



AGENDA
BREVARD PLANNING BOARD - REGULAR MEETING
Tuesday, November 18, 2025 - 5:30 PM
City Council Chambers

- I. Welcome**
- II. Introduction of Board Members**
- III. Certification of Quorum**
- IV. Approval of Agenda**
- V. Approval of Minutes**
 - a. 10.28.2025 Draft Minutes
- VI. Public Comments**
- VII. New Business**
- VIII. Unfinished Business**
 - a. Pisgah Gateway District (PGX) Rezoning
- IX. Remarks**
- X. Adjourn**

Agenda Posted, Website November 11th, 2025
M. Baker, Clerk to the Board

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

**MINUTES
BREVARD PLANNING BOARD
OCTOBER 28TH, 2025
COUNCIL CHAMBERS CITY HALL**

The Brevard Planning Board met for a regular meeting Tuesday, October 28th, 2025 at 5:30 PM in the Council Chambers at City Hall.

Members Present: Reid Wood, Vice Chair
Karen Darity
Peter Chaveas
Alan Mercaldo
Jerry Yunker
Michael Hinds

Members Absent: Greg Hunter, Chair

Staff Present: Madalin Baker, Board Clerk
Emily Brewer, Senior Planner
Paul Ray, Planning Director

I. Welcome

At 5:30 PM, Reid Wood, Vice Chair, called the meeting to order.

II. Introduction of Planning Board Members

The Board introduced themselves.

III. Certification of Quorum

R. Wood confirmed with the Board Clerk that a quorum from the Board was present.

IV. Approval of Agenda

P. Chaveas made a motion to approve the agenda. K. Darity seconded, unanimously carried.

V. Approval of Minutes

P. Chaveas motioned to approve the September minutes. K. Darity seconded, passed unanimously.

VI. Public Comments – None

VII. New Business

a. Consideration of TXT-25-0003 – Institutional Campus Clean-Up

Emily Brewer, Senior Planner, presented her staff report, a portion of which follows:

Background & Discussion: This is a Staff-initiated text amendment to address some dimensional challenges in the Institutional Campus zoning district. Per Section 2.1 of the UDO, the Institutional Campus (IC) zoning district "is coded to allow for the continued and future use, expansion, and new development of academic and religious campuses, as well as government and health-care facilities. Unlike regular buildings which are oriented towards public streets, campus buildings are introverted towards spaces within the campus such as quadrangles." The IC zoning district was intended to allow for large "campus"-style development without much interaction with adjacent properties, so the requirements included large setbacks and buffers. However, the IC zoning district has smaller parcels where the large setbacks (40 feet on all sides) do not work. The proposed amendments reduce some of the dimensional requirements for the IC zoning district for added flexibility and better incorporation into the City's other land uses.

Policy Analysis: The Building Brevard 2030 Comprehensive Land Use Plan recommends added flexibility for campuses and institutions— LUH-23: Incorporate flexible zoning standards and simplified approvals for camps, campuses, and institutions. These changes are consistent with the Comprehensive Land Use Plan.

Following her staff report, E. Brewer opened to the Board for questions. A. Mercaldo asked about the original intention behind the 40-foot front setback requirement, and E. Brewer noted the requirement predates any of the current Planning Department staff, so she was unsure, but added that staff hopes to update the landscape requirements chapter in the future.

A. Mercaldo motioned to approve with reference to the consistency statement, seconded by M. Hinds, and the motion passed unanimously.

VIII. Unfinished Business

a. TXT-25-0002 – Temporary Uses

Emily Brewer, Senior Planner, presented her staff report, a portion of which follows:

Background & Discussion: This is a Staff-initiated text amendment to revise the standards for temporary uses and clarify when an applicant needs to secure a temporary use permit and when the applicant needs a special event permit. Temporary uses are land uses that are established only for a fixed, limited period of time with the intent of discontinuing it once that time expires, which may or may not

have temporary structures (tents, associated with them. The current ordinance conflates temporary uses with special events, which are temporary events held on public rights-of-ways.

The proposed standards include the following types of temporary uses: General temporary uses; Agricultural / Produce Stand; Construction Office; Dwelling – Temporary; Mobile Classroom; Mobile Vendor; Outdoor Seasonal Sale; One-Day Event; Outdoor Event; Outdoor Storage Container.

Following her staff report, E. Brewer looked to the Board for questions. A. Mercado asked how individual farmers’ market vendors are permitted, and E. Brewer shared that the farmers market is treated as all one unit.

Various Board members requested clarity on specific verbiage in the text amendment, and E. Brewer and P. Ray addressed all concerns. A. Mercado recommended adding “but not limited to” on page 43, and E. Brewer noted the specific clause. J. Yunker asked about the enforcement mechanism for the chapter, and E. Brewer shared the Planning Department is responsible for enforcing the UDO. M. Hinds suggested adding a clause including surrounding properties under the same ownership in reference to the “6 outdoor events per property per year,” which E. Brewer noted.

P. Chaveas made a motion to approve the amendment with the Board’s revisions, in reference to the consistency statement. A. Mercado seconded, and the motion passed unanimously.

IX. Remarks

The Board welcomed the newly appointed members.

X. Adjournment

There being no further business, M. Hinds made a motion to adjourn seconded by J. Yunker, the motion carried unanimously, and the meeting adjourned at 6:18 PM.

Reid Wood, Vice Chair

Madalin Baker, Board Clerk

STAFF REPORT
Planning Board, Tuesday, November 18, 2025

Title: Pisgah Gateway District (PGX) Rezoning

Speaker: Paul Ray, Planning Director
Aaron Bland, Asst Planning Director
Emily Brewer, Senior Planner

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Paul Ray, Planning Director

Background

In June and September of 2024 the Board discussed rezoning much of the area around the major US 64 / US 276 / NC 280 intersection at the entrance to Pisgah National Forest to a newly-created base zoning district called the Pisgah Gateway Mixed Use District, or PGX for short. The Board forwarded a favorable recommendation to City Council, who enacted the rezoning on November 18, 2024.

Following this action, the North Carolina General Assembly adopted SL 2024-57 via a veto override, a provision of which pertaining to "downzonings" retroactively invalidated the enactment of PGX. In February of 2025 Council re-adopted the text amendments of the Unified Development Ordinance that created the PGX district and all of its zoning regulations, but did not apply the new district to any parcels of land.

In May of 2025, Staff brought the idea of creating PGX back to the Planning Board, which again recommended in favor. A public hearing was held by City Council in June, however, due to the uncertainty of pending legislation that could have potentially re-amended the downzoning statute, Staff requested Council table the matter. Council did just that at their August 4, 2025 meeting.

Discussion

Since being tabled, none of the various proposed bills in the General Assembly have made much progress. Therefore, Staff is recommending moving forward with the PGX rezoning, but only for those properties who have expressly consented to the downzoning it would create, as allowed by Section 160D-601 of the General Statutes.

Policy Analysis

The creation of a new zoning district in this area is supported by LUH-10 of the *Building Brevard 2030 Comprehensive Land Use Plan*. LUH-10 recommends an overlay district, but Staff believes that a new base district is a more appropriate method.

Action

The Board's role is to provide a recommendation to City Council on the proposed rezoning. The Board's options are:

1. Grant the zoning map amendment as requested;
2. Grant the zoning map amendment with a change of the area requested;
3. Grant the zoning map amendment to a more restrictive general zoning district or districts; or
4. Deny the application.

In accordance with NC General Statutes, the Board shall also submit a statement analyzing the reasonableness of any proposal for a zoning map amendment. Staff has provided a draft statement for the Board's review.

Attachments:

1. Consistency and Reasonableness Statement

**STATEMENT OF CONSISTENCY AND REASONABLENESS WITH
ADOPTED PLANS AND POLICIES OF THE CITY OF BREVARD
FOR MAP AMENDMENT #REZ-25-0003**

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 map amendment is **consistent** with the following elements of the City's adopted plans and policies:

Comprehensive Land Use Plan

Recommendation Land Use & Housing – 10: Establish zoning overlay districts for the Asheville Highway Corridor and Pisgah Forest Area.

NCGS 160D-605 requires the Governing Board to approve a statement analyzing the reasonableness of a proposed rezoning. The statement of reasonableness and the statement of consistency may be approved as a single statement.

The Brevard Planning Board forwards this recommendation to City Council with a finding that the proposed zoning map amendment is in the public interest and **reasonable** due to the following factors:

- It is in the public interest to create a more context-sensitive zoning district for this area as it is one of the primary gateways to our community, heavily trafficked by residents and visitors alike.
- There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district.
- The new district benefits landowners by replacing an inappropriate downtown-focused district with a more context-sensitive district.
- Conditions at the US64/US276/NC280 intersection will be changing due to the NCODT R-5799 intersection improvement project.
- The rezoning is consistent with the above element of the Comprehensive Land Use Plan.
- The rezoning is consistent with the Future Land Use Map, as amended by Ordinance 2025-04.