13.5.N. Pedestrian and bicycle infrastructure:</i> <i>Sidewalks, multi-use paths, or other pedestrian/bicycle infrastructure shall be constructed in accordance with the following requirements:</i> <i>In determining the type of pedestrian/bicycle infrastructure that shall be required the Administrator shall refer to any adopted plan or policy of the city for guidance. Such plans or policies include but are not limited to: City of Brevard Comprehensive Transportation Plan, City of Brevard Comprehensive Pedestrian Plan, City of Brevard Street Schedule, City of Brevard Comprehensive Land Use Plan, City of Brevard Recreation Plan, other master plans and small area plans, and other plans and policies.</i> <i>Sidewalks, multi-use paths, and other pedestrian and bicycle improvements shall be installed by the developer and dedicated to the city prior to the approval of any final subdivision plat, or issuance of final zoning approval or certificate of occupancy for any development plan. Pedestrian and/or bicycle infrastructure shall be constructed within the street right-of-way. The approving authority shall require the dedication of additional street right-of-way or a pedestrian easement when sufficient right-of-way does not exist to comply with this requirement. The approving authority may accept the dedication of additional right-of-way or a pedestrian easement in order to accommodate alternative routes and designs that do not follow streets.</i> See also, Subsections 3-8 for further detail. See also, Subsection 9.d: <i>Multi-use paths and other infrastructure:</i> <i>d. On-street bicycle lanes shall be required when called for upon an adopted plan or policy of the city.</i>
	General Recommendations
	None
1.5. Require dedication, reservation or development of greenways	UDO, Adopted Plans, or Engineering/Design Standards
	Excellent. See Section 13.5.N, detailed above. See also, Subsection 9: <i>Multi-use paths and other infrastructure:</i> <i>Multi-use paths, and other pedestrian and bicycle infrastructure shall be provided instead of or in addition to sidewalks wherever called for on an adopted plan or policy of the city. Such plans or policies include but are not limited to: City of Brevard Comprehensive Transportation Plan, City of Brevard Comprehensive Pedestrian Plan, City of Brevard Street Schedule, City of Brevard Comprehensive Land Use Plan, City of Brevard Recreation Plan, other master plans and small area plans, and other plans and policies.</i> <i>When a multi-use path is required in an area not adjacent to a public or private street, then such facility shall be credited towards the satisfaction of the open space requirements as set forth in Chapter 7 of this ordinance.</i> <i>All required multi-use paths shall be dedicated to the City of Brevard by means of right-of-way or pedestrian easement.</i>
	General Recommendations
	None
1.6. Require new sidewalks, greenways, etc., to connect to existing facilities	UDO, Adopted Plans, or Engineering/Design Standards
	Needs improvement. None
	General Recommendations
	Connectivity of facilities is critical for walking and biking conditions. New development should be required to connect to or extend existing facilities bicycle and pedestrian facilities. See the following for other examples: Chapter 6 of Wake Forest, NC UDO for recommendations for bikeways and greenways, especially sections 6.5.3, 6.8.2, 6.9, 6.10. Chapter 7 of the Wilson, NC UDO regarding greenways. New Hanover County, NC's EDZD Zoning District provides points for new developments that connect to the existing bike-way network and key destinations and provides a good definition of the bikeway network. (Section 54.1-14 and following.)

Topics/Strategies	Policies/Recommendations
1.7. Consider pedestrian concerns and Level of Service (LOS) in Traffic Impact Analyses and other engineering studies	UDO, Adopted Plans, or Engineering/Design Standards
	Needs improvement. No specific guidelines for pedestrian LOS analysis or mitigation are included in the UDO.
	General Recommendations
	Brevard should consider adopting multi-modal of service standards where active transportation and transit use are expected to be high. Consideration of bicycle and pedestrian levels of service assure adequate facilities for bicyclists and pedestrians in new development and capital improvements. This also helps promote walking and bicycling as a legitimate means of transportation. The NCDOT Complete Streets Planning and Design Guidelines provides factors of “Quality of Service “ and LOS for bicycle, pedestrian, and transit modes (See Chapter 3, page 39 and Chapter 5). The City of Raleigh’s Street Design Manual uses multimodal level of service approach in determining road improvements and traffic mitigation. Charlotte, NC uses Pedestrian LOS and Bicycle LOS Methodologies for intersection improvements in their Urban Street Design Guidelines.
1.8. Adopt traffic calming programs, policies, and standards Traffic calming on local streets increases safety and comfort for all roadway users, including pedestrians and bicyclists. It also increases neighborhood livability.	UDO, Adopted Plans, or Engineering/Design Standards
	Needs improvement. A policy exists, but no specific measures or design standards are specified. <i>Section 13.5.G. Traffic calming devices:</i> <i>The use of approved traffic calming measures is encouraged as alternatives to conventional traffic control measures on Neighborhood Streets and within circulation areas of commercial and mixed-use developments.</i>
	General Recommendations
	FHWA has developed a comprehensive Traffic Calming ePrimer. See also the NACTO Urban Bikeway Design Guide section on Bicycle Boulevards, which includes traffic calming measures. The Town of Huntersville has an excellent example of neighborhood traffic calming policy that is a great model for other communities. Such traffic calming measures, if adopted by Brevard, could be used to enhance bicycle boulevard treatments in the community.
1.9. Develop an access management program or policy Limiting turning movements on major roadways and requiring cross-access between adjacent parcels of land, including commercial developments, is a great tool for reducing the amount of traffic and turning movements on major roads while increasing safety and connectivity for pedestrians, bicycles, and cars.	UDO, Adopted Plans, or Engineering/Design Standards
	Good. <i>Section 9.3. Access Management</i> specifies the terms of the Access Management standards and also states that, “Where the NCDOT Driveway Manual or Median Crossover Guide conflicts with these standards, the stricter of the two standards should prevail.”
	General Recommendations
	The NCDOT Complete Streets Planning and Design Guidelines provides recommended “Access Density” guidelines (See Chapter 4, page 61 and 62 and following).

Topics/Strategies	Policies/Recommendations
2. Pedestrian & Bicycle Urban Design Elements	
2.1 Require Planting Strips and Street Trees When planted in a planting strip between the sidewalk and the curb, street trees provide a buffer between the pedestrian zone and the street. In addition to their value for improving the air quality, water quality, and beauty of a community, street trees can also help slow traffic and improve comfort for pedestrians. Trees add visual interest to streets and narrow the street's visual corridor, which may cause drivers to slow down.	UDO, Adopted Plans, or Engineering/Design Standards Excellent. Section 13.5. Landscaping: 1. Streets shall be landscaped with street trees. Commercial streets shall have trees which complement the face of the buildings and which shade the sidewalk. Residential streets shall provide for an appropriate canopy, which shades both the street and sidewalk, and serves as a visual buffer between the street and the home. 2. All street trees shall be installed in accordance with Chapter 8 of this ordinance. Large canopy trees shall be planted in a planting strip at a minimum average distance of 40 feet on-center. 3. The minimum width of all planting strips shall be six feet. For large canopy trees such as Willow Oaks and Red Maples, a minimum of eight foot planting strip is suggested.
	General Recommendations None
2.2 Require Pedestrian-Scale Street Lighting	UDO, Adopted Plans, or Engineering/Design Standards Excellent. Section 11.2.- Outdoor lighting standards and Section 11.5.- Street lighting detail lighting requirements for the safety of cars and pedestrians, and Subsection 11.5.C specifies that: "Pedestrian lighting should be prioritized over automobile lighting. Lighting should be placed in a manner to limit the casting of shadows on sidewalks."
	General Recommendations None
2.3. Adopt bicycle parking requirements	UDO, Adopted Plans, or Engineering/Design Standards Needs improvement. Section 10.3.C. Bicycle parking: Group developments, planned developments, multi-family developments containing more than three dwelling units, conditional zoning districts, and special use permit developments, and any other development requiring ten or more parking spaces shall provide secure bicycle storage capable of serving building users. One bicycle space shall be provided for every 20 required automobile parking spaces as determined by Section 10.3.A, with a minimum of one 4-bicycle rack. Bicycle racks are encouraged to be placed in convenient locations near building entrances. The administrator may adjust bicycle parking requirements to account for shared parking, buildings located in close proximity to one another, or the presence of public bicycle racks in close proximity.
	General Recommendations The design standards do not specify the type of bicycle racks that should be used. This plan suggests that inverted U-racks be used and that wave racks not be allowed as they do not provide adequate security, capacity, or balance for bicycles. Also, the standards do not differentiate between short-term and long-term bicycle parking in terms of the amount of bicycle parking to be provided. Different standards of bicycle parking are needed for short-term visitors and customers and for longer term users like employees, residents, and students. See City of Wilson UDO, Chapter 9: Parking & Driveways , Section 9.4 and 9.6. Good standards for bicycle parking design can be found through the Association of Pedestrian and Bicycle Professionals' Bicycle Parking Guidelines. (www.apbp.org) The City of Charlotte has excellent standards for long-term and short-term bicycle parking in its Zoning Ordinance. Bicycle Parking Model Ordinance , Change Lab Solutions.

Topics/Strategies	Policies/Recommendations
3. Connectivity Requirements	
3.1. Block size requirements	UDO, Adopted Plans, or Engineering/Design Standards
<i>"[A] Good [street] network provides more direct (shorter) routes for bicyclists and pedestrians to gain access to the thoroughfares and to the land uses along them (or allows them to avoid the thoroughfare altogether). Likewise, good connections can also allow short-range, local [motor] vehicular traffic more direct routes and access, resulting in less traffic and congestion on the thoroughfares. This can, in turn, help make the thoroughfare itself function as a better, more complete street. For all of these reasons, a complete local street network should generally provide for multiple points of access, short block lengths, and as many connections as possible."</i> (NCDOT Complete Streets Planning and Design Guidelines, p 59)	Excellent. Section 13.5.K. Blocks: 1. The lengths, widths, and shapes of blocks shall be determined with due regard to: a. The provision of adequate building sites suitable to the special needs of the type of use contemplated, and adequate public open spaces accessible and visible to residents. b. District requirements and design criteria. c. Needs of non-vehicular and vehicular traffic circulation and traffic control and safety. d. Opportunities and constraints of topography, with convenient access to important physical and topographical features such as lakes and rivers, significant areas of trees and other natural features, and areas of high ground offering scenic views. 2. Blocks shall not be less than 200 feet nor more than 660 feet (1/4-mile), as measured from edge of right-of-way, unless site and topography or other special circumstances are present as determined by the administrator. Where deemed necessary by the administrator, a pedestrian crosswalk of at least ten feet in width may be required. 3. Blocks shall have sufficient width to allow two tiers of lots of minimum depth except where single tier lots are required to separate residential development from another type of use, or when abutting a perennial stream or lake.
	General Recommendations See the example table on page 59 of the NCDOT Complete Streets Planning and Design Guidelines for a context-based approach to block size. See City of Charlotte Subdivision Ordinance, Section 20-23 for good example of context-based connectivity requirements and block standards.

Topics/Strategies	Policies/Recommendations
3.2. Require connectivity/cross-access between adjacent land parcels <i>“[A] Good [street] network provides more direct (shorter) routes for bicyclists and pedestrians to gain access to the thoroughfares and to the land uses along them (or allows them to avoid the thoroughfare altogether). Likewise, good connections can also allow short-range, local [motor] vehicular traffic more direct routes and access, resulting in less traffic and congestion on the thoroughfares. This can, in turn, help make the thoroughfare itself function as a better, more complete street. For all of these reasons, a complete local street network should generally provide for multiple points of access, short block lengths, and as many connections as possible.” (NCDOT Complete Streets Planning and Design Guidelines, p 59)</i>	UDO, Adopted Plans, or Engineering/Design Standards
	Excellent. Brevard has language regarding connectivity, as quoted below. Its UDO also specifies using a connectivity index in order to ensure a high degree of connectivity (Section 9.2. - Connectivity index). <i>Section 13.5. - Street design.</i> <i>B.Streets to connect: Streets shall interconnect within a development and with adjoining development in accordance with Chapter 8 and 10 of this ordinance. Culs-de-sac are permitted only where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs shall be provided with development adjacent to open land to provide for future connections at the discretion of the administrator. Streets shall be planned with due regard to the designated corridors shown on adopted plans and policies of the city or Transylvania County.</i>
	General Recommendations
	Requiring connectivity or cross-access between adjacent developments is a great tool for reducing the amount of traffic on major roads while increasing connectivity for pedestrians, bicycles, service vehicles, and neighborhood access. For good model language, see City of Wilson, NC UDO, Section 6.4: Connectivity Or City of Catawba Forest, NC UDO, Section 6.5, Connectivity. Both codes above also provide requirements for when bicycle/pedestrian connections between parcels, public open space, and between cul-de-sacs is required.

Topics/Strategies	Policies/Recommendations
3.3. Limit dead end streets or cul-de-sacs Dead end streets or Cul-de-sacs, while good at limiting motor vehicular traffic in an area, are a severe hindrance pedestrian and bicycle connectivity and over all neighborhood/community accessibility, including for emergency access and other services.	UDO, Adopted Plans, or Engineering/Design Standards
	Excellent. See Section 13.5.B, above, regarding connectivity and street design, where cul-de-sac are also discussed. <i>Section 13.5.O. Culs-de-sac and closes. Where practical, a close (see graphic, below) shall be used in place of a cul-de-sac. Culs-de-sac and closes shall be designed to facilitate the turning radius of emergency vehicles.</i>
	General Recommendations
	None
4. Resources	
The following documents were referenced for this policy and regulatory review. Other references for best practices are listed in the columns on far the right.	UDO, Adopted Plans, or Engineering/Design Standards
	City of Brevard's Unified Development Code
	General Recommendations
	REFERENCED DOCUMENTS AND OTHER RESOURCES: 1. NCDOT Complete Streets Planning and Design Guidelines (July 2012) 2. NCDOT Traditional Neighborhood Development (TND) Guidelines. 3. City of Wilson, NC UDO. 4. City of Wendell, NC UDO. 5. City of Wake Forest, NC UDO. 6. New Hanover County Zoning Ordinance 7. FHWA Traffic Calming ePrimer 8. Town of Huntersville neighborhood traffic calming policy 9. City of Charlotte Subdivision Ordinance 10. Association of Pedestrian and Bicycle Professionals' Bicycle Parking Guidelines, www.apbp.org. 11. Bicycle Parking Model Ordinance, Change Lab Solutions. And other documents noted in this column in the rows above.

APPENDIX D - DETAILED COST ESTIMATES

Priority Project #1 - Osborne Road Shared Use Path

SIT 2: Off-Road/Separated Linear Bicycle Facility

Start Over



Project Name

Osborne Rd sidepath

SPOT ID

Project Type:

Shared-Use Path, Multi-Use Path, Rail-Trail, or Sidepath

1

Total Project Length

3,965

feet

2

Proposed Facility Width (Default is 10 feet)

10

feet

3

Project Located on Both Sides of the Road

☐ YES

☒ NO

4

County

Transylvania

5

City

Brevard

6

Surrounding Development Type

Suburban

7

Registered Historic District

☐ YES

☒ NO

8

Existing Curb & Gutter within Project Area

☒ YES

☐ NO

9

Number of Stream Crossings

0

10

Percentage of ROW Area Needed

None (0-15%)

11

Impact to Active Railroad Track or Railroad ROW

☐ YES

☒ NO

12

Roadways Intersected

Interstate	0
Freeway	0
Major Arterial	0
Arterial	0
Major Collector	0
Collector	0
Local Road	4
Total	4

14

Number of Existing Bridges

Interstate	0
Freeway	0
Major Arterial	0
Arterial	0
Major Collector	0
Collector	0
Local Road	0
Small Stream	0
Medium Stream	0
Large Stream	0
Railroad	0
Total	0

13

Signalized Intersections Crossed
(Number within Total Roadways Intersected)

0

15

Submitted by

HMALONEY

Date:

4/30/2022

Generate Cost

Clear

Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	2,035,000
Design	\$	295,000
ROW	\$	5,000
Utilities	\$	70,000
Construction	\$	1,665,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

Disclaimers

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This tool is limited in accuracy by user inputs and the complexity of questions presented for each project. If the inputs are incorrect, the tool's accuracy will be diminished.

This tool does not estimate costs associated with the purchase or taking of buildings within its ROW estimate calculations. It is assumed that projects would require land acquisition only.

Estimates for the construction of new and/or the modification of existing structures (bridges or tunnels) have been simplified to estimate an assumed width of each structure based on the type of feature crossed and other factors. The construction of new and/or modification of existing structures can be exponentially complex based on project specifications. A separate feasibility study is highly recommended to address the high variability associated with structure costs.

Priority Project #2 - Neely Road Shared Use Path

SIT 2: Off-Road/Separated Linear Bicycle Facility

Start Over



Project Name

Neely Road Sidepath

SPOT ID

Project Type:

Shared-Use Path, Multi-Use Path, Rail-Trail, or Sidepath

1 Total Project Length

5,201 feet

2 Proposed Facility Width (Default is 10 feet)

10 feet

3 Project Located on Both Sides of the Road

☐ YES
☒ NO

4 County

Transylvania

5 City

Brevard

6 Surrounding Development Type

Suburban

7 Registered Historic District

☐ YES
☒ NO

8 Existing Curb & Gutter within Project Area

☐ YES
☒ NO

9 Number of Stream Crossings

2

10 Percentage of ROW Area Needed

None (0-15%)

11 Impact to Active Railroad Track or Railroad ROW

☐ YES
☒ NO

12 Roadways Intersected

Interstate	0
Freeway	0
Major Arterial	0
Arterial	0
Major Collector	0
Collector	0
Local Road	8
Total	8

14 Number of Existing Bridges

Interstate	0
Freeway	0
Major Arterial	0
Arterial	0
Major Collector	0
Collector	0
Local Road	0
Small Stream	2
Medium Stream	0
Large Stream	0
Railroad	0
Total	2

13 Signalized Intersections Crossed
(Number within Total Roadways Intersected)

0

15 Submitted by

HMALONEY

Date:

4/30/2022

Generate Cost

Clear

Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	3,165,000
Design	\$	520,000
ROW	\$	10,000
Utilities	\$	90,000
Construction	\$	2,545,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

Disclaimers

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Priority Project #3 - Broad Street + Caldwell Street Paired Separated Bicycle Lanes

SIT 2: Off-Road/Separated Linear Bicycle Facility

Start Over



Project Name

Broad Street Separated Bike Lane

SPOT ID

Project Type:

Contra-Flow Bicycle Lane or Separated Bicycle Lane

1

Total Project Length

5,197

feet

2

Proposed Facility Width (Default is 10 feet)

12

feet

3

Project Located on Both Sides of the Road

☐ YES
☒ NO

4

County

Transylvania

5

City

Brevard

6

Surrounding Development Type

Downtown

7

Registered Historic District

☒ YES
☐ NO

8

Existing Curb & Gutter within Project Area

☒ YES
☐ NO

9

Number of Stream Crossings

0

10

Percentage of ROW Area Needed

None (0-15%)

11

Impact to Active Railroad Track or Railroad ROW

☐ YES
☒ NO

12

Roadways Intersected

Interstate

0

Freeway

0

Major Arterial

1

Arterial

0

Major Collector

2

Collector

0

Local Road

8

Total

11

14

Number of Existing Bridges

Interstate

0

Freeway

0

Major Arterial

0

Arterial

0

Major Collector

0

Collector

0

Local Road

0

Small Stream

0

Medium Stream

0

Large Stream

0

Railroad

0

Total

0

13

Signalized Intersections Crossed
(Number within Total Roadways Intersected)

6

15

Submitted by

HMALONEY

Date:

5/3/2022

Generate Cost

Clear

Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	2,750,000
Design	\$	475,000
ROW	\$	15,000
Utilities	\$	90,000
Construction	\$	2,170,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

Disclaimers

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This tool does not estimate costs associated with the purchase or taking of buildings within its ROW estimate calculations. It is assumed that projects would require land acquisition only.

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Priority Project #3 - Broad Street + Caldwell Street Paired Separated Bicycle Lanes, continued

SIT 2: Off-Road/Separated Linear Bicycle Facility

Start Over



Project Name
Caldwell Street Separated Bike Lane

SPOT ID

Project Type:
Contra-Flow Bicycle Lane or Separated Bicycle Lane

1
Total Project Length
5,529 feet

2
Proposed Facility Width (Default is 10 feet)
12 feet

3
Project Located on Both Sides of the Road
☐ YES ☒ NO

4
County
Transylvania

5
City
Brevard

6
Surrounding Development Type
Downtown

7
Registered Historic District
☒ YES ☐ NO

8
Existing Curb & Gutter within Project Area
☒ YES ☐ NO

9
Number of Stream Crossings
0

10
Percentage of ROW Area Needed
None (0-15%)

11
Impact to Active Railroad Track or Railroad ROW
☐ YES ☒ NO

12
Roadways Intersected

Interstate
0
Freeway
0
Major Arterial
0
Arterial
0
Major Collector
2
Collector
0
Local Road
10
Total
12

14
Number of Existing Bridges

Interstate
0
Freeway
0
Major Arterial
0
Arterial
0
Major Collector
0
Collector
0
Local Road
0
Small Stream
0
Medium Stream
0
Large Stream
0
Railroad
0
Total
0

13
Signalized Intersections Crossed
(Number within Total Roadways Intersected)
4

15
Submitted by
HMALONEY
Date:
5/3/2022

Generate Cost

Clear

Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	2,595,000
Design	\$	450,000
ROW	\$	15,000
Utilities	\$	95,000
Construction	\$	2,035,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

Disclaimers

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Estimates for the construction of new and/or the modification of existing structures (bridges or tunnels) have been simplified to estimate an assumed width of each structure based on the type of feature crossed and other factors. The construction of new and/or modification of existing structures can be exponentially complex based on project specifications. A separate feasibility study is highly recommended to address the high variability associated with structure costs.

Priority Project #4 - Morgan Street + Jordan Street Paired Bicycle Boulevards

SIT 2: Off-Road/Separated Linear Bicycle Facility

Start Over



Project Name

Jordan Street Contraflow Bike Lane

SPOT ID

Project Type:

Contra-Flow Bicycle Lane or Separated Bicycle Lane

1

Total Project Length

2,768

feet

2

Proposed Facility Width (Default is 10 feet)

i

7

feet

3

Project Located on Both Sides of the Road

i

☐ YES ☒ NO

4

County

Transylvania

5

City

Brevard

6

Surrounding Development Type

i

Downtown

7

Registered Historic District

☒ YES ☐ NO

8

Existing Curb & Gutter within Project Area

☒ YES ☐ NO

9

Number of Stream Crossings

i

0

10

Percentage of ROW Area Needed

i

None (0-15%)

11

Impact to Active Railroad Track or Railroad ROW

☐ YES ☒ NO

12

Roadways Intersected

i

Interstate	0
Freeway	0
Major Arterial	1
Arterial	1
Major Collector	0
Collector	0
Local Road	4
Total	6

13

Signalized Intersections Crossed
(Number within Total Roadways Intersected)

i

2

14

Number of Existing Bridges

i

Interstate	0
Freeway	0
Major Arterial	0
Arterial	0
Major Collector	0
Collector	0
Local Road	0
Small Stream	0
Medium Stream	0
Large Stream	0
Railroad	0
Total	0

15

Submitted by

HMALONEY

Date: 5/20/2022

Generate Cost

Clear

Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	920,000
Design	\$	185,000
ROW	\$	5,000
Utilities	\$	50,000
Construction	\$	680,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

This project is intended to be paired with a similar treatment on Morgan Street.

Disclaimers

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Estimates for the construction of new and/or the modification of existing structures (bridges or tunnels) have been simplified to estimate an assumed width of each structure based on the type of feature crossed and other factors. The construction of new and/or modification of existing structures can be exponentially complex based on project specifications. A separate feasibility study is highly recommended to address the high variability associated with structure costs.

Priority Project #4 - Morgan Street + Jordan Street Paired Bicycle Boulevards, continued

SIT 2: Off-Road/Separated Linear Bicycle Facility

Start Over



Project Name

Morgan Street Contraflow Bike Lane

SPOT ID

Project Type:

Contra-Flow Bicycle Lane or Separated Bicycle Lane

1

Total Project Length

2,035

feet

2

Proposed Facility Width (Default is 10 feet)

7

feet

3

Project Located on Both Sides of the Road

☐ YES
☒ NO

4

County

Transylvania

5

City

Brevard

6

Surrounding Development Type

Downtown

7

Registered Historic District

☒ YES
☐ NO

8

Existing Curb & Gutter within Project Area

☒ YES
☐ NO

9

Number of Stream Crossings

0

10

Percentage of ROW Area Needed

None (0-15%)

11

Impact to Active Railroad Track or Railroad ROW

☐ YES
☒ NO

12

Roadways Intersected

Interstate

0

Freeway

0

Major Arterial

1

Arterial

1

Major Collector

0

Collector

0

Local Road

1

Total

3

13

Signalized Intersections Crossed
(Number within Total Roadways Intersected)

2

14

Number of Existing Bridges

Interstate

0

Freeway

0

Major Arterial

0

Arterial

0

Major Collector

0

Collector

0

Local Road

0

Small Stream

0

Medium Stream

0

Large Stream

0

Railroad

0

Total

0

15

Submitted by

HMALONEY

Date:

5/20/2022

Generate Cost

Clear

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Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	735,000
Design	\$	165,000
ROW	\$	5,000
Utilities	\$	35,000
Construction	\$	530,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

This project is intended to be paired with a similar treatment on Jordan Street.

Disclaimers

All costs are based on 2019 prices and cost components are rounded to the nearest \$5,000, with a minimum of \$5,000 per component. This tool assumes that 10% of the utilities located within the project area would need to be relocated.

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This tool does not estimate costs associated with the purchase or taking of buildings within its ROW estimate calculations. It is assumed that projects would require land acquisition only.

Estimates for the construction of new and/or the modification of existing structures (bridges or tunnels) have been simplified to estimate an assumed width of each structure based on the type of feature crossed and other factors. The construction of new and/or modification of existing structures can be exponentially complex based on project specifications. A separate feasibility study is highly recommended to address the high variability associated with structure costs.

Priority Project #4 - Morgan Street + Jordan Street Paired Bicycle Boulevards, continued

SIT 4: On-Road Bicycle Facility

Start Over



Project Name

Jordan Street Sharrows

SPOT ID

Project Type:

Shared Lane Marking (Sharrow)

1

Total Length of Roadway to be Improved by Sharrows

i

2,768

feet

2

Submitted by

HMALONEY

Date:

5/20/2022

Generate Cost

Clear

Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	20,000
Design	\$	5,000
ROW	\$	5,000
Utilities	\$	5,000
Construction	\$	5,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

This project intended to be paired with a similar treatment on Morgan Street.

Disclaimers

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Priority Project #4 - Morgan Street + Jordan Street Paired Bicycle Boulevards, continued

SIT 4: On-Road Bicycle Facility

Start Over



Project Name

Morgan Street Sharrows

SPOT ID

Project Type:

Shared Lane Marking (Sharrows)

1

Total Length of Roadway to be Improved by Sharrows

i

2,035

feet

2

Submitted by

HMALONEY

Date:

5/20/2022

Generate Cost

Clear

Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	20,000
Design	\$	5,000
ROW	\$	5,000
Utilities	\$	5,000
Construction	\$	5,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

This project intended to be paired with similar treatment on Jordan Street

Disclaimers

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Estimates for the construction of new and/or the modification of existing structures (bridges or tunnels) have been simplified to estimate an assumed width of each structure based on the type of feature crossed and other factors. The construction of new and/or modification of existing structures can be exponentially complex based on project specifications. A separate feasibility study is highly recommended to address the high variability associated with structure costs.

Priority Project #4 - Morgan Street + Jordan Street Paired Bicycle Boulevards, continued

SIT 5: Multi-Site Bicycle Facility

Start Over



Project Name

SPOT ID

Project Type: Multi-Site Bicycle Facility

1 Total Number of Bicycle Corrals ⓘ

2 Total Amount of Bike Detection / Actuation Signals ⓘ

3 Total Amount of Bicycle Parking ⓘ

4 Total Number of Bicycle Share / Micro-Mobility Share Stations ⓘ

5 Total Number of Bicycle Signals ⓘ

6 Total Number of Bicycle Wheel Channels ⓘ

7 Total Number of Curb Radii Revisions ⓘ

8 Total Number of Hybrid Beacons ⓘ

9 Total Number of Intersection Markings / Signage ⓘ

10 Total Amount of Lighting ⓘ

11 Total Number of Mid-Block Crossings ⓘ

12 Total Amount of Wayfinding Stations ⓘ

13 Submitted by

Date: 5/20/2022

Generate Cost

Clear

Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	175,000
Design	\$	25,000
ROW	\$	5,000
Utilities	\$	5,000
Construction	\$	140,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

This project intended to be paired with contraflow bike lanes and sharrows on Jordan and Morgan Streets.

Disclaimers

All costs are based on 2019 prices and cost components are rounded to the nearest \$5,000, with a minimum of \$5,000 per component.

This tool assumes established ecoregion typologies, construction market regions, and average land values specific to North Carolina. They are determined within the tool based on user inputs for project location. This location-based information is used in ROW, construction, and environmental mitigation calculations.

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This tool does not estimate costs associated with the purchase or taking of buildings within its ROW estimate calculations. It is assumed that projects would require land acquisition only.

Estimates for the construction of new and/or the modification of existing structures (bridges or tunnels) have been simplified to estimate an assumed width of each structure based on the type of feature crossed and other factors. The construction of new and/or modification of existing structures can be exponentially complex based on project specifications. A separate feasibility study is highly recommended to address the high variability associated with structure costs.

Priority Project #5 - French Broad Street Shared Lane Markings

SIT 4: On-Road Bicycle Facility

Start Over



Project Name

French Broad Street Sharrows

SPOT ID

Project Type:

Shared Lane Marking (Sharrows)

1

Total Length of Roadway to be Improved by Sharrows

i

4,489

feet

2

Submitted by

HMALONEY

Date:

5/20/2022

Generate Cost

Clear

Cost Estimate Summary

[Go to Calculation Tab](#)

Total	\$	20,000
Design	\$	5,000
ROW	\$	5,000
Utilities	\$	5,000
Construction	\$	5,000

[Print PDF](#)

Enter Any Desired Notes in the Box Below

This project intended to be paired with signage and traffic calming.

Disclaimers

All costs are based on 2019 prices and cost components are rounded to the nearest \$5,000, with a minimum of \$5,000 per component.

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This tool does not estimate costs associated with the purchase or taking of buildings within its ROW estimate calculations. It is assumed that projects would require land acquisition only.

Estimates for the construction of new and/or the modification of existing structures (bridges or tunnels) have been simplified to estimate an assumed width of each structure based on the type of feature crossed and other factors. The construction of new and/or modification of existing structures can be exponentially complex based on project specifications. A separate feasibility study is highly recommended to address the high variability associated with structure costs.

APPENDIX E - LONG-TERM PROJECT LIST WITH PRIORITIZATION SCORES (CONTINUED)

TABLE 3.6 Long-Term Priority Project List with Prioritization Scores, continued from page 47

Project Number	Corridor	Proposed Facility/ Treatment	Prioritization Criteria				Total Priority Score
			Estate Trail	Safety	Connectivity	Public Support	
154	Asheville Highway/Forest Gate Drive/ Deavor Road	Planned Roundabout	0	1	1	0	2
156	Asheville Highway/Allison Road/ Fortune Cove Road	Planned Roundabout	0	1	1	0	2
157	Asheville Highway/Davidson River Village (DRV) Connector	Planned Roundabout	0	1	1	0	2
168	Broad Street/Fisher Road	Crossing Improvement- Planned (R-5800)	0	1	1	0	2
177	Caldwell Street/Oakdale Street	Crossing Improvement	0	1	1	0	2
182	Ecusta Road /Davidson River Village (DRV) Connector	Planned Roundabout	0	1	1	0	2
184	Greenville Highway/Parkview Drive/Elm Bend Road	Crossing Improvement	0	1	1	0	2
188	Main Street/Greenville Highway/ Wilson Drive	Crossing Improvement	0	1	1	0	2
192	Main Street/Park Avenue	Crossing Improvement	0	1	1	0	2
193	Parkview Drive/Park Avenue	Crossing Improvement	0	1	1	0	2
9	Carolina Avenue	Sidewalk	0	1	0	0	1
10	Deerlake Road- eastside	Sidewalk	0	1	0	0	1
22	Kings Creek Road	Sidewalk	0	1	0	0	1
32	Rosenwalkd Lane	Sidewalk	0	1	0	0	1
34	Southview Drive	Sidewalk	0	1	0	0	1
37	Tinsley Road	Sidewalk	0	1	0	0	1
41	Verdery Avenue	Sidewalk	0	1	0	0	1
44	Asheville Highway	Shared Use Path	0	1	0	0	1
53	Cashiers Valley Road	Shared Use Path	0	1	0	0	1
63	Ecusta Trail	Shared Use Path	0	1	0	0	1
64	Ecusta Trail	Shared Use Path	0	1	0	0	1
84	Main Street	Shared Use Path	0	1	0	0	1
86	Main-Holcombe connector	Shared Use Path	0	1	0	0	1
106	Rosman Highway	Shared Use Path	0	1	0	0	1
112	Rosman Highway- westside	Shared Use Path	0	1	0	0	1
113	Rosman Highway- westside	Shared Use Path	0	1	0	0	1
115	Tinsley-Commerce connector	Shared Use Path	0	1	0	0	1
123	Davidson River Village (DRV) Connector	Bicycle Lanes- Planned R5800	0	1	0	0	1
125	Duckworth Avenue	Shared Lane Markings	0	1	0	0	1
127	Fisher Road	Shared Lane Markings	0	0	1	0	1
133	Johnson Street	Shared Lane Markings	0	1	0	0	1
139	Oakdale Road	Shared Lane Markings	0	1	0	0	1
141	Park Avenue	Shared Lane Markings	0	0	1	0	1
142	Temple Church Road/Medical Park Drive	Shared Lane Markings	0	1	0	0	1
145	Turnpike Road	Shared Lane Markings	0	0	1	0	1
119	Carolina Avenue	Shared Lane Markings	0	0	0	0	0

Project Number	Corridor	Proposed Facility/Treatment	Prioritization Criteria				Total Priority Score
			Estate Trail	Safety	Connectivity	Public Support	
122	Commerce Street	Shared Lane Markings	0	0	0	0	0
124	Davidson River Village (DRV) Connector	Bicycle Lanes-planned R5800	0	0	0	0	0
128	Franklin Street	Shared Lane Markings	0	0	0	0	0
138	Oakdale Avenue	Bicycle Boulevard	0	0	0	0	0
144	Tinsley Road/Kings Creek Road	Shared Lane Markings	0	0	0	0	0

BREVARD

 **PEDESTRIAN** *and*
BICYCLE  **PLAN**



Integrated Mobility Division
N.C. DEPARTMENT OF TRANSPORTATION

STAFF REPORT

City Council, Tuesday, January 17, 2023

Title: Designation of Historic Landmark-McMinn Building, 2-14 West Main Street

Speaker: Katherine Buzby

Prepared by: Katherine Buzby, Planner/Assistant Zoning Administrator

Approved by: Wilson Hooper, City Manager

Background

A property, owned by McMinn Properties LLC, located at 2,4,6, and 12 West Main Street ("The McMinn Building"), has applied to be locally historically designated with the Joint Historic Preservation Commission (JHPC). The application and Designation Report has been reviewed by the State Historic Preservation Office (SHPO) and does meet requirements for a local designation. The requested ordinance from City Council will bestow the local historical designation which enables the property owner to receive tax credits for the property and requires a Certificate of Appropriateness for any remodels or repairs to the property.

Discussion

The McMinn Building was built around 1899 and was the first brick commercial building erected in Transylvania County. It is located at the corner of N Broad Street and West Main Street. It features three one-story storefronts facing West Main Street and a separate entrance that features a staircase providing access to eighteen rental offices on the second floor. It remained in the McMinn family for many generations and is considered a prominent landmark in Brevard. It has been listed on the National Register of Historic Places since 1994. The local designation will be for the entire exterior of the building (listed under Tax Parcel Number 8586-51-1048-000) and for the interior stairway and hallway containing the second-floor offices.

The joint hearing requires the members of the JHPC and City Council to vote to have it historically designated via an ordinance; if the ordinance is approved, then the property is added to the Local Designation Register maintained by the JHPC. A Certificate of Appropriateness will need to be obtained from the JHPC if the owner wants to materially alter, restore, move, or demolish the designated historic landmark.

Policy Analysis

North Carolina General Statutes Chapter 160A, Article 19 govern the local designation process as well as Brevard's local ordinance no. 26-97.

Fiscal Impact

None.

Action:

No action requested. For information and public hearing only.

At a future meeting, Council will be asked to consider taking one of the following actions:

1. Approve the ordinance as presented.
2. Approve the ordinance with modifications.
3. Deny the ordinance as presented.

Attachments:

1. McMinn Building Application and Report
2. McMinn Building Landmark Ordinance

JHPC LOCAL HISTORIC LANDMARK APPLICATION

JHPC Administration: ☒ City of Brevard/ETJ ☐ Rosman ☐ Transylvania County

Stage 1: Status Application (no fee)
Stage 2: Designation Submittal Fee - \$125.00
Stage 3: Final Designation Fee - \$75.00

Property P.I.N.: 8586-51-1048 recorded in Book 379 Page 496, Registry of Transylvania County

Stage 1: Local Historic Landmark Preliminary Status Application Process

This section of the application initiates preliminary consideration of a property for local historic landmark status. There is no application fee for this Preliminary Status Application of the process.

Legal Owner of Property: McMinn Properties, Inc. Phone: (828) 862-8735
Address: 4 West Main St., Suite 5, Brevard NC 28712

1. NAME OF PROPERTY

Historic Name(s)

Other Name(s)

McMinn Building

2. LOCATION OF PROPERTY

Street Address or Boundaries

City and Zip Code

Property Identification Number (PIN)

2-14 West Main Street

Brevard NC 28712

8586-51-1048

Acreage 0.239

3. CLASSIFICATION

Ownership of Property:

☒ Private

☐ Public

Days/Hours of operation: _____

Contact Name/Telephone: _____

Is it accessible for viewing:

☒ Inside

☒ Outside

Category of Property:

- ☒ **Building** – created principally to shelter any form of human activity (i.e. house, barn/stable, hotel, church, school, theater, etc.)
- ☐ **Structure** – constructed usually for purposes other than creating human shelter (i.e. tunnel, bridge, highway, silo, etc.)
- ☐ **Object** – constructions that are primarily artistic in nature. Although movable by nature or design, an object is typically associated with a specific setting or environment (i.e. monument, fountain, etc.)
- ☐ **Site** – the location of a historic event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined or vanished, where the location itself possesses historic, cultural, or archeological value, regardless of the value of any existing structure (i.e. battlefields, cemeteries, designed landscape, etc.)
- ☐ **District** – a group of buildings or properties that may have different levels of historic or architectural significance.

Planning and Community Development
106 East Morgan Street
Brevard, NC 28712
828.884.3205
planning.transylvaniacounty.org



JHPC LOCAL HISTORIC LANDMARK APPLICATION

4. PROPERTY RESOURCES

Number of contributing and non-contributing resources within property:

A contributing building, site, structure, or object adds to the historic associations, historic architectural qualities, or archeological values for which a property is significant because it was present during the period of significance, relates to the documented significance of the property, yields important information about the period and possesses historic integrity.

	Contributing (Adds to significance)	Non-contributing (Does not add to significance)
Buildings	<u>1</u>	<u> </u>
Structures	<u> </u>	<u> </u>
Objects	<u> </u>	<u> </u>
Sites	<u> </u>	<u> </u>

5. FUNCTION OR USE (note approximate dates)

Historic Functions or Use:

Retail down, offices up

Current Functions or Use:

Retail down, offices up

6. DESCRIPTION OF STRUCTURES & SIGNIFICANCE/INTEGRITY

On an attached 8 ½ by 11 sheet, describe:

- property setting (rural or downtown, etc.)
- date of construction
- property condition
- architect, builder, carpenter or mason, if known
- dates and reasons if any structures have been moved
- architectural significance and integrity: For **buildings and structures**, describe significant exterior architectural features, additions, remodeling, alterations and any significant outbuildings. For **objects**, describe the physical appearance of the object(s) to be designated in context of the history of the local community or of Transylvania County. For example, a building or structure might be a community's only surviving example of Greek Revival architecture or it may be a unique local interpretation of the Arts and Crafts movement. An object might be a statue designed by a notable sculptor. Include a description of how the building, structure or object currently conveys its historic integrity. For example, does it retain elements of its original design, materials, location, workmanship, setting, historic associations, or feeling, or any combination thereof? Include a bibliography of sources consulted.

7. PROPERTY BOUNDARY & SIGNIFICANCE/INTEGRITY

On an attached 8 ½ by 11 sheet, describe the land area to be designated, addressing any prominent landscape features. Clearly explain the significance of the land area proposed for designation and its historical relationship to the **building(s), structure(s) or object(s)** located within the property boundary or, in the case of **sites**, the historical event or events that make the land area significant. For **buildings and structures**, the designated land area may represent part of or the entire original parcel boundaries, or may encompass vegetative buffers or important outbuildings. For **objects**, the designated land area may continue to provide the object's historic context (i.e., a statue's historic park setting). For **sites**, the designated area may encompass a landscape that retains its historic integrity (i.e. a battlefield encompassing undisturbed historic view sheds).

JHPC LOCAL HISTORIC LANDMARK APPLICATION

8. HISTORICAL SIGNIFICANCE/INTEGRITY (Applies to all classifications)

On an attached 8 ½ by 11 sheet, describe any significant events, people, and/or families associated with the property. Please clearly define the significance of the property in the commercial, social or political history of Transylvania County or of the local community. Include all major property owners of the property, if known. Include a bibliography of sources consulted.

9. PREVIOUS DOCUMENTATION

- ☐ Previous field documentation (when and by whom): _____
- ☐ Contact the National Register Coordinator at the State Historic Preservation Office to determine whether the property has been included in a county survey (919-733-6545). ☐ included ☐ not included
- ☒ National Register Status and date (listed, eligible, study list): listed 1994

10. ADDITIONAL DOCUMENTATION (Submit the following items with this section of the completed form)

- ☒ Attached sheets for descriptions of significance (#6, #7, & #8)
- ☒ Tax map or survey showing the exact location of property, boundaries and any outbuildings
- ☒ Photographs:
- Representative current photographs of the property showing all sides of each structure
 - 1 hard and 1 electronic copy
 - Label image files "TC_PropertyName_Description.jpg" (ie., TC_ABCHouse_front_façade.jpg). For buildings and structures, include all elevations and at least one (1) photo of all other contributing and non-contributing resources, as well as at least one (1) photo showing the main building or structure within its setting. For objects, include a view of the object within its setting, as well as a variety of representative views. For sites, include overall views and any significant details.

Stage 1: Local Historic Landmark Preliminary Status Application

Mc Minn Properties, Inc
(type or print applicant name)

(applicant signature)

(date)

4 West Main, Suite 5
(mailing address)

Brevard NC 28712
(city, state, zip)

(e-mail address)

(phone)

Preliminary Status Approved this ____ day of _____

Donald E. Jordan
(type or print agent name)

[Signature] 9-10-02
(agent signature) (date)

4 West Main, Suite 5
(mailing address)

Brevard NC 28712
(city, state, zip)

jordanlaw@comporium.net (828) 862-8735
(e-mail address) (phone)

(JHPC Administrator for Transylvania County)

If the property meets the requirements for consideration as a local historic landmark, notification will be made by JHPC to continue on to the Local Historic Landmark Designation Application Process.

JHPC LOCAL HISTORIC LANDMARK APPLICATION

Stage 2: Local Historic Landmark Designation Submittal Process

This section of the application will enable the Transylvania County Joint Historic Preservation Commission to determine whether the property qualifies for designation. The application fee for this process is \$125.00.

1. SUPPORTING DOCUMENTATION (Please attach to application)

☐ **Floor Plan (for buildings and structures)**

Please include a detailed floor plan showing the original layout, dimensions of all rooms, and any additions (with dates) to the building or structure. Drawings do not have to be professionally produced nor do they need to be to exact scale, but should accurately depict the layout and dimensions of the property.

☐ **Maps**

Include two (2) maps: one (1) clearly indicating the location of the property in relation to the local community, and one (1) showing the boundaries of the property. Tax maps with the boundaries of the property are preferred, but survey or sketch maps are acceptable. Please show street names and numbers and all structures.

☒ **Additional Items Requested by JHPC:** reno / update info

Stage 2: Local Historic Landmark Designation Submittal

Certificate of Appropriateness Required: From and after the designation of a landmark or a historic district, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor any above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished on such landmark or within the historic district until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the Joint Historic Preservation Commission. Such a certificate is required to be issued by the Preservation Commission prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures, which certificate may be issued subject to reasonable conditions necessary to carry out the purposes of this ordinance. A certificate of appropriateness shall be required whether or not a building or other permit is required. "Exterior features" shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all features, historic signs, color, and significant landscape, archaeological and natural features of the area. In the case of outdoor advertising signs, "exterior features" shall be construed to mean the style, material, size and location of all such signs.

I understand that designation as a local landmark imposes the restrictions described above.

(type or print applicant name)

(type or print agent name)

(applicant signature)

(date)

(agent signature)

(date)

(mailing address)

(mailing address)

(city, state, zip)

(city, state, zip)

Designation Submittal this ____ day of _____,

(JHPC Administrator for Transylvania County)

If the property meets the requirements for consideration as a local historic landmark, notification will be made by JHPC to continue on to the Local Historic Landmark Designation Application Process.

JHPC LOCAL HISTORIC LANDMARK APPLICATION

JHPC Office Use:

- ☒ JHPC Hearing and Vote on Preliminary Status
- ☒ Report sent to NC Dept of Cultural Resources State Historic Preservation Office, allowing 30 days to respond
- ☒ JHPC Vote on Designation Status
- ☐ County/City Commissioner Public Hearing and adoption of Historic Landmark Designation Ordinance

Stage 3: Local Historic Landmark Designation Approval

This section of the application documents Transylvania County Joint Historic Preservation Commission approval of the Local Historic Landmark Designation.

☐ Final Designation Fee - \$75.00

I have read the general information on landmark designation provided by the Transylvania County Joint Historic Preservation Commission and affirm that I support landmark designation of the property defined herein.

(type or print applicant name)

(type or print agent name)

(applicant signature)

(date)

(agent signature)

(date)

(mailing address)

(mailing address)

(city, state, zip)

(city, state, zip)

Designation Approved this ____ day of ____, ____

(JHPC Administrator)

RECEIVED

United States Department of the Interior
National Park Service

JAN 10 1994

National Register of Historic Places
Registration Form

NATIONAL
REGISTER

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name McMinn Building

other names/site number _____

2. Location

street & number 2-6 West Main Street n/a ☐ not for publication

city or town Brevard n/a ☐ vicinity

state North Carolina code NC county Transylvania code 175 zip code 28712

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this ☒ nomination ☐ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property ☒ meets ☐ does not meet the National Register criteria. I recommend that this property be considered significant ☐ nationally ☐ statewide ☒ locally. (See continuation sheet for additional comments.)

William S. Pinn
Signature of certifying official/Title

12-14-93
Date

State of Federal agency and bureau _____

In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. (See continuation sheet for additional comments.)

Signature of certifying official/Title _____

Date _____

State or Federal agency and bureau _____

4. National Park Service Certification

I hereby certify that the property is:

- ☒ entered in the National Register.
☐ See continuation sheet.
- ☐ determined eligible for the National Register.
☐ See continuation sheet.
- ☐ determined not eligible for the National Register.
- ☐ removed from the National Register.
- ☐ other, (explain:) _____

to Signature of the Keeper

Entered in the
National Register

Date of Action

Gary M. Lysley

2/18/94

McMinn Building
Name of Property

Transylvania County, North Carolina
County and State

5. Classification

Ownership of Property

(Check as many boxes as apply)

- ☒ private
☐ public-local
☐ public-State
☐ public-Federal

Category of Property

(Check only one box)

- ☒ building(s)
☐ district
☐ site
☐ structure
☐ object

Number of Resources within Property

(Do not include previously listed resources in the count.)

Contributing	Noncontributing	
1		buildings
		sites
		structures
		objects
1		Total

Name of related multiple property listing

(Enter "N/A" if property is not part of a multiple property listing.)

"Historic and Architectural Resources of Transylvania County

North Carolina (including the incorporated towns of

Brevard and Rosman), ca. 1820-1941"

Number of contributing resources previously listed in the National Register

6. Function or Use

Historic Functions

(Enter categories from instructions)

COMMERCE/TRADE/business

Current Functions

(Enter categories from instructions)

COMMERCE/TRADE/business

7. Description

Architectural Classification

(Enter categories from instructions)

Italianate

Materials

(Enter categories from instructions)

foundation Brick

walls Brick

roof Asphalt

other

Narrative Description

(Describe the historic and current condition of the property on one or more continuation sheets.)

United States Department of the Interior
National Park ServiceNational Register of Historic Places
Continuation SheetMcMinn Building
Transylvania County, North CarolinaSection number 7 Page 1McMinn Building
Architectural Description

The McMinn Building, a two-story common-bond brick commercial building ornamented with robust decorative brickwork, is located at the north corner of the square in Brevard. A landmark in the county seat's small commercial district of mostly two and three-story brick buildings, it is positioned at the crossing of Broad and Main streets--the town's two principal avenues--and across Broad Street from the Transylvania County Court House. The McMinn Building was built for mixed commercial use and ushered in a late nineteenth-and twentieth-century commercial building boom in a heretofore sleepy county seat. Clearly, the West Main Street facade with its original Mesker Brothers' iron storefronts was seen as the principal elevation of the building. These impressive frontispieces offered Brevard merchants a fashionable setting from which to sell their goods. Here there are entrances into the three storefronts at #2, #4, and #6 West Main Street. A fourth doorway, positioned between the entrances to #2 and #4 West Main Street, opens into a stairway which rises to the second story of the building and a series of eighteen rental offices arranged off a U-shaped public corridor. In use for ninety-five years as a rental commercial building, the McMinn Building is remarkably intact and well-preserved. Except for alterations to the corner storefront at #2 West Main Street and some expected changes to the interiors of the first-story stores, the McMinn Building survives to the present as an impressive turn-of-the-century commercial building and largely as built.

With elevations facing on the town's two principal streets, the rectangular brick building has a descending hierarchy of finish from the principal, corbelled brickwork of the Main Street facade, through a somewhat simpler finish on its side elevation along Broad Street, to a plain utilitarian appearance on the rear elevation which faces onto the small vacant parking lot at the rear of the lot. (This parking lot is serviced by an alley.) In typical turn-of-the-century fashion, the front corner of the building is clipped to address the town square. This angled bay contains the entrance to the corner store on the first level and a pair of windows in an arch-headed opening on the second story. The bay serves as the transition point between the consistent finish of the facade facing West Main Street and the simpler, diminishing finish of the side elevation overlooking North Broad Street.

The first-story West Main Street elevation of the McMinn Building contains three storefronts and the doorway, in its own bay, opening onto the stair rising to the rental offices on the second level. Here brick pilasters, rising through the second-story elevations, define the unequal widths of these four components of the building. At some point in the recent past the Mesker Brothers' iron storefront enframing the corner store (#2 West Main) was replaced by the present simple treatment using plain modern materials in an undistinguished fashion. The entry at #2 West Main has plate glass doors into the store and large display windows which are protected by a canvas awning.

United States Department of the Interior
National Park ServiceNational Register of Historic Places
Continuation SheetSection number 7 Page 2McMinn Building
Transylvania County, North Carolina

Next, moving west, a pair of brick piers frame the recessed doorway which opens onto the public stair to the second story. The two leaves of this original door feature four molded square panels below large glazed panes; a single-pane transom carries across the opening. A modern metal panel, above the metal awning protecting this doorway, carries the slogan "McMinn Building" and the name of an architectural firm which occupies offices in the building. The storefront at #4 West Main Street is framed between brick piers and appears to date from at least two periods. The recessed central entrance, comprised of paired mostly-glazed wood doors below a two-pane transom, is flanked by plate glass display windows set on a brick apron. A five-part multi-pane glazed transom, believed to be original, carries across the full storefront below the original Mesker Brothers' iron frieze. Its classical composition features alternating triglyphs and panels embossed with swags and ribbons.

The storefront at #6 West Main appears to be entirely original to the 1899 construction of the building. Here the classical frieze is supported by a wide pilaster at its west end and secondary pilasters framing the recessed central entrance to the store. The west pilaster has decorative elements at its base and capital and bears a plate stamped "Mesker Bros./Front Builders/St. Louis, Mo./Pat Oct 4, '87." The glass display windows rest on a shallow paneled apron and are surmounted by unusually tall two-pane transoms. The double-leaf door opening into #6 West Main is original and identical to the one opening onto the staircase and it retains its original hardware.

The four principal bays on the second-story elevation are marked by pilasters and recessed about the width of a brick behind the corbelled parapet cornice of the building. The window openings have granite sills, arched heads, and contain one-over-one sash. There are single window openings above the easternmost two bays and three symmetrically placed windows in the bays of #4 and #6 West Main. The top of the parapet cornice is covered with a later ceramic tile coping. Two stove flues rise above the coping.

On the southeast, Broad Street elevation, the wall is divided into four bays marked by pilasters which appear to contain stove flues. They rise from the base of the building to the stepped roofline. There, the flues project above the parapet and are joined by three additional flues which rise in the walls. The pattern of door and window openings is inconsistent in the four bays. In addition to the display windows in the southernmost bay, there were originally three single windows below multi-plane transoms and a door in the remaining three bays of the first story. The northernmost window was later converted to a door and opens into a shallow stoop which rises from the sidewalk. The original doorway in the northernmost bay is fitted with its original two-leaf door below a transom. The lower half of each leaf is fitted with three panels while the upper half is glazed.

United States Department of the Interior
National Park ServiceNational Register of Historic Places
Continuation SheetSection number 7 Page 3McMinn Building
Transylvania County, North Carolina

The rear elevation has a simple utilitarian appearance and has a one-story service porch across the full elevation. The general form of the three storefronts on West Main Street is repeated here; however, the wall bears no demarcation or division into bays. Instead, there is a doorway flanked by window openings per store. The windows hold double-hung two-over-two wood sash set in a narrow simply-treated frame inside the reveal. This original arrangement is consistent throughout the building. The doorways of #2 and #6 West Main are fitted with their original two-leaf doors which are identical to the original service door on the Broad Street elevation of #2 West Main Street. The solid wood two-leaf door into #4 West Main has five panels per leaf and no glazing. On the second story elevation, there is a break in the wall indicating the open, inset light well that enables all of the offices on the second story to have outside windows. There are six window openings in the wall, five of which contain one-over-one sash; the sixth window has been closed up. There are two small square windows in the wall of #6 West Main, set between the first and second story fenestration, which illuminate the interior mezzanine.

The finish of the interiors of the three first-story stores of the McMinn Building vary in their appearance and retention of their original fabric. The interior of #2 West Main has a carpeted floor, painted walls, and a dropped ceiling of sheetboard panels with battens over the seams. There is open shelving with adjustable shelves carrying along the northwest, side wall from the front of the store for about two-thirds of the length of the wall. It has tongue and groove backing, drawers at the base of the shelf units, and appears to date from the early twentieth century. In the offset, where the enclosed public stair rises to the second story, there is a door which opens onto a closet under the stair. The front-two-thirds of the store has been simply partitioned off as the main sales space of the present tenant. The two doors and windows at the rear of the store retain their original, symmetrically-molded surrounds with corner blocks. There is an enclosed stair to the basement. A small lavatory has also been enclosed on the back of the store.

The store at #4 West Main which now houses a frame and art shop is one large space with a recent simple partition to separate the front sales area from the work area in the back half of the space. It has narrow oak flooring, running front to back, painted plaster walls above baseboards; and its original pressed tin ceiling. The design of the ceiling features square molded panels in raised perimeter frames. The cornice is embossed with anthemions. It also retains its original, symmetrically-molded window and door surrounds with corner blocks. A lavatory has been enclosed in the north rear corner with tongue and groove ceiling.

The interior of #6 West Main Street has pine flooring running front to back, plaster walls with some modern sheet paneling, and a dropped ceiling of sheetboard. It is now used as a shoe shop. The rear third of the store features a mezzanine which is original to this space and illuminated by a pair of shallow windows on the rear elevation. This store was used by a department store and it seems likely that the mezzanine was used for the ladies department. The existence of the mezzanine here

United States Department of the Interior
National Park ServiceNational Register of Historic Places
Continuation SheetSection number 7 Page 4McMinn Building
Transylvania County, North Carolina

raises the distinct possibility that McMinn varied the interior finish and fitting out of the three stores to satisfy different types of use. The mezzanine is supported by chamfered posts; the sills of its floor have exposed beaded edges. On the main level there is open shelving on the northwest wall and an enclosed lavatory under the mezzanine. At the rear of the store, the door and windows retain their symmetrically-molded surrounds with corner blocks. The entrance into the basement, fitted with a five-panel turn-of-the-century door, is enclosed with tongue and groove ceiling and is set below the stair which rises front-to-back to the mezzanine. The railing features turned members below a molded top handrail which carries between square newels. This railing guards the stairwell on the mezzanine level and carries across the open southwest front of the mezzanine.

The public stairs, located behind paired doors between the entrances to #2 and #4 West Main Street, rise to the northeast to the second-story rental offices. A free-hand plan of the second story of the building is included with this nomination. Except for the installation of lighting fixtures over the years and the enclosure of a portion of the U-shaped hall, little has changed in the fabric and appearance of the hall and the offices since 1898. The stairhead on the second story is protected by two lengths of handsome railing featuring turned members below molded top handrails and turned newels topped with molded ball finials. The pine flooring is laid on the diagonal, a simple device which enlivens the public hall. The sheathed wainscot carrying between the baseboard and chair rail features flush, molded-edge boards also nailed on a diagonal. The walls above the wainscot and those in all of the offices are plaster on lath. In most offices, the original tongue-and-groove ceiling has been covered by celotex panels or dropped ceilings. The door and window surrounds throughout the hall and offices are symmetrically molded with corner blocks. The wainscot and surrounds in the hall have a dark, stained finish. Those in the offices have been mostly painted by the occupants. The majority of the doors opening from the hall into the offices feature three panels in their lower half with a large glazed pane above. Some of the office doors have solid wood five-panel doors. All of these eighteen office doors have top-hinged glazed transoms.

In plan, fourteen of the eighteen offices are arranged in a U-shaped plan along the northwest, southwest, and southeast sides of the building. Nearly all of these offices open onto the U-shaped corridor and communicate with their adjoining offices by five-panel doors. The remaining four offices are arranged in a tier inside the "U" and have windows onto the open well visible on the exterior of the building. Five (#1-#5) of the six offices situated along the southeast, Broad Street side of the building have been leased to an architectural firm which has enclosed, by glazing, the portion of the public hall that adjoins four of their five leased rooms. The large corner office, #6, and the adjoining office (#7) were long occupied by attorney Robert Lenoir Gash and are now the offices of his son Judge Robert T. Gash. The walls in #7 are painted green and the woodwork a warm rose mocca, colors which probably date from the early twentieth century. This room also houses a safe lettered with "R. L. Gash." A portion of the office (#15) in the back northwest corner has been enclosed for a public lavatory for the office occupants. Across the hall is a small enclosed service closet.

8. Statement of Significance**Applicable National Register Criteria**

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- ☒ **A** Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ **B** Property is associated with the lives of persons significant in our past.
- ☒ **C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ **D** Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

Property is:

- ☐ **A** owned by a religious institution or used for religious purposes.
- ☐ **B** removed from its original location.
- ☐ **C** a birthplace or grave.
- ☐ **D** a cemetery.
- ☐ **E** a reconstructed building, object, or structure.
- ☐ **F** a commemorative property.
- ☐ **G** less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance

(Enter categories from instructions)

Architecture

Commerce

Period of Significance

1899

Significant Dates

1899

Significant Person

(Complete if Criterion B is marked above)

N/A

Cultural Affiliation

N/A

Architect/Builder

Unknown

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References**Bibliography**

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

- ☐ preliminary determination of individual listing (36 CFR 67) has been requested
- ☐ previously listed in the National Register
- ☐ previously determined eligible by the National Register
- ☐ designated a National Historic Landmark
- ☐ recorded by Historic American Buildings Survey

- ☐ recorded by Historic American Engineering
Record # _____

Primary location of additional data:

- ☒ State Historic Preservation Office
- ☐ Other State agency
- ☐ Federal agency
- ☐ Local government
- ☐ University
- ☐ Other

Name of repository:

McMinn Building
Name of Property

Transylvania County, North Carolina
County and State

10. Geographical Data

Acreage of Property less than one acre

UTM References

(Place additional UTM references on a continuation sheet.)

1	117	342180	3900160
Zone	Easting	North	ing
2			

3			
Zone	Easting	North	ing
4			

☐ See continuation sheet

Verbal Boundary Description

(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification

(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

name/title Davyd Foard Hood

organization _____ date 12 July 1993

street & number Isinglass, 6907 Old Shelby Road telephone 704/462-4331

city or town Vale state N.C. zip code 28168

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

A USGS map (7.5 or 15 minute series) indicating the property's location.

A Sketch map for historic districts and properties having large acreage or numerous resources.

Photographs

Representative black and white photographs of the property.

Additional items

(Check with the SHPO or FPO for any additional items)

Property Owner

(Complete this item at the request of SHPO or FPO.)

name Ms. Kayron McMinn Laska

street & number 6272 Brookstown Boulevard telephone 706/327-7581

city or town Columbus state Georgia zip code 31904

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reduction Projects (1024-0018), Washington, DC 20503.

United States Department of the Interior
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Continuation SheetMcMinn Building
Transylvania County, North CarolinaSection number 8 Page 1McMinn Building
Summary

Erected in 1899 for Nathan Van Buren McMinn, the McMinn Building is a handsome well-preserved two-story late-Victorian brick commercial building which has been a landmark in the small town of Brevard for nearly a century. Its significance is discussed in "Historic and Architectural Resources in Transylvania County, North Carolina (including the incorporated towns of Brevard and Rosman), ca. 1820-1941" in Historic Context #3, Early Industrialization, 1895-1916, and in Property Type #9, Commercial and Industrial Buildings. The McMinn Building satisfies National Register Criterion A for its significance in the area of Commerce, and National Register Criterion C for its significance in the area of Architecture.

Occupying a critical position on the north corner of the town square--at the crossing of Broad and Main streets--it was the first brick commercial building erected in the county seat of Transylvania County. In that position, it was the senior member of the group of two and three-story brick commercial buildings, erected between 1899 and the opening of World War I, which transformed the county seat from a village of frame buildings surrounding the brick court house to a small town with the appearance of prosperity and enterprise. Because of its position at the heart of the town and near the court house, the McMinn Building was a desirable address at the turn of the century and it has retained that distinction to the present.

The McMinn Building is architecturally significant in the town of Brevard as an important, and the town's earliest, brick commercial building. Built as a rental investment building, it featured three one-story storefronts facing on West Main Street. A separate entrance on West Main Street opened onto the staircase providing access to eighteen rental offices on the second story. Although some minor alterations have been effected to the first-story exterior and the store interiors, the building retains a remarkable degree of integrity in its construction and finish. The building is distinguished by handsome corbelled brickwork, original Mesker Brothers cast iron storefronts, a pressed tin ceiling, and other contemporary, original fittings in the three storefronts. However, it is the survival of the original plan and finish of the eighteen rental offices on the second story which crowns the building's architectural significance.

Since its construction the building has descended in the ownership of four generations of the McMinn family whose stewardship of the building has been laudable. The building, in turn, is the chief reminder of their prominence in the commercial and social life of turn-of-the-century Brevard.

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Transylvania County, North CarolinaMcMinn Building
Historical Background and Commerce Context

On 20 March 1898, Nathan Van Buren McMinn, a prosperous businessman and merchant in Brevard, wrote a three-page letter to his son John W. McMinn on the letterhead of his Southern Drug Company. On the third page of the letter, he began his final paragraph:

I think I will put a Good Brick on the Corner this fall and Save Rent. I have 8 Thousand in the Bank and 1500 in Drugs & Can put 5 thousand in a house on the Corner.

The terms "Good Brick" and "House" are the first references to the two-story brick building at 2-6 West Main Street which was erected for McMinn and has thereafter been known as the McMinn Building (TV 266). As the first brick commercial building erected in Brevard, the seat of Transylvania County, it was also the second-known brick building erected in the small town, following on the construction of the brick court house in 1873. For those reasons, for its handsome well-finished construction, and for its location on the town square (across North Broad Street from the court house) the McMinn Building has been a prominent landmark in Brevard. Because of the continued ownership in the McMinn family to the present, the rental commercial building has retained a remarkable degree of integrity and remains little-changed to the present, continuing to house commercial tenants in the first story storefronts and rental offices on the second level. With the loss of the McMinn residence and the later hopelessly compromising alterations to the John W. McMinn's Aethelwold Hotel, diagonally across the square in Brevard, the McMinn Building survives as the foremost reminder of the family's prominence in their community.¹

Nathan Van Buren McMinn (1836-1902), for whom the building was built and whose name it bears to the present, was an important figure in Brevard in the later-nineteenth century and until his death at the age of sixty-five. He was born on 25 August 1836, probably in Henderson County and perhaps in that portion that is now Transylvania County. In 1861, a portion of Henderson County and a part of Jackson County were separated to form Transylvania County; Brevard, named for Revolutionary War hero Ephriam Brevard, would become the county seat.

Through his marriage to Elizabeth "Lizzie" England, McMinn became a part of one of Transylvania County's best known and highly respected families. Elizabeth England was born on 12 October 1851, the daughter of Alexander England (1822-1896). It appears likely that the marriage occurred in 1870 or 1871. The couple's first known child, John William McMinn, was born in 1872. The next year Nathan McMinn was a witness at the marriage of his kinsman George W. McMinn to Mary M. England on Christmas Day. This union further conjoined the McMinn and England families. Members of both families are buried in the same prominent plot in the cemetery at the

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Transylvania County, North Carolina

(former) Oak Grove Methodist Church in Brevard. Lizzie and Nathan McMinn acquired substantial property in Brevard and Transylvania County by both purchase and inheritance, jointly and individually: the first purchase occurred in 1873 and they would continue to acquire property until shortly before their deaths in 1898 and 1902, respectively. In the following year, 1874, the couple's first daughter Beulah McMinn was born. There would be at least two additional children born to the couple: Nathan E. McMinn, and Mary B. McMinn.

In the absence of a fully developed history of Transylvania County, a complete understanding of Nathan McMinn's life and role in the commercial life of Brevard remains to be confirmed. However, certain information on the range of his activities can be gleaned from the successive volumes of Branson's North Carolina Business Directory for the years 1884 through 1897. His name first appears in the 1884 edition when he was listed as sheriff of the county and as a merchant dealing in general merchandise. The dates of his term as sheriff are unknown; however, he held the office of sheriff as late as 1887. In the 1890 edition of Branson's North Carolina Business Directory, Nathan McMinn was listed as the proprietor of a manufacturing concern which produced "Saddles and harness." Six years later, in 1896, he was cited as the proprietor of the Central Hotel, one of four hotels located in Brevard at that time. The 1897 directory contained the same listing.

The changing roles which Nathan McMinn assumed in his community and the range of those enterprises suggest something of the parallel movements afoot in the growing town of Brevard. Although outside capital was responsible for many of the major real estate and industrial projects in Transylvania County, long-established local men such as McMinn prospered in related or service businesses. The history of this late-nineteenth century expansion in the economy of Transylvania County and Brevard is discussed in two historic contexts in the "Historic and Architectural Resources of Transylvania County, North Carolina (including the incorporated towns of Brevard and Rosman), ca. 1820-1941": "Pre-Railroad Transylvania County, 1861-1894," and "Early Industrialization, 1895-1916." Nathan McMinn was an important local figure in this period and his (then new) brick building is perhaps the earliest and most intact surviving landmark in Brevard from this turn-of-the-century era of commercial expansion.

It appears likely that Nathan McMinn delayed construction on the new brick building on the square until early in 1899. (Five months after writing to his eldest son, his wife, Elizabeth "Lizzie" England McMinn died on 26 August 1898 and was buried beside her father in the family plot at Oak Grove Methodist Church.) In the fall of 1899, Nathan McMinn took his son, John William McMinn, into partnership in the ownership of the McMinn Building, selling him a one-half individed interest in the property for \$1,500. The property conveyed by deed, dated 19 October 1899, describes it as "Being the lot on the corner of Main and East Broad Streets on which a brick building 75 x 85 is now being constructed, said lot including the said brick building." The reason

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Transylvania County, N.C.Section number 8 Page 4

for McMinn's sale of a one-half interest in the property to his son while the building was under construction is now unknown; however, it seems likely to have had some connection with the formation of the Brevard Banking Company. The bank had its offices in the McMinn Building and in deeds of 1902, the building would be referred to as the "Bank Building." In 1902, John William McMinn was cashier of the Brevard Banking Company and treasurer of both the town of Brevard and the county of Transylvania.

As noted, the McMinn Building was only the second brick building known to have been erected in Brevard after the 1873 Transylvania County Court House. As the first brick commercial building erected in the county seat, it is important as the senior member of a series of buildings that transformed the commercial heart of Brevard from a cluster of frame stores and houses to a square lined with one, two, and three-story brick stores, hotels, and commercial buildings within a dozen or so years beginning in 1898. Members of the McMinn family erected two of this series of brick commercial buildings between 1902 and 1904.

At present the identity of the contractor-builder of the McMinn Building is unconfirmed; however, it seems likely to have been C. C. Kilpatrick. In the 1897 Branson's North Carolina Business Directory, there were three such contracting and building concerns listed: J. A. Miller, Kilpatrick Bros., and P. B. Wilson. Of these three only the Kilpatrick brothers, C. C. and J. M., were listed in the 1902 North Carolina Year Book. The more specific reason that the Kilpatrick Brothers were the likely contractors is that C. C. Kilpatrick was erecting a second brick building, under contract, for Nathan McMinn at the time of McMinn's death in the summer of 1902. In the account of the settlement of McMinn's estate, dated 18 September 1903, there is record of nine payments, totalling \$1,802.56, made to C. C. Kilpatrick. The payment for 6 September 1902 has the explanatory notation of "Contract, Brick House." It is believed that the "Brick House" cited in the account is the two-story brick building which adjoins the McMinn Building on the west and which, in part, replicates the brickwork of the original 1899 building. In contemporary deeds it is cited as the "Nathan McMinn Building," differentiating it from the "McMinn Building" on the square.

Knowledgeable of the local market, Nathan McMinn wisely built a mixed-use building on the square. It provided commodious space for the Brevard Banking Company and merchants on the first story and offices for the town's increasing rank of professionals and companies on the second story. The three first-story rental storefronts, each twenty-five feet in width, were covered with typical cast iron fronts manufactured by Mesker Brothers of St. Louis, Missouri. The later first-story rental storefront on the adjoining Nathan McMinn Building, at 8 West Broad Street, features a pair of tall cast-iron Corinthian columns flanking the entrance.

On 5 August 1902, Nathan Van Buren McMinn died and was later buried beside his wife

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Transylvania County, North CarolinaSection number 8 Page 5

in the England/McMinn family plot where his grave is marked by a variegated marble obelisk erected by the Butler Marble Works at a cost of \$700. McMinn died intestate and his estate was administered by his eldest son and business partner, John William McMinn. The real estate holdings comprising the real property of Nathan McMinn was surveyed by A. L. Hardin, the county surveyor. Since 19 October 1899, John William McMinn had held a one-half interest in the McMinn Building property. In the division of Nathan McMinn's estate by the commissioners's deed of 18 September 1902, his one-half interest in the building was equally divided among his other three children: Beulah McMinn Zachary, Nathan E. McMinn, and Mary B. McMinn. They were each allotted a one-sixth undivided interest in the lot at the corner of Main and Broad streets and the building which was then called the "Bank Building." The personal property was divided among the four children and the estate was settled by 18 August 1903. A year later, in 1904, when the new Methodist Church was built in Brevard, the McMinn Window was given in memory of Nathan and Lizzie McMinn by their four children.

Like his father, John William McMinn (1872-1918) rose to prominence in his community and served for periods of time around the turn of the century as treasurer of both Transylvania County and the town of Brevard. He was also cashier of the Brevard Banking Company and treasurer of the Brevard Water Works. Following in his father's footsteps as the proprietor of the Central Hotel, John McMinn erected a handsome three-story hostelry diagonally across the square from the McMinn Building in 1903-1904. He operated it as the Aetholwold Hotel, named for his wife Ethel (1880-1971), until his death in 1918. For the next forty years until her death in 1958, Beulah McMinn Zachary, the widow of William Woodford Zachary (1862-1913) was the senior member of the family. Over the course of years, the shares in the McMinn Building were either inherited or purchased by Beulah McMinn Zachary and her daughter and heir, Elizabeth Zachary Vogler (1901-1993), who died without issue on 20 March 1993. Elizabeth Zachary Vogler was a graduate of the Brevard Institute (1917), Salem College (1923), and received an M.A. from the University of North Carolina in 1940. From 1925 until 1941, she was Dean of Girls at Salem College. After 1941, she and her husband, H. Harold Vogler (died 1989) operated Vogler's Jewelers in Winston-Salem. In her will she bequeathed the McMinn Building to Kayron McMinn Laska, the granddaughter of John William McMinn.

From 1898 to the present, the McMinn Building has been the address of an important roster of commercial enterprises, stores, attorneys, doctors, and other professional men. Waightstill Avery Gash had an office here at the turn of the century and his stationery bore "McMinn Building" as his address. Later both Robert Lenoir Gash and D. L. English, the judges in the county court, had offices here that were convenient to the nearby court house. Judge Robert T. Gash, who now manages the building, continues to rent the corner office overlooking the square. After the Hendersonville and Brevard Railroad failed, it was reorganized as the Transylvania Railroad Company in 1897 and the new railroad company, too, had its offices in the McMinn Building. The corner storefront at #2 West Broad Street has housed a series of (mainly) drug

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Transylvania County, North CarolinaSection number 8 Page 6

stores or pharmacies, while #4 and #6 West Broad Street have been the addresses of groceries, a restaurant, a department store, and other concerns. Presently, the storefronts house the White Squirrel Shop (antiques and gifts) at #2, Frame Up (an art, crafts, and frame shop) at #4, and Jack R. Williams's Shoe Shop in #6. Upstairs, in addition to Judge Gash's office, are the offices of Eckert Realty, Cocoon Interior Design, and a suite of offices undergoing renovation for a new tenant. Its critical position on the square in the county seat has always made the McMinn Building a desirable location for a shop or an office.

Architectural Context

The architectural context of the McMinn Building is discussed in "Historic and Architectural Resources of Transylvania County, North Carolina (including the incorporated towns of Brevard and Rosman), ca. 1820-1941" in Property Type 9, "Commercial and Industrial Buildings." It is described as the "oldest and finest commercial building" in Brevard. Indeed, the McMinn Building is significant as the oldest and finest commercial building in Brevard. It is also significant in the architectural history of the county seat as an important, early example of a mixed use rental building--with three stores on the first story and rental offices on the second story--and for the remarkable degree of integrity which it has retained to the present. On the first level, parts of two of the three original Mesker Brothers iron storefronts which faced on West Main Street remain intact. The handsome corbelled brickwork of the elevations also survives intact. The interiors of the stores have seen varying alterations, however, in each instance and as discussed in the architectural description, signal original/early fittings or furnishings remain in place, principally a pressed tin ceiling, shelves, and wall finishes. This is unusual in buildings which have been in constant use by a succession of tenants for ninety-four years. On the second story, however, the plan and finish of the rental offices remain intact to an altogether remarkable degree. Here, only extremely minor alterations/changes have done little to compromise the turn-of-the-century office interiors. Their simple, imposing presence and appearance are of broad importance, an honor shared by the like, remarkable second and third-story interiors of the later (1906-1907) Brinkley Hotel in Plymouth, N.C. (Plymouth Historic District, 1991).

The same economic factors which caused Nathan McMinn to prosper in the later nineteenth century and enabled him to build his new brick building in 1899 likewise altered the appearance of Brevard in the final years of the century and the opening decades of the twentieth century. For twenty-five years from its completion in 1873 until the construction of the McMinn Building in 1899, the Transylvania County Court House was the only known brick building in Brevard. (That distinction may even hold to the entire county.) The court house, occupying the east corner of the square at the crossing of Broad and Main streets, was surrounded by frame stores, houses, churches, and other necessary buildings which lined the small town's unpaved streets. The arrival of the Hendersonville and Brevard Railroad in 1895, its

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Transylvania County, North CarolinaSection number 8 Page 7

successful reorganization as the Transylvania Railroad in 1897, and its eventual incorporation into the Southern Railway system, provided the means by which this dramatic evolution in the town's fortunes and appearance occurred. This and related economic factors is discussed in "Early Industrialization, 1895-1916," the third historic context in the "Historic and Architectural Resources of Transylvania County, North Carolina."

The construction of the two-story brick McMinn Building in 1899 was the first important step in the series of efforts which saw the frame stores and warehouses of the commercial district replaced with brick buildings and the county seat's more imposing houses of its merchant and professional class covered with stylish pebble-dash or built in brick. Within a few years, the court house and the McMinn Building were joined by two additional brick buildings on the west and south corners of the square. The (now much altered) Picklesimer Block (TV 291) was built on the south corner--across Main Street from the McMinn Building. In 1903-1904 John W. McMinn erected a three-story brick building (TV 295) in which he operated the Aethelwold Hotel until his death in 1918. It was probably the most imposing commercial building erected in Brevard in the early twentieth century and featured a granite-trimmed corner entrance diagonally opposite the corner entrance to the McMinn Building across the square, a separate and well-finished porch sheltering the hotel entrance on South Broad Street, bracketed eaves, and Colonial Revival style gambrel-roof dormers punctuating the roofline of more conventional hipped roof dormers. The removal of the building's third story, the loss of the hotel entrance porch, and the alteration of other elements of its finish have sadly compromised the building.

Within this trio of turn-of-the-century commercial buildings on the square--and within the larger context of the commercial center of Brevard--the McMinn Building retains the presence of a historic building in a streetscape of contemporary (and later buildings) which have mostly been altered to some degree. Its survival as an architectural landmark in the town of Brevard can be attributed, principally, to two factors. The first is that it was seen as an important building in its day and it has retained that distinction to the present. The second factor assuring its survival has been the continued ownership of the McMinn Building in four generations of the McMinn family to whom it has been a source of income and pride.

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FOOTNOTE

1. The principal source of information on the McMinn Building is District Court Judge Robert T. Gash, an attorney who has managed the McMinn Building for the late owner, Elizabeth Zachary Volger, and her estate. Since the late-nineteenth century when W. A. Gash was given power of attorney for the minor Mary B. McMinn in the settlement of her mother's estate, the McMinn and Gash families have had close professional and social relationships which have continued to the present. Notes of the author's conversations and interviews with Robert T. Gash are in the possession of the author. Information on the context of the McMinn Building and the history of Brevard was gleaned from "Historic and Architectural Resources of Transylvania County, North Carolina" which represents the first systematic, chronological narrative history of Transylvania County. Interviews with Brevard residents, principally Rowell Bosse, also enabled the author to gain a fuller understanding of the history of Brevard. Mr. Bosse provided to the author a photocopy of Nathan McMinn's letter to his son in which he proposed the construction of the McMinn Building. Notes of those interviews as well as records of gravestone inscriptions at Oak Grove Cemetery and Gillespie Evergreen Cemetery are in the possession of the author. Transylvania County Public Records in the Transylvania County Court House were also useful as were successive volumes of Branson's North Carolina Business Directory which are cited in the text.

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Section number 9 Page 1

McMinn Building
Transylvania County, North Carolina

Rowell Bosse, interview by Davyd Foard Hood, 8 January 1993, interview notes are in the possession of the author.

BRANSON'S NORTH CAROLINA BUSINESS DIRECTORY, 1884. Raleigh, N. C.: Levi Branson, 1884.

BRANSON'S NORTH CAROLINA BUSINESS DIRECTORY, 1890. Raleigh, N. C.: Levi Branson, 1890.

BRANSON'S NORTH CAROLINA BUSINESS DIRECTORY, 1896. Raleigh, N. C.: Levi Branson, 1896.

BRANSON'S NORTH CAROLINA BUSINESS DIRECTORY, 1897. Raleigh, N. C.: Levi Branson, 1897.

Robert T. Gash, interview by Davyd Foard Hood, 29 October 1992, interview notes are in the possession of the author.

Transylvania County Records, North Carolina State Archives, Archives Building, Raleigh, North Carolina(Subgroup: Estates Records).

Transylvania County Records, Office of the Register of Deeds, Transylvania County Court House, Brevard, North Carolina(Subgroup: Deeds).

United States Department of the Interior
National Park Service

**National Register of Historic Places
Continuation Sheet**

McMinn Building
Transylvania County, North Carolina

Section number 10 Page 1

Verbal Boundary Description

The nominated property is Parcel BRE-6-2-A-02-008 which appears on Transylvania County Tax Map BRE-6-2-A.

Boundary Justification

The boundary encompasses all that property both historically and currently associated with the McMinn Building.

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Continuation Sheet

McMinn Building

Transylvania County, North Carolina

Photographs 1

Section number _____ Page _____

The following numbered list of photographs is a schedule of photographs included in the nomination for the McMinn Building. The following information applies to all photographs unless otherwise noted:

Name of Property: McMinn Building

2-6 West Main Street

Brevard

Transylvania County

North Carolina

Photographer: Davyd Foard Hood

Date of Photographs: 29 October 1992

Location of Original Negatives: Division of Archives and History
109 East Jones Street
Raleigh, North Carolina
27601-2807

1. Overall view of the McMinn Building, looking north.
2. View of the West Main Street elevation of the McMinn Building (including the Transylvania County Court House), looking east.
3. View of the storefront at 6 West Main Street (and a portion of #4), looking northeast.
4. View of the pressed tin ceiling in the store at 4 West Main Street, looking southwest.
5. View of the railing protecting the stairwell and mezzanine in the store at 6 West Main Street, looking south.
6. View of the second story hall including the railing protecting the stair which rises from the first story, looking southwest.
7. View of the second story hall including entrances into offices #13-15 (left) and #18 (beside fuseboxes), looking northeast.
8. View from office #6 (Judge Gash's) into hall, looking north.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
EVALUATION/RETURN SHEET

REQUESTED ACTION: NOMINATION

PROPERTY NAME: McMinn Building

MULTIPLE NAME: Transylvania MPS

STATE & COUNTY: NORTH CAROLINA, Transylvania

DATE RECEIVED: 1/10/94
DATE OF 16TH DAY: 2/11/94
DATE OF WEEKLY LIST:

DATE OF PENDING LIST: 1/26/94
DATE OF 45TH DAY: 2/24/94

REFERENCE NUMBER: 94000034

NOMINATOR: STATE

REASONS FOR REVIEW:

APPEAL:	N	DATA PROBLEM:	N	LANDSCAPE:	N	LESS THAN 50 YEARS:	N
OTHER:	N	PDIL:	N	PERIOD:	N	PROGRAM UNAPPROVED:	N
REQUEST:	N	SAMPLE:	N	SLR DRAFT:	N	NATIONAL:	N

COMMENT WAIVER: N

☒ ACCEPT ☐ RETURN ☐ REJECT 2/18/94 DATE Entered in the
National Register

ABSTRACT/SUMMARY COMMENTS:

RECOM./CRITERIA _____
REVIEWER _____
DISCIPLINE _____
DATE _____

DOCUMENTATION see attached comments Y/N see attached SLR Y/N

CLASSIFICATION

___count ___resource type

STATE/FEDERAL AGENCY CERTIFICATION

FUNCTION

___historic ___current

DESCRIPTION

___architectural classification
___materials
___descriptive text

SIGNIFICANCE

Period Areas of Significance--Check and justify below

Specific dates Builder/Architect
Statement of Significance (in one paragraph)

___summary paragraph
___completeness
___clarity
___applicable criteria
___justification of areas checked
___relating significance to the resource
___context
___relationship of integrity to significance
___justification of exception
___other

BIBLIOGRAPHY

GEOGRAPHICAL DATA

___acreage ___verbal boundary description
___UTMs ___boundary justification

ACCOMPANYING DOCUMENTATION/PRESENTATION

___sketch maps ___USGS maps ___photographs ___presentation

OTHER COMMENTS

Questions concerning this nomination may be directed to

_____ Phone _____

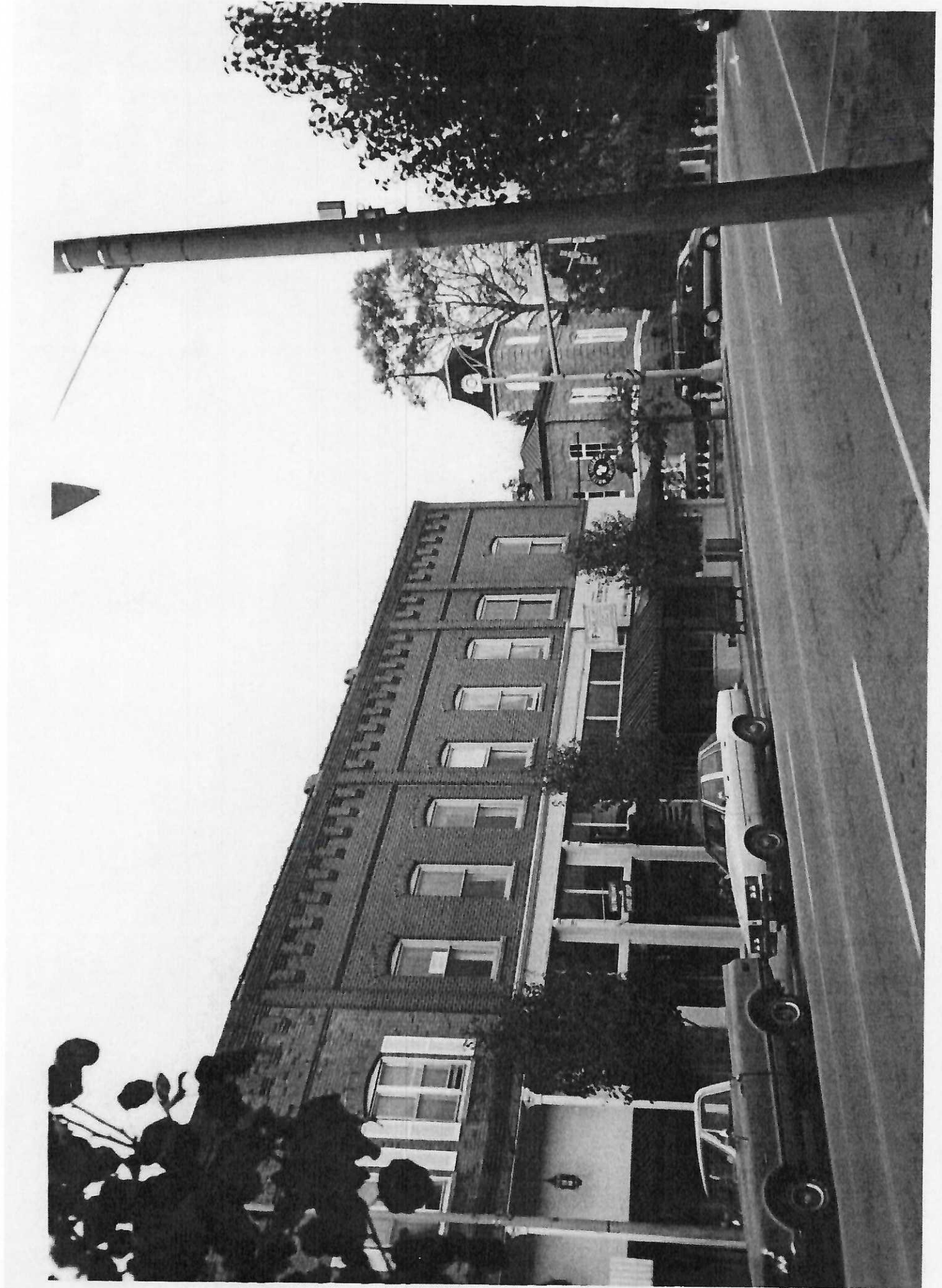
Signed _____ Date _____



McMahon Dickling
Brevard

North Carolina

#1



Median Berling

Brevard

North Carolina

#2

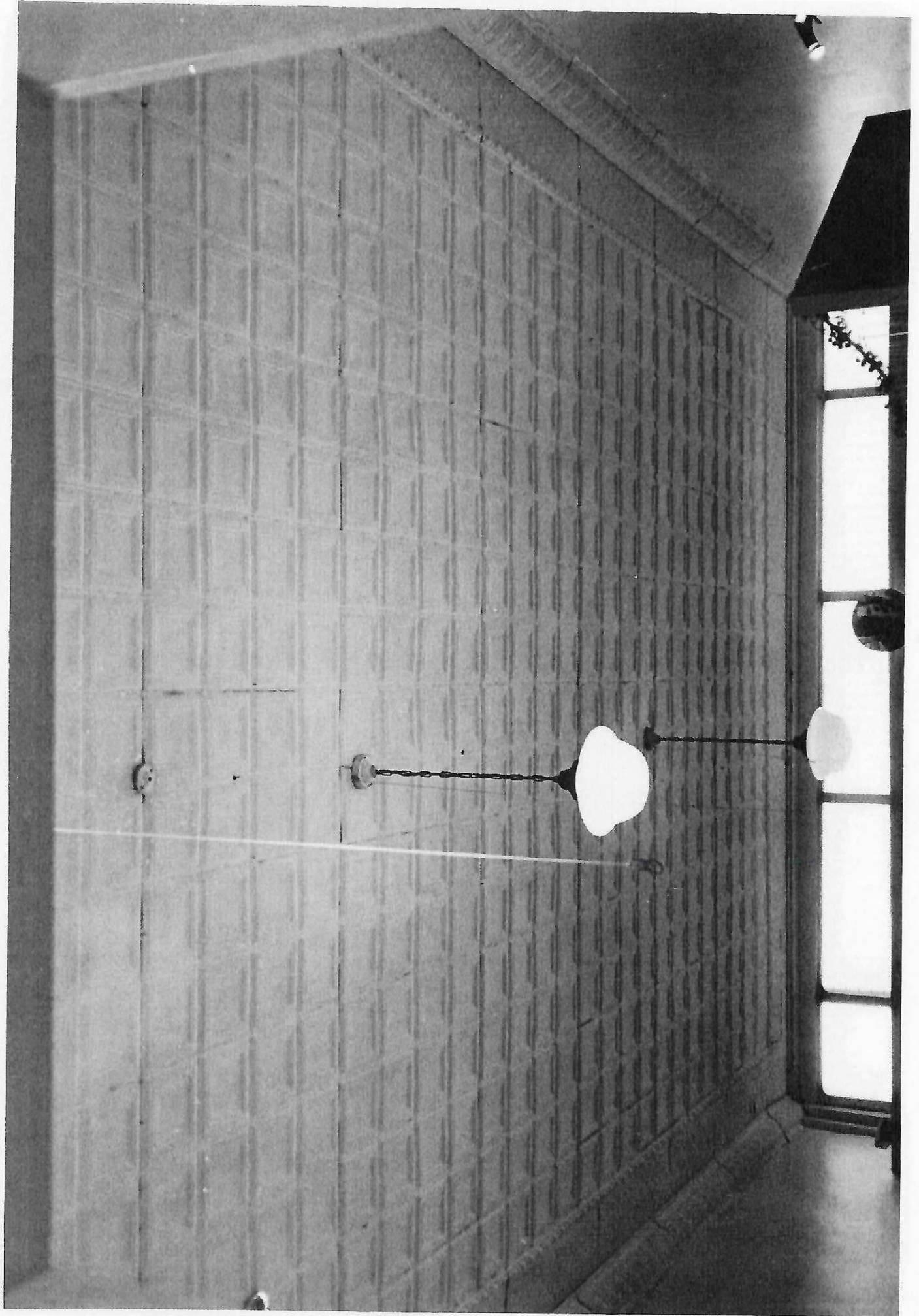


McNinn Building

Brevard

North Carolina

#3



McMan Building

Brevard

North Carolina

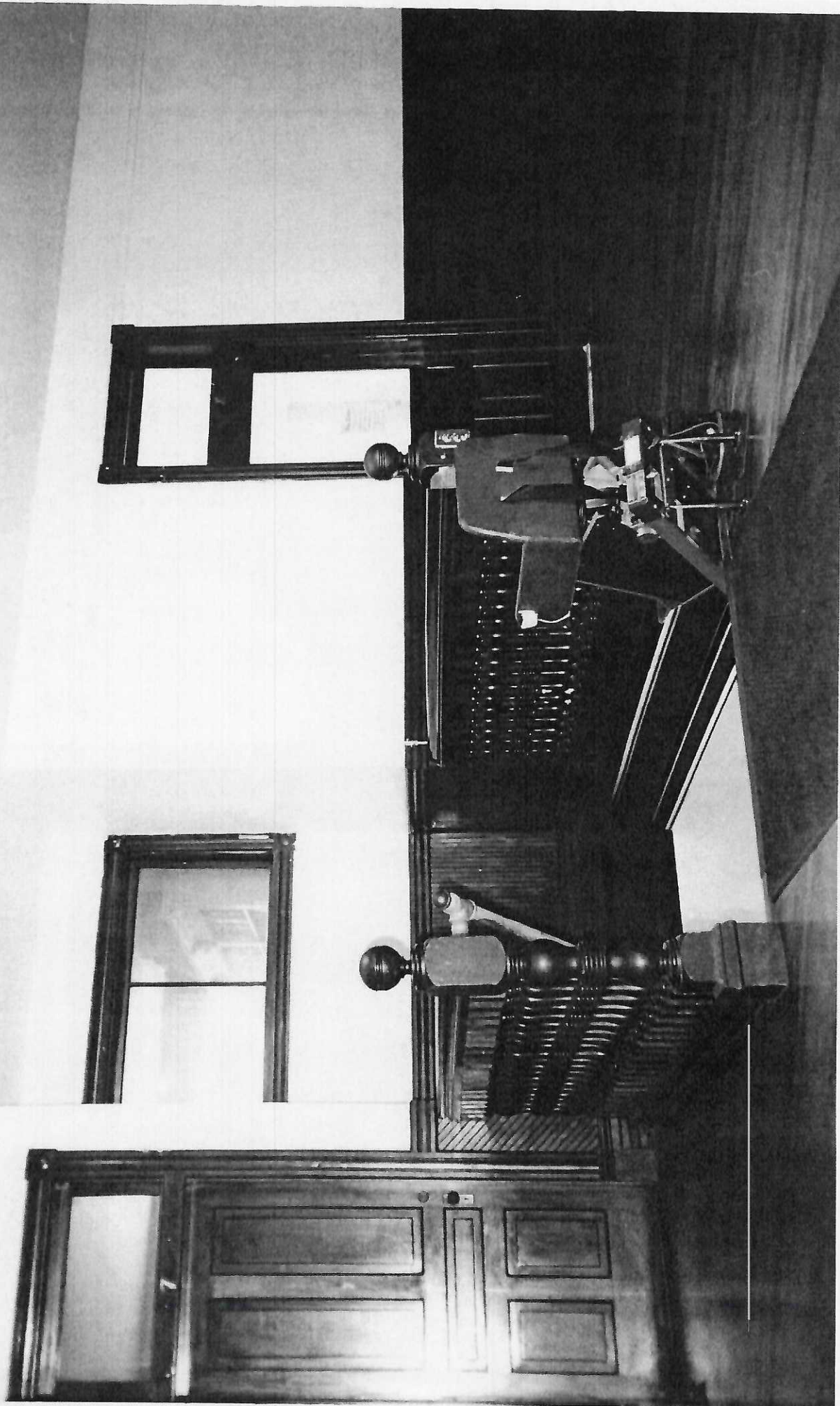
#4



McMinn Becking
Brevard

North Carolina

#5



McNair Building

Brevard

North Carolina

#6



McMinn Building
Dreux

North Carolina.

7



McMinn Building
Brevard

North Carolina

48



Contributed by NYS, NOAA, USGS, and TVA
 Request to photographers: methods from aerial
 photographs taken 1967. For details 1968
 Hydrologic division 1977 *North American Atlas*
 1:60,000 feet grid is located in North Carolina, Carolina
 system and South Carolina composite system north zone
 1000 meter Universal Transverse Mercator grid, 11th
 zone 17° 30' north in 1967
 To place on the present North American Atlas 1983
 show the principal lines 9 miles south and
 12 miles west as shown by dashed lines on this
 line red dashed lines to show the actual flow and field lines
 generally visible on aerial photographs. This information is an

FOR SALE BY U.S. GEOLOGICAL SURVEY DENVER COLORADO 80226, OR RESTON, VIRGINIA 22092
AND U.S. TENNESSEE VALLEY AUTHORITY CHATTANOOGA, TENN. 37403
A FOLDER CONTAINING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Primary highway: _____ Light duty road base or
 hard surface: _____ improved surface: _____
 Secondary highway: _____ Unimproved road: _____
 hard surface: _____
☐ Intermediate Road ☐ U. S. Road ☐ State Road

15165a



North Carolina Department of Cultural Resources

James B. Hunt, Jr., Governor
Betty Ray McCain, Secretary

Division of Archives and History
William S. Price, Jr., Director

December 21, 1993

Jerry Rogers, Keeper
National Register of Historic Places
National Park Service
U.S. Department of the Interior
Post Office Box 37127
Washington, D.C. 20013-7127

RECEIVED

JAN 10 1994

**NATIONAL
REGISTER**

Re: McMinn Building, Transylvania County

Dear Mr. Rogers:

Enclosed is the nomination for the above-referenced property to be listed in the National Register of Historic Places.

We trust you will find the nomination to be in order. If you have any questions, please contact Linda Harris Edmisten at 919/733-6545.

Sincerely,

A handwritten signature in cursive script that reads "William S. Price, Jr.".

William S. Price, Jr.
State Historic Preservation Officer

WSP,Jr/lhe

Enclosures



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary D. Reid Wilson

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

October 19, 2022

Ashley Minery
Planner
Transylvania County Planning and Community Development
106 East Morgan St., Suite 207
Brevard, NC 28712

Via email: ashley.minery@transylvaniacounty.org

RE: Proposed designation of **McMinn Building, 2-4 West Main St., Brevard, Transylvania County.**

Dear Ms. Minery:

Thank you for the report we received on the proposed designation of the McMinn Building, 2-4 West Main St., Brevard, Transylvania County. We have reviewed the information in the report and offer the following comments in accordance with North Carolina General Statute 160D-946.

According to the report, the McMinn Building is of local historic significance because it was the first brick commercial building built in Brevard and because of its association with Nathan McMinn, a banker and businessman who also served as Sheriff and County Commissioner.

We have shared recommendations with staff to perform a few changes to the report regarding the extent of the proposed designation, dates and description of alterations, and an integrity assessment. With these changes, we believe the designation report will provide the preservation commission and local governing board sufficient information to determine whether the McMinn Building possesses the requisite special local significance and integrity for local historic landmark designation.

Thank you for the opportunity to comment on the report. Please note, our comments are advisory only and therefore, non-binding. Once the governing board has received a recommendation from the Transylvania County Joint Historic Preservation Commission, it should proceed in the same manner as would otherwise be required for an amendment to the zoning ordinance. Once the decision has been made, please return a completed copy of the enclosed form to our office.

Landmark designation means the community recognizes the property is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance to the property would be subject to the design review procedures of the preservation

commission. The owner may receive an annual deferral of up to fifty percent of the property taxes for as long as the property is designated and retains significance and integrity. (N.C.G.S. 105-278 *et seq.*).

This letter serves as our comments on the proposed designation of McMinn Building, 2-4 West Main St., Brevard, Transylvania County. Please contact me at Kristi.brantley@ncdcr.gov (preferred) or 919-814-6576 should you have any questions about our comments.

Sincerely,

A handwritten signature in black ink that reads "Kristi Brantley". The signature is written in a cursive, flowing style with a long, sweeping underline that extends to the right.

Kristi Brantley
Local Preservation Commissions/CLG Coordinator

Enclosure

DONALD E. JORDAN

ATTORNEY AT LAW

4 West Main Street, Suite 5
Brevard, North Carolina 28712

(828)862-8735

jordanlaw@comporium.net

fax: (828)966-9556

October 27, 2022

Ashley Minery
Transylvania County Planning Department
via hand delivery

Kristi Brantley
NC Local Preservation Coordinator
via e-mail

Re: McMinn Building

Dear Ashley and Kristi:

Thank you both for your careful review and analysis of our Landmark Designation Application for the McMinn Building. Please accept this letter as a supplement to the Application.

The entire exterior of the building is included in the designation. The interior is not included.

In 1994 when the Building was added to the National Register, the corner tenant was the White Squirrel Shoppe. Wooden siding had been installed below the plate glass windows along the corner. That wooden siding was removed and the original bricks were exposed when the corner space was converted to use by the Transylvania County Council for the Arts in about 2018. The photos we submitted show the Building with and without the siding.

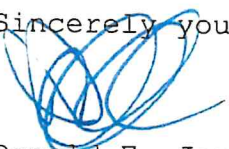
All elements of the Building's integrity were discussed at length in the National Register application. Those all remain the same, as improved by the removal of the wooden siding. The integrity of the design is entirely intact. With a setting on the major corner of Brevard, the McMinn Building has served as an anchor for the downtown, helping inspire careful restorations of several nearby buildings. The integrity of the workmanship has been protected for all of the 123 years since construction, and is apparent in the many exterior details. I have practiced law here in the McMinn Building since 1994, and the feeling I have is like stepping back into 1899. My clients frequently share similar feelings. The Building is a common stop in history tours of downtown Brevard. The Building has the look and feel of a grand old structure, well maintained and likely to remain a community asset for many years to come.

Ashley Minery
Kristi Brantley
Page Two

The property boundary runs from the Main Street sidewalk to the alley in the rear of the Building, and from the North Broad Street sidewalk to the next building to the northwest. The Deed calls for 75' of Main Street frontage, which is the exact dimension shown on the original building blueprint submitted as part of the Application. Thank you for noting that our tax mapping department has overshot those dimensions. It appears that the Main Street frontage shown on the tax map is shown in error as 87', which would give the McMinn Building part of the North Broad sidewalk, and almost 10' of the adjoining building. Especially since that error throws off the mapping of other buildings on down Main Street, we have requested that the mapping department make an appropriate correction. Our Application is only for the McMinn Building, and not for any portion of the adjoining building.

Please let me know if there are additional questions or if we can provide any further documentation.

Sincerely yours,



Donald E. Jordan

ORDINANCE NO. 23-XX

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK CERTAIN PROPERTY KNOWN AS THE McMINN BUILDING AS IS MORE SPECIFICALLY DESCRIBED IN A DEED IN THE TRANSYLVANIA COUNTY REGISTER OF DEEDS OFFICE, IN DEED BOOK 379, AT PAGE 419, AND BEING DATED AUGUST 29, 1994, SAID PROPERTY BEING OWNED BY McMINN PROPERTIES, INC.; THE PARCEL OF LAND BEING ESPECIALLY DESIGNATED IS ALL OF THE PARCEL OF LAND OCCUPIED BY THE BUILDING, LISTED UNDER TAX PARCEL NO. 8586-51-1048-000 IN THE TRANSYLVANIA COUNTY TAX OFFICE, BREVARD, NORTH CAROLINA

WHEREAS, all the prerequisites to the adoption of this Ordinance described in Chapter 160A, Article 19, as amended of the North Carolina General Statutes and Ordinance No. 26-97 of the City of Brevard have been fully completed; and

WHEREAS, the City Council has taken into full consideration all statements and information presented during a public hearing held on January __, 2023, on the question of designating certain property known as The McMinn Building as an historic landmark; and

WHEREAS, The McMinn Building was built in or near the year 1899 as commercial retail and office space is now one of the oldest historic buildings in the City of Brevard in present and continual service; and

WHEREAS, The McMinn Building possesses special significance in terms of its history, architectural and cultural importance; and

WHEREAS, the property known as The McMinn Building is presently owned by McMinn Properties, Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA:

Section 1. That the property known as The McMinn Building (including the entire exterior of the building, the entire parcel of land listed under Tax Parcel No. 8586-51-1048-000), and the interior stairway and hallway is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes and Ordinance No. 26-97 of the City of Brevard. The location of said landmark is hereby noted as being situated at 2, 4, 6 and 12 West Main Street, Brevard, North Carolina. The exterior features of the McMinn Building are more completely described in the Application for Local Historic Landmark Status, dated September 10, 2022.

Section 2. That said designated historic landmark may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Joint Historic Preservation Commission, With regard to issuance of any Certificate of Appropriateness, the provisions of Ordinance No. 26-97 of the City of Brevard shall control.

Section 3. This Ordinance shall not be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature in the event that a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed or interpreted to prevent the owner of the historic landmark from making any use not prohibited by other statutes, ordinance or regulations, including the zoning ordinance of the City of Brevard.

Section 4. A suitable sign may be posted on the property with the owners' permission or near the property in the City right-of-way, indicating that said property has been designated as an historic landmark, and containing any other appropriate information. Such sign must comply with the Sign Ordinance of the City of Brevard.

Section 5. The owner of the historic landmark known as The McMinn Building shall be given notice of this Ordinance as required by law, and a certified copy of this Ordinance shall be filed and indexed in the offices of the Transylvania County Register of Deeds and Brevard City Clerk.

Section 6. The McMinn Building, hereby designated as an historic landmark, shall be subject to the provisions of Chapter 160A, Article 19, as amended, of the North Carolina General Statutes, as well as any subsequent amendments thereto, and Ordinance No. 26-97 of the City of Brevard, as well as any subsequent amendments thereto.

Section 7. This Ordinance shall be effective upon its adoption and approval.

Adopted and approved this 17th day of January, 2023.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Tuesday, January 17, 2023

Title: Designation of Historic Landmark- Brevard City Hall and Fire Station, 114 & 116 West Main Street

Speaker: Katherine Buzby

Prepared by: Katherine Buzby, Planner/Assistant Zoning Administrator

Approved by: Wilson Hooper, City Manager

City Council is asked to consider an ordinance to designate property located at 114 and 116 West Main Street (Brevard City Hall and Fire Station) to the local designation registration maintained by the Joint Historical Preservation Commission (JHPC).

Background

A property, owned by Drew D. Deane, located at 114 and 116 West Main Street, has applied to be locally historically designated with the JHPC. The application and Designation Report has been reviewed by the State Historic Preservation Office (SHPO) and does meet requirements for a local designation. The requested ordinance from City Council will bestow the local historical designation which enables the property owner to receive tax credits for the property and requires a Certificate of Appropriateness for any remodels or repairs to the property.

Discussion

Brevard City Hall and Fire Station was built around 1899 and was considered the City's first municipal building (a fire station) from 1926 until 1938. Additionally, the building was constructed by R.P. Kilpatrick (1872-1954), who played an important part in the development of the City of Brevard and Transylvania County through construction of many brick commercial buildings. It is a contributing resource to the Main Street Historic District as the façade on the front (southwest) and upper portion of the right façade are original to the building. Additions and renovations were conducted in 2006 to the rest of the building. The local designation will be for the entire exterior of the building (listed under Tax Parcel Number 8586-41-7304-000) and for the interior stairway and hallway shared with an adjoining building. Please see the attached application and designation report for the property.

The joint hearing requires the members of the JHPC and City Council to vote to have it historically designated via an ordinance; if the ordinance is approved, then the property is added to the Local Designation Register maintained by the JHPC. A Certificate of Appropriateness will need to be obtained from the JHPC if the owner wants to materially alter, restore, move, or demolish the designated historic landmark.

Policy Analysis

North Carolina General Statutes Chapter 160A, Article 19 govern the local designation process as well as Brevard's local ordinance no 26-97.

Fiscal Impact

None.

Action:

No action requested. For information and public hearing only.

At a future meeting, Council will be asked to consider taking one of the following actions:

1. Approve the ordinance as presented.
2. Approve the ordinance with modifications.
3. Deny the ordinance as presented.

Attachments:

1. Brevard City Hall and Fire Station App.
2. Brevard City Hall and Fire Station (edited 10-24-2022)
3. Brevard Fire Station Landmark - Ordinance

JHPC LOCAL HISTORIC LANDMARK APPLICATION

JHPC Administration: ☐ City of Brevard/ETJ ☐ Rosman ☐ Transylvania County

Stage 1: Status Application (no fee)
Stage 2: Designation Report Submittal Fee - \$200.00

Property P.I.N.: 2586-41-730-00 recorded in Book _____, Page _____, Registry of Transylvania County

Stage 1: Local Historic Landmark Preliminary Status Application Process

This section of the application initiates preliminary consideration of a property for local historic landmark status. There is no application fee for this Preliminary Status Application of the process.

drewdeane17@gmail.com

Legal Owner of Property: DREW DUGGER DEANE Phone: 828-553-5532
Address: 114-116 WEST MAIN ST BREVARD, NC 28712
1535 CARALEIGH MILLS CT. PAREKH, NC 27603

1. NAME OF PROPERTY

Historic Name(s) _____

Other Name(s) _____

BREVARD FIRE STATION

CITY HALL, DREW DEANE GALLERY

2. LOCATION OF PROPERTY

Street Address or Boundaries _____

City and Zip Code _____

Property Township _____

114 + 116 WEST MAIN ST BREVARD, NC 28712

Select One _____

Acreage _____

3. CLASSIFICATION

Ownership of Property:



Private



Public

Days/Hours of operation: _____

Contact Name/Telephone: _____

Is it accessible for viewing:



Inside



Outside

Category of Property:



Building – created principally to shelter any form of human activity (i.e. house, barn/stable, hotel, church, school, theater, etc.)



Structure – constructed usually for purposes other than creating human shelter (i.e. tunnel, bridge, highway, silo, etc.)



Object – constructions that are primarily artistic in nature. Although movable by nature or design, an object is typically associated with a specific setting or environment (i.e. monument, fountain, etc.)



Site – the location of a historic event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined or vanished, where the location itself possesses historic, cultural, or archeological value, regardless of the value of any existing structure (i.e. battlefields, cemeteries, designed landscape, etc.)



District – a group of buildings or properties that may have different levels of historic or architectural significance.

Planning and Community Development

106 East Morgan Street

Brevard, NC 28712

828.884.3205

planning.transylvaniacounty.org



JHPC LOCAL HISTORIC LANDMARK APPLICATION

4. PROPERTY RESOURCES

Number of contributing and non-contributing resources within property:

A contributing building, site, structure, or object adds to the historic associations, historic architectural qualities, or archeological values for which a property is significant because it was present during the period of significance, relates to the documented significance of the property, yields important information about the period and possesses historic integrity.

	Contributing (Adds to significance)	Non-contributing (Does not add to significance)
✓ Buildings	Select One	Select One
Structures	Select One	Select One
Objects	Select One	Select One
Sites	Select One	Select One

5. FUNCTION OR USE (note approximate dates)

Historic Functions or Use:

BREWARD FIRE STATION

Current Functions or Use:

Stage 1: Local Historic Landmark Application

DREW DEANE
(type or print applicant name)

Drew Deane 8/15/22
(applicant signature) (date)

114 WEST MAIN ST
(mailing address)

BREWARD, NC 28712
(city, state, zip)

drewdeane17@gmail.com
(e-mail address)

(phone) 828-553-5532

(type or print agent name, if applicable)

(agent signature) (date)

(mailing address)

(city, state, zip)

(e-mail address) (phone)

Application Submitted on 15 day of Aug, 2022

(JHPC Administrator for Transylvania County)

If the property meets the requirements for consideration as a local historic landmark, notification will be made by JHPC to continue on to the Local Historic Landmark Designation Application Process.

JHPC LOCAL HISTORIC LANDMARK APPLICATION

Stage 2: Local Historic Landmark Designation Report Submittal Process

The designation report may be submitted with the Local Historic Landmark Application, or separately after the Joint Historic Preservation Commission has considered the application and directed the designation committee to provide assistance or guidance to the applicant. Designation reports required in accordance with NC GS 160D-945 and 946.

1. SUPPORTING DOCUMENTATION

☒ **Designation Report**

A designation report should help justify and explain to the general public why the local governing authority's decision to landmark the property as "historic" is appropriate and defensible. A report format guide is available on the Transylvania County Planning and Community Development website and report examples and other useful material are available on the State Historic Preservation Office website at <https://www.ncdcr.gov/about/history/division-historical-resources/nc-state-historic-preservation-office/local-historic-0#preparing-a-local-landmark-report>

☐ **Additional Items Requested by JHPC:** _____

Stage 2: Designation Report Submittal and Certificate of Appropriateness Statement of Understanding

Certificate of Appropriateness Required: From and after the designation of a landmark or a historic district, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor any above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished on such landmark or within the historic district until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the Joint Historic Preservation Commission. Such a certificate is required to be issued by the Preservation Commission prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures, which certificate may be issued subject to reasonable conditions necessary to carry out the purposes of this ordinance. A certificate of appropriateness shall be required whether or not a building or other permit is required. "Exterior features" shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all features, historic signs, color, and significant landscape, archaeological and natural features of the area. In the case of outdoor advertising signs, "exterior features" shall be construed to mean the style, material, size and location of all such signs.

I understand that designation as a local landmark imposes the restrictions described above.

DREW DIANE
(type or print applicant name)

(type or print agent name, if applicable)

Drew Diane
(applicant signature) (date)

(agent signature) (date)

114 WEST MAIN ST
(mailing address)

(mailing address)

BREVARD, NC 28712
(city, state, zip)

(city, state, zip)

Date: 15 day of Aug, 2022

(JHPC Administrator for Transylvania County)

If the property meets the requirements for consideration as a local historic landmark, notification will be made by JHPC to continue on to the Local Historic Landmark Designation Application Process.

JHPC LOCAL HISTORIC LANDMARK APPLICATION

For Transylvania County Planning and Community Development Staff Use

- ☒ Status Application submitted to the Transylvania County Planning and Community Development Department.
Date: 8/15/22
- ☒ JHPC status application review. Date meeting: 9/13/22
- ☒ Designation Report submitted to the Transylvania County Planning and Community Development Department.
Date: 8/15/22
- ☒ Report sent to NC Dept of Cultural Resources State Historic Preservation Office, allowing 30 days to respond
Date of report submittal to SHPO: 11/6/20
- ☒ JHPC vote on designation status recommendation. Date of meeting: 11/8/22
- ☐ County/City/Town Public Hearing and adoption of Historic Landmark Designation.
Date of consideration: _____

Approval Confirmation: (To be completed by Transylvania County Planning and Community Development Department Staff)

This section of the application documents Transylvania County Joint Historic Preservation Commission's recommendation, and the appropriate governing Board's ultimate approval of the Local Historic Landmark Designation.

I have read the general information on landmark designation provided by the Transylvania County Joint Historic Preservation Commission and affirm that I support landmark designation of the property defined herein.

DREW DEANE
(type or print applicant name)

(type or print agent name)

[Signature] 8/15/22
(applicant signature) (date)

(agent signature)

(date)

114 WEST MAIN ST
(mailing address)

(mailing address)

BREWARD, NC 28712
(city, state, zip)

(city, state, zip)

(JHPC Administrator – Printed)

Designation Approved this ____ day of ____, ____

(JHPC Administrator – Signature)

LOCAL LANDMARK REPORT
Brevard City Hall and Fire Station
TV 269
October 2022



ca. 1938



2002

LOCAL LANDMARK REPORT
Brevard City Hall and Fire Station
TV 269
October 2022

I. General Information

- A. Common and Historical Property Names
 - 1. Kilpatrick Building, 1926
 - 2. K & M Auto Repair (back of upper level), July 1926 - moved by 1930
 - 3. Union Bus Terminal (street front), July - November 1926
 - 4. Brevard City Hall and Fire Station (street front), December 1926 - June 1938
 - 5. K & M Automotive Company, 1939-2003
 - 6. Main Street Development, George Williams (unoccupied, under construction), 2003 - 2006
 - 7. Drew Dugger Deane Gallery and Canto 34 Coffee Lounge (commercial and residential), 2006 - present
- B. Physical Address or Location:
114 and 116 West Main Street, Brevard, North Carolina, 27812
- C. Tax Parcel Identification Number (PIN): 8586-41-7304-000
- D. Current Owner Name and Address:
Drew Dugger Deane
1535 Caraleigh Mills Court
Raliegh, NC 27603
- E. Appraised Value of the Property \$683,470 (2022) See Document F for latest tax card

II. Abstract

- A. Statement of Significance:
The property is significant socially and architecturally at the local level by association with events that have made significant contributions to broad patterns of our history. Considered to be the town's first municipal building, it served as the fire station from 1926 until June 1938 during which time the Brevard Fire Department contributed to significant local and regional developments in firefighting. Additionally, the property is significant for its association with the builder, R.P. Kilpatrick (1872-1954), who played an important role in the development of the town of Brevard and Transylvania County through his construction of many of the brick commercial buildings that form the Main Street National Register Historic District.
- B. Statement of Integrity:
The building remains in its originally location and is part of the National Register Main Street Historic District as a contributing resource to the district's period of significance. The building retains integrity of design with the overall massing and scale of the building as well as the original exterior brick and terracotta materials of the main façade. Recent

rehabilitation work has taken care to utilize replacement windows and doors that are consistent with the historic commercial character of the building. The building retains integrity of feeling with the original brick detailing and colors, replacement windows and roll-up garage door that resemble the original design and appearance of a historic automotive garage and fire station. While not maintaining the original use, the building maintains integrity of association through its congruent use as a downtown commercial mixed-use building with main-level retail and upper-level residential units.

The entire legal parcel of PIN #8586-41-7304-000 (0.05 acres), inclusive of the exterior of the existing building, is included in the local designation. The interior of the building is not included in the local designation.

III. Historic Background

Built in 1926, the Brevard City Hall and Fire Station is associated with the development of the city as well as prominent local citizens and commerce. The building maintains its architectural integrity as part of the historic Main Street streetscape. The property is a contributing resource in the Main Street Historic District, listed on the National Register of Historic Places in 2002. Current property boundaries follow the footprint of the rectangular building with a small additional open area to the rear. Only the front (southwest) façade and the upper portion of the right façade are original, as other buildings are attached on the sides and an addition was constructed on the rear in 2006. The interior of the building was rehabilitated in 2006.

The two-story building in which the Drew Deane Gallery and Canto 34 Coffee Lounge are currently located was constructed in 1926 by R.P. (Robert Porter) Kilpatrick. The building was used for commercial purposes (K&M Auto Repair) briefly before the Town of Brevard leased the main level in November 1926. Over the next 12 years (until June 1938) the Town of Brevard leased space for the Fire Station and other purposes, including as City Hall.

From 1939 to 2003, the building operated as K & M Automotive Company, including a dealership and automotive repair shop (Illustrations #1, #2, #3). The Kilpatrick family retained ownership of the building until George Williams purchased it in 2003, along with adjoining properties, for redevelopment. It was then fully rehabilitated for commercial and residential use.

IV. Assessment

A. Historical Significance - Uses

1. K & M Auto Repair

K & M Auto Repair was located on the back of the second floor and was accessible at ground level from the rear.¹ The business was owned and operated by R.E. (Robert Earle) Kilpatrick and D.W. (Daniel Webster) Merrill, son and son-in-law of R.P. Kilpatrick.

2. Union Bus Terminal

¹ "K & M Auto Repair Shop Opens for Business Here", *Brevard News* (NC) July 1, 1926

The first tenant on the main floor, the building was probably designed for this purpose, although it was used for only a few months. A newspaper description announcing the business is as follows:

The building is of brick construction, 24 by 74 feet, will be modernly equipped with office, ladies and gents waiting rooms, comfortable seats, and all necessary equipment for the convenience and comfort of the traveling public. The floor is of concrete, with front of plate glass and large double doors allowing entrance of the busses when necessary.²

3. Brevard City Hall and Fire Station

The Brevard Fire Department started in 1898 with its main piece of equipment being a “pushcart,” later upgraded to a Ford truck and then an American-LaFrance fire truck.³ Equipment was housed in a wood garage-type structure located on the north end of the town square, immediately west of the Transylvania County Courthouse.⁴ By 1926 the Fire Department was outgrowing this facility. In addition, the planned extension of Broad Street from the town square at Main St. to King Creek meant the fire department and street and maintenance department located in the small wood structures needed new homes.

In November 1926 R.P. Kilpatrick’s West Main Street building became the home of the fire department and quickly became known as Brevard City Hall and Fire Station (Illustrations #24 and #25). It is considered the town’s first municipal building. The building served as the fire station until June 1938 during which time the Brevard Fire Department contributed to significant local and regional developments in firefighting.

4. K & M Auto Company

After the building’s municipal use, the K & M Auto Company returned to the building and took over the entire facility as a Chrysler automobile dealership and the auto maintenance and repair shop for city operated vehicles. As previously noted, the business was owned and operated by R.E. (Robert Earle) Kilpatrick and D.W. (Daniel Webster) Merrill, son and son-in-law of R.P. Kilpatrick. The business would continue under the ownership of Donald H. Kilpatrick, Sr. (son of Robert Earle and grandson of Robert Porter) and his son Don Kilpatrick, Jr.⁵ The building’s automotive centered existence ended in 2003.

B. Association with Key Figures

Builder—R.P. Kilpatrick

The Brevard City Hall and Fire Station building was constructed by R.P. (Robert Porter) Kilpatrick in 1926.

² “Union Bus Terminal Being Constructed”, *Brevard News* (NC) July 1, 1926.

³ “Department Has Good Equipment and Organization,” *Transylvania Times* (Brevard, NC) October 8, 1942.

⁴ “Sanborn Fire Insurance Maps,” Brevard, Transylvania, NC, June 1911/October 1916/September 1924. Sanborn Map Company. <https://digitalsanbornmaps-proquest-com.proxy174.nclive.org/about?accountid=7980>

⁵ “Donald H. Kilpatrick,” obituary *Transylvania Times* (Brevard, NC) February 5, 2004.

R.P. Kilpatrick (1872-1954) played an important role in the development of the town of Brevard and Transylvania County. A native of Transylvania County, Kilpatrick was credited with building “a majority” of Brevard’s business buildings, including the former Brevard Banking Company; the Clayton and Aethelwold Hotels, all three of which feature in the 1998 publication, *Transylvania: The Architectural History of a Mountain County*.⁶ He also built hundreds of homes in Brevard and Transylvania County.⁷ Besides construction, Kilpatrick was the proprietor of a store that sold “groceries, notions, and shoes” and was a Brevard alderman for sixteen years.⁸ R.P. Kilpatrick and his brother, Chester Kilpatrick, worked together in the construction business, Kilpatrick Brothers, as early as 1896.⁹ Kilpatrick was “responsible for many of the town’s fine commercial brick buildings,” as well as several speculative homes on Probart Street, one of Brevard’s earliest residential streets.¹⁰

In 2002, Brevard’s Main Street Historic District attained inclusion on the National Register of Historic Places, in part because of Kilpatrick’s work including the 1924 construction of the Brevard Banking Company, as well as the 1926 Brevard City Hall and Fire Station. Both properties were associated with events that have made a significant contribution to the broad patterns of our nation’s history.

Fire Department Members

Brief biographies of two of Brevard’s long-time firefighters James Sherrill Bromfield and Daniel Webster Merrill demonstrate that the Brevard Fire Department served as a developmental incubator for firefighting leadership that benefitted Brevard and all western North Carolina.

James Sherrill Bromfield

J.S. Bromfield (1877-1952) played a significant role in the business and civic life of Transylvania County and its county seat, the town of Brevard. He served as Chief of the Brevard Fire Department from 1915 to 1940¹¹ (Illustration #26). As fire chief, Bromfield was reputedly “one of the most able fire chiefs in the state,”¹² with his leadership earning praise from visiting fire inspectors, community leaders, and citizens. A much-lauded addition to the department was the purchase of a 1925 American-LaFrance fire truck.¹³ In

⁶ Laura A.W. Phillips and Deborah Thompson. *Transylvania: The Architectural History of a Mountain County*, (Raleigh: Transylvania County Joint Historic Preservation Commission in association with Marblehead Publishing, 1988) 147-148.

⁷ “Kilpatrick Bro’s,” *Brevard Hustler* (NC), April 30, 1896; “Why Rent When You Can Own Your Own Home on Rent Money?” *Sylvan Valley News* (Brevard, NC) August 6, 1909; “Funeral Rites For Kilpatrick Set Tomorrow,” *Asheville Citizen-Times* (NC) January 6, 1954.

⁸ “Funeral Rites For Kilpatrick Set Tomorrow,” *Asheville Citizen-Times* (NC) January 6, 1954; “New City Officials Elected Today,” *Brevard News* (NC) May 9, 1919.

⁹ Marcy Thompson, “Kilpatricks Were Leading Brevard Builders,” *Transylvania Times* (Brevard, NC) April 3, 2016.

¹⁰ *Historic and Architectural Resources of Transylvania County, North Carolina*, United States Department of the Interior National Park Service National Register of Historic Places Multiple Property Documentation Form, June 21, 1993.

¹¹ “Former Chief Praises Department,” *Transylvania Times* (Brevard, NC) October 8, 1942.

¹² “Freeman and Bromfield Are Re-elected by New Council,” *Brevard News* (NC) May 14, 1931.

¹³ “Department Has Good Equipment and Organization,” *Transylvania Times* (Brevard, NC) October 8, 1942

1927, fire insurance rates were reduced by 25% because of the city's provision for requested, and improved, firefighting equipment.¹⁴ In 1933, an inspector from the Fire Underwriters Association stated that "for a town the size of Brevard, he had found no better outfit."¹⁵

Bromfield carried out aggressive efforts to educate the public about Fire Safety that was echoed in newspaper articles and celebrated community events throughout the 1920s.¹⁶ The *Brevard News* in 1932 opined that "people in this town may have their differences of opinion of many things...but there is one thing here upon which all people of this town pour out their loyal devotion. That one institution is our fire department."¹⁷

Daniel Webster Merrill

Dan Merrill (1892 to 1975) started his career with the Brevard Fire Department in 1925 when he was tasked with driving and maintaining the town's fire truck.¹⁸ Merrill was Brevard's fire chief from 1945 to 1969¹⁹ (Illustration #26). The *Volunteer Firefighter Magazine*, a national publication, displayed an image of Chief Dan Merrill on its cover and a featured article: "Dan Merrill—Is His Brevard N.C. department the best trained and best equipped in the South?"²⁰ (Illustration #27).

Merrill was also instrumental in founding the Western North Carolina Firemen's Association and was its first vice president and elected its president in 1951.²¹ In 1975, a firefighter from Henderson County who Merrill had trained respectfully recalled that Chief Dan Merrill, although short of physical stature, was a leader who "stood as a giant among giants."²²

In 1980, the North Carolina Fire Insurance Rating Bureau awarded the Brevard Fire Department an improved rating that moved from a 6 rating to a 5; for property owners, a lower rating was good, because it meant lower fire insurance costs. The rating provided significant standing, making Brevard "the only fire department in the state with a rating that low."²³ The *Asheville Citizen-Times* proclaimed that the Brevard Fire Department was "the best in the state," with Chief Dan Merrill's earlier work being credited for the honor, five years after his death.²⁴

V. Architectural Description of Structure & Integrity

¹⁴ "Fire Insurance Rates in Brevard Will Be Reduced," *Brevard News* (NC) April 7, 1927.

¹⁵ Inspector Praises Fire Department," *Transylvania Times* (Brevard, NC) July 20, 1933.

¹⁶ "Praise Due Brevard Fire Department," *Brevard News* (NC) April 1, 1926; "Kiwanis Hold Fire Prevention Meet," *Brevard News* (NC) October 14, 1926; "To Entertain Firemen At Lunch," *Brevard News* (NC) October 9, 1929.

¹⁷ "Brevard's Loyalty To The Fire Department," *Brevard News* (NC) October 6, 1932.

¹⁸ "Employes [sic] Names At Brevard By City Council," *Asheville Citizen-Times* (NC) June 8, 1945.

¹⁹ Lewis Green, "Volunteer Fire Departments Have Reduced Fear In Rural Areas," *Asheville Citizen-Times* (NC) October 6, 1963; "Brevard Firemen Tops," *Asheville Citizen-Times* (Asheville, NC) January 29, 1980.

²⁰ *The Volunteer Firefighter*, May 1957, Volume 1, Number 9, (Charlotte: Thomas Higgins Company); Western North Carolina Association of Firefighters, <https://wncaff.com/previous-officers/>

²¹ *The Volunteer Firefighter*, May 1957, Volume 1, Number 9

²² Roy B. Laughter, "Good Fireman," *Asheville Citizen-Times* (NC) December 1, 1975.

²³ "Brevard Firemen Tops," *Asheville Citizen-Times* (NC) January 29, 1980.

²⁴ "Brevard Firemen Tops," *Asheville Citizen-Times* (NC) January 29, 1980.

The two-story Brevard City Hall and Fire Station maintains its original façade of yellow brick with red brick contrasting square panels, along with additional brick accents and terra cotta caps on the parapet wall (Illustration #5). The first-floor façade currently has a roll-up garage door with a connecting entry door and transom window. A single storefront window is now in the original recessed entryway that led directly upstairs to the second floor (Illustration #6, #7, #8). Four one-over-one sash windows on the second floor have larger decorative rectangular sections of red bricks above and below them.

The original sides of the building were unadorned, blank with no windows. The rear is only one story due to a change in grade and is a concrete and brick addition from 2006 that extends down to the first floor. A roof top deck, accessed by a spiral stair and surrounded by a steel and cable railing is accessed from the rear. Historic and newer buildings nearby on Main Street demonstrate architectural and historical continuity as the same yellow brick is used, namely the Brevard Municipal Building, erected in 1969 and the (former) Brevard Banking Company (1924), also constructed by R. P. Kilpatrick. (Illustrations #9 and #10) The Brevard City Hall and Fire Station was rehabilitated in 2006 by George Williams (developer) and Steve Blythe (contractor) and was designed by Harris Architects of Brevard.

In the summer of 2019, Drew Deane installed a roll-up garage door that resembles the original door, giving the building a closer feeling to its original purpose (Illustrations #11, #12, #23).

Although the interior is not part of the current application, the original square-tin ceiling was replaced with new square-tin ceiling tiles as insulation for fire separation was needed between the floors. that replicates a similar look to the original tin ceiling; the tin ceiling required replacement because the insulation between floors did not meet new fire codes. Drew Deane also discovered that the original by-fold front doors of the 1926 fire station were stored in the rear of the building; she has since had these original doors preserved, having them encased and used as wall-dividers separating the front space of the interior from the back-office area on the bottom floor (refer to Illustration #16). The original concrete floor is also presently exposed on the downstairs level. Moreover, the interior space on the lower level is still largely an open footprint in keeping with its past uses (Illustrations #15 & #16). Also, Drew Deane commemorates Brevard's Fire Department history with her original works of art, the display of the original exterior doors to the firehouse building, showcasing a fire fighter's uniform mounted on a mannequin, as well as patches from various regional Fire Departments who have donated patches (Illustrations #17 to #22).

No known archaeological features are present at this time.

VI. Property Boundary Description & Justification

The property deed between E.S. English and his wife Leila J. English (grantor) and R.P. Kilpatrick (grantee) states, "A part of the consideration of this Deed is that the Grantee herein named shall erect upon the lot herein described within twelve months hereof a two-story Brick Building."²⁵ The building was completed and in use as a commercial space by July 1926.

²⁵ Deed from E.S. English and his wife Leila J. English to R.P. Kilpatrick, July 24, 1925.

The building faces West Main Street, one and a half blocks west of the Transylvania County Courthouse. It is directly across the street from the current City Hall and Fire Station. It is built into a hill so that there is street access for the front (south) and lower level on W. Main St. and the rear (north) on West Probart St. A one-story commercial building adjoins it to the east and a two-story building with a similar façade was added to the west in 2006. Other 2006 alterations included removal of shed additions on the west and north, a new two-story rear addition, a roof top deck including a metal spiral stair, and replacement of all windows and doors with original masonry openings.

There is no driveway as the original fire truck (which remains housed at the current fire station) drove directly into the street through the original bi-fold doors and then in later years, through the overhead garage door into the building.

Drew Deane has taken many steps to maintain the original integrity and feeling of the building. There are no remaining out-buildings related to the original lot (Illustration #23).

The property is a contributing resource in the Main Street Historic District, listed on the National Register of Historic Places in 2002. The building maintains architectural integrity as part of the historic Main Street streetscape.

VII. Supporting Documentation

The following documents include attestation to the historic and architectural significance of the Brevard City Hall and Fire Station:

--Brevard Historic Downtown Walking Tour Guide," *Joint Historic Preservation Commission*, 2018

--Laura A.W. Phillips and Deborah Thompson, *Transylvania: The Architectural History of a Mountain County*, (Raleigh: Transylvania County Joint Historic Preservation Commission in association with Marblehead Publishing, 1998) 147-148.

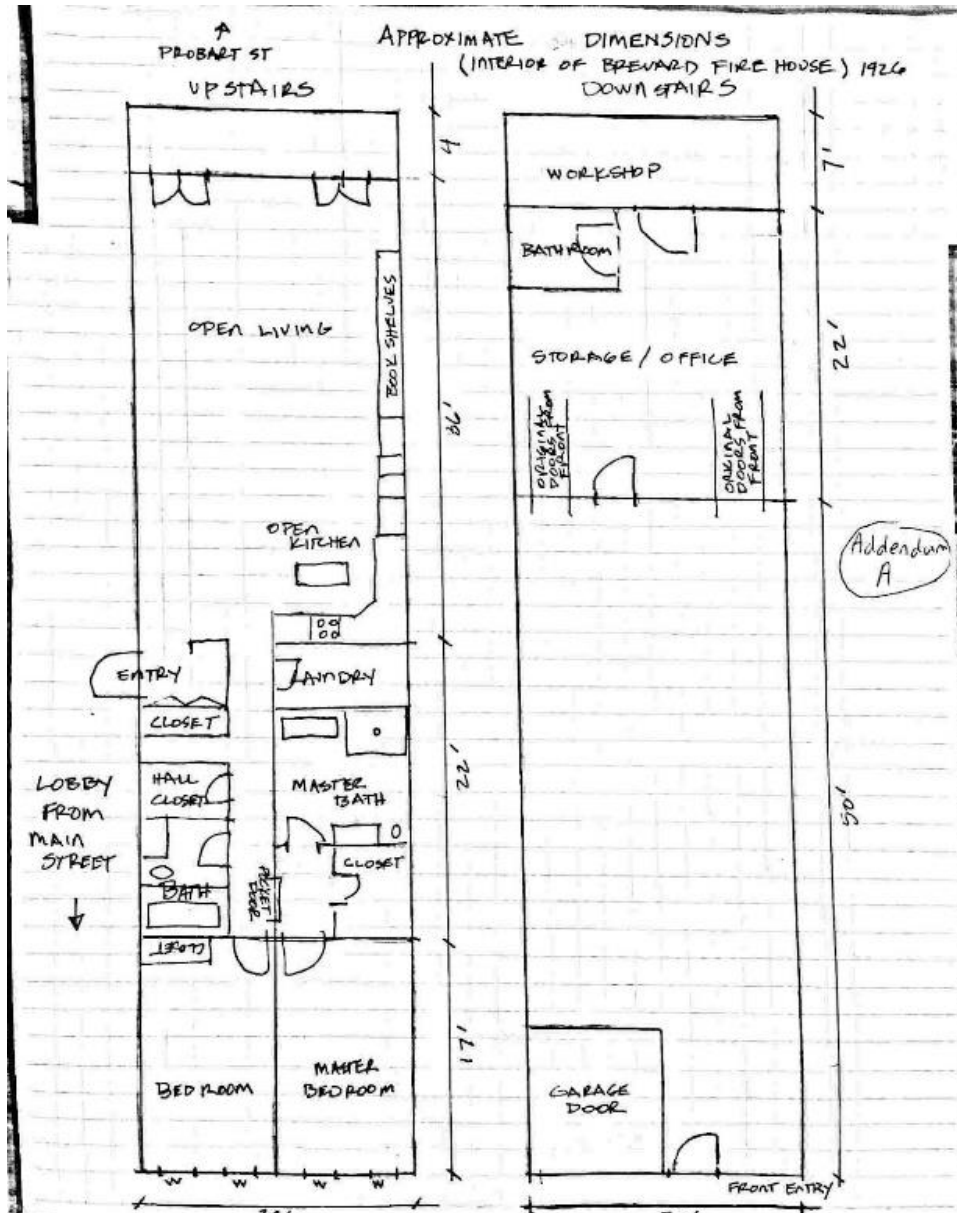
--United States Department of the Interior National Park Service National Register of Historic Places Multiple Property Documentation Form, June 21, 1993, "Historic and Architectural Resources of Transylvania County, North Carolina, including the incorporated towns of Brevard and Rosman, ca. 1820-1941," <https://files.nc.gov/ncdcr/nr/TV0610.pdf>

--United States Department of the Interior National Park Service, National Register of Historic Places Registration Form, "Main Street Historic District Brevard, North Carolina," "Historic and Architectural Resources of Transylvania Co., NC, including the Towns of Brevard and Rosman, ca. 1820-1941" July 1, 2002, North Carolina Department of Cultural Resources.

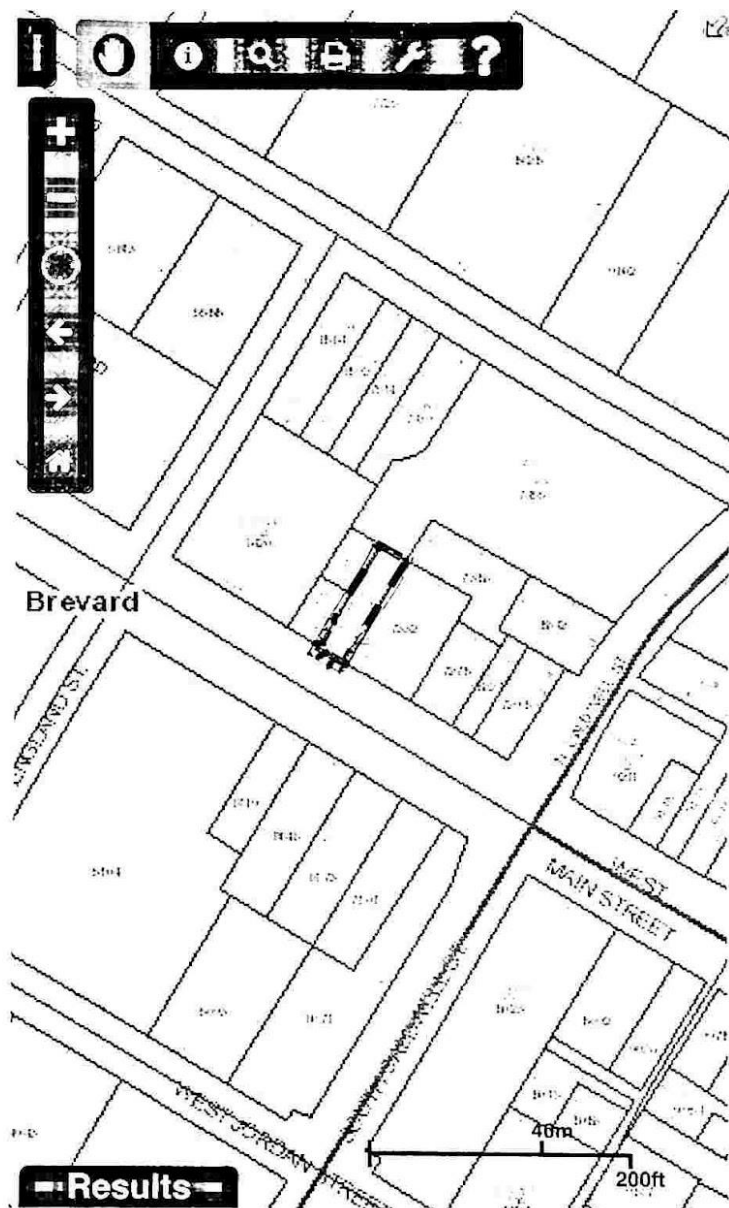
VIII. Additional Documentation

- A. Floor Plan of Drew Deane Gallery and upstairs residence located at 114-116 West Main Street, Brevard, NC, 28712.
- B. Tax Map of Property
- C. Aerial view of property; Drew Deane Gallery = Canto 34 Coffee shop
- D. 2006 Image of the property being gutted and rejuvenated.
- E. 2006 Image of the property when Drew Deane purchased it, prior to being gutted.
- F. Current tax card.

Additional Documentation A



Additional Documentation B

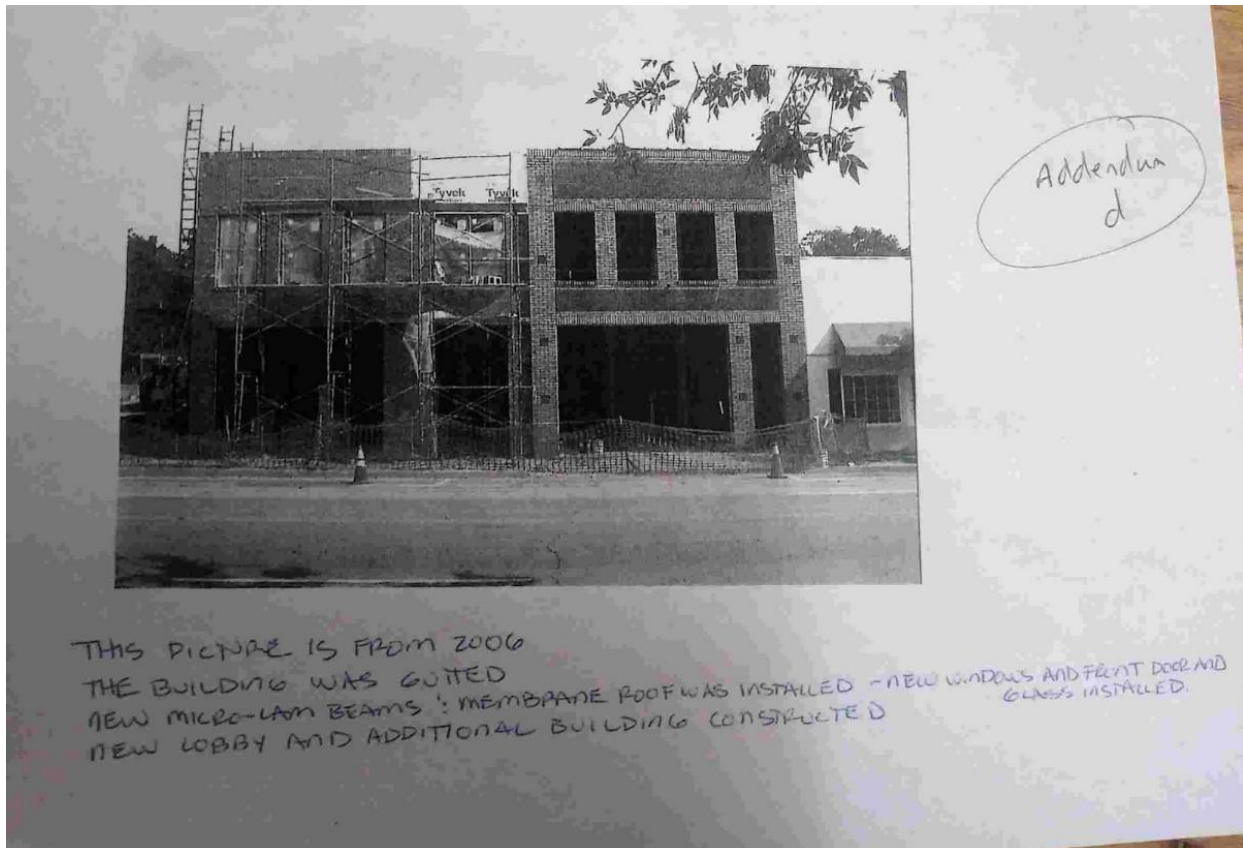


TAY MAP OF PROPERTY 2015

Additional Documentation C



Additional Documentation D



Additional Documentation E



Additional Documentation F

TRANSYLVANIA COUNTY										10/19/2022 10:27:01 AM																													
Deane Drew D Trustee 114 W MAIN ST 70331700										Return/Appeal Notes: Parcel: 8586-41-7304-000 PLAT: P11/147 UNIQ ID 34103 ID NO: B062A01006 08 MS.18																													
COUNTY TAX (100), BREVARD CITY (100), HEART OF BREV (100)										CARD NO. 1 of 2 1.0000 LT SRC=																													
Reval Year: 2021 Tax Year: 2023 LSR W MAIN ST .05										TW-08 CI-01FB-EX- AT- LAST ACTION 20210212																													
Accrued by 14 on 01/01/2021 922222 HEART OF BREVARD																																							
CONSTRUCTION DETAIL Foundation - 4 Spread Footing 6.00 Sub Floor System - 2 Slab on Grade 5.00 Exterior Walls - 20 Common Brick 23.00 Roofing Structure - 07 Wood Truss 7.00 Roofing Cover - 04 Built Up Tar and Gravel/Rubber 3.00 Interior Wall Construction - 5 Drywall/Sheetrock 26.00 Interior Wall Construction - 6 Custom Interior 0.00 Interior Floor Cover - 12 Hardwood 14.00 Heating Fuel - 03 Gas 1.00 Heating Type - 04 Forced Air - Ducted 5.00 Air Conditioning Type - 03 Central 6.00 Commercial Heat & Air - 1 None 0.00 Structural Frame - 04 Masonry 6.00 Ceiling & Insulation - 08 Not Suspended - No Insulation 2.00 Average Rooms Per Floor - 2 Average Rooms Per Floor 0.00 Half-Bathrooms BAS - 0 PUS - 0 LL - 0 Plumbing Fixtures 4.00 Office BAS - 0 PUS - 0 LL - 0 TOTAL POINT VALUE 111.000										MARKET VALUE EFF. AREA 1,728 QUAL 154 BASE RATE 129.36 RCN 223534 EYB 2005 AYB 1926 TYPE: OFFICE STYLE: 1 - 1.0 Story  24' 72' 6AS 72' 24' Click on image to enlarge										DEPRECIATION Standard 0.27000 % GOOD 73.0										CORRELATION OF VALUE CREDENCE TO MARKET DEPR. BUILDING VALUE - CARD 163,180 DEPR. OB/XF VALUE - CARD 1,190 MARKET LAND VALUE - CARD 214,680 TOTAL MARKET VALUE - CARD 379,050 TOTAL APPRAISED VALUE - CARD 379,050 TOTAL APPRAISED VALUE - PARCEL 545,480 TOTAL PRESENT USE VALUE - PARCEL 0 TOTAL VALUE DEFERRED - PARCEL 0 TOTAL TAXABLE VALUE - PARCEL \$ 545,480 PRIOR BUILDING VALUE 292,960 OBXP VALUE 830 LAND VALUE 389,680 PRESENT USE VALUE 0 DEFERRED VALUE 0 TOTAL VALUE 683,470 PERMIT CODE DATE NOTE NUMBER AMOUNT ROUT: WTRSHD: SALES DATA OFF. RECORD DATE DEED TYPE O/W/I INDICATE BOOK/PAGE MO/YR 00344/0599 4 2006 WD* Q I 560000 00577/0715 6 2011 QC E I 0 00099/0331 4 2002 WD* X I 0 00375/0188 5 1994 WD X I 0 BUILDING AREA 1,728 NOTES PICTURE AVAILABLE 06908,06103-UC,07102									
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Brevard Hustler (NC)

Brevard News (NC)

Sylvan Valley News (Brevard, NC)

Transylvania Times (Brevard, NC)

Other Sources

State Archives of North Carolina, Raleigh.

Wilson Library, Special Collections, University of North Carolina, Chapel Hill.

United States Census Bureau

“Brevard Historic Downtown Walking Tour Guide,” *Joint Historic Preservation Commission*, 2018

Transylvania Heritage Museum, Inc., <http://www.transylvaniaheritage.org>

United States Department of the Interior National Park Service National Register of Historic Places Multiple Property Documentation Form, June 21, 1993, “Historic and Architectural Resources of Transylvania County, North Carolina, including the incorporated towns of Brevard and Rosman, ca. 1820-1941,” <https://files.nc.gov/ncdcr/nr/TV0610.pdf>

United States Department of the Interior National Park Service, National Register of Historic Places Registration Form, “Main Street Historic District Brevard, North Carolina,” 2002.

www.transylvaniacounty.org

<https://www.transylvaniacounty.org/departments/planning-and-community-development/history>

www.findagrave.com

The Volunteer Firefighter, May 1957, Volume 1, Number 9, (Charlotte: Thomas Higgins Company)

Western North Carolina Association of Firefighters, <https://wncaff.com/previous-officers/>

Interviews

Drew Deane in conversation with Don Kilpatrick, Jr., May 12, 2006.

X. Illustrations

Illustration #1

Chrysler Automobile sales at K & M Auto Co., Brevard, N.C., see bottom of the ad in *Asheville Citizen-Times* (NC), October 27, 1940.

Tailored to Taste!

BEAUTIFUL new Airflow bodies, space-flared for greater roominess! New radiator design . . . new, longer hood . . . new graceful rear!

Lower, stronger, double-channel frame brings the body closer to the ground, improving appearance, balance and easy handling.

Great roominess everywhere! Bodies belled out at the window line to make room for five-foot cushions! Extra head room, leg room, shoulder room!

The button-tufted upholstery is real, not just ornamental. And the whole interior is tailored to your taste!

A wide selection of rich broadcloths, pile fabrics, Bedford cords, novel new materials, leathers. Many different color schemes, including



the handsome Chrysler two-tone combinations. Plastics in many colors to match the color scheme you select.

Soft Airfoam cushions . . . bigger windows and windshield . . . beautiful new instrument panel . . . clear vision steering wheel. Luxury, comfort, completeness . . . beyond the power of words to describe! So see for yourself . . . examine . . . compare! You be the judge.

★ Tune in on Major Bowes, CBS, Thurs. 9 to 10 P.M., E. S. T.

Here are the Keys—Take a Ride!

Chrysler dealers are the most enthusiastic dealers in America today. They know that one ride in the 1941 Chryslers will tell you more than a million words. Accept your Chrysler dealer's invitation to see for yourself . . . try for yourself . . . decide for yourself. The keys to a demonstrator are waiting for you! Make a date today!

BE MODERN—BUY CHRYSLER!

Distributed by
MOSS MOTORS, Inc.
Spruce at Walnut Phone 4927

CITY MOTOR SALES Hendersonville, N. C.	RED STAR SERVICE STATION Old Fort, N. C.	K & M AUTO CO. Brevard, N. C.
CITY MOTOR CO. Bakersville, N. C.		CITY GARAGE Franklin, N. C.

Illustration #2

Advertisement for K & M Auto Co., in the *Asheville Citizen-Times* (NC), August 24, 1941.

1940 Oldsmobile Convertible Coupe. One owner. Original cream finish.

K & M AUTO CO.
Brevard, N. C.

Illustration #3

Yellow brick with red brick contrasting square panels, along with additional accents on the façade. Photograph taken by Drew Deane 2022.



Illustration #4, #5, and #6

The images below show the doorway that is to the left of the Drew Deane Gallery (#4) and the narrow hallway leading to the second floor (#5 & #6). Photographs taken in 2022 by Drew Deane.

#4



#5



#6

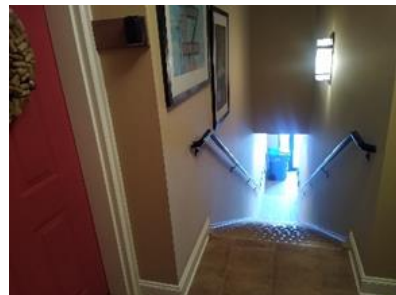


Illustration #7 and #8

The modern Municipal Building (City Hall) built in 1969 uses the same type of yellow brick found in the City Hall and Fire Station. Illustration #8 shows the front of the Municipal Building memorial plaque and yellow brick. Illustration #9 shows the yellow brick of the Municipal Building with the City Hall and Fire Department visible in the background. Photographs taken by Drew Deane, August 14, 2022.

#7



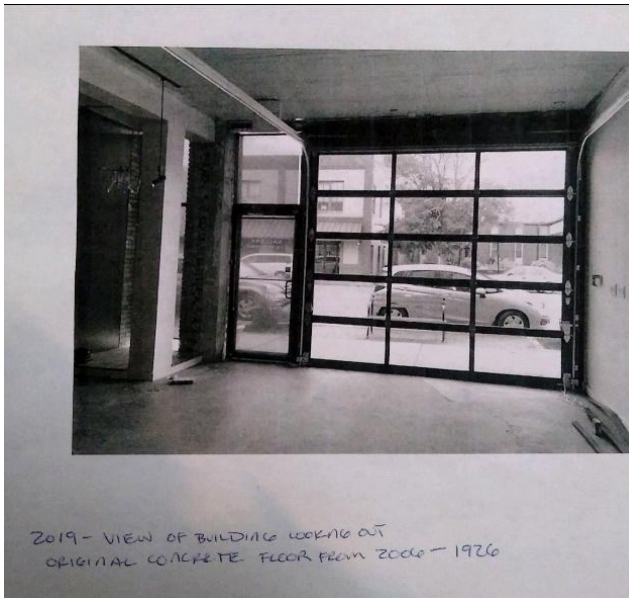
#8



Illustration #9 and #10

The images below show the new garage added to the property by the photographer and property owner, Drew Deane.

#9



#10



Illustration #11

The image shows the Drew Deane Gallery and the Benjamin Moore Paint store located to the left of Deane's Gallery. The doorway leading to Drew Deane's second floor is located in front of the Benjamin Moore paints sign. Image taken by Drew Deane, August 14, 2022.



Illustration #12

There are three buildings displayed in the image below; from left to right: Benjamin Moore Paints, doorway to Drew Deane's 2nd floor residence, the Drew Deane Gallery, Sandra Purcell & Associates Realtors. Photograph taken August 14, 2022, by Drew Deane.



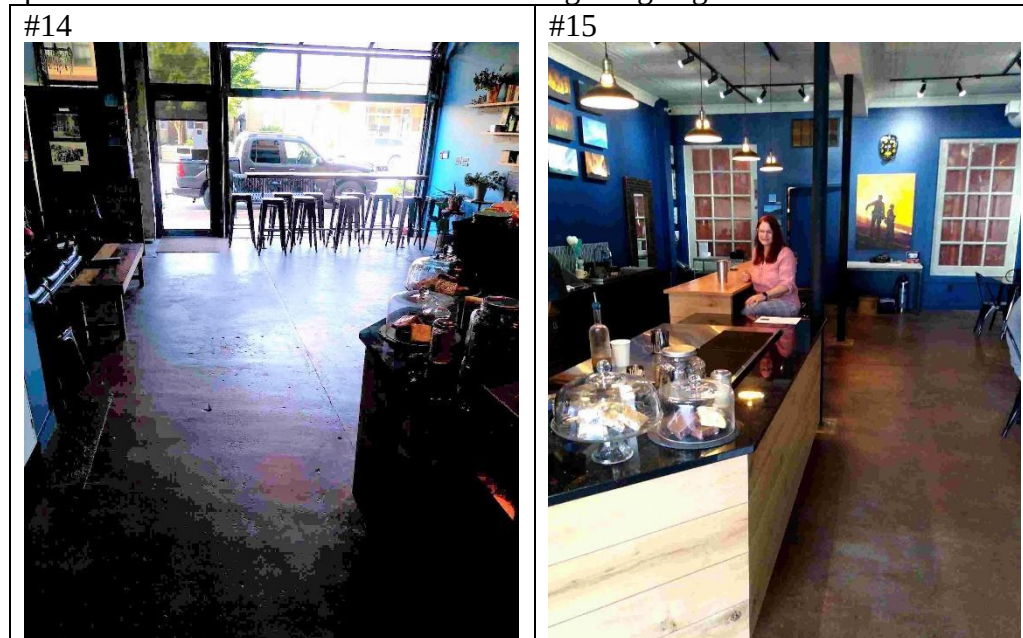
Illustration #13

Rear of building. Photo by Ellen Harris.



Illustrations #14 and #15

First floor, Drew Deane Gallery; also, in image #15, visible in the background are the white-paned window/doors that served as the original garage doors to the 1926 fire house.



Illustrations #16 - 20

Images were taken on August 14, 2022, by Drew Deane inside the Drew Deane Gallery.

#16 Drew Deane Art of firemen in action, along with a donated fireman's helmet displayed.

#16 A mannequin fully outfitted with fireman's uniform and equipment in a display window visible to pedestrians on West Main Street.

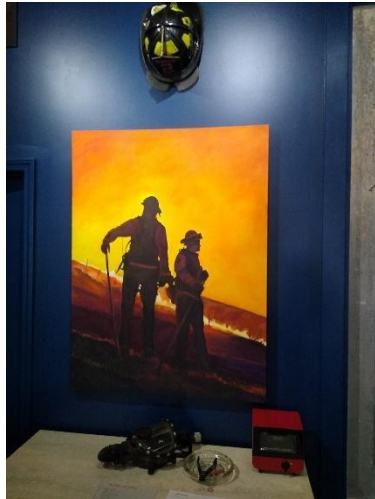
#17 Patches donated from various fire departments around the country.

#18 Firefighter helmets and Drew Deane art.

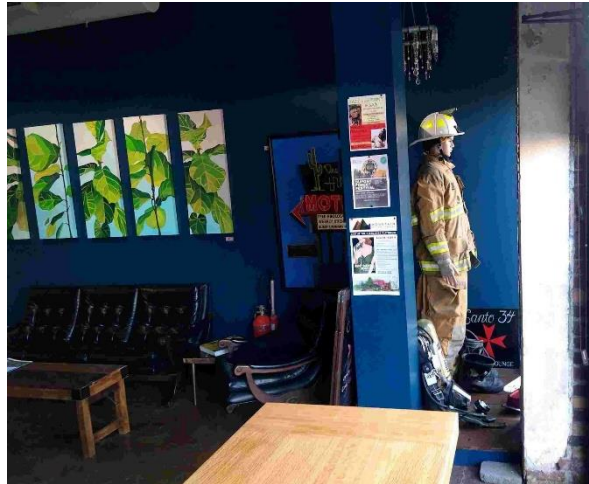
#19 Drew Dean paintings of various fire scenes

#20 Framed images of the original Brevard Fire Department building and firefighters.

#16



#17



#18



#19



#20



#21



Illustrations #22 and #23

Brevard Fire Department as they moved to a new building across the street in 1938. Second photo identified members. Image courtesy of the Rowell Bosse North Carolina Room, Transylvania County Library.



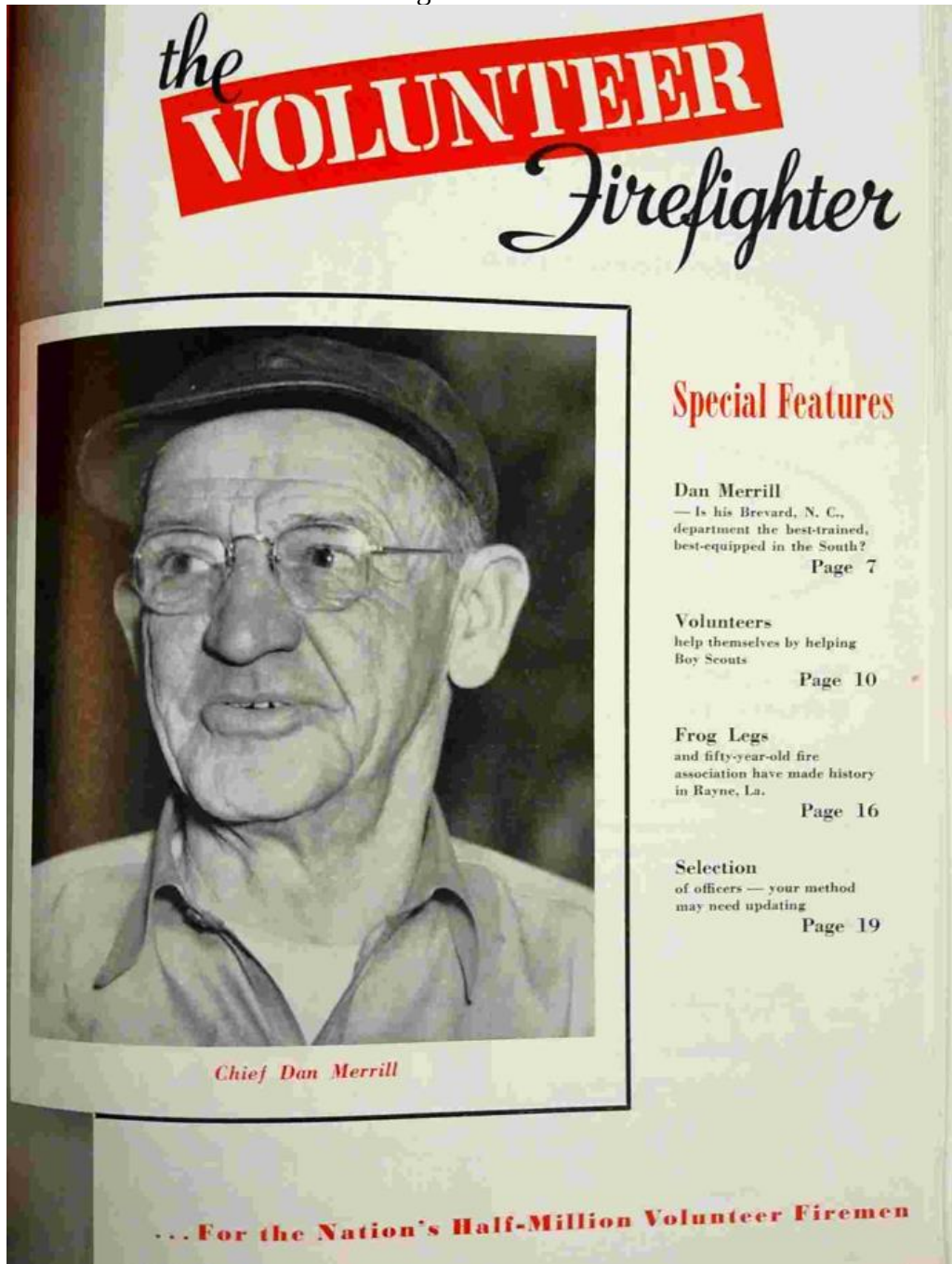
Illustration #24

This undated image was obtained on the Transylvania County website and shows the Brevard Fire Station sometime between 1940 and 1960. The original building bears signage showing its new use as a Chrysler Automobile dealership and automotive repair shop. Image courtesy of the Rowell Bosse North Carolina Room, Transylvania County Library.



Illustration #25

A magazine that boasted a national readership, the Volunteer Firefighter magazine recognized Brevard's fire chief who earned regional acclaim in 1957.

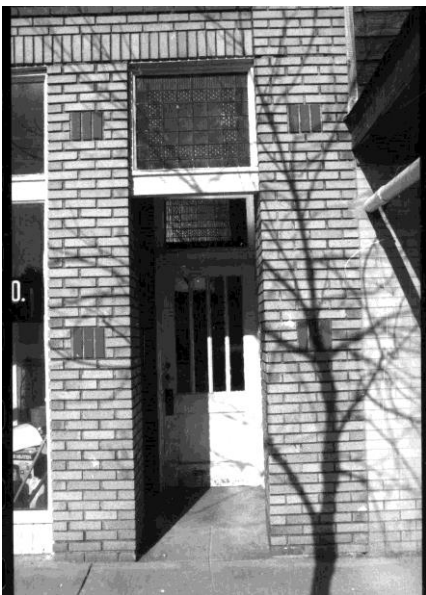


Illustrations #26-28

Images from Transylvania County Architectural Survey, 1991, by Laura Phillips. Courtesy of the Rowell Bosse North Carolina Room, Transylvania County Library.



Front, West Main Street.



Façade detail



Rear

ORDINANCE NO. 23-XX

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK CERTAIN PROPERTY KNOWN AS THE BREVARD CITY HALL AND FIRE STATION BUILDING AS IS MORE SPECIFICALLY DESCRIBED IN A DEED IN THE TRANSYLVANIA COUNTY REGISTER OF DEEDS OFFICE, IN DEED BOOK 577, AT PAGE 715, AND BEING DATED June 15, 2011, SAID PROPERTY BEING OWNED BY DREW D. DEANE, TRUSTEE FOR DREW D. DEANE AND ALEXIS DREW DEANE; THE PARCEL OF LAND BEING ESPECIALLY DESIGNATED IS ALL OF THE PARCEL OF LAND OCCUPIED BY THE BUILDING, LISTED UNDER TAX PARCEL NO. 8586-41-7304-000 IN THE TRANSYLVANIA COUNTY TAX OFFICE, BREVARD, NORTH CAROLINA

WHEREAS, all the prerequisites to the adoption of this Ordinance described in Chapter 160A, Article 19, as amended of the North Carolina General Statutes and Ordinance No. 26-97 of the City of Brevard have been fully completed; and

WHEREAS, the City Council has taken into full consideration all statements and information presented during a public hearing held on January 17, 2023, on the question of designating certain property known as The BREVARD CITY HALL AND FIRE STATION as an historic landmark; and

WHEREAS, The BREVARD CITY HALL AND FIRE STATION was built in or near the year 1899 as commercial retail and office space is now one of the oldest historic buildings in the City of Brevard in present and continual service; and

WHEREAS, The BREVARD CITY HALL AND FIRE STATION possesses special significance in terms of its history, architectural and cultural importance; and

WHEREAS, the property known as The BREVARD CITY HALL AND FIRE STATION is presently owned by DREW D. DEANE as TRUSTEE for DREW D. DEANE and ALEXIS DREW DEANE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA:

Section 1. That the property known as The BREVARD CITY HALL AND FIRE STATION (including the entire exterior of the building, the entire parcel of land listed under Tax Parcel No. 8586-41-7304-000), and the interior stairway and hallway shared with the adjoining building is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes and Ordinance No. 26-97 of the City of Brevard. The location of said landmark is hereby noted as being situated at 114 and 116 West Main Street, Brevard, North Carolina. The exterior features of the BREVARD CITY HALL AND FIRE STATION are more completely described in the Application for Local Historic Landmark Status, dated August 15, 2022 and in the report filed October of 2022.

Section 2. That said designated historic landmark may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Joint Historic Preservation Commission, With regard to issuance of any Certificate of Appropriateness, the provisions of Ordinance No. 26-97 of the City of Brevard shall control.

Section 3. This Ordinance shall not be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature in the event that a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed or interpreted to prevent the owner of the historic landmark from making any use not prohibited by other statutes, ordinance or regulations, including the zoning ordinance of the City of Brevard.

Section 4. A suitable sign may be posted on the property with the owners' permission or near the property in the City right-of-way, indicating that said property has been designated as an historic landmark, and containing any other appropriate information. Such sign must comply with the Sign Ordinance of the City of Brevard.

Section 5. The owner of the historic landmark known as The BREVARD CITY HALL AND FIRE STATION shall be given notice of this Ordinance as required by law, and a certified copy of this Ordinance shall be filed and indexed in the offices of the Transylvania County Register of Deeds and Brevard City Clerk.

Section 6. The BREVARD CITY HALL AND FIRE STATION, hereby designated as an historic landmark, shall be subject to the provisions of Chapter 160A, Article 19, as amended, of the North Carolina General Statutes, as well as any subsequent amendments thereto, and Ordinance No. 26-97 of the City of Brevard, as well as any subsequent amendments thereto.

Section 7. This Ordinance shall be effective upon its adoption and approval.

Adopted and approved this 17th day of January, 2023.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Tuesday, January 17, 2023

Title: Proposed Amendments to City of Brevard Unified Development Ordinance Chapters 15 and 16-Permit Categories

Speaker: Emily Brewer, AICP

Prepared by: Emily Brewer, Planner/Assistant Zoning Administrator

Approved by: Paul Ray, Planning Director

Background

This is a Staff-initiated text amendment that revises the planning and zoning permit categories and clarifies the responsibilities of staff, City Council, and other boards. The proposed text amendments are included as Attachment 1. The Planning Board discussed this text amendment at their November 15th meeting and unanimously recommended approval. In accordance with N.C.G.S. § 160D-605, the Planning Board also submits the attached statement analyzing the consistency and reasonableness of this proposal with regards to existing policies or plans of the City of Brevard (Attachment 4).

Discussion

The specific changes are listed below along with Staff's reasoning for proposing the change.

1. ***Revised Permit Categories and Clarification of Responsibilities (Section 16.6):*** Permits are grouped into Category I, Category II, and Category III (see Attachment 2 for the current chart in Section 16.6). These roughly align with the approving authority. The revised charts remove these arbitrary categories and clearly outlines the groups responsible for reviewing materials, approving activity, and hearing appeals. The chart is also split into projects with subdivision activities and those without. However, subdivision is considered a ministerial act of Staff. As such, they require a separate permit application. The columns differentiating projects that have subdivision activities was removed, and a new category was created ("Subdivision").
2. ***Removal of Previous Categories (Section 15.5):*** Section 15.5, which establishes the Planning Board, the Board of Adjustment and the Technical Review Committee, was amended to reflect the changes made in Section 16.6.

Policy Analysis

Planning and zoning administrators are responsible for creating an effective, efficient and equitable development process. The City's 2015 Comprehensive Plan calls for clarity around the process and procedures for development review:

- **POLICY 4.1.I:** *Evaluate the City of Brevard's current design review process to streamline procedures; clarify roles, responsibilities, and authorities of the various review boards; and improve the overall quality of new development.*

ACTION:

No action requested. For information and public hearing only.

Staff requests that Council take one of the following actions at its February 6, 2023 meeting:

1. Adopt the amendments as written;
2. Revised and adopt the amendments as revised;
3. Reject the amendments; or
4. Table the amendments for further public hearings and/or consideration.

Attachments:

1. Proposed Text Amendment
2. Current Development Approval Review Procedure Chart in Section 16.6
3. Proposed Development Approval Review Procedure Chart in Section 16.6
4. Consistency Statement
5. Draft Ordinance

15.1. Boards and commissions established.

The following boards and commissions are hereby established:

- Brevard Planning Board (BPB).
- Board of Adjustment (BOA).
- Technical Review Committee (TRC).

A. *Brevard Planning Board.* The authority to establish a Planning Board for the City of Brevard is granted under the authority of G.S. 160D-301 and 160D-307.

1. *Authority and responsibility.* The Brevard Planning Board (hereafter BPB) shall have the following duties and responsibilities:
 - a. Acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions and forces at work to cause changes in those conditions.
 - b. Prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical development of the area.
 - c. Establish principles and policies for guiding action in the development of the area.
 - d. Prepare and recommend to the city council ordinances promoting orderly development along the lines indicated in the comprehensive plan.
 - e. Determine whether specific proposed zoning amendments developments conform to the principles and requirements of the adopted comprehensive plan for the growth and improvement of this area, as well as any other officially adopted plan that is applicable in accordance with G.S. 160D-604(d).
 - f. Keep the city council and the general public informed and advised as to these matters.
 - g. To review and make a recommendation on development activities ~~text amendments, rezoning applications, and annexations, and certain Category III Land Development Applications, including Conditional Zoning Districts, special use permits (upon request from the board of adjustment)~~, and other requests as set forth in Section 16.6 of this ordinance in accordance with G.S. 160D-604(c).
 - h. To render opinions and make recommendations on all issues and petitions related to the City of Brevard Code of Ordinances and other land use plans and policies, transportation plans and policies, road closings, and other policies which may be adopted from time to time which require approval by the city council, pursuant to G.S. 160D-604(c).
 - i. To review with the city manager and other city officials and report its recommendations to the city council upon the extent, location and design of all public structures and facilities, on the acquisition and disposal of public properties, and on the establishment of building lines, mapped street lines and proposals to change existing street lines. However, in the absence of a recommendation from the board, the city council may, if it deems wise, after

the expiration of 30 days from the date on which the question has been submitted in writing to the board for review and recommendation, take final action.

j. Perform any other duties which may lawfully be assigned to it.

2. *Membership and terms of office.*

a. The BPB shall consist of a total of seven members with four members residing within the city and three members residing in the extraterritorial jurisdiction. The members residing in the ETJ shall have equal rights, privileges and duties with other members of the board in all matters pertaining to the Unified Development Ordinance both within the corporate limits of the city and within its ETJ.

b. In accordance with G.S. 160D-307(a), the total membership of the BPB shall be proportional to the population of residents of the city and residents in the ETJ area. At a minimum, the membership of the board shall be examined following every decennial census, and changes shall be made as necessary to maintain an appropriate balance of city and ETJ board membership.

c. Representatives from within the corporate limits shall be appointed by the Brevard City Council. Representatives from the ETJ area shall be appointed by the Transylvania County Board of Commissioners.

d. The term of office shall be three years staggered. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term.

e. The BPB shall elect the board chair and vice-chair from among its members. They each shall serve a one-year term.

B. *Board of adjustment.* The authority to establish a board of adjustment is granted under the authority of G.S. 160D-302.

1. *Authority and responsibility.* The board of adjustment (hereinafter BOA) shall have the following duties and responsibilities:

a. To hear and decide appeals from any order, decision, determination, or interpretation made by the administrator pursuant to or regarding these regulations and in accordance with G.S. 160D-405.

b. To hear and decide petitions for variances from the requirements of these regulations.

c. To hear and decide petitions for special use permits.

d. To make an interpretation of any portion of this ordinance.

e. To change the use of, or expand certain nonconformities.

2. *Membership and terms of office.*

a. The BOA shall consist of a total of five members with three members residing in the city limits and two members residing in the ETJ. In addition, two alternate members residing in the city limits and one alternate member residing in the ETJ shall be appointed. Alternates shall serve on the board in the absence of a member and while serving shall have and may exercise all of

the powers and duties of a regular member. The members residing in the ETJ shall have equal right, privileges and duties with other members of the board in all matters pertaining to the Unified Development Ordinance both within the corporate limits of the city and within its ETJ.

- b. In accordance with G.S. 160D-307(a), the total membership of the BOA shall be proportional to the population of residents of the city and residents in the ETJ area. At a minimum, the membership of the board shall be examined following every decennial census, and changes shall be made as necessary to maintain an appropriate balance of city and ETJ board membership.
- c. Representatives from within the corporate limits shall be appointed by the Brevard City Council. Representatives from the ETJ area shall be appointed by the Transylvania County Board of Commissioners.
- d. The term of office shall be three years, although initial appointments shall be made for one, two and three years so the terms may be staggered. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term.
- e. The BOA shall elect the board chair and vice-chair from among its members. They shall each serve a one-year term.

C. *Technical review committee.*

1. *Authority and responsibility.* The technical review committee (hereinafter TRC) shall have the following duties and responsibilities:

- a. To review and offer recommendations regarding all applicable local, state, and federal codes and regulations in response to all ~~Category II and Category III~~ land development applications or projects in accordance with Section 16.6 of this ordinance.
- b. At the request of the planning director, to review and offer recommendations regarding all applicable local, state, and federal codes and regulations in response to any ~~Category I~~ land development application or project that has been deemed, in the opinion of the planning director, because of its potential impact to the city, due to the development project's size, scope, mass, number of dwelling units, or complexity. The planning director shall provide written justification for such review of ~~Category I~~these applications.
- c. At the direction of the administrator, to review and render opinions and make recommendations on issues and petitions related to the City of Brevard Code of Ordinances and other land use plans and policies which may be adopted and require approval by the city council.
- d. To make recommendation and/or approve any other item as requested by the administrator, the planning board, or city council.

2. *Actions by the TRC.*

- a. Upon receiving notices of a land development application which requires TRC review from the planning director, members of the TRC must take the following action:

- Review the development application and related plan documents in relation to all applicable local, state, and federal codes and regulations.
- Recommend major and/or minor changes to the application to be considered by the developer or property owner.
- Each member of the TRC shall provide written comments to the planning director within 15 days of having received notification from the planning director of a land development application requiring their review.

3. *Members.*

a. The TRC shall consist of the following members:

- City planning director
- City zoning administrators
- Chief of Brevard Police Department, or designee
- Chief of Brevard Fire Department, or designee
- City public ~~services~~-works director
- City wastewater treatment plant ORC
- City water treatment plan ORC
- Transylvania County Building Permitting and Inspections Department Director, or designee
- Transylvania County Fire Marshall, or designee

b. Other appropriate city, county, state, or federal officials may be invited to participate in the TRC review when deemed necessary by the administrator.

16.6. Development approval review procedure in general.

- A. Planning department staff, also referred to as the administrator, and ~~The the~~ approving authority shall have the discretion to refer any land development permit application to a body of greater authority for consideration and approval or denial consistent with this section.
- B. ~~Planning department staff, also referred to as the~~ The administrator, shall provide advisory review and comment to all boards and city council regarding the application's compliance to this section. The administrator may determine that additional review is required and request review and/or a recommendation by a board beyond the required process described herein.
- C. Designation of approving authority:

Category	Development Activities	Review / Recommendation	Approving Authority	Appeal Authority
<u>Annexation & Dedication</u>	<u>Annexations</u>	<u>Planning Board</u>	<u>City Council</u>	<u>Superior Court</u>
	<u>Plats of Dedication</u>	<u>Technical Review Committee</u>	<u>Staff</u>	<u>Board of Adjustment</u>

	Street / Right-of-Way/Easement Abandonment	Technical Review Committee	City Council	Superior Court
Land Use & Development	All Land Use and Development Activity for which No Higher Review is Required	-	Staff	Board of Adjustment
	Group Developments	Technical Review Committee	Staff	Board of Adjustment
	Temporary Uses	-	Staff	Board of Adjustment
	Special Use Permits	-	Board of Adjustment	Superior Court
	Development Agreements	-	City Council	Superior Court
	Vested Rights Determination	-	City Council	Superior Court
Regulations	Adoption, Amendment, or Repeal of Development Regulations	Planning Board	City Council	Superior Court
	Official Zoning Determinations and Other Interpretations of this Ordinance	-	Staff	Board of Adjustment
Subdivision	Major Subdivisions	Technical Review Committee and Planning Board	City Council	Superior Court
	Minor Subdivisions for which New Public Infrastructure is Proposed	Technical Review Committee	Staff	Board of Adjustment
	Minor Subdivisions Creating No New Public Infrastructure	-	Staff	Board of Adjustment
	Recombination Plats	-	Staff	Board of Adjustment
Zoning	Rezoning / Zoning Map Amendments	Planning Board	City Council	Superior Court
	Conditional Zoning Districts	Technical Review Committee and Planning Board	City Council	Superior Court
	Final Master Plan Approval for Conditional Zoning Districts	-	Planning Board	Superior Court
	Variances	-	Board of Adjustment	Superior Court

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Approving Authority	Projects for Which Subdivision Activity is proposed	Projects for Which No Subdivision Activity is Proposed	Permit Category
Staff	Recombination plats	Development permitted with standards	Category 1
		Temporary Uses	
	Minor subdivision creating no new public infrastructure	Land disturbance, tree/vegetation removal	
		The establishment of land uses and the demolition, relocation, construction, expansion, movement, or modification of	

		any sign, building or structure for which no higher review is required		
Staff	Minor subdivisions for which new public infrastructure is proposed	Group developments for which no subdivision is proposed	Category II	
	Plats of dedication			
	Group developments to be subdivided (townhomes, condominium lots and buildings)			
Planning Board	Major subdivisions	None	Category III	
	Final Master Plan Approval for Conditional Zoning Districts			
Board of Adjustment	None	Special Use Permits		
		Administrative Appeals		
		Variances		
		Requests for interpretation of this ordinance		
City Council	Conditional Zoning Districts		Category III	
	Street/right-of-way abandonment			
	Development Agreements			
		Rezoning/Zoning Map Amendments		
		Text Amendments		
		Annexations		
		Vested rights		
		Adoption, amendment, or repeal of development regulations		

- D. In addition to any findings that may be otherwise required by this chapter, the approving authority shall only approve a land development application upon determination that the application meets the following requirements:
- All applicable requirements of this ordinance and Brevard City Code are satisfied.
 - All other applicable federal, state, and local requirements and plans are satisfied.
 - All applicable policies and plans of the City of Brevard are satisfied.
 - All required system development fees, performance guarantees, or other dedications have been or will be secured.
 - Approval of the application will not otherwise endanger the health, safety, or welfare of the public.
 - The applicant agrees to adhere to all reasonable conditions and requirements imposed in accordance with this chapter.
- E. The approving authority shall consider impacts upon traffic conditions, public safety, public infrastructure and services, and other relevant factors, including any proposed project's likely effect on the public health or safety in determining whether to approve or reject any land development application, and may impose such reasonable conditions as are allowed under G.S. 160D noting the applicable approval process. Findings as to such factors made by any

reviewing entity shall not bind the city officer, committee, board, or council acting as the approving authority, which shall consider such factors de novo.

F. If the administrator or approving authority requires the application to be reviewed by the technical review committee (TRC) in accordance with Section 15.1, its members shall provide written comments to the planning director within 15 days of having received notification from the planning director of a land development application requiring their review, unless otherwise stated in this Chapter.

G. A permit or development approval shall be in writing, and may be issued in print or electronic form pursuant to G.S. 160D-403. Any permit or approval issued exclusively in electronic form shall be protected from further editing once issued. The permit or approval may contain a provision that the development shall comply with all applicable state and local laws. If an application is denied, the reasons for denial shall be stated in writing.

H. Typical procedures following issuance of land development permit:

1. Upon issuance of a land development permit, the applicant may proceed to the Transylvania County Health Department and/or Transylvania County Building Permitting and Enforcement for any necessary permits.
2. Upon creation of structural footers or the pouring of the first-floor slab of any building or structure, the applicant shall contact the administrator for a preliminary setback inspection. The administrator shall inspect for compliance with applicable dimensional requirements and shall issue preliminary setback approval or require modifications, as applicable.
3. Upon completion of all land development activity and the installation of all approved improvements the applicant shall contact the administrator to arrange for a final inspection. As authorized by G.S. 160D-403(e) and -1113, the administrator shall inspect for compliance with all applicable requirements of this ordinance and Brevard City Code. The administrator shall deny final inspection approval if full compliance with this ordinance and Brevard City Code, approved development plans, and all other requirements, is not observed. The administrator may issue conditional approval. Conditional approval shall be extended for a defined period of time and all conditions shall be clearly set forth in writing. The administrator may require the submission of final "as built" construction documents as a condition of final written approval.
4. Upon issuance of final approval by the administrator, the applicant shall contact the Transylvania County Building Inspection Department to request issuance of a certificate of occupancy in accordance with G.S. 160D-403(g).
5. The administrator shall, from time to time, inspect the building, structure, use, subdivision, or other approved activity for continued compliance with this ordinance, Brevard City Code, the approved land development plan, and any other applicable requirement, and shall take such action as is necessary to ensure continued compliance, including any remedy as set forth in Chapter 18 of this ordinance.

I. Final zoning approval and certificate of occupancy:

1. No structure shall be used or occupied until final zoning approval has been issued by the City of Brevard and a certificate of occupancy has been issued by the Transylvania County Building Inspection Department pursuant to G.S. 160D-403(g). Such approval shall be issued with the presumption that the structure or portion of a structure is in compliance

with Brevard City Code, all applicable provisions of this ordinance, any specific conditions and requirements of the city, and the information stated on the development permit.

2. A record of all final zoning approvals shall be kept on file in the office of the administrator, and a record of all certificates of occupancy shall be kept on file in the office of the Transylvania County Building Inspection Department. Copies shall be furnished, on request, to all interested parties.

3. If final zoning approval or a certificate of occupancy is denied, the reasons for such denial shall be specified in writing and provided to the applicant.

~~3.~~4. Where certain infrastructure elements have not been installed (i.e. landscaping due to time of year), a temporary final zoning approval may be issued by the administrator, and a final certificate of occupancy may be issued by Transylvania County with permission from the administrator.

J. Right of appeal:

1. If a request for a development permit is denied or if a ruling of the administrator is questioned, any aggrieved party may appeal such ruling to the board of adjustment (hereafter, "BOA") in accordance with this chapter and G.S. 160D-405.

2. Appeals of a ruling of the BPB, the BOA, or city council shall be heard by the Superior Court of Transylvania County. In accordance with G.S. 160D-1402, the aggrieved party may request a stay of execution or enforcement of the decision of the quasi-judicial board pending superior court review. If in the absence of a stay, an applicant proceeds with development, the person does so at his or her own risk.

Approving Authority	Projects for Which Subdivision Activity is proposed	Projects for Which No Subdivision Activity is Proposed	Permit Category
Staff	Recombination plats	Development permitted with standards	Category I
		Temporary Uses	
	Minor subdivision creating no new public infrastructure	Land disturbance, tree/vegetation removal	
		The establishment of land uses and the demolition, relocation, construction, expansion, movement, or modification of any sign, building or structure for which no higher review is required	
Staff	Minor subdivisions for which new public infrastructure is proposed	Group developments for which no subdivision is proposed	Category II
	Plats of dedication		
	Group developments to be subdivided (townhomes, condominium lots and buildings)		
Planning Board	Major subdivisions	None	Category III
	Final Master Plan Approval for Conditional Zoning Districts		
Board of Adjustment	None	Special Use Permits	
		Administrative Appeals	
		Variances	
City Council		Requests for interpretation of this ordinance	
	Conditional Zoning Districts		Category III
	Street/right-of-way abandonment		
	Development Agreements		
		Rezoning/Zoning Map Amendments	
		Text Amendments	
		Annexations	
		Vested rights	
		Adoption, amendment, or repeal of development regulations	

Category	Development Activities	Review / Recommendation	Approving Authority	Appeal Authority
Annexation & Dedication	Annexations	Planning Board	City Council	Superior Court
	Plats of Dedication	Technical Review Committee	Staff	Board of Adjustment
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Land Use & Development	All Land Use and Development Activity for which No Higher Review is Required	-	Staff	Board of Adjustment
	Group Developments	Technical Review Committee	Staff	Board of Adjustment
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	Development Agreements	-	City Council	Superior Court
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Regulations	Adoption, Amendment, or Repeal of Development Regulations	Planning Board	City Council	Superior Court
	Official Zoning Determinations and Other Interpretations of this Ordinance	-	Staff	Board of Adjustment
Subdivision	Major Subdivisions	Technical Review Committee and Planning Board	City Council	Superior Court
	Minor Subdivisions for which New Public Infrastructure is Proposed	Technical Review Committee	Staff	Board of Adjustment
	Minor Subdivisions Creating No New Public Infrastructure	-	Staff	Board of Adjustment
	Recombination Plats	-	Staff	Board of Adjustment
Zoning	Rezoning / Zoning Map Amendments	Planning Board	City Council	Superior Court
	Conditional Zoning Districts	Technical Review Committee and Planning Board	City Council	Superior Court
	Final Master Plan Approval for Conditional Zoning Districts	-	Planning Board	Superior Court
	Variances	-	Board of Adjustment	Superior Court

**COMMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
AND ANY OTHER OFFICIALLY ADOPTED APPLICABLE PLANS**

NCGS 160D-604 requires that the Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan prior to consideration by the Governing Board. The Planning Board shall provide a written recommendation to the Governing Board that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Comprehensive Plan shall not preclude consideration or approval of the proposed amendment by the Governing Board.

The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed zoning text amendment is **consistent** with the following elements of the City's adopted plans and policies:

2015 Comprehensive Plan

POLICY 4.1.I: Evaluate the City of Brevard's current design review process to streamline procedures; clarify roles, responsibilities, and authorities of the various review boards; and improve the overall quality of new development.

ORDINANCE NO. 2023-____

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
CHAPTER 15 – BOARDS AND COMMISSIONS AND CHAPTER 16 – ADMINISTRATION**

WHEREAS, the City of Brevard Planning Board has recommended that Brevard City Code, Unified Development Ordinance, Chapter 15 – Boards and Commissions and Chapter 16 – Administration ; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the following elements of the City of Brevard Comprehensive Plans:

2015 Comprehensive Plan:

- **POLICY 4.1.I:** Evaluate the City of Brevard’s current design review process to streamline procedures; clarify roles, responsibilities, and authorities of the various review boards; and improve the overall quality of new development.

and,

WHEREAS, a public hearing was conducted on Tuesday, January 17, 2023, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. Brevard City Code, Unified Development Ordinance Chapter 2, Chapter 3, Chapter 4, Chapter 10, and Chapter 19 are hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved upon first reading this the 17th day of January 2023.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

EXHIBIT A

15.1. Boards and commissions established.

The following boards and commissions are hereby established:

- Brevard Planning Board (BPB).
- Board of Adjustment (BOA).
- Technical Review Committee (TRC).

A. *Brevard Planning Board.* The authority to establish a Planning Board for the City of Brevard is granted under the authority of G.S. 160D-301 and 160D-307.

1. *Authority and responsibility.* The Brevard Planning Board (hereafter BPB) shall have the following duties and responsibilities:

- a. Acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions and forces at work to cause changes in those conditions.
- b. Prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical development of the area.
- c. Establish principles and policies for guiding action in the development of the area.
- d. Prepare and recommend to the city council ordinances promoting orderly development along the lines indicated in the comprehensive plan.
- e. Determine whether specific proposed zoning amendments developments conform to the principles and requirements of the adopted comprehensive plan for the growth and improvement of this area, as well as any other officially adopted plan that is applicable in accordance with G.S. 160D-604(d).
- f. Keep the city council and the general public informed and advised as to these matters.
- g. To review and make a recommendation on development activities and other requests as set forth in Section 16.6 of this ordinance in accordance with G.S. 160D-604(c).
- h. To render opinions and make recommendations on all issues and petitions related to the City of Brevard Code of Ordinances and other land use plans and policies, transportation plans and policies, road closings, and other policies which may be adopted from time to time which require approval by the city council, pursuant to G.S. 160D-604(c).
- i. To review with the city manager and other city officials and report its recommendations to the city council upon the extent, location and design of all public structures and facilities, on the acquisition and disposal of public properties, and on the establishment of building lines, mapped street lines and proposals to change existing street lines. However, in the absence of a recommendation from the board, the city council may, if it deems wise, after the expiration of 30 days from the date on which the question has been submitted in writing to the board for review and recommendation, take final action.
- j. Perform any other duties which may lawfully be assigned to it.

2. *Membership and terms of office.*

- a. The BPB shall consist of a total of seven members with four members residing within the city and three members residing in the extraterritorial jurisdiction. The members residing in the ETJ shall have equal rights, privileges and duties with other members of the board in all matters pertaining to the Unified Development Ordinance both within the corporate limits of the city and within its ETJ.
- b. In accordance with G.S. 160D-307(a), the total membership of the BPB shall be proportional to the population of residents of the city and residents in the ETJ area. At a minimum, the membership of the board shall be examined following every decennial census, and changes shall be made as necessary to maintain an appropriate balance of city and ETJ board membership.
- c. Representatives from within the corporate limits shall be appointed by the Brevard City Council. Representatives from the ETJ area shall be appointed by the Transylvania County Board of Commissioners.
- d. The term of office shall be three years staggered. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term.
- e. The BPB shall elect the board chair and vice-chair from among its members. They each shall serve a one-year term.

B. *Board of adjustment.* The authority to establish a board of adjustment is granted under the authority of G.S. 160D-302.

62 1. *Authority and responsibility.* The board of adjustment (hereinafter BOA) shall have the
63 following duties and responsibilities:

- 64 a. To hear and decide appeals from any order, decision, determination, or
65 interpretation made by the administrator pursuant to or regarding these
66 regulations and in accordance with G.S. 160D-405.
67 b. To hear and decide petitions for variances from the requirements of these
68 regulations.
69 c. To hear and decide petitions for special use permits.
70 d. To make an interpretation of any portion of this ordinance.
71 e. To change the use of, or expand certain nonconformities.

72 2. *Membership and terms of office.*

- 73 a. The BOA shall consist of a total of five members with three members residing in the
74 city limits and two members residing in the ETJ. In addition, two alternate members
75 residing in the city limits and one alternate member residing in the ETJ shall be
76 appointed. Alternates shall serve on the board in the absence of a member and while
77 serving shall have and may exercise all of the powers and duties of a regular
78 member. The members residing in the ETJ shall have equal right, privileges and
79 duties with other members of the board in all matters pertaining to the Unified
80 Development Ordinance both within the corporate limits of the city and within its
81 ETJ.
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83 proportional to the population of residents of the city and residents in the ETJ area.
84 At a minimum, the membership of the board shall be examined following every
85 decennial census, and changes shall be made as necessary to maintain an
86 appropriate balance of city and ETJ board membership.
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88 City Council. Representatives from the ETJ area shall be appointed by the
89 Transylvania County Board of Commissioners.
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91 for one, two and three years so the terms may be staggered. Vacancies occurring for
92 reasons other than expiration of terms shall be filled as they occur for the period of
93 the unexpired term.
94 e. The BOA shall elect the board chair and vice-chair from among its members. They
95 shall each serve a one-year term.

96 C. *Technical review committee.*

97 1. *Authority and responsibility.* The technical review committee (hereinafter TRC) shall
98 have the following duties and responsibilities:

- 99 a. To review and offer recommendations regarding all applicable local, state, and
100 federal codes and regulations in response to all land development applications or
101 projects in accordance with Section 16.6 of this ordinance.
102 b. At the request of the planning director, to review and offer recommendations
103 regarding all applicable local, state, and federal codes and regulations in response to
104 any land development application or project that has been deemed, in the opinion of
105 the planning director, because of its potential impact to the city, due to the
106 development project's size, scope, mass, number of dwelling units, or complexity.
107 The planning director shall provide written justification for such review of these
108 applications.
109 c. At the direction of the administrator, to review and render opinions and make
110 recommendations on issues and petitions related to the City of Brevard Code of
111 Ordinances and other land use plans and policies which may be adopted and require
112 approval by the city council.
113 d. To make recommendation and/or approve any other item as requested by the
114 administrator, the planning board, or city council.

115 2. *Actions by the TRC.*

- 116 a. Upon receiving notices of a land development application which requires TRC
117 review from the planning director, members of the TRC must take the following
118 action:
- 119 • Review the development application and related plan documents in
120 relation to all applicable local, state, and federal codes and
121 regulations.
 - 122 • Recommend major and/or minor changes to the application to be
123 considered by the developer or property owner.
 - 124 • Each member of the TRC shall provide written comments to the
125 planning director within 15 days of having received notification from

the planning director of a land development application requiring their review.

3. *Members.*

- a. The TRC shall consist of the following members:
- City planning director
 - City zoning administrators
 - Chief of Brevard Police Department, or designee
 - Chief of Brevard Fire Department, or designee
 - City public works director
 - City wastewater treatment plant ORC
 - City water treatment plan ORC
 - Transylvania County Building Permitting and Inspections Department Director, or designee
 - Transylvania County Fire Marshall, or designee
- b. Other appropriate city, county, state, or federal officials may be invited to participate in the TRC review when deemed necessary by the administrator.

16.6. Development approval review procedure in general.

- A. Planning department staff, also referred to as the administrator, and the approving authority shall have the discretion to refer any land development permit application to a body of greater authority for consideration and approval or denial consistent with this section.
- B. The administrator shall provide advisory review and comment to all boards and city council regarding the application's compliance to this section. The administrator may determine that additional review is required and request review and/or a recommendation by a board beyond the required process described herein.
- C. Designation of approving authority:

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	Plats of Dedication	Technical Review Committee	Staff	Board of Adjustment
	Street / Right-of-Way/Easement Abandonment	Technical Review Committee	City Council	Superior Court
Land Use & Development	All Land Use and Development Activity for which No Higher Review is Required	-	Staff	Board of Adjustment
	Group Developments	Technical Review Committee	Staff	Board of Adjustment
	Temporary Uses	-	Staff	Board of Adjustment
	Special Use Permits	-	Board of Adjustment	Superior Court
	Development Agreements	-	City Council	Superior Court
	Vested Rights Determination	-	City Council	Superior Court
Regulations	Adoption, Amendment, or Repeal of Development Regulations	Planning Board	City Council	Superior Court
	Official Zoning Determinations and Other Interpretations of this Ordinance	-	Staff	Board of Adjustment
Subdivision	Major Subdivisions	Technical Review Committee and Planning Board	City Council	Superior Court
	Minor Subdivisions for which New Public Infrastructure is Proposed	Technical Review Committee	Staff	Board of Adjustment
	Minor Subdivisions Creating No New Public Infrastructure	-	Staff	Board of Adjustment

	Recombination Plats	-	Staff	Board of Adjustment
Zoning	Rezoning / Zoning Map Amendments	Planning Board	City Council	Superior Court
	Conditional Zoning Districts	Technical Review Committee and Planning Board	City Council	Superior Court
	Final Master Plan Approval for Conditional Zoning Districts	-	Planning Board	Superior Court
	Variances	-	Board of Adjustment	Superior Court

- D. In addition to any findings that may be otherwise required by this chapter, the approving authority shall only approve a land development application upon determination that the application meets the following requirements:
- All applicable requirements of this ordinance and Brevard City Code are satisfied.
 - All other applicable federal, state, and local requirements and plans are satisfied.
 - All applicable policies and plans of the City of Brevard are satisfied.
 - All required system development fees, performance guarantees, or other dedications have been or will be secured.
 - Approval of the application will not otherwise endanger the health, safety, or welfare of the public.
 - The applicant agrees to adhere to all reasonable conditions and requirements imposed in accordance with this chapter.
- E. The approving authority shall consider impacts upon traffic conditions, public safety, public infrastructure and services, and other relevant factors, including any proposed project's likely effect on the public health or safety in determining whether to approve or reject any land development application, and may impose such reasonable conditions as are allowed under G.S. 160D noting the applicable approval process. Findings as to such factors made by any reviewing entity shall not bind the city officer, committee, board, or council acting as the approving authority, which shall consider such factors de novo.
- F. If the administrator or approving authority requires the application to be reviewed by the technical review committee (TRC) in accordance with Section 15.1, its members shall provide written comments to the planning director within 15 days of having received notification from the planning director of a land development application requiring their review, unless otherwise stated in this Chapter.
- G. A permit or development approval shall be in writing, and may be issued in print or electronic form pursuant to G.S. 160D-403. Any permit or approval issued exclusively in electronic form shall be protected from further editing once issued. The permit or approval may contain a provision that the development shall comply with all applicable state and local laws. If an application is denied, the reasons for denial shall be stated in writing.
- H. Typical procedures following issuance of land development permit:
- Upon issuance of a land development permit, the applicant may proceed to the Transylvania County Health Department and/or Transylvania County Building Permitting and Enforcement for any necessary permits.
 - Upon creation of structural footers or the pouring of the first-floor slab of any building or structure, the applicant shall contact the administrator for a preliminary setback inspection. The administrator shall inspect for compliance with applicable dimensional requirements and shall issue preliminary setback approval or require modifications, as applicable.
 - Upon completion of all land development activity and the installation of all approved improvements the applicant shall contact the administrator to arrange for a final inspection. As authorized by G.S. 160D-403(e) and -1113, the administrator shall inspect for compliance with all applicable requirements of this ordinance and Brevard City Code. The administrator shall deny final inspection approval if full compliance with this ordinance and Brevard City Code, approved development plans, and all other requirements, is not observed. The administrator may issue conditional approval. Conditional approval shall be extended for a defined period of time and all conditions

shall be clearly set forth in writing. The administrator may require the submission of final "as built" construction documents as a condition of final written approval.

4. Upon issuance of final approval by the administrator, the applicant shall contact the Transylvania County Building Inspection Department to request issuance of a certificate of occupancy in accordance with G.S. 160D-403(g).

5. The administrator shall, from time to time, inspect the building, structure, use, subdivision, or other approved activity for continued compliance with this ordinance, Brevard City Code, the approved land development plan, and any other applicable requirement, and shall take such action as is necessary to ensure continued compliance, including any remedy as set forth in Chapter 18 of this ordinance.

I. Final zoning approval and certificate of occupancy:

1. No structure shall be used or occupied until final zoning approval has been issued by the City of Brevard and a certificate of occupancy has been issued by the Transylvania County Building Inspection Department pursuant to G.S. 160D-403(g). Such approval shall be issued with the presumption that the structure or portion of a structure is in compliance with Brevard City Code, all applicable provisions of this ordinance, any specific conditions and requirements of the city, and the information stated on the development permit.

2. A record of all final zoning approvals shall be kept on file in the office of the administrator, and a record of all certificates of occupancy shall be kept on file in the office of the Transylvania County Building Inspection Department. Copies shall be furnished, on request, to all interested parties.

3. If final zoning approval or a certificate of occupancy is denied, the reasons for such denial shall be specified in writing and provided to the applicant.

4. Where certain infrastructure elements have not been installed (i.e. landscaping due to time of year), a temporary final zoning approval may be issued by the administrator, and a final certificate of occupancy may be issued by Transylvania County with permission from the administrator.

J. Right of appeal:

1. If a request for a development permit is denied or if a ruling of the administrator is questioned, any aggrieved party may appeal such ruling to the board of adjustment (hereafter, "BOA") in accordance with this chapter and G.S. 160D-405.

2. Appeals of a ruling of the BPB, the BOA, or city council shall be heard by the Superior Court of Transylvania County. In accordance with G.S. 160D-1402, the aggrieved party may request a stay of execution or enforcement of the decision of the quasi-judicial board pending superior court review. If in the absence of a stay, an applicant proceeds with development, the person does so at his or her own risk.

STAFF REPORT

City Council, Tuesday, January 17, 2023

Title: Proposed Amendments to City of Brevard Unified Development Ordinance Chapters 2, 4, 17 and 19-Setback Measurements

Speaker: Emily Brewer, AICP

Prepared by: Emily Brewer, Planner/Assistant Zoning Administrator

Approved by: Paul Ray, Planning Director

Background

This is a Staff-initiated text amendment that clarifies the measurement and determination of building setbacks. The proposed text amendments are included as Attachment 1 (strike-through) and Attachment 2 (clean).

For the strike-through version of the proposed text amendment, please note that blue text indicates new text and ~~red~~ indicates removed text. Black text means the text is currently in the UDO. If the text is currently in the UDO but was moved from one section to another, the text will be black and underlined.

The Planning Board discussed this text amendment at their November 15th meeting and unanimously recommended approval. In accordance with N.C.G.S. § 160D-605, the Planning Board also submits the attached statement analyzing the consistency and reasonableness of this proposal with regards to existing policies or plans of the City of Brevard (Attachment 3).

Discussion

Setbacks are the minimum distance that a structure can be located from the edge of the property. They protect public infrastructure, preserve the rights of neighboring property owners, and retain the pattern of city development. Staff proposes changes to the Unified Development Ordinance that refine and consolidate the regulations for building setbacks. The specific changes are listed below along with Staff's reasoning for proposing the change.

1. Consolidation of Setback Standards (Section 2.3 and Section 4.3):

- a. Currently, Section 2.3 provides separate tables for the front setbacks and the rear and side setbacks in the various zoning districts. The regulations for setbacks are included under the tables. Staff has proposed a proceeding sub-section entitled "General standards for all setbacks" to provide overarching information and standards. This section includes the types of setbacks (front yard, rear yard, and side yard) and which are required, how to measure setbacks, administrator decisions related to setbacks, and setback regulations for unique lot shapes.

- b. The setback regulations for some uniquely shaped lots (infill developments, corner/multi-frontage lots and irregular lots) were in Section 4.3. These were moved to the new general setback standards in Section 2.3.B.

2. Clarifying Definitions (Section 2.3 and Section 19.3)

- a. Staff has clarified the definition, application and measurement for setbacks in the new Section 2.3.B and in Section 19.3. More specifically, the text further clarifies that front-yard setbacks are measured from either the property line or the edge of the right-of-way, whichever is further from the centerline of the roadway.
- b. Staff also revised the definition for infill development to be more objective.

3. Setback Tables (Section 2.3)

- a. Staff combined the tables for front yard, side yard, and rear yard setbacks in the various zoning districts into one table. This will improve the usability of this section for members of the public that may not be familiar with how the UDO is organized.
- b. The column labeled “Setback between buildings / New development without partiwall” was removed. This was used to determine when an accessory structure should adhere to the principal structure setbacks. The column was replaced with the stipulation that if an accessory structure is within 6 feet of a residential principal structure it must comply with the principal setbacks.

4. Other Items (Section 2.3, Section 4.4, Section 4.8, Section 17.6, and Section 17.8)

- a. Lastly, staff made minor revisions to other sections that referenced setbacks or other relevant terms.
- b. One such revision was removing the encroachment provisions under Section 2.3.E. These are duplicative of standards in Section 5.17, which outlines all types of encroachments.
- c. Another revision is removing setbacks from final plats. Subdivision is a procedure outlined by state statute. A zoning administrator must confirm that the subdivision conforms with zoning at the time of record. However, setbacks may change in the future and including them on recorded plats may be misleading. All future development must conform with the current zoning regulations, which may not coincide with the zoning regulations at the time the plat was recorded.

Policy Analysis

According to North Carolina General Statute §160D, land use and development regulations should be objective standards that zoning administrators can apply in implementation, administration and enforcement actions (NCGS §160D-102). Recent case law has confirmed the importance of establishing clear, objective standards: “...the drafters of

zoning ordinances that restrict property rights have a responsibility to provide clear rules on which property owners can rely.” (*Visible Props., LLC v. the Village of Clemmons*, case no. COA21-398 [N.C. App. August 2, 2022]).

Additionally, applying setbacks appropriately can establish a consistent neighborhood character and improve public safety. The 2015 Comprehensive Plan contains objectives and policies for Brevard’s livability, safety, and cohesiveness:

- **POLICY 3.1.A:** *Continue using land development regulations and incentives to steer future development away from environmentally sensitive areas such as steep slopes and floodplains.*
- **POLICY 4.1.A:** *Evaluate and amend development ordinances to facilitate infill development on vacant and under-developed parcels, as well as revitalization of developed parcels.*
- **POLICY 4.1.G:** *Modify development ordinances and regulations to incorporate design standards and guidelines that respect existing community character while allowing greater residential density and intensity of nonresidential development within mixed use zoning areas.*
- **OBJECTIVE 5.1:** *Increased safety and efficiency of vehicular traffic within and passing through Brevard.*

ACTION:

No action request. For information and public hearing only.

At their February 6, 2023 meeting, Council will be asked to take one of the following actions:

1. Adopt the amendments as written;
2. Revise the amendments and adopt as revised;
3. Reject the amendments; or
4. Table the amendments for further public hearings and/or consideration.

Attachments:

1. Proposed Text Amendment – Strike-through Version
2. Proposed Text Amendment – Clean Version
3. Consistency Statement
4. Draft Ordinance

2.3. Density and dimensional requirements.

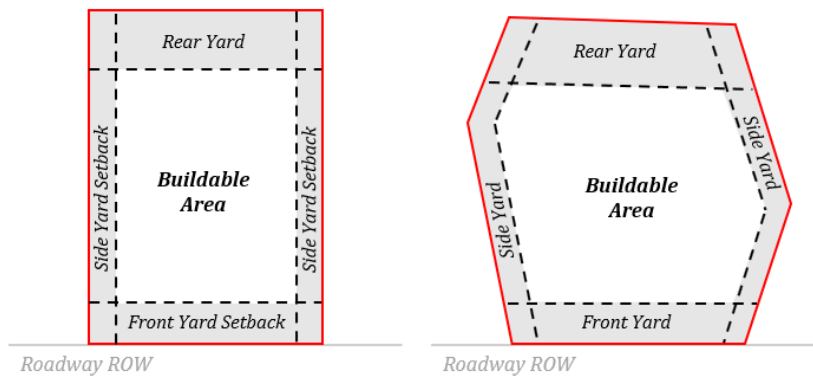
B. General standards for all setbacks.

1. A building, structure, lot, or sign shall not be developed, used or occupied unless it meets the minimum setback requirements set forth herein for the use or the zoning district in which it is located, except permitted encroachments in Section 5.17.
 - a. ~~Setbacks as listed in the preceding table may not account for landscaping requirements set forth in Chapter 8 of this ordinance.~~ Landscaping requirements set forth in Chapter 8 of this ordinance may supersede setbacks listed herein.

2. Types of setbacks:

- a. Front yard setbacks shall apply to the portion of the lot adjacent to the right-of-way. All lots are required to have a front yard.
- b. Rear yard setbacks shall apply to the portion of the lot on the opposite side of the lot from the front yard setback. All lots are required to have a rear yard.
- c. Side yard setbacks shall be the required setback from any property line other than front or rear property lines.

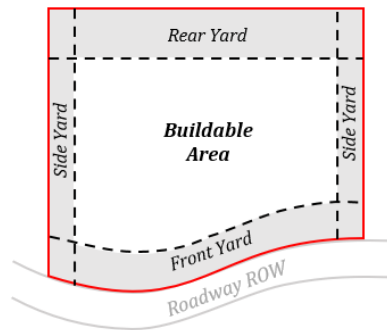
Illustrative Setback Diagrams



3. Measurement of setbacks:

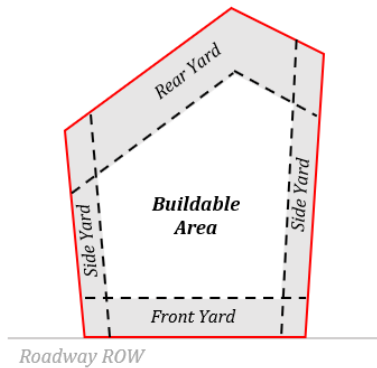
- a. Required yard setbacks are measured parallel to the applicable lot line or public right-of-way line.
 - i. Front yard setbacks shall be measured from the property line or the edge of the right-of-way, whichever is further from the centerline of the roadway.
 - ii. Side yard and rear yard setbacks shall be measured from the property line(s).
- b. When lot lines are curvilinear, setbacks shall be measured parallel to the curvilinear lot line.

Setbacks from Curvilinear Lot Lines



- c. When there are multiple rear lot lines, the rear setback must be measured from each of the rear lot lines.

Setbacks from Multiple Rear Lot Lines



4. Administrative decisions for setbacks:

- a. The administrator ~~For private streets, a right-of-way in accordance with Chapter 13 shall be assumed by the administrator. The administrator~~ may impose additional setbacks based upon specific guidance from the City of Brevard Comprehensive ~~Transportation~~ Plan, the City of Brevard Downtown Master Plan and other district or small area/master plans, the City of Brevard Comprehensive Pedestrian Plan, the City of Brevard Street Schedule, or other plans or policies of the city.

- i. For private streets, a right-of-way in accordance with Chapter 13 shall be assumed by the administrator.

- ii. When determining the edge of the right-of-way, the administrator shall require additional setbacks as necessary to account for existing or proposed additional automobile, bicycle, or pedestrian travel lanes, turn lanes, roundabouts, on-street parking, and other improvements that deviate from a standard street cross-section.

- b. The administrator may approve deviations from required setbacks by up to 20 percent of the required area in accordance with Chapter 16 in order to:

- i. protect existing or proposed rights-of-way and other infrastructure improvements

~~iii. one-way streets.~~

~~ii. or in deference to the~~ ensure environmental protection of sensitive and/or conservation areas, including steep slope areas

~~iii. account for, surface water protection, and/or satisfy other requirements of this ordinance, as well as the flood damage prevention requirements of Chapter 34 of Brevard City Code.~~

c. For non-conforming lots without street frontage, the administrator shall designate a front yard for the purposes of setback measurement.

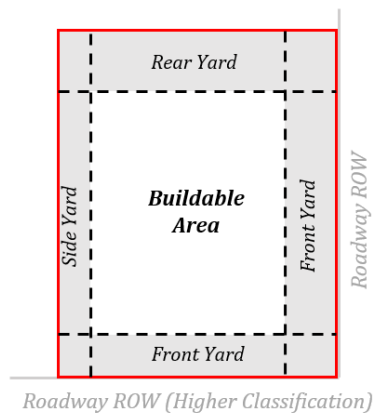
5. Corner lots and multi-frontage lots setbacks:

a. Any structure on any lot that fronts on more than one street shall comply with the minimum front yard setback requirement for each street upon which the lot fronts.

b. Alleys, rear lanes, and commercial service lanes are not classified as streets for the purpose of determining corner or multi-frontage lot setbacks.

c. The rear yard shall be determined as the portion of the lot on the opposite side of the lot from the front yard on the street with the higher classification.

Setbacks from Multi-frontage Lots



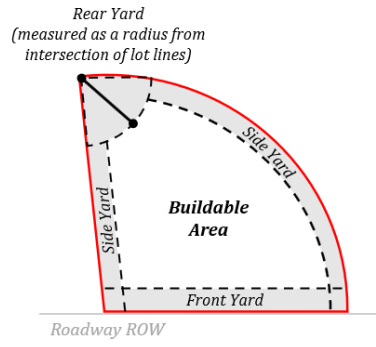
d.

~~b. The administrator may grant a 50 percent reduction in front yard setbacks to structures fronting upon more than one street upon a determination that the normal setback requirements would render the lot unusable. Such reduction shall only be applied to the street or streets of lowest classification, and shall not be applied to any street when such would conflict with adopted plans for the improvement of a street or pedestrian facility, or other utilities and infrastructure lying adjacent to the street. Other setback deviations shall be considered as a variance by the BOA in accordance with the provisions set forth in Chapter 16 of this ordinance.~~

6. Triangle lots and other lots without a rear lot line:

a. On properties where there is no rear lot line, the rear setback shall be measured as a radial distance from the intersection of side lot lines at the rear of the lot.

Setbacks from Lots with No Rear Lot Line



b.

7. Irregular lot setbacks:

a. The location of required front, side and rear yards on irregularly shaped lots shall be determined by the administrator. This determination shall be based on the spirit and intent of this ordinance to continue the appropriate spacing and location of buildings and structures on individual lots.

b. Lots that do not have an obvious visual relationship with the fronting street, such as "irregular lots," shall be evaluated on the basis of having one setback from neighboring properties. The setback amount shall be equal to the minimum rear setback for the district, unless:

i. A newly-created irregular lot would convert an existing conforming secondary or accessory dwelling unit to a principal single-family structure. In this case, the setbacks for the principal structure may equal that of an accessory structure of that size in the zoning district.

c. For irregular lots, the Zoning Administrator will determine the termination of the "parcel connector" based on the definition and will measure front-yard setbacks from that point.

8. Zero-lot line development setbacks:

a. Zero-lot line development (i.e., townhomes, condominiums and similar structures) and other structures using partiwalls are permitted subject to other requirements as set forth in this ordinance.

9. Infill lot setbacks:

a. The administrator may grant exceptions to the setback requirements of this ordinance for infill developments where the average setback on already-built-upon lots located wholly or in part within the same block and zoning district, and fronting on the same street as such lot, is less than the minimum required setback. In such cases, the front and side setbacks on such lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots.

b. In established neighborhoods, the administrator may determine that the functional rear yard is not opposite the front yard based on the peculiar shape of the parcel or the development pattern. In these cases, the administrator may determine that another line shall be considered the rear lot line for setback purposes.

10. Lots within the Downtown Development Overlay District:

a. New buildings in the Downtown Development Overlay District shall be subject to a front build-to line, or maximum setback, of 12 feet, as measured from the edge of the right-of-way,

with a build-to percentage of 80 percent. The build-to percentage may be reduced to 50 percent if the new building includes a public courtyard or plaza space.

BC. Setbacks for zoning districts:

1. The minimum setback distance for principal structures varies by zoning district and shall be measured in accordance with this section.

<u>District</u>	<u>Front Yard Setback</u>	<u>Rear Yard Setback</u>	<u>Side Yard Setback</u>
<u>GR (4, 8)</u>	<u>15 feet</u>	<u>25 feet</u>	<u>6 feet</u>
<u>RMX</u>	<u>10 feet</u>	<u>25 feet</u>	<u>6 feet</u>
<u>NMX</u>	<u>Edge of right-of-way</u>	<u>10 feet</u>	<u>0 feet / 10 feet from residential district</u>
<u>DMX</u>	<u>Edge of right-of-way</u>	<u>0 feet</u>	<u>0 feet</u>
<u>CMX</u>	<u>10 feet</u>	<u>10 feet / 25 feet from residential district</u>	<u>0 feet / 10 feet from residential district</u>
<u>IC</u>	<u>40 feet</u>	<u>40 feet</u>	<u>40 feet</u>
<u>GI</u>	<u>15 feet</u>	<u>10 feet / 25 feet from residential district</u>	<u>10 feet / 25 feet from residential district</u>
<u>CZD</u>	<u>To be determined by approving authority</u>		

~~Front yard setbacks.~~

<u>Minimum Front Yard Setbacks</u>		
<u>District</u>	<u>Setback from Right-of-Way (See 2.4(B(1)))</u>	<u>Commercial Service/Alley/Rear Lane (See 2.3(B(1)))</u>
<u>GR (4, 8)</u>	<u>15 feet</u>	<u>Edge of right-of-way</u>
<u>RMX</u>	<u>10 feet</u>	<u>Edge of right-of-way</u>
<u>NMX</u>	<u>Edge of right-of-way</u>	<u>Edge of right-of-way</u>
<u>DMX</u>	<u>Edge of right-of-way</u>	<u>Edge of right-of-way</u>
<u>CMX</u>	<u>10 feet</u>	<u>Edge of right-of-way</u>
<u>IC</u>	<u>40 feet</u>	<u>Edge of right-of-way</u>
<u>GI</u>	<u>15 feet</u>	<u>Edge of right-of-way</u>
<u>CD</u>	<u>To be determined by approving authority</u>	

- ~~1. Front yard setbacks as set forth below shall be measured from the edge of the right-of-way of the roadway.~~
- ~~2. IC and GI setbacks as listed above shall only apply to public streets within and adjacent to the subject campus or project. Internal setbacks shall be to the edge of the right-of-way or assumed right-of-way.~~
- ~~3. The administrator shall require additional setbacks as necessary to account for existing or proposed additional automobile, bicycle, or pedestrian travel lanes, turn lanes, roundabouts, on-street parking, and other improvements that deviate from a standard street cross-section.~~
- ~~4. The administrator shall deduct appropriate setbacks as necessary to account for one-way streets.~~

~~C. Side and rear yard setbacks.~~

<u>District</u>	<u>Side Yard Setback</u>	<u>Setback Between Buildings New Development Without Partiwall</u>	<u>Rear Yard Setback</u>
<u>GR (4, 8)</u>	<u>6</u>	<u>6</u>	<u>25</u>
<u>RMX</u>	<u>6</u>	<u>6/10 (MF)</u>	<u>25</u>

NMX	0/10 from residential district	6/10 (MF)	10
DMX	0	0	0
CMX	0/10 from residential district	0	10/25 from residential district
IC	40 foot setback along all external boundaries		
GI	10/25 from residential district		10/25 from residential district
CD	To be determined by approving authority		

D. Setbacks for Accessory structures.

1. Setbacks for accessory structures vary based on the size of the structure and the zoning district.

District	Side Yard Setback		Rear Yard Setback	
	< 120 sq. ft.	≥ 120 sq. ft.	< 120 sq. ft.	≥ 120 sq. ft.
GR (4, 8)	3 feet	6 feet	3 feet	10 feet
RMX	0 feet	3 feet	0 feet	3 feet
NMX	0 feet	3 feet	0 feet	3 feet
DMX	0 feet	0 feet	0 feet	0 feet
CMX	0 feet	0 feet	0 feet	0 feet
IC	40 feet foot setback along all external boundaries			
GI	10 feet/25 feet from residential district	10 feet/25 feet from residential district	10 feet/25 feet from residential district	10 feet/25 feet from residential district
CZD	To be determined by approving authority			

2. Accessory structures to residential uses within 6 feet of the principal structure are considered to be attached for the purpose of setbacks, and shall comply with the setbacks of the principal structure.

E. Other structure and lot dimensional requirements.

District	Height By Right (1)	Min. Lot Width for Conventional Lot (2)	Min. Lot Width of Irregularly Shaped Lot (3)	Max. Parcel Connector Length of Irregular Lots (4)	Out-Parcels (5)
GR (4, 8)	35 feet	30 feet	20 feet	300 feet	-
RMX	35 feet	30 feet	20 feet	300 feet	-
NMX	35 feet	20 feet	-	-	-
DMX	50 feet	0 feet	-	-	P
CMX	50 feet	0 feet	-	-	P
IC	50 feet	60 feet	20 feet	300 feet	P
GI	50 feet	60 feet	20 feet	300 feet	P
CZD		To be determined by approving authority			

- Additional height may be permitted by the board of adjustment (hereinafter BOA) as a special use permit. See the requirements for large structures as set forth in Chapter 5, Section 5.14. See computation of building height as set forth in Chapter 5, Section 5.17.
- Minimum lot width for conventional lots shall be fulfilled at the right-of-way line.
- Irregularly shaped lots are permitted to have the reduced minimum lot width at the right-of-way line if the lot width reaches the minimum lot width for a conventional lot within the maximum

allowable parcel connector length. Additional standards are levied on these parcels (see Section 4.3.G).

5. In Zoning Districts where out-parcels are permitted, the minimum lot width at the right-of-way for irregular lots may be fulfilled by an exclusive access easement for ingress, egress, and utilities. This easement must be at least the width of the minimum lot width for irregular lots in the Zoning District.

- a. "P" denotes out-parcels are permitted.

- b. "-" denotes out-parcels are not permitted within the given district.

~~6. Uncovered porches, stoops, and stairs, intended primarily for means of ingress and egress, nominally in line with the first floor above grade or any floor below that, may encroach into front, or rear yard setbacks up to one-third of the required setback dimension up to a height of four feet above the elevation of the floor being served. The area of each porch not including landings between runs of stairs, shall be no greater than 50 square feet.~~

~~7. Covered or uncovered balconies and bay windows may encroach into front or rear setbacks up to three feet into the required setback dimension. Balconies or bay windows may not exceed ten feet in width. Cumulative total of balconies and bay windows projecting into the setback shall not exceed 33 percent of the total width of each elevation.~~

~~8. Chimneys may encroach into front, rear, or side setbacks by up to two feet. Width of the chimney encroachment shall not exceed that necessary for the fireplace, flue, and the typical building walls enclosing the fireplace or flue.~~

~~69.~~ No structure or land use shall encroach upon any public ~~or private easement or public or private~~ right-of-way or easement, unless otherwise provided for by this ordinance.

4.3. Lot ~~and yard~~ requirements.

A. *May not reduce/create lot(s) below minimum requirements:* No ~~yard or~~ lot existing upon adoption of this ordinance shall be reduced in size or area below the minimum requirements of the zoning district in which it is located. ~~Yards or~~ Lots created after the effective date of this ordinance shall meet the minimum requirements established by this ordinance. This prohibition shall not be construed to prevent the purchase or condemnation of land for public utilities, substations, street right-of-way, pedestrian facilities, recreational facilities, stormwater management or similar public purposes.

~~B. Dimensional standards for infill lots: The setback requirements of this ordinance shall not apply to any lot where the average setback on already built-upon lots located wholly or in part within the same block and zoning district, and fronting on the same street as such lot, is less than the minimum required setback. In such cases, the front and side setbacks on such lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots.~~

~~C.B.~~ *Right-of-way protection:*

1. Notwithstanding any other provision of this ordinance, no building or structure shall be permitted within a public street, road right-of-way, or easement, public sidewalk or other pedestrian facility, or within any private right-of-way, except for those encroachments permitted in Chapter 5 of this ordinance.

2. No portion of any structure shall be placed upon any parcel boundary or within any street right-of-way. New subdivisions of land shall be designed to prevent the placement of a structure on any parcel boundary or within any street right-of-way. This provision shall not prohibit zero lot line structures with common walls situated on one or more lot lines.

3. Rights-of-way or easements for streets and roads shall not be considered a part of a lot or open space, or front, side, or rear yards for the purpose of meeting yard requirements.

~~D. —Civic structures: Churches and other civic buildings shall be exempt from front yard setback requirements but shall otherwise comply with the standards of Chapter 5.~~

~~ED.~~ *Number of principal buildings per lot:*

1. Except as indicated in paragraph 4.3(E(3)), below, there shall be no limit on the number of principal buildings on an individual lot and provided that all other requirements set forth in this ordinance and other federal, state, or local laws are met.
2. Multiple principal buildings shall be considered to be group developments in accordance with Section 2.3.
3. Single-family dwellings. There shall be no more than one single-family dwelling on an individual lot in a residential zoning district. This requirement shall not prohibit the establishment of secondary dwelling units in accordance with Section 3.14.

~~F. Irregular lot setbacks: The location of required front, side and rear yards on irregularly shaped lots shall be determined by the administrator. This determination shall be based on the spirit and intent of this ordinance to achieve continue the appropriate spacing and location of buildings and structures on individual lots.~~

~~1. —Lots that do not have an obvious visual relationship with the fronting street, such as flag “irregular lots,” shall be evaluated on the basis of having one setback from neighboring properties, which. The setback amount shall be equal to the minimum rear setback for the district, unless:~~

~~a. —A newly created irregular lot would convert an existing conforming secondary or accessory dwelling unit to a principal single family structure. In this case, the setbacks for the principal structure may equal that of an accessory structure of that size in the zoning district.~~

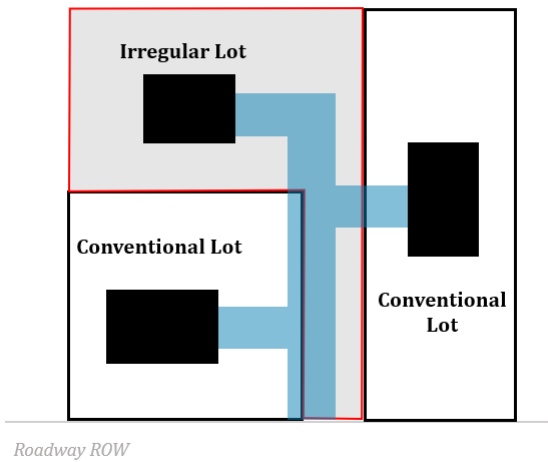
~~2. —For irregular lots, the Zoning Administrator will determine the termination of the “parcel connector” based on the definition and will measure front yard setbacks from that point.~~

~~GE.~~ *New Irregularly shaped lots:*

1. An irregular lot shall only be permitted if necessary to allow a property owner reasonable use and benefit from their land or to alleviate situations which would otherwise cause a hardship as determined by the Zoning Administrator, including but not limited to the following:
 - a. Where necessary to eliminate access onto arterials
 - b. To reasonably utilize irregularly shaped land
 - c. To reasonably utilize land with extreme topography
 - d. To reasonably utilize land with limited sites suitable for septic tank nitrification fields
 - e. Where it is unlikely that a road created in lieu of an irregular lot would ever be extended, or otherwise needed to provide access to adjoining parcels
 - f. To provide for the protection of significant natural or cultural resources
2. Irregular lots shall not be permitted:
 - a. If the dimensional requirements or other element of the definition is not met.
 - b. If the irregular lot does not appear to have reasonable development potential.
 - c. If the irregular lot is a clear circumvention of other provisions of this ordinance.
3. The Zoning Administrator may grant exceptions to the requirement that the “parcel connector” provide functional access with an exclusive access easement for ingress, egress, and utilities. This easement must be at least the width of the minimum lot width for irregular lots in the Zoning

- District. All other requirements for irregular lots shall be fulfilled by the exclusive access easement. This exemption may only be granted in instances where:
- The property is located in zoning districts where out-parcels are permitted.
 - The Administrator determines that an easement is necessary to reduce the number of driveways on a public street where the posted speed limit is 25 miles per hour or greater.
 - The Administrator determines that extreme site conditions preclude the property owner from reasonably achieving functional access.
4. Use of a shared private drive to serve an irregular lot and adjoining lot(s) is permitted and encouraged. The shared private drive shall be constructed in accordance with Section 9.3.B.

**Illustrative Diagram of
Shared Private Drives**



5. The development standards of the zoning district in which a property is located shall apply to the irregular lot development, except that the required minimum lot width for a conventional lot is replaced by the minimum lot width for irregular lots in the zoning district (Section 2.3.E).

~~H. Corner lots and double frontage lots: Any structure on any lot that fronts on more than one street shall comply with the minimum front yard setback requirement for each street upon which the lot fronts. Where a structure faces two streets having different setback requirements, the structure shall comply with the applicable front yard setback requirements for each street. The administrator may grant a 50 percent reduction in front yard setbacks to structures fronting upon more than one street upon a determination that the normal setback requirements would render the lot unusable. Such reduction shall only be applied to the street or streets of lowest classification, and shall not be applied to any street when such would conflict with adopted plans for the improvement of a street or pedestrian facility, or other utilities and infrastructure lying adjacent to the street. Other setback deviations shall be considered as a variance by the BOA in accordance with the provisions set forth in Chapter 16 of this ordinance.~~

- ~~F.~~ **F.** Reserve strips: There shall be no reserve strips platted in any subdivision.

4.4. Street frontage required.

- A. A public street is any road ~~or~~ street, ~~alley, or other travel lane~~ that is under the ownership, control, and maintenance of the City of Brevard, the State of North Carolina, or the United States of America.

- 256 B. Access, utility, service, or other easements under the ownership, control, or maintenance of the City of
257 Brevard, the State of North Carolina, or the United States of America shall not be considered public
258 streets for the purposes of satisfying street frontage requirements.
- 259 C. Public rights-of-way under the ownership and control of the City of Brevard, the State of North Carolina,
260 or the United States of America, which are not open and operable as a travel lane for motorized vehicles
261 shall not be considered public streets for the purposes of satisfying street frontage requirements, but
262 shall be protected from encroachment in accordance with Section 4.3(C), above.
- 263 D. All subdivisions of land (i.e., parcels, lots, tracts, or other subdivisions of land), shall directly abut and
264 have direct frontage upon a publicly-maintained street. Street frontage shall meet the minimum
265 requirements set forth in Chapter 2.
- 266 E. In no case shall a new parcel, lot, tract, condominium, lot or space, or other subdivision of land be
267 created that does not conform to the public street frontage requirements of this ordinance, except as
268 otherwise provided herein. Private streets, rights-of-way or access easements shall not be permitted in
269 lieu of public street frontage requirements contained herein except as allowed below.
- 270 1. *Residential single-family developments in General Residential—4 (GR4) zoning districts.*
- 271 a. Privately-maintained streets, rights-of-way, or access easements of less than 100 linear feet
272 in length may satisfy frontage requirements for up to three single-family lots, provided they
273 consist of a drivable surface of at least 16 feet in width.
- 274 b. Privately-maintained streets 100 linear feet or greater in length may satisfy frontage
275 requirements for up to eight single-family lots, provided they consist of a paved surface of at
276 least 16 feet in width.
- 277 c. All such privately-maintained streets, rights-of-way, or access easements must remain
278 adequately maintained to afford a reasonable means of ingress and egress of emergency
279 vehicles.
- 280 F. Exceptions to street frontage requirements: Following are standards whereby certain uses are excepted
281 from the street frontage requirements contained herein:
- 282 1. *Commercial, group developments, and developments in General Industrial zoning districts:*
283 Subdivisions for the creation of outparcels within the foregoing developments may be allowed
284 without frontage on a public street.
- 285 2. *Residential multi-family developments:* Private streets, right-of-way, and access easements may be
286 permitted within the foregoing developments proposing no more than four principal structures,
287 each containing no more than four dwelling units in each structure, and for which no subdivision
288 activity or condominium buildings or lots are proposed.
- 289 3. *Condominium lots and condominium buildings:*
- 290 a. Condominium lots may be separated from a public street by common space, maintained by a
291 property owner's association, that is permitted within the same phase of the same
292 subdivision within which the condominium lot is located.
- 293 b. No condominium lot shall be situated more than 100 feet from a public street. This distance
294 shall be considered a maximum distance that is in keeping with the public health and safety,
295 which shall not be varied or extended.
- 296 c. Condominium lots that are separated from a public street by common space shall be serviced
297 by a private access easement or private right-of-way that directly connects to the nearest
298 public street. No more than four condominium lots or spaces shall be serviced by the same
299 private access easement or right-of-way.
- 300 d. Private streets, right-of-way, and access easements serving condominium lots and buildings
301 shall be no longer than 100 feet as measured from the intersection of the centerlines of the
302 public street and the private easement or right-of-way. Parking for condominium lots not

accessed by a public street shall be accessed by such private access easements or private rights-of-way.

- e. These provisions shall only apply to subdivisions of land for the creation of condominium lots and condominium buildings, and shall not be applied to any other form of subdivision of land.

4. *Pre-existing lots without adequate street frontage:*

- a. On parcels of land that do not front upon a public street ("landlocked parcels") or that otherwise do not meet frontage requirements of this ordinance, only one "by right" use or structure, along with related accessory uses or structures, shall be. No subdivision activity shall be permitted on parcels of land that do not meet the street frontage requirements of this ordinance. This requirement shall apply regardless of the size of the landlocked or otherwise non-compliant parcel.
- b. In such cases the administrator shall require evidence of the presence of a deeded right-of-way or other access easement prior to the issuance of any permit.
- c. The administrator may permit the establishment of a private right-of-way or access easement in order to facilitate access to pre-existing land-locked parcels. However, the provision of such private access shall not be considered satisfaction of the requirement that all lots front upon a public street.

- 5. *Additional private access, when all frontage requirements are met:* The administrator may permit the establishment of additional private rights-of-way or access easements to properties that otherwise conform to public street frontage requirements of this ordinance.

~~6. *Rolling services:* The point of contact for "rolling services" of the city (i.e., garbage, recycling, etc.) shall be at the public street, i.e., the intersection of the public street and private right-of-way or easement. Rolling services shall not be provided along newly created private streets, right-of-way, or access easements created after the enactment of this ordinance.~~

~~6.7. *Designed and built in accordance with public street standards:* All newly created private streets, right-of-way, and access easements except those authorized under Section 4.4(F(4)), above, shall be designed and built in accordance with public street standards set forth in Chapter 13 of this ordinance.~~

~~7.8. *Relation to private streets:* Buildings shall be oriented and situated in relation to private streets so that they conform to all applicable requirements for public streets, such that private streets could be accepted as public streets.~~

~~8.9. *Additional requirements/conditions:* In addition to any other applicable requirements set forth in this ordinance, the approving entity may impose such conditions, including but not limited to, the provision of access easements to the City of Brevard, as are necessary to ensure the adequate provision of public services.~~

4.8. Accessory structures.

- A. Principal buildings required. The construction of an accessory structure or building is not permitted unless a principal building is located on the lot, except as set forth below or as otherwise provided in this ordinance. Accessory structures shall be incidental and subordinate to the principal structure(s). Accessory and principal buildings may be constructed concurrently.

- 1. Accessory structures utilized for agricultural purposes in association with bona-fide agricultural operations may be permitted in the absence of a principal structure.

2. Garden sheds may be permitted in the absence of a principal structure subject to the following requirements:

- a. Garden sheds shall be no larger than 120 square feet in size;
- b. Garden sheds shall be single-story;
- c. Garden shed shall not be connected to water, sewer, or electricity; and
- d. Garden sheds shall be utilized only for the storage of lawn equipment, garden utensils, and other implements necessary for the maintenance of gardens and grounds.

- B. Accessory structures shall meet the density and dimensional requirements set forth in Section 2.3 of this ordinance.

- C. Accessory structures shall not exceed two stories in height.

~~D. Where an accessory structure is structurally attached to a principal structure or is less than six feet distant from a main building, it shall be subject to, and must conform with, all regulations of this ordinance applicable to the principal structures.~~

- D.E.** Accessory structures on lots with single-family dwellings and duplexes.

- 1. Maximum number permitted. No more than two accessory structures shall be permitted per lot. Beehives and chicken coops shall not count toward the maximum number of accessory structures on a lot.
- 2. Accessory structures shall be located only in the side or rear yards, except for gazebos, private garages, and carports. Such structures shall comply with the front yard setbacks in Section 2.3.B.C. The administrator shall make a determination as to the side or rear yard for accessory structures proposed to be located on lots fronting more than one street.
- 3. Accessory buildings shall not cover more than 30 percent of the required side or rear yard except as otherwise provided in this ordinance.
- 4. Accessory structures with a footprint of more than 500 square feet shall be buffered from the adjacent residential development with a type A buffer yard. Accessory structures located more than 24 feet from a property line shall be exempt from this buffering requirement.
- 5. Under no circumstances shall the use of a shipping container be permitted for the purpose of providing permanent storage as an accessory use.

- F.E.** Accessory structures on lots with non-residential uses, multi-family uses, and group developments.

- 1. Maximum number permitted. No more than two accessory structures shall be permitted per lot, except in General Industrial (GI). In all other zoning districts, additional structures shall be considered as principal structures in a group development.
- 2. Accessory structures shall be located only in side or rear yards except for bona-fide agricultural enterprises.
- 3. Accessory structures shall comply with the applicable landscaping requirements of Chapter 8 of this ordinance.
- 4. Accessory structures shall be clad in materials similar in appearance to the principal structure in accordance with Chapter 5, except when such material is non-conforming with this ordinance.

17.6. Construction document requirements.

The construction documents for site plans, conditional rezoning plans, special use plans, major subdivisions, vested rights, and master plans shall be submitted in accordance with the specifications of this

section except where specifically noted. Construction documents shall constitute the complete submittal requirements for site plans and preliminary plats required prior to construction.

The size and number of completed application submittal copies required shall be set by the administrator. No certifications other than the certificate of survey and accuracy as in Section 17.7(J) and the seal of the professional designer must be provided in connection with the submission.

Construction drawings must be drawn to the following specifications and must contain or be accompanied by the applicable information listed below. All plans shall be submitted at a scale not less than one inch = 50 feet unless otherwise authorized by the administrator. No processing or review of construction documents will proceed without all of the following information:

- A. The boundary, as determined by survey, of the area to be subdivided with all bearings and distances shown and the location within the area, or contiguous to it, of any existing streets, railroad lines, water courses, easements, bridges, floodplains, or other significant features of the tract.
- B. Scale in feet denoted both graphically and numerically with north arrow and declination.
- C. A sketch vicinity map at a scale no smaller than one inch equals 1,200 feet showing the relationship between the proposed subdivision and surrounding area.
- D. Environmental survey in accordance with Section 17.2.
- E. Existing topography and finish grading with contours drawn at two foot intervals. This requirement may be waived for developments smaller than one acre or where insufficient topographic changes warrant such information.
- F. Corporate limits and extraterritorial jurisdiction boundaries (where applicable).
- G. The proposed names of the development and streets, the owner's name and address, signature of the owner or owner's duly authorized agent, the surveyor's name, the names of existing and proposed adjoining subdivisions or property owners, the names of the city, county, and state in which the development is located, the date of preparation, and the zoning classification of the tract to be developed and of adjoining properties.
- H. Proposed lot lines, lot and block numbers, and exact dimensions.
- I. The future ownership (dedication or reservation for public use to a governmental body; for owners to duly constituted home owners' associated, for tenant's remaining in subdivider's ownership of recreation and open space lands).
- J. A statement from the City of Brevard regarding the availability of adequate water and sewer capacity for the proposed development.
- K. The plans for utility layouts, including sanitary sewers, storm sewers, and water lines, illustrating connections to existing systems. All systems shall conform to current city standards.
- L. The location and size of all utility lines, easements, and rights-of-way. Easements shall be provided on all construction documents as follows:
 1. *Utility easements:* Easements for underground or above ground utilities shall be provided for and centered along rear or side lot lines, and shall be a minimum of ten feet in width. Easements for water lines, sanitary sewers, and storm drains shall be centered on the pipe and a minimum of 20 feet in width or as required by design manual.
 2. *Drainage easements:* Where a development is crossed by a stream or drainage way, an easement shall be provided conforming with the lines of such stream and of sufficient width as shall be adequate to maintain the overall integrity of the drainage area and provide for its periodic maintenance.
 3. *Landscape easements:* Landscape easements along streets should be designed in accordance with the provisions of Chapters 6, Environmental Protection, and 8, [Tree Protection and]

- 436 Landscaping. The city may require landscape easements for developments where industrial
437 or commercial uses abut residential uses.
- 438 4. *Public access easements:* Public access easements shall be provided for sidewalks, trails,
439 greenways, and other pedestrian and bicycle facilities that provide connections other than
440 within public rights-of-way.
- 441 M. The location of proposed buildings, parking and loading areas, streets, alleys, lots, parks or other
442 open spaces, reservations (i.e. school sites), property lines and building setback lines with street
443 dimensions, tentative lot dimensions, and the location of any building restriction areas (i.e. flood
444 hazard areas, watershed protection districts, and/or jurisdictional wetlands. ~~Building setbacks are~~
445 ~~measured to the closest point of the structure, including gutters and roof overhangs.~~ Buildings
446 shown for the purpose of measuring setbacks must reflect these elements when applicable.
- 447 N. Site calculations shall include total acreage of tract, acreage in parks and other non-residential
448 uses, total number and acreage of parcels, the total number of housing units, area of all mixed-use
449 and non-residential buildings, gross project density per acre, linear feet of streets, and the
450 accurate locations and descriptions of all monuments, markers, and control points.
- 451 O. The location and dimensions of all off-street parking and loading spaces, and walkways indicating
452 the type of surfacing, size, angle of stalls, width of aisles, and a specific.
- 453 P. Development permit and certification application with supporting documentation as required by
454 the flood hazard prevention requirements of Chapter 34 of Brevard City Code.
- 455 Q. The location and dimensions of any sidewalks, curb cuts, curb and gutters to be installed along
456 public street frontages, and other required street improvements designated in Chapter 11 of this
457 ordinance, or as called for in the Brevard Transportation Plan, the Rural Planning Organization
458 Thoroughfare Plan or Transportation Improvement Program, or other plan or policy of the city.
459 Required right-of-way shall be drawn in the location shown on any official plan at the width
460 specified in this ordinance.
- 461 R. Typical cross sections of proposed streets showing rights-of-way, pavement widths, grades, and
462 design engineering data for all corners and curves. Where a proposed street is an extension of an
463 existing street the profile of the street shall include 300 feet of the existing roadway, with a cross
464 section of the existing street. Where a proposed street within the subdivision abuts a tract of land
465 that adjoins the subdivision and where said street may be expected to extend into said adjoining
466 tract of land, the profile shall be extended to include 300 feet of the said adjoining tract.
- 467 S. The location of any existing or proposed demolition landfills in the site. Such sites shall not be
468 used for building.
- 469 T. A copy of the full soil erosion and sedimentation permit application including forms, plans, and
470 calculations to be submitted to the North Carolina Department of Environmental Quality-Erosion
471 and Sediment Control Office, and a copy of the approval letter prior to site plan or preliminary plat
472 approval.
- 473 U. Final proposed elevations of all non-single family and duplex buildings proposed for construction
474 as part of this site plan approval. Subsequent buildings within the development may be handled as
475 separate site plans. Such elevations shall include all facades visible from public streets.
- 476 V. Supplemental plans as applicable:
- 477 1. Landscape plan in accordance with Section 17.8.
- 478 2. Tree preservation plan in accordance with Section 17.9.
- 479 3. Lighting plan in accordance with Section 17.10.
- 480 4. Architectural plans in accordance with Section 17.11.
- 481 5. Traffic impact analysis (if required) in accordance with Section 17.12.

6. Floodplain development information (if required) in accordance with Section 17.13.
 7. Stormwater management concept plan in accordance with Section 17.14.
- W. The following statement shall be placed upon all final construction documents, as applicable:
- "Areas delineated upon this plat or plan as a protection area or Special Flood Hazard Areas is subject to limitations upon development as set forth Chapter 34 of Brevard City Code, and any development, disturbance, or encroachment is prohibited except in accordance therewith."
- In addition to the above required information, the following additional information may be necessary for specific sites as determined by the administrator:
- X. Where a proposed water and sewer system does not contemplate the use of facilities owned and operated by the city, the proposed facility plans as approved by the appropriate agency, shall be submitted with the construction documents.
- Y. Where public or community water supply and/or sewerage systems are not available or to be provided, a written statement from the Transylvania County Health Department shall be submitted with the construction documents indicating that each lot has adequate land area and soil conditions suitable to accommodate the proposed methods of water supply and sewage disposal.

17.7. Final plat requirements.

The final plat shall be prepared by a registered land surveyor, licensed to practice in the State of North Carolina and must be drawn to a scale no less than one inch = 100 feet, and shall meet the requirements of the Transylvania County Register of Deeds Office. The final plat shall constitute all portions of the preliminary plat site, which the subdivider proposes to record, and develop at the time. The size and number of completed applications shall be set by the administrator.

No final plat shall be approved unless and until the subdivider has installed in the platted area all improvements required by this ordinance or has posted performance guarantees in accordance with Chapter 11. The final plat shall contain the following:

- A. The exact boundary of the tract of land being subdivided showing clearly the disposition of all portions of the tract.
- B. Scale denoted both graphically and numerically with north arrow and declination. A vicinity map showing the location of the subdivision with respect to adjacent streets and properties.
- C. As built drawings and plans of all water, sewer, and storm drainage system facilities, illustrating their layouts and connections to existing systems. Such plans shall show all easements and rights-of-way, to demonstrate that the facilities are properly placed and the locations of all fire hydrants, blow-off valves, manholes, pumps, force mains, and gate valves are indicated. This information shall not be placed on the final plat but must be submitted at the time of request for final plat approval or release of any surety for required improvements, whichever comes later.
- D. Sufficient data to determine readily and reproduce accurately on the ground the location, bearing, and length of every street, alley line, lot line, building line, and easement line, ~~and setback line~~. All dimensions shall be measured to the nearest one-hundredth of a foot and all angles to the nearest second.
- E. The lines and names of all streets, alley lines, lot lines, lot and block numbers, ~~lot addresses, building setback lines,~~ easements, reservations, protected areas or required open space (steep slope areas, surface water protection areas, floodways and non-encroachment areas, etc.), the special flood hazard area, on-site demolition landfills and areas dedicated to public purpose with notes stating their purposes. The final plat shall contain the following statement:

"Areas delineated upon this plat or plan as a protection area or special flood hazard areas is subject to limitations upon development as set forth Chapter 6 of the City of Brevard Unified Development Ordinance, and any development, disturbance, or encroachment is prohibited except in accordance therewith."

- F. The accurate locations and descriptions of all monuments, markers, and control points.
- G. Underground and aerial utility easements shall be shown.
- H. The name of the city in which the subdivision is located, the name of the subdivision, the name of the owner, the name, registration number, and seal of the registered surveyor under whose supervision the plat was prepared, and the date of the plat.
- I. Submittal of payment in lieu of dedicated open space (if applicable).

19.3. Definitions.

Infill development: New development or expansions, including all uses except industrial, that is sited on vacant, or undeveloped or underdeveloped land in a built-up area which is abutted by urban development or designated open space and which can be readily connected to within the jurisdiction of this ordinance, and that is enclosed by other types of development, these areas are already served by public infrastructure, such as transportation, water, wastewater, and other utilities. Development on tracts of land larger than 5 acres shall not be considered infill development. The term urban infill itself implies that existing land is mostly built-out and what is being built is in effect "filling in" the gaps. The term most commonly refers to building single-family homes in existing neighborhoods but may also be used to describe new development in commercial, office or mixed-use areas.

Principal building or structure: A building in which is conducted the principal use of the parcel on which it is situated.

Property line: The legally established boundary of a lot, which boundary shall be considered coincident with any abutting public street right-of-way line unless the metes and bounds description contained in.

Right-of-way: A dedicated strip of land reserved for a specific use, such as for a street, pedestrian, or utility easement.

Setback: The minimum distance a structure may be located from a curb line, lot line, or right-of-way line along frontages and side and rear lot lines. The distance from the street right-of-way to the closest edge of a structure or sign.

Yard: A space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.

Yard, front: A yard situated between the front building line and the front lot line or the edge of the right-of-way, whichever is greater, extending the full width of the lot.

Yard, rear: A yard situated between the rear building line and the rear lot line extending the full width of the lot.

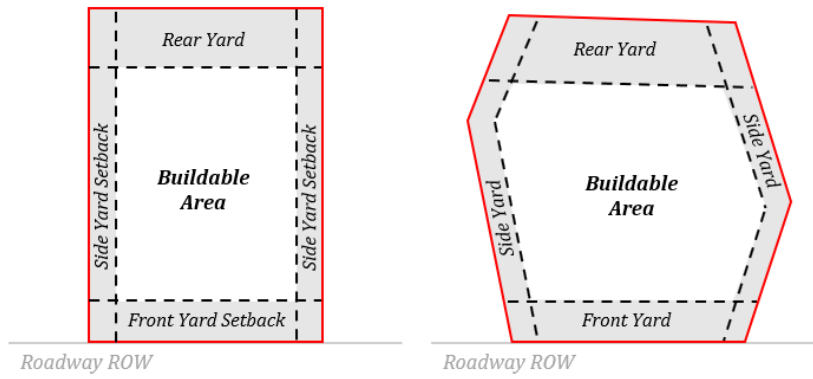
Yard, side: A yard situated between a side building line and side lot line and extending from the required front yard to the required rear yard. In determining the situation of accessory structures, the side yard shall be assumed to extend through the rear yard to the rear lot line.

2.3. Density and dimensional requirements.

B. General standards for all setbacks.

1. A building, structure, lot, or sign shall not be developed, used or occupied unless it meets the minimum setback requirements set forth herein for the use or the zoning district in which it is located, except permitted encroachments in Section 5.17.
 - a. Landscaping requirements set forth in Chapter 8 of this ordinance may supersede setbacks listed herein.
2. Types of setbacks:
 - a. Front yard setbacks shall apply to the portion of the lot adjacent to the right-of-way. All lots are required to have a front yard.
 - b. Rear yard setbacks shall apply to the portion of the lot on the opposite side of the lot from the front yard setback. All lots are required to have a rear yard.
 - c. Side yard setbacks shall be the required setback from any property line other than front or rear property lines.

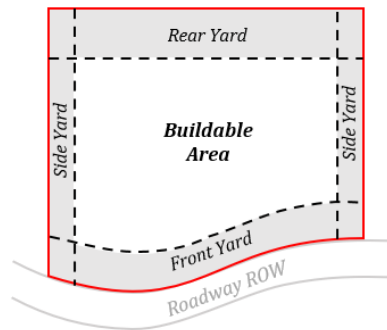
Illustrative Setback Diagrams



3. Measurement of setbacks:

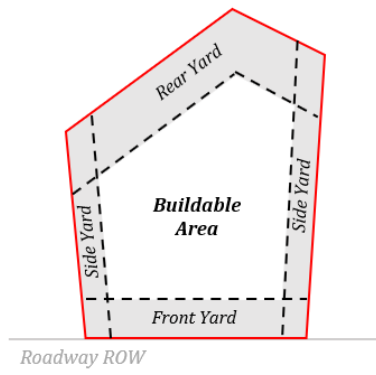
- a. Required yard setbacks are measured parallel to the applicable lot line or public right-of-way line.
 - i. Front yard setbacks shall be measured from the property line or the edge of the right-of-way, whichever is further from the centerline of the roadway.
 - ii. Side yard and rear yard setbacks shall be measured from the property line(s).
- b. When lot lines are curvilinear, setbacks shall be measured parallel to the curvilinear lot line.

Setbacks from Curvilinear Lot Lines



- c. When there are multiple rear lot lines, the rear setback must be measured from each of the rear lot lines.

Setbacks from Multiple Rear Lot Lines



4. Administrative decisions for setbacks:

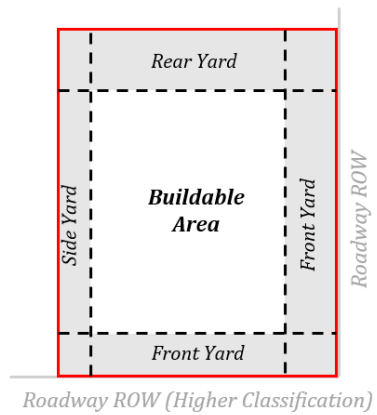
- a. The administrator may impose additional setbacks based upon specific guidance from the City of Brevard Comprehensive Plan, the City of Brevard Downtown Master Plan and other district or small area/master plans, the City of Brevard Comprehensive Pedestrian Plan, the City of Brevard Street Schedule, or other plans or policies of the city.
 - i. For private streets, a right-of-way in accordance with Chapter 13 shall be assumed by the administrator.
 - ii. When determining the edge of the right-of-way, the administrator shall account for existing or proposed additional automobile, bicycle, or pedestrian travel lanes, turn lanes, roundabouts, on-street parking, and other improvements that deviate from a standard street cross-section.
- b. The administrator may approve deviations from required setbacks by up to 20 percent of the required area in accordance with Chapter 16 in order to:
 - i. protect existing or proposed rights-of-way and other infrastructure improvements
 - ii. ensure environmental protection of sensitive and/or conservation areas, including steep slope areas

- iii. account for surface water protection and/or satisfy flood damage prevention requirements
- c. For non-conforming lots without street frontage, the administrator shall designate a front yard for the purposes of setback measurement.

5. *Corner lots and multi-frontage lots setbacks:*

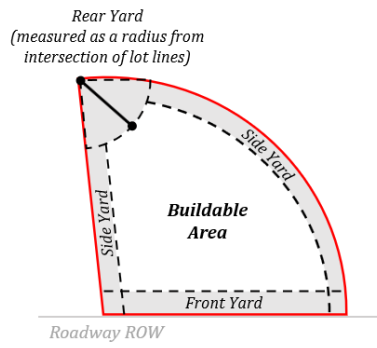
- a. Any structure on any lot that fronts on more than one street shall comply with the minimum front yard setback requirement for each street upon which the lot fronts.
- b. Alleys, rear lanes, and commercial service lanes are not classified as streets for the purpose of determining corner or multi-frontage lot setbacks.
- c. The rear yard shall be determined as the portion of the lot on the opposite side of the lot from the front yard on the street with the higher classification.

Setbacks from Multi-frontage Lots



- d.
- 6. *Triangle lots and other lots without a rear lot line:*
- a. On properties where there is no rear lot line, the rear setback shall be measured as a radial distance from the intersection of side lot lines at the rear of the lot.

Setbacks from Lots with No Rear Lot Line



- b.

7. *Irregular lot setbacks:*

- a. The location of required front, side and rear yards on irregularly shaped lots shall be determined by the administrator. This determination shall be based on the spirit and intent of this ordinance to continue the appropriate spacing and location of buildings and structures on individual lots.
- b. Lots that do not have an obvious visual relationship with the fronting street, such as "irregular lots," shall be evaluated on the basis of having one setback from neighboring properties. The setback amount shall be equal to the minimum rear setback for the district, unless:
 - i. A newly-created irregular lot would convert an existing conforming secondary or accessory dwelling unit to a principal single-family structure. In this case, the setbacks for the principal structure may equal that of an accessory structure of that size in the zoning district.
- c. For irregular lots, the Zoning Administrator will determine the termination of the "parcel connector" based on the definition and will measure front-yard setbacks from that point.

8. *Zero-lot line development setbacks:*

- a. Zero-lot line development (i.e., townhomes, condominiums and similar structures) and other structures using partiwalls are permitted subject to other requirements as set forth in this ordinance.

9. *Infill lot setbacks:*

- a. The administrator may grant exceptions to the setback requirements of this ordinance for infill developments where the average setback on already-built-upon lots located wholly or in part within the same block and zoning district, and fronting on the same street as such lot, is less than the minimum required setback. In such cases, the front and side setbacks on such lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots.
- b. In established neighborhoods, the administrator may determine that the functional rear yard is not opposite the front yard based on the peculiar shape of the parcel or the development pattern. In these cases, the administrator may determine that another line shall be considered the rear lot line for setback purposes.

10. *Lots within the Downtown Development Overlay District:*

- a. New buildings in the Downtown Development Overlay District shall be subject to a front build-to line, or maximum setback, of 12 feet, as measured from the edge of the right-of-way, with a build-to percentage of 80 percent. The build-to percentage may be reduced to 50 percent if the new building includes a public courtyard or plaza space.

C. *Setbacks for zoning districts:*

1. The minimum setback distance for principal structures varies by zoning district and shall be measured in accordance with this section.

District	Front Yard Setback	Rear Yard Setback	Side Yard Setback
GR (4, 8)	15 feet	25 feet	6 feet
RMX	10 feet	25 feet	6 feet
NMX	Edge of right-of-way	10 feet	0 feet / 10 feet from residential district
DMX	Edge of right-of-way	0 feet	0 feet
CMX	10 feet	10 feet / 25 feet from residential district	0 feet / 10 feet from residential district
IC	40 feet	40 feet	40 feet

GI	15 feet	10 feet / 25 feet from residential district	10 feet / 25 feet from residential district
CZD	To be determined by approving authority		

D. *Setbacks for accessory structures.*

1. Setbacks for accessory structures vary based on the size of the structure and the zoning district.

District	Side Yard Setback		Rear Yard Setback	
	< 120 sq. ft.	≥ 120 sq. ft.	< 120 sq. ft.	≥ 120 sq. ft.
GR (4, 8)	3 feet	6 feet	3 feet	10 feet
RMX	0 feet	3 feet	0 feet	3 feet
NMX	0 feet	3 feet	0 feet	3 feet
DMX	0 feet	0 feet	0 feet	0 feet
CMX	0 feet	0 feet	0 feet	0 feet
IC	40 feet along all external boundaries			
GI	10 feet/25 feet from residential district	10 feet/25 feet from residential district	10 feet/25 feet from residential district	10 feet/25 feet from residential district
CZD	To be determined by approving authority			

2. Accessory structures to residential uses within 6 feet of the principal structure are considered to be attached for the purpose of setbacks, and shall comply with the setbacks of the principal structure.

E. *Other structure and lot dimensional requirements.*

District	Height By Right (1)	Min. Lot Width for Conventional Lot (2)	Min. Lot Width of Irregularly Shaped Lot (3)	Max. Parcel Connector Length of Irregular Lots (4)	Out-Parcels (5)
GR (4, 8)	35 feet	30 feet	20 feet	300 feet	-
RMX	35 feet	30 feet	20 feet	300 feet	-
NMX	35 feet	20 feet	-	-	-
DMX	50 feet	0 feet	-	-	P
CMX	50 feet	0 feet	-	-	P
IC	50 feet	60 feet	20 feet	300 feet	P
GI	50 feet	60 feet	20 feet	300 feet	P
CZD		To be determined by approving authority			

- Additional height may be permitted by the board of adjustment (hereinafter BOA) as a special use permit. See the requirements for large structures as set forth in Chapter 5, Section 5.14. See computation of building height as set forth in Chapter 5, Section 5.17.
- Minimum lot width for conventional lots shall be fulfilled at the right-of-way line.
- Irregularly shaped lots are permitted to have the reduced minimum lot width at the right-of-way line if the lot width reaches the minimum lot width for a conventional lot within the maximum allowable parcel connector length. Additional standards are levied on these parcels (see Section 4.3.G).
- In Zoning Districts where out-parcels are permitted, the minimum lot width at the right-of-way for irregular lots may be fulfilled by an exclusive access easement for ingress, egress, and utilities.

This easement must be at least the width of the minimum lot width for irregular lots in the Zoning District.

a. "P" denotes out-parcels are permitted.

b. "-" denotes out-parcels are not permitted within the given district.

6. No structure or land use shall encroach upon any public right-of-way or easement, unless otherwise provided for by this ordinance.

4.3. Lot requirements.

A. *May not reduce/create lot(s) below minimum requirements:* No lot existing upon adoption of this ordinance shall be reduced in size or area below the minimum requirements of the zoning district in which it is located. Lots created after the effective date of this ordinance shall meet the minimum requirements established by this ordinance. This prohibition shall not be construed to prevent the purchase or condemnation of land for public utilities, substations, street right-of-way, pedestrian facilities, recreational facilities, stormwater management or similar public purposes.

B. *Right-of-way protection:*

1. Notwithstanding any other provision of this ordinance, no building or structure shall be permitted within a public street, road right-of-way, or easement, public sidewalk or other pedestrian facility, or within any private right-of-way, except for those encroachments permitted in Chapter 5 of this ordinance.
2. No portion of any structure shall be placed upon any parcel boundary or within any street right-of-way. New subdivisions of land shall be designed to prevent the placement of a structure on any parcel boundary or within any street right-of-way. This provision shall not prohibit zero lot line structures with common walls situated on one or more lot lines.
3. Rights-of-way or easements for streets and roads shall not be considered a part of a lot or open space, or front, side, or rear yards for the purpose of meeting yard requirements.

D. *Number of principal buildings per lot:*

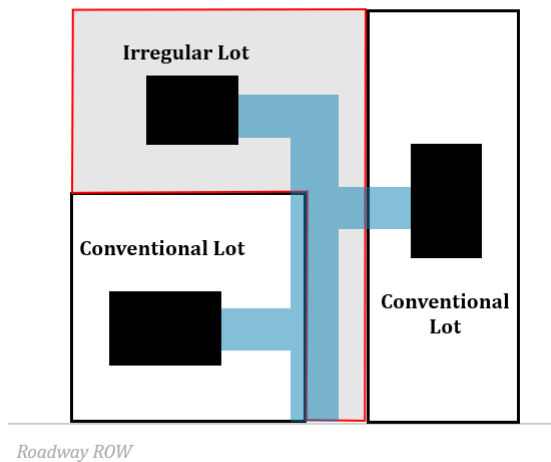
1. Except as indicated in paragraph 4.3(E(3)), below, there shall be no limit on the number of principal buildings on an individual lot and provided that all other requirements set forth in this ordinance and other federal, state, or local laws are met.
2. Multiple principal buildings shall be considered to be group developments in accordance with Section 2.3.
3. Single-family dwellings. There shall be no more than one single-family dwelling on an individual lot in a residential zoning district. This requirement shall not prohibit the establishment of secondary dwelling units in accordance with Section 3.14.

E. *New Irregularly shaped lots:*

1. An irregular lot shall only be permitted if necessary to allow a property owner reasonable use and benefit from their land or to alleviate situations which would otherwise cause a hardship as determined by the Zoning Administrator, including but not limited to the following:
 - a. Where necessary to eliminate access onto arterials
 - b. To reasonably utilize irregularly shaped land
 - c. To reasonably utilize land with extreme topography
 - d. To reasonably utilize land with limited sites suitable for septic tank nitrification fields

- e. Where it is unlikely that a road created in lieu of an irregular lot would ever be extended, or otherwise needed to provide access to adjoining parcels
- f. To provide for the protection of significant natural or cultural resources
2. Irregular lots shall not be permitted:
 - a. If the dimensional requirements or other element of the definition is not met.
 - b. If the irregular lot does not appear to have reasonable development potential.
 - c. If the irregular lot is a clear circumvention of other provisions of this ordinance.
3. The Zoning Administrator may grant exceptions to the requirement that the “parcel connector” provide functional access with an exclusive access easement for ingress, egress, and utilities. This easement must be at least the width of the minimum lot width for irregular lots in the Zoning District. All other requirements for irregular lots shall be fulfilled by the exclusive access easement. This exemption may only be granted in instances where:
 - a. The property is located in zoning districts where out-parcels are permitted.
 - b. The Administrator determines that an easement is necessary to reduce the number of driveways on a public street where the posted speed limit is 25 miles per hour or greater.
 - c. The Administrator determines that extreme site conditions preclude the property owner from reasonably achieving functional access.
4. Use of a shared private drive to serve an irregular lot and adjoining lot(s) is permitted and encouraged. The shared private drive shall be constructed in accordance with Section 9.3.B.

**Illustrative Diagram of
Shared Private Drives**



5. The development standards of the zoning district in which a property is located shall apply to the irregular lot development, except that the required minimum lot width for a conventional lot is replaced by the minimum lot width for irregular lots in the zoning district (Section 2.3.E).
- F. *Reserve strips:* There shall be no reserve strips platted in any subdivision.

4.4. Street frontage required.

- A. A public street is any road or street that is under the ownership, control, and maintenance of the City of Brevard, the State of North Carolina, or the United States of America.

- 186 B. Access, utility, service, or other easements under the ownership, control, or maintenance of the City of
187 Brevard, the State of North Carolina, or the United States of America shall not be considered public
188 streets for the purposes of satisfying street frontage requirements.
- 189 C. Public rights-of-way under the ownership and control of the City of Brevard, the State of North Carolina,
190 or the United States of America, which are not open and operable as a travel lane for motorized vehicles
191 shall not be considered public streets for the purposes of satisfying street frontage requirements, but
192 shall be protected from encroachment in accordance with Section 4.3(C), above.
- 193 D. All subdivisions of land (i.e., parcels, lots, tracts, or other subdivisions of land), shall directly abut and
194 have direct frontage upon a publicly-maintained street. Street frontage shall meet the minimum
195 requirements set forth in Chapter 2.
- 196 E. In no case shall a new parcel, lot, tract, condominium, lot or space, or other subdivision of land be
197 created that does not conform to the public street frontage requirements of this ordinance, except as
198 otherwise provided herein. Private streets, rights-of-way or access easements shall not be permitted in
199 lieu of public street frontage requirements contained herein except as allowed below.
- 200 1. *Residential single-family developments in General Residential—4 (GR4) zoning districts.*
- 201 a. Privately-maintained streets, rights-of-way, or access easements of less than 100 linear feet
202 in length may satisfy frontage requirements for up to three single-family lots, provided they
203 consist of a drivable surface of at least 16 feet in width.
- 204 b. Privately-maintained streets 100 linear feet or greater in length may satisfy frontage
205 requirements for up to eight single-family lots, provided they consist of a paved surface of at
206 least 16 feet in width.
- 207 c. All such privately-maintained streets, rights-of-way, or access easements must remain
208 adequately maintained to afford a reasonable means of ingress and egress of emergency
209 vehicles.
- 210 F. Exceptions to street frontage requirements: Following are standards whereby certain uses are excepted
211 from the street frontage requirements contained herein:
- 212 1. *Commercial, group developments, and developments in General Industrial zoning districts:*
213 Subdivisions for the creation of outparcels within the foregoing developments may be allowed
214 without frontage on a public street.
- 215 2. *Residential multi-family developments:* Private streets, right-of-way, and access easements may be
216 permitted within the foregoing developments proposing no more than four principal structures,
217 each containing no more than four dwelling units in each structure, and for which no subdivision
218 activity or condominium buildings or lots are proposed.
- 219 3. *Condominium lots and condominium buildings:*
- 220 a. Condominium lots may be separated from a public street by common space, maintained by a
221 property owner's association, that is permitted within the same phase of the same
222 subdivision within which the condominium lot is located.
- 223 b. No condominium lot shall be situated more than 100 feet from a public street. This distance
224 shall be considered a maximum distance that is in keeping with the public health and safety,
225 which shall not be varied or extended.
- 226 c. Condominium lots that are separated from a public street by common space shall be serviced
227 by a private access easement or private right-of-way that directly connects to the nearest
228 public street. No more than four condominium lots or spaces shall be serviced by the same
229 private access easement or right-of-way.
- 230 d. Private streets, right-of-way, and access easements serving condominium lots and buildings
231 shall be no longer than 100 feet as measured from the intersection of the centerlines of the
232 public street and the private easement or right-of-way. Parking for condominium lots not

- 233 accessed by a public street shall be accessed by such private access easements or private
234 rights-of-way.
- 235 e. These provisions shall only apply to subdivisions of land for the creation of condominium
236 lots and condominium buildings, and shall not be applied to any other form of subdivision of
237 land.
- 238 4. *Pre-existing lots without adequate street frontage:*
- 239 a. On parcels of land that do not front upon a public street ("landlocked parcels") or that
240 otherwise do not meet frontage requirements of this ordinance, only one "by right" use or
241 structure, along with related accessory uses or structures, shall be. No subdivision activity
242 shall be permitted on parcels of land that do not meet the street frontage requirements of
243 this ordinance. This requirement shall apply regardless of the size of the landlocked or
244 otherwise non-compliant parcel.
- 245 b. In such cases the administrator shall require evidence of the presence of a deeded right-of-
246 way or other access easement prior to the issuance of any permit.
- 247 c. The administrator may permit the establishment of a private right-of-way or access
248 easement in order to facilitate access to pre-existing land-locked parcels. However, the
249 provision of such private access shall not be considered satisfaction of the requirement that
250 all lots front upon a public street.
- 251 5. *Additional private access, when all frontage requirements are met:* The administrator may permit
252 the establishment of additional private rights-of-way or access easements to properties that
253 otherwise conform to public street frontage requirements of this ordinance.
- 254 6. *Designed and built in accordance with public street standards:* All newly created private streets,
255 right-of-way, and access easements except those authorized under Section 4.4(F(4)), above, shall
256 be designed and built in accordance with public street standards set forth in Chapter 13 of this
257 ordinance.
- 258 7. *Relation to private streets:* Buildings shall be oriented and situated in relation to private streets so
259 that they conform to all applicable requirements for public streets, such that private streets could
260 be accepted as public streets.
- 261 8. *Additional requirements/conditions:* In addition to any other applicable requirements set forth in
262 this ordinance, the approving entity may impose such conditions, including but not limited to, the
263 provision of access easements to the City of Brevard, as are necessary to ensure the adequate
264 provision of public services.

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267 **4.8. Accessory structures.**

- 268 A. Principal buildings required. The construction of an accessory structure or building is not permitted
269 unless a principal building is located on the lot, except as set forth below or as otherwise provided in
270 this ordinance. Accessory structures shall be incidental and subordinate to the principal
271 structure(s). Accessory and principal buildings may be constructed concurrently.
- 272 1. Accessory structures utilized for agricultural purposes in association with bona-fide agricultural
273 operations may be permitted in the absence of a principal structure.
- 274 2. Garden sheds may be permitted in the absence of a principal structure subject to the following
275 requirements:
- 276 a. Garden sheds shall be no larger than 120 square feet in size;
- 277 b. Garden sheds shall be single-story;

- c. Garden shed shall not be connected to water, sewer, or electricity; and
- d. Garden sheds shall be utilized only for the storage of lawn equipment, garden utensils, and other implements necessary for the maintenance of gardens and grounds.
- B. Accessory structures shall meet the density and dimensional requirements set forth in Section 2.3 of this ordinance.
- C. Accessory structures shall not exceed two stories in height.
- D. Accessory structures on lots with single-family dwellings and duplexes.
 - 1. Maximum number permitted. No more than two accessory structures shall be permitted per lot. Beehives and chicken coops shall not count toward the maximum number of accessory structures on a lot.
 - 2. Accessory structures shall be located only in the side or rear yards, except for gazebos, private garages, and carports. Such structures shall comply with the front yard setbacks in Section 2.3.C. The administrator shall make a determination as to the side or rear yard for accessory structures proposed to be located on lots fronting more than one street.
 - 3. Accessory buildings shall not cover more than 30 percent of the required side or rear yard except as otherwise provided in this ordinance.
 - 4. Accessory structures with a footprint of more than 500 square feet shall be buffered from the adjacent residential development with a type A buffer yard. Accessory structures located more than 24 feet from a property line shall be exempt from this buffering requirement.
 - 5. Under no circumstances shall the use of a shipping container be permitted for the purpose of providing permanent storage as an accessory use.
- E. Accessory structures on lots with non-residential uses, multi-family uses, and group developments.
 - 1. Maximum number permitted. No more than two accessory structures shall be permitted per lot, except in General Industrial (GI). In all other zoning districts, additional structures shall be considered as principal structures in a group development.
 - 2. Accessory structures shall be located only in side or rear yards except for bona-fide agricultural enterprises.
 - 3. Accessory structures shall comply with the applicable landscaping requirements of Chapter 8 of this ordinance.
 - 4. Accessory structures shall be clad in materials similar in appearance to the principal structure in accordance with Chapter 5, except when such material is non-conforming with this ordinance.

17.6. Construction document requirements.

The construction documents for site plans, conditional rezoning plans, special use plans, major subdivisions, vested rights, and master plans shall be submitted in accordance with the specifications of this section except where specifically noted. Construction documents shall constitute the complete submittal requirements for site plans and preliminary plats required prior to construction.

The size and number of completed application submittal copies required shall be set by the administrator. No certifications other than the certificate of survey and accuracy as in Section 17.7(J) and the seal of the professional designer must be provided in connection with the submission.

Construction drawings must be drawn to the following specifications and must contain or be accompanied by the applicable information listed below. All plans shall be submitted at a scale not less than one inch = 50 feet unless otherwise authorized by the administrator. No processing or review of construction documents will proceed without all of the following information:

- 322 A. The boundary, as determined by survey, of the area to be subdivided with all bearings and
323 distances shown and the location within the area, or contiguous to it, of any existing streets,
324 railroad lines, water courses, easements, bridges, floodplains, or other significant features of the
325 tract.
- 326 B. Scale in feet denoted both graphically and numerically with north arrow and declination.
- 327 C. A sketch vicinity map at a scale no smaller than one inch equals 1,200 feet showing the
328 relationship between the proposed subdivision and surrounding area.
- 329 D. Environmental survey in accordance with Section 17.2.
- 330 E. Existing topography and finish grading with contours drawn at two foot intervals. This
331 requirement may be waived for developments smaller than one acre or where insufficient
332 topographic changes warrant such information.
- 333 F. Corporate limits and extraterritorial jurisdiction boundaries (where applicable).
- 334 G. The proposed names of the development and streets, the owner's name and address, signature of
335 the owner or owner's duly authorized agent, the surveyor's name, the names of existing and
336 proposed adjoining subdivisions or property owners, the names of the city, county, and state in
337 which the development is located, the date of preparation, and the zoning classification of the tract
338 to be developed and of adjoining properties.
- 339 H. Proposed lot lines, lot and block numbers, and exact dimensions.
- 340 I. The future ownership (dedication or reservation for public use to a governmental body; for
341 owners to duly constituted home owners' associated, for tenant's remaining in subdivider's
342 ownership of recreation and open space lands).
- 343 J. A statement from the City of Brevard regarding the availability of adequate water and sewer
344 capacity for the proposed development.
- 345 K. The plans for utility layouts, including sanitary sewers, storm sewers, and water lines, illustrating
346 connections to existing systems. All systems shall conform to current city standards.
- 347 L. The location and size of all utility lines, easements, and rights-of-way. Easements shall be provided
348 on all construction documents as follows:
 - 349 1. *Utility easements:* Easements for underground or above ground utilities shall be provided for
350 and centered along rear or side lot lines, and shall be a minimum of ten feet in width.
351 Easements for water lines, sanitary sewers, and storm drains shall be centered on the pipe
352 and a minimum of 20 feet in width or as required by design manual.
 - 353 2. *Drainage easements:* Where a development is crossed by a stream or drainage way, an
354 easement shall be provided conforming with the lines of such stream and of sufficient width
355 as shall be adequate to maintain the overall integrity of the drainage area and provide for its
356 periodic maintenance.
 - 357 3. *Landscape easements:* Landscape easements along streets should be designed in accordance
358 with the provisions of Chapters 6, Environmental Protection, and 8, [Tree Protection and]
359 Landscaping. The city may require landscape easements for developments where industrial
360 or commercial uses abut residential uses.
 - 361 4. *Public access easements:* Public access easements shall be provided for sidewalks, trails,
362 greenways, and other pedestrian and bicycle facilities that provide connections other than
363 within public rights-of-way.
- 364 M. The location of proposed buildings, parking and loading areas, streets, alleys, lots, parks or other
365 open spaces, reservations (i.e. school sites), property lines and building setback lines with street
366 dimensions, tentative lot dimensions, and the location of any building restriction areas (i.e. flood
367 hazard areas, watershed protection districts, and/or jurisdictional wetlands. Buildings shown for
368 the purpose of measuring setbacks must reflect these elements when applicable.

- 369 N. Site calculations shall include total acreage of tract, acreage in parks and other non-residential
370 uses, total number and acreage of parcels, the total number of housing units, area of all mixed-use
371 and non-residential buildings, gross project density per acre, linear feet of streets, and the
372 accurate locations and descriptions of all monuments, markers, and control points.
- 373 O. The location and dimensions of all off-street parking and loading spaces, and walkways indicating
374 the type of surfacing, size, angle of stalls, width of aisles, and a specific.
- 375 P. Development permit and certification application with supporting documentation as required by
376 the flood hazard prevention requirements of Chapter 34 of Brevard City Code.
- 377 Q. The location and dimensions of any sidewalks, curb cuts, curb and gutters to be installed along
378 public street frontages, and other required street improvements designated in Chapter 11 of this
379 ordinance, or as called for in the Brevard Transportation Plan, the Rural Planning Organization
380 Thoroughfare Plan or Transportation Improvement Program, or other plan or policy of the city.
381 Required right-of-way shall be drawn in the location shown on any official plan at the width
382 specified in this ordinance.
- 383 R. Typical cross sections of proposed streets showing rights-of-way, pavement widths, grades, and
384 design engineering data for all corners and curves. Where a proposed street is an extension of an
385 existing street the profile of the street shall include 300 feet of the existing roadway, with a cross
386 section of the existing street. Where a proposed street within the subdivision abuts a tract of land
387 that adjoins the subdivision and where said street may be expected to extend into said adjoining
388 tract of land, the profile shall be extended to include 300 feet of the said adjoining tract.
- 389 S. The location of any existing or proposed demolition landfills in the site. Such sites shall not be
390 used for building.
- 391 T. A copy of the full soil erosion and sedimentation permit application including forms, plans, and
392 calculations to be submitted to the North Carolina Department of Environmental Quality-Erosion
393 and Sediment Control Office, and a copy of the approval letter prior to site plan or preliminary plat
394 approval.
- 395 U. Final proposed elevations of all non-single family and duplex buildings proposed for construction
396 as part of this site plan approval. Subsequent buildings within the development may be handled as
397 separate site plans. Such elevations shall include all facades visible from public streets.
- 398 V. Supplemental plans as applicable:
- 399 1. Landscape plan in accordance with Section 17.8.
- 400 2. Tree preservation plan in accordance with Section 17.9.
- 401 3. Lighting plan in accordance with Section 17.10.
- 402 4. Architectural plans in accordance with Section 17.11.
- 403 5. Traffic impact analysis (if required) in accordance with Section 17.12.
- 404 6. Floodplain development information (if required) in accordance with Section 17.13.
- 405 7. Stormwater management concept plan in accordance with Section 17.14.
- 406 W. The following statement shall be placed upon all final construction documents, as applicable:
- 407 "Areas delineated upon this plat or plan as a protection area or Special Flood Hazard Areas is
408 subject to limitations upon development as set forth Chapter 34 of Brevard City Code, and
409 any development, disturbance, or encroachment is prohibited except in accordance
410 therewith."
- 411 In addition to the above required information, the following additional information may be
412 necessary for specific sites as determined by the administrator:

- X. Where a proposed water and sewer system does not contemplate the use of facilities owned and operated by the city, the proposed facility plans as approved by the appropriate agency, shall be submitted with the construction documents.
- Y. Where public or community water supply and/or sewerage systems are not available or to be provided, a written statement from the Transylvania County Health Department shall be submitted with the construction documents indicating that each lot has adequate land area and soil conditions suitable to accommodate the proposed methods of water supply and sewage disposal.

17.7. Final plat requirements.

The final plat shall be prepared by a registered land surveyor, licensed to practice in the State of North Carolina and must be drawn to a scale no less than one inch = 100 feet, and shall meet the requirements of the Transylvania County Register of Deeds Office. The final plat shall constitute all portions of the preliminary plat site, which the subdivider proposes to record, and develop at the time. The size and number of completed applications shall be set by the administrator.

No final plat shall be approved unless and until the subdivider has installed in the platted area all improvements required by this ordinance or has posted performance guarantees in accordance with Chapter 11. The final plat shall contain the following:

- A. The exact boundary of the tract of land being subdivided showing clearly the disposition of all portions of the tract.
- B. Scale denoted both graphically and numerically with north arrow and declination. A vicinity map showing the location of the subdivision with respect to adjacent streets and properties.
- C. As built drawings and plans of all water, sewer, and storm drainage system facilities, illustrating their layouts and connections to existing systems. Such plans shall show all easements and rights-of-way, to demonstrate that the facilities are properly placed and the locations of all fire hydrants, blow-off valves, manholes, pumps, force mains, and gate valves are indicated. This information shall not be placed on the final plat but must be submitted at the time of request for final plat approval or release of any surety for required improvements, whichever comes later.
- D. Sufficient data to determine readily and reproduce accurately on the ground the location, bearing, and length of every street, alley line, lot line, building line, and easement line. All dimensions shall be measured to the nearest one-hundredth of a foot and all angles to the nearest second.
- E. The lines and names of all streets, alley lines, lot lines, lot and block numbers, easements, reservations, protected areas or required open space (steep slope areas, surface water protection areas, floodways and non-encroachment areas, etc.), the special flood hazard area, on-site demolition landfills and areas dedicated to public purpose with notes stating their purposes. The final plat shall contain the following statement:

"Areas delineated upon this plat or plan as a protection area or special flood hazard areas is subject to limitations upon development as set forth Chapter 6 of the City of Brevard Unified Development Ordinance, and any development, disturbance, or encroachment is prohibited except in accordance therewith."
- F. The accurate locations and descriptions of all monuments, markers, and control points.
- G. Underground and aerial utility easements shall be shown.
- H. The name of the city in which the subdivision is located, the name of the subdivision, the name of the owner, the name, registration number, and seal of the registered surveyor under whose supervision the plat was prepared, and the date of the plat.
- I. Submittal of payment in lieu of dedicated open space (if applicable).

19.3. Definitions.

Infill development: New development or expansions, including all uses except industrial, on vacant, undeveloped or underdeveloped land in a built-up area which is abutted by urban development or designated open space and which can be readily connected to public infrastructure, such as transportation, water, wastewater, and other utilities. Development on tracts of land larger than 5 acres shall not be considered infill development.

Principal building or structure: A building in which is conducted the principal use of the parcel on which it is situated.

Property line: The legally established boundary of a lot, which boundary shall be considered coincident with any abutting public street right-of-way line unless the metes and bounds description contained in.

Right-of-way: A dedicated strip of land reserved for a specific use, such as for a street, pedestrian, or utility easement.

Setback: The minimum distance a structure may be located from a curb line, lot line, or right-of-way line along frontages and side and rear lot lines. *Yard:* A space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.

Yard, front: A yard situated between the front building line and the front lot line or the edge of the right-of-way, whichever is greater, extending the full width of the lot.

Yard, rear: A yard situated between the rear building line and the rear lot line extending the full width of the lot.

Yard, side: A yard situated between a side building line and side lot line and extending from the required front yard to the required rear yard. In determining the situation of accessory structures, the side yard shall be assumed to extend through the rear yard to the rear lot line.

**COMMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
AND ANY OTHER OFFICIALLY ADOPTED APPLICABLE PLANS**

NCGS 160D-604 requires that the Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan prior to consideration by the Governing Board. The Planning Board shall provide a written recommendation to the Governing Board that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Comprehensive Plan shall not preclude consideration or approval of the proposed amendment by the Governing Board.

The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed zoning text amendment is **consistent** with the following elements of the City's adopted plans and policies:

2015 Comprehensive Plan

POLICY 3.1.A: Continue using land development regulations and incentives to steer future development away from environmentally sensitive areas such as steep slopes and floodplains.

POLICY 4.1.A: Evaluate and amend development ordinances to facilitate infill development on vacant and under-developed parcels, as well as revitalization of developed parcels.

POLICY 4.1.G: Modify development ordinances and regulations to incorporate design standards and guidelines that respect existing community character while allowing greater residential density and intensity of nonresidential development within mixed use zoning areas.

OBJECTIVE 5.1: Increased safety and efficiency of vehicular traffic within and passing through Brevard.

ORDINANCE NO. 2023-____

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
CHAPTER 2 – DISTRICT PROVISIONS, CHAPTER 4 – GENERAL LOT AND STRUCTURE
PROVISIONS, CHAPTER 17 – DEVELOPMENT PLAN REQUIREMENTS, AND CHAPTER 19
– DEFINITIONS**

WHEREAS, the City of Brevard Planning Board has recommended that Brevard City Code, Unified Development Ordinance, Chapter 2 – District Provisions, Chapter 4 – General Lot and Structure Provisions, Chapter 17 – Development Plan Requirements, and Chapter 19 – Definitions be amended; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the following elements of the City of Brevard Comprehensive Plans:

2015 Comprehensive Plan:

- **POLICY 3.1.A:** Continue using land development regulations and incentives to steer future development away from environmentally sensitive areas such as steep slopes and floodplains.
- **POLICY 4.1.A:** Evaluate and amend development ordinances to facilitate infill development on vacant and under-developed parcels, as well as revitalization of developed parcels.
- **POLICY 4.1.G:** Modify development ordinances and regulations to incorporate design standards and guidelines that respect existing community character while allowing greater residential density and intensity of nonresidential development within mixed use zoning areas.
- **OBJECTIVE 5.1:** Increased safety and efficiency of vehicular traffic within and passing through Brevard.

and,

WHEREAS, a public hearing was conducted on Tuesday, January 17, 2023, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. Brevard City Code, Unified Development Ordinance Chapter 2, Chapter 3, Chapter 4, Chapter 10, and Chapter 19 are hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved upon first reading this the 17th day of January 2023.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon
City Clerk

APPROVED AS TO FORM:

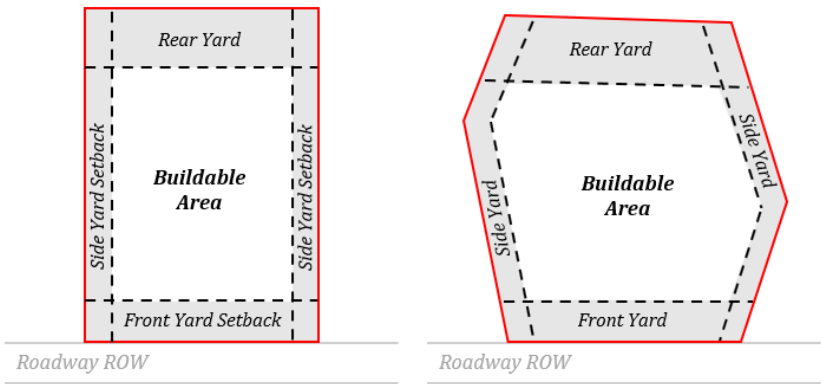
Mack McKeller
City Attorney

EXHIBIT A

2.3. Density and dimensional requirements.

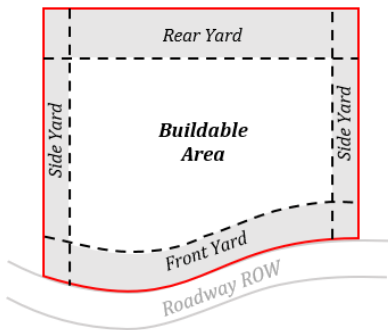
- B. *General standards for all setbacks.*
1. A building, structure, lot, or sign shall not be developed, used or occupied unless it meets the minimum setback requirements set forth herein for the use or the zoning district in which it is located, except permitted encroachments in Section 5.17.
 - a. Landscaping requirements set forth in Chapter 8 of this ordinance may supersede setbacks listed herein.
 2. *Types of setbacks:*
 - a. Front yard setbacks shall apply to the portion of the lot adjacent to the right-of-way. All lots are required to have a front yard.
 - b. Rear yard setbacks shall apply to the portion of the lot on the opposite side of the lot from the front yard setback. All lots are required to have a rear yard.
 - c. Side yard setbacks shall be the required setback from any property line other than front or rear property lines.

Illustrative Setback Diagrams



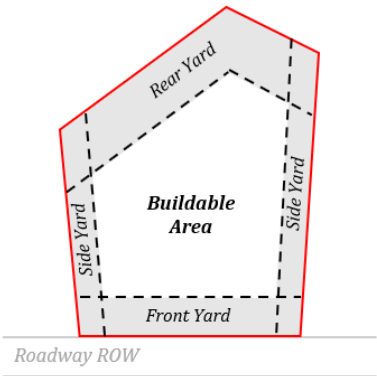
3. *Measurement of setbacks:*
 - a. Required yard setbacks are measured parallel to the applicable lot line or public right-of-way line.
 - i. Front yard setbacks shall be measured from the property line or the edge of the right-of-way, whichever is further from the centerline of the roadway.
 - ii. Side yard and rear yard setbacks shall be measured from the property line(s).
 - b. When lot lines are curvilinear, setbacks shall be measured parallel to the curvilinear lot line.

Setbacks from Curvilinear Lot Lines



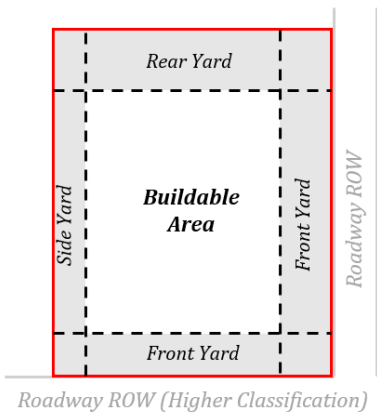
- c. When there are multiple rear lot lines, the rear setback must be measured from each of the rear lot lines.

Setbacks from Multiple
Rear Lot Lines



4. *Administrative decisions for setbacks:*
- a. The administrator may impose additional setbacks based upon specific guidance from the City of Brevard Comprehensive Plan, the City of Brevard Downtown Master Plan and other district or small area/master plans, the City of Brevard Comprehensive Pedestrian Plan, the City of Brevard Street Schedule, or other plans or policies of the city.
 - i. For private streets, a right-of-way in accordance with Chapter 13 shall be assumed by the administrator.
 - ii. When determining the edge of the right-of-way, the administrator shall account for existing or proposed additional automobile, bicycle, or pedestrian travel lanes, turn lanes, roundabouts, on-street parking, and other improvements that deviate from a standard street cross-section.
 - b. The administrator may approve deviations from required setbacks by up to 20 percent of the required area in accordance with Chapter 16 in order to:
 - i. protect existing or proposed rights-of-way and other infrastructure improvements
 - ii. ensure environmental protection of sensitive and/or conservation areas, including steep slope areas
 - iii. account for surface water protection and/or satisfy flood damage prevention requirements
 - c. For non-conforming lots without street frontage, the administrator shall designate a front yard for the purposes of setback measurement.
5. *Corner lots and multi-frontage lots setbacks:*
- a. Any structure on any lot that fronts on more than one street shall comply with the minimum front yard setback requirement for each street upon which the lot fronts.
 - b. Alleys, rear lanes, and commercial service lanes are not classified as streets for the purpose of determining corner or multi-frontage lot setbacks.
 - c. The rear yard shall be determined as the portion of the lot on the opposite side of the lot from the front yard on the street with the higher classification.

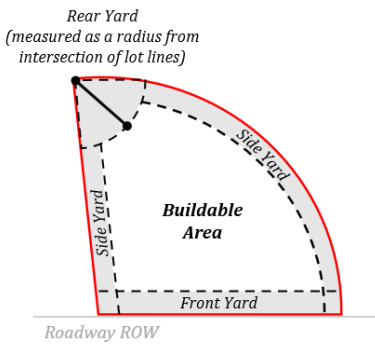
Setbacks from
Multi-frontage Lots



- d.
6. *Triangle lots and other lots without a rear lot line:*

- a. On properties where there is no rear lot line, the rear setback shall be measured as a radial distance from the intersection of side lot lines at the rear of the lot.

**Setbacks from Lots with
No Rear Lot Line**



- b.
7. *Irregular lot setbacks:*
- a. The location of required front, side and rear yards on irregularly shaped lots shall be determined by the administrator. This determination shall be based on the spirit and intent of this ordinance to continue the appropriate spacing and location of buildings and structures on individual lots.
 - b. Lots that do not have an obvious visual relationship with the fronting street, such as “irregular lots,” shall be evaluated on the basis of having one setback from neighboring properties. The setback amount shall be equal to the minimum rear setback for the district, unless:
 - i. A newly-created irregular lot would convert an existing conforming secondary or accessory dwelling unit to a principal single-family structure. In this case, the setbacks for the principal structure may equal that of an accessory structure of that size in the zoning district.
 - c. For irregular lots, the Zoning Administrator will determine the termination of the “parcel connector” based on the definition and will measure front-yard setbacks from that point.
8. *Zero-lot line development setbacks:*
- a. Zero-lot line development (i.e., townhomes, condominiums and similar structures) and other structures using partiwalls are permitted subject to other requirements as set forth in this ordinance.
9. *Infill lot setbacks:*
- a. The administrator may grant exceptions to the setback requirements of this ordinance for infill developments where the average setback on already-built-upon lots located wholly or in part within the same block and zoning district, and fronting on the same street as such lot, is less than the minimum required setback. In such cases, the front and side setbacks on such lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots.
 - b. In established neighborhoods, the administrator may determine that the functional rear yard is not opposite the front yard based on the peculiar shape of the parcel or the development pattern. In these cases, the administrator may determine that another line shall be considered the rear lot line for setback purposes.
10. *Lots within the Downtown Development Overlay District:*
- a. New buildings in the Downtown Development Overlay District shall be subject to a front build-to line, or maximum setback, of 12 feet, as measured from the edge of the right-of-way, with a build-to percentage of 80 percent. The build-to percentage may be reduced to 50 percent if the new building includes a public courtyard or plaza space.

C. *Setbacks for zoning districts:*

- 1. The minimum setback distance for principal structures varies by zoning district and shall be measured in accordance with this section.

District	Front Yard Setback	Rear Yard Setback	Side Yard Setback
GR (4, 8)	15 feet	25 feet	6 feet
RMX	10 feet	25 feet	6 feet
NMX	Edge of right-of-way	10 feet	0 feet / 10 feet from residential district
DMX	Edge of right-of-way	0 feet	0 feet
CMX	10 feet	10 feet / 25 feet from residential district	0 feet / 10 feet from residential district

IC	40 feet	40 feet	40 feet
GI	15 feet	10 feet / 25 feet from residential district	10 feet / 25 feet from residential district
CZD	To be determined by approving authority		

D. *Setbacks for accessory structures.*

1. Setbacks for accessory structures vary based on the size of the structure and the zoning district.

District	Side Yard Setback		Rear Yard Setback	
	< 120 sq. ft.	≥ 120 sq. ft.	< 120 sq. ft.	≥ 120 sq. ft.
GR (4, 8)	3 feet	6 feet	3 feet	10 feet
RMX	0 feet	3 feet	0 feet	3 feet
NMX	0 feet	3 feet	0 feet	3 feet
DMX	0 feet	0 feet	0 feet	0 feet
CMX	0 feet	0 feet	0 feet	0 feet
IC	40 feet along all external boundaries			
GI	10 feet/25 feet from residential district	10 feet/25 feet from residential district	10 feet/25 feet from residential district	10 feet/25 feet from residential district
CZD	To be determined by approving authority			

2. Accessory structures to residential uses within 6 feet of the principal structure are considered to be attached for the purpose of setbacks, and shall comply with the setbacks of the principal structure.

E. *Other structure and lot dimensional requirements.*

District	Height By Right (1)	Min. Lot Width for Conventional Lot (2)	Min. Lot Width of Irregularly Shaped Lot (3)	Max. Parcel Connector Length of Irregular Lots (4)	Out-Parcels (5)
GR (4, 8)	35 feet	30 feet	20 feet	300 feet	-
RMX	35 feet	30 feet	20 feet	300 feet	-
NMX	35 feet	20 feet	-	-	-
DMX	50 feet	0 feet	-	-	P
CMX	50 feet	0 feet	-	-	P
IC	50 feet	60 feet	20 feet	300 feet	P
GI	50 feet	60 feet	20 feet	300 feet	P
CZD		To be determined by approving authority			

1. Additional height may be permitted by the board of adjustment (hereinafter BOA) as a special use permit. See the requirements for large structures as set forth in Chapter 5, Section 5.14. See computation of building height as set forth in Chapter 5, Section 5.17.

2. Minimum lot width for conventional lots shall be fulfilled at the right-of-way line.

3&4. Irregularly shaped lots are permitted to have the reduced minimum lot width at the right-of-way line if the lot width reaches the minimum lot width for a conventional lot within the maximum allowable parcel connector length. Additional standards are levied on these parcels (see Section 4.3.G).

5. In Zoning Districts where out-parcels are permitted, the minimum lot width at the right-of-way for irregular lots may be fulfilled by an exclusive access easement for ingress, egress, and utilities. This easement must be at least the width of the minimum lot width for irregular lots in the Zoning District.

a. “P” denotes out-parcels are permitted.

b. “-” denotes out-parcels are not permitted within the given district.

6. No structure or land use shall encroach upon any public right-of-way or easement, unless otherwise provided for by this ordinance.

4.3. Lot requirements.

A. *May not reduce/create lot(s) below minimum requirements:* No lot existing upon adoption of this ordinance shall be reduced in size or area below the minimum requirements of the zoning district in which it is located. Lots created after the effective date of this ordinance shall meet the minimum requirements established by this ordinance. This prohibition shall not be construed to prevent the purchase or condemnation of land for public utilities, substations, street right-of-way, pedestrian facilities, recreational facilities, stormwater management or similar public purposes.

B. *Right-of-way protection:*

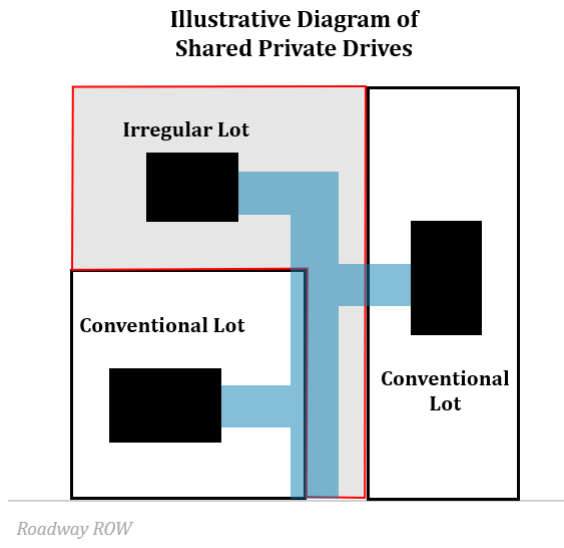
1. Notwithstanding any other provision of this ordinance, no building or structure shall be permitted within a public street, road right-of-way, or easement, public sidewalk or other pedestrian facility, or within any private right-of-way, except for those encroachments permitted in Chapter 5 of this ordinance.
2. No portion of any structure shall be placed upon any parcel boundary or within any street right-of-way. New subdivisions of land shall be designed to prevent the placement of a structure on any parcel boundary or within any street right-of-way. This provision shall not prohibit zero lot line structures with common walls situated on one or more lot lines.
3. Rights-of-way or easements for streets and roads shall not be considered a part of a lot or open space, or front, side, or rear yards for the purpose of meeting yard requirements.

D. *Number of principal buildings per lot:*

1. Except as indicated in paragraph 4.3(E(3)), below, there shall be no limit on the number of principal buildings on an individual lot and provided that all other requirements set forth in this ordinance and other federal, state, or local laws are met.
2. Multiple principal buildings shall be considered to be group developments in accordance with Section 2.3.
3. Single-family dwellings. There shall be no more than one single-family dwelling on an individual lot in a residential zoning district. This requirement shall not prohibit the establishment of secondary dwelling units in accordance with Section 3.14.

E. *New Irregularly shaped lots:*

1. An irregular lot shall only be permitted if necessary to allow a property owner reasonable use and benefit from their land or to alleviate situations which would otherwise cause a hardship as determined by the Zoning Administrator, including but not limited to the following:
 - a. Where necessary to eliminate access onto arterials
 - b. To reasonably utilize irregularly shaped land
 - c. To reasonably utilize land with extreme topography
 - d. To reasonably utilize land with limited sites suitable for septic tank nitrification fields
 - e. Where it is unlikely that a road created in lieu of an irregular lot would ever be extended, or otherwise needed to provide access to adjoining parcels
 - f. To provide for the protection of significant natural or cultural resources
2. Irregular lots shall not be permitted:
 - a. If the dimensional requirements or other element of the definition is not met.
 - b. If the irregular lot does not appear to have reasonable development potential.
 - c. If the irregular lot is a clear circumvention of other provisions of this ordinance.
3. The Zoning Administrator may grant exceptions to the requirement that the "parcel connector" provide functional access with an exclusive access easement for ingress, egress, and utilities. This easement must be at least the width of the minimum lot width for irregular lots in the Zoning District. All other requirements for irregular lots shall be fulfilled by the exclusive access easement. This exemption may only be granted in instances where:
 - a. The property is located in zoning districts where out-parcels are permitted.
 - b. The Administrator determines that an easement is necessary to reduce the number of driveways on a public street where the posted speed limit is 25 miles per hour or greater.
 - c. The Administrator determines that extreme site conditions preclude the property owner from reasonably achieving functional access.
4. Use of a shared private drive to serve an irregular lot and adjoining lot(s) is permitted and encouraged. The shared private drive shall be constructed in accordance with Section 9.3.B.



5. The development standards of the zoning district in which a property is located shall apply to the irregular lot development, except that the required minimum lot width for a conventional lot is replaced by the minimum lot width for irregular lots in the zoning district (Section 2.3.E).
- F. *Reserve strips:* There shall be no reserve strips platted in any subdivision.

4.4. Street frontage required.

- A. A public street is any road or street that is under the ownership, control, and maintenance of the City of Brevard, the State of North Carolina, or the United States of America.
- B. Access, utility, service, or other easements under the ownership, control, or maintenance of the City of Brevard, the State of North Carolina, or the United States of America shall not be considered public streets for the purposes of satisfying street frontage requirements.
- C. Public rights-of-way under the ownership and control of the City of Brevard, the State of North Carolina, or the United States of America, which are not open and operable as a travel lane for motorized vehicles shall not be considered public streets for the purposes of satisfying street frontage requirements, but shall be protected from encroachment in accordance with Section 4.3(C), above.
- D. All subdivisions of land (i.e., parcels, lots, tracts, or other subdivisions of land), shall directly abut and have direct frontage upon a publicly-maintained street. Street frontage shall meet the minimum requirements set forth in Chapter 2.
- E. In no case shall a new parcel, lot, tract, condominium, lot or space, or other subdivision of land be created that does not conform to the public street frontage requirements of this ordinance, except as otherwise provided herein. Private streets, rights-of-way or access easements shall not be permitted in lieu of public street frontage requirements contained herein except as allowed below.
1. *Residential single-family developments in General Residential—4 (GR4) zoning districts.*
- a. Privately-maintained streets, rights-of-way, or access easements of less than 100 linear feet in length may satisfy frontage requirements for up to three single-family lots, provided they consist of a drivable surface of at least 16 feet in width.
- b. Privately-maintained streets 100 linear feet or greater in length may satisfy frontage requirements for up to eight single-family lots, provided they consist of a paved surface of at least 16 feet in width.
- c. All such privately-maintained streets, rights-of-way, or access easements must remain adequately maintained to afford a reasonable means of ingress and egress of emergency vehicles.
- F. Exceptions to street frontage requirements: Following are standards whereby certain uses are excepted from the street frontage requirements contained herein:
1. *Commercial, group developments, and developments in General Industrial zoning districts:* Subdivisions for the creation of outparcels within the foregoing developments may be allowed without frontage on a public street.
2. *Residential multi-family developments:* Private streets, right-of-way, and access easements may be permitted within the foregoing developments proposing no more than four principal structures, each containing no more than four dwelling units in each structure, and for which no subdivision activity or condominium buildings or lots are proposed.
3. *Condominium lots and condominium buildings:*
- a. Condominium lots may be separated from a public street by common space, maintained by a property owner's association, that is permitted within the same phase of the same subdivision within which the condominium lot is located.

- b. No condominium lot shall be situated more than 100 feet from a public street. This distance shall be considered a maximum distance that is in keeping with the public health and safety, which shall not be varied or extended.
 - c. Condominium lots that are separated from a public street by common space shall be serviced by a private access easement or private right-of-way that directly connects to the nearest public street. No more than four condominium lots or spaces shall be serviced by the same private access easement or right-of-way.
 - d. Private streets, right-of-way, and access easements serving condominium lots and buildings shall be no longer than 100 feet as measured from the intersection of the centerlines of the public street and the private easement or right-of-way. Parking for condominium lots not accessed by a public street shall be accessed by such private access easements or private rights-of-way.
 - e. These provisions shall only apply to subdivisions of land for the creation of condominium lots and condominium buildings, and shall not be applied to any other form of subdivision of land.
4. *Pre-existing lots without adequate street frontage:*
- a. On parcels of land that do not front upon a public street ("landlocked parcels") or that otherwise do not meet frontage requirements of this ordinance, only one "by right" use or structure, along with related accessory uses or structures, shall be. No subdivision activity shall be permitted on parcels of land that do not meet the street frontage requirements of this ordinance. This requirement shall apply regardless of the size of the landlocked or otherwise non-compliant parcel.
 - b. In such cases the administrator shall require evidence of the presence of a deeded right-of-way or other access easement prior to the issuance of any permit.
 - c. The administrator may permit the establishment of a private right-of-way or access easement in order to facilitate access to pre-existing land-locked parcels. However, the provision of such private access shall not be considered satisfaction of the requirement that all lots front upon a public street.
5. *Additional private access, when all frontage requirements are met:* The administrator may permit the establishment of additional private rights-of-way or access easements to properties that otherwise conform to public street frontage requirements of this ordinance.
6. *Designed and built in accordance with public street standards:* All newly created private streets, right-of-way, and access easements except those authorized under Section 4.4(F(4)), above, shall be designed and built in accordance with public street standards set forth in Chapter 13 of this ordinance.
7. *Relation to private streets:* Buildings shall be oriented and situated in relation to private streets so that they conform to all applicable requirements for public streets, such that private streets could be accepted as public streets.
8. *Additional requirements/conditions:* In addition to any other applicable requirements set forth in this ordinance, the approving entity may impose such conditions, including but not limited to, the provision of access easements to the City of Brevard, as are necessary to ensure the adequate provision of public services.

4.8. Accessory structures.

- A. Principal buildings required. The construction of an accessory structure or building is not permitted unless a principal building is located on the lot, except as set forth below or as otherwise provided in this ordinance. Accessory structures shall be incidental and subordinate to the principal structure(s). Accessory and principal buildings may be constructed concurrently.
 - 1. Accessory structures utilized for agricultural purposes in association with bona-fide agricultural operations may be permitted in the absence of a principal structure.
 - 2. Garden sheds may be permitted in the absence of a principal structure subject to the following requirements:
 - a. Garden sheds shall be no larger than 120 square feet in size;
 - b. Garden sheds shall be single-story;
 - c. Garden shed shall not be connected to water, sewer, or electricity; and
 - d. Garden sheds shall be utilized only for the storage of lawn equipment, garden utensils, and other implements necessary for the maintenance of gardens and grounds.
- B. Accessory structures shall meet the density and dimensional requirements set forth in Section 2.3 of this ordinance.
- C. Accessory structures shall not exceed two stories in height.

- D. Accessory structures on lots with single-family dwellings and duplexes.
1. Maximum number permitted. No more than two accessory structures shall be permitted per lot. Beehives and chicken coops shall not count toward the maximum number of accessory structures on a lot.
 2. Accessory structures shall be located only in the side or rear yards, except for gazebos, private garages, and carports. Such structures shall comply with the front yard setbacks in Section 2.3.C. The administrator shall make a determination as to the side or rear yard for accessory structures proposed to be located on lots fronting more than one street.
 3. Accessory buildings shall not cover more than 30 percent of the required side or rear yard except as otherwise provided in this ordinance.
 4. Accessory structures with a footprint of more than 500 square feet shall be buffered from the adjacent residential development with a type A buffer yard. Accessory structures located more than 24 feet from a property line shall be exempt from this buffering requirement.
 5. Under no circumstances shall the use of a shipping container be permitted for the purpose of providing permanent storage as an accessory use.
- E. Accessory structures on lots with non-residential uses, multi-family uses, and group developments.
1. Maximum number permitted. No more than two accessory structures shall be permitted per lot, except in General Industrial (GI). In all other zoning districts, additional structures shall be considered as principal structures in a group development.
 2. Accessory structures shall be located only in side or rear yards except for bona-fide agricultural enterprises.
 3. Accessory structures shall comply with the applicable landscaping requirements of Chapter 8 of this ordinance.
 4. Accessory structures shall be clad in materials similar in appearance to the principal structure in accordance with Chapter 5, except when such material is non-conforming with this ordinance.

17.6. Construction document requirements.

The construction documents for site plans, conditional rezoning plans, special use plans, major subdivisions, vested rights, and master plans shall be submitted in accordance with the specifications of this section except where specifically noted. Construction documents shall constitute the complete submittal requirements for site plans and preliminary plats required prior to construction.

The size and number of completed application submittal copies required shall be set by the administrator. No certifications other than the certificate of survey and accuracy as in Section 17.7(J) and the seal of the professional designer must be provided in connection with the submission.

Construction drawings must be drawn to the following specifications and must contain or be accompanied by the applicable information listed below. All plans shall be submitted at a scale not less than one inch = 50 feet unless otherwise authorized by the administrator. No processing or review of construction documents will proceed without all of the following information:

- A. The boundary, as determined by survey, of the area to be subdivided with all bearings and distances shown and the location within the area, or contiguous to it, of any existing streets, railroad lines, water courses, easements, bridges, floodplains, or other significant features of the tract.
- B. Scale in feet denoted both graphically and numerically with north arrow and declination.
- C. A sketch vicinity map at a scale no smaller than one inch equals 1,200 feet showing the relationship between the proposed subdivision and surrounding area.
- D. Environmental survey in accordance with Section 17.2.
- E. Existing topography and finish grading with contours drawn at two foot intervals. This requirement may be waived for developments smaller than one acre or where insufficient topographic changes warrant such information.
- F. Corporate limits and extraterritorial jurisdiction boundaries (where applicable).
- G. The proposed names of the development and streets, the owner's name and address, signature of the owner or owner's duly authorized agent, the surveyor's name, the names of existing and proposed adjoining subdivisions or property owners, the names of the city, county, and state in which the development is located, the date of preparation, and the zoning classification of the tract to be developed and of adjoining properties.
- H. Proposed lot lines, lot and block numbers, and exact dimensions.
- I. The future ownership (dedication or reservation for public use to a governmental body; for owners to duly constituted home owners' associated, for tenant's remaining in subdivider's ownership of recreation and open space lands).

- J. A statement from the City of Brevard regarding the availability of adequate water and sewer capacity for the proposed development.
- K. The plans for utility layouts, including sanitary sewers, storm sewers, and water lines, illustrating connections to existing systems. All systems shall conform to current city standards.
- L. The location and size of all utility lines, easements, and rights-of-way. Easements shall be provided on all construction documents as follows:
1. *Utility easements:* Easements for underground or above ground utilities shall be provided for and centered along rear or side lot lines, and shall be a minimum of ten feet in width. Easements for water lines, sanitary sewers, and storm drains shall be centered on the pipe and a minimum of 20 feet in width or as required by design manual.
 2. *Drainage easements:* Where a development is crossed by a stream or drainage way, an easement shall be provided conforming with the lines of such stream and of sufficient width as shall be adequate to maintain the overall integrity of the drainage area and provide for its periodic maintenance.
 3. *Landscape easements:* Landscape easements along streets should be designed in accordance with the provisions of Chapters 6, Environmental Protection, and 8, [Tree Protection and] Landscaping. The city may require landscape easements for developments where industrial or commercial uses abut residential uses.
 4. *Public access easements:* Public access easements shall be provided for sidewalks, trails, greenways, and other pedestrian and bicycle facilities that provide connections other than within public rights-of-way.
- M. The location of proposed buildings, parking and loading areas, streets, alleys, lots, parks or other open spaces, reservations (i.e. school sites), property lines and building setback lines with street dimensions, tentative lot dimensions, and the location of any building restriction areas (i.e. flood hazard areas, watershed protection districts, and/or jurisdictional wetlands. Buildings shown for the purpose of measuring setbacks must reflect these elements when applicable.
- N. Site calculations shall include total acreage of tract, acreage in parks and other non-residential uses, total number and acreage of parcels, the total number of housing units, area of all mixed-use and non-residential buildings, gross project density per acre, linear feet of streets, and the accurate locations and descriptions of all monuments, markers, and control points.
- O. The location and dimensions of all off-street parking and loading spaces, and walkways indicating the type of surfacing, size, angle of stalls, width of aisles, and a specific.
- P. Development permit and certification application with supporting documentation as required by the flood hazard prevention requirements of Chapter 34 of Brevard City Code.
- Q. The location and dimensions of any sidewalks, curb cuts, curb and gutters to be installed along public street frontages, and other required street improvements designated in Chapter 11 of this ordinance, or as called for in the Brevard Transportation Plan, the Rural Planning Organization Thoroughfare Plan or Transportation Improvement Program, or other plan or policy of the city. Required right-of-way shall be drawn in the location shown on any official plan at the width specified in this ordinance.
- R. Typical cross sections of proposed streets showing rights-of-way, pavement widths, grades, and design engineering data for all corners and curves. Where a proposed street is an extension of an existing street the profile of the street shall include 300 feet of the existing roadway, with a cross section of the existing street. Where a proposed street within the subdivision abuts a tract of land that adjoins the subdivision and where said street may be expected to extend into said adjoining tract of land, the profile shall be extended to include 300 feet of the said adjoining tract.
- S. The location of any existing or proposed demolition landfills in the site. Such sites shall not be used for building.
- T. A copy of the full soil erosion and sedimentation permit application including forms, plans, and calculations to be submitted to the North Carolina Department of Environmental Quality-Erosion and Sediment Control Office, and a copy of the approval letter prior to site plan or preliminary plat approval.
- U. Final proposed elevations of all non-single family and duplex buildings proposed for construction as part of this site plan approval. Subsequent buildings within the development may be handled as separate site plans. Such elevations shall include all facades visible from public streets.
- V. Supplemental plans as applicable:
1. Landscape plan in accordance with Section 17.8.
 2. Tree preservation plan in accordance with Section 17.9.
 3. Lighting plan in accordance with Section 17.10.
 4. Architectural plans in accordance with Section 17.11.
 5. Traffic impact analysis (if required) in accordance with Section 17.12.

6. Floodplain development information (if required) in accordance with Section 17.13.
7. Stormwater management concept plan in accordance with Section 17.14.
- W. The following statement shall be placed upon all final construction documents, as applicable:
- "Areas delineated upon this plat or plan as a protection area or Special Flood Hazard Areas is subject to limitations upon development as set forth Chapter 34 of Brevard City Code, and any development, disturbance, or encroachment is prohibited except in accordance therewith."
- In addition to the above required information, the following additional information may be necessary for specific sites as determined by the administrator:
- X. Where a proposed water and sewer system does not contemplate the use of facilities owned and operated by the city, the proposed facility plans as approved by the appropriate agency, shall be submitted with the construction documents.
- Y. Where public or community water supply and/or sewerage systems are not available or to be provided, a written statement from the Transylvania County Health Department shall be submitted with the construction documents indicating that each lot has adequate land area and soil conditions suitable to accommodate the proposed methods of water supply and sewage disposal.

17.7. Final plat requirements.

The final plat shall be prepared by a registered land surveyor, licensed to practice in the State of North Carolina and must be drawn to a scale no less than one inch = 100 feet, and shall meet the requirements of the Transylvania County Register of Deeds Office. The final plat shall constitute all portions of the preliminary plat site, which the subdivider proposes to record, and develop at the time. The size and number of completed applications shall be set by the administrator.

No final plat shall be approved unless and until the subdivider has installed in the platted area all improvements required by this ordinance or has posted performance guarantees in accordance with Chapter 11. The final plat shall contain the following:

- A. The exact boundary of the tract of land being subdivided showing clearly the disposition of all portions of the tract.
- B. Scale denoted both graphically and numerically with north arrow and declination. A vicinity map showing the location of the subdivision with respect to adjacent streets and properties.
- C. As built drawings and plans of all water, sewer, and storm drainage system facilities, illustrating their layouts and connections to existing systems. Such plans shall show all easements and rights-of-way, to demonstrate that the facilities are properly placed and the locations of all fire hydrants, blow-off valves, manholes, pumps, force mains, and gate valves are indicated. This information shall not be placed on the final plat but must be submitted at the time of request for final plat approval or release of any surety for required improvements, whichever comes later.
- D. Sufficient data to determine readily and reproduce accurately on the ground the location, bearing, and length of every street, alley line, lot line, building line, and easement line. All dimensions shall be measured to the nearest one-hundredth of a foot and all angles to the nearest second.
- E. The lines and names of all streets, alley lines, lot lines, lot and block numbers, easements, reservations, protected areas or required open space (steep slope areas, surface water protection areas, floodways and non-encroachment areas, etc.), the special flood hazard area, on-site demolition landfills and areas dedicated to public purpose with notes stating their purposes. The final plat shall contain the following statement:
- "Areas delineated upon this plat or plan as a protection area or special flood hazard areas is subject to limitations upon development as set forth Chapter 6 of the City of Brevard Unified Development Ordinance, and any development, disturbance, or encroachment is prohibited except in accordance therewith."
- F. The accurate locations and descriptions of all monuments, markers, and control points.
- G. Underground and aerial utility easements shall be shown.
- H. The name of the city in which the subdivision is located, the name of the subdivision, the name of the owner, the name, registration number, and seal of the registered surveyor under whose supervision the plat was prepared, and the date of the plat.
- I. Submittal of payment in lieu of dedicated open space (if applicable).

19.3. Definitions.

Infill development: New development or expansions, including all uses except industrial, on vacant, undeveloped or underdeveloped land in a built-up area which is abutted by urban development or designated open space and which can be readily connected to public infrastructure, such as transportation, water,

wastewater, and other utilities. Development on tracts of land larger than 5 acres shall not be considered infill development.

Principal building or structure: A building in which is conducted the principal use of the parcel on which it is situated.

Property line: The legally established boundary of a lot, which boundary shall be considered coincident with any abutting public street right-of-way line unless the metes and bounds description contained in.

Right-of-way: A dedicated strip of land reserved for a specific use, such as for a street, pedestrian, or utility easement.

Setback: The minimum distance a structure may be located from a curb line, lot line, or right-of-way line along frontages and side and rear lot lines. *Yard:* A space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.

Yard, front: A yard situated between the front building line and the front lot line or the edge of the right-of-way, whichever is greater, extending the full width of the lot.

Yard, rear: A yard situated between the rear building line and the rear lot line extending the full width of the lot.

Yard, side: A yard situated between a side building line and side lot line and extending from the required front yard to the required rear yard. In determining the situation of accessory structures, the side yard shall be assumed to extend through the rear yard to the rear lot line.

STAFF REPORT

City Council, Tuesday, January 17, 2023

Title: Proposed Amendments to City of Brevard Code of Ordinances
Section 58-Solid Waste Management

Speaker: Wesley Shook, Acting Public Works Director

Prepared by: Wesley Shook, Acting Public Works Director

Approved by: Wilson Hooper, City Manager

Updates to the Solid Waste Management chapter of the city's code of ordinances were initiated by former Public Works director David Lutz prior to his retirement last fall.

An initial presentation was given to the Public Works & Utilities committee on November 2, 2022. Staff incorporated committee feedback and presented a revised version at the committee's December 7, 2022 meeting. The committee voted to recommend the changes and send forward for public hearing.

The updates are intended to increase safety, clarify unclear language, remove dated references, and give the Public Works director additional legal tools to use in exceptional circumstances. They are denoted in red in the first attached document.

ACTION

No action request. For information and public hearing only. Council will be asked to approve the changes at its February 6, 2023 meeting.

Attachments:

1. Proposed revisions to Chapter 58 - Solid Waste Management
2. Recommended terms of rental agreement for Sec. 58-8(e)
3. Ordinance

Chapter 58 SOLID WASTE MANAGEMENT¹

Sec. 58-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ashes means the residue from the burning of wood, coal, coke or other combustible materials.

Director means the public works director.

Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Refuse means all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.

Rubbish means nonputrescible solid wastes (including ashes) consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, rubble, crockery and similar materials.

(Code 1980, § 17-80)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 58-2. Management and control of collection services; appeals.

- (a) All garbage and other refuse accumulated in the city shall be collected, conveyed and disposed of by the city under the control of the city manager, and under the supervision of the director of public works. The director shall have the authority to make regulations concerning the days of collection, type and location of waste containers, and such other matters pertaining to the collection, conveyance and disposal as he shall find necessary, and to change and modify the regulations after due notice as required by law, provided such regulations are not contrary to the provisions of law.
- (b) Any person aggrieved by a regulation of, or fee charged by, the director shall have the right of appeal to the city manager, who shall have the authority to confirm, modify or revoke any such regulations or fee.

(Code 1980, § 17-2)

¹Cross reference(s)—Burning trash or other material within the fire district, § 30-2; health and sanitation, ch. 38; unlawful deposit of human waste, § 38-42.

State law reference(s)—Authority to regulate garbage and trash, G.S. 160A-303.1; public enterprise for the collection and disposal of solid waste, G.S. 160A-311 et seq.; littering, G.S. 14-399; removal of junk vehicles, G.S. 160A-303, 20-137.6 et seq.

Sec. 58-3. Refuse to be collected only by city; exceptions.

All refuse accumulated in the city shall be collected, conveyed and disposed of by the city. No person shall collect, convey over any of the streets or alleys of the city, or dispose of any refuse accumulated in the city, except as follows:

- (1) *Actual producers.* This section shall not prohibit the actual producers of refuse, or the owners of premises upon which refuse has accumulated, from personally collecting, conveying and disposing of such refuse, provided such producers or owners comply with the provisions of this chapter and with any other applicable provisions of law.
- (2) *Outside collectors.* This section shall not prohibit collectors of refuse from outside of the city from hauling such refuse over city streets, provided such collectors comply with the provisions of this chapter and with any other applicable provisions of law.

(Code 1980, § 17-81)

Sec. 58-4. Separation of different types of refuse.

Garbage, ~~ashes~~ and rubbish shall each be placed and maintained in separate containers. Rubble, wood, tree trimmings, hedge clippings and similar material shall not be placed with other refuse for routine or regular collection.

(Code 1980, § 17-82)

Sec. 58-5. Containers.

(a) *Required; maintenance; specifications.* Refuse containers shall be provided by the owner, tenant, lessee or occupant of the premises served and shall be of a type approved by the public works director. Containers shall be maintained in good condition and shall be kept in a clean, neat and sanitary condition at all times. Any container that does not conform to the provisions of this chapter or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced upon notice. The public works director shall have the authority to refuse collection services for failure to comply herewith. City collection personnel shall exercise due care in the handling of containers and the city shall not be liable for any damage to containers resulting from handling the containers unless it can be shown that the personnel were negligent or careless in the handling thereof, and in such cases the liability of the city shall extend only to replacement of the container with one in good condition of like material and capacity. The following types and numbers of containers are prescribed for use in the collection of waste material:

- (1) *Residential containers.* The standard small container, normally used at residences, shall be made of metal or substantial plastic equipped with suitable handles and tight-fitting covers, shall be watertight and shall have a capacity of not more than 32 gallons. These containers may be used for any waste material, ~~except that ashes may only be placed in metal containers.~~ Care shall be taken to ensure that the weight of the contents shall be such that the container, with contents, can readily be handled by one adult person.
- (2) *Dumpsters.* Commercial dumpster containers shall be of steel construction, of up to four-cubic-yard capacity and of such design and construction as to facilitate mechanical unloading by collection equipment operated by the city. Sub-grade dumpsters may be ~~installed~~ of steel or polyethylene construction ~~for private hauler service and maintenance~~; the public works director may require the

customer use a private hauler to collect the waste in such dumpsters due to city collection capabilities. Dumpsters may be used for garbage, refuse or rubbish.

- (3) *Disposable containers.* Disposable containers shall be made of either metal, plastic, wood, cardboard or paper, all of which shall be removed with the contents thereof. These containers together with the contents thereof shall be of such weight that they can readily be handled by one adult person and shall be of sufficient strength to withstand failure when being picked up and placed in the collection vehicle.
- (4) *Number of containers.* Residential and noncommercial business customers shall be limited to four standard small containers per dwelling unit or business per collection. If more than four containers are used on a regular basis, the collection fee shall be doubled. For multifamily residential buildings having more than four units, a commercial dumpster container shall be provided in lieu of the standard small containers. Commercial customers requiring more than four standard small containers on a regular basis shall be required to use a commercial dumpster container.
- (b) *Use.* No person shall place any refuse in any street, alley or other public place, or upon any private property, whether or not owned by such person, within the city except in proper containers for collection or under express approval granted by the director; nor shall any person throw or deposit any refuse in any stream or other body of water.
- (c) *Placement.* Refuse containers shall be placed for collection at ground level and directly accessible from the street or alley from which collection is made. Residential refuse containers shall be placed at curbside prior to collection, **no later than 7:30 AM** and shall be removed within reasonable time thereafter. A suitable permanent location, satisfactory to the director, may be established for containers of commercial customers.

(Code 1980, §§ 17-83—17-85; Ord. No. 2021-35 , § 1(Exh. A), 8-16-21)

Sec. 58-6. Frequency of collection.

- (a) Refuse shall be collected **twice once** each week under normal circumstances.
- (b) Hotels, restaurants and such other businesses and institutions as deem it necessary may enter into an agreement for a greater frequency of collection.
- (c) Where necessary to protect the public health, the director shall have the authority to require that more frequent collection be made. **If necessary, an extra city-wide collection shall not affect fees. Individual collections made according to this section shall be charged on a pro-rata basis to the affected fee payer.**

(Code 1980, § 17-86)

Sec. 58-7. Refuse quantity.

- (a) The director shall collect a reasonable accumulation of refuse of each patron during each collection period for the standard charge. The director shall have the authority to refuse to collect unreasonable amounts, or to make additional charges for such amounts.
- (b) Only material placed in approved containers shall be picked up. Refuse placed on the ground or scattered about in the immediate vicinity of the container shall not be picked up unless, in the opinion of the public works director, pickup by city personnel is warranted due to delays in the service or other factors which are strictly the responsibility of the city.

(Code 1980, § 17-87)

Sec. 58-8. Special refuse problems.

- (a) *Contagious disease refuse.* The removal of wearing apparel, bedding or other refuse from homes or other places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the county health department. Such refuse shall not be placed in containers for regular collection.
- (b) *Construction debris; tree limbs, trunks, etc.* Rubbish resulting from any construction, remodeling, wrecking or repair of any building or other real estate improvement shall be removed by the producer of such rubbish, or by the owner of the premises upon which rubbish has accumulated, at his own expense, subject to the provisions of section 58-9. These restrictions shall apply to the removal of limbs, trunks, stumps, etc., of any trees or shrubs removed or trimmed by landscape gardeners, tree surgeons or other parties engaged to carry on such work.
- (c) *Inflammable or explosive refuse.* Highly inflammable or explosive materials shall not be placed in containers for regular collection but shall be disposed of as directed by the director at the expense of the owner or possessor thereof.
- (d) *Free curbside pickup service.* Rubble, wood, tree trimmings, hedge clippings and debris resulting from cleaning of property may be placed at curbside for collection ~~during the first Thursday through Saturday period of each month~~. The director shall collect a reasonable amount of such rubbish at no charge, but he shall have the authority to refuse to collect heavy or bulky items that cannot be handled readily by two adult persons. It shall be unlawful for any person to place or allow to be placed any tree trimmings or shrubbery trimmings on any street or sidewalk so as to obstruct the free passage of vehicles or pedestrians.
- (e) *Parking of pickup vehicles at private residences.* The city manager or his designee may authorize city vehicles to be parked at private residences to facilitate the collection of brush ~~and other refuse~~ that would otherwise be collected under other provisions of this section. The city manager is directed to develop a written policy to provide for the implementation of this subsection. The policy is to be kept on file in the office of the city clerk and at the public works department. ~~The fee for this service shall be adopted in the city's annual schedule of fees.~~

(Code 1980, § 17-88)

Sec. 58-9. Collection by actual producers and outside collectors.

- (a) *Vehicles.* The actual producers of refuse or the owners of premises upon which refuse is accumulated who desire personally to collect and dispose of such refuse, persons who desire to dispose of waste material not included in the definition of refuse and collectors of refuse from outside of the city who desire to haul over the streets of the city shall use a watertight vehicle provided with a tight cover and so operated as to prevent offensive odors escaping therefrom and refuse from being blown, dropped or spilled.
- (b) *Additional rules and regulations.* The director shall have the authority to make such other reasonable regulations concerning individual collection and disposal, and relating to the hauling of refuse over city streets by outside collectors, as such director may find necessary, subject to the right of appeal as set forth in section 58-2.

(Code 1980, § 17-89)

Sec. 58-10. Refuse to become property of city.

Ownership of refuse material set out for collection ~~or deposited on the city dump~~ and delivery to the county landfill shall be vested in the city, and such material shall not be removed from ~~the a city dump collection vehicle~~ except by special permit approved by the city council and issued by the city clerk.

(Code 1980, § 17-90)

Sec. 58-11. Fees; delinquent accounts.

- (a) *Establishment of fees for the collection and disposal of refuse.* Fees for the collection and disposal of refuse shall be set forth within the schedule of taxes, fees and charges of the annually adopted budget ordinance for the City of Brevard. The specific policies and procedures for the collection of such fees shall be established by the city manager.
- (b) *Applicability of fee.* The appropriate fee for collection and disposal of refuse shall be charged each occupied single, duplex or multifamily dwelling. Businesses which have a contract for refuse collection by a private contractor shall not be required to pay the city fee.
- (c) *Single and duplex family dwellings.* The fee for collection and disposal of refuse placed for collection adjacent to the side of the street or alley from which collection is made shall be as set forth in the schedule of taxes, fees and charges, and shall include the free pickup service provided for in section 58-8(d).
- (d) *Multifamily dwellings.* For each dwelling unit in a multifamily dwelling, i.e., three or more family dwelling units per building, the fee shall be as set forth in the schedule of taxes, fees and charges, provided, however, that this fee shall not include the free pickup service provided for in section 58-8(d). The regular fee provided for in subsection (f) of this section shall be charged for pickup of rubble, wood, tree trimmings, hedge clippings and debris resulting from cleaning of property at multifamily dwellings. Owners of multifamily dwelling buildings shall have the option of using a dumpster container at the regular commercial rate in lieu of individual unit garbage containers.
- (e) *Fee for commercial premises.* The fee for collection and disposal of refuse from nonresidential premises shall be as set forth in the schedule of taxes, fees and charges.
- (f) *Fee for special loads.* The fee for the collection and disposal of special loads of refuse shall be as set forth in the schedule of taxes, fees and charges.
- (g) *Delinquent accounts.* All accounts shall be considered delinquent if not paid by the 20th of the month following the month in which service is rendered. All delinquent accounts are subject to stoppage of service without notice. If the delinquent account is not paid within 30 days, the director shall cease all refuse collection for that account unless otherwise directed by the city manager. Service shall be resumed thereafter only upon payment of the accumulated fees for the period of collection and the period of noncollection unless the city manager specifically directs otherwise. The stoppage of services for nonpayment of collection charges shall be in addition to the right of the city to proceed for the collection of such unpaid charges in any manner provided by law for the collection of a claim of the city.

(Code 1980, § 17-91; Ord. No. 12-2011, § 5(Exh. E), 6-20-11, eff. 7-1-11)

RECOMMENDED TERMS OF RENTAL POLICY FOR SEC. 58-8(e)*

Recommended terms of rental policy:

- 1.) The equipment shall be available for no more than two business days per reservation.
- 2.) Service available pending availability of equipment. City has the right to cancel reservations if the equipment is needed.
- 3.) There shall be a fee for this service as written in the schedule of fees. \$100 (nonrefundable deposit) plus tipping fee (to be billed)
- 4.) Rental agreement shall indemnify the city from any claims that may arise from the vehicle being parked on private property.
- 5.) The rental agreement shall outline the types of refuse that is eligible to be collected in this manner, and types of refuse that are prohibited.

*Sec. 58-8 Special refuse problems

(E) *"Parking of city vehicles at private residences –* The city manager or his designee may authorize city vehicles to be parked at private residences to facilitate the collection of brush **and other refuse** that would otherwise be collected under the provisions of this section. The city manager shall develop a written policy to provide for the implementation of this subsection. **The fee for this service shall be adopted in the city's annual schedule of fees."**

ORDINANCE NO. 2023-XX

**AN ORDINANCE AMENDING SECTION 58
THE CITY OF BREVARD CODE OF ORDINANCE**

WHEREAS, a public hearing was conducted on January 17, 2023, by Brevard City Council, and after review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Section 58 Solid Waste Management of the Brevard City Code of Ordinance be amended as outlined below; and

WHEREAS, the amendments are intended to increase safety, clarify unclear language, remove dated references, and give the Public Works Director additional legal tools to use in exceptional circumstances;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. The City of Brevard Code of Ordinance is hereby amended as set forth in Exhibit A which is attached and incorporated herein.

SECTION 02. The City Clerk of the City of Brevard is hereby authorized and directed to revise and amend the official records and the Code of Ordinance to reflect the amendments.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved on the 17th day of January, 2023.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller, Attorney at Law
City Attorney



CITY of BREVARD

The mission of the City of Brevard is to promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture

TAX SETTLEMENT REPORT FOR MONTH ENDED DECEMBER 31, 2022

Tina Tanner, Tax Collector

CITY OF BREVARD TAX SETTLEMENT REPORT
MONTH ENDING DECEMBER 31, 2022

UPDATED: 01.09.2023

YEAR	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
2022	\$ 39,439.51	\$ 3,782,522.45	\$ 447,238.21	\$ 139,011.26	\$ 145,361.00	\$ 490,097.56
2021-2011	\$ 12,223.32	\$ 13,357.82	\$ 5,517.48	\$ 3,889.22	\$ 2,791.16	\$ 3,950.65
2010 - Prior	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL:	\$ 51,662.83	\$ 3,795,880.27	\$ 452,755.69	\$ 142,900.48	\$ 148,152.16	\$ 494,048.21

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL
2022							\$ 5,043,669.99
2021-2011							\$ 41,729.65
2010 - Prior	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,085,399.64

HEART OF BREVARD TAX SETTLEMENT REPORT
MONTH ENDING, DECEMBER 31, 2022

UPDATED: 01.09.2023

YEAR	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
2022	\$ 582.83	\$ 69,020.13	\$ 17,026.88	\$ 5,036.34	\$ 5,594.11	\$ 21,956.08
2021-2011	\$ 106.50	\$ 316.06	\$ 1,447.91			
2010 - Prior	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL:	\$ 689.33	\$ 69,336.19	\$ 18,474.79	\$ 5,036.34	\$ 5,594.11	\$ 21,956.08

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL
2022							\$ 119,216.37
2021-2011							\$ 1,870.47
2010 - Prior	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 121,086.84

STAFF REPORT

City Council, Tuesday, January 17, 2023

Title: Financial Report-Quarter Ending December 31, 2022

Speaker:

Prepared by: Dean Luebbe, Finance Director

Approved by: Wilson Hooper, City Manager

Chapter 50, Article IV of the Code of Ordinances requires that the Finance Director periodically submit a statement of the financial condition of the City. The report submitted here shares revenue and expenses for the period between October 31, 2022 and December 31, 2022.

ACTION:

No action. For information only.

Attachments:

1. Financial Report for Q2 FY23

City of Brevard Financial Report

FY22 12-31-2022

GENERAL FUND

REVENUES	CURRENT BUDGET	ACTUAL TO DATE (\$)	ACTUAL TO DATE (%)	LAST FY ACTUAL TO DATE (\$)	YoY GROWTH (%)
AD VALOREM TAXES	\$ 5,778,400	\$ 5,203,410	90.0%	\$ 4,897,398	▲ 6%
SALES AND UTILITY TAXES	2,593,717	758,524	29.2%	674,217	▲ 13%
POWELL BILL	225,000	237,578	105.6%	236,211	▲ 1%
ABC REVENUES	220,000	50,000	22.7%	50,000	▼ 0%
UTILITY FUND REIMB	600,000	300,000	50.0%	300,000	▼ 0%
TRANSFER IN	690,758	277,300	40.1%	-	#DIV/0!
MISC	487,800	399,277	81.9%	186,108	▲ 115%
FUND BALANCE APPROP	240,000	-	0.0%	-	
TOTAL	\$ 10,835,675	\$ 7,226,089	66.7%	\$ 6,343,934	▲ 14%

EXPENDITURES AND ENCUMBRANCES	CURRENT BUDGET	EXPENDITURES TO DATE (\$)	ENCUMBRANCES TO DATE (\$)	TOTAL COMMITTED (%)	LAST FY EXPENDITURES TO DATE (\$)
GOVERNING BOARD	\$ 229,277	\$ 119,678	\$ -	52%	\$ 88,427
ADMINISTRATION	902,100	367,350	39,905	45%	351,023
FINANCE	770,500	386,142	36,205	55%	434,799
PLANNING	917,800	377,882	147,783	57%	314,726
BUILDING AND GROUNDS	476,100	298,248	12,943	65%	157,294
POLICE	3,451,900	1,587,810	179,627	51%	1,546,192
PW ADMINISTRATION	456,100	222,229	72	49%	270,165
PW GARAGE	415,500	177,368	2,417	43%	279,722
PW STREETS LOCAL	861,600	358,001	11,019	43%	380,951
PW STREETS POWELL BILL	482,300	351,041	2,925	73%	21,699
COMMUNITY CENTER	109,800	44,462	11,426	51%	-
RECREATION	311,200	96,854	5,446	33%	76,804
NON DEPARTMENTAL	1,451,498	912,557	-	63%	950,172
TOTAL	\$ 10,835,675	\$ 5,299,622	\$ 449,768	53%	\$ 4,871,974

SANITATION FUND

REVENUES	CURRENT BUDGET	ACTUAL TO DATE (\$)	ACTUAL TO DATE (%)	LAST FY ACTUAL TO DATE (\$)	YoY GROWTH (%)
CHARGES FOR SERVICES	\$ 1,183,300	\$ 584,009	49.4%	\$ 547,129	▲ 7%
DEBT PROCEEDS	330,000	-		-	
TOTAL	\$ 1,513,300	\$ 584,009	38.6%	\$ 547,129	▲ 7%

EXPENDITURES AND ENCUMBRANCES	CURRENT BUDGET	EXPENDITURES TO DATE (\$)	ENCUMBRANCES TO DATE (\$)	TOTAL COMMITTED (%)	LAST FY EXPENDITURES TO DATE (\$)
PERSONNEL	\$ 691,500	\$ 289,657	\$ -	42%	\$ 257,288
OPERATING	421,600	163,124	174,581	80%	151,448
CAPITAL OUTLAY	330,000	-	325,412	99%	-
DEBT PAYMENTS	70,200	34,956	-	50%	55,003
TOTAL	\$ 1,513,300	\$ 487,737	\$ 499,993	65%	\$ 463,739

FIRE FUND

REVENUES	CURRENT BUDGET	ACTUAL TO DATE (\$)	ACTUAL TO DATE (%)	LAST FY ACTUAL TO DATE (\$)	YoY GROWTH (%)
TRANSYLVANIA COUNTY	\$ 489,302	\$ 241,559	49.4%	\$ 206,868	▲ 17%
TRANSFER FROM GENERAL FUND	574,398	287,200	50.0%	244,036	▲ 18%
DEBT PROCEEDS	1,475,000	-	0.0%	-	
OTHER REVENUES	23,900	42,387	177.4%	1,285	▲ 3199%
FUND BALANCE APPROP	120,000	-	0.0%	-	
TOTAL	\$ 2,682,600	\$ 571,146	21.3%	\$ 452,189	▲ 26%

EXPENDITURES AND ENCUMBRANCES	CURRENT BUDGET	EXPENDITURES TO DATE (\$)	ENCUMBRANCES TO DATE (\$)	TOTAL COMMITTED (%)	LAST FY EXPENDITURES TO DATE (\$)
PERSONNEL	\$ 665,600	\$ 269,909	\$ -	41%	\$ 191,262
OPERATING	353,300	217,578	5,410	63%	183,684
CAPITAL	1,595,000	-	-	0%	-
DEBT PAYMENTS	68,700	15,426		22%	19,532
TOTAL	\$ 2,682,600	\$ 502,913	\$ 5,410	19%	\$ 394,478

WATER FUND

REVENUES	CURRENT BUDGET	ACTUAL TO DATE (\$)	ACTUAL TO DATE (%)	LAST FY ACTUAL TO DATE (\$)	YoY GROWTH (%)
CHARGES FOR SERVICES	\$ 5,778,800	\$ 3,120,280	54.0%	\$ 3,010,031	▲ 4%
METER AND CONNECTION FEES	275,000	149,699	54.4%	\$ 125,308	▲ 19%
OTHER REVENUES	118,000	60,350	51.1%	\$ 54,710	▲ 10%
TRANSFER IN	-	-	0.0%	\$ -	
FUND BALANCE APPROP	366,142	-		-	
TOTAL	\$ 6,537,942	\$ 3,330,329	50.9%	\$ 3,190,049	▲ 4%

EXPENDITURES AND ENCUMBRANCES	CURRENT BUDGET	EXPENDITURES TO DATE (\$)	ENCUMBRANCES TO DATE (\$)	TOTAL COMMITTED (%)	LAST FY EXPENDITURES TO DATE (\$)
PERSONNEL	\$ 1,766,300	\$ 754,646		43%	\$ 804,966
OPERATING	2,158,400	1,005,079	546,602	72%	825,813
CAPITAL	62,000	14,700		24%	122,657
TRANSFERS OUT	798,000	498,000		62%	300,000
DEBT PAYMENTS	1,753,242	177,010		10%	196,464
TOTAL	\$ 6,537,942	\$ 2,449,435	\$ 546,602	46%	\$ 2,249,900

The two largest General Fund revenue sources (Property and Sales Tax) are exceeding budget as of 12-31-2022, and are estimated to be \$400,000 over budget by 6-30-2023.

Interest revenues as of 12-31-2022 are \$160,000. Last year they were less than \$1,000

Total General Fund expenses are \$330,000 higher than the previous fiscal year. This is entirely related to street paving.

Sanitation salaries show an increase as one new position was added, and overtime is still needed.

Fire Department salaries are \$79,000 higher than the previous fiscal year, as three new full time positions were added.

Water and Sewer charges are running 4% higher than the previous fiscal year. This exactly coincides with the rate increase. While not materially significant, tap and connection fees have increased from \$33,000 to \$60,000. This shows growth.

Water and Sewer operating costs are higher due to the high cost of chemicals and supplies.

The Water and Sewer Fund has also transferred an additional \$198,000 to various Utilities Capital Projects.



City of Brevard, North Carolina
Proclamation No. 2023-01
White Squirrel Day

The City of Brevard hereby proudly declares and ordains February 2, 2023, as "White Squirrel Day", and further orders that "Groundhog Day" will forever and hereafter be recognized and honored in the City of Brevard as "White Squirrel Day" for the following reasons:

WHEREAS, in keeping with Brevard's great heritage of welcoming and receiving visitors from around the world, Pisgah Penny honorably serves as the City's official white squirrel ambassador for Brevard; and

WHEREAS, Pisgah Penny has established herself as a beloved and valued member of this community, and openly asserts her love for Brevard, waterfalls, mountain biking, hiking, and everything else that makes our town the coolest small town in America; and

WHEREAS, Pisgah Penny has further established herself as possessing unique and valuable skills in making useful and accurate predictions, including accurately predicting the winner of the Super Bowl each year, while Punxsutawney Phil has established himself as (let's be honest) an ill-tempered and a highly unreliable predictor of anything.

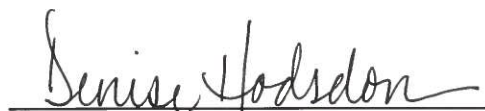
THEREFORE, we celebrate this day as Pisgah Penny assumes the duties and responsibilities asked of her, and heretofore will make all predictions asked of her on "White Squirrel Day," thereby forever relieving Punxsutawney Phil of these duties. Besides, she's way cuter than Phil.

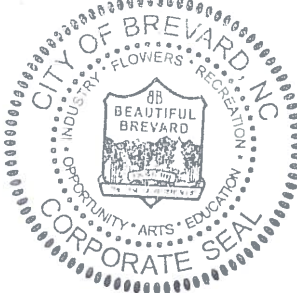
I, Maureen Copelof, Mayor of the City of Brevard, do hereby proclaim February 2, 2023, as **White Squirrel Day** in the City of Brevard.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 2nd day of February, 2023.


Maureen Copelof, Mayor

ATTEST:


Denise Hodsdon, City Clerk



MINUTES

HOUSING TRUST FUND SELECTION COMMITTEE

Tuesday, November 8, 2022 – 3:30 PM

City Hall Council Chambers

Members Present: Gary Daniel, City Council Member
Maurice Jones, City Council Member
Wilson Hooper, City Manager
Dean Luebbe, Assistant City Manager/Finance Director
Paul Ray, Planning Director
Greg Hunter, Planning Board Chair

Absent: Victor Foster, Citizen Member
Tommy Kilgore, Citizen Member

Staff Present: Emily Brewer, Planner
Denise Hodsdon, City Clerk

A. Welcome and Call to Order

Gary Daniel welcomed everyone and called the meeting to order at 3:31 PM.

B. Certification of Quorum

Quorum was certified by Executive Assistant Denise Hodsdon.

C. Approval of Agenda

Motion by Mr. Jones, seconded by Mr. Ray to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes of October 11, 2022 Meeting

Mr. Hunter asked that Item E-Affordable Housing Strategies Presentation be amended to add “Inclusionary Zoning – Voluntary and Mandatory” as a bullet point under “Affordable Housing Approaches”. Motion by Mr. Hooper, seconded by Mr. Jones to approve the minutes of the October 11, 2022 meeting as amended. The motion carried unanimously.

E. Draft Procedural Guidebook and Application

Emily Brewer noted that Council approved the DFI proposal at the last meeting and she has updated the timeline to reflect that. She presented a draft Housing Trust Fund Guidebook for the committee's review. She noted that this is the first draft and there are a lot of placeholders in it right now. We will be bringing it back to you in December to look at again, but we wanted to get some feedback on some of the policy items and understand a little bit more what the priorities are for the Housing Trust Fund as we continue to work through the guidelines.

Ms. Brewer explained that the Guidebook is meant to be the guiding document for any program decisions moving forward. We wanted to be able to have this put in place in advance of taking the "Penny for Housing" proposal to Council during the budget process. We want to make sure we have a means of using the funds. It does take what we currently have in our bylaws and refines some of them, and by making some changes here, we will be able to update our bylaws to reflect that. This is looking at the program more comprehensively so that when we do the more technical and legislative side of it with the bylaws amendment, we will have worked through the policy document and policy items. The draft guidebook includes the following:

- Eligibility Requirements for Funding
- Program Schedule
- Housing Trust Fund Priorities
- Income and Housing Cost Guidance
- Post-Award Requirements
- Program Maintenance Activities
- Donation Policy
- Definitions
- Appendix
 - Income Levels and Maximum Rents
 - Application – Developers
 - Scorecard – Developers
 - Application – Residents
 - Scorecard – Residents
 - Unit Size and Price Breakdown Template
 - Annual Report Draft

The idea is that this guidebook would stay the same year after year, but the appendices would be updated every year for each cycle to make sure we are keeping up to date with income levels, revise the scorecard and tweak some of these items as we learn about the program and we start to see what works and what doesn't. Ms. Brewer noted that Staff has identified some things that we still need to research and we are working through the items that are highlighted, but wanted to give the committee an update of where we are.

Following review and discussion of the draft guidebook and draft developer scorecard, it was decided that Staff will refine the draft and bring it back to the next meeting for further review and discussion.

F. Asheville Regional Housing Consortium Update

Emily Brewer informed the committee that the City of Brevard has a permanent seat and is a voting member of the Asheville Regional Housing Consortium and she just recently became Brevard's representative. She explained that the Consortium distributes all of the HOME funding and she shared the funding table of projects that received funding this year. She said they have a lot of money available and this is a really important tool that we have when we think about the guidebook and what our program is, and making sure it is consistent where we are actually able to reward projects that have a good chance of getting funding from the Asheville Regional Housing Consortium, the Tax Credit Program, or other programs, because the more funding you can get at the local level goes a long way in these programs.

G. Set Date for Next Meeting

The next meeting was scheduled for Tuesday, December 13, 2022 at 3:30 pm.

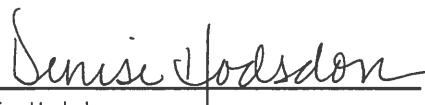
H. Adjourn

There being no further business, the meeting adjourned at 4:40 P.M.

Minutes Approved: January 10, 2023

X 

Gary Daniel
City Council Member

X 

Denise Hodsdon
City Clerk

MINUTES

COUNCIL DOWNTOWN MASTER PLAN COMMITTEE

Wednesday, December 14, 2022 – 4:00 PM

City Hall Council Chambers

Members Present: Gary Daniel, Chair, Council Member
Geraldine Dinkins, Vice Chair, Council Member
Billy Parrish, Heart of Brevard Representative
Nicole Bentley, Heart of Brevard Executive Director
Parker Platt, Council Appointed At-Large Member

Absent: Lee McMinn

Staff Present: Wilson Hooper, City Manager
Paul Ray, Planning Director
Denise Hodsdon, City Clerk

Guests: Stephen Rapp, Artist/Public Art Project Applicant
Monica Driscoll, Resident

Media: Jonathan Rich, *Transylvania Times*

A. Welcome & Call to Order

Committee Chair Gary Daniel welcomed everyone and called the meeting to order at 4:04 PM.

B. Certification of Quorum

Quorum was certified by Executive Assistant Denise Hodsdon.

C. Approval of Agenda

Mr. Hooper asked to add an item regarding Update of Downtown Construction Projects. Motion by Ms. Bentley, seconded by Ms. Dinkins to approve the agenda as amended. The motion carried unanimously.

D. Approval of Minutes of October 12, 2022 Meeting

Motion by Ms. Dinkins, seconded by Ms. Bentley to approve the minutes of the October 12, 2022 meeting as presented. The motion carried unanimously.

E. Public Art Application – Moms Mabley Statue in Clemson Plaza

The committee reviewed and discussed an Application for Public Art submitted by Stephen Rapp who is proposing a “larger than life” bronze statue of Moms Mabley in Clemson Plaza. Mr. Rapp noted that Moms Mabley was a very important person who was idolized and revered by many and there is nothing memorializing her here in her birthplace. During discussion it was mentioned that this committee had talked about forming an ad hoc interpretive group that would be inclusive of members of the African American community to make recommendation regarding public art in Clemson Plaza, but that committee was never formed. With the agreement of Mr. Rapp, it was decided to table this application for now and to convene a subcommittee to curate public art downtown. It was suggested that the committee members include artists, members of the Rosenwald Community and the Transylvania Community Arts Council.

F. Update re Special Events Procedures

Ms. Bentley reported that the first meeting of the subcommittee included the Planning, Fire and Police departments. The meeting was a high level conversation bringing everyone up to date. The long-term goal is to standardize the process, update fees, and put together a resource guide. The subcommittee will meet again in January and she hopes to bring Public Works staff in for that meeting.

G. Committee Membership

Mr. Hooper informed the committee about membership changes as the result of Council’s recently passed committee reforms. He noted that this committee will be largely unaffected by this as currently there are no vacancies, but will have to follow the new nomination and appointment process when current member terms expire.

H. Update re Downtown Construction Projects

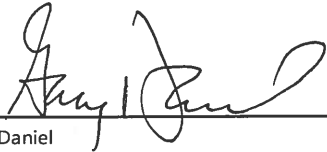
Mr. Hooper updated the committee on the status of downtown construction projects. The City had initially bid the water and sewer improvements as one project, but received no bids. The sewer portion was rebid separately and the contract for that one component of the underground utility work will go to City Council on January 3 for award. Staff is still seeking a vendor for the water portion of the project, but has a strong lead. The Main Street/Times Arcade streetscape and stormwater project has gone out to bid and bids will be opened on January 10, 2023.

I. Set Date for Next Meeting

The next meeting of the Council Downtown Master Plan Committee was scheduled for Wednesday, January 11, 2023 at 4:00 PM.

J. Adjourn

There being no further business, the meeting was adjourned at 4:52 PM.

X 

Gary Daniel
Chair, Council Member

Minutes Approved - January 11, 2023

X 

Denise Hodsdon
City Clerk

STAFF REPORT

City Council, Tuesday, January 17, 2023

Title: City Council Meeting Schedule Amendment

Speaker:

Prepared by: Denise Hodsdon

Approved by: Wilson Hooper, City Manager

Council approved a CY2023 meeting calendar at its December 5, 2022 meeting, establishing its regular meeting dates for the year. It was understood at the time, however, that additional dates would need to be added to the calendar to accommodate Strategic Planning and budget retreats.

Staff are recommending that the Council schedule its yearly Strategic Planning Retreat for Wednesday, March 1 and Thursday, March 2 from 5:15-9:30 each evening. These date works for the facilitator and staff. Council discussion at the January 3, 2023 meeting suggested this date worked for Councilmembers as well. Since the Retreat is an important milestone in the budget development process, staff request that it be held no later than March 3 so that its budget development work can stay on schedule.

Staff are also recommending that because the Strategic Planning Retreat is taking place the first week of March, that Council hold a second Regular Meeting in February on Monday, February 20, 2023 and that the March 6, 2023 meeting be canceled.

ACTION:

Amend the 2023 Meeting Calendar to include "Strategic Planning Retreat, Wednesday, March 1 and March 2, 2023 5:15-9:30 PM, a second Regular Meeting on February 20, 2023 at 5:30 PM, and to cancel the Regular Meeting scheduled for March 6, 2023.

Attachments:

1. 2023 Amended Council Meeting Schedule

Brevard City Council 2023 Meeting Schedule

Day / Date	Time	Type	Location
Tuesday, January 3, 2023	5:30 PM	Regular Meeting	Council Chambers
Tuesday, January 17, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, February 6, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, February 20, 2023	5:30 PM	Regular Meeting	Council Chambers
Wednesday, March 1, 2023	5:15 PM	Strategic Planning Session #1	Mary C. Jenkins Community Center
Thursday, March 2, 2023	5:15 PM	Strategic Planning Session #2	Mary C. Jenkins Community Center
Monday, March 6, 2023 (Cancel)	5:30 PM	Regular Meeting	Council Chambers
Monday, March 20, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, April 3, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, April 17, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, May 1, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, May 15, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, June 5, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, June 19, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, July 17, 2023 (If Needed)	5:30 PM	Regular Meeting	Council Chambers
Monday, August 7, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, August 21, 2023	5:30 PM	Regular Meeting	Council Chambers
Tuesday, September 5, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, September 18, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, October 2, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, October 16, 2023	5:30PM	Regular Meeting	Council Chambers
Monday, November 6, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, November 20, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, December 4, 2023	5:30 PM	Regular Meeting	Council Chambers
Monday, December 18, 2023 (If Needed)	5:30 PM	Regular Meeting	Council Chambers

Amended/Readopted: January 17, 2023
Adopted: December 5, 2022
Distribution: December 13, 2022
D Hodsdon, City Clerk