



AGENDA
BREVARD CITY COUNCIL - REGULAR MEETING
Monday, December 15, 2025 - 5:30 PM

A. Welcome and Call to Order

B. Invocation

Rev. Keith Thompson - Brevard-Davidson River Presbyterian Church

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. December 1, 2025 Organizational Meeting

G. Certificates / Awards / Recognition

1. Proclamation No. 2025-XX Kwanzaa Week

H. Public Comments

I. Special Presentation(s)

J. Public Hearing(s)

1. Proposed Amendment to the Official Zoning Map of the City of Brevard - (Pisgah Gateway Voluntary Rezonings)
2. Closure of Unopened Alleyway - Hendersonville Pediatrics

K. Consent and Information

1. Tax Settlement Report - November 2025
2. Notice of Change Orders Nos. 1&2 for the Water Treatment Plant Project Upgrade
3. Budget Amendment - FY25 - GASB 87 - Lease of Police Station at 132 Commerce St
4. Council Finance, Human Resources, & Citizen Appointment Committee Minutes - September 22, 2025
5. Council Housing Committee Minutes - October 14, 2025

6. Rosenwald Community Advisory Board Minutes - October 16, 2025
7. Council Downtown Master Plan Committee Minutes - October 24, 2025 Special Meeting
8. Council Public Safety Committee Minutes - October 28, 2025
9. Council Downtown Master Plan Committee Minutes - November 12, 2025
10. Correspondence *(No action. Offered as information only.)*
 - a. Mayor's Report re AARP Age-Friendly Task Force
 - b. ABC Board Meeting Minutes - October 23, 2025
 - c. ABC Board Meeting Minutes - November 3, 2025 Special Meeting

L. Unfinished Business

1. Proposed Amendments to City of Brevard Unified Development Ordinance Chapters 2, 3, and 19 - Temporary Use Regulations
2. Bear Sculpture and Roundabout Landscaping/Betterments
3. Proposed Amendments to City of Brevard Unified Development Ordinance Chapters 2, 4, and 8 - Institutional Campus Zoning District

M. New Business

1. Appointment of Citizen Members to Policy Committees

N. Remarks / Future Agenda Considerations

O. Closed Session(s)

P. Adjourn

Agenda Posted, Website, Sunshine List (December 11, 2025)
D. Hodsdon, City Clerk

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

MINUTES
BREVARD CITY COUNCIL
Organizational Meeting
December 1, 2025 – 5:30 PM

The Brevard City Council met for its Organizational Meeting on Monday, December 1, 2025, 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, Pamela Holder, and Lauren Wise, and Council Member-Elect Dean Lytle

Staff Present – City Attorney Mack McKeller, City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager David Todd, Communications Coordinator Becky McCann, Human Resources Director Kelley Craig, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, Senior Planner Emily Brewer, Planner Stephanie Holland, Interim Police Chief Jack Moorman, Fire Chief Chase Owen, Water Treatment Plant ORC Dennis Richardson, Wastewater Treatment Plant ORC Aaron Winans, and Community Center Director Tyree Griffin

Press – David Bradley, Transylvania Times

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

B. Invocation – City Council Member Rev. Dr. Pamela Holder of Bethel “A” Baptist Church offered an invocation.

C. Pledge of Allegiance – Mayor Copelof led the Pledge of Allegiance.

D. Certification of a Quorum – City Clerk Denise Hodsdon certified a quorum present.

E. Approval of Agenda – Mr. Morrow moved, seconded by Ms. Holder to approve the agenda as presented. The motion carried unanimously.

F. Approval of Minutes

F-1. November 17, 2025 Regular Meeting – Mr. Wise moved, seconded by Mr. Daniel, to approve the minutes of the November 17, 2025 Regular Meeting as presented. The motion carried unanimously.

G. Recognition of Departing Council Member

G-1. Resolution No. 2025-74 - A Resolution of Respect and Appreciation for Council Member Mac Morrow Upon His Retirement from Brevard City Council – Mayor Copelof read the Resolution aloud and presented it to Council Member Morrow. Council Members Daniel, Baker, Wise and Holder, Attorney McKeller, City Clerk Denise Hodsdon and City Manager Wilson Hooper expressed appreciation to Mr. Morrow for his 34 years of dedicated service to Brevard and its citizens and wished him well.

RESOLUTION NO. 2025-74
A RESOLUTION OF RESPECT AND APPRECIATION FOR
COUNCIL MEMBER MAC MORROW
UPON HIS RETIREMENT FROM BREVARD CITY COUNCIL.

WHEREAS, Spencer Macfie Morrow—better known as “Mac”—is a Brevard, North Carolina, native who has faithfully and tirelessly served both country and community in several capacities; and

WHEREAS, after growing up in Brevard, Mac joined the United States Marine Corps serving honorably for thirty years and retiring with the rank of Colonel; and

WHEREAS, in 1984 in recognition of his military service and his efforts in environmental stewardship in Western North Carolina, Mac was inducted into the Order of the Long Leaf Pine Society, one of the state's most prestigious honors, by North Carolina Governor Jim Hunt; and

WHEREAS, Mac was first appointed to Brevard City Council in 1986. He was subsequently reelected, and served until 1995; and

WHEREAS, Mac was elected to Brevard City Council again in 2001, serving consecutively until this day, including two separate stints as Mayor Pro Tem; and

WHEREAS, during his thirty-four years in elected office Mac served on nine distinct City Councils and innumerable city and community committees, providing leadership, guidance and wisdom to newly elected and appointed officials; and

WHEREAS, more notable than the length of Mac's service is its quality; and

WHEREAS, throughout his time on Brevard City Council Mac worked tirelessly to promote conservation of Brevard's natural resources, expansion and enhancement of its recreational assets, investment in its utility infrastructure, development of the City greenway and the Ecusta Trail, and creation of the Bracken Preserve, while always remembering to preserve the rich and diverse heritage of our community; and

WHEREAS, along with former mayor Jimmy Harris, Mac led the Rosenwald and Railroad Avenue revitalization projects, which included the construction of the new Mary C. Jenkins Community Center, the Silversteen Memorial Park rebuild, and the creation of the Jimmy Harris Railroad Depot Park; and

WHEREAS, Mac's steadfast leadership helped Brevard recover from the closure of the major manufacturing plants in the early 2000s, the 2008/9 economic downturn, the health and economic COVID crisis, Hurricane Helene, and the countless other challenges the Brevard community faced over the decades; and

WHEREAS, Mac's statesmanship was instrumental in the City of Brevard partnering with Transylvania County, Land of Sky Council of Government, NCDOT, US Forest Service and numerous other public and private organizations to achieve regional priorities and a shared vision for Western North Carolina; and

WHEREAS, Mac is well respected by constituents, owing in part to the deep connection to the community he shares with them and his encyclopedic knowledge of the community's families and their histories and his dedication to ensuring that history is respected and preserved; and

WHEREAS, Mac's long and fruitful thirty-four-year career is a model of elected service, and the City of Brevard owes him an immense debt of gratitude.

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

This body expresses to Mac Morrow, on behalf of our citizens and officials, our respect, appreciation and deep gratitude for his three decades of service to the City of Brevard and its residents and commends honors upon him on the occasion of his retirement from elected service.

Adopted and approved this the 1st day of December, 2025.

s/ Maureen Copelof, Mayor
s/ Aaron Baker, Council Member
s/ Pamela Holder, Council Member
s/ Wilson Hooper, City Manager
Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Gary Daniel, Mayor Pro Tem
s/ Lauren Wise, Council Member
s/ Dean Lytle, Council Member
s/ Mack McKeller, City Attorney

Mayor Copelof then read Proclamation No. 2025-30 Naming Mac Morrow as Official Historian for the City of Brevard and presented the proclamation and a Key to the City to Mr. Morrow.

**PROCLAMATION NO. 2025-30
NAMING MAC MORROW AS OFFICIAL HISTORIAN
FOR THE CITY OF BREVARD**

WHEREAS, the preservation and understanding of our City's history is vital to our cultural heritage and future progress; and

WHEREAS, in the City of Brevard it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals to help preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, Mac Morrow's leadership as an elected official for over three decades was critical to Brevard creating a future vision of the city that preserved and celebrated the rich and diverse heritage of our community; and

WHEREAS, Mac Morrow demonstrated an exemplary commitment to researching, documenting, and sharing the rich history of Brevard ensuring City leadership was aware and considered historical and cultural aspects during decision deliberations; and

WHEREAS, Mac Morrow worked closely with the Transylvania County Joint Historic Preservation Committee, Mountain True and the French Broad Riverkeeper, Land of Sky Regional Council, Conserving Carolina, The US Forest Service and other regional organizations to preserve and honor the heritage of the land and our predecessors; and

WHEREAS, Mac Morrow possesses a deep knowledge of our community's past and the skills necessary to ensure its stories are accurately recorded and accessible to all citizens; and

WHEREAS, it is fitting and proper to officially recognize individuals who contribute significantly to the historical integrity of our community.

NOW THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard, North Carolina, hereby name Mac Morrow as the Official Historian for the City of Brevard..

IN WITNESS WHEREOF, I have set my hand and executed the Great Seal of the City of Brevard on this the 1st day of December, 2025.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

City Clerk Hodsdon presented Mr. Morrow with a framed photo of his swearing in ceremony of 1991. Mr. Hooper presented Mr. Morrow with a hand-carved embossed hiking stick, created by local artisan Ty Hardy, a former Navy Seal, from wood that was harvested from Pisgah National Forest.

Mayor Copelof then asked if Council had an additional honor they wished to bestow on Mr. Morrow. Mr. Baker moved, seconded by Mr. Daniel to officially name the soon to be constructed brand new upper loop trail within the Bracken Preserve expansion parcel as the Mac Morrow Trail. The motion carried unanimously.

Mr. Morrow shared some farewell remarks and said it has been a wonderful journey, and it's been a lot of fun too. But, the main thing is the relationships that you get to establish with people over that time. He expressed his appreciation to Councilmembers and to City Staff and said for those of you sitting in the back row in public service you will always be my heroes, and I am glad to be a part of that.

H. Acknowledge Receipt of the Transylvania County Board of Elections Abstract of Votes for the Municipal Election November 4, 2025. Results of the 2025 Municipal Election have been certified, and Maureen Copelof was elected to the Office of Mayor, and Aaron Baker and Dean Lytle were elected to Office of City Council for a term of four years. Mr. Baker moved, seconded by Mr. Daniel to acknowledge receipt of the results of the Municipal Election. The motion carried unanimously.

I. Induction of Mayor and Council Members – Oath of Office

I-1 Administration of the Oath of Office to Mayor Maureen Copelof – City Clerk Denise Hodsdon administered the Oath of Office to Maureen Copelof, who was accompanied by her husband Sylvan.

*City of Brevard, North Carolina
Oath of Office*

State of North Carolina
County of Transylvania
City of Brevard

I, Maureen Copelof, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as Mayor of Brevard, North Carolina, so help me God.

s/ Maureen Copelof

Oath Administered by: Denise Hodsdon, CMC, NCCMC, City Clerk
December 1, 2025

I-2 Administration of the Oath of Office to Council Member Aaron J. Baker –
City Clerk Denise Hodsdon administered the Oath of Office to Aaron Baker, who was accompanied by his son Henry and partner Nora Jane.

*City of Brevard, North Carolina
Oath of Office*

State of North Carolina
County of Transylvania
City of Brevard

I, Aaron J. Baker, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a Brevard City Council Member, so help me God.

s/ Aaron J. Baker

Oath Administered by: Denise Hodsdon, CMC, NCCMC, City Clerk
December 1, 2025

I-3 Administration of the Oath of Office to Council Member Dean Lytle – City Clerk Denise Hodsdon administered the Oath of Office to Dean Lytle, who was accompanied by his wife Setar.

*City of Brevard, North Carolina
Oath of Office*

State of North Carolina
County of Transylvania
City of Brevard

I, Dean Lytle, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a Brevard City Council Member, so help me God.

s/ Dean Lytle

Oath Administered by: Denise Hodsdon, CMC, NCCMC, City Clerk
December 1, 2025

Council Member Seated – Council Member Lytle took his seat at the dais.

J. 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. Baker moved, seconded by Mr. Wise to approve the consent agenda. The motion carried unanimously.

J-1. Approval of City Council 2026 Meeting Schedule

J-2. Appointment of Council Members to Boards and Committees

**RESOLUTION NO. 2025-75
RESOLUTION APPOINTING COUNCIL MEMBERS TO
COMMITTEES AND BOARDS**

WHEREAS, on October 16, 2023 the City of Brevard City Council adopted Ordinance No. 2023-51 amending the process for appointing council members to serve committees and boards; and

WHEREAS, it is the duty of the mayor to recommend appointment of council members to serve on committees and boards, subject to approval by vote of City Council; and

WHEREAS, Mayor Maureen Copelof has presented a recommended slate of council member appointments for City Council's consideration.

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

Section 1. The Brevard City Council does hereby appoint City Council Members to various committees and boards for a term to be effective immediately and expiring in December 2027 as follows:

Policy Committees:

1. Housing Committee – Chair: Pamela Holder; Vice Chair: Aaron Baker
2. Public Works and Utilities Committee – Chair: Lauren Wise; Vice Chair: Gary Daniel
3. Public Safety Committee – Chair: Aaron Baker; Vice Chair: Dean Lytle
4. Finance, Human Resources and Citizen Appointment Committee – Chair: Dean Lytle; Vice Chair: Pamela Holder

Advisory Committees:

1. Downtown Master Plan Committee: Chair: Gary Daniel; Vice Chair: Lauren Wise
2. Rosenwald Community Advisory Board: Co-chair: Pamela Holder; member Gary Daniel
3. Parks, Trails and Recreation Committee: Chair: Aaron Baker; Vice Chair Lauren Wise
4. Ecusta Trail Advisory Board: Co-Chair: Aaron Baker; Co-Chair: Dean Lytle

Outside Boards:

1. Land of Sky Regional Council: Primary: Maureen Copelof; Alternate: Gary Daniel
2. RPO Transportation Committee: Primary: Lauren Wise; Alternate: Aaron Baker
3. Transylvania Economic Alliance: Dean Lytle
4. Heart of Brevard: Maureen Copelof
5. TC Tourism Development Authority: Lauren Wise
6. Chamber of Commerce: Maureen Copelof
7. Community Relations Board: Dean Lytle

Adopted and approved this the 1st day of December, 2025.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk

s/ Maureen Copelof, Mayor

K. New Business

K-1. Nomination and Appointment of Mayor Pro Tempore – Mr. Daniel moved, seconded by Mr. Wise to nominate Aaron Baker for Mayor Pro Tem. The motion carried 4-1 (Holder). City Clerk Denise Hodsdon administered the Oath of Office to Mayor Pro Tem Baker.

*City of Brevard, North Carolina
Oath of Office*

State of North Carolina
County of Transylvania
City of Brevard

I, Aaron J. Baker, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as Mayor Pro Tem of Brevard, North Carolina, so help me God.

s/ Aaron J. Baker

Oath Administered by: Denise Hodsdon, CMC, NCCMC, City Clerk
December 1, 2025

L. Adjourn – There being no further business, at 6:21 p.m. Ms. Holder moved, seconded by Mr. Daniel, to adjourn the Organizational meeting. The motion carried unanimously.

Immediately following the meeting, a reception was held at the Pisgah Health Trust Center to extend appreciation to departing Council Member Mac Morrow and to welcome incoming Council Member Dean Lytle and reelected Mayor Maureen Copelof and Council Member Aaron Baker.

Maureen Copelof
Mayor

Denise Hodson, CMC
City Clerk

Minutes Approved: December 15, 2025

CITY OF BREVARD, NORTH CAROLINA

Proclamation

NO. 2025-31

KWANZAA WEEK PROCLAMATION

WHEREAS, Kwanzaa is an observance week annually celebrated from December 26 to January 1 celebrating African American family, heritage, community contributions and culture throughout the world. The name 'Kwanzaa' translates to "first fruits of the harvest" in the Swahili; and

WHEREAS, Kwanzaa was created by Dr. Maulana Karenga, professor and chairman of Africana Studies at California State University. Since 1966, Kwanzaa has been celebrated for a week with the lighting of a 7 prong candle holder, called a Kinara. Kwanzaa is organized with proclamations by mayors and city councils, festivities and events to recognize the significance of values and core principles. The three official colors are black, red and green which are symbolic and representative of Kwanzaa. The green color represents the hope for a better future, the red represents the struggle and barriers throughout history and the single black candle which is placed in the center represents African people; and

WHEREAS, the 7 core principles include Unity, Self-determination, Collective Work and Responsibility, Cooperative Economics, Purpose, Creativity and Faith. Throughout the week there are fundamental activities of the ingathering of people, spiritual worship, commemoration of the past and commitments to positively build proactively for future generations; and

WHEREAS, the City of Brevard, North Carolina, honors cultural diversity, equity and inclusion for all to enjoy. This city upholds a tradition to enrich the community with values, proactively preserve African American historical preservation and welcome all residents to participate in recognizing Kwanzaa as an opportunity to continue to unite; and

WHEREAS, this city will continue to successfully build strong foundations, collectively embracing cultural diversity that empowers people of all faiths, ethnic backgrounds and focus on aspiring towards the future that educates and respects cultural diversity. Diversity strengthens our city socially, economically and improves the quality of life for all residents.

NOW, THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard, North Carolina, do hereby proclaim December 26, 2025 to January 1, 2026, as KWANZAA WEEK in the City of Brevard and commend its observance to all citizens.

Signed this 15th day of December, 2025.

Maureen Copelof

Maureen Copelof
Mayor

Attest:

Denise Hodsdon

Denise Hodsdon, CMC, NCCMC
City Clerk



STAFF REPORT
City Council, Monday, December 15, 2025

Title: Proposed Amendment to the Official Zoning Map of the City of Brevard - (Pisgah Gateway Voluntary Rezoning)

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

In June and September of 2024 the Planning Board first 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 "downzoning" 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 progressed. 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. See the attached map, list of consenting properties, and signed consent forms for more information.

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 and the Planning Board believe that a new base district is a more appropriate method.

Section § 160D-601(d) of the North Carolina General Statutes states that "No amendment to zoning regulations or a zoning map that down-zones property shall be initiated, enacted, or enforced without the written consent of all property owners whose property is the subject of the down-zoning amendment." Staff has had discussions with multiple property

owners in the intended PGX area and has acquired the required written consent for all the properties in this proposed rezoning.

Recommendation

The Planning Board discussed this matter at their November 18th meeting and recommended in favor as presented. The Board also suggested that Staff continue their outreach to property owners in the area and try to do a "Phase 2" rezoning of multiple properties in the future, which Staff agreed to do. In accordance with NC General Statutes, the Planning Board also submits the attached statement of consistency and reasonableness.

Action

This presentation is for public hearing purposes only and no action is requested at this time.

Attachments:

1. Map
2. PGX Consent Forms
3. List of Proposed PGX Parcels

**Proposed PGX Rezoning
City Council
December 15, 2025**



Legend

- Brevard City Limits
- Extra Territorial Jurisdiction
- Proposed PGX Parcels
- Parcels

N
▲

Sources: Esri, TomTom, Garmin, FIA, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community



PGX REZONING CONSENT FORM

LASTINGER PROPERTIES LLC			
Property Owner Name			
26 Eastwood Rd, Asheville, NC 28803		City	State
Property Owner Mailing Address		Zip	
lane@pilotcove.com		727-641-5263	
Property Owner Email		Property Owner Phone	
8597-47-3949-000, 8597-57-7985-000			
Property Identification Number(s) of Parcels to be Rezoned			

ACKNOWLEDGEMENTS

By signing below, I, Randall Lane Lastinger attest that I am an authorized representative of the above listed real property within the City of Brevard zoning jurisdiction, that I understand the rezoning my property to the Pisgah Gateway Mixed Use (PGX) base zoning district may result in the creation of nonconformities on the above property, and that I hereby agree to this rezoning with my free consent in accordance with North Carolina General Statute 160D-601(d) as amended by Subpart III-K of Session Law 2024-57.

Signature: 

Date: 4/17/25



The City of
Brevard
North Carolina

PGX REZONING CONSENT FORM

Property Owner Name <u>Pisgah Drive House, LLC</u> <u>George Smith</u>			
Property Owner Mailing Address <u>109 Dec Street New Smyrna Beach, FL</u>			
City <u>take a hike 28768</u>		State <u>386 566 0583</u>	Zip <u>32168</u>
Property Owner Email <u>@gmail.com</u>		Property Owner Phone	
Property Identification Number(s) of Parcels to be Rezoned			

ACKNOWLEDGEMENTS

By signing below, I, George Smith attest that I am an authorized representative of the above listed real property within the City of Brevard zoning jurisdiction, that I understand the rezoning my property to the Pisgah Gateway Mixed Use (PGX) base zoning district may result in the creation of nonconformities on the above property, and that I hereby agree to this rezoning with my free consent in accordance with North Carolina General Statute 160D-601(d) as amended by Subpart III-K of Session Law 2024-57.

Signature: 

Date: 5-15-25

63 Deavor Rd
89 Deavor Rd
2668 Asheville Hwy
2688 Asheville Hwy



The City of
Brevard
North Carolina

PGX REZONING CONSENT FORM

Property Owner Name				TRANSYLVANIA CITY HISTORICAL SOCIETY			
Property Owner Mailing Address		City	State	Zip			
PO BOX 2061		BREVARD	NC	28712			
Property Owner Email			Property Owner Phone				
tchsociety.com			828.243.2024 GREG HUNTER				
Property Identification Number(s) of Parcels to be Rezoned						8597-56-470-006	

ACKNOWLEDGEMENTS

By signing below, I, GREG HUNTER attest that I am an authorized representative of the above listed real property within the City of Brevard zoning jurisdiction, that I understand the rezoning my property to the Pisgah Gateway Mixed Use (PGX) base zoning district may result in the creation of nonconformities on the above property, and that I hereby agree to this rezoning with my free consent in accordance with North Carolina General Statute 160D-601(d) as amended by Subpart III-K of Session Law 2024-57.

Signature: G. Hunter

Date: MAY 9 2025



The City of Brevard North Carolina

PGX REZONING CONSENT FORM


Property Owner Name Lillian Finkl Living Trust			
Property Owner Mailing Address Lillian Tolley 6332 E. Ash Ct. Monticello, IN 47960			
Property Owner Email tolley.lillian@gmail.com		City Monticello	State IN
Property Owner Phone (219)208-0698		Zip 47960	
Property Identification Number(s) of Parcels to be Rezoned 8597-64-2864-000 and 8597-64-1942-000			

ACKNOWLEDGEMENTS

By signing below, I, Lillian Tolley attest that I am an authorized representative of the above listed real property within the City of Brevard zoning jurisdiction, that I understand the rezoning my property to the Pisgah Gateway Mixed Use (PGX) base zoning district may result in the creation of nonconformities on the above property, and that I hereby agree to this rezoning with my free consent in accordance with North Carolina General Statute 160D-601(d) as amended by Subpart III-K of Session Law 2024-57.

Signature:  Date: 4/22/2025

As the buyer that is under contract to purchase this property, CDP Properties LLC would like to add their name to this PGX application so that the application stays in effect should the sale occur prior to the City Council's rezoning approval.

Authorizes Signing Representative:  **Claudia Jean Hilton**
Date: 4/23/2025



The City of
Brevard
North Carolina

PGX REZONING CONSENT FORM

Property Owner Name City of Brevard			
Property Owner Mailing Address	95 W. Main St	Brevard	NC 28712
	City	State	Zip
Property Owner Email	Property Owner Phone 385-5630		
Property Identification Number(s) of Parcels to be Rezoned 8597-57-0292-000 8597-54-4908-000			

ACKNOWLEDGEMENTS

By signing below, I, Wilson Hooper attest that I am an authorized representative of the above listed real property within the City of Brevard zoning jurisdiction, that I understand the rezoning my property to the Pisgah Gateway Mixed Use (PGX) base zoning district may result in the creation of nonconformities on the above property, and that I hereby agree to this rezoning with my free consent in accordance with North Carolina General Statute 160D-601(d) as amended by Subpart III-K of Session Law 2024-57.

Signature: Wilson Hooper Date: 12/8/25

PARCEL_NUM	Owner	Address
8597-64-1942-000	CDP Aloe Properties LLC	240 Deavor Road
8597-64-2864-000	CDP Aloe Properties LLC	
8597-54-4908-000	City of Brevard	
8597-57-0292-000	City of Brevard	344 Gibbs Lane
8597-47-3949-000	Lastinger Properties LLC	319 Gateway Junction Drive
8597-57-7985-000	Lastinger Properties LLC	195 Gibbs Lane
8597-55-4424-000	Pisgah Drive House LLC	63 Deavor Road
8597-55-5313-000	Pisgah Drive House LLC	87 Deavor Road
8597-55-5503-000	Pisgah Drive House LLC	2686 Asheville Highway
8597-55-5681-000	Pisgah Drive House LLC	2688 Asheville Highway
8597-56-4170-000	Transylvania County Historical Society	2753 Asheville Highway

STAFF REPORT
City Council, Monday, December 15, 2025

Title: Closure of Unopened Alleyway - Hendersonville Pediatrics
Speaker: Paul C. Ray, Planning Director
Prepared by: Paul Ray, Planning Director
Approved by: Wilson Hooper, City Manager

Background

Hendersonville Pediatrics Brevard, LLC has requested the closure of an unimproved alley that runs across their parking lot between Jordan Street and Morgan Street. A survey plat prepared by Mattern & Craig Engineering & Surveying, titled “NC GS 160A-299 Permanent Closing a Street or Alley,” is attached. On November 17, 2025, City Council adopted a Resolution declaring its intent to consider closing this alley, as required by NCGS 160A-299. Tonight’s public hearing is the next step in the required legal process for closing a public street or alley.

Discussion

Closing a public street or alley results in transferring a public asset into private ownership. When this occurs, it is important that the City receives a benefit of comparable public value. Staff has been negotiating with HP Brevard; however, a final agreement has not yet been reached. The most current proposal being considered includes the following terms:

1. The City will close the entire alley between Jordan Street and Morgan Street, conveying the land (in fee simple) to HP Brevard.
2. HP Brevard and the City will share the use of 10 parking spaces located in the row adjacent to the City’s parking lot (the row farthest from HP Brevard’s building).
3. The land containing these 10 parking spaces will likely resemble one of these options:
 1. **Retained Ownership by HP Brevard:** HP Brevard would keep ownership of the property and grant the City an access easement for public use. HP Brevard would also grant the City a first right of refusal should the property be sold or its use change to something other than a medical provider.
 2. **Conveyance to the City:** HP Brevard would transfer ownership of the property to the City, and the City would lease the property back to HP Brevard.
4. A legal agreement will govern the hours of “public” and “private” parking in these spaces.

5. HP Brevard will install signage indicating when the parking spaces are available for public use.
6. The City will retain a utility easement for access, maintenance, and replacement of existing sewer and stormwater infrastructure within the alley.

Under this proposal, no reconfiguration or physical connection will be made between the City's parking lot and HP Brevard's parking lot.

Policy Analysis

The City has fulfilled all procedural requirements of NCGS 160A-299 by:

- Adopting a resolution of intent.
- Publishing notice once per week for four consecutive weeks in the Transylvania Times.
- Providing notice to all abutting property owners, of which there were none.
- Posting notice in two conspicuous locations along the alley.

Fiscal Impact

The proposed shared public use of ten parking spaces, formalized in a forthcoming Memorandum of Understanding (MOU) or other type of legal agreement is intended to provide public benefit in exchange for closing the alley. It is up to City Council to determine whether the negotiated terms constitute a fair and equitable exchange and adequately serve the public interest.

Action

No action is requested tonight. Staff will return with a final legal agreement for Council's consideration and vote. However, Council may choose to take one of the following actions this evening:

1. Adopt the Order
2. Table the matter for further consideration
3. Deny the Order

Attachments:

1. Order Closing Street or Alley
2. Res 2025-71 Declaring Intent to Consider Closing Unimproved Alley Between Jordan St and Morgan St
3. Final Plat

ORDER NO. 2025-XX

AN ORDER CLOSING AN UNOPENED STREET OR ALLEY ADJACENT TO 90 SOUTH CALDWELL STREET

WHEREAS, pursuant to N.C.G.S. § 160A-299, on November 17, 2025 the City Council of the City of Brevard duly adopted Resolution 2025-71 with the intent of considering the closing of an unimproved alley, 25-foot wide and situated between parcels owned by Hendersonville Pediatrics Brevard, LLC; and

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

PERMANENT CLOSING A STREET OR ALLEY, prepared by Mattern & Craig, Engineers & Surveyors, dated September 9, 2025; and showing the closing of an unimproved, 25-foot wide alley from Jordan Street to Morgan Street between parcels 8586-40-5719-000, 8586-40-4943-000 and 8586-40-3870-000, with legal description referenced on the plat recorded in the Transylvania County Registry on ____/____/_____, in Plat File _____, Slide _____; and

WHEREAS, the City Clerk has given notice of the public hearing in the manner required by law by publication of the Resolution of Intent in the Transylvania Times newspaper once a week for four successive weeks, mailing a copy of the Resolution of Intent to each abutting property owner by certified mail, and posting notice of the proposed closing in at least two conspicuous places along the alley; and

WHEREAS, a public hearing was held in the Brevard City Council Chambers on December 15, 2025, at which all persons desiring to be heard were given the opportunity to speak; and

WHEREAS, the City Council finds and determines that the closing of said unopened right-of-way is not contrary to the public interest and that no individual owning property in the vicinity of the right-of-way would be deprived of reasonable means of ingress and egress to his or her property.

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

1. The unopened 25-foot alley shown on the plat prepared by Mattern & Craig, Engineers & Surveyors, dated September 9, 2025, and titled "Permanent Closing a Street of Alley" for City of Brevard, is hereby closed in accordance with N.C.G.S. § 160A-299.
2. The City of Brevard hereby reserves a perpetual easement within the closed right-of-way for the location, operation, maintenance, repair, and replacement of sewer and stormwater utilities, as depicted on the referenced plat, note 10.
3. The City Clerk is hereby authorized and directed to file a certified copy of this Order, together with the referenced plat, in the office of the Register of Deeds of Transylvania County, to be indexed in the grantor index in the name of the City of Brevard and in the grantee index in the name of the adjoining property owners, as required by law.

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

Adopted this ____ day of _____, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC, NCCMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller, Attorney at Law
City Attorney

RESOLUTION NO. 2025-71

**A RESOLUTION DECLARING THE INTENT OF THE BREVARD CITY COUNCIL
TO CONSIDER THE CLOSING OF AN UNIMPROVED ALLEY BETWEEN
JORDAN STREET AND MORGAN STREET**

WHEREAS, North Carolina General Statute §160A-299 authorizes the City Council to close any street or alley within its jurisdiction, provided that certain procedures are followed, including the adoption of a resolution declaring the City's intent to do so and the scheduling of a public hearing; and

WHEREAS, HP Brevard, LLC has requested the closure of an unimproved public alley that runs between Jordan Street and Morgan Street, located within the downtown block containing its property; and

WHEREAS, the City has determined that this alley extends the full length of the block, and a revised survey and legal description have been prepared to accurately describe the right-of-way proposed for closure; and

WHEREAS, the City Council desires to initiate the process required by State law in order to consider the requested closure.

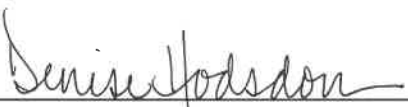
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD THAT:


1. Intent Declared. It is the intent of the City Council to permanently close the public alley extending between Jordan Street and Morgan Street as described in the survey and legal description prepared by the applicant's surveyor.
2. Public Hearing Scheduled. A public hearing on the proposed alley closure shall be held in the Council Chambers at Brevard City Hall on December 15, 2025, at 5:30 PM, at which time all interested persons will be given an opportunity to be heard.
3. Notice Requirements. The City Clerk is hereby directed to:
 - Publish this Resolution once a week for four (4) successive weeks in the Transylvania Times;
 - Send a copy of this Resolution by certified mail to each property owner adjoining the alley; and
 - Post a notice of the proposed closure in at least two conspicuous locations along the alley.
4. Further Action. Following the public hearing, the City Council may adopt an Order permanently closing the alley if it determines that the closure is not contrary to the public interest and that no property owner will be deprived of reasonable access.

Adopted and approved this, the 17th day of November, 2025.



ATTEST:


Denise Hodsdon, CMC, NCCMC
City Clerk


Maureen Copelof
Mayor

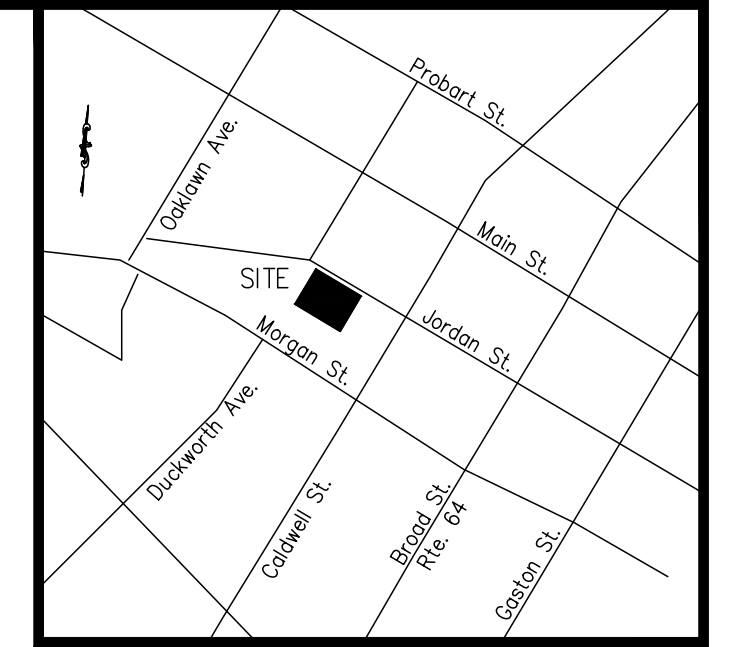
NOTES:

1. THIS PLAT IS BASED ON A CURRENT BOUNDARY SURVEY.
2. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND MAY NOT INCLUDE ALL ENCUMBRANCES ON THE PROPERTY.
3. PROPERTY SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS AND RESTRICTIONS THAT ARE RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN.
4. ADJOINING PROPERTY OWNER INFORMATION TAKEN FROM THE TRANSYLVANIA COUNTY GIS WEBSITE.
5. ALL BEARINGS ARE BASED UPON NAD83(2011).
6. ALL DISTANCES SHOWN HEREIN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
7. ALL AREAS CALCULATED BY COORDINATE COMPUTATION METHOD.
8. ALL COORDINATES ARE NAD83(2011) GRID.
9. NO RECORDED EASEMENT CONVEYANCE WAS FOUND FOR EXISTING SEWER AND STORM DRAIN STRUCTURES RUNNING THROUGH THE ALLEY WAY.
10. THE 25-FOOT ALLEY WAY SHOWN HEREIN IS HEREBY VACATED AND CLOSED PURSUANT TO N.C.G.S. § 160A-299 BY ORDER OF THE CITY COUNCIL OF THE CITY OF BREVARD, ADOPTED ON _____, AND RECORDED IN BOOK _____, PAGE _____, TRANSYLVANIA COUNTY REGISTER OF DEEDS. THE CITY OF BREVARD EXPRESSLY RESERVES A PERPETUAL EASEMENT WITHIN THE CLOSED ALLEY FOR THE LOCATION, OPERATION, MAINTENANCE, REPAIR, AND REPLACEMENT OF EXISTING SEWER AND STORMWATER UTILITIES

LEGAL DESCRIPTION FOR ALLEY WAY CLOSURE:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST JORDAN STREET, BEING A COMMON CORNER BETWEEN HP BREVARD LLC AND AN TWENTY-FIVE FOOT ALLEY; THENCE LEAVING THE AFORESAID RIGHT-OF-WAY AND WITH THE COMMON BOUNDARY LINE OF HP BREVARD, LLC AND ALLEY S 30° 53' 54" W 131.66 FEET TO A POINT, THENCE N 59° 01' 15" W 25.00 FEET TO A POINT; THENCE N 30° 53' 54" E 131.71 FEET TO AN IRON ROD AND CAP "ED HOLMES" IN THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST JORDAN STREET; THENCE WITH THE SOUTHERLY RIGHT-OF-WAY LINE S 58° 54' 43" E 25.00 FEET TO THE "POINT OF BEGINNING" AND CONTAINING 3,293 SQUARE FEET MORE OR LESS.

BEGINNING AT A MAG NAIL FOUND IN WEST MORGAN STREET HAVING A 40 FEET WIDTH RIGHT-OF-WAY; THENCE WITH WEST MORGAN STREET N 69° 26' 10" W 25.41 FEET TO A POINT; THENCE LEAVING WEST MORGAN STREET N 30° 53' 54" E 141.66 FEET TO A POINT; THENCE S 59° 01' 15" E 25.00 FEET TO A POINT; THENCE S 30° 53' 54" W 133.46 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,483 SQUARE FEET. THIS SECTION OF A TWENTY-FIVE (25) FEET ALLEY WAY IS INCLUDED WITHIN THE BOUNDARY OF LOT 2 AS SHOWN.



VICINITY MAP (NOT TO SCALE)

GLOBAL POSITIONING CERTIFICATION

I, TIMOTHY W. CALDWELL, P.L.S., CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

1. CLASS OF SURVEY: CLASS A - RATIO OF PRECISION 1/10,000
2. POSITIONAL ACCURACY: HORIZONTAL ACCURACY = 0.04' VERTICAL ACCURACY = 0.07'
3. TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINETIC
4. DATES OF SURVEY: 9/3/2025
5. DATUM/EPOCH: NAD83(2011), EPOCH 2010.0000
6. PUBLISHED/FIXED-CONTROL USED: NC VRS NETWORK
7. GEOID MODEL: GEOID 18 U.S.
8. COMBINED GRID FACTOR: 1.0002280573
9. UNITS: US SURVEY FEET

CERTIFICATE OF SURVEY AND ACCURACY

I, TIMOTHY W. CALDWELL, P.L.S., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (PROPERTY DESCRIPTION RECORDED IN DEED BOOKS AND PLATS FOUND IN THE TRANSYLVANIA COUNTY REGISTRY AS NOTED ON PLAT); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000 OR GREATER; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I ALSO HEREBY CERTIFY THAT THIS SURVEY IS OF THE FOLLOWING CATEGORY AS DESCRIBED IN G.S. 47-30(f)(11):
(a) THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY SIGNATURE, LICENSE NUMBER, AND SEAL THIS 9TH DAY OF SEPTEMBER, A.D., 2025.

[Signature]
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-5232



CERTIFICATE OF APPROVALS

I, _____, DIRECTOR OF THE CITY OF BREVARD PLANNING DEPARTMENT, CERTIFY THAT THIS FINAL PLAT COMPLIES WITH THE SUBDIVISION CONTROL ORDINANCE OF CITY OF BREVARD.

DATE _____

NC GS 160A-299 PERMANENT CLOSING A STREET OR ALLEY

CITY OF BREVARD
BREVARD TOWNSHIP
TRANSYLVANIA COUNTY, NORTH CAROLINA
BEING SITUATE ALONG WEST JORDAN STREET

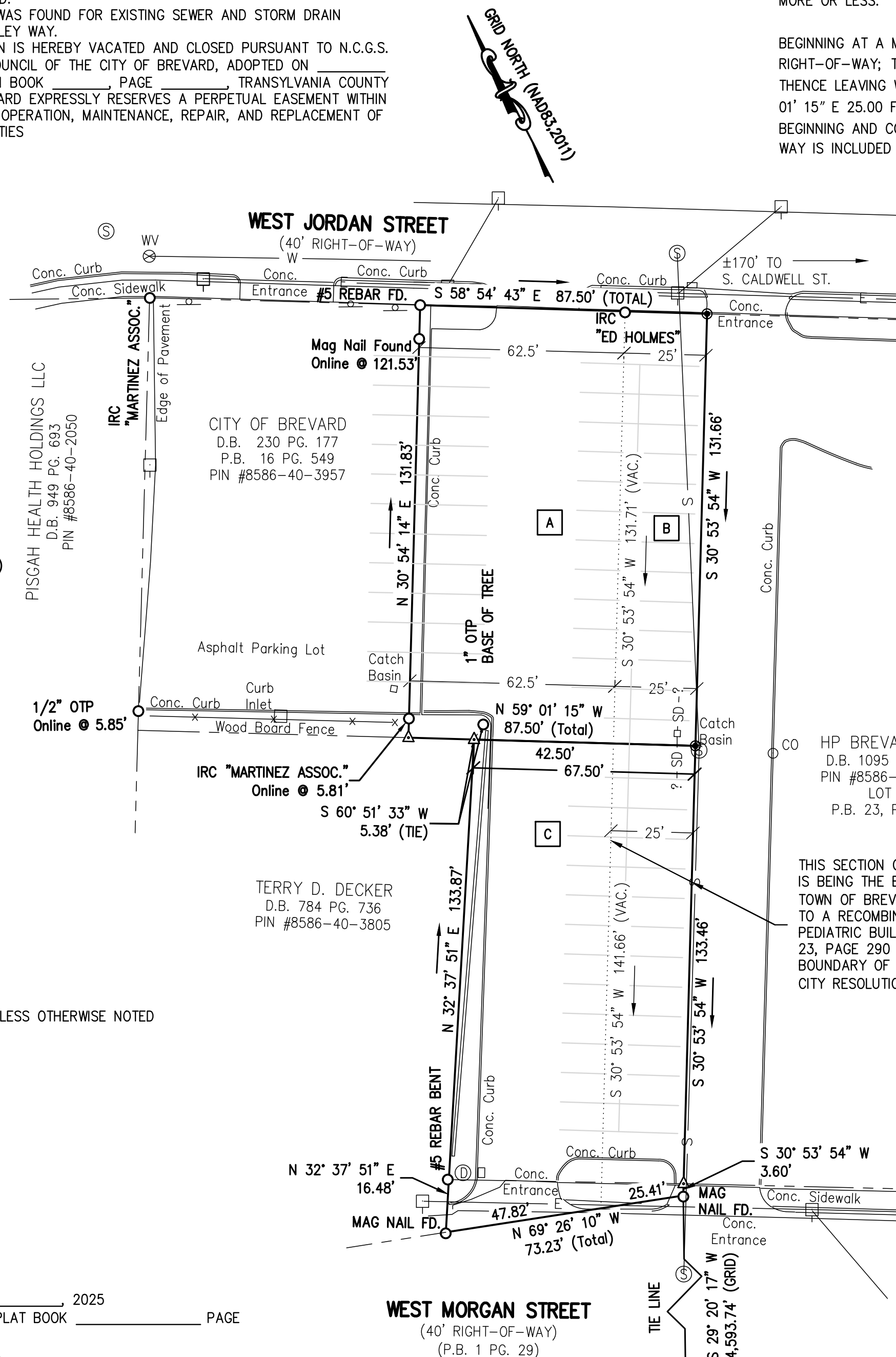
SCALE 1" = 30' DATE 9/9/2025
M&C COMM. No. 4724

Mattern & Craig
ENGINEERS-SURVEYORS

12 BROAD STREET
ASHEVILLE, NORTH CAROLINA 28801
(828) 254-2201
FAX (828) 254-4562

NC License No. C-1154

SHEET 1 OF 1



A
HP BREVARD LLC
D.B. 1095 PG. 794
LOT 1
P.B. 23 PG. 290
PIN #8586-40-4943
0.189 ACRE (EXISTING)
+0.076 ACRE (VACATED ALLEY)
0.265 ACRE (NEW)
11,527 SQUARE FEET

B
25' ALLEY
0.076 ACRE (EXISTING)
(VACATED BY CITY RESOLUTION #2025-49)
(SEE NOTES 9 & 10)

C
HP BREVARD LLC
D.B. 1095 PG. 794
PIN #8586-40-3870
LOT 2
P.B. 23, PG. 290
0.230 ACRE (EXISTING)

LEGEND:

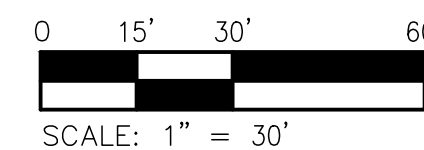
- IRF - IRON ROD FOUND
- IRC - IRON ROD WITH CAP FOUND
- OTP - OPEN TOP PIPE
- VAC - HEREBY VACATED
- ⊙ - #5 REBAR SET WITH CAP UNLESS OTHERWISE NOTED
- △ - DEED CORNER
- ⊙ - SANITARY SEWER MANHOLE
- - LIGHT POLE
- - POWER POLE
- > - GUY WIRE
- E— - OVERHEAD ELECTRIC LINE
- - - - ADJACENT PROPERTY LINE

STATE OF NORTH CAROLINA COUNTY OF TRANSYLVANIA

REGISTERED THIS THE _____ DAY OF _____, 2025
AT _____ O'CLOCK _____ M. RECORDED IN PLAT BOOK _____ PAGE _____

BY: _____
DEPUTY

REGISTER OF DEEDS



"GEORGE"
N: 556,738.16
E: 882,107.18
NAD83(2011)



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 NOVEMBER 30, 2025

Tina Tanner
Certified Tax Collector

HEART OF BREVARD TAX SETTLEMENT REPORT
 MONTH ENDING NOVEMBER 30, 2025

UPDATED: 12.9.25

YEAR	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER		
2025	\$ -	\$ 78,787.77	\$ 14,235.31	\$ 7,200.76	\$ 1,907.35			
2024-2014	\$ -	\$ 62.00	\$ 1.48	\$ -				
2013-PRIOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
TOTAL:	\$ -	\$ 78,849.77	\$ 14,236.79	\$ 7,200.76	\$ 1,907.35	\$ -		
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL	
2025							\$	102,131.19
2024-2014				\$ -			\$	63.48
2013-PRIOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$	-
TOTAL:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$	102,194.67

CITY OF BREVARD TAX SETTLEMENT REPORT
 MONTH ENDING NOVEMBER 30, 2025

UPDATED: 12.9.2025

YEAR	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER		
2025	\$ -	\$ 4,581,126.39	\$ 427,280.33	\$ 195,358.15	\$ 164,976.55			
2024-2014	\$ 11,986.29	\$ 6,246.25	\$ 3,664.91	\$ 9,827.00	\$ 451.75			
2013- PRIOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
TOTAL:	\$ 11,986.29	\$ 4,587,372.64	\$ 430,945.24	\$ 205,185.15	\$ 165,428.30	\$ -		
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE		TOTAL
2025							\$	5,368,741.42
2024-2014							\$	32,176.20
2013-PRIOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$	-
TOTAL:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$	5,400,917.62

STAFF REPORT
City Council, Monday, December 15, 2025

Title: Notice of Change Orders Nos. 1&2 for the Water Treatment Plant Project Upgrade

Speaker: David Todd

Prepared by: David Todd, Assistant City Manager

Approved by: Wilson Hooper, City Manager

Background

In January of 2023 City Council approved the Capital Project Ordinance 2023-01 for Water Treatment Plant Improvements authorizing the City to proceed with Water Treatment Plant improvements that will upgrade major pumps used in the treatment process, replace the 43-year-old emergency generator, construct a new clearwell (storage tank) and upgrade several controls components. The project is entirely funded at \$4,929,000 through the American Rescue Plan funding from the State Recovery Fund.

Discussion

The Water Treatment Plant Improvement Project was designed very conservatively from a budget standpoint, given the still volatile nature of the bidding and construction market. However, once the construction contract was in place it became clearly evident that the project had a contingency in excess of \$800k. Early work on the project discovered damage to the existing clearwell, that the project had only planned to paint, and repairs were determined to be in excess of \$82k. The new clearwell foundation also faced difficulties with the water table and it was determined to need additional gravel beyond the original bid, resulting in a need of additional gravel for just over \$24k. These two items resulted in Change Order No. 1 in the amount of \$106,980.86, Change Order No. 1 is attached.

With the existing clearwell repairs complete, the new clearwell largely complete, and the drying bed and associated roofing work largely complete the concern of project unknowns was largely relieved. Given this information a decision was made to dip further into the contingency funds to harden and improve plant operations. Replacement of two of the plants Transfer and Finish water pumps had been included in the original project but one of each of the original pumps was planned to remain as a cost savings measure. These remaining pumps will now be replaced in addition to adding a second submersible pump for cleaning out the settling basins. A decision was also made to replace the filter media (sand and gravel that filters the water), which was over 10 years old and on DEQ's list of needed improvements. Contingency funds will also be used to remove the old, abandoned control panel from the main operations room, that was abandoned 10 plus years ago, as this large panel blocks the operators' view of the settling basins and water intake from the river. A smaller amount of funds will be used to replace valves, chemical lines and complete other miscellaneous items. All of the above items were combined into Change Order No.2 for \$499,230.48, Change Order No. 2 is attached.

Fiscal Impact

Change Orders Nos. 1 & 2 will increase the total project spending by \$606,211.34. However, the project remains within the original budget and presently is carrying in excess of \$200k in contingency. However, staff is considering improving internet service to the water treatment plant, given its importance to the City and coming changes in technology that will help with plant operation and security, as well as upgrading the current security cameras. If both changes were implemented, the remaining contingency would be reduced to \$83,215.90. The attached document, Water Treatment Plant Improvements Ordinance #2023-01 Project Cost Accounting 12-11-2025, which includes possible future spending for the fiber optic cable internet service to the plant and upgraded security cameras, provides a record of the current project commitment and spending status as well as any possible future spending.

Action

No action is requested at this time from Council related to this project. This Staff Report only serves as notification of the project financial status which is presently within the original allotted budget. The City's purchasing policy gives the City Manager the authority to administratively approve change orders as long as they do not exceed the established project budget.

Attachments:

1. Water Treatment Plant Improvements #2023-01 Change Order #1 12-11-2025
2. Water Treatment Plant Improvements #2023-01 Change Order #2 12-11-2025
3. Water Treatment Plant Improvements Cost Accounting 12-11-2025

JOSH STEIN
 Governor
 D. REID WILSON
 Secretary
 SHADI ESKAF
 Director



NORTH CAROLINA
 Environmental Quality

September 5, 2025

Wilson Hooper, City Manager
 City of Brevard
 95 West Main Street
 Brevard, NC 28712

Subject: Eligibility Determination
 Change Order No.: 1
 Carolina Specialties Construction, LLC
 City of Brevard
 Water Treatment Plant Improvements
 DWI Project No.: SRP-D-ARP-0222

Dear Mr. Hooper:

The Division of Water Infrastructure (Division) has completed its review of the subject change order and supporting documentation, received September 4, 2025. Accordingly, we are issuing the following determination of eligibility:

Contract Amount		Total	Eligible Amount		Contract Duration (days)	Contract-Completion Date (FINAL)
				Notice to Proceed	6/10/2025	
Original Contract		\$3,177,628.00	\$3,177,628.00	Original Contract	365	6/10/2026
Change Order No.	1	\$106,980.86	\$106,980.86	Additional Time	0	6/10/2026
	2					
	3					
New Contract Amount		\$3,284,608.86	\$3,284,608.86	New Contract Completion	365	6/10/2026

Please note the Division takes no position on any contract time extensions associated with the change orders. For projects funded by loans, the loan repayment schedule is not affected by this eligibility determination.

Please note that this eligibility determination does not change the project funding amount. Please contact **Mark Hubbard**, the unit supervisor for the Division's Grant Management Unit, either by e-mail at mark.hubbard@deq.nc.gov or by telephone at 919-707-9162, if you require additional funding.



North Carolina Department of Environmental Quality | Division of Water Infrastructure
 512 N. Salisbury Street | 1633 Mail Service Center | Raleigh, North Carolina 27699-1633
 919.707.9160

Change Order No. 1 cost includes:

Item No.	Item Description	Total	Eligible Amount
21	Additional concrete repair on existing clearwell	\$82,592.86	\$82,592.86
22	Install #57 stone under new clearwell/maintian sump	\$24,388.00	\$24,388.00
	Change Total	\$106,980.86	\$106,980.86

The Division finds that the subject change order(s) and related procurement documentation comply with applicable regulations. However, this determination does not relieve you of the responsibility to ensure the validity of the supporting documentation, including the corresponding cost and pricing data. Accordingly, this determination does not prejudice a re-determination of eligible/ineligible costs if a later review or audit discloses new facts.

Please retain this letter and file it with the other project-related documents in your possession. If you have any questions or concerns regarding this matter, please contact your project's assigned inspector, Jeff.Menzel@deq.nc.gov or (828) 296-4528..

Sincerely,



on behalf of David Giachini

David Giachini, P.E., Supervisor
 Drinking Water Projects Unit

JM/smm

- EC: Wilson Hooper, City of Brevard (wilson.hooper@cityofbrevard.com)
 Dean Luebbe, City of Brevard (dean.luebbe@cityofbrevard.com)
 David Todd, City of Brevard (david.todd@cityofbrevard.com)
 Jeffrey T. Brown, P.E., Brown Consultants, PA (jtbrown1970@gmail.com)
 David Giachini, P.E. (DWI, via e-mail)
 Jason Fulton, E.I. (DWI, via e-mail)
 Jeff Menzel (DWI, via e-mail)
 Fred Oelrich (DWI, via e-mail)
 DWI Agreement ID 2000061542 (CHO – ED)



NORTH CAROLINA
Environmental Quality

December 2, 2025

JOSH STEIN
Governor
D. REID WILSON
Secretary
SHADI ESKAF
Director

Wilson Hooper, City Manager
City of Brevard
95 West Main Street
Brevard, NC 28712

Subject: Eligibility Determination
Change Order No.: 2
Carolina Specialties Construction, LLC
City of Brevard
Water Treatment Plant Improvements
DWI Project No.: SRP-D-ARP-0222

Dear Mr. Hooper:

The Division of Water Infrastructure (Division) has completed its review of the subject change order and supporting documentation, received November 25, 2025. Accordingly, we are issuing the following determination of eligibility:

Contract Amount		Total	Eligible Amount		Contract Duration (days)	Contract-Completion Date (FINAL)
				Notice to Proceed	6/10/2025	
Original Contract		\$3,177,628.00	\$3,177,628.00	Original Contract	365	6/10/2026
Change Order No.	1	\$106,980.86	\$106,980.86	Additional Time	0	6/10/2026
	2	\$499,230.48	\$499,230.48		0	6/10/2026
	3					
New Contract Amount		\$3,783,839.34	\$3,783,839.34	New Contract Completion	365	6/10/2026

Please note the Division takes no position on any contract time extensions associated with the change orders. For projects funded by loans, the loan repayment schedule is not affected by this eligibility determination.

Please note that this eligibility determination does not change the project funding amount. Please contact **Mark Hubbard**, the unit supervisor for the Division’s Grant Management Unit, either by e-mail at mark.hubbard@deq.nc.gov or by telephone at 919-707-9162, if you require additional funding.



Change Order No. 2 cost includes:

Item No.	Item Description	Total	Eligible Amount
23	Demo control cabinet/install new desk	\$18,085.00	\$18,085.00
24	Filter Media Replacement	\$108,710.00	\$108,710.00
25	Clearwell Vent	\$3,432.00	\$3,432.00
26	Flanged Pug Valves x 5	\$3,245.60	\$16,228.00
27	Tubing and fittings for chemical feed line	\$836.16	\$836.16
28	Additional Finished water pump	\$200,306.00	\$200,306.00
29	Additional Transfer water pump	\$137,731.00	\$137,731.00
30	Submersible pump for sed basin	\$13,902.32	\$13,902.32
	Change Total	\$486,248.08	\$499,230.48

The Division finds that the subject change order(s) and related procurement documentation comply with applicable regulations. However, this determination does not relieve you of the responsibility to ensure the validity of the supporting documentation, including the corresponding cost and pricing data. Accordingly, this determination does not prejudice a re-determination of eligible/ineligible costs if a later review or audit discloses new facts.

Please retain this letter and file it with the other project-related documents in your possession. If you have any questions or concerns regarding this matter, please contact your project’s assigned inspector, Jeff.Menzel@deq.nc.gov or (828) 296-4528..

Sincerely,



on behalf of David Giachini

David Giachini, P.E., Supervisor
 Drinking Water Projects Unit

JM/SM

- EC: Wilson Hooper, City of Brevard, wilson.hooper@cityofbrevard.com
 Dean Luebbe, City of Brevard, dean.luebbe@cityofbrevard.com
 David Todd, City of Brevard, david.todd@cityofbrevard.com
 Jeffrey T. Brown, P.E., Brown Consultants, PA, jtbrown1970@gmail.com
 David Giachini, P.E. (DWI, via e-mail)
 Jason Fulton, E.I. (DWI, via e-mail)
 Jeff Menzel (DWI, via e-mail)
 Fred Oelrich (DWI, via e-mail)
 DWI Agreement ID 2000061542 (CHO – ED)

STAFF REPORT
City Council, Monday, December 15, 2025

Title: Budget Amendment - FY25 - GASB 87 - Lease of Police Station at 132 Commerce St

Speaker: Dean Luebbe, Assistant City Manager/Finance Director

Prepared by: Dean Luebbe, Assistant City Manager/Finance Director

Approved by: Wilson Hooper, City Manager

Background & Discussion

At the suggestion of the City's external auditing firm, staff are requesting Council approve the attached budget amendment to correct the City's books to reflect current GASB requirements.

The Governmental Accounting Standards Board (GASB) implemented GASB 87 in 2021, in an effort to more accurately reflect lease transactions. In July 2024, the City signed a five year lease with NES Properties for the property at 132 Commerce Street to relocate the Police Department from the lower level of City Hall. This budget entry mirrors the type of entry needed if the City had actually taken out debt to purchase the property since a lease binds the City financially much like a debt liability does. The present value of the future minimum lease payments should have been budgeted as capital outlay and an offsetting entry be made to lease proceeds, and the monthly lease payments should have been paid from Department 6600 (Non-Departmental) instead of Department 5100 (Police). This entry will be backdated to FY25 at the suggestion of our audit firm and has no effect on fund balance.

Action

Staff requests Council approve the attached budget amendment as presented.

Attachments:

- 1. Budget Amendment GASB 87 Police lease at 132 Commerce St.

ORDINANCE NO. 2025-XX
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-xx

SUBJECT: Budget Amendment to increase General Fund budget by \$668,700 to comply with GASB 87 regulations concerning the Police department lease at 132 Commerce Street.

AGENDA INFORMATION

Agenda Location **Consent**
Department: **Finance**
Contact: **Dean Luebbe, Assistant City Manager and Finance Director**

BRIEF SUMMARY: The Governmental Accounting Standards Board (GASB) implemented GASB 87 in June of 2021, in an effort to better reflect financial activity involving leases. Since that time, the City has recognized a lease receivable involving a cell tower at the Fire Department, but has not needed to record a lease payable. In July of 2024, the City finalized a five year lease for the Police Department at 132 Commerce Street. Because GASB 87 requires that a right to use asset and lease liability to be recorded, a budget entry is needed to prevent the Police Department FY25 budget from showing a budget violation. Additionally, the monthly lease payments should have been recorded under “Non-Departmental”, alongside other City debt. More information concerning this lease will be available in the FY25 financial statements, Note 8. This budget entry has no effect on fund balance.

MOTION FOR CONSIDERATION: To approve Budget Amendment 26-01, as submitted, increasing (decreasing) the budget in expenditure account:

10-5100-7400 (Capital Outlay)	\$668,700
10-6600-9380 (Lease Principal – Police)	\$52,500
10-6600-9381 (Lease Interest – Police)	\$27,600
10-5100-4200 (Commerce St Lease)	(\$80,100)
TOTAL	\$668,700

And increasing the budget in the revenue account:

10-3920-0040 (Debt Proceeds)	\$668,700
TOTAL	\$668,700

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Adopt as presented.

Approved and adopted this 15th day of December 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

MINUTES

COUNCIL FINANCE, HUMAN RESOURCES and CITIZEN APPOINTMENT COMMITTEE

Monday, September 22, 2025 - 11:00am
City Hall Council Chambers

Members Present: Gary Daniel, Vice-Chair, Council Member
Susan Miller, Citizen Member

Members Absent: Lauren Wise, Chair, Council Member

Staff Present: Wilson Hooper, City Manager
Kelley Craig, Human Resources Director
Emily Brewer, Senior Planner
Becky McCann, Communications Coordinator
Selena Coffey, Assistant to the City Manager

A. Welcome & Call to Order

Committee Vice Chair Daniel welcomed everyone and called the meeting to order at 11:00am.

B. Certification of Quorum

The quorum was certified by Assistant to the City Manager Selena Coffey.

C. Approval of Agenda

Ms. Miller moved to approve the agenda, and this was seconded by Mr. Daniel. Both voted in favor.

D. Approval of Minutes

Ms. Miller moved to approve the minutes of the July meeting and Ms. Miller seconded the motion. All voted in favor.

E. Personnel Policy Update

Ms. Craig shared a recent change in North Carolina General Statute (§ 160A-164.2) that requires the city to conduct criminal history checks by the State Bureau of Investigation in accordance with G.S. 143B-1209.26 on employment applicants who will work with children in any capacity. No action was required, as the update to the city's personnel policy will be updated according to the General Statutes.

F. Planning Board Applications

After reviewing three applications for the Planning Board, Mr. Daniel made a motion to recommend Michael Hinds to fill the opening left by James Carli's resignation from the Board and Gerald Yunker to fill the opening created by the expiration of Molly Jenkins' term. Ms. Miller seconded the motion. Both voted in favor of recommending these two appointments to city council.

G. Sidewalk Vendor Ordinance

Ms. Brewer presented the attached Powerpoint and led the committee through the topic. She noted that had been a recent uptick in requests for temporary uses, markets, and events, similar to those vendors temporarily set up in Clemson Plaza. The committee had substantive discussion about whether to allow vendors on city property and other rights-of-ways. The committee discussed whether the city should have specific rules for non-motorized vendors versus motorized vendors.

Mr. Daniel stated that the Downtown Master Plan Committee should be engaged in this discussion. It was agreed that rules should be in place that would clarify reservation rules, such as number of vendors, duration, frequency, and specific locations of these vendors. There was also discussion about the need to establish clear guidelines for public rights-of-way usage if vendor presence is allowed in public areas including sidewalk clearance and placement specifics.

H. Public Comment

No public comment.

Ms. Miller shared that there have been some discrepancies in the funds that the ABC Board had sent to the city after the prior year's audit. Mr. Hooper noted that staff are evaluating the impact of this on the budget.

I. Set Date for Next Meeting

The next meeting of the committee was scheduled for October 27, 2025 at 11am.

J. Adjourn

With no further business, Ms. Miller made a motion to adjourn the meeting, seconded by Mr. Daniel. Both voted in favor and the meeting adjourned at 11:50am

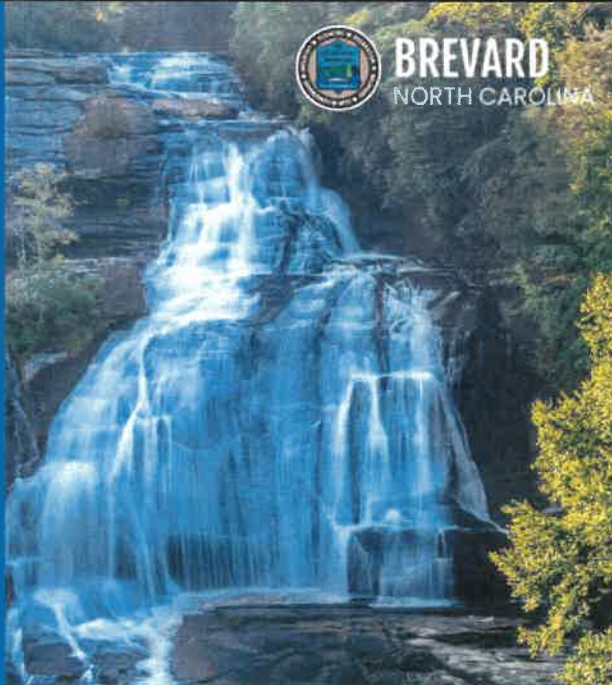
Minutes Approved: _____

X 

Lauren Wise, Chair, Council Member or
Gary Daniel, Vice Chair, Council Member

X 

Selena D. Coffey
Assistant to the City Manager



Vendors and Temporary Uses Discussion

Finance, HR & Citizen Appointments Committee
September 22, 2025

1

Context

- Recent uptick in requests for temporary uses, markets, events, and vendors
- Vendors interested in temporarily setting up at Clemson Plaza
- Clemson Plaza is technically a public right-of-way because the sidewalk → should be considered as a unique location / situation
- Ordinance Challenges
 - Code and UDO do not contemplate usage of City property
 - Code and UDO conflate “special events on public rights-of-way” and “temporary land uses”
 - Solicitors are prohibited in City Code but vending carts “may” be allowed in UDO

UDO should regulate land uses and City Code should regulate usage of public property and rights-of-ways.

BREVARD NORTH CAROLINA

PLANNING DEPARTMENT | 2

2

Temporary Uses and Special Events Matrix

	CITY PROPERTY (Depot, MCJCC, and FBCC)	RIGHT-OF-WAY OR CLEMSON PLAZA	PRIVATE PROPERTY
Events and Festivals <i>(White Squirrel, Assault on the Carolinas)</i>	Facility Reservation	Special Event Permit	Temporary Land Use Permit (City UDO)
Vendors – Motorized <i>(Food Trucks and Trailers)</i>	?	Not Permitted	Food Truck Site Permit (Permanently established, not vendor specific)
Vendors – Non-Motorized <i>(Pushcarts)</i>	?	?	Temporary Land Use Permit (City UDO)
Temporary Land Use <i>(Seasonal Outdoor Sales, Temporary Construction Office, etc.)</i>	Not Permitted	Not Permitted	Temporary Land Use Permit (City UDO)



3

Vendor Types

- **Motorized Vendors**
 - Food trucks, air streams, trailers, etc.
 - Connected to power
 - Food preparation can be on-site
- **Non-Motorized Vendors**
 - Pushcarts (sometimes called “Compact Mobile Food Operations”)
 - Not connected to power
 - Food preparation off-site



4

Vendor Discussion

- Must live in City Code (not UDO)
- Do we want to allow this? If so, how and where?
 - Food truck site at Depot
 - Non-motorized vendors located at Clemson Plaza or other areas
- **Duration** (how long they can be there?) and **Frequency** (how often they can be there?)
- Staff Suggestions:
 - Vendors on City property and Clemson Plaza → **Spot reservation**
 - Like procedures for facility rentals / banner space reservations
 - Potentially handled by Community Center Director instead of Planning Department because it will not be a “permit” but a space rental (like Depot, MCJCC)
 - Public Rights-of-Way (NOT Clemson Plaza) → **No vendors / solicitors permitted**



5

Next Steps

- Draft updates to City Code, UDO, and City policy
 - Temporary Land Use Amendments → Review by Planning Board (initial draft 9/23, full review Oct)
 - Amendments to City Code for Special Events / Use of Public Rights-of-Way → Reviewed by Public Safety Committee
 - Amendments to City Code / Policies for Use of City Property and Clemson Plaza → Reviewed by Finance, HR & Citizen Appointments Committee
- Present Amendments to Council for Public Hearing and Adoption
- Staff prepares a comprehensive guide for Citizens to clearly understand what approvals are required and how to get them



6

MINUTES

CITY COUNCIL HOUSING COMMITTEE

Tuesday, October 14, 2025 – 3:45 PM

City Hall Council Chambers

Members Present: Pamela Holder, Chair, City Council Member
Aaron Baker, Vice Chair, City Council Member
Victor Foster, Citizen Member
Mayor Maureen Copelof, Ex-Officio

Staff Present: Wilson Hooper, City Manager
Dean Luebbe, Assistant City Manager/Finance Director
Emily Brewer, Senior Planner
Denise Hodsdon, City Clerk

A. Welcome and Call to Order

Chair Holder welcomed everyone and called the meeting to order at 3:47pm.

B. Certification of Quorum

City Clerk Denise Hodsdon certified that a quorum was present.

C. Approval of Agenda

Mr. Baker moved, seconded by Mr. Foster to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes – September 9, 2025

Mr. Foster moved, seconded by Mr. Baker to approve the minutes of the September 9, 2025 meeting as presented. The motion carried unanimously.

E. Follow-up on County Capital Projects / Status of Azalea Avenue Project

Mr. Hooper reported that the County Commissioners tentatively pledged \$1.5M of their remaining \$1.8M in Dogwood Trust funds to the following three projects:

- Sewer extension to the Habitat for Humanity's Woodland Terrace project
- Extension of utilities to the Housing Assistance Corp. project on Cashiers Valley Rd.
- Cost of design, engineering and permitting for the entire Azalea / Rhododendron neighborhood. They did not agree to fund the construction of that yet, but it is

still on the table. They have requested more information from the City regarding deed restrictions or other requirements that residents who benefit from that project will be required to agree to in order to keep their houses affordable, in exchange for access to the city's utilities without annexation.

F. Discussion of Deed Restrictions to Keep Housing Affordable (Sewer Connection Requirements for Properties in the Azalea / Rhododendron Neighborhood)

Mr. Hooper explained that in the course of researching the idea of keeping housing affordable, staff has discovered that deed restrictions or other types of restrictive covenants with resale requirements are complicated to administer, difficult (if even possible) with federal dollars, and can have long-term implications for the development of the neighborhood, and therefore are not the best option in staff's opinion. He asked Emily Brewer to discuss staff's recommendation on how we can accomplish our policy goals, appease the County's concerns, and move forward with this project. Mr. Hooper noted however that there are some tradeoffs with this proposal.

Emily Brewer noted that the construction of utilities for the Azalea neighborhood would be approximately \$5M, and not only would it serve all of the properties in that neighborhood, which is approximately 125 residential parcels, but it would also connect sewer to the City-owned property that was acquired for a 40 to 50-unit affordable housing development.

Staff are proposing an alternative to deed restrictions that would resolve the immediate public health crisis and support the City's affordable housing goals. The proposal is to exempt the entire Azalea / Rhododendron neighborhood from the annexation requirement for sewer connection, as allowed through Section 2-292 of Brevard City Code, provided that they execute a utility service agreement that outlines the terms and conditions for connecting, specifically:

- Service fees: Connection outside of city limits would be subject to higher fees. The fees themselves are established in the adopted fee schedule.
- Annexation: Annexation would not be required for residential customers on the property, provided they do not violate any of the terms of the agreements. Property owners would be able to voluntarily annex if they want to receive other City services or pay the inside-City utility rates.
- Infrastructure costs: The project cost estimates for the sewer extension project include the tap fees and extension to the existing homes. The property owner would be responsible for paying the system development fee. Please note that Council would need to consider if connection to the City's water system would be required as well and who would bear those costs.
- Access and easements: The City would retain the ability to access the infrastructure for repairs and maintenance where the sewer line extends beyond the public rights-of-way. Given the topographic challenges of the neighborhood, there will likely be several easements throughout the neighborhood. Property owners would be responsible for the connection from the public line to their homes.

- Property use: The property would be required to remain residential. This is in line with the current zoning district of the neighborhood (General Residential – 8) in the Azalea / Rhododendron neighborhood.
- Noncompliance: Lastly, the agreement would outline penalties if the terms were violated. This would likely include loss of service or fines. If the noncompliance was unable to be remedied, the property would need to annex into the City limits to regain access to the sewer service.

Property owners would be provided with a set of choices to consider once sewer service is available – (1) do not connect to the sewer, (2) connect to sewer without annexation by signing the utility service agreement, or (3) connect to sewer with annexation. Staff will need to work closely with the Transylvania County Health Department to ensure residents are aware of their specific circumstances (e.g., the viability of their existing septic system).

Ms. Brewer noted that both the creation and preservation of housing are critical elements of any affordable housing strategy, and both are included in the City’s Comprehensive Land Use Plan. This proposal accomplishes both objectives by (1) creating a favorable environment for developers to create new housing opportunities on vacant parcels (including the City-owned property on Azalea Ave), and (2) supporting low-to-moderate income households in naturally occurring affordable housing by improving the quality of their home and creating wealth-building opportunities.

Of the 125 residential parcels in the neighborhood approximately 30 are vacant and potentially another 20 could be subdivided with sewer connection. With those lots being smaller lots, the new homes are more likely to serve Brevard’s workforce, potentially serving more households of moderate income that cannot be supported with government subsidies (households earning 80-120% of AMI). In essence, additional housing in this neighborhood at any level helps balance supply and demand, which is critical to keeping Brevard more accessible and affordable.

The sewer extension is critical for the City to move forward with the affordable housing development on the Azalea property. This alternative proposal, however, prevents the neighborhood from being disproportionately low-income with housing to be developed at a range of income levels. Applying affordability restrictions for the entire neighborhood could create a concentration of low-income households and be construed as a form of socioeconomic segregation. One of the considerations in the NCHFA Qualified Allocation Plan (QAP) for LIHTC awards is whether the project perpetuates a concentration of minority or low-income households. By allowing connection without affordability restrictions, the neighborhood development will likely organically develop as lower-priced housing and establish a mixed-income community for Brevard’s workforce.

Ms. Brewer noted that an alternative would be to exempt only existing properties and require vacant properties to annex for connection. However, this would create a checkered City-limit boundary that would make the provision of other City services (specifically, trash and police) more difficult and costly. Exempting the entire neighborhood would be more

efficient in the short-term and Council would instead consider annexation requests on a case-by-case basis with the financial implications.

During extensive discussion the committee felt that allowing properties with failing septic systems was a reasonable concession but expressed concern that allowing vacant lots to connect without annexing is a major policy deviation. There was also concern about keeping homes in this neighborhood affordable as there is high potential for gentrification due to the increased value of properties once connected to city sewer. Following discussion Mr. Baker moved, seconded by Mr. Foster to forward to City Council with a recommendation to adopt the proposal of a utility service agreement that would not require annexation for existing homes in the neighborhood that have a public health and safety issue. The motion carried unanimously.

G. Public Comment

Harvey Sankey had some clarifying questions which the committee answered.

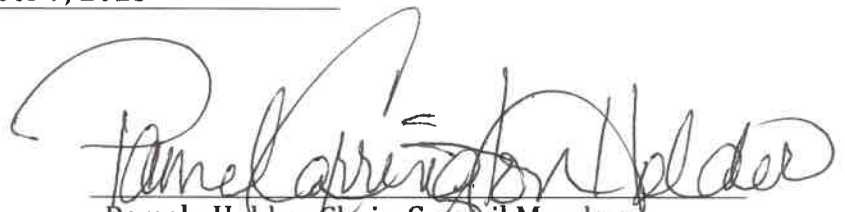
H. Next Meeting Date

Due to the Veterans Day holiday, the next meeting was scheduled for Thursday November 13, 2025 at 3:45pm.


I. Adjourn

There being no further business, the meeting adjourned at 5:23 pm.

Minutes Approved: December 9, 2025



Pamela Holder, Chair, Council Member
Aaron Baker, Vice Chair, Council Member



Denise Hodsdon
City Clerk

MINUTES
Rosenwald Community Advisory Board

Thursday, October 16, 2025 – 6:00pm
Mary C. Jenkins Community Center

Members Present: Pamela Holder, Co-Chair, Council Member (via Zoom)
Randy Lytle, Co-Chair, MCJCC Board Member
Victor Foster, MCJCC Board Appointment
Ella Jones, Citizen Member
Karen Darity, MCJCC Board Appointment
Morgan Monshaugen, Citizen Member

Members Absent: Gary Daniel, Council Member
Edith Darity, MCJCC Board Member

Staff Present: Wilson Hooper, City Manager
Tyree Griffin, Community Center Director
Denise Hodsdon, City Clerk

Guests: Police Department Representatives: Interim Police Chief Jack
Moorman, Administrative Specialist Carrie Hart, Lt. Kat Twomey and
Officer Jordan Ryan

A. Welcome & Call to Order

Board Co-Chair Randy Lytle called the meeting to order at 6:06pm.

B. Invocation

Mr. Foster offered an invocation.

C. Certification of Quorum

City Clerk Denise Hodsdon certified that a quorum was present.

D. Approval of Agenda

Mr. Hooper requested to move Item H. Update on Road Closure to the beginning of the agenda as Item F. in order to go outside to visit the site before dark. Mr. Foster moved, seconded by Ms. Karen Darity to approve the agenda as amended. The motion carried unanimously.

E. Approval of Minutes – August 22, 2025

Mr. Foster moved, seconded by Ms. Jones to approve the minutes of the September 18, 2025 meeting as presented. The motion carried unanimously.

F. Update on Road Closure

The committee moved outside to the site of the Mills Ave. culvert and Mr. Hooper provided an update on the status of the road closure and culvert replacement. He explained that the culvert needs to be a larger capacity, both in size and material, in order for water to pass through more efficiently. The sinkhole caused by Helene has undermined the roadway enough that it isn't safe for cars to drive over it. The City continues to work with FEMA, but in the meantime, staff has been investigating options that might allow reopening the road. Staff's preferred option is to place some large steel plates over the chasm that would support the weight of several cars or a fire truck. However, this option does have some safety implications that will need to be worked through. If this option works out, the road could be reopened with some caveats—there will still be signs and barriers and there will be an irregular traffic pattern to keep the weight on the plates to a minimum, hopefully one car at a time. These plates would be in place until a permanent solution is determined, which would most likely be at least 6 months.

G. Introduction of Interim Police Chief Dr. Jack Moorman

Mr. Hooper introduced Dr. Jack Moorman, who will serve as Interim Police Chief through the end of the calendar year. Chief Moorman shared his history and his philosophy of policing. He answered questions from board members and then introduced Officer Jordan Ryan, Lt. Kat Twomey, and Administrative Specialist Carrie Hart who each shared a little about themselves. All expressed that fostering good relationships with the community was among their top priorities.

H. Housing Trust Fund Initiative Update

Mr. Hooper updated the board on Housing Trust Fund initiatives. He noted that the City's housing program starts with the Housing Trust Fund Guidebook, which consists of a significant toolbox of things that are eligible for City support, which run the gamut from gap financing for developers, like Fairhaven Meadows, to rental assistance and home repair grants, and other such things; and per state law they all serve only households that make 80% of AMI and below.

The City has invested in two programs to date: 1) a \$1.1M loan to Fairhaven Meadows to close the gap for their 42-unit project on Asheville Hwy; and 2) \$1M purchase of property on Azalea Ave where the City hopes to open 50-60 more units. The next step in the Azalea Ave project is to solicit a developer in the early spring, with selection next summer. However, it will still be a few more years before

breaking ground on any project because the grant cycle for LIHTC and other sources of funding is only yearly.

Transylvania County has agreed to fund utility expansion for the following projects from funds they received from Dogwood Health Foundation to be used exclusively for the extension of utilities to housing projects:

1. \$600-700K for extension of utilities to Habitat for Humanity's Woodland Terrace project, which will be 35-40 Habitat for Humanity units
2. \$450-500K for the extension of utilities for the Housing Assistance Corp. (HAC) single-family home project on Cashiers Valley Rd.
3. \$650-\$700K for the design and engineering for utility extension to the City's Azalea Ave. project. The County has not yet committed to funding the construction of the utility extension, but they have suggested they may be willing to commit funding to extend utilities all the way into the Azalea / Rhododendron neighborhood, where many of the homes have failing septic systems and are at risk of being lost. The County will consider funding that project if the City will consider compromising its annexation requirement. Earlier this week the Housing Committee recommended that homes with failing septic systems be permitted to tap onto city utilities without annexing so that those natural affordable units will remain habitable, but other homes would be required to annex before connecting to city utilities. That recommendation will go Council for approval and then will be forwarded to the County.

Committee Questions/Comments:

Ms. Darity asked if there was any update on the bike trail from Main to Carver. Mr. Hooper shared that we have received 30% engineering plans for both the section from Main to Carver and the section from Rosman Hwy to the high school. The City received a grant from the state to finish those plans, but it is still undecided which section will be constructed first.

I. Set Date for Next Meeting

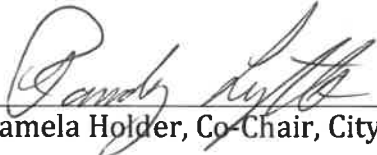
The next meeting was scheduled for Thursday, November 20, 2025 at 6:00pm at the Mary C. Jenkins Community Center.

J. Adjourn

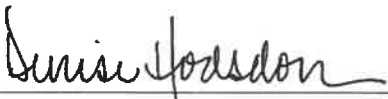
There being no further business, the meeting was adjourned at 7:09 pm.

Minutes Approved:

November 20, 2025

X 

Pamela Holder, Co-Chair, City Council Member
Randy Lytle, Co-Chair, MCJCC Member

X 

Denise Hodsdon
City Clerk

MINUTES
City Council Downtown Master Plan Committee
Special Meeting

Friday, October 24, 2025 – 11:00 am
City Hall Council Chambers

Members Present: Gary Daniel, Chair Council Member
Pamela Holder, Vice Chair, Council Member
Nicole Bentley, Heart of Brevard Executive Director
Dee Dee Perkins, Heart of Brevard Representative
Dakota Chapman, Citizen Member
Mayor Maureen Copelof, Ex-Officio Member

Members Absent: Parker Platt, Citizen Member

Staff Present: Wilson Hooper, City Manager
David Todd, Assistant City Manager
Paul Ray, Planning Director
Denise Hodsdon, City Clerk

Media: David Bradley, *Transylvania Times*

A. Welcome & Call to Order

Chairman Daniel called the meeting to order at 11:02 am.

B. Certification of Quorum

City Clerk Denise Hodsdon certified that a quorum was present.

C. Approval of Agenda

Ms. Perkins moved, seconded by Ms. Bentley to approve the agenda as presented. The motion carried unanimously.

D. Public Comment

Paul Wilander of 132 King St. said I am the owner of the building at 66 S. Broad St. and Looking Glass Realty. I would like to request that you wait for a little more due diligence before making a permanent decision on the unloading zone, if it is going to affect a citizen or one of your constituents before deciding on that.

Melissa Driver of 370 Maple St. said I own CykelWorx and am a tenant of Paul's in the building on S. Broad St., we're at 72 S. Broad St. I too would like to ask for more

investigation into other opportunities for this loading zone. It directly impacts parking in front of our building and although we have only been there a short time, our customers are already complaining about an inadequate ability to park to access our building. So, I know there are other opportunities for a loading zone located within the vicinity that hopefully can be further investigated and that you will not block our retail storefront with a big tractor trailer.

Doug Miller of 330 S. Caldwell St., owner of Newfound Artisan at 22 W. Jordan St., said I want to reiterate that I feel as though Jordan St. is not an adequate spot for a loading zone. I know that was mentioned at the Council meeting as an option. I do believe that street is too narrow, it has gotten way more foot traffic than it's had in recent years, we have the recent public parking lot there, and there is another free lot further down the street that will create even more foot traffic coming up W. Jordan St. toward downtown. The current situation with trucks that decide to load on that street is very dangerous. There is no loading zone there now, but even when there was, they would typically double up, take up the entire street and use the sidewalk at times. We're talking about a situation with a street that is very narrow, and sidewalks that aren't even big enough for benches, there's no buffer and these large trucks that are often times pulling up on the sidewalk is not a good situation. I would strongly encourage not considering Jordan St., specifically W. Jordan as an option for a loading zone. I think if you were to look for an option that disrupted the least amount of businesses, taking it further down in front of the First Citizens Bank would be a great option. There is plenty of room and it's not a far walk to get to the nearest restaurant that needs that delivery, it's like half a block. I think in Brevard we've got used to having really easy access to delivery areas and it's just going to be the case moving forward; we're getting bigger and there's more stuff. Other cities require deliveries to walk way farther than Brevard does and we need to think about the safety of our citizens more than we think about how easy it is for these multi-billion companies like Sysco and US Foods to make deliveries. They can walk two more steps down the street; it's really going to be okay. We, as local small business owners, are going to feel the impact a lot more if we decide to put loading zones in places that will impede businesses. Jordan Street also is a one-way street, and we see a lot of cars driving the wrong way on that street, so we've already got a lot of conflict that needs to be addressed. I think if you decide not to have loading on Jordan Street, signage should be put in place to indicate that, and the enforcement needs to be stepped up.

Brooke McCall of 4313 Old Toxaway Rd., owner of Headlines Salon at 78 S. Broad St. said I have had Headlines for 28 years. I am also representing my landlords Ann and Danny Hollingsworth because they're out of town. I just feel it would deeply impact my business not having the three spots that we have now. My clients are a lot of retirees, elderly-aged, can't walk far, that kind of thing, and I just feel like a loading zone would pretty much be devastating to my business. I support that we keep trying to figure the best solution to the problem.

Donna Hooper of 172 Deerwood Lane said I am also representing Headlines at 78 S. Broad St. and I have worked for Brooke for two years. The clients that we have, I have

done some of them for 34 years, and some of them have congenital heart failure, A-fib, and they have trouble walking ten feet, much less from the library. Some of them have back problems, knee problems, and my concern with a loading zone in that entire area, even down to First Citizens, is going to impact our business. We have already lost some parking on Main St. and some of the customers for those businesses have had to park on Broad St., so they will be impacted as well, not just us. If there could be any other solution possible, I am asking you to reconsider this because we've had to basically live through the changes in this town and try to manipulate our lives to change with those. I hope that you'll find some solution.

E. Broad Street Striping Plan

Mr. Hooper explained that Mr. Todd will review the option that the committee endorsed in May and the new options that we created with the committee chair last week. He said I understand that a committee member also has an alternative option endorsed by the Heart of Brevard. He expressed appreciation to the stakeholders for sharing their feedback and thoughts but pointed out that the one stakeholder not here is someone from the delivery industry and asked that everyone try to think about their considerations as we discuss this matter. Ms. Perkins shared that she had a conference call with the sales rep and the manager of the shipping and delivery department for Sysco Foods and both are very familiar with Brevard. She said they understood all the options we are looking at and I will share that information at the appropriate time.

Mr. Todd reviewed the following options (copies attached) for the committee's consideration:

- Option #1 - original recommendation from the committee – moves the ADA space to the far end by Main St. and closer to a ramp, which allows for a 69-foot loading area near Quixote, and adds one more parking space.
- Option #2 – leaves the ADA space at the far end and shortens the loading zone to 47 feet and adds a second parking space.
- Option #3 – no striping near Looking Glass Realty until the parking study is completed.
- Option #4 – converts entire area near Looking Glass Realty into an 82-foot loading zone and moves the ADA space to the other side of the street.
- Option #4a – converts the area near Looking Glass Realty into an 82-foot loading zone and relocates the ADA space to the last space on W. Jordan St.

- Option #5 – converts the area near Looking Glass Realty into a 60-foot loading zone and maintains one parking space and moves the ADA space to the other side of the street.
- Option #5a – converts the area near Looking Glass Realty into a 60-foot loading zone, preserves one parking space on the end, and moves the ADA space to the last space on W. Jordan St.
- Option #6 – converts the area near Looking Glass Realty to a 55-foot loading zone and moves the ADA space to the end.

Ms. Bentley expressed disappointment that after Monday’s Council meeting where several folks presented an option for the loading zone to be located on E. Jordan St. that it wasn’t presented today. She said the Heart of Brevard has endorsed that option for exploration and we feel like that street used as a loading zone, which can accommodate even the largest truck could be potentially the safest for both the delivery drivers and other folks who are interfacing with deliveries, and it certainly has the most minimal impact of any businesses downtown.

Mr. Hooper explained that staff didn’t include that option and does not recommend it for the following reasons: 1) East Jordan is already designated in the Downtown Master Plan as a future bicycle lane so its future use has already been directed by Council; 2) there is less space there than it appears – there is only about 70 feet of usable space as there is a fire hydrant about a third of the way down the building; 3) this would put the tail end of the loading zone down E. Jordan St. near some other parking lots and we’re not sure if the unloading area that far away from the concentration of businesses would be a space that delivery trucks would use – we fear that if we don’t make a convenient space for them that they will continue to block W. Jordan St. and other spots like they are now; and 4) because this is a one-way street, in order to access this space you would be sending the transfer trucks onto side streets that aren’t built to accommodate them and if they were coming southbound from the north they would be required to make a contested left turn off of Broad onto Main, or if they were going northbound from S. Broad they would be required to make a tight right turn onto Main St. This would be adding some dangerous truck movements to the street grid. Main and Broad are state roads and are built and sized to accommodate all types of traffic, including truck traffic, so having a loading zone that is accessible from those streets we think is the safer and better option.

During discussion, Ms. Perkins shared the information she got from Sysco. She asked where their drivers were parking now that the W. Jordan loading zone has been eliminated. They said their trucks can navigate those turns and are currently parking on E. Jordan for deliveries to Rocky’s, Jordan Street, Quixote’s and the backside of Brevard Pizza Works. She discussed the various options with them, including putting it down in front of the bank and they commented that it was pretty far away, but the bigger issue

was the hill, and if it gets to be a challenge for drivers they will find a different solution themselves for their own benefit.

Ms. Bentley shared that she met with folks at First Citizens Bank and they expressed concern about safety for people pulling out of their parking lot onto Broad St. if there were a large truck parked in front of Looking Glass and CykelWorx.

Following further discussion Ms. Perkins moved, seconded by Ms. Holder to recommend to Council a combination of Option #1, a 69-foot loading zone in front of Quixote, convert the two spaces in front of Eldridge Motors with a box-truck loading zone, and leave all the parking spaces, including the ADA space in front of Looking Glass Realty as is. The motion carried unanimously.

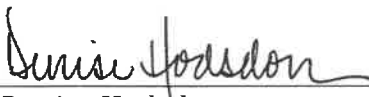
F. Adjourn

There being no further business, Mr. Daniel made the motion to adjourn, which was seconded by Mr. Platt, with all in favor. The meeting was adjourned at 5:52pm.

Minutes Approved: December 10, 2025

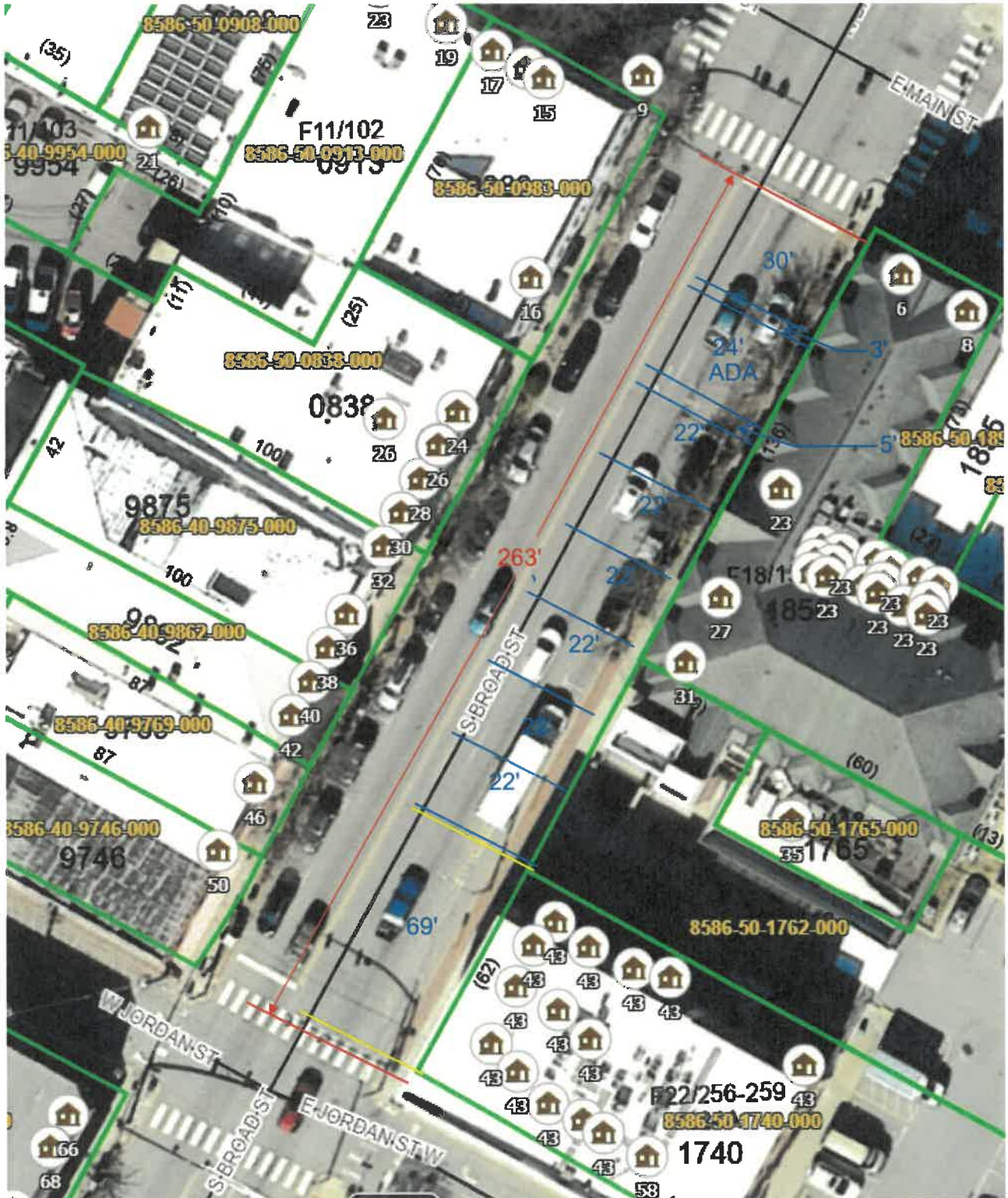
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Gary Daniel, Committee Chair
Pamela Holder, Committee Vice Chair

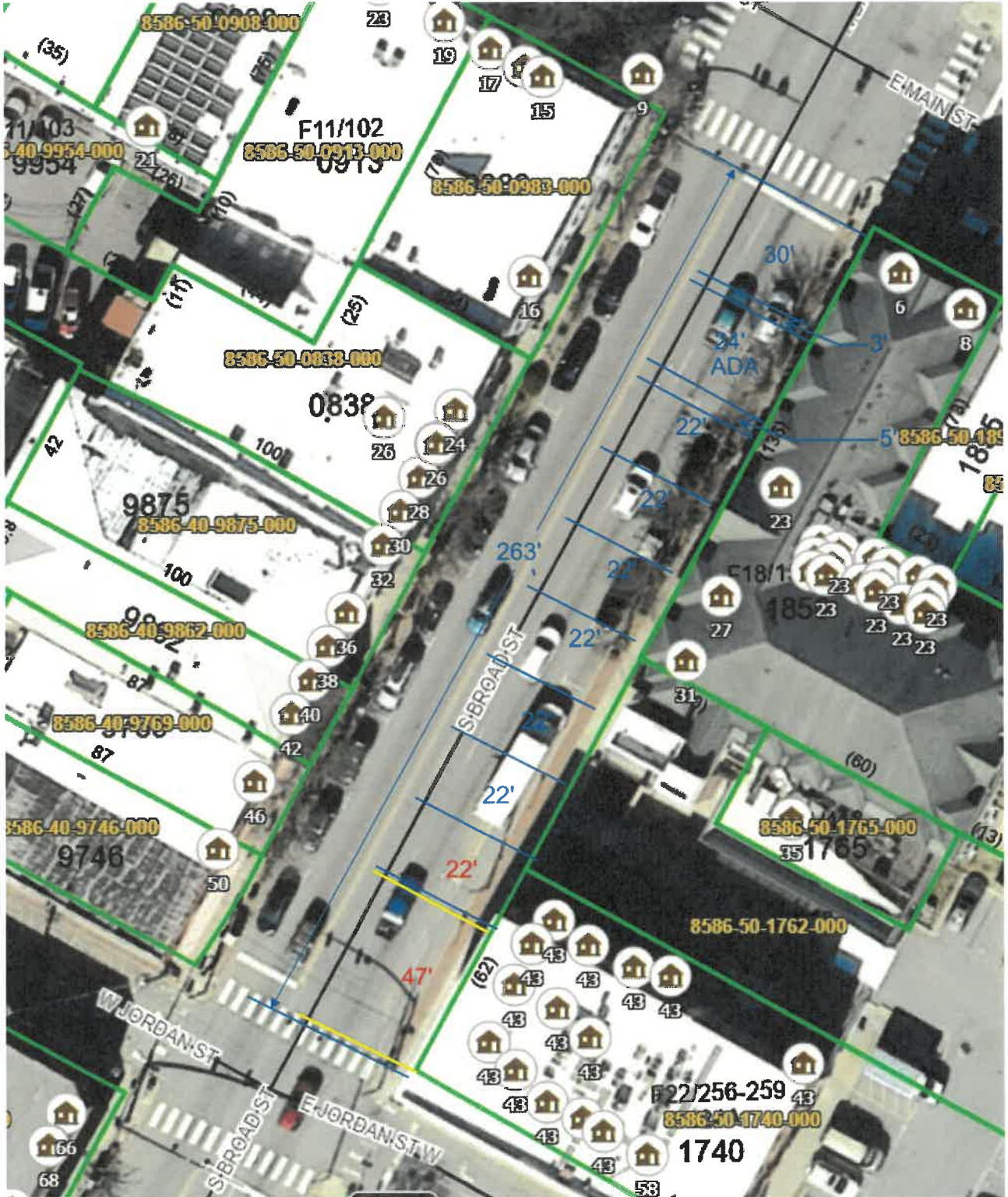
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Denise Hodsdon
City Clerk

Attachment #1
Option #1



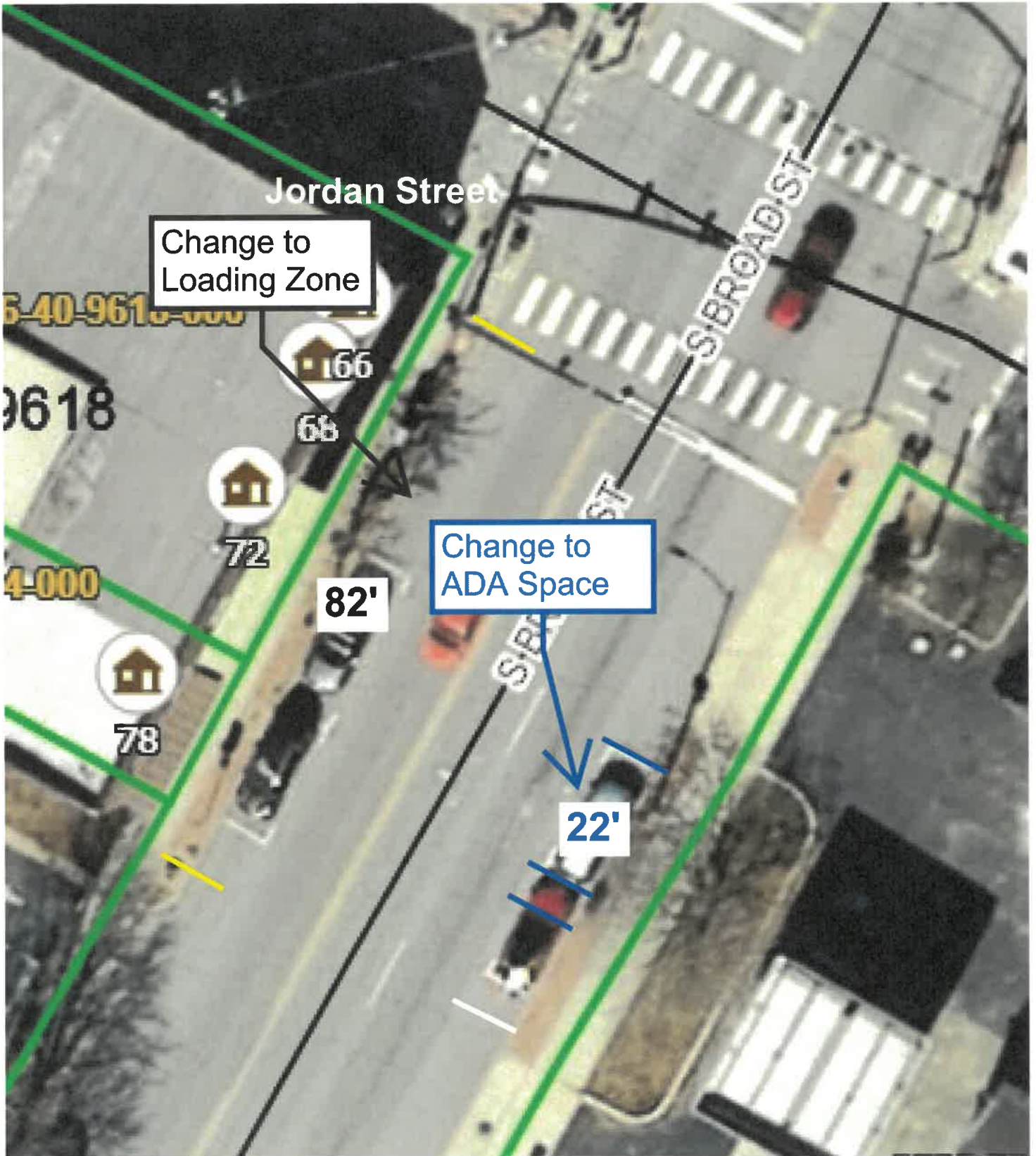
Attachment #2
Option #2



Attachment #3
Option #3



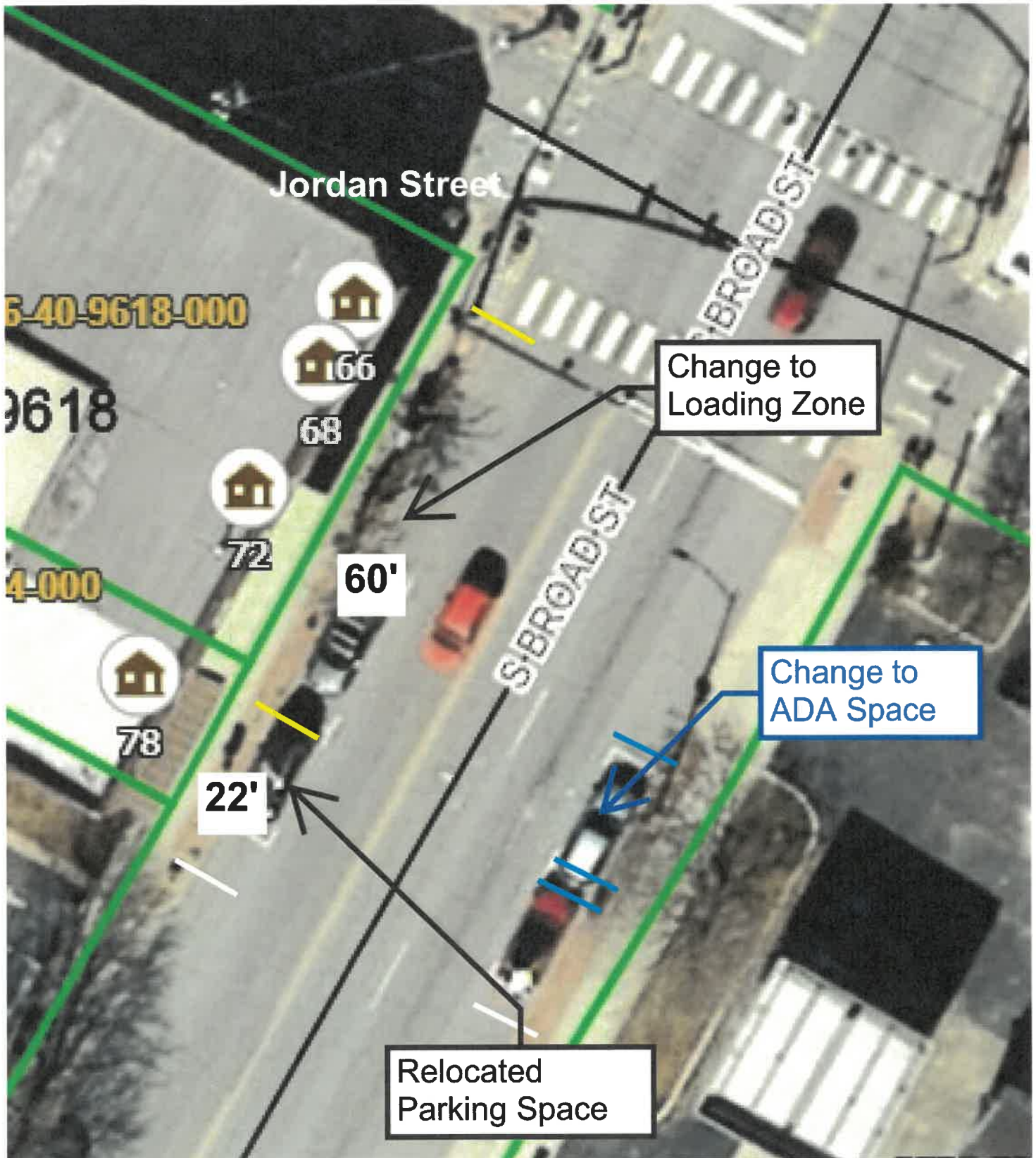
Attachment #4
Option #4



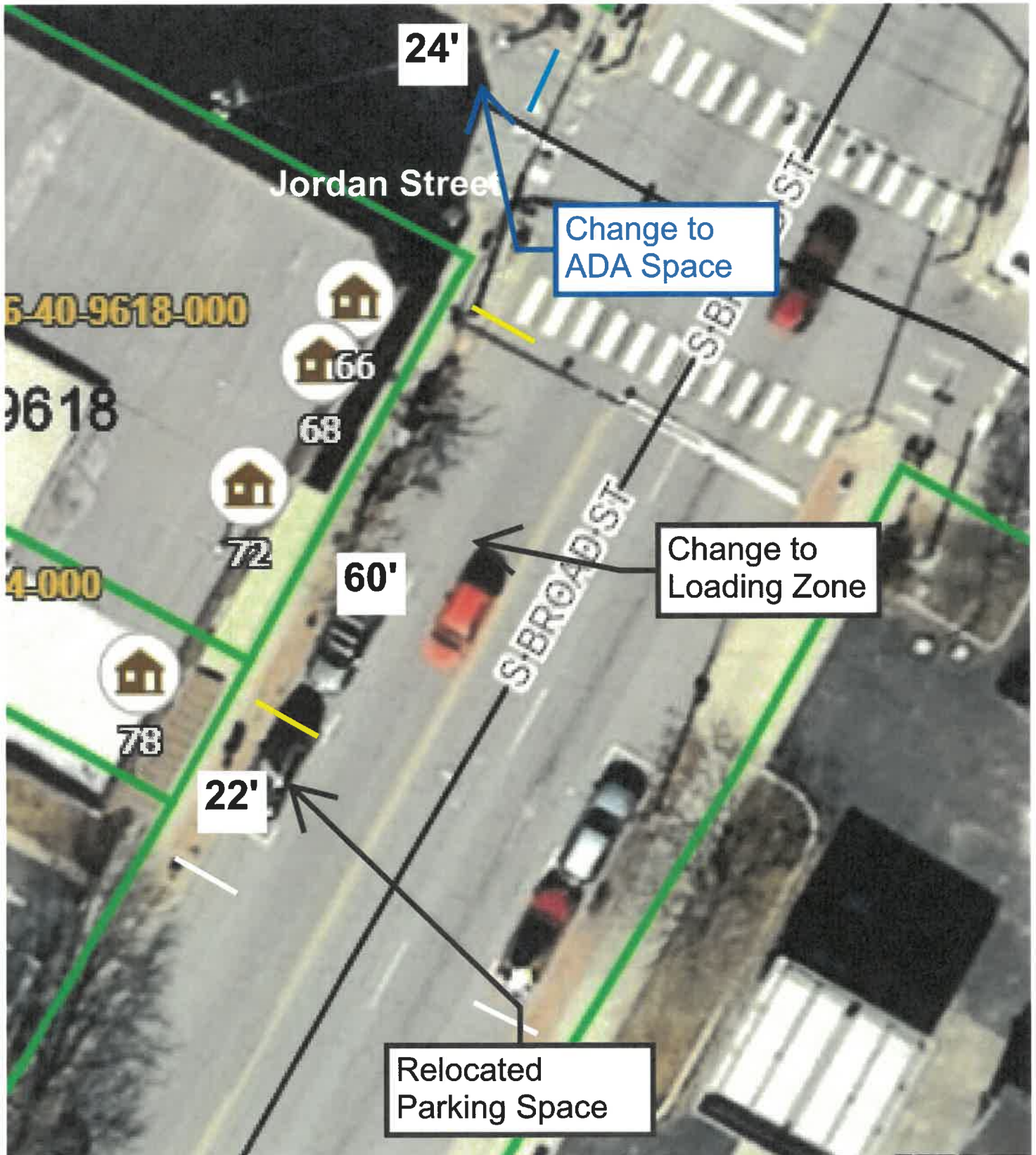
Attachment #4A
Option #4A



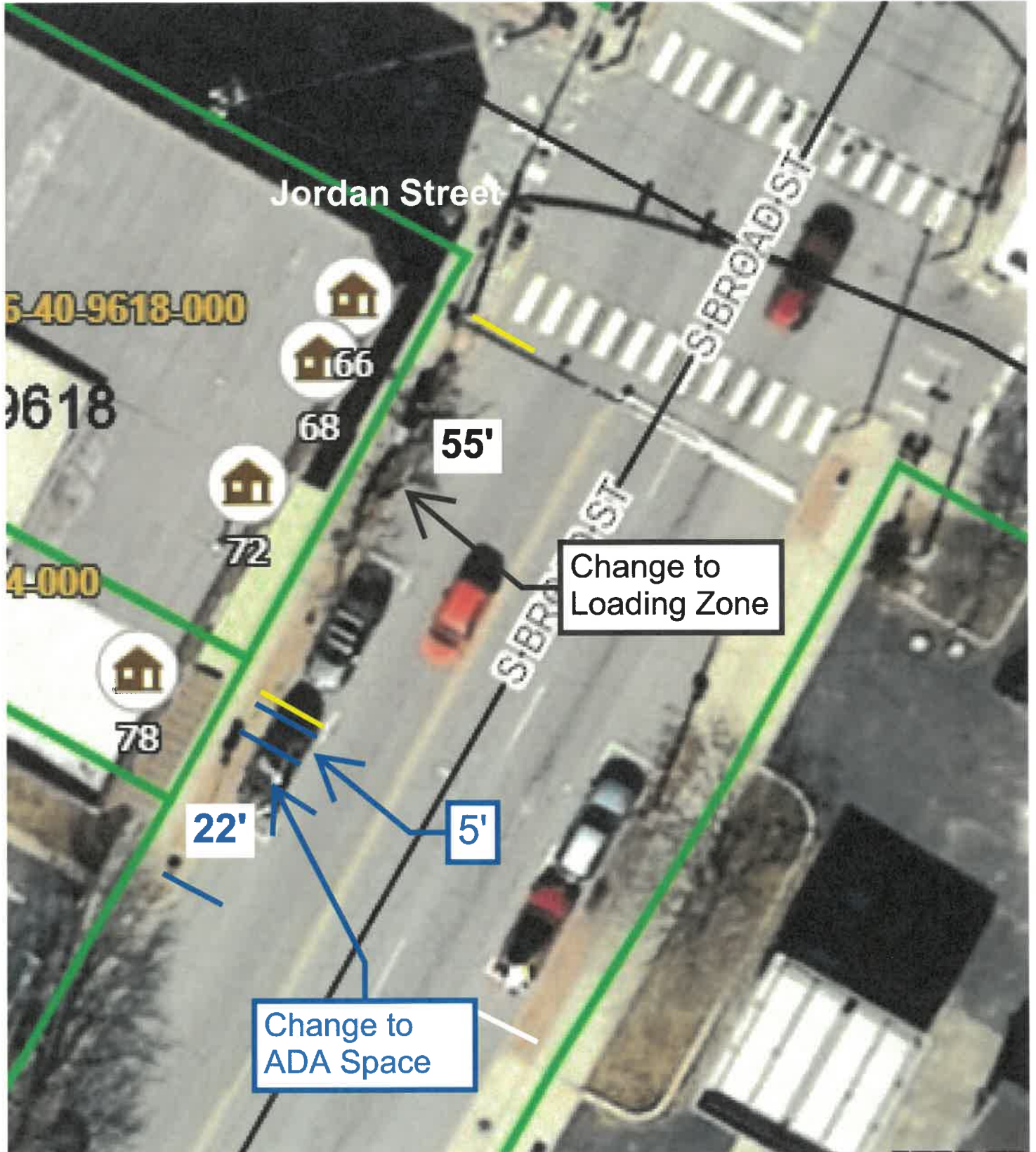
Attachment #5
Option #5



Attachment #5A
Option #5A



Attachment #6
Option #6



MINUTES
City Council Public Safety Committee

Tuesday, October 28, 2025 - 3:30pm
City Hall, Council Chambers

Members Present: Aaron Baker, Chair, Council Member
Kevin Gallo, Citizen Member
Mayor Maureen Copelof, Ex-Officio Member

Members Absent: Mac Morrow, Vice Chair, Council Member

Staff Present: David Todd, Assistant City Manager
Mack McKeller, City Attorney
Mark Norton, Asst. Fire Chief
Jack Moorman, Interim Police Chief
Denise Hodsdon, City Clerk

Guests: Harvey Sankey, Jermois Morris, Celia Richmond, Jeff Leigh and Joseph Shadel

A. Welcome & Call to Order

Committee Chair Aaron Baker welcomed everyone and called the meeting to order at 3:34pm.

B. Certification of Quorum

City Clerk Denise Hodsdon certified that a quorum was present.

C. Approval of Agenda

Mr. Baker added an item to the agenda for public comment as Item I. Mr. Gallo moved, seconded by Mr. Baker to approve the agenda as amended. The motion carried unanimously.

D. Approval of Minutes

1. **August 26, 2025 Meeting** – Mr. Gallo moved, seconded by Mr. Baker to approve the minutes of the August 26, 2025 meeting. The motion carried unanimously.

2. **September 23, 2025 Meeting** – Mr. Gallo pointed out that the last paragraph in Item F. Vape Store Regulations Discussion included a sentence stating that the ordinance will ban hemp shops where they don't currently exist and noted that he didn't see that in the draft ordinance. Attorney McKeller confirmed that that could not legally be done. The committee agreed to strike that sentence from the minutes. Mr. Gallo moved, seconded by Mr. Baker to approve the minutes of the September 23, 2025 meeting as amended. The motion carried unanimously.

E. Update on Traffic Calming Measures – Public Meeting Follow-up

Mr. Todd reported that there were 25-30 attendees at the public meeting, which was mainly focused on Carolina Avenue and the Rosenwald community. There were four stations with questionnaires for attendees to provide their feedback on the following areas:

- Existing conditions – folks were asked to describe the traffic they see on Carolina Ave. and Mills Ave. near the park. The largest number of comments were regarding the speed on Carolina Ave. There was a lot of feedback on the speed bumps on Probart St. Several mentioned that they felt traffic on Main was now faster because of people trying to drive around the speed bumps on Probart.
- Traffic Data – traffic data was displayed and folks were asked whether the figures presented in this station were higher, lower or on par with what they expected. The consensus was that the numbers were lower, in particular that the speed was not as representative as what folks had witnessed. They felt the speed was higher than the radar signs showed.
- Types of Traffic Calming – folks were asked which types of traffic calming devices seemed most effective in their experience. The largest response was speed bumps/humps/cushions. There were also a couple of mentions of chicanes.
- General Thoughts About Traffic Calming – attendees were asked if they were willing to make tradeoffs that the installation of certain traffic calming measures would bring. The majority of folks said yes.

Mr. Todd said he felt that the meeting provided some good information and the comments were pretty much what was expected. Staff is in the process of compiling the comments, but he thinks the biggest focus would be on Carolina Ave. and trying to find solutions there. Staff is working with the traffic consultant to come up with a solution. He mentioned that it becomes difficult because of the road changing ownership at Shipman from Brevard to NCDOT. Where we need to put the traffic calming measures are on the DOT portion. There was concern if traffic calming is installed on the section the City owns, people would try to bypass that on roads that are much smaller and less likely to handle the kind of traffic that Carolina has now.

Mr. Baker mentioned that he heard a lot of feedback at the meeting about people bypassing Probart. It seems that it has worked to an extent to keep people from using Probart to go around town, but the flipside of that is that people are bypassing the speed bumps other ways through town, such as on W. Main and Whitmire. He thought it would be helpful to share that information with the traffic consultant. Chief Moorman reported that the Police Department is currently collecting data in the 200 block of W. Main St. and will then move further up W. Main.

F. Proposed Hemp Shop Regulations

Attorney McKeller reviewed the proposed regulations of hemp-derived consumable products (copy attached). He noted that the proposed amendments would make it unlawful for any person or entity to sell or give hemp-derived consumable products to a person who is under 21 years of age within 2,000 feet of the property line of any public or private school, public park, or after school facility. Any seller or giver within said radius must demand proof of age from a prospective purchaser if the purchaser appears under 30 years of age. It would also be unlawful for anyone under the age of 21 to possess, purchase, or attempt to purchase any hemp-derived consumable product at any prohibited location, or to attempt to purchase said products using fraudulent or altered identification. Violation of the provisions shall be a civil penalty of \$100 for the first violation, \$250 for the second violation, and \$500 for each violation thereafter. Attorney McKeller pointed out that this is a police ordinance, not a zoning ordinance, so it would only apply within the city limits; it would not apply in the ETJ.

Mr. Gallo noted that the amendment mentions “seller or giver” in a few places, but in Section 38-197 Enforcement, it only mentions seller. Attorney McKeller recommended expanding the definition of “seller” to mean “any person or entity who sells or gives...”.

Mr. Baker pointed out that the City feels this is necessary because the state is dropping the ball. He said he would like to ask staff to draft a resolution in support of House Bill 328.

Mr. Gallo moved, seconded by Mr. Baker to forward the proposed amendment to City Council with a recommendation to approve, and a recommendation to adopt a resolution in support of HB 328. The motion carried.

G. Clemson Plaza Safety Measures

Mr. Todd noted that in the last few months there has been an influx of unhoused individuals staying in Clemson Plaza. Recently, folks seemed to have left that area, but Mayor Copelof reported that there were some there during Halloweenfest in the daytime who were inebriated. Mr. Todd said that patrols continue and staff has requested quotes to install cameras in the plaza, which would be a part of the new

camera security system at the Police Department, but we do not have those quotes yet.

Mayor Copelof recalled that there had been discussion about making it a park. Attorney McKeller said DOT has told the City that even if it was made a park, a sidewalk would still be required to go through a park.

Mr. Baker asked if there had been any enforceable action taken at Clemson Plaza. Chief Moorman responded that officers make spot checks on a regular patrol basis. Recently there was a fight involving a couple of individuals who were arrested. It was around that time that we saw somewhat of a decrease in Clemson Plaza with a movement to the Depot. He said at some point they will most likely come back to Clemson Plaza and the Police Department's limit is that if there isn't any chargeable offense, there is very little they can do other than to stop by and check on their welfare and direct them to resources. He feels that would be the benefit of the camera system—to see and enforce violations and incidents that occur that we would not be able to enforce through routine patrol.

Mr. Todd expects to have quotes for cameras to bring to the committee for review at the next meeting.

H. Cherry St. Evacuation Routes

Mr. Todd explained that during Helene the Cherry St. neighborhood was completely inundated with floodwaters and residents expressed concern that there was no evacuation route out of the neighborhood. Several residents had to be rescued by boat. Staff has tried to identify options for evacuation routes to improve the safety of the neighborhood and has reached out to one of the City's civil engineering firms. They have come out to look at the neighborhood and what actually flooded vs. what shows on the flood maps. Mr. Todd noted that there are challenges all around, but a couple of different areas of refuge have been identified: 1) TVS has a parking lot that is outside the floodplain, and 2) the Transylvania County Parks & Rec building that served as a shelter. The consultants have given us a proposal of \$20,000 to look at each of the three streets in the neighborhood to determine what it would take to develop an evacuation route off of each of those streets, in addition to a fourth evacuation route all the way at the end of Cherry Street where it is further away from the bike path. The bike path does look like it would be a critical component in any of these evacuation routes to get people to the refuge areas. Their proposal would also include cost estimates for each option. He explained the complexities of all four routes.

1. Spruce St. has a connection to the bike path at the end of the road, but it is very steep and it's almost impossible for a car to traverse it, and there is also a shallow water line under part of that, making it difficult to adjust the grade. Additionally, there is a ditch that runs between the neighborhood and the bike path, and it would be necessary to navigate around that. If that ditch

floods, then folks couldn't get out of the neighborhood through any of the evacuation routes.

2. Burnette Dr. could be a connection, but would require easements/right-of-way connection to the bike path.
3. The same would be true for Idlewood St. and at the end of Cherry St. There would have to be some give and take with the neighbors in acquisition of land in those areas if we wanted to make multiple escape routes.

Mr. Todd has asked the civil engineers to look for grant funding that would pay for 1) construction of the evacuation routes, and 2) might even pay for their study. He explained that staff has not yet identified a funding source and suggested that if the committee selected one route to move forward with, it would be cheaper to look at just that one option.

Mr. Baker moved, seconded by Mr. Gallo to narrow the scope to Spruce St. and ask the city manager and finance director to find options for funding that. The motion carried.

I. Public Comment

Joey Shadel of 20 James said I live on the corner of W. Main and James St. and we have definitely seen an increase in traffic on W. Main, mostly since the speed cushions have been installed on Probart St. There are families living on that road, cyclists, both young and old, there are bus stops on that road, and there has been an uptick in service vehicles because of many construction projects happening that neighborhood. I think there has to be some sort of traffic easement done at some point and I urge you to consider that. Thank you for considering another data study. I think there was one done over the summer, and I think the speed limit was set wrong when that was done. When you do that one, I implore you to make sure that it is set at 20 mph. When the revised data was looked at using the correct speed limit, they found that there was a 10% violation rate.

Jeff Leigh of 467 Maple St. said I am here to start the conversation on traffic calming measures on Maple St. Very few people adhere to the 20 mph speed limit. Chief Moorman informed the committee that officers continue to monitor that location and Maple St. is next on the list for data collection.

Harvey Sankey commented that cameras are a great idea and said that would be a good use of taxpayer dollars. He asked who would monitor the cameras. Chief Moorman responded that we will have access to them at the police station, although we can't have somebody dedicated to monitoring them full-time. If there is something that indicates that a crime had occurred the investigators could go back and review the footage. It would be more of an investigative tool for identification and apprehension than a full-time monitor.

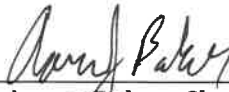
J. Set Date for Next Meeting – November 24, 2025 at 3:30pm

The next meeting was scheduled for Monday, November 24, 2025, at 3:30pm in City Council Chambers.

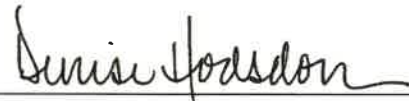
K. Adjourn

There being no further business, the meeting was adjourned at 4:58pm.

Minutes Approved: November 24, 2025

X 

Aaron Baker, Chair, Council Member or
Mac Morrow, Vice Chair, Council Member

X 

Denise Hodsdon
City Clerk

CITY CODE OF ORDINANCES

PART II: CODE OF ORDINANCES

CHAPTER 1. GENERAL PROVISIONS

1-2. Definitions and rules of construction.

In the construction of this Code and of all ordinances, the following definitions and rules of construction shall be observed, unless inconsistent with the manifest intent of the council or the context clearly requires otherwise:

Hazardous recreational activity means skateboarding, inline skating, or freestyle bicycling, and, or, any other type(s) not listed.

Hemp has the same meaning as defined in G.S. 90-87 of the North Carolina Controlled Substances Act, as the same may be amended

Hemp-derived cannabinoid means any phytocannabinoid found in hemp, including but not limited to delta-9 tetrahydrocannabinol (delta-9 THC), tetrahydrocannabinolic acid (THCA), cannabidiol (CBP), cannabidiolic acid (CBPA), cannabinol (CBN), cannabigerol (CBG), cannabichromene (CBC), cannabicyclol (CBL), 9-cannabivarin (CBV), tetrahydrocannabivarin (THCV), cannabidivarin (CBPV), cannabicitran (CBT), delta-7 tetrahydrocannabinol (delta-7 THC), delta-8 tetrahydrocannabinol (delta-8 THC), or delta-10 tetrahydrocannabinol (delta-10 THC). This term also includes any synthetic cannabinoid derived from hemp and contained in a hemp-derived consumable product.

Hemp-derived consumable products means a hemp product that is a finished good intended for human ingestion or inhalation that contains less than 0.3% of delta-9 THC concentration on a dry weight basis, but which contain concentrations of any other hemp-derived cannabinoid(s) in excess of that amount. This term does not include hemp products intended for topical application in which transdermal absorption does not occur, or seeds or seed derived ingredients that are generally recognized as safe by the United States Food and Drug Administration (FDA).

Hemp products has the same meaning as defined in G.S. 90-87 of the North Carolina Controlled Substances Act, as the same may be amended

Head of household means the person who maintains the household, or, if no one person maintains the household, the head of the household shall be the eldest person residing in the household.

Ingestion means the process of consuming a substance in any of the following manners:

1. Through the mouth, by swallowing the substance into the gastrointestinal system
2. Through tissue absorption by transdermal delivery, or any other method of skin delivery in which the substance or any of its components is absorbed beneath the skin and into the body or into the blood stream
3. Subcutaneously through injection beneath the skin
4. By needed injection into the blood stream

Inhalation means the process for consuming hemp in the respiratory system through the mouth or nasal passages

Inherent risk means those dangers or conditions that are characteristic of, intrinsic to, or an integral part of skateboarding.

Seller means any person or entity who sells a hemp-derived consumable product to the consumer of the product, or who sells a hemp-derived consumable product at retail

Septage means the solid and liquid contents of privies, septic tanks or cesspools, industrial wastes, chemical compounds and sludges which are hauled by truck or other mobile conveyance.

CHAPTER 38. HEALTH AND SANITATION

(NEW) ARTICLE IV. RESTRICTIONS ON HEMP-DERIVED CONSUMABLE PROUDCTS

Contents:

- 38-195. Reserved.
- 38-196. Restriction on hemp-derived consumable products for persons under the age of 21
- 38-197. Enforcement

38-195. Reserved.

38-196. Restrictions on hemp-derived consumable products for persons under the age of 21.

It shall be unlawful of any person or entity to do any of the following

1. Knowingly, or having reason to know, sell or give a hemp-derived consumable product to a person who is under 21 years of age at any of the following prohibited locations:
 - a. Within 2,000 feet of the property line of any public or private school, public park, or after school facility

b. In any public park

Any seller or giver of hemp-derived consumable products at any of these prohibited locations shall demand proof of age from a prospective purchaser or recipient of hemp-derived consumable products before the hemp-derived consumable product(s) are released to the purchaser or recipient if the seller or giver has reasonable grounds to believe that the prospective buyer or recipient is under 30 years of age.

2. Knowingly, or having reason to know, distribute samples of hemp-derived consumable products in any location where sales to a person under the age of 21 are prohibited
3. If a person is under the age of 21, to possess, purchase, or attempt to purchase any hemp-derived consumable product at any location where the sale of hemp-derived consumable products to persons under the age of 21 is prohibited.
4. If a person is under the age of 21, to use any type of fraudulent or altered identification or any identification belonging to another person, to attempt to possess or purchase a hemp-derived consumable product in violation of this section.

38-197. Enforcement.

- A. Any seller who violates or fails to comply with the provisions of this Chapter shall be subject to one or a combination of the following methods:
 1. Civil penalty. Any seller who violates any provision of this Chapter shall be subject to the following penalties:
 - a. For the first violation, a fine of \$100.00 shall be assessed
 - b. For the second violation, a fine of \$250.00 shall be assessed
 - c. For each violation thereafter, a fine of \$500.00 shall be assessed
 - d. Fines may be recovered by the City in a civil action in the nature of the debt if the violator does not pay the penalty within 30 days from the date the violator is notified of the penalty. Any other service charges imposed by this article may be collected by the City as a civil penalty in a civil action.
 2. Equitable remedy. The City may apply to a court of competent jurisdiction for an injunction, abatement order or any other appropriate equitable remedy.
- B. Notice. The City of Brevard Police Department shall serve written notice of any violation of this Chapter to the offender.

MINUTES
City Council Downtown Master Plan Committee

Wednesday, November 12, 2025 – 4:00pm
City Hall Council Chambers

Members Present: Gary Daniel, Chair Council Member
Pamela Holder, Vice Chair, Council Member
Nicole Bentley, Heart of Brevard Executive Director
Dakota Chapman, Citizen Member
Mayor Maureen Copelof, Ex-Officio Member

Members Absent: Dee Dee Perkins, Heart of Brevard Representative
Parker Platt, Citizen Member

Staff Present: Wilson Hooper, City Manager
David Todd, Assistant City Manager
Paul Ray, Planning Director
Denise Hodsdon, City Clerk

A. Welcome & Call to Order

Chairman Daniel called the meeting to order at 4:00pm.

B. Certification of Quorum

City Clerk Denise Hodsdon certified that a quorum was present.

C. Approval of Agenda

Mr. Daniel noted that Item G. Downtown Master Plan Update would be postponed until the next meeting. Ms. Bentley requested to add an item regarding an update on the Heart of Brevard Annual Walkable Center Assessment as new Item G. Ms. Holder moved, seconded by Ms. Bentley to approve the agenda as amended. The motion carried unanimously.

D. Approval of Minutes – September 10, 2025 Meeting

Ms. Holder moved, seconded by Mr. Chapman to approve the minutes of the September 10, 2025 meeting as presented. The motion carried unanimously.

E. Public Comment – None.

F. Subcommittee for Public Art Applications Follow-up

Ms. Bentley reported that the Quixote mural application still needs enhanced artwork before coming back to the subcommittee. She believes that the other project that was interested in moving forward will now wait and try to do the mural installation in the spring.

G. Update Heart of Brevard Annual Walkable Center Assessment

Ms. Bentley shared that it is time to conduct the Heart of Brevard's Annual Walkable Center Assessment and this year it will be a night audit scheduled for December 18th. She said all members of City Council will be invited to participate, and we would love to have two members of this committee participate. The results will be shared with this committee prior to presenting to City Council in February. They will meet with Public Works staff next week to review the status of last year's assessment results.

H. Loading Zone Communication Strategy & Signage on W. Jordan St.

Mr. Todd reported that following Council's approval of the striping plan, he reviewed the plan with NCDOT. Public Works needs to build a wheelchair ramp in the new location for the ADA space. The plan is to have the painting in place before placing signage so that it is enforceable. He asked for a recommendation from the committee regarding loading zone signage. Following discussion, the committee recommended that the signs should read "Truck loading zone only".

Mr. Hooper mentioned that the Traffic Schedule will need to be updated to remove the old W. Jordan St. loading zone and to clarify language regarding the Broad St. loading zone and update the time limit to 15 minutes.

Ms. Bentley said that as much as we need designated parking signs, we need signs that restrict and communicate to people that they can't park on W. Jordan St. and E. Jordan St. She believes that our delivery drivers have been used to doing whatever they want, whenever they want, and that there will need to be some strategic signs placed there. She suggested signs such as "No stopping or unloading". She also encouraged that we work on some kind of communication that can be distributed to delivery drivers informing them where the new designated loading zones are and what the penalties are for not using those. Mr. Hooper will reach out to Dee Dee Perkins for contact information for drivers and Ms. Bentley volunteered to send the letters once they are crafted.

Following discussion there was consensus to put three additional "No Parking" signs on the south side of W. Jordan St. from the intersection of Jordan and Broad to the existing "No Parking" sign that is there now; and to put three "No Parking" signs on the south side of E. Jordan St. from the church driveway to the Eldridge Motors driveway. Mr. Ray suggested for future consideration that signs saying "Public Parking Ahead" would direct people to our public parking lots.

I. Set Date for Next Meeting

The next meeting of the Committee was scheduled for December 10, 2025 at 4:00pm.

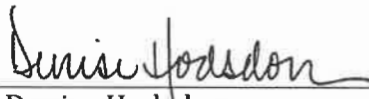
J. Adjourn

There being no further business, the meeting was adjourned at 4:36pm.

Minutes Approved: December 10, 2025

X 

Gary Daniel, Committee Chair
Pamela Holder, Committee Vice Chair

X 

Denise Hodsdon
City Clerk

Summary of Brevard's Age-Friendly projects, 2024-2025

Introduction:

Brevard, NC, population 7850, located in Transylvania County in the western part of the state, applied to the AARP network of age-friendly, livable communities in February 2024 and was accepted February 27, 2024, the 18th municipality in the state to join. Mayor Maureen Copelof established an Age-Friendly Task Force and appointed gerontologist and psychologist, Dr. Paula Hartman-Stein, as the volunteer coordinator. During April to July 2024 the Task Force conducted a community wide survey obtaining 647 completed surveys. Mayor Copelof and Dr. Hartman-Stein also led four in-person listening sessions with several hundred citizens in attendance, resulting in 201 specific suggestions. Based on the data from the survey and listening sessions the Task Force created an action plan that met the criteria established by AARP, certifying Brevard to be part of the network of Age-Friendly States and Communities until January 10, 2028.

The plan focused on five domains of livability including: Housing; Transportation; Outdoor spaces and buildings; health services and community support; and communication and information.

Several policies and plans to improve livability for all ages of citizens in Brevard had been underway prior to February 2024. The following highlight initiatives, projects, and educational seminars developed through an age-friendly lens.

Housing

1. Brevard gave a \$1.169M bridge loan to Fairhaven Meadows for the development of 42 LMI units. These are income based units and will be open to all ages.
2. Purchased four acres off Old Hendersonville Hwy with the intention of donating it to a developer of LMI units in the future.
3. Donated surplus city property to the Housing Assistance Corporation for the creation of up to 15 single-family LMI units. These units will be distinct from the projects mentioned above because the homes will be for sale rather than for rent. The property is wooded with steep slopes so they are unsuitable for multi-family buildings but can accommodate smaller single-family homes.
4. Amended the zoning code to ease red tape on housing creation across all types and price points.
5. A continuing care retirement community in an adjoining county is looking for a partner in Transylvania County to build housing for the older adult demographic. Additional discussion with this CCRC is planned for 2026.
6. An Age-friendly task force member who is an architect and member of City Council, Mr. Lauren Wise, has agreed to promote universal design concepts with the local building community.
7. Held an Aging in Place seminar to increase awareness of resources available to help residents continue to age in place.

Outdoor spaces, buildings, and parking

1. City allocated an additional \$30K toward downtown sidewalk/street repair in FY24/25
2. In an effort to keep spaces in circulation (i.e., to deter people from camping out in spaces) the City increased the citation fine to \$50 and changed the code to allow police to tow cars with three or more unpaid tickets.
3. Added back four on-street spaces in downtown that had been lost due to the recent streetscape and repaving.
4. Created a new parking space striping plan that created three new spaces
5. A parking study is underway in 2025.
6. A current plan is in progress to conduct an assessment of sidewalks and ADA accessibility across the city.

Transportation

1. An assessment of the efficiency/effectiveness of fixed route vans has been done in 2025 to ensure they align with areas where older residents live.
2. The Safety committee of the city is looking at traffic calming measures.
3. An AARP volunteer and member of the Age-Friendly Task Force, Sara Knapp, became a recent member of the Transylvania County Transportation Advisory Board.

Health services and community support:

Two intergenerational life-long learning community programs were offered prior to being accepted in the Age-Friendly network:

1. January 27, 2024: *Multi-cultural perspectives on aging* with Brevard College students and faculty and a community leader from nearby Cherokee Nation presenting. **91 in attendance, ranging in age 11 to 97.**
2. February 17, 2024: *Nature's Positive Powers*, with retired Brevard College faculty, two Brevard College students and two community members, with **45 in attendance, age 11 to 81.**

After acceptance to the AARP network, the following programs were offered, based on topics of interest from community input that included end of life care, strategies for health and mental health, aging in place, and technology for the non-digital native.

3. March 2, 2024: *Courageous Conversations for End-of-Life Preparation* with two local death doulas and one student from Brevard College, with **60 attendees, age 35-87**
4. April 13, 2024: *Cybersecurity and technology for the non-digital native*. Presenter from Blue Ridge Community College, with **28 attendees, age 20-83**
5. June 1, 2024: *Tech Lab for the non-digital native* with instructor from Brevard College and tech squad from a local nonprofit, Through the Trees; **41 attendees, age 18-84**

6. August 3, 2024: *Digital Health Literacy and Tech Lab* with local nurse advocate and tech squad from nonprofit, Through the Trees; **25 attendees**, age 23-84
7. August 26, 2024: *Age-Well Across the Life-Span* with 6 RN students from the local Community College Nursing Class and 23 community members, **29 attendees**, age 30-93
8. September 16, 2024: *Age-Well Across the Life-Span* with 6 RN students & 10 community members, **16 attendees, age 21-85**.

In late September 2024, a devastating weather crisis occurred in our area, Hurricane Helene. Taking a public health perspective, Dr. Karen Cochran, faculty member from Blue Ridge Community College and Dr. Hartman-Stein pivoted to offering community support groups to help reduce anxiety and recover from the emotional impact of the hurricane.

- A. Five Hurricane recovery support groups with students and community members
 1. Oct. 14th, 16 students, 15 community members = 31 attendees, age 20-85
 2. Oct. 21st, 6 students, 6 community members =12 attendees, age 21-76
 3. Oct. 28th, 12 students, 10 community members = 22 attendees, age 20-79
 4. Nov 4th, 7 students, 9 community members = 16 attendees, age 20-80
 5. Nov. 18, 4 students, 8 community members= 12 attendees, age 20-80
- B. Four hurricane Recovery Support Groups with community members only.
 6. November 25th, 7 community members, age 62-80
 7. December 2nd, 6 community members, age 68-80
 8. December 9th, 6 community members, age 68-76
 9. December 16, 9 community members, age 68-80

Under the auspices of Age-Friendly Brevard to provide community support and recovery efforts, **a total # of 9 support groups were offered, with 81 individual participants**, including 30 older adults and 51 students. Ages ranged from 20 to 85.

- C. July 2024 Received national recognition by AARP Livable Communities for our technology classes for the non-digital native.
- D. Mayor Copelof was chosen to represent Brevard on a national traffic safety committee
- E. **In summary, the number of participants in the 17 life-long learning and support group sessions in 2024: 410 contacts (some people attended multiple programs). 21% were college students and two were pre-teens.**

2025:

1. February 2025, Brevard received state wide recognition by the NC Assoc on Aging. Dr. Hartman-Stein presented a workshop on hurricane support groups in Chapel Hill, NC.
2. Newspaper article published in January 2025 in *The National Psychologist newspaper* regarding age-friendly volunteer opportunities for psychologists.

3. March 20, 2025, Brevard was featured in a national AARP Age-Friendly In-action forum. Dr. Hartman-Stein presented *The Domino Effect, Year one, Brevard's Age-Friendly origin story*.

2025 community support programs, projects, and grants

1. February 2025, submitted AARP Mini grant for emergency to-go-bags, awarded **\$1,000**
2. March 6, 2025 Summit on Safely Aging-in-Place, **92 attendees**
3. April 21, 2025, Assembled over 100 emergency- to- go bags; with **8** volunteers
4. April 23, 2025, Summit on Disaster Preparedness, in conjunction with county staff, the Emergency Management Director of Transylvania County; speakers from County Health Dept and EMS, **60 attendees**
5. May 28, 2025, Advanced Care planning seminar by presenters from the NC Serious Illness Coalition, **43 attendees, awarded \$500**
6. June 2025, Awarded AARP community challenge grant on disaster preparedness and emotional recovery, **awarded \$2500**. Grant entailed offering 4 community workshops and producing a 45- minute documentary
7. Attended Juneteenth church service and spoke with 3 Baptist ministers for purpose of increasing interest from African-American community in workshop on preparedness of weather crises
8. July 8, 2025, filmed, **13 individuals involved** in filming *Ready and Resilient: Lessons from Hurricane Helene*.
9. July 17, 2025, Presentation in morning on Age-Friendly projects at Brevard Roundtable for non-profits
10. July 17, workshop in afternoon on weather crisis preparedness; target audience of African-American community; **31 participants**, half were African-American
11. August 5, communications office of AARP filmed an ad about what was done in Asheville region after Hurricane Helene. Two Brevard AARP volunteers from the Age-Friendly task force participated.
12. September 27, Debut of documentary film, *Ready and Resilient: Lessons from Hurricane Helene*, Brevard Music Center, **25 attendees**.
13. October 14, workshop on weather crisis preparedness, target audience of caregivers of Parkinson's disease, part of area support group for PD caregivers, **25 attendees**.
In summary, the total # of community members who attended weather disaster workshops from the AARP community challenge grant: 94; an additional 60 community members attended the first Summit on Disaster Preparedness with county EMS staff, regional AARP staff and task force coordinator, i.e., 154 individuals participated in workshops on weather preparedness and recovery.
14. December 4, 2025, Project completion event, a public showing of film and discussion afterward. Target audience members are elected officials, city planner, AARP volunteers, local business leaders and members of long-term recovery group.

From 2024-November 2025, a total of 24 Age-Friendly community programs were conducted, resulting in 699 in-person contacts with community members (410 in 2024 and 289 in 2025,

with some people attending multiple programs. 94 individuals attended at least one in-person disaster preparedness and recovery workshop.)

However, the community challenge grant enabled a larger reach in the region and beyond through funding the educational video. As of Nov 17th, the documentary film on disaster preparedness and recovery has had **147 views in its first month** hosted on the NC AARP youtube channel with a link on the City of Brevard's website.

15. The lack of a day care program for individuals living with dementia has been an ongoing problem in Transylvania County. Discussions have occurred between Mayor Copelof and the administration of the for-profit regional hospital, HCA but an exact date of the opening of the service has not yet been determined.

Communication and Information

1. Information sessions regarding the City's alert system have been conducted in areas with a high density of older residents.
2. As noted in the section on life-long learning programs, three Age-Friendly workshops have been offered in 2024 on digital literacy for older adults in conjunction with the nonprofit, Through the Trees. More sessions are scheduled in 2026.
3. Application for grant funding was made to create a community calendar so that all events are listed in one place and easily reviewed.
4. An Age-Friendly information resource guide has been created in 2025 on the city of Brevard website.

Age-Friendly Task force meetings have been held at the City Hall chambers on approximately a monthly basis in 2024 and quarterly in 2025.

MINUTES
BREVARD ABC BOARD
October 23, 2025

The Brevard ABC Board met for their monthly meeting at 10:00 AM on October 23, 2025. The meeting was held in the conference room of Store #1 at 350A North Broad Street. The following were in attendance:

Board Members: Lisa Conner, Chair
Ron Brewer
Paula McKeller
Susan Miller
Tommy Carpenter

Staff: Jackie Jarvis, General Manager
Paxton McAbee, Assistant Manager
Glenda Sansosti, Acting Secretary

Welcome and Call to Order

Board Chair Lisa Conner called the meeting to order and welcomed those present.

Certification of Quorum

Acting Secretary Glenda Sansosti noted the presence of all Board Members and further certified a quorum present. There was no conflict of interest or appearance of a conflict of interest expressed by any Board Member on any agenda item pursuant to G.S.18B-201.

Approval of Agenda

Upon motion by Ms. Miller, seconded by Ms. McKeller and unanimously passed, the agenda was approved as presented.

Approval of Minutes

Upon motion by Ms. Miller seconded by Ms. McKeller and unanimously passed, Minutes of September 25, 2025 were approved as presented.

Managers report

General Manager Jackie Jarvis reported on a recent conversation with Ms Robin Black, the Board's auditor. The City is asking questions about why they have not been paid. Ms. Jarvis stated that Ms. Black has sent to the City of Brevard and Transylvania County information clearly explaining to them that they have been overpaid. Ms. Conner stated she has also talked

with Raleigh about this matter. Ms. Miller recommended withholding the next payment to make up for the over payment and pay in January and April. Ms. Black advised Ms. Jarvis to begin paying quarterly and that she and Trish will work together to make sure this happens.

Ms. Jarvis advised that direct deposit for payroll is in progress and that more information is needed by the bank.

The newly developed personnel handbook has been reviewed by all members and all members are in agreement to minor changes that have been made.

The old delivery truck has been sold for \$5,500. The \$1500 expense of having the new truck wrapped will come from the sale of the old truck. Ms. Jarvis presented a copy of the new logo that includes the white squirrel and will be shown on the truck.

The balance sheet as of September 30, 2025 reflects an increase in sales of \$50,697.16.

Ms. Jarvis invited members of the Board to attend the employees Christmas party. The event will be held at Pescado's Restaurant on December 7, 2025 at 4:00 PM. Please let her know in advance if you will attend and if you prefer chicken or prime rib.

Recess to Closed Session to Discuss Bonus for Manager

A motion was made by Ms. McKeller seconded by Mr. Brewer and unanimously passed to recess to closed session at 10:22 AM for the purpose of discussing employee bonus. All Board members were in attendance as well as Glenda Sansosti, Acting Secretary. Manager Jarvis and Assistant Manager McAbee were excused from the Closed Session. The Board discussed at length Christmas bonuses for the manager, assistant manager and also employees for which a bonus was budgeted. No action was taken in the closed session.

Upon motion by Ms. McKeller seconded by Mr. Brewer and unanimously passed, the closed session adjourned and returned to open session at 10:50 AM. Ms. Jarvis and Ms. McAbee returned to the meeting.

Ms. Conner suggested having a special meeting on November 20th to replace the special called meeting of December 4th. The Board requested Ms. Jarvis to provide further information on what a 5% bonus will cost and how it will impact the budget. Mr. Carpenter noted the result of savings from the people that have been laid off. Mr. Brewer noted bonuses for employees were previously approved within the current budget and felt the employees should receive the budgeted bonus.

Ms. Miller stated the Board needs to take into consideration the increase in rent for the Pisgah Forest Store as well as the cost of insurance and retirement for full time employees prior to awarding any bonus as all affect the budget. She further stated the Board has a fiduciary obligation to make sure the funds are available before any further action.

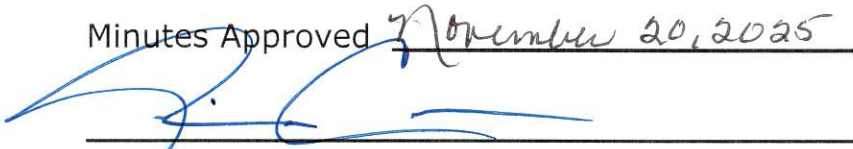
Motion made by Mr. Carpenter, seconded by Ms. Miller and unanimously passed calling a special meeting for November 20, 2025 at 10:00 AM. The purpose of the special meeting is to receive and consider information to be presented by Manager Jarvis regarding employee bonuses.

Motion by Ms. Miller, seconded by Mr. Carpenter and unanimously passed, the Special Called Meeting scheduled for December 4th was canceled.

Adjourn

Upon motion by Ms. Miller seconded by Mr. Brewer and unanimously passed, the meeting adjourned at 11:05 a.m.

Minutes Approved November 20, 2025



Lisa Conner, Chair



Jackie Jarvis, General Manager



Glenda Sansosti, Acting Secretary

Minutes
Brevard ABC Board
November 3, 2025 10:00 AM

The Brevard ABC Board met for a special called meeting at 10:00 AM on November 3, 2025. The meeting was held in the conference room of Store #1 at 350A North Broad Street. The following were in attendance:

Board Members: Lisa Conner, Chair
Ron Brewer
Susan Miller
Tommy Carpenter

Staff Present: Jackie Jarvis
Paxon McAbee
Glenda Sansosti

Welcome and Call to Order

Board Chair Lisa Conner called the meeting to order and welcomed those present. She stated the purpose of the special called meeting was to discuss and approve Quick Books Primary Administrators.

Certification of Quorum: A quorum was certified and the absence of Ms. McKeller was noted. No conflict of interest or appearance of a conflict of interest was expressed by any Board Member pursuant to G.S. 18B-201.

Approval of Quick Books Primary Administrators

Upon motion by Ms. Miller, seconded by Mr. Carpenter and unanimously passed Jackie Jarvis, General Manager and Paxton McAbee, Assistant Manager were approved as Primary Administrators for Quick Books:

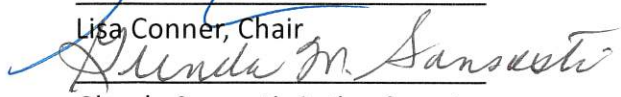
Adjourn

Upon motion by Ms. Miller, seconded by Mr. Brewer and unanimously passed the meeting adjourned at 10:05 AM.

Minutes approved; November 20, 2025



Lisa Conner, Chair



Glenda Sansosti, Acting Secretary



Jackie Jarvis, General Manager

STAFF REPORT
City Council, Monday, December 15, 2025

Title: Proposed Amendments to City of Brevard Unified Development Ordinance Chapters 2, 3, and 19 - Temporary Use Regulations

Speaker: Emily Brewer, AICP, Senior Planner

Prepared by: Emily Brewer, Senior Planner

Approved by: Paul Ray, Planning Director, Wilson Hooper, City Manager

Background & Discussion

Temporary uses are land uses on private property 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, stages, etc.), associated with them. The current ordinance conflates temporary uses with special events, which are temporary events held on public rights-of-ways. Below is a matrix that describes how uses may be permitted based on where they are held.

	CITY PROPERTY (Depot, MCJCC and FBCC)	RIGHT-OF-WAY OR CLEMSON PLAZA	PRIVATE PROPERTY
Events / Festivals / Carnivals / Etc.	Facility Reservation	Special Event Permit <i>(being discussed by the Public Safety Committee)</i>	Temporary Use Permit <i>(City may require a Special Event permit too if the event is deemed to “substantially hinder or prevent the normal flow of vehicular or pedestrian traffic”)</i>
Vendors	Not allowed <i>(being discussed by the Finance & HR Committee)</i>	Not allowed <i>(being discussed by the Finance & HR Committee)</i>	Temporary Use Permit
Temporary Land Use	Not allowed	Not allowed	Temporary Use Permit

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. These amendments establish standards and procedures for the temporary land uses to ensure the protection of public health, safety, and welfare. Temporary uses may occur for a limited duration (generally up to 90 consecutive days) and must comply with applicable City, County, State, and Federal regulations. City-

sponsored events (e.g. Transylvania Farmers Market) are exempt from certain duration limits. The proposed amendments also give the administrator, in consultation with other City departments, some additional discretion to impose conditions to protect public health, safety, and welfare. The amendments require that activities associated with the temporary use must cease by 10:00 PM when near residential areas, debris and temporary structures must be removed promptly after the event, and floodplain regulations must be met. The specific categories of temporary uses, along with their unique requirements, are:

- **Agricultural/Produce Stands:** Allows short-term sale of fresh produce and related products using temporary structures; vehicles and trailers cannot serve as sales structures. [Section 3.14(B)]
- **Construction Offices:** Permits temporary structures for on-site project management and storage during active construction; valid for the duration of construction. [Section 3.14(C)]
- **Outdoor Seasonal Sales:** Allows sales of seasonal goods (e.g., Christmas trees, pumpkins) for up to 90 days, with limits on frequency and location within zoning districts. [Section 3.14(D)]
- **Temporary Dwellings:** Provides for short-term housing for residents displaced by disasters; limited duration (12 months, with one 6-month renewal) and subject to placement and floodplain regulations. [Section 3.14(E)] (Note that events with a declared State of Emergency fall under Chapter 21 *Emergency Response and Recovery* of the UDO.)
- **Temporary Mobile Classrooms:** Permitted only for educational or religious institutions when the main building is damaged; allowed up to 12 months with extensions. [Section 3.14(F)]
- **Temporary Mobile Vendors:** Allows small, non-motorized vending carts on private property for up to 30 days; excludes food trucks and vending on City property. [Section 3.14(G)]
- **Temporary One-Day Events:** Permitted without a zoning permit if held no more than four times per year per site and without structures or street closures. [Section 3.14(H)]
- **Temporary Outdoor Events:** Includes outdoor performances, markets, festivals, and similar activities; allowed for up to 14 days, with up to six events per property per year. Events impacting public rights-of-way may also require a special event permit. [Section 3.14(I)]
- **Temporary Outdoor Storage Containers:** Includes portable moving and storage units. Containers may remain up to 30 days without a permit or up to 90 days with a permit and compliance with general standards. [Section 3.14(J)]

Planning Board considered this proposal at their October 28, 2025 meeting and unanimously recommended approval. In accordance with North Carolina General Statutes, the Planning Board also submits a statement analyzing the consistency and reasonableness of this proposal with regards to existing policies or plans of the City of Brevard (Attachment 2).

Public Hearing Follow-Up — The Yard

City Council held a public hearing on this item on November 17, 2025. No members of the public participated in the public hearing, but Council members requested additional information about how a development could pursue a permanent farmers market / flea market on their property. Following the public hearing, many constituents sent comments with concern about the future of the regular farmers market held at The Yard (located at 284 Railroad Avenue).

One of the objectives of this text amendment is to clearly identify when temporary use permits amount to a permanent use. The Yard holds a weekly farmers market all-year round. Despite this being a permanent program, The Yard has been legally operating the market for the past 8 months under three successive temporary use permits. Under this text amendment, this use would be subject to the same zoning standards as other permanent uses where applicable, such as the provision of parking, landscaping buffers, sidewalks/circulation requirements, etc. The proposed amendment would mean The Yard and any other outdoor events on private property would be unable to operate with a temporary use permit if they intend to hold more than 6 outdoor events per calendar year. Instead, The Yard and any other developer/property owner interested in regular open-air markets could pursue one of the following:

- ***Special Use Permit for a Flea Market [RMX, NMX, PGX, DMX & CMX zoning districts]***: Flea markets (defined as "periodic sales activity held in an open area, semi-open facility, or temporary structure, where individual merchants offer goods, new and used, for sale to the general public") are permitted as a permanent use with a Special Use Permit in the majority of the zoning districts (including The Yard's zoning district, Neighborhood Mixed-Use). The property owner could apply for a Special Use Permit, which is heard by the Board of Adjustment. The Board of Adjustment is a quasi-judicial board that assesses the proposed use's location, design, and configuration to evaluate the potential for adverse impacts on adjacent property and uses. If approved by the Board, the use is permitted in perpetuity (provided all conditions are met).
- ***Conditional Zoning District***: Another option is for a property owner to apply for a Conditional Zoning District with "flea markets" being a use permitted by right. The explicitly stated purpose of a Conditional Zoning District is to allow for innovative and creative developments that would not otherwise be permitted within the broader ordinance requirements (UDO Section 2.1.3). Similar to the Special Use Permit procedures, Council would consider the location, design and configuration of the entire development to ensure the project is compatible with the area and in line with the City's goals and objectives.

Mayor Maureen Copelof, City Manager Wilson Hooper, and Planning Director Paul Ray met with the owner of The Yard, most recently, on November 25 and shared these options. As of the publication of this agenda on Thursday, December 11, staff have not heard back from the owner.

In preparing these amendments, staff consulted the temporary use regulations of many other municipalities. Though each ordinance is different, the majority of the other cities allow temporary outdoor events, sales or markets (with limitations on duration and frequency) and permanent or regular markets established subject to the city's other development standards. The proposed amendments align with this commonly-used approach.

Policy Analysis

Though not explicitly stated, the Building Brevard 2030 Comprehensive Land Use Plan encourages arts/cultural and economic vitality throughout the City which often takes the form of temporary uses. As such, these changes are consistent with the following elements of the CLUP:

- GOAL 6. Integrate arts, culture, diversity, and history into everyday life and build on Brevard's identity as a dynamic community to live, work, play, and create.
- GOAL 7. Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.
- PNRC-1: Maintain and expand public parks and programming.
- PNRC- 22: Invest in public infrastructure and facilities, as well as the operations and maintenance necessary to support festivals and cultural events occurring in Downtown public spaces.
- PNRC- 25: Create opportunities for arts and cultural programming, public art, sculptures, and murals throughout the City.

Action

Staff is requesting Council take one of the following actions:

- Adoption of the amendment as written;
- Adoption of the amendment as revised by the Council;
- Rejection of the amendment; or
- Table the amendment for future consideration and/or hearings.

Attachments:

1. Proposed Amendments
2. Consistency Statement BPB
3. Draft Ordinance



UNIFIED DEVELOPMENT ORDINANCE

CHAPTER 2. DISTRICTS AND GENERAL PROVISIONS

2.2. Use categories and tables of permitted uses.

- A. All uses permitted in this Code have been divided into 10 general categories as detailed below and are generally defined as follows:
1. *Residential*: Premises available for long-term human habitation by means of ownership and rental, but excluding short-term leasing or rental of less than a month's duration.
 2. *Lodging*: Premises available for short-term human habitation for a fee, including daily and weekly rental.
 3. *Commercial*: Premises available for the transaction of general business, the provision of services, the commercial sale of merchandise, and/or food and drink consumption, but excluding manufacturing.
 4. *Civic/institutional*: Premises available for organizations dedicated to religion, education, government, social service, health care, and other similar functions.
 5. *Entertainment/recreation*: Premises for the gathering of people for purposes such as arts and culture, amusement, and recreation.
 6. *Agriculture*: Premises primarily used to grow crops, produce, flowers, etc., raise animals, harvest timber, or other similar functions.
 7. *Manufacturing/wholesale/storage*: Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.
 8. *Infrastructure*: Uses and structures dedicated to transportation, communication, information, and utilities.
 9. *Accessory*: Uses of land or of a building or structure or portion thereof, which is incidental and subordinate to a principal use on the same lot.
 10. *Temporary*: Uses of land established for a fixed, limited period of time with the intent of discontinuing it once that time expires. ~~Uses of land which, having met certain requirements and conditions, that may be permitted for a period of limited duration, and which may utilize "temporary structures" for the duration of the event.~~
- B. *Interpretation of use matrices.*
1. The use matrix is not intended to be a comprehensive list of all possible uses, but rather a list of more common uses likely to be proposed within the city.
 2. In the event that a particular use is not listed in the use matrix, and such use is not listed as a prohibited use and is not otherwise prohibited by law, the administrator shall determine whether a materially similar use exists in this chapter.
 - a. Should the administrator determine that a materially similar use does exist, the regulations governing that use shall apply to the particular use not listed and the administrator's decision shall be recorded in writing pursuant to G.S. 160D-403.



- b. Should the administrator determine that a materially similar use does not exist, this chapter may be amended to establish a specific listing for the use in question in accordance with the provisions set forth for text amendments in [CHAPTER 16](#).
- 3. When determining whether a proposed use is materially similar to a listed use, the administrator may consider the following criteria:
 - a. The actual or projected characteristics of the proposed use;
 - b. The relative amount of site area or floor area and equipment devoted to the proposed use;
 - c. Relative amounts of sales;
 - d. The customer type;
 - e. The relative number of employees;
 - f. Hours of operation;
 - g. Amount and frequency of deliveries;
 - h. Building and site arrangement;
 - i. Types of vehicles used and their parking demands;
 - j. The number of vehicle trips generated;
 - k. Signs;
 - l. How the proposed use is advertised;
 - m. The likely impact on surrounding properties; and
 - n. Whether the activity is likely to be found independent of the other activities on the site.
- 4. Prohibited uses within the applicable zoning district or uses for which the administrator determines there is not a materially similar use in the matrix may be permitted through the application of a conditional zoning district in accordance with the provisions set forth in [CHAPTER 16](#).
- C. *Use matrix.* The following matrix sets forth the manner by which certain uses may be permitted within the various districts set forth above.
 - 1. "P" denotes those uses that are permitted "by right."
 - 2. "—" denotes those uses that are not permitted within the given district.
 - 3. "SUP" denotes those uses that are permitted upon issuance of a special use permit in accordance with the provisions set forth in [CHAPTER 16](#). Additional standards for certain uses requiring a special use permit are set forth in [CHAPTER 3](#) of this ordinance.
 - 4. "PS" denotes those uses that are permitted with additional standards, which are set forth in [CHAPTER 3](#).
 - 5. "MHD" denotes those uses that are permitted within a Manufactured Housing Overlay District.

TABLE 2.2-A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
<i>Residential</i>										
Household Living	3.5.1	Dwelling—Single-Family	P	P	—	—	—	—	P	—
		Dwelling—Duplex	P	P	P	P	—	—	P	—



TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
		Dwelling—Multifamily 3–4 units/bldg.	P	P	P	P	P	P	P	—
		Dwelling—Multifamily more than 4 units/bldg.	—	P	P	P	P	P	P	—
		Dwelling—Townhome	P	P	P	P	P	P	P	—
		Manufactured Home	MHD	MHD	MHD	MHD	MHD	MHD	MHD	—
		Live-Work Units	PS	PS	PS	PS	PS	—	PS	—
		Mixed-Use Residential Unit	—	—	PS	PS	PS	PS	PS	—
Group Living	3.5.2	Family Care Home	P	P	P	P	P	P	P	—
		Housing Services for the Elderly	SUP	P	P	P	P	P	P	—
		Rooming or Boarding House	P	P	P	—	P	P	P	—
Social Services	3.5.3	Group Care Facility	P	P	P	—	P	P	P	—
		Shelter	SUP	P	P	—	P	P	P	—
Lodging										
Overnight Accommodations	3.6.1	All overnight accommodations, except as listed below	—	—	—	P	P	P	P	—
		Bed and Breakfast	PS	PS	PS	PS	PS	PS	PS	—
		Short-Term Rental (STR)	—	PS	PS	PS	PS	PS	PS	—
Camping	3.6.2	Campground/Recreational Vehicle Park	SUP	SUP	SUP	SUP	—	—	SUP	—
		Rental Cottage/Cabins	PS	PS	PS	PS	—	—	—	—
		Seasonal Camp	PS	—	—	PS	—	—	PS	—
Commercial										
Eating and Drinking Establishments	3.7.1	All restaurants and other eating and drinking establishments except as listed below	—	—	P	P	P	P	P	—
		Bar/Night Club	—	—	PS	PS	P	P	—	—
Personal Services	3.7.2	All personal services, except as listed below	—	P	P	P	P	P	P	—
		Day Care Center	PS	PS	PS	PS	PS	PS	PS	PS
Professional Services	3.7.3	All professional services, except as listed below	SUP	P	P	P	P	P	P	P
		Adult Establishment	—	—	—	—	—	—	—	—



TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
		Banks, Credit Unions, Financial Services, and ATMs	—	—	P	P	P	P	P	P
		Funeral Homes and Services	—	—	P	—	P	P	P	—
		Human Crematories and Crematoriums	—	—	PS	—	PS	PS	PS	PS
		Indoor Animal Services	—	—	P	P	P	P	P	P
		Kennels and Outdoor Animal Services	—	—	SUP	—	—	PS	—	PS
		Landscaping and Contractor Services	SUP	SUP	SUP	—	—	—	—	P
		Vehicle Services—Major Repair/Body Work	—	—	—	—	—	PS	—	PS
		Vehicle Services—Minor Maintenance/Repair	—	—	SUP	—	SUP	PS	PS	PS
Retail	3.7.4	All retail and sales establishments except as listed below	—	—	P	P	P	P	P	—
		Alcoholic Beverage Sales Store	—	—	SUP	P	P	P	—	—
		Auto/Mechanical Parts Sales	—	—	—	P	P	P	—	P
		Flea market	—	SUP	SUP	SUP	SUP	SUP	—	—
		Gas Station	—	—	SUP	PS	SUP	PS	—	PS
		Gunsmiths and Weapon Sales	—	—	SUP	SUP	PS	PS	—	PS
<i>Civic/Institutional</i>										
Educational	3.8.1	All educational uses except as listed below	SUP	P	P	P	P	P	P	—
		Colleges/Universities	—	—	SUP	SUP	P	P	P	—
		Schools—Vocational/Technical	—	SUP	P	P	P	P	P	P
Government	3.8.2	All government uses, except as listed below	—	P	P	P	P	P	P	P
		Correctional Facilities	—	—	SUP	—	SUP	P	P	P
		Public Safety Station	SUP	SUP	P	P	P	P	P	P



TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
Medical	3.8.3	All medical offices and facilities except as listed below	—	P	P	P	P	P	P	—
		Hospital	—	—	—	—	—	P	P	—
Places of Worship	3.8.4	All religious institutions or places of worship	SUP	P	P	—	P	P	P	—
		Cemeteries	PS	PS	PS	—	PS	PS	PS	—
Entertainment/Recreation										
Indoor Recreation	3.9.1	All indoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P	P
		Cultural or Community Facility	SUP	P	P	P	P	P	P	—
		Indoor Amusements	—	—	SUP	P	P	P	SUP	P
		Indoor Firing Range	—	—	—	SUP	—	SUP	SUP	SUP
		Live Performance Theater	—	SUP	SUP	P	P	P	P	—
		Movie Theater	—	—	—	P	P	P	—	—
		Special Event Venue	SUP	SUP	PS	PS	PS	PS	PS	—
		Studios, Galleries and Workshops - High Impact	—	—	SUP	SUP	SUP	P	P	P
Outdoor Recreation	3.9.2	All outdoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P	P
		Non-Residential Swimming Pool or Pond	—	SUP	SUP	SUP	PS	PS	PS	—
		Outdoor Amusements	—	—	SUP	P	SUP	P	—	P
		Outdoor Firing Range	—	—	—	—	—	—	—	SUP
		Parks, Open Space, and Greenways	P	P	P	P	P	P	P	P
Agriculture										
Agriculture	3.10.1	All agricultural uses	PS	—	—	—	—	PS	PS	PS
Manufacturing/Wholesale/Storage										
Light Industrial and Manufacturing	3.11.1	All light industrial and manufacturing activities, except as listed below	—	—	—	—	—	SUP	—	P



TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
		Brewery, Distillery, Winery, Cidery - High Impact	—	—	—	SUP	—	P	—	P
		Brewery, Distillery, Winery, Cidery - Low Impact	—	—	SUP	PS	PS	PS	—	PS
		Laboratory	—	—	—	—	—	P	P	P
		Laundry, Dry Cleaning Plant	—	—	—	—	—	SUP	P	P
		Manufacturing Research and Development	—	—	—	P	—	P	P	P
		Media Production	—	—	P	P	P	P	P	P
Heavy Manufacturing	3.11.2	All heavy manufacturing activities, except as listed below	—	—	—	—	—	—	—	SUP
		Metal Products Fabrication, Machine or Welding Shop	—	—	SUP	SUP	SUP	P	—	P
Storage and Disposal	3.11.3	All storage and disposal uses, except as listed below	—	—	—	—	—	SUP	—	P
		Chemical Storage Facility	—	—	—	—	—	—	—	P
		Solid Waste Disposal Facilities	—	—	—	—	—	—	—	PS
		Junkyard / Salvage Yard	—	—	—	—	—	—	—	SUP
Wholesaling and Distribution	3.11.4	All wholesaling and distribution activities, except as listed below	—	—	—	—	—	P	—	P
		Equipment Rental	—	—	—	—	—	P	—	P
		Indoor Vehicle/Heavy Equipment Sales	—	—	PS	—	PS	PS	—	PS
		Outdoor Vehicle/Heavy Equipment Sales	—	—	—	—	—	PS	—	PS
Extractive Industries	3.11.5	All extractive industries, except as listed below	—	—	—	—	—	—	—	P
		Extractive industries involving blasting	—	—	—	—	—	—	—	SUP
Infrastructure										
Utilities	3.12.1	Utilities—Class 1	P	P	P	P	P	P	P	P
		Utilities—Class 2	P	P	P	P	P	P	P	P



TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
		Utilities—Class 3	—	—	—	—	—	—	—	P
Telecommunications	3.12.2	All wireless telecommunication facilities, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Wireless Telecommunication Facility—Tower	—	—	—	—	—	SUP	—	PS
Transportation	3.12.3	Parking Lot	SUP	PS	PS	PS	PS	PS	PS	PS
		Passenger Vehicle Terminals	—	—	P	P	P	P	—	P
Accessory										
Residential Accessory	3.13.1	All residential accessory uses, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Day Care Home	PS	PS	PS	PS	PS	PS	PS	—
		Dwelling—Accessory Unit (ADU)	PS	PS	PS	PS	PS	PS	PS	—
		Home Occupation	PS	PS	P	P	P	P	P	—
		Keeping Bees	PS	PS	PS	PS	PS	PS	PS	PS
		Keeping Domestic Fowl (Chickens)	PS	PS	PS	PS	PS	PS	PS	PS
		Swimming Pool or Pond	PS	PS	PS	PS	PS	PS	—	
Non-Residential Accessory	3.13.2	All non-residential accessory uses, except as listed below	—	PS	PS	PS	PS	PS	PS	PS
		Accessory Retail	—	—	PS	PS	PS	PS	PS	PS
		Drive-Thrus	—	—	SUP	SUP	—	PS	—	—
		Mobile Food Vendor Site	—	SUP	PS	PS	PS	PS	PS	PS
		Recycling - Small Collection	—	—	—	—	—	SUP	SUP	P
		Rooftop Amenity Space	—	—	SUP	PS	PS	PS	PS	PS
		Taproom / Tasting Room	—	—	SUP	P	P	P	—	P
Temporary										
Temporary	3.14	All temporary uses, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Agricultural / Produce Stand	PS	PS	PS	PS	PS	PS	PS	PS



TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
		Construction Office	PS	PS	PS	PS	PS	PS	PS	PS
		Dwelling – Temporary	PS	PS	PS	PS	PS	PS	PS	PS
		Mobile Classroom	PS	PS	PS	PS	PS	PS	PS	PS
		Mobile Vendor	PS	PS	PS	PS	PS	PS	PS	PS
		Outdoor Seasonal Sale	PS	PS	PS	PS	PS	PS	PS	PS
		One-Day Event	PS	PS	PS	PS	PS	PS	PS	PS
		Outdoor Event	PS	PS	PS	PS	PS	PS	PS	PS
		Outdoor Storage Container	PS	PS	PS	PS	PS	PS	PS	PS
Events and Structures	3.14.1	All temporary events and structures, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Carnivals or Circus	—	—	—	—	—	PS	PS	PS
		Farmers Market	—	—	PS	PS	PS	PS	PS	—
Vendors	3.14.2	All temporary vendors, except as listed below	—	—	PS	PS	PS	PS	—	—
		Vending Pushcarts	—	—	—	—	PS	—	—	—

(a) This column refers to the section of this ordinance that contains the use definition and additional standards.

CHAPTER 3. USE DEFINITIONS AND STANDARDS

3.13. Accessory uses.

3.13.2. Non-residential accessory use category.

Commented [EB1]: No changes - included for reference

A. Non-residential accessory use.

- Definition:** A use of land or of a building or structure or portion thereof, which is incidental and subordinate to a non-residential principal use on the same lot.
- Additional Standards:
 - Accessory uses shall adhere to the standards outlined in Section 2.5 and all other applicable sections.

B. Accessory retail.

- Definition:** The on-premises, retail sale of products directly to customers, where the retail use is incidental to a primary use conducted upon the same premises. Examples include but are not limited to the following: a furniture manufacturer who operates a show floor for the display and sales of furniture produced by the manufacturer or a bicycle manufacturer who operates a floor for the display and sales of bicycles produced by the manufacturer.
- Additional Standards:**



- a. Accessory retail uses shall be directly related to and accessory to a conforming, principal use.
- b. Products offered for sale within accessory retail uses shall be products which are produced or processed by the associated principal use, or which are directly related to, and offered in support of, products which are produced or processed by the associated principal use. For example, a manufacturer of bicycles may operate an accessory retail use wherein bicycles, which were manufactured within the principal use, are offered for direct, on-premises retail sale. Bicycle accessories (such as tires, helmets), which were not produced by the manufacturer but which clearly relate to and support products which are produced or processed by the principal use, may also be offered for sale. However, products that do not clearly relate to and support products which are produced or processed by the principal use (such as backpacking or rock-climbing gear in the case of the bicycle manufacturer) cannot be offered for retail sale.
- c. Accessory retail uses shall comply with all applicable standards of federal, state or local law that would otherwise apply to retail oriented principal uses. For example, parking areas serving accessory retail uses within a General Industrial zoning district shall comply with the surfacing requirements of Section 10.7.
- d. Accessory retail uses are limited to an area that is equivalent to 20 percent of the gross floor area of the structure(s) containing the principal use.
- e. Accessory retail uses shall be indoors, and shall not include the outdoor display of products or merchandise.

C. Drive-thru.

1. **Definition:** A facility where food and other products or services may be purchased or obtained by motorists without leaving their vehicles. Examples include drive-through fast-food restaurants, coffee, photo stores, pharmacies, bank teller windows, convenience stores, and dry-cleaning pick-up stores without dry cleaning equipment. This term does not include gas stations or other vehicle services, which are separately defined.
2. **Additional Standards:**
 - a. Drive-through stacking lanes, windows, and associated equipment shall not be permitted within 50 feet of a GR or RMX district or residential use.
 - b. Drive-through windows and services shall be located and accessed only at the rear or side of the building and shall not be located between the principal structure and a public street. Service lanes shall not be located between the building and the street.
 - c. When situated at the side of the building, windows and services shall be located at least 20 feet back from the front façade of the building.
 - d. Vehicle storage for drive-through uses shall be located outside of, and physically separated from, the right-of-way of any street. This area shall not interfere with the efficient internal circulation of the site, adjacent property, or adjacent street right-of-way.
 - e. Service lanes shall be a minimum of 80 feet long for a single stacking lane or 80 feet per lane when there is more than one service lane. A service lane is measured from the curb cut to the service area or the order area if an outdoor order area precedes the service area. Service lanes do not have to be linear. Stand-alone automatic teller machines shall provide stacking distance for four vehicles outside of any right-of-way, parking area, or travel lane.
 - f. Drive-through service lanes shall provide a minimum of ten stacking spaces on site for restaurant and food sale uses with drive-through facilities and a minimum of six stacking spaces on site for



banking, pharmacies and similar non-food-related uses with drive-through facilities. Each stacking space shall be a minimum of nine feet by 18 feet.

- g. A service lane is not required for accessory facilities where vehicles do not routinely stack up while waiting for the service. Examples are window washing, air compressor, and vacuum cleaning stations. A service lane is required for full-service drive-through automobile cleaning establishments.
- h. Service lanes shall be designed so that they do not interfere with parking, parking access and vehicle circulation. Crossings shall be situated so as to minimize conflicts between pedestrians and vehicles. Where service lanes are traversed by pedestrian crossing areas, such crossings shall be clearly marked. Warning signage may be required at the discretion of the administrator in the interest of pedestrian safety.
- i. All service lanes shall be clearly identified by means of striping, landscaping, curbing, and the like.
- j. Site access and egress shall be shared by the drive-through and inside customer service functions.
- k. The drive-through service lane shall first exit into other circulation lanes within the same project, and then onto a public street via the same exit curb cut as the other circulation lanes within the same project.
- l. Service lanes shall be designed for a one-way traffic pattern only.
- m. The drive-through shall be limited to a maximum of two service lanes and one additional lane for an automated teller machine (ATM).
- n. Drive-through facilities shall be screened from off-site view from adjacent properties by a Type A buffer with a minimum width of ten feet.
- o. Speaker box sounds from the drive-through lane shall not unreasonably disturb the peace and quiet of abutting residential property.
- p. A traffic impact study may be required by the approving authority.

D. Mobile food vendor site.

- 1. **Definition:** A permanent location for licensed mobile food vendors or food trucks to offer food and beverages for sale consumption.
- 2. **Additional Standards:**
 - a. Mobile food vendors shall only vend at permanent locations permitted under this section.
 - b. The owner, or authorized agent thereof, of any property upon which a mobile food vendor(s) proposes to operate, shall secure a permit for the establishment of a mobile food vendor site.
 - c. Mobile food vendors using the designated site shall secure all necessary permits required by the Transylvania County Health Department.
 - i. Mobile food vendors must follow all applicable rules and requirements of the Transylvania County Health Department and any other relevant agencies of Transylvania County or the State of North Carolina.
 - ii. In the issuance of permits for mobile food vendor sites and mobile food vendors, the administrator shall have broad discretion to assign such conditions as may be necessary to protect the health, safety, and welfare of the public
 - d. Number of mobile food vendor sites:
 - i. In NMX, PGX and DMX zoning districts, only 1 mobile food vendor site shall be permitted per parcel.



- ii. In CMX, IC, and GI zoning districts, each parcel is permitted up to 3 mobile food vendor sites, so long as all other separation and site requirements as set forth in this section are met.
- iii. Additional mobile food vendor sites may be permitted with the issuance of a special use permit in accordance with [CHAPTER 16](#).
- e. Separation requirements:
 - i. Mobile food vendors shall be situated at least 10 feet from all property lines and any road right-of-way, shall not encroach onto any street, sidewalk, or travel way, and shall not obstruct any loading zone or handicapped parking space.
 - (A) This requirement shall not apply to special events approved by the city for placement upon public streets.
 - ii. Mobile food vendors shall be situated at least 20 feet from one another.
 - iii. Mobile food vendors shall be situated at least 25 feet from any permanent structures.
 - (A) The administrator may, upon recommendation of the fire marshal, approve the placement of mobile food vendors within 25 feet or less of a permanent structure. Such approval shall be based upon building type, building materials, existing fire breaks, and other pertinent information. Such reductions shall be reviewed on a case-by-case basis, at the discretion of the administrator.
 - (B) There shall be no reduction in separation between mobile food vendors and permanent structures within the downtown fire district.
 - iv. Mobile food vendors shall be situated at least 200 feet from any residential structure that is located within GR zoning district.
 - v. Mobile food vendors must be set back a minimum of ten feet in all directions from fire hydrants.
- f. Power.
 - i. Outside of the Heart of Brevard district, generators may be used to power the vending unit. Within the Heart of Brevard only dedicated power supplies shall be used.
 - ii. For dedicated power supplies the applicant must present documentation that power load supplied to the vehicle is sufficient to meet the vehicles needs while in operation.
- g. Hours of operation for mobile food vendors shall be limited to 7:00 a.m. to 10:00 p.m., except during an approved special event, when other operating hours may be established as part of the event.
- h. Mobile food vendor operators or their designee must be present at all times during operation, except in the event of an emergency.
- i. Each food truck shall supply at least one waste receptacle which must be removed at the end of each day. All waste receptacles must be emptied at the end of each day and as necessary during the day. City trash receptacles shall not be used for the food truck operator's waste.
- j. Mobile food vendor signage shall be limited to the following:
 - i. Mobile food vendors shall be allowed signage only as described in Chapter 12 of this Ordinance.
 - ii. Nothing in this Ordinance shall be construed to mean that mobile food vendor vehicles cannot be painted or decorated, or display menus affixed to the side(s) of the vendor vehicle.

E. Recycling—small collection.



1. **Definition:** A location where the public may donate, redeem or sell recyclable materials, which occupies an area of 350 square feet or less. Such facility may include the following: a mobile unit; bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet; and kiosk-type units that may include permanent structures.

F. Rooftop amenity space.

1. **Definition:** A covered or uncovered space on a building rooftop that is intended to be an accessory use for residents of a building or mixed-use building type or for the patrons of a commercial building.
2. **Additional Standards:**
 - a. Any structure on a rooftop amenity space shall not exceed 12 feet in height.
 - b. The rooftop amenity space shall not be enclosed.
 - c. No sign affixed to any structure in a rooftop amenity space shall be visible from the street.

G. Taproom or tasting room.

1. **Definition:** An area that is ancillary to the production of beer or other types of alcohol at a brewery, distillery, winery, cidery, etc. where the public can purchase and/or consume the alcoholic beverage produced on site.

3.14. Temporary uses.

A. Temporary use.

1. **Definition:** Any use of land or property established for a fixed, limited period of time with the intent of discontinuing it once that time expires. These uses may include temporary structures, event staging, or other activities that don't have the permanence of a primary land use.

Commentary: These regulations apply for all temporary uses occurring on private property outside of any public rights-of-way. For events and uses that include the reservation of City-owned property please refer to the City of Brevard's facility reservation policy. For events and uses that include the temporary closure of public rights-of-way, please refer to Section 66-13 of the City Code.

Commented [EB2]: EnCode allows us to place "Commentary" on pages to provide more information. We will use this to provide additional info to the constituents.

2. **Additional Standards:**

- a. The temporary use shall be limited to a period not to exceed 90 consecutive days, unless otherwise specified. After the permit expires, the temporary use shall be removed and shall not be reestablished for a period of at least 45 days.
 - i. Temporary uses held or sponsored by the City of Brevard are not subject to this limitation.
 - ii. All debris shall be cleared from the site at the end of the use, and all temporary structures shall be removed within 5 days.
- b. All outdoor activities shall be discontinued by 10:00 PM when located within 500 feet of a residential use, unless otherwise specified.
- c. No temporary use may be located within any required setback or buffer area.
- d. The temporary use must comply with all floodplain development regulations (Section 6.8 of UDO and Chapter 34 of City Code).



- e. Temporary uses may be located within parking areas only upon determination by the administrator and/or the relevant public safety agencies that such obstruction will not impede commerce, hinder the flow of traffic or endanger the safety of motorists or pedestrians.
- f. Temporary structures established as part of a temporary use are not required to comply with the architectural standards set forth in Chapter 5.
- g. Signs associated with a permitted temporary event may be permitted in accordance with Section 12.8.4.
- h. Temporary uses as part of a declared emergency, as defined by Section 21.2, are not subject to these requirements and are instead permitted in accordance with Chapter 21.3.1.
- i. The temporary use shall comply with all other applicable federal, state, and local regulations, including but not limited to requirements set forth by the county building department, the county fire marshal, and the county public health department.
- j. In the consideration of any temporary use, the administrator shall have discretion to impose such conditions as may be necessary to protect the health, safety and welfare of the public. This may include, but is not limited to, provision of parking, directional signage, traffic control measures, operational hours, and other conditions deemed necessary by the administrator and/or other City departments.

B. Agricultural / produce stand.

- 1. Definition: A temporary use, which may include temporary structures, where fresh produce and limited produce-derived products are for sale.
- 2. Additional Standards:
 - a. Agricultural / produce stands must comply with the general temporary use requirements of 3.14(A) above, unless otherwise specified.
 - b. All vehicles, including recreational vehicles, trailers and buses, and temporary and transportable manufactured homes, shall not be used as temporary structures for an agricultural / produce stand.

C. Construction office.

- 1. Definition: A use of a temporary structure utilized as a construction office or equipment shed during the construction of a new development.
- 2. Additional Standards:
 - a. Temporary construction offices must comply with the general temporary use requirements of 3.14(A) above, unless otherwise specified.
 - b. A temporary construction office is allowed incidental to a construction project and requires a separate temporary use permit.
 - c. The temporary use permit shall be valid for the duration of construction.
 - i. For the purposes of this section, the duration of construction is from the start of construction, as defined by this ordinance, until 30 days after the certificate of occupancy is issued. If a permit expires or a project is abandoned, the temporary use, along with all temporary structures, shall be removed immediately.

D. Outdoor seasonal sale.



1. Definition: A temporary use, which may include temporary structures, where seasonal goods are sold, such as Christmas tree sales, holiday sales, plant sales, and pumpkin sales.
2. Additional Standards:
 - a. Outdoor seasonal sales must comply with the general temporary use requirements of 3.14(A) above, unless otherwise specified.
 - b. Outdoor seasonal sales may be permitted for a period not to exceed 90 days, after which the outdoor seasonal sales shall be removed and shall not be reestablished for a period of at least 30 days.
 - c. Outdoor seasonal sales in GR and RMX shall only be permitted as an accessory use to a Civic/Institutional Use.

E. Temporary dwelling.

1. Definition: Temporary housing accommodations for displaced residents when the principal residence of the occupant has been destroyed by wind, fire, flood, movement of earth, or other manmade or natural disaster.
2. Additional Standards:
 - a. Temporary dwellings must comply with the general temporary use requirements of 3.14(A) above, unless otherwise specified.
 - b. This section shall not apply to any properties damaged from events that are a declared disaster and subject to a "State of Emergency," as defined by Section 21.2. Temporary residential uses as part of a declared emergency may be permitted in accordance with Chapter 21.3.1.
 - c. A maximum of one temporary structure for each dwelling on the property is permitted, not to exceed three.
 - d. The temporary structure(s) shall be located on the on the lot where active repair and/or reconstruction of the primary structure is occurring.
 - e. Setback requirements may be waived during the duration that the temporary housing unit is permitted, such that:
 - i. The placement of the temporary housing will allow for unobstructed repair and reconstruction on the site, if applicable;
 - ii. The temporary housing unit does not extend into any public or private right-of-way, easement, or adjacent property; and
 - iii. The placement of the temporary housing unit does not violate any applicable provisions of NC Building Code or Fire Code.
 - f. Temporary dwellings shall not be placed in flood hazard areas, unless active repair or reconstruction of the primary structure is occurring on site and there is no feasible location outside of the flood hazard area for the temporary dwelling to be placed.
 - i. If placed in the special flood hazard area the temporary dwelling shall be fully movable, properly licensed and ready for highway use. A recreational vehicle or other type of temporary dwelling is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and has no permanently attached additions.



- g. The temporary use permit shall be issued for a period of time not exceeding 12 months while the repair and reconstruction of the principal residence is taking place. The permit may be renewed for an additional 6-month period, provided the applicant provides documentation demonstrating progress has been made to repair and/or reconstruct the primary structure on the lot.
- h. The temporary housing unit(s) must be removed from the lot within 30 days following the completion of the repair and reconstruction of the primary residence or within 30 days following the expiration of the zoning permit.

F. Temporary mobile classroom.

- 1. Definition: A temporary use of a prefabricated, modular, or relocatable building designed for educational purposes.
- 2. Additional Standards:

 - a. Mobile classrooms shall only be allowed as a temporary accessory use to Education uses and Places of Worship uses.
 - b. Mobile classrooms shall only be permitted when the principal structure of Education Use or Place of Worship Use has been destroyed by wind, fire, flood, movement of earth, or other manmade or natural disaster. This shall not include damage resulting from events that are a declared disaster and subject to a "State of Emergency," as defined by Section 21.2.
 - c. No other types of temporary structures may be permitted as temporary mobile classrooms except prefabricated, modular, or relocatable building designed for educational purposes.
 - d. Mobile classroom units shall be placed on a masonry foundation, and all wheels, axles, hitches, and other mobile appurtenances shall be removed.
 - e. Mobile classroom units shall be located to the rear or interior side of a principal building.
 - f. Mobile classrooms shall be connected to a principal building via a sidewalk.
 - g. A maximum of 2 mobile classrooms shall be allowed on a property at one time.
 - h. The mobile classroom units shall be permitted for a period of up to 12 months. Extensions may be granted with evidence that a principal building meeting the requirements of the ordinance is being constructed.

G. Temporary mobile vendors.

- 1. Definition: A non-motorized vending cart that is designed and equipped to sell food, beverages, or other goods directly to consumers on private property.

 - a. This definition does not include wholesale distributors. The vendor physically reports to and operates from an off-site facility for servicing, restocking, and maintenance each operating day.
 - b. This definition also does not apply to vendors included as part of a special event, as provided in Section 66-13 of the City Code, or temporary outdoor events, as provided by this ordinance.

Commentary: This subsection pertains to mobile vendors located on private property. For use of City property or public rights-of-way, please refer to the City Code. Food trucks are not permitted within the City of Brevard as a temporary use. Instead, the City permits mobile food vendor (or food truck) sites on property as an accessory use, in accordance with Section 3.13.2.



2. Additional Standards:

- a. Temporary mobile vendors must comply with the general temporary use requirements of 3.14(A) above, unless otherwise specified.
- b. The temporary mobile vendor shall be limited to a period not to exceed 30 consecutive days at one location. After the permit expires, the temporary mobile vendor shall be removed and shall not be reestablished for a period of at least 30 days.
- c. Temporary mobile vendors shall not be permitted on properties with residential uses.
- d. The outdoor mobile vending cart must be located so the cart is:
 - i. At least 5 feet from the edge of any driveway, traffic lane, handicapped ramp, building entrance, exit or emergency exit;
 - ii. At least 15 feet from any fire hydrant; and
 - iii. Does not impede, endanger or interfere with pedestrian or vehicular traffic.
- e. No temporary structure, tables, etc. are permitted with a temporary mobile vendor.
- f. No more than two mobile vendors shall be permitted on a property less than 3 acres. No more than 4 mobile vendors shall be permitted on lots 3 acres or larger.
- g. The mobile vending cart operator or their designee must be present at all times, except in cases of an emergency.
- h. No audio amplification is allowed as part of the outdoor mobile vending operations.
- i. The dimensions of any outdoor mobile vending cart may not exceed the following:
 - i. 5 square feet in area
 - ii. A maximum length or width of 10 feet.
 - iii. A maximum height of 8 feet, including any umbrellas or protective coverings attached to the cart.

H. Temporary one-day event.

1. Definition: A temporary event lasting 1 day located on private property that does not utilize temporary structures.
2. Additional Standards:
 - a. A temporary one-day event shall be allowed without a permit, provided they comply with the following:
 - i. No more than 4 temporary one-day events occur on any premise in any one calendar year, and there is at least one month between events.
 - ii. No display or storage of goods occurs outside except on the day of the event.
 - iii. The event does not utilize any temporary structures, except:
 1. A walled tent 400 square feet or less or
 2. An open tent 700 square feet or less.
 - iv. The event does not occur in any required setback or buffer area, flood hazard area, or any public rights-of-way.



- i. The event will not hinder or prevent the normal flow of vehicular or pedestrian traffic on all or a portion of any street, sidewalk, or other public right-of-way. The following would typically fall under this standard:
 1. Attendance of 500 people or more is anticipated at any one time;
 2. Total attendance that averages 500 people or more per day;
 3. Span multiple blocks, even if the street isn't being closed; or
 4. Other conditions that are deemed to substantially hinder or prevent the normal flow of traffic, as determined by the Brevard Police Department, Fire Department and/or Public Works Department.

I. Temporary outdoor event.

1. Definition: A temporary event within an outdoor space on private property, such as but not limited to the performance of live music, festivals, competitions, carnivals/circuses, worship services, farmers markets, arts and crafts fairs, flea markets, and others.
 - a. Events held at a permitted Special Event Venues, as defined by Chapter 19, shall not be considered temporary.

Commentary: If the temporary outdoor event lasts only one day and does not utilize any temporary structure (including tents), the event may be allowed without a permit in accordance with Section 3.14(H).

2. Additional Standards:

- a. Temporary outdoor events must comply with the general temporary use requirements of 3.14(A) above, unless otherwise specified.
- b. No one event may be longer than 14 calendar days, including set-up and breakdown time.
 - i. The administrator is authorized to extend the duration of the temporary outdoor event permit beyond 14 days if there is a unique situation that warrants a time extension.
 - ii. Temporary outdoor events held or sponsored by the City of Brevard are not subject to this limitation.
- c. No more than 6 outdoor events may be permitted per property per calendar year. This shall also apply to adjoining properties under one ownership.
- d. The administrator may require the applicant to also procure a special event permit if event is deemed to substantially hinder or prevent the normal flow of vehicular or pedestrian traffic on all or a portion of any street, sidewalk, or other public right-of-way. The following would typically require a special event permit under this standard:
 - i. Attendance of 500 people or more is anticipated at any one time;
 - ii. Total attendance that averages 500 people or more per day;
 - iii. Span multiple blocks, even if the street isn't being closed; or
 - iv. Other conditions that are deemed to substantially hinder or prevent the normal flow of traffic, as determined by the Brevard Police Department, Fire Department and/or Public Works Department.



J. Temporary outdoor storage containers.

1. Definition: The use of a self-storage container that is delivered to a residence or business owner for the purpose of storing belongings and then may be picked up and returned to a warehouse until called for again. This definition includes portable moving containers, shipping containers, temporary dumpsters, and other portable storage containers.
2. Additional Standards:
 - a. Temporary outdoor storage containers shall only be used for storage of belongings and materials. No person may occupy or reside within the temporary outdoor storage container.
 - b. No permit is required for a temporary outdoor storage container provided it complies with the following:
 - i. The temporary outdoor storage container has been on the property for less than 30 days.
 - ii. The temporary outdoor storage container is not located in any required setback or buffer area, flood hazard area, any public rights-of-way, or on any property line.
 - c. A temporary outdoor storage container may be permitted to remain on the property for up to 90 days with the issuance of a permit and compliance with the general temporary use requirements of Section 3.14(A) above.

~~3.14.1. Temporary events and structures use category.~~

~~A. Temporary events and structures:~~

1. ~~Definition: An activity or use of land which, having met certain requirements and conditions, may be permitted for a period of limited duration, and which may utilize "temporary structures" for the duration of the event. Examples of these activities include, without limitation, the following:~~
 - a. ~~carnivals or circuses;~~
 - b. ~~contractor's office and equipment sheds~~
 - c. ~~farmers markets;~~
 - d. ~~outdoor meetings;~~
 - e. ~~satellite real estate sales office;~~
 - f. ~~seasonal structures; and~~
 - g. ~~special events~~
2. ~~Additional Standards:~~
 - a. ~~In the consideration of any temporary use, structure or special event, the administrator shall have broad discretion to impose such conditions as may be necessary to protect the health, safety and welfare of the public.~~
 - b. ~~The use shall clearly be of a temporary nature.~~
 - c. ~~The use shall be limited to a period not to exceed 90 days except as otherwise provided.~~
 - d. ~~The use shall not obstruct any public travel way except by specific approval by the city and will cause no traffic congestion;~~
 - e. ~~The use shall not create a nuisance to surrounding uses.~~



- ~~f. The use shall not create hazards or adverse impacts related to parking, drainage, fire protection, or other adverse impacts.~~
- ~~g. The operator shall provide a plan for the management of waste generated by the use, and sanitary facilities if the administrator or health department deems it is necessary.~~
- ~~h. The operator shall satisfy all other requirements of the director of public health, the building inspector or the fire marshal.~~
- ~~i. The operator shall secure a business license, street closure permit, sidewalk closure permit, or parade permit if required.~~
- ~~j. The applicant and/or operator shall promote the temporary use or special event as tobacco and nicotine free (including, but not limited to smoking, vaping, dipping, and chewing).~~
- ~~k. The total area of a temporary use or special event, including tents, display areas, and other appurtenances of the use, shall not exceed 2,000 square feet. This requirement shall not apply to the following categories of temporary uses or special events:
 - ~~i. Special events, upon approval by the administrator.~~
 - ~~ii. Farmers markets.~~
 - ~~iii. Carnivals and circuses.~~~~
- ~~l. Tents and structures:
 - ~~i. Applicants shall provide flame retardancy certifications for all tents.~~
 - ~~ii. Temporary structures shall not exceed 120 square feet. Tents, shipping containers, satellite offices and classrooms, equipment sheds, and temporary dwellings, as described herein shall not be subject to this requirement.~~
 - ~~iii. Seasonal greenhouses, tents, and other temporary structures may be permitted for a period not to exceed 90 days. These structures must be removed on the expiration date of the permit.~~
 - ~~iv. A satellite office and equipment shed may be permitted in any district for a period covering the construction phase of a project, not to exceed one year, provided that such office be placed on the property on which the project is situated.~~
 - ~~v. The administrator may approve the temporary set up and occupancy of recreational vehicles (or other temporary dwellings in consultation with the building inspector) when the principal residence of the occupant has been destroyed by wind, fire, movement of earth, or other manmade or natural disaster. The temporary permit shall be issued for a temporary dwelling located on the same property as the damaged structure for a period of time not exceeding 12 months while repair and reconstruction of principal residence is taking place. The permit may be renewed for an additional six month period, provided the applicant provides documentation demonstrating progress has been made to repair and/or reconstruct the primary structure on the lot.
 - ~~(A) This provision is only applicable for events that are not declared an emergency by the City Manager or the Mayor of the City of Brevard. If it is a declared emergency by any of the aforementioned officials, this provision is superseded by Chapter 21.~~
 - ~~(B) The setup or occupancy of a recreational vehicle shall not be permitted within the City of Brevard for any other reason whatsoever, except as otherwise provided for in this ordinance.~~~~~~



vi. ~~Shipping containers shall only be permitted to be used for temporary storage and must be in conjunction with a non-residential use.~~

m. ~~Site layout:~~

i. ~~Temporary uses, structures and special events shall be arranged so as to maximize public safety, to minimize conflicts among vehicles and pedestrians, to minimize conflicts with existing, permanent uses.~~

ii. ~~Temporary uses, structures and special events shall be situated at least ten feet from all property lines and any road right of way, shall not encroach onto any street, sidewalk, or travel way, and shall not obstruct any loading zone or handicapped parking space. This requirement shall not apply to special events approved by the city for placement upon public streets.~~

iii. ~~Temporary uses, structures and events may obstruct travel ways within parking areas only upon determination by the administrator that such obstruction will not impede commerce, hinder the flow of traffic or endanger the safety of motorists or pedestrians. Uses, structures or events shall be clearly delineated and separated from areas of active vehicle operation by means of traffic safety cones, signage, flagging, or other approved means.~~

iv. ~~Temporary uses, structures and special events shall be situated at least ten feet from points of ingress and egress, and shall not obstruct the sight triangle at any intersection. Ingresses and egresses to the temporary uses, structures and special events shall be designated.~~

n. ~~The administrator shall require an operations and site plan for each temporary use, structure, or special event, and shall require written permission for the operation of the temporary use, structure or special event by the owner(s) of the subject property.~~

o. ~~The administrator may require that the operator provide a performance bond in the amount of 125 percent of the cost of removal of the use and restoration of the site, as authorized by G.S. 160D-702.~~

p. ~~The temporary use, structure or special event shall comply with all other applicable provisions of City Code.~~

~~B. Carnival or circus:~~

1. ~~Definition: A business providing temporary outdoor commercial entertainment, which may consist of sideshows, concessions, rides, games of chance, and other amusements.~~

2. ~~Additional Standards:~~

a. ~~Carnivals and circuses may be permitted for a period not to exceed 21 days.~~

b. ~~Carnivals and circuses shall only be permitted within undeveloped, vacant lots, or within developed parking lots that serve a principal structure, which structure is unoccupied for the duration of the carnival or circus.~~

c. ~~Carnivals and circuses shall not employ registered sex offenders.~~

~~C. Farmers markets:~~

1. ~~Definition: Venues wherein multiple vendors sell or offer for sale, seasonal products directly to consumers on a non-wholesale basis. Farmers markets shall be accessible to the general public and managed by public or non-profit entities. Farmers markets are a form of temporary use.~~

2. ~~Additional Standards:~~

a. ~~Vendors may offer seasonal horticultural, agricultural, aquacultural or forest products, including but not limited to raw fruits, vegetables, perennials, annuals bulbs, dried flowers, Christmas trees, and similar products.~~



- b. ~~Vendors may offer value added horticultural, agricultural, aquacultural or forest products which were produced by the vendor, including but not limited to baked goods, meat, dairy, honey, cider, preserves, relishes, jams, jellies and similar products.~~
- c. ~~Vendors may offer hand made crafts and works of art which were produced by the vendor; provided, however, that such products shall not exceed 25 percent of all products sold within the venue on any given day of operation.~~
- d. ~~Vendors may offer food items prepared by the vendor; provided, however, that such products shall not exceed 25 percent of all products sold within the venue on any given day of operation, and provided that the vendor shall comply with all applicable requirements of the director of public health and the North Carolina Department of Agriculture.~~
- e. ~~The sale of live animals is prohibited.~~
- f. ~~All vendors, including vendors utilizing vending push carts, shall situate products for sale, as well as associated vehicles, push carts, tents, tables or other materials within a designated vending space as delineated upon a site plan provided to the administrator.~~
- g. ~~The operator shall provide the administrator an operations plan, operating rules, and a list of the names of the vendors (persons, firms or corporations) who shall provide merchandise for sale as part of the market. The list shall generally describe the type of item to be sold by each said vendor.~~

3.14.2. Temporary vendors use category.

A. ~~Temporary Vendors:~~

1. ~~Definition: Any vendor who sets up a temporary location to sell food, goods, or services. Vendors may be permitted individually or as part of a temporary event (Section 3.14.1). Temporary vendors include, but are not limited to:~~
 - a. ~~Agricultural and non agricultural roadside vendors and~~
 - b. ~~vending pushcarts.~~
2. ~~Additional Standards:~~
 - a. ~~Temporary vendors, excluding those listed below, may be permitted one tent, which shall not exceed 1,500 square feet in area. Temporary vendors shall employ no other temporary structure.~~
 - b. ~~Temporary vendors shall be allowed signage only as described in CHAPTER 12 of this Ordinance.~~
 - c. ~~No temporary vendor shall:~~
 - i. ~~Sell, barter, exchange or attempt to sell any goods, wares or merchandise from any city street or from any passenger vehicle or trailer. This prohibition shall not apply to vending carts as set forth below. This prohibition may be waived by the administrator for special events recognized by the city, provided that the applicant satisfies all permit requirements of Section 66-13 and complies with article I of CHAPTER 66 and other applicable provisions of Brevard City Code.~~
 - ii. ~~Vend on any street or sidewalk where vending is otherwise prohibited.~~
 - iii. ~~Vend between 9:00 p.m. and 7:00 a.m. of the following day, except during city approved festivals and events.~~
 - iv. ~~Sell food or beverages for immediate consumption unless the operator has available for public use his own or a public litter receptacle which is available for patrons' use and no more than ten feet distant from the vending location.~~



- v. ~~Leave the designated location without first picking up, removing and disposing of all trash or refuse remaining from sales made.~~
- vi. ~~Solicit or conduct business with persons in motor vehicles.~~
- vii. ~~Sell anything other than that which the operator is licensed to vend.~~
- viii. ~~Sound or permit the sounding of any device which produces noise, or use or operate any sound system, radio, sound amplifier or speaker to attract the attention of the public.~~
- ix. ~~Vend within 50 feet of any driveway entrance to a police or fire station, or within ten feet of any other driveway or of any alley.~~
- x. ~~Vend within ten feet of the crosswalk at any intersection.~~
- xi. ~~Vend within ten feet of any fire hydrant or fire escape.~~
- xii. ~~Allow any item relating to the operation of the vending business to lean against or hang from any building or other structure lawfully placed on public property, without the owner's permission.~~
- xiii. ~~Vend within ten feet of any building.~~
- d. ~~The application for a temporary vending permit shall include:~~
 - i. ~~The name and address of the applicant, and the name and address of the owner of the vending business or of the cart to be used in the operation of the vending business.~~
 - ii. ~~A description of the type of food, beverage or merchandise to be sold.~~
 - iii. ~~A description (including the size) and a photograph of any pushcart to be used in the operation of the business, including the license and registration number of any motor vehicle used in the operation of the business.~~
 - iv. ~~A copy of any approval required by the county health department, building inspector, or fire marshal.~~
 - v. ~~Proof of an insurance policy, issued by an insurance company licensed to do business in the state, protecting the permittee and the property owner (including the city in the case of pushcart operators) from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the permit. Such insurance shall name the property owner as additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days' advance written notice to the city. Policies covering pushcart operators shall conform to the minimum coverage requirements as set forth by the city manager.~~
 - vi. ~~The federal and state tax identification numbers of the owner of the business, and copies of the owner's pre-printed North Carolina sales and use tax forms for the months of proposed operation.~~
- e. ~~All permits issued under this section shall be displayed in a prominent location at all times during the operation of the vending business.~~
- f. ~~Any temporary vendor's permit may be denied, suspended or revoked by the administrator for fraud or misrepresentation in the application for the permit or in the conduct of the business, for conduct of the business in such a manner as to create a public nuisance or constitute a danger to the public health, safety, welfare or morals, or for conduct which is contrary to the provisions of this chapter or any condition of permit approval.~~
- g. ~~Non agricultural roadside vendors:~~



i. ~~Non-agricultural vendors may be permitted to operate for a period not to exceed 90 days, after which such vendors shall vacate the premises and shall not be reestablished for a period of 45 days.~~

h. ~~Agricultural roadside vendors:~~

i. ~~Agricultural vendors may be permitted to operate for a period not to exceed 180 days, after which such vendors shall vacate the premises and shall not be reestablished for a period of 45 days.~~

ii. ~~Agricultural vendors shall only offer seasonal horticultural, agricultural, aquacultural or forest products, including but not limited to raw fruits, vegetable, perennials, annuals bulbs, dried flowers, Christmas trees, and similar products.~~

~~B. Vending pushcart.~~

1. ~~Definition: Any self contained, wheeled vehicle used for displaying, keeping or storing any article by a vendor or peddler (other than a motor vehicle, bicycle or trailer) which may be moved without the assistance of a motor and does not require registration by the state department of motor vehicles.~~

2. ~~Additional Standards:~~

a. ~~To relieve any potential for traffic hazard or pedestrian congestion, or any safety hazard resulting therefrom, the number of vending carts with active permits within the central business district at any given time shall not exceed four.~~

b. ~~No vendor selling from a pushcart on the sidewalk shall:~~

i. ~~Leave any pushcart unattended.~~

ii. ~~Store, park or leave any pushcart overnight on any street or sidewalk.~~

iii. ~~Vend within 75 feet of any other vending cart.~~

iv. ~~Set up, maintain or permit the use of any table, crate, carton, rack or other device to increase the selling or display capacity of his pushcart or where such items have not been described in his application.~~

v. ~~Allow any items relating to the operation of the vending business to be placed anywhere other than in, on or under the pushcart.~~

vi. ~~Maintain any pushcart upon any street or sidewalk which impedes, endangers or interferes with the travel upon or use of the street or sidewalk.~~

vii. ~~Set up a pushcart so as to block or impede ingress and egress to any structure.~~

c. ~~If it becomes necessary for the regulation of traffic or the safety or convenience of pedestrians, any law officer of the city may direct vendors to move to another location. No person may refuse to comply with a law enforcement officer when the order is given under the authority of this section.~~

d. ~~Size of pushcarts:~~

i. ~~No pushcart shall exceed 48 inches in width or 72 inches in length.~~

ii. ~~No pushcart shall exceed 60 inches in height, nor shall any canopy be less than 78 inches in height at its lowest point.~~

iii. ~~The administrator shall have the right to require smaller dimensions based upon such factors as, but not limited to, pedestrian and vehicular safety and adequate sight distances.~~

e. ~~The pushcart shall be set up so that a minimum of five feet of pedestrian passage is maintained along the sidewalk at all times.~~



f. ~~Vendor permits will be invalid during special festivals and events within the central business district. However, vendors may apply for permits from the sponsoring organization or committee to operate within the area of the special event.~~

CHAPTER 12. SIGNS

12.8. Temporary signs.

12.8.4. Temporary use signage.

- A. Upon issuance of a temporary use permit from the City of Brevard, properties being used for the permitted temporary use may display one temporary ground sign on each street frontage of the location of the temporary use for the period of operation as specified in the temporary use permit.
- B. The operator of the temporary use may choose any temporary ground sign type found in Section 12.8 and must adhere to all requirements set forth for the sign type, except that the duration of display which may match period of operation as specified in the approved permit.

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CHAPTER 19. DEFINITIONS

19.3. Definitions.

The following words, terms and phrases, when used in this UDO, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~**Carnival or circus:** A business providing temporary outdoor commercial entertainment, which may consist of sideshows, concessions, rides, games of chance, and other amusements.~~

~~**Farmers markets:** Venues wherein multiple vendors sell or offer for sale, seasonal products directly to consumers on a non-wholesale basis. Farmers markets shall be accessible to the general public and managed by public or non-profit entities. Farmers markets are a form of temporary use.~~

Agricultural / produce stand: A temporary use, which may include temporary structures, where fresh produce and limited produce-derived products are for sale.

Construction office: A use of a temporary, portable, or modular structure utilized as a construction office or equipment shed during the construction of a new development.

Mobile food vendors (or food trucks): Licensed motor vehicles or mobile food units which offer for sale and consumption food and beverages (excluding alcohol).

Mobile food vendor site: A permanent location for licensed mobile food vendors or food trucks to offer food and beverages for sale and consumption.

Outdoor seasonal sale: A temporary use, which may include temporary structures, where seasonal goods are sold, such as Christmas tree sales, holiday sales, plant sales, and pumpkin sales.



Shipping container: An intermodal container originally designed to store goods or merchandise during shipping by container upon ships, rail, or other types of transportation and are usually 8' wide and 8'6" high by either 20' or 40' length.

Sign, temporary: A banner or A-frame sign used for advertising purposes as set forth in this ordinance.

Special event: An event that uses public property, including streets, public plazas or parks, such as community festivals, parades, or races. See Section 66-13 of Brevard City Code of Ordinances.

Temporary dwelling: Temporary housing accommodations for displaced residents when the principal residence of the occupant has been destroyed by wind, fire, flood, movement of earth, or other manmade or natural disaster.

Temporary mobile classroom: A temporary use of a prefabricated, modular, or relocatable building designed for educational purposes.

Temporary mobile vendors~~Vending pushcart:~~ Any self-contained, wheeled vehicle used for displaying, keeping or storing any article by a vendor or peddler (other than a motor vehicle, bicycle or trailer) which may be moved without the assistance of a motor and does not require registration by the state department of motor vehicles. A non-motorized vending cart that is designed and equipped to sell food, beverages, or other goods directly to consumers on private property.

1. This definition does not include wholesale distributors. The vendor physically reports to and operates from an off-site facility for servicing, restocking, and maintenance each operating day.
2. This definition also does not apply to vendors included as part of a special event, as provided in Section 66-13 of the City Code, or temporary outdoor events, as provided by this ordinance.

Temporary one-day event: A temporary event lasting 1 day, entirely located on one property.

~~**Temporary events and structures:** An activity or use of land which, having met certain requirements and conditions, may be permitted for a period of limited duration, and which may utilize "temporary structures" for the duration of the event. Examples of these activities include, without limitation, the following: carnivals or circuses; contractor's office and equipment sheds; farmers markets; outdoor meetings; satellite real estate sales office; seasonal structures; and special events.~~

Temporary outdoor event: A temporary event within an outdoor space on private property, such as but not limited to the performance of live music, festivals, competitions, carnivals/circuses, worship services, farmers markets, arts and crafts fairs, flea markets, and others. Events held at a permitted Special Event Venues, as defined by Chapter 19, shall not be considered temporary.

Temporary outdoor storage containers: The use of a self-storage container that is delivered to a residence or business owner for the purpose of storing belongings and then may be picked up and returned to a warehouse until called for again. This definition includes portable moving containers, shipping containers, temporary dumpsters, and other portable storage containers.

~~**Temporary structure:** A structure intended to serve a specific event and to be removed upon the completion of that event. This term includes, but is not limited to, bleachers, perimeter fencing, vendor tents/canopies, judging stands, trailers, portable toilets, sound/video equipment, stages, platforms, and other impermanent devices, which do not involve grading or landform alteration for installation, and which are not permanently affixed to the ground. A temporary, portable, or modular structure that will be in use only for the duration of the temporary land use or event, including the following:~~

- ~~A. Tents,~~



- [B. Recreational vehicles,](#)
- [C. Temporary and transportable manufactured home,](#)
- [D. Travel trailer, or](#)
- [A.E. Other temporary structures approved in consultation with the building inspector and/or fire marshal.](#)

~~Temporary vendors: Any vendor who sets up a temporary location to sell food, goods, or services. Vendors may be permitted individually or as part of a temporary event. Temporary vendors include, but are not limited to agricultural and non-agricultural roadside vendors and vending pushcarts.~~

~~Temporary Use: Uses of land established for a fixed, limited period of time with the intent of discontinuing it once that time expires. These uses may include temporary structures, event staging, or other activities that don't have the permanence of a primary land use. Uses of land which, having met certain requirements and conditions, that may be permitted for a period of limited duration, and which may utilize "temporary structures" for the duration of the event.~~

~~Trailer: Any vehicle or structure capable of moving or being moved over streets and highways on its own wheels or on flatbeds or other carriers, which is designed to be utilized to:~~

- ~~A. Provide temporary or permanent quarters for the conduct of a business, profession, trade or occupation;~~
- ~~B. Serve as a carrier of people, new or used goods, products, or equipment;~~
- ~~C. Be used as a selling, advertising, or display device.~~

CHAPTER 21. EMERGENCY RESPONSE AND RECOVERY

21.3. Temporary uses associated with emergency response and recovery.

- A. The administrator may approve the establishment of temporary uses associated with emergency response and recovery efforts for a specified duration. These uses include, but are not limited to, temporary housing, shelters, personal services (laundry, showers, etc.), medical facilities, and/or government or social service offices.
- B. The administrator may consult with the Technical Review Committee and may apply additional conditions to ensure public health, safety, and welfare are not compromised as a result of the temporary use and/or its location.
- C. Temporary uses may be subject to additional agency approvals which may include, but are not limited to, utilities connections, stormwater reviews, floodplain development permits, and building permits.
- D. Permit or other development fees for temporary uses associated with emergency response and recovery efforts may be waived by an amendment of the fee schedule adopted by City Council, as permitted by law.

21.3.1. Temporary residential uses.

- A. The administrator may approve temporary housing accommodations for displaced persons or recovery personnel following a declared emergency, subject to the following conditions.

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1. *Type:*
 - a. The temporary dwelling shall be one of the following types:
 - i. Recreational vehicle,
 - ii. Temporary and transportable manufactured home,
 - iii. Travel trailer, or
 - iv. Other temporary structures in consultation with the building inspector.
 - b. Any type of temporary dwelling may be permitted, regardless of underlying use permissions and density requirements.
2. *Placement:*
 - a. Temporary housing units may be permitted in the following circumstances:
 - i. On a lot where active repair and reconstruction of the primary structure is occurring, regardless of the underlying zoning district;
 - ii. On a lot within a GR or RMX zoning district as a type of temporary accessory dwelling unit (ADU); or
 - iii. On a lot within a GR or RMX zoning district as a type of group development that is set up for multiple temporary dwellings.
 - b. Setback requirements may be waived during the duration that the temporary housing unit is permitted, such that:
 - i. The placement of the temporary housing will allow for unobstructed repair and reconstruction on the site, if applicable;
 - ii. The temporary housing unit does not extend into any public or private right-of-way, easement, or adjacent property; and
 - iii. The placement of the temporary housing unit does not violate any applicable provisions of NC Building Code or Fire Code.
 - c. Temporary dwellings shall not be placed in flood hazard area, unless active repair or reconstruction of the primary structure is occurring on site and there is no feasible location outside of the flood hazard area for the temporary dwelling to be placed.
 - i. If placed in the special flood hazard area the temporary dwelling shall be fully movable, properly licensed and ready for highway use. A recreational vehicle or other type of temporary dwelling is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.
3. *Duration:*
 - a. The temporary housing permit shall be issued for a period of time not exceeding 12 months. The permit may be renewed for an additional six-month period, provided the applicant provides documentation demonstrating:
 - i. When placed on a lot where active repair and reconstruction of the primary structure is occurring, progress has been made to repair and/or reconstruct the primary structure on the lot;
 - ii. When placed on a lot as a type of temporary accessory dwelling unit, progress has been made to repair and/reconstruct the occupant's primary residence;



- iii. When placed on a lot as a type of group development, progress has been made to repair and/or reconstruct the primary residence of each occupant and/or additional displaced persons or recovery personnel are in need of temporary housing accommodations as a result of the emergency event.
 - b. The temporary housing unit(s) must be removed from the lot within thirty days following the completion of the repair and reconstruction of the displaced person's primary residence or within thirty days following the expiration of the zoning permit.
- B. Preexisting nonconforming short-term rentals (STRs) or other lodging uses may be used as temporary housing accommodations in response to the local, state, or federal emergency for a period without being considered abandoned as set forth in Section 14.2 – *Nonconforming uses*.

21.3.2. Temporary non-residential uses.

- A. The administrator may approve temporary non-residential uses providing emergency response and recovery services, subject to the following conditions.
1. *Type:*
 - a. The temporary structure shall be one of the following types:
 - i. Recreational vehicle,
 - ii. Travel trailer,
 - iii. Disaster relief tents or emergency response tents, or
 - iv. Other temporary structures in consultation with the building inspector.
 2. *Placement:*
 - a. Temporary non-residential uses may be permitted in the following circumstances:
 - i. As a temporary installation in a publicly-accessible parking area;
 - ii. Vacant property in a CMX, DMX, PGX, NMX, IC, or GI zoning district; or
 - iii. Within a vacant area of a property occupied by other non-residential uses in a CMX, DMX, PGX, NMX, IC, or GI zoning district.
 - b. Setback requirements may be waived during the duration that the temporary non-residential use is permitted, such that:
 - i. The placement of the temporary non-residential use will not impede any repairs or reconstruction of any damaged permanent structures on the site, if applicable;
 - ii. The temporary non-residential use does not extend into any public or private right-of-way, easement, or adjacent property; and
 - iii. The placement of the temporary non-residential use does not violate any applicable provisions of NC Building Code or Fire Code.
 - c. Temporary non-residential uses shall not be placed in the special flood hazard area.
 3. *Duration:*
 - a. The temporary non-residential use shall be issued for a period of time not exceeding six months. The permit may be renewed for an additional six-month period, provided the applicant provides documentation demonstrating the non-residential services are still required.



- b. The temporary non-residential use must be removed from the lot within thirty days following the closure of the use or within thirty days following the expiration of the zoning permit.

21.4. Temporary signage associated with emergency response and recovery.

- A. Any non-residential use that is actively engaged in ongoing public service efforts in response to the emergency shall be permitted to display temporary signage.
 - 1. *Permit:*
 - a. Type 1 and Type 2 freestanding temporary signs, as described in Section 12.8, associated with emergency response and recovery shall not require a permit.
 - b. Other types of signage shall be subject to the provisions of the underlying zoning district and requires a permit.
 - 2. *Number:*
 - a. Uses actively engaged in response and recovery efforts shall be allowed two temporary signs per location. Additional signage may be permitted in accordance with the ordinance provisions.
 - b. Government uses shall not be subject to this limitation.
 - 3. *Duration:*
 - a. The temporary signs are permitted to be displayed for the duration of the declared emergency or the applicability of this chapter, whichever is longer, provided the public service advertised is active and ongoing.

Commented [EB5]: No changes - incorporated for reference only.

**COMMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
AND ANY OTHER OFFICIALLY ADOPTED APPLICABLE PLANS
TXT-25-0001**

NCGS 160D-605 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:

Building Brevard Comprehensive Land Use Plan:

- **GOAL 6.** Integrate arts, culture, diversity, and history into everyday life and build on Brevard's identity as a dynamic community to live, work, play, and create.
- **GOAL 7.** Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.
- **PNRC-1:** Maintain and expand public parks and programming.
- **PNRC- 22:** Invest in public infrastructure and facilities, as well as the operations and maintenance necessary to support festivals and cultural events occurring in Downtown public spaces.
- **PNRC- 25:** Create opportunities for arts and cultural programming, public art, sculptures, and murals throughout the City.

ORDINANCE NO. 2025-____

**AN ORDINANCE AMENDING CHAPTERS 2, 3, AND 19 OF
THE CITY OF BREVARD UNIFIED DEVELOPMENT ORDINANCE
TO AMEND THE TEMPORARY USE REGULATIONS**

WHEREAS, the City of Brevard Planning Board has unanimously recommended that the Brevard City Code, Unified Development Ordinance Chapter 2 – Districts and General Provisions; Chapter 3 – Use Definitions and Standards; 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 goals and objectives of the City of Brevard Comprehensive Land Use Plan *Building Brevard 2030*, specifically:

- **GOAL 6:** Integrate arts, culture, diversity, and history into everyday life and build on Brevard’s identity as a dynamic community to live, work, play, and create.
- **GOAL 7:** Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.
- **PNRC-1:** Maintain and expand public parks and programming.
- **PNRC- 22:** Invest in public infrastructure and facilities, as well as the operations and maintenance necessary to support festivals and cultural events occurring in Downtown public spaces.
- **PNRC- 25:** Create opportunities for arts and cultural programming, public art, sculptures, and murals throughout the City.

WHEREAS, a public hearing was conducted on Monday, November 17, 2025, 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 Code of Ordinances be amended as outlined below.

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

SECTION 01. City of Brevard Unified Development Ordinance is 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 this the 1st day of December, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT
City Council, Monday, December 15, 2025

Title: Bear Sculpture and Roundabout Landscaping/Betterments
Speaker: Paul C. Ray, Planning Director
Prepared by: Paul Ray, Planning Director
Approved by: Wilson Hooper, City Manager

Background

City Council previously approved a final design for optional landscaping improvements associated with NCDOT’s roundabout project at the intersection of Highway 280, Deaver Road, and Highway 64/276 (Project R-5799).

Council also expressed interest in pursuing supplemental enhancements, such as a gateway monument marking the entrance to Brevard and a decorative stone archway over the sidewalk. These supplemental elements would be funded later by the City and community partners, including the Tourism Development Authority (TDA).

Most recently, a group of local artists, led by Ann Dergara, has proposed installing a bear sculpture within the Highway 64/276 (Pisgah Forest) roundabout. The sculpture would likely be created by Charles Calvin, and approximately \$20,000 in pledged donations has been raised toward the cost of the piece. On August 4, 2025, City Council authorized staff to engage McAdams to prepare a scope and cost estimate for revising the previously approved landscaping plans to accommodate the sculpture and assist the City in seeking NCDOT approval.

At its October 20, 2025 meeting, City Council received this information but voted to defer action to allow Ms. Dergara additional time to raise funds to help offset the cost of McAdams’ work. Since that time, Ms. Dergara has continued fundraising efforts and raised enough to cover the estimated cost for McAdams’ professional services.

Summary

The proposed McAdams scope of work includes:

- Identifying a sculpture location within the roundabout’s center island and modifying landscape and lighting plans accordingly.
- Preparing a CAD drawing and 2-D rendering of the sculpture for NCDOT review.
- Designing a structurally engineered foundation pad, in coordination with IONCON Engineering and the artist.
- Preparing sight-distance analyses and exhibits required by NCDOT to ensure the artwork does not impede driver visibility.
- Coordinating up to three meetings with NCDOT and the Art in the Right-of-Way Committee as part of the encroachment review process.

Fiscal Impact

The total estimated cost for McAdams' professional services is \$19,660. However, funding has been raised to cover this amount at no cost to the City.

Policy Analysis

The 2030 Comprehensive Land Use Plan has 8 major goals, with number 6 being, "Integrate arts, culture, diversity, and history into everyday life and build on Brevard's identity as a dynamic community to live, work, play, and create."

Action

City Council is asked to act on one of the following options:

1. Pass the Resolution requesting NCDOT approval for installation of public art in the roundabout right-of-way; and authorize the City Manager to execute the professional services contract with McAdams and accept funds raised by Ann Dergara to cover the cost of engineering.

2. Reject the bear sculpture proposal and proceed with the roundabout betterments as previously approved.

Attachments:

1. McAdams_Contract
2. Resolution Requesting Public Art in ROW_TB



80 Charlotte Street
 Suite 40
 Asheville, NC 28801
 919. 361. 5000

Amendment to Agreement for Professional Services:

BETWEEN City of Brevard (Client) AND McAdams

Original Agreement Dated	<u>08/29/2019</u>	Date	<u>10/01/2025</u>
Project Name	<u>Roundabout Betterments</u>	Project Location	<u>Brevard, NC</u>
Project Number	<u>CYBR.001</u>	City PO Numbers	<u>P.O. # 7824 & 7825</u>
Client Contact	<u>Paul Ray, Planning Director</u>		

We hereby amend the Agreement for the above-referenced project, as follows:

Project Understanding

McAdams staff, previously working as TPD, Inc., developed landscape betterment plans for the City of Brevard in conjunction with the NCDOT State Transportation Improvement Program project # R-5799. The betterment plans have been approved by City Council and NCDOT Division 14. A contractor has been chosen and construction is under way at the time of this agreement.

McAdams understands the City of Brevard wishes to install public art (depicting a bear) inside the roundabout at Pisgah Highway (NCDOT 276). Any public art in the NCDOT Right-of-Way (ROW) must be approved through an encroachment agreement and a process described in the “Public Art in the Right-of-Way” policy. This addition will necessitate a “change order” to the previously approved plans. The services proposed in this agreement are to change the landscape and lighting plans to identify a location for the sculpture and conduct analysis required by NCDOT for the encroachment of public art in the ROW.

Assumptions

This proposal is based on the following assumptions:

- | McAdams will work closely with City staff to complete the proposed services. McAdams will be provided with information necessary to complete the proposed services including materials, color, and dimensions of proposed artwork that the City is soliciting.
- | McAdams will team with IONCON Engineering to provide structural engineering services.
- | Any additional consultants or services beyond those specifically indicated within the proposal will be additional services.
- | Deliverables will be provided in electronic format (PDF) only (no hard copies) unless otherwise specified.
- | McAdams will respond to one (1) round of Client review comments for each milestone deliverable. Client reviewers will provide review comments within five (5) business days of receiving the submitted deliverable.
- | Improvements to be designed – This proposal assumes that roundabout sight distance exhibits will require NCDOT review and approval, and that the project will be constructed with local funds.
- | Traffic Counts – No traffic counts will be collected for the purposes of this work. It is assumed that the client will

provide existing traffic data if needed.

- I This proposal does not include the cost of modifications to the roundabout plans due to design changes by the project owner, NCDOT or Client. These items will be billed on an out of scope basis. McAdams is not responsible for time delays due to these changes.
- I Submissions - This proposal covers one (1) submission of the sight distance exhibits to the Client for use and submission to NCDOT. There are no provisions for subsequent submissions. McAdams will correct any mathematical, analytical, or typographical errors in the letter without further cost to the client. Any changes due to enlarged or changed scope, reviewer preference, or client preference will be performed on an out-of-scope basis.

Proposed Scope of Services

Client authorizes McAdams to perform the following additional services (alphanumeric task numbers are for internal coding purposes):

Services

A14.50 PUBLIC ART IN ROW ENCROACHMENT AGREEMENT ASSISTANCE FOR US 64 / PISGAH FOREST HIGHWAY (US 276).

PUBLIC ART (BEAR SCULPTURE) SITING, PAD, LANDSCAPE PLAN CHANGE ORDER AND NCDOT-REQUIRED ANALYSIS

- I FEE: \$19,660
- 1. McAdams' Landscape Architect will change previously approved landscape betterment plans to identify the sculpture location within the center of the roundabout at Pisgah Forest Highway (US 276). This will necessitate removing plants or changing locations of plants and changing the previously approved lighting plan to provide landscape-level uplighting of the proposed sculpture.
- 2. McAdams team will coordinate with the City's chosen artist to create a CAD drawing of the sculpture to share with NCDOT showing dimensions, calling out material, and identifying a proposed location for the sculpture in plan view that can be shared with the NCDOT Art in the Right-of-Way Committee.
- 3. Coordinate with City staff for required documentation for NCDOT Art in the ROW process. This may include a resolution and description of the request.
- 4. Develop and provide the client with a 2-D rendering of bear sculpture in the roundabout at Pisgah Highway showing the general recommended location for City review.
- 5. Coordinate with City's chosen artist / sculpture to develop appropriate base for sculpture. Design pad for sculpture that will provide structural support to sculpture. This may include a boulder or concrete pad with foundation design and connection details for connecting artwork to pad. NCDOT requires a structural engineer to seal plans for public art.
- 6. McAdams will prepare preliminary roundabout sight distance exhibits:
 - a. Develop applicable roundabout-specific sight distance based on assumptions of general 30 mph entry speed for approaches with a calculated circulating speed of five-foot offset from the truck apron of the proposed roundabout.
 - b. Develop exhibits depicting the sight distances calculated for the proposed sculpture in the roundabout.
 - c. McAdams will submit the signed and sealed roundabout sight distance exhibits to the Client for inclusion in permit application to NCDOT, as applicable.

7. Provide exhibits to NCDOT Art in ROW Committee for review. This scope provides for 3 meetings; these may be with City of Brevard, NCDOT Division staff, or Art in Right-of-Way Committee. Any additional meetings will be out of scope.

Revisions:

The roundabout sight distance exhibits will be revised per comments regarding mathematical, analytical, drafting or typographical errors by McAdams, accordingly. If there are comments which materially change the scope of the proposed improvements or are due to reviewer or client preference, McAdams will identify these comments and discuss with Client to determine appropriate response.

Extra Services

When requested by the Client or its authorized representatives and approved in writing, McAdams will perform additional services beyond the scope of services described herein. Fees associated with additional services will be defined per task, as directed at the time of the request for additional services. No additional services will be performed without specific written consent of the Client or its authorized representative.

If required by NCDOT, the following additional task items may be completed for an additional fee:

1. Calculate Fastest Path radii and velocities for the Roundabout.
2. Develop applicable Roundabout-specific sight distances per Fastest Path calculations above.
3. Prepare spreadsheet tabulating Fastest Path calculation and resultant sight distance calculations.
4. Revise exhibits depicting the sight distances calculated for the Roundabouts.
5. Maintenance of Traffic Plan for installation of art and/ or sculpture in the ROW.
6. IONCON Principal Engineer will provide any required onsite structural inspections for art/installation approvals at the standard published hourly rates for site visits.

Project Schedule

McAdams’ services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the project. The anticipated completion of services described above is approximately ten (10) weeks from the Notice to Proceed from the client.

Fees

McAdams (and its subconsultants) will provide the services described herein for the fee shown below (task fee breakdown shown for informational purposes only):

Fee Summary

TASK ID	DESCRIPTION	FEE	FEE BASIS
A14.50	Bear Sculptures: Public Art in ROW Location, Analysis + Encroachment Coordination	\$19,660	Simple
	Mileage expense included in fee.		

Exclusions

The following services are not included in this Agreement:

- | Off-site utility extensions specific design.
- | Traffic or Transportation Analysis.
- | Off-site roadway improvements specific design.
- | Legal advertisements for construction contracts.
- | Construction Administration and Support services except those described in scope of work.
- | Community engagement activities (surveys, open-house meetings, etc.).
- | Court appearances for litigation, or preparation for same.
- | Revised directives from Client after project process has begun.
- | Any other services not specifically described in the scope of work.

General Conditions

- | The Terms and Conditions of the original Agreement shall apply to this amendment

McAdams

Client

By: _____
 Printed Name: Will Letchworth
 Title: Vice President, Transportation
 Date: 10/01/2025

By: _____
 Printed Name: _____
 Title: _____
 Date: _____

RESOLUTION NO. 2025-XX

**A RESOLUTION REQUESTING APPROVAL FROM THE NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION FOR PUBLIC ART WITHIN THE RIGHT-OF-WAY OF HIGHWAY 64/276
(PISGAH FOREST) ROUNDABOUT**

WHEREAS, the North Carolina Department of Transportation (NCDOT) is constructing the roundabout project (STIP Project #R-5799) at the intersection of U.S. Highway 64/276 and N.C. Highway 280 in Brevard, North Carolina; and

WHEREAS, the City of Brevard previously collaborated with NCDOT and its consultant, McAdams, to design and fund optional landscaping betterments within the project; and

WHEREAS, the Brevard community, led by a group of local artists, has proposed the installation of a bear sculpture within the center island of the Highway 64/276 (Pisgah Forest) roundabout, project R-5799, as a public art feature celebrating Brevard's natural heritage and serving as a gateway to the City; and

WHEREAS, NCDOT's Public Art in the Right-of-Way Policy requires that requests for artwork within the State highway right-of-way be formally initiated through a resolution of support adopted by the governing body; and

WHEREAS, in accordance with NCDOT requirements, the City shall provide an opportunity for the community to consider and comment on the proposed art project through a public meeting at a regularly scheduled City Council Meeting; and

WHEREAS, the City Council has duly considered all comments received and finds that the proposed installation will enhance the public realm and is consistent with community goals; and

WHEREAS, the City has engaged McAdams to assist in preparing necessary documentation, design amendments, and coordination with NCDOT for the required encroachment review.

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

Section 1. The City of Brevard formally requests that the North Carolina Department of Transportation consider and approve the installation of a bear sculpture within the center island of the U.S. Highway 64/276 (Pisgah Forest) roundabout as part of the Public Art in the Right-of-Way program.

Section 2. The City acknowledges that the proposed artwork, its installation, and its long-term maintenance will be the responsibility of the City of Brevard, not NCDOT.

Section 3. The City further authorizes its staff and consultants to coordinate with NCDOT Division 14 and the Art in the Right-of-Way Committee to provide all necessary plans, analyses, and documentation to complete the encroachment review process.

Section 4. City Council hereby authorizes City staff to execute a contract with McAdams consistent with the stated terms and conditions and to proceed with the additional scope of work necessary to support the preparation, submittal, and coordination of the public art encroachment request with the North Carolina Department of Transportation.

ADOPTED AND APPROVED this, the 15th day of December 2025.

Maureen Copelof, Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT
City Council, Monday, December 15, 2025

Title: Proposed Amendments to City of Brevard Unified Development Ordinance Chapters 2, 4, and 8 - Institutional Campus Zoning District

Speaker: Emily Brewer, AICP, Senior Planner

Prepared by: Emily Brewer, Senior Planner

Approved by: Paul Ray, Planning Director, Wilson Hooper, City Manager

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.

Planning Board considered this proposal at their October 28, 2025 meeting and unanimously recommended approval. In accordance with North Carolina General Statutes, the Planning Board also submits a statement analyzing the consistency and reasonableness of this proposal with regards to existing policies or plans of the City of Brevard (Attachment 3).

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.

Action

This information is provided for the public hearing. At the next meeting, Staff will ask Council to take one of the following actions:

- Adoption of the amendment as written;
- Adoption of the amendment as revised by the Board;
- Rejection of the amendment; or

- Table the amendment for future consideration and/or hearings.

Attachments:

1. Proposed Amendments
2. Land Use Matrix (Included for Reference - No Changes)
3. Consistency Statement BPB
4. Draft Ordinance



UNIFIED DEVELOPMENT ORDINANCE

CHAPTER 2. DISTRICTS AND GENERAL PROVISIONS

2.7. Yards and setbacks.

2.7.2. Setbacks for principal structures.

- A. The minimum setback distance for principal structures varies by zoning district and shall be measured in accordance with this section.

TABLE 2.7.2-A: SETBACKS FOR PRINCIPAL STRUCTURES			
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 GR & RMX
PGX	15 feet	10 feet	6 feet
DMX	Edge of right-of-way	0 feet	0 feet
CMX	10 feet	10 feet / 25 feet from GR & RMX	0 feet / 10 feet from GR & RMX
IC	40-10 feet	10 feet / 25 feet from GR & RMX 40 feet	6 feet / 10 feet from GR & RMX 40 feet
GI	15 feet	10 feet / 25 feet from GR & RMX	10 feet / 25 feet from GR & RMX
CZD	To be determined by approving authority		

2.7.3. Setbacks for accessory structures.

- A. Setbacks for accessory structures vary based on the size of the structure and the zoning district.

TABLE 2.7.3-A: SETBACKS FOR ACCESSORY STRUCTURES				
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
PGX	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



TABLE 2.7.3-A: SETBACKS FOR ACCESSORY STRUCTURES

District	Side Yard Setback		Rear Yard Setback	
	< 120 sq. ft.	≥ 120 sq. ft.	< 120 sq. ft.	≥ 120 sq. ft.
IC	0 feet/6 feet from GR & RMX	6 feet/10 feet from GR & RMX	0 feet/6 feet from GR & RMX	6 feet/10 feet from GR & RMX
IC	40 feet along all external boundaries			
GI	10 feet/25 feet from GR & RMX	10 feet/25 feet from GR & RMX	10 feet/25 feet from GR & RMX	10 feet/25 feet from GR & RMX
CZD	To be determined by approving authority			

- B. Accessory structures to residential uses located within 6 feet of the principal structure are considered to be attached for the purpose of setbacks, and shall comply with the setback requirements of the principal structure.

CHAPTER 4. LOT AND SUBDIVISION REQUIREMENTS

4.2. Lot requirements.

4.2.3. Street frontage required.

- A. All newly created parcels, lots, tracts, or other subdivisions of land, shall directly abut and have direct frontage upon a public street, except:
 1. Interior lots within a group development where the overall site abuts a public street and is designed in such a manner that access is furnished to all interior lots or building sites (see Section 4.2.5).
 2. Air lots (see Section 4.2.6).
 3. Environmental containment and conservation lots (see Section 4.2.7).
- B. Street frontage for conventional lots shall meet the minimum requirements set forth below at the right-of-way line:

TABLE 4.2.3-A: STREET FRONTAGE REQUIREMENTS FOR CONVENTIONAL LOTS

District	Minimum Street Frontage
GR (4, 8)	30 feet
RMX	30 feet
NMX	20 feet
PGX	20 feet
DMX	0 feet
CMX	0 feet

**TABLE 4.2.3-A: STREET FRONTAGE REQUIREMENTS FOR CONVENTIONAL LOTS**

District	Minimum Street Frontage
IC	60 40 feet
GI	60 feet

Note: The dimensional requirements for irregular lots, including minimum street frontage, can be found in Section 4.2.4.

- C. The following shall not be considered a public street for the purposes of satisfying street frontage requirements:
1. 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;
 2. 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
- D. Private streets, in lieu of public streets, may satisfy street frontage requirements if the following provisions are met:
1. The lots are not located within the corporate limits of the City of Brevard;
 2. The private street is either:
 - a. 150 linear feet or less in length may satisfy frontage requirements for up to three single-family lots;
 - b. Maintained in perpetuity by a property owner's association or development agreement.
 3. The private street consists of a drivable surface of at least 20 feet in width and remains adequately maintained to afford a reasonable means of ingress and egress of emergency vehicles.
- E. The private street is designed and built in accordance with public street standards set forth in [CHAPTER 13](#) of this ordinance.
- F. *Reserve strips:* There shall be no reserve strips or any other means of limiting the accessibility of parcels platted in any subdivision.

CHAPTER 8. TREE PROTECTION AND LANDSCAPING

8.4. Buffers and screening.

A. *Applicability:*

1. These regulations shall apply to the following:
 - i. All newly developed properties
 - ii. When expansions or changes in use result in the expansion of gross floor area of an existing building and/or parking and loading area of over 25 percent, and any property containing an existing structure undergoes significant or substantial improvement as defined in [CHAPTER 19](#) of this ordinance, then the parcel shall comply with the landscaping requirements of this section to the maximum extent practical.

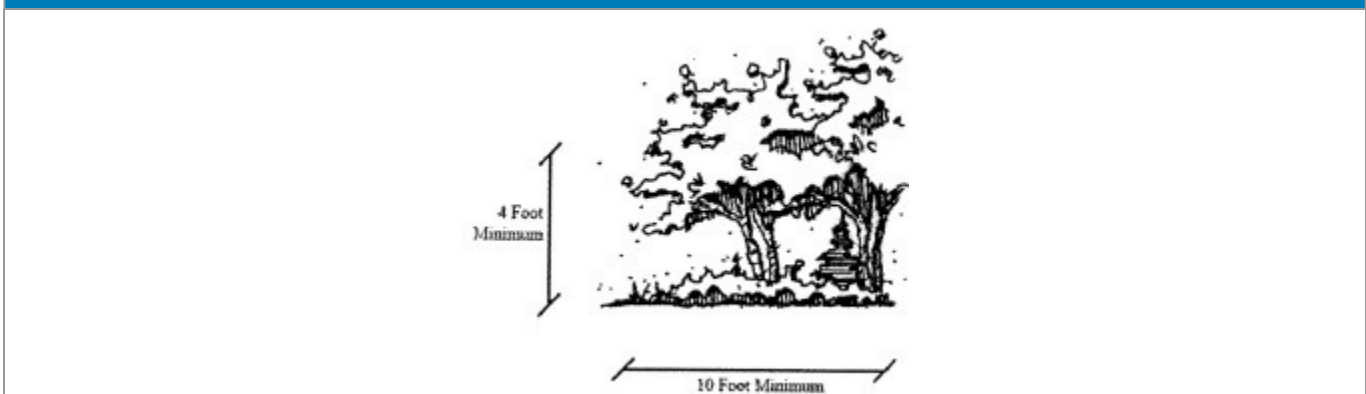


- iii. When the zoning district classification changes for an existing use or parcel at the request of the property owner or representative thereof, then the parcel shall comply with the landscaping requirements of this section to the maximum extent practical.
2. The administrator may modify landscaping requirements up to ten percent in situations where pre-existing conditions make it impossible to comply with subsections ii and iii above.
3. Applicants are encouraged to design buffer and other landscape areas in such a way as to satisfy stormwater management requirements as set forth in [CHAPTER 6](#) of this ordinance.

B. Buffer yard types:

1. *Type A buffer yard:*
 - a. Minimum width: 10 feet.
 - b. Minimum height and opacity: Ground to 6 feet—Semi-Opaque Screen.
 - c. Maximum horizontal openings: 20 feet.
 - d. Performance standard: A buffer which is ten feet in width and contains screening materials which at maturity provide intermittent visual obstruction from the ground to a height of four feet as well as intermittent visual obstruction from a height of four feet up to a height of 30 feet. Vegetative screening materials within intermittent visual obstruction areas shall contain horizontal openings no greater than 20 feet in width upon the plants' maturity.

FIGURE 8.4-A: TYPE A BUFFER YARD

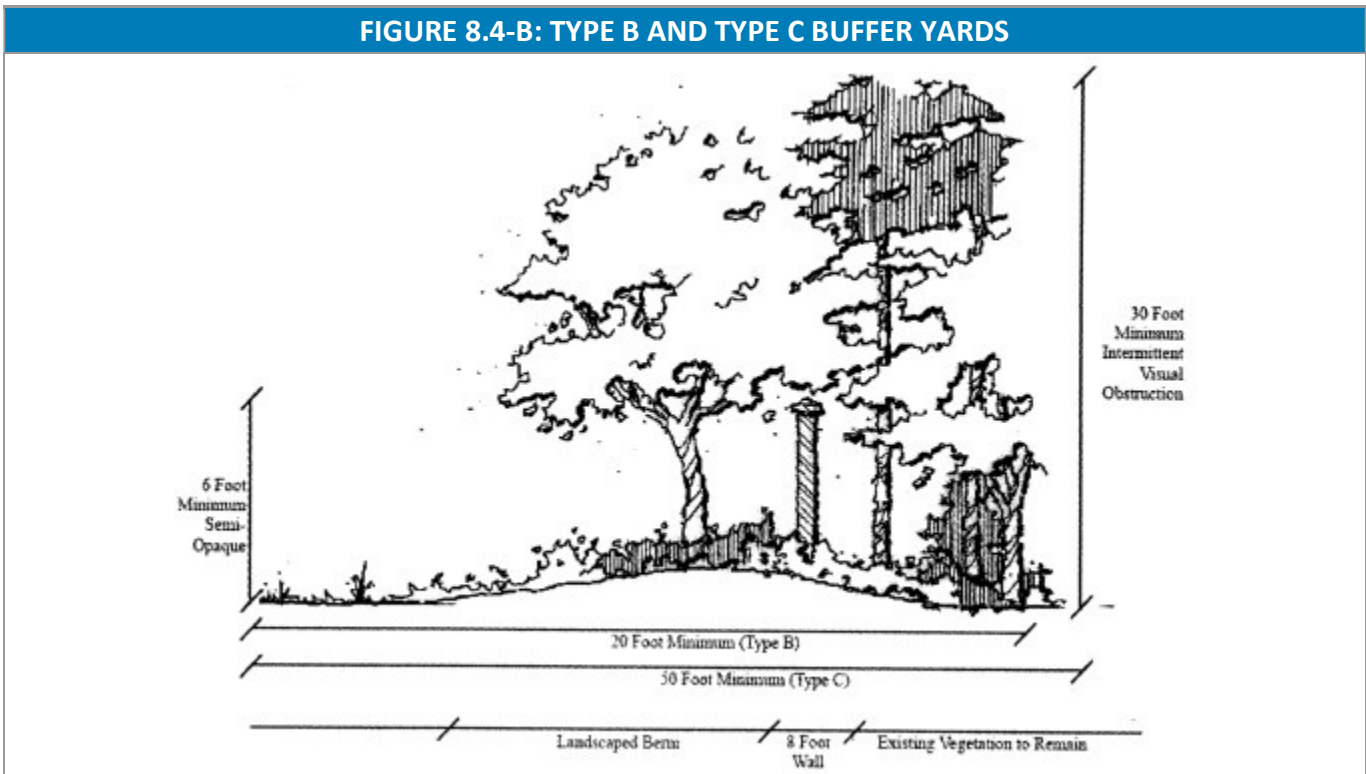


2. *Type B buffer yard:*
 - a. Minimum width: 20 feet.
 - b. Minimum height and opacity: Ground to 6 feet—Semi-Opaque Screen; 6—30 feet—Intermittent Visual Obstruction.
 - c. Maximum horizontal openings: 15 feet—Semi-Opaque Screen Areas; 20 feet—Intermittent Visual Obstruction Areas.
 - d. Performance standard: A buffer which is 20 feet in width and contains screening materials which at maturity provide semi-opacity from the ground to a height of six feet, and intermittent visual obstruction from a height of six feet up to a height of 30 feet. Vegetative screening materials within intermittent visual obstruction areas shall contain horizontal openings no greater than 20 feet in width; and vegetative screening materials within semi-opaque areas shall contain horizontal openings no greater than 15 feet in width upon the plants' maturity.



3. *Type C buffer yard:*
 - a. Minimum width: 50 feet.
 - b. Minimum height and opacity: Ground to 6 feet—Semi-Opaque Screen; 6—30 feet—Intermittent Visual Obstruction.
 - c. Maximum horizontal openings: 15 feet—Semi-Opaque Screen Areas; 20 feet—Intermittent Visual Obstruction Areas.
 - d. Performance standard: A buffer which is 50 feet in width and contains screening materials which at maturity provides semi-opacity from the ground to a height of six feet, and intermittent visual obstruction from a height of six height up to a height of 30 feet. Vegetative screening materials within intermittent visual obstruction areas shall contain horizontal openings no greater than 20 feet in width; Vegetative screening materials within semi-opaque areas shall contain no horizontal openings greater than 15 feet in width upon the plants' maturity.

FIGURE 8.4-B: TYPE B AND TYPE C BUFFER YARDS



4. *Type D buffer yard:*
 - a. Minimum width: 30 feet.
 - b. Minimum height and opacity: Ground to 30 feet—Opaque.
 - c. Maximum horizontal openings: None permitted.
 - d. Performance standard: A buffer which is 30 feet in width and contains screening materials which at maturity provides opacity from the ground to a height of 30 feet. Vegetative screening materials within opaque areas shall contain no horizontal openings upon the plants' maturity.



FIGURE 8.4-C: TYPE D BUFFER YARD



5. *Type E buffer yard.*
 - a. Minimum width: 25 feet.
 - b. Minimum height and opacity: Ground to 30 feet—Opaque.
 - c. Maximum horizontal openings: None permitted.
 - d. Performance standard: A buffer which is 25 feet in width and contains screening materials which at maturity provides opacity from the ground to a height of 30 feet. Vegetative screen materials within opaque areas shall contain no horizontal openings upon the plants' maturity.

C. Fences, walls, and berms:

1. Fences, walls, or earthen berms may be substituted for all or a portion of the shrub requirement in all buffer types. In addition, existing vegetation within the buffer shall be maintained and may receive partial or total credit towards screening requirements. All berms, if provided, shall not exceed a slope with maximum rise of one foot to a run of two feet (a ratio of 1:2) and a maximum height of four feet. All berms, regardless of size, shall be stabilized with a ground cover or other suitable vegetation or permanent slope retention device. Berms taller than four feet shall be approved by the administrator on a case by case basis.

D. Required buffer yards:

1. A buffer yard is intended to give spatial separation and to decrease visual contact between incompatible uses. Buffer yards shall be required in accordance with the tables below when any use is being established on a property that abuts an existing developed lot or less intense zoning district. More stringent buffer yard requirements may apply to certain specified uses as set forth in [CHAPTER 3](#) of this ordinance.



2. Buffer yards shall be required along the perimeter of proposed projects within certain zoning districts (and associated conditional districts) when such project lies *adjacent* to a zoning district (or conditional district) of lesser intensity:

TABLE 8.4-A: REQUIRED BUFFER YARDS BY ZONING DISTRICT

		Adjacent District							
		GR	RMX	NMX	PGX	DMX	IC	CMX	GI
District in Which Development is Located	GR	None	None	None	None	None	None	B	D
	RMX	B	None	None	None	None	None	None	D
	NMX	B	A	None	None	None	None	None	D
	PGX	B	A	A	None	None	None	None	D
	DMX	B	A	A	A	None	None	None	D
	IC	<u>BE</u>	<u>BE</u>	<u>AE</u>	<u>AE</u>	<u>AE</u>	None	None	None
	CMX	D	D	D	D	D	None	None	None
	GI	E	E	E	E	E	None <u>E</u>	None	None

3. In addition to the buffer yards required between districts as set forth above, buffer yards shall be required for certain types of development *within* certain zoning districts and associated conditional districts, as follows. This requirement applies regardless of the adjacent district. However, where conflicts occur between 8.4.D.2, above, and this section, the more restrictive requirement shall apply.

TABLE 8.4-B: REQUIRED BUFFER YARDS BY TYPE OF PROPOSED DEVELOPMENT

		New Multifamily (more than 4 units/bldg.)	Non-Residential Group Development
District in Which Development is Located	GR	B	B
	RMX	B	B
	NMX	B	B
	PGX	B	B
	DMX	B	B
	CMX	B	D
	IC	B	<u>CB</u>
	GI	NA	E

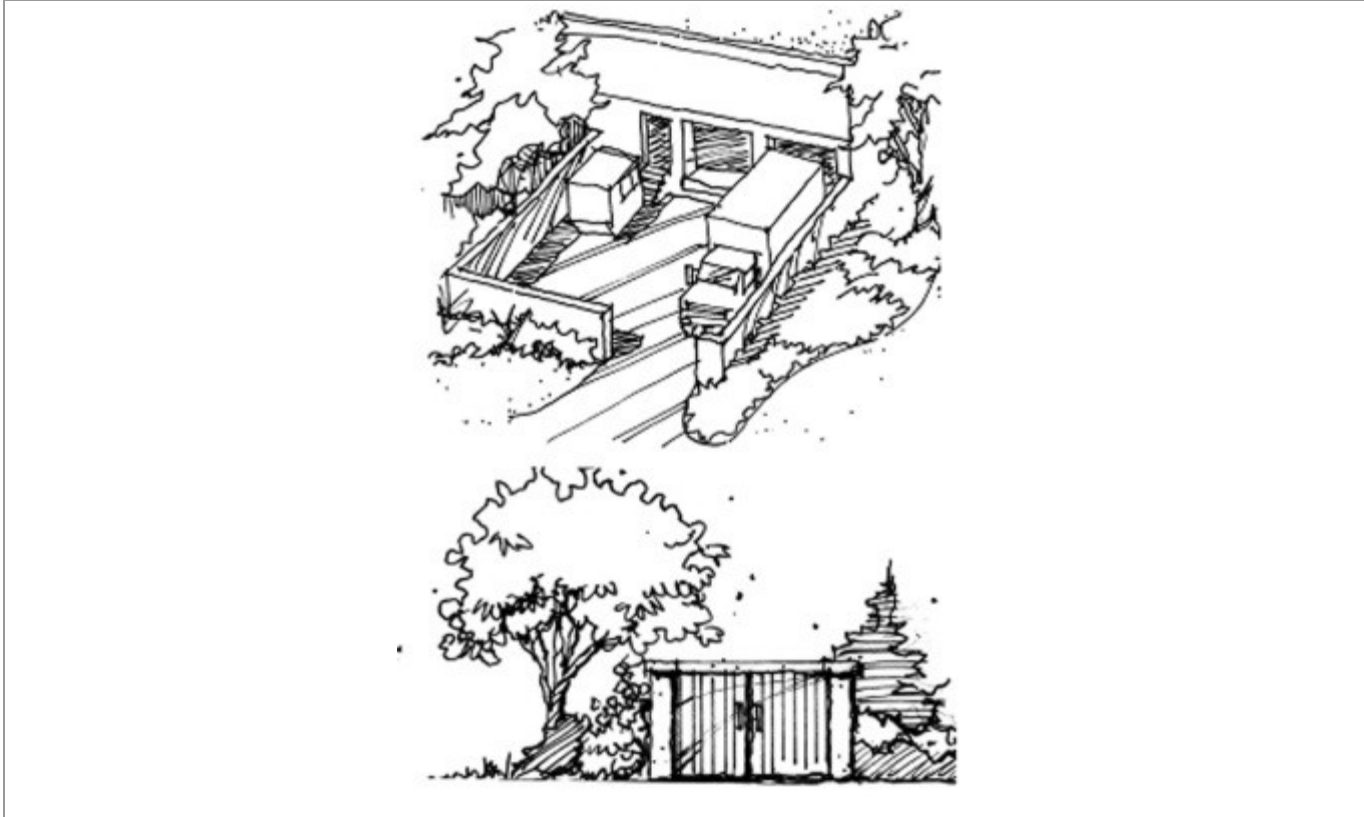
4. The approving authority may require alternative buffers or landscaping, including locations other than those typically required, when a modification to the requirements of this section is warranted in order to meet the intent of the specified standards.
5. Buffer yards are intended to be constructed along the perimeter of the property or project; however, when there are irregular topographic conditions (such as the perimeter of the property is at a lower grade than the use being screened) the approving authority may require the relocation of the required buffer yard in order to better serve its purpose.



6. Natural vegetation, vegetation required for tree protection, riparian buffer areas, and other forms of existing vegetation may be utilized to satisfy these requirements when such natural and existing vegetation clearly satisfies the purpose of this section.
7. Off-site vegetation:
 - a. Existing plant material on adjacent property may be credited toward buffer requirements, provided that such material is in a permanently protected area such as a conservation easement or similarly preserved area.
 - b. Plant material, existing or proposed, on an adjacent property may be credited toward buffer requirements through use of a landscape easement.
8. Buffer requirements may be reduced or waived by the approving authority in the following circumstances:
 - a. Such requirements would pose a safety hazard.
 - b. The plantings or planting area would conflict with utilities, easements, or overhead power lines, or encroach upon city trees, as recommended by the city horticulturalist.
 - c. Special use permits based solely upon building height or building ground floor square footage size, where such requirement would serve no useful purpose.
 - d. When projects to which these requirements apply exhibit unifying architectural and landscape design characteristics that integrate the project into surrounding development, and when the landscape design of such a project clearly meets and exceeds the goal of these requirements such that these requirements become unnecessary.
9. Fences, walls and berms in buffers
 - a. Where walls and berms are built within any required project boundary buffer, they shall meet the following requirements.
 - i. Walls and berms within a buffer may be used to permit a reduction in the buffer up to 25 percent of the required width.
 - ii. Walls and berms shall not be permitted within surface water protection areas, floodplains, and floodways.
 - iii. Walls and berms shall conform to other applicable requirements of this ordinance.
 - iv. All walls, when located within a buffer, shall be planted on the face towards the adjacent property with at least one upright shrub for every six feet of wall length.
 - v. Berms shall have side slopes of not less than three feet horizontal for each one foot vertical and a minimum crown width of two feet.
 - vi. Prior to issuance of the first certificate of compliance, berms shall be planted to ensure coverage by live plant material within three to five years.
 - vii. The applicant shall be required to demonstrate provision for access and maintenance of landscaping and the wall, berm, or fence structure at the time of landscape plan approval.
 - viii. Chain link and concertina wire fences shall be buffered by a Type A buffer yard on all sides.



FIGURE 8.4-D: ILLUSTRATIONS OF APPROPRIATE SCREENING OF DUMPSTERS AND LOADING AREAS



Section 2.2 Land Use Matrix
No Proposed Changes / Included for Reference Only

TABLE 2.2-A: LAND USE MATRIX										
CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
Residential										
Household Living	3.5.1	Dwelling—Single-Family	P	P	—	—	—	—	P	—
		Dwelling—Duplex	P	P	P	P	—	—	P	—
		Dwelling—Multifamily 3—4 units/bldg.	P	P	P	P	P	P	P	—
		Dwelling—Multifamily more than 4 units/bldg.	—	P	P	P	P	P	P	—
		Dwelling—Townhome	P	P	P	P	P	P	P	—
		Manufactured Home	MHD	MHD	MHD	MHD	MHD	MHD	MHD	—
		Live-Work Units	PS	PS	PS	PS	PS	—	PS	—
		Mixed-Use Residential Unit	—	—	PS	PS	PS	PS	PS	—
Group Living	3.5.2	Family Care Home	P	P	P	P	P	P	P	—
		Housing Services for the Elderly	SUP	P	P	P	P	P	P	—
		Rooming or Boarding House	P	P	P	—	P	P	P	—
Social Services	3.5.3	Group Care Facility	P	P	P	—	P	P	P	—
		Shelter	SUP	P	P	—	P	P	P	—
Lodging										
Overnight Accommodations	3.6.1	All overnight accommodations, except as listed below	—	—	—	P	P	P	P	—
		Bed and Breakfast	PS	PS	PS	PS	PS	PS	PS	—
		Short-Term Rental (STR)	—	PS	PS	PS	PS	PS	PS	—
Camping	3.6.2	Campground/Recreational Vehicle Park	SUP	SUP	SUP	SUP	—	—	SUP	—
		Rental Cottage/Cabins	PS	PS	PS	PS	—	—	—	—
		Seasonal Camp	PS	—	—	PS	—	—	PS	—
Commercial										
Eating and Drinking Establishments	3.7.1	All restaurants and other eating and drinking establishments except as listed below	—	—	P	P	P	P	P	—
		Bar/Night Club	—	—	PS	PS	P	P	—	—
Personal Services	3.7.2	All personal services, except as listed below	—	P	P	P	P	P	P	—
		Day Care Center	PS	PS	PS	PS	PS	PS	PS	PS
Professional Services	3.7.3	All professional services, except as listed below	SUP	P	P	P	P	P	P	P
		Adult Establishment	—	—	—	—	—	—	—	SUP

TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
		Banks, Credit Unions, Financial Services, and ATMs	—	—	P	P	P	P	P	P
		Funeral Homes and Services	—	—	P	—	P	P	P	—
		Human Crematories and Crematoriums	—	—	PS	—	PS	PS	PS	PS
		Indoor Animal Services	—	—	P	P	P	P	P	P
		Kennels and Outdoor Animal Services	—	—	SUP	—	—	PS	—	PS
		Landscaping and Contractor Services	SUP	SUP	SUP	—	—	—	—	P
		Vehicle Services—Major Repair/Body Work	—	—	—	—	—	PS	—	PS
		Vehicle Services—Minor Maintenance/Repair	—	—	SUP	—	SUP	PS	PS	PS
Retail	3.7.4	All retail and sales establishments except as listed below	—	—	P	P	P	P	P	—
		Alcoholic Beverage Sales Store	—	—	SUP	P	P	P	—	—
		Auto/Mechanical Parts Sales	—	—	—	P	P	P	—	P
		Flea market	—	SUP	SUP	SUP	SUP	SUP	—	—
		Gas Station	—	—	SUP	PS	SUP	PS	—	PS
		Gunsmiths and Weapon Sales	—	—	SUP	SUP	PS	PS	—	PS
<i>Civic/Institutional</i>										
Educational	3.8.1	All educational uses except as listed below	SUP	P	P	P	P	P	P	—
		Colleges/Universities	—	—	SUP	SUP	P	P	P	—
		Schools—Vocational/Technical	—	SUP	P	P	P	P	P	P
Government	3.8.2	All government uses, except as listed below	—	P	P	P	P	P	P	P
		Correctional Facilities	—	—	SUP	—	SUP	P	P	P
		Public Safety Station	SUP	SUP	P	P	P	P	P	P
Medical	3.8.3	All medical offices and facilities except as listed below	—	P	P	P	P	P	P	—
		Hospital	—	—	—	—	—	P	P	—
Places of Worship	3.8.4	All religious institutions or places of worship	SUP	P	P	—	P	P	P	—
		Cemeteries	PS	PS	PS	—	PS	PS	PS	—

TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS								
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI	
Entertainment/Recreation											
Indoor Recreation	3.9.1	All indoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P	P	P
		Cultural or Community Facility	SUP	P	P	P	P	P	P	P	—
		Indoor Amusements	—	—	SUP	P	P	P	SUP	P	P
		Indoor Firing Range	—	—	—	SUP	—	SUP	SUP	SUP	SUP
		Live Performance Theater	—	SUP	SUP	P	P	P	P	P	—
		Movie Theater	—	—	—	P	P	P	—	—	—
		Special Event Venue	SUP	SUP	PS	PS	PS	PS	PS	PS	—
		Studios, Galleries and Workshops - High Impact	—	—	SUP	SUP	SUP	P	P	P	P
		Studios, Galleries and Workshops - Low Impact	—	P	P	P	P	P	P	P	—
Outdoor Recreation	3.9.2	All outdoor recreation facilities, except as listed below	SUP	P	P	P	P	P	P	P	
		Non-Residential Swimming Pool or Pond	—	SUP	SUP	SUP	PS	PS	PS	—	
		Outdoor Amusements	—	—	SUP	P	SUP	P	—	P	
		Outdoor Firing Range	—	—	—	—	—	—	—	SUP	
		Parks, Open Space, and Greenways	P	P	P	P	P	P	P	P	
Agriculture											
Agriculture	3.10.1	All agricultural uses	PS	—	—	—	—	PS	PS	PS	
Manufacturing/Wholesale/Storage											
Light Industrial and Manufacturing	3.11.1	All light industrial and manufacturing activities, except as listed below	—	—	—	—	—	SUP	—	P	
		Brewery, Distillery, Winery, Cidery - High Impact	—	—	—	SUP	—	P	—	P	
		Brewery, Distillery, Winery, Cidery - Low Impact	—	—	SUP	PS	PS	PS	—	PS	
		Laboratory	—	—	—	—	—	P	P	P	
		Laundry, Dry Cleaning Plant	—	—	—	—	—	SUP	P	P	
		Manufacturing Research and Development	—	—	—	P	—	P	P	P	
		Media Production	—	—	P	P	P	P	P	P	
Heavy Manufacturing	3.11.2	All heavy manufacturing activities, except as listed below	—	—	—	—	—	—	—	SUP	

TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
		Metal Products Fabrication, Machine or Welding Shop	—	—	SUP	SUP	SUP	P	—	P
Storage and Disposal	3.11.3	All storage and disposal uses, except as listed below	—	—	—	—	—	SUP	—	P
		Chemical Storage Facility	—	—	—	—	—	—	—	P
		Solid Waste Disposal Facilities	—	—	—	—	—	—	—	PS
		Junkyard / Salvage Yard	—	—	—	—	—	—	—	SUP
Wholesaling and Distribution	3.11.4	All wholesaling and distribution activities, except as listed below	—	—	—	—	—	P	—	P
		Equipment Rental	—	—	—	—	—	P	—	P
		Indoor Vehicle/Heavy Equipment Sales	—	—	PS	—	PS	PS	—	PS
		Outdoor Vehicle/Heavy Equipment Sales	—	—	—	—	—	PS	—	PS
Extractive Industries	3.11.5	All extractive industries, except as listed below	—	—	—	—	—	—	—	P
		Extractive industries involving blasting	—	—	—	—	—	—	—	SUP
Infrastructure										
Utilities	3.12.1	Utilities—Class 1	P	P	P	P	P	P	P	P
		Utilities—Class 2	P	P	P	P	P	P	P	P
		Utilities—Class 3	—	—	—	—	—	—	—	—
Telecommunications	3.12.2	All wireless telecommunication facilities, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Wireless Telecommunication Facility—Tower	—	—	—	—	—	SUP	—	PS
Transportation	3.12.3	Parking Lot	SUP	PS	PS	PS	PS	PS	PS	PS
		Passenger Vehicle Terminals	—	—	P	P	P	P	—	P
Accessory										
Residential Accessory	3.13.1	All residential accessory uses, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Day Care Home	PS	PS	PS	PS	PS	PS	PS	—
		Dwelling—Accessory Unit (ADU)	PS	PS	PS	PS	PS	PS	PS	—
		Home Occupation	PS	PS	P	P	P	P	P	—

TABLE 2.2-A: LAND USE MATRIX

CATEGORY	SECTION (a)	USE	ZONING DISTRICTS							
			GR	RMX	NMX	PGX	DMX	CMX	IC	GI
		Keeping Bees	PS	PS	PS	PS	PS	PS	PS	PS
		Keeping Domestic Fowl (Chickens)	PS	PS	PS	PS	PS	PS	PS	PS
		Swimming Pool or Pond	PS	PS	PS	PS	PS	PS	PS	—
Non-Residential Accessory	3.13.2	All non-residential accessory uses, except as listed below	—	PS	PS	PS	PS	PS	PS	PS
		Accessory Retail	—	—	PS	PS	PS	PS	PS	PS
		Drive-Thrus	—	—	SUP	SUP	—	PS	—	—
		Mobile Food Vendor Site	—	SUP	PS	PS	PS	PS	PS	PS
		Recycling - Small Collection	—	—	—	—	—	SUP	SUP	P
		Rooftop Amenity Space	—	—	SUP	PS	PS	PS	PS	PS
		Taproom / Tasting Room	—	—	SUP	P	P	P	—	P
Temporary										
Events and Structures	3.14.1	All temporary events and structures, except as listed below	PS	PS	PS	PS	PS	PS	PS	PS
		Carnivals or Circus	—	—	—	—	—	PS	PS	PS
		Farmers Market	—	—	PS	PS	PS	PS	PS	—
Vendors	3.14.2	All temporary vendors, except as listed below	—	—	PS	PS	PS	PS	—	—
		Vending Pushcarts	—	—	—	—	PS	—	—	—
(a) This column refers to the section of this ordinance that contains the use definition and additional standards.										

**COMMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
AND ANY OTHER OFFICIALLY ADOPTED APPLICABLE PLANS
TXT-25-0003**

NCGS 160D-605 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:

Building Brevard Comprehensive Land Use Plan:

- **Action LUH-23:** Incorporate flexible zoning standards and simplified approvals for camps, campuses, and institutions.

ORDINANCE NO. 2025-____

**AN ORDINANCE AMENDING CHAPTERS 2, 4, AND 8 OF THE CITY OF BREVARD
UNIFIED DEVELOPMENT ORDINANCE TO REVISE DIMENSIONAL STANDARDS FOR
INSITUATIONAL CAMPUS ZONING DISTRICT**

WHEREAS, the City of Brevard Planning Board has unanimously recommended that the Brevard City Code, Unified Development Ordinance Chapter 2 – Districts and General Provisions; Chapter 4 – Lot and Subdivision Requirements; and Chapter 8 – Tree Protection and Landscaping be amended; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the goals and objectives of the City of Brevard Comprehensive Land Use Plan *Building Brevard 2030*, specifically LUH-23: *Incorporate flexible zoning standards and simplified approvals for camps, campuses, and institutions.*

WHEREAS, a public hearing was conducted on Monday, November 17, 2025, 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 Code of Ordinances be amended as outlined below.

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

SECTION 01. City of Brevard Unified Development Ordinance is 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 this the 1st day of December, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT
City Council, Monday, December 15, 2025

Title: Appointment of Citizen Members to Policy Committees
Speaker: Denise Hodsdon, City Clerk
Prepared by: Denise Hodsdon, City Clerk
Approved by: Wilson Hooper, City Manager

Background

When Council updated the structure of City Council Committees in December 2022, and designated committees as either policy, advisory or statutory, the terms for citizen members on policy committees were set at two years, with all terms expiring on December 31st. There is a term limit of three 2-year terms. **City residency is required for membership on policy committees.**

Staff advertised the upcoming vacancies and call for applications on the City’s website, beginning on September 17th, and in *The Transylvania Times* on September 25th.

Discussion

Upcoming Vacancies for Policy Committees are as follows:

Finance, Human Resources & Citizen Appointment Committee (FHR)- Citizen Member term expiring on December 31, 2025:

- Susan Miller – Has served one term; eligible for reappointment

Applications for membership on the FHR Committee were received from the following:

- Susan Miller – Rec’d 10/15/2025
- Michael Hinds – Rec’d 6/17/2025

Housing Committee - Citizen Member term expiring on December 31, 2025:

- Victor Foster – Has served two terms; eligible for reappointment

Applications for membership on the Housing Committee were received from the following:

- Victor Foster – Rec’d 11/5/2025

Public Safety Committee - Citizen Member term expiring on December 31, 2025:

- Kevin Gallo – Has served one term; eligible for reappointment

Applications for membership on the Public Safety Committee were received from the following:

- Kevin Gallo – Rec'd 10/15/2025

Public Works & Utilities Committee (PWU) - Citizen Member term expiring on December 31, 2025:

- William Owen Carson – Has served one term; eligible for reappointment

Applications for membership on the Public Works & Utilities Committee were received from the following:

- William Owen Carson – Rec'd 10/1/2025

Recommendation

The Finance, Human Resources and Citizen Appointment Committee reviewed all applications at its November 24, 2025 meeting and unanimously recommended the following appointments:

1. Finance, Human Resources & Citizen Appointment Committee: Reappointment of Susan Miller
2. Housing Committee: Reappointment of Victor Foster
3. Public Safety Committee: Reappointment of Kevin Jones
4. Public Works Committee: Reappointment of William Owen Carson

Action

Staff requests that Council approve the Finance, Human Resources & Citizen Appointment Committee recommendations for citizen member appointments to the Finance, Human Resources & Citizen Appointment Committee, the Housing Committee, the Public Safety Committee, and the Public Works & Utilities Committee. A draft resolution is attached for Council's consideration.

Attachments:

1. FHR Committee Applications
2. Housing Committee Application
3. Public Safety Committee Application
4. PWU Committee Application
5. Draft Resolution Appointing Members to Policy Committees

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

202200011 Miller, Susan McCallum
FINANCE, HUMAN RESOURCES & APPOINTMENT
COMMITTEE MEMBER

Received: 10/15/25 6:12 PM

For Official Use Only:

QUAL: _____

DNO: _____

Experience

Training

Other: _____

PERSONAL INFORMATION

POSITION TITLE: FINANCE, HUMAN RESOURCES & APPOINTMENT COMMITTEE MEMBER	EXAM ID#: 202200011
NAME: (Last, First, Middle) Miller, Susan McCallum	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 56 Knight Court, Brevard, North Carolina 28712	EMAIL ADDRESS: susan_miller@comporium.net
HOME PHONE: 828-966-3222	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	LEGAL RIGHT TO WORK IN THE UNITED STATES? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is your highest level of education? Master's Degree	

PREFERENCES

MINIMUM COMPENSATION: \$1.00 per hour; \$1.00 per year	ARE YOU WILLING TO RELOCATE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Temporary	
TYPES OF WORK YOU WILL ACCEPT: Per Diem	
SHIFTS YOU WILL ACCEPT: Day, Evening	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
retired
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
ABC Board
4. Why do you want to be a member of this Board and/or Committee?
I am skilled in Financial Management, Auditor Selection and Strategic Planning, attributes which are beneficial to a citizen's board.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
Retired City Manager, Retired City/County Finance Director, CPA and I have a Master's in Public Administration from University of West Florida
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
Raised funds to build County Animal Shelter, On the Mayor's Task Force for Age Friendly Community, formerly was a Board Member for United Way
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
none

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Susan McCallum Miller on 10/15/25 6:12 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
 95 W Main St
 Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Hinds, Michael F.
 202200011 FINANCE, HUMAN RESOURCES & APPOINTMENT
 COMMITTEE MEMBER

Received: 6/17/25 11:56 AM
 For Official Use Only:
 QUAL: _____
 DNO: _____
 Experience
 Training
 Other: _____

PERSONAL INFORMATION

POSITION TITLE: FINANCE, HUMAN RESOURCES & APPOINTMENT COMMITTEE MEMBER	EXAM ID#: 202200011
NAME: (Last, First, Middle) Hinds, Michael F.	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 129 Resada Drive, Brevard, North Carolina 28712	EMAIL ADDRESS: mfhinds@gmail.com
HOME PHONE: (205) 936-3839	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	LEGAL RIGHT TO WORK IN THE UNITED STATES? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is your highest level of education? Master's Degree	

PREFERENCES

MINIMUM COMPENSATION: \$0.00 per hour; \$0.00 per year	ARE YOU WILLING TO RELOCATE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Temporary	
TYPES OF WORK YOU WILL ACCEPT: Per Diem	
SHIFTS YOU WILL ACCEPT: Day, Night	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
Co-Owner & Board Member, Sunbridge Energy Services ...
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
n/a
4. Why do you want to be a member of this Board and/or Committee?
My wife and I have moved to Brevard for long-term residency ... I hope to be able to assist the City & Community in working through their challenges to identify potential solutions through my background and knowledge ...
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
I hold very substantial experience as an entrepreneur (positive and negative), all areas of finance, including creative structured finance facilities, rating agencies, risk management, and government agencies ...
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
None at this time ... have served on both public company Boards (TXU Communications) and several private company Boards serving in many positions from HSE to risk management ...
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
None ...

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Michael F. Hinds on 6/17/25 11:56 AM

EMPLOYMENT APPLICATION



CITY OF BREVARD
 95 W Main St
 Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Foster, Victor L
 202200013 HOUSING COMMITTEE MEMBER

Received: 11/5/25 2:33 PM
 For Official Use Only:
 QUAL: _____
 DNO: _____
 Experience
 Training
 Other: _____

PERSONAL INFORMATION

POSITION TITLE: HOUSING COMMITTEE MEMBER		EXAM ID# : 202200013
NAME: (Last, First, Middle) Foster, Victor L		SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 285 Oakdale Street, Brevard, North Carolina 28712		EMAIL ADDRESS: vlfoster2238@gmail.com
HOME PHONE: 828-553-4257	ALTERNATE PHONE: 828-862-5410	NOTIFICATION PREFERENCE: Email

PREFERENCES

Nothing Entered For This Section

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
UNC Asheville - Fire Systems Manager
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Rosenwald Community Advisory Board
4. Why do you want to be a member of this Board and/or Committee?
I am dedicated to improving our city and its communities
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
I have studied industrial technology and worked in industrial maintenance for 23 years. I have studied fire systems and currently managing fire systems for 20 plus years.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I am a minister in the community and serve on the Mary C Jenkins Center board. I am a trained mediator, photographer and serve as an associate pastor - Glade Creek Church.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
I can flex my schedule to meet at different times with enough notice.



Check One: Initial Application
 Reappointment Application

CITY OF BREVARD APPLICATION FOR BOARDS/COMMITTEES

The City Council invites all citizens of the City to participate in governmental decisions by serving as a member on an advisory board or committee. Boards and committees include:

- ABC Board of Directors • Board of Adjustment • Brevard Housing Authority Board of Directors
- City Council Downtown Master Plan Committee • City Council Parks, Trails and Recreation Committee
 - City Council Public Works & Utilities Committee • City Council Public Safety Committee
 - City Council Finance, Human Resources & Citizen Appointment Committee
- Housing Committee • Planning and Zoning Board • Rosenwald Community Advisory Board
 - Terrell Scruggs Scholarship Committee • Transylvania Economic Alliance

Name of Board or Committee Interested In: Housing Committee

** List only one per Appointment Application form.*

Date 11-5-2025

Name Victor L. Foster

Home Address 285 Oakdale Street, Brevard, NC 28712

Phone (home) 828-862-5410 (cell) 828-553-4257

E-Mail Address: vlfoster2238@gmail.com

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.

2. Please list your current place of employment and your occupation.

UNC-Asheville Fire Systems Manager

3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"

Rosenwald Community Advisory Board

4. Why do you want to be a member of this Board and/or Committee?

I am dedicated to improving our city and its communities.

5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?

I have studied industrial technology and worked in industrial maintenance for 23 years.

I have studied fire systems and currently managing fire systems for 20 plus years.

6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.


I am a minister in the community, serve on the Mary C. Jenkins Center board.

I am a trained mediator, photographer and serve as an associate pastor- Glade Creek Church.

7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?

I can flex my schedule to meet at different times with enough notice.

**Please note: Upon appointment to a board/committee, the information contained in this application becomes a matter of public record per North Carolina General Statutes 132-1 and may be published or released. Your application will be kept on file for a period of two years and then destroyed. You may reapply after that time period.*


Signature of Applicant

Please return this application to:
City of Brevard-Attn: Denise Hodsdon, City Clerk
95 W. Main Street, Brevard NC 28712
Phone: 828-885-5614
Email: denise.hodsdon@cityofbrevard.com

FOR CITY USE ONLY
DATE APPLICATION RECEIVED: _____
COUNCIL ACTION: _____ DATE: _____
_____ NEW APPOINTMENT _____ REAPPOINTMENT
DATE APPOINTMENT EXPIRES: _____

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Gallo, Kevin
202200012 PUBLIC SAFETY COMMITTEE MEMBER

Received: 10/15/25 9:08 AM

For Official Use Only:

QUAL: _____

DNO: _____

Experience

Training

Other: _____

PERSONAL INFORMATION

POSITION TITLE: PUBLIC SAFETY COMMITTEE MEMBER	EXAM ID#: 202200012
NAME: (Last, First, Middle) Gallo, Kevin	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 671 Probart St., Brevard, North Carolina 28712	EMAIL ADDRESS: kevinginncc@gmail.com
HOME PHONE: 605-310-8616	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	LEGAL RIGHT TO WORK IN THE UNITED STATES? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is your highest level of education? Doctorate	

PREFERENCES

MINIMUM COMPENSATION: \$0.00 per hour; \$0.00 per year	ARE YOU WILLING TO RELOCATE? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Temporary	
TYPES OF WORK YOU WILL ACCEPT: Part Time	
SHIFTS YOU WILL ACCEPT: Day, Evening, Weekends, On Call (as needed)	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
Voluntary consultant/collaborator with a Forecast Operations Specialist at the University of Colorado Cooperative Institute for Research in the Atmosphere. Previously I was a Research Scientist with the National Oceanic and Atmospheric Administration (NOAA).
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
I am currently a Citizen Member of the Public Safety Committee.
4. Why do you want to be a member of this Board and/or Committee?
I am currently the Citizen Member of the Public Safety Committee and would like to apply for a second term of serving on the Committee. I would like to continue to provide insight and experience related to the topic of Public Safety for the citizens of Brevard and visitors to the community, including those individuals that utilize our many transit and recreation routes available (roads, multi-use paths, and sidewalks) within the community, and the related city services provided by the Police, Fire, and Public Works Departments.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
During my current service as Citizen Member of the Public Safety Committee the Committee has responded to an ever-expanding variety of citizen concerns related to public safety issues throughout Brevard. These topics have included citizen safety concerns that have ranged from loose (and aggressive) dogs to establishment of buffer zones around schools related to vape and hemp shops, establishment of a "social district" and traffic calming requests from neighborhoods throughout Brevard.
As a resident of Brevard, I make daily (weather permitting) walks along the sidewalks of the community with my wife (Linda), bike on the city greenway/shared use path and routinely drive the roads within the community. My travels on the various routes throughout Brevard occur at various times of the day and offer a unique opportunity to observe the use (pedestrian, bicyclist, and vehicular) of Brevard roads, greenway path, and sidewalks, as well as the potential safety issues related to the interactions of these various uses with each other.
Related to data that might be observed and associated with Public Safety issues, or statistics collected by the Fire or Police Departments: my professional experience with NOAA included data observation, analysis, and interpretation, that resulted in arriving at conclusions that were supported by the observed data.
Related to assessments of budgets and staffing requirements: my professional experience at NOAA included assessments of funding proposals submitted to Federal agencies (e.g., NOAA, NASA and others). The proposal assessments included reviews of staffing (all levels), resource requirements (including space and equipment requirements) and the related budgets requested to support these requirements.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
In addition to my current service on the Public Safety Committee and daily walks and other activities mentioned above, that are relevant to public safety concerns and services of the City Police, Fire, and Public Works Departments, I periodically attend meetings of the Transylvania County Transportation Advisory Committee to maintain familiarity with County-wide transportation concerns and topics that may be applicable to citizens of Brevard.
My relevant previous community involvement included 10 years of service on a Citizen Advisory Committee for a regional metropolitan (Sioux Falls, SD) planning organization.
The Advisory Committee initiated and conveyed concerns (from personal experience or as conveyed by users of these routes) related to the safe use of these routes by all users (motorists, cyclists and walkers). These safety concerns often included issues related to the interface (or intersection) of these routes with each other, as well as the routes that traveled through or near major public facilities (e.g., schools) or recreational areas (city parks). Committee members would also review any traffic-related data that may have been observed related to the issues of concern.
As a member of the Advisory Committee, I also participated in the review of plans related to future transportation modifications that included roadways, multi-use pedestrian/bicycle pathways, and sidewalks. The reviewed plans included Federal, State, and locally funded projects with feedback provided on the plans and prioritization of the projects. The Committed also provided reviews and recommendations related to grant proposals under preparation by municipalities to improve local multi-use pathways and other projects not fully funded by other entities.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
none

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.

- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Kevin Gallo on 10/15/25 9:08 AM

EMPLOYMENT APPLICATION



CITY OF BREVARD
 95 W Main St
 Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Carson, William O
 202200014 PUBLIC WORKS COMMITTEE MEMBER

Received: 10/1/25 5:39 PM
 For Official Use Only:
 QUAL: _____
 DNO: _____
 Experience
 Training
 Other: _____

PERSONAL INFORMATION

POSITION TITLE: PUBLIC WORKS COMMITTEE MEMBER	EXAM ID#: 202200014
NAME: (Last, First, Middle) Carson, William O	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 77 Poplar Street, Brevard, North Carolina 28712	EMAIL ADDRESS: owen@equinoxenvironmental.com
HOME PHONE: 8285539091	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	LEGAL RIGHT TO WORK IN THE UNITED STATES? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is your highest level of education? Bachelor's Degree	

PREFERENCES

MINIMUM COMPENSATION: \$44,000.00 per year	ARE YOU WILLING TO RELOCATE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Regular	
TYPES OF WORK YOU WILL ACCEPT: Full Time	
SHIFTS YOU WILL ACCEPT: Day, Evening, Night, Weekends	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
Equinox Environmental (Asheville, NC)
Botanist / Senior Ecologist / Ecological Services Team Manager
2010-present
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Outgoing Chair, Transylvania Natural Resources Council (Term ended 9/30/25)
4. Why do you want to be a member of this Board and/or Committee?
I am interested in continuing to serve and add a layer of environmental/ecological consideration into the City's policies governing utility maintenance and growth, especially when it comes to water resources (natural, municipal, etc.).
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
My professional areas of expertise include (in broad terms), but are not limited to, water quality, ecology, and resource conservation. These are important parts of our City's natural and cultural identity, and are aspects that affect/limit/influence our city's growth and development. I believe that my insights could offer a unique lens of sustainability during the process of evaluating and making recommendations regarding our public works.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I am the outgoing Chair of the Transylvania Natural Resources Council, an advisory council to the Commissioners; the TNRC holds monthly meetings to which the public are invited and at which presentations are made from various natural resource professionals. Since my involvement as Chair, we have worked with the TTimes to 'advertise' these meetings and grow the public awareness of and participation in these meetings.
I also author natural Resource related pieces for the TTimes in their Outdoors section.
I am the newest member of the Conserving Carolina Board of Directors (07/2025) and also serve on their Stewardship as well as Development Committees; those committee makes informed decisions regarding the fundraising and organization as well as stewardship of CC's protected properties.
Finally, I was the first participant in the City's new Adopt-a-Greenspace program; my family and I manage the wetlands surrounding the bike path + boardwalk between Poplar Street and McDonalds. We continue to steward that area, even though the boardwalk is now defunct.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
My schedule is pretty flexible such that I can make room for recurrent dates/times; that s to say, I don't foresee any limitations that would hinder my service on the Committee. To date I have had very few conflicts with CC Stewardship Committee and no conflicts preventing my attendance on TNRC: both meet once a month over 2-hour periods on weekdays.

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by William O Carson on 10/1/25 5:39 PM

RESOLUTION NO. 2025-76

RESOLUTION APPOINTING MEMBERS TO POLICY COMMITTEES

WHEREAS, in Fall 2022 the Brevard City Council held a work retreat to reform its committee structure; and

WHEREAS, committees were designated into one of three categories: policy committees, statutory committees, and advisory committees; and

WHEREAS, the Council initiated a new system for making appointments that would apply to every body to which the Council makes appointments; and

WHEREAS, the terms of citizen members appointed to policy committees were set at two years with all terms expiring on December 31st; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee was charged with reviewing applicants for the various committees/advisory groups and making appointment recommendations to the full Council; and

WHEREAS, under the direction of the Finance, Human Resources and Citizen Appointment Committee, city staff conducted an open recruitment for citizens interested in serving on the various policy committees; and

WHEREAS, the applications received during the recruitment period were reviewed by the Finance, Human Resources and Citizen Appointment Committee at their November 24, 2025 meeting; and

WHEREAS, at that meeting the Committee recommended appointments to the Finance, Human Resources and Citizen Appointment Committee; Housing Committee; Public Safety Committee; and Public Works and Utilities Committee to full City Council.

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

- 1) The Brevard City Council does hereby reappoint Susan Miller to the Finance, Human Resources and Citizen Appointment Committee, effective January 1, 2026 and expiring on December 31, 2027; and
- 2) The Brevard City Council does hereby reappoint Victor Foster to the Housing Committee, effective January 1, 2026 and expiring on December 31, 2027; and
- 3) The Brevard City Council does hereby reappoint Kevin Gallo to the Public Safety Committee, effective January 1, 2026 and expiring on December 31, 2027.
- 4) The Brevard City Council does hereby reappoint William Owen Carson to the Public Works and Utilities Committee, effective January 1, 2026 and expiring on December 31, 2027

Adopted and approved this the 15th day of December, 2025.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC, NCCMC
City Clerk