

**Buncombe County Planning Board  
May 16, 2016**

The Buncombe County Planning Board met on May 16, 2016 in the meeting room at 30 Valley Street. Members present were Nancy Waldrop, David Rittenberg, Joan Walker, Robert Martin, Bob Taylor, Thad Lewis, and Dusty Pless. Also present was Michael Frue, Staff Attorney; Jon Creighton, Planning Director; and Gillian Phillips, Debbie Truempy, and Shannon Capezzali, Planning staff.

**Call to Order**

Nancy Waldrop called the meeting to order at 9:30 am.

**Approval of Agenda**

Robert Martin made a motion to approve the agenda. The motion was seconded by Thad Lewis and passed unanimously.

**Approval of Minutes (May 2, 2016)**

Dusty Pless made a motion to approve the minutes. The motion was seconded by David Rittenberg and the motion passed unanimously.

**Public Comment**

Sylvia Landis made a request for the Planning Board to update the Zoning Ordinance to improve the aesthetics of developments by requiring that gas storage tanks be placed on a solid pedestal and screened from view, and preventing utility boxes for cable and other services from being placed above-ground in front yards. Photos of the conditions at her new home were provided.

Al Gumpert from Town Mountain Road made a request for the Planning Board to review the 2006 Stormwater Ordinance. He stated that the current ordinance exempts permit requirements for lots platted before 2006 which have impervious surface areas of less than 15%, even in steep slope areas. Recent landslides in the area may have been caused by runoff from nearby properties.

**Public Hearing**

***ZPH2016-00018: Discussion of proposed revisions to the Buncombe County Land Development and Subdivision Ordinance.***

Gillian Phillips stated that NCDOT staff will attend the June 6, 2016 Planning Board meeting and the Board Members opted to discuss the road access requirements at that time.

**Additional Discussion**

In response to public comment from Sylvia Landis, and a question from Robert Martin regarding why the County does not require underground utilities, Gillian Phillips stated the following:

- The development in question was approved under the City of Asheville's ETJ, and Buncombe County issued the building permits after the ETJ was abolished. Even with underground utilities, the cable boxes in question would still be above ground to provide access to the company.
- The Planning Board does not have statutory authority to regulate aesthetics. Thad Lewis stated that the type of gas tank shown in Ms. Landis' handout could not be buried. A solid base is required but it does not have to be a poured base.

- Developers have typically opted to bury lines on their own as part of large subdivisions or in urban areas. No complaints or requests have been received from the public to require underground wires.
- Underground utility lines are more expensive to install than overhead lines. Larger developers may pass those additional costs to homebuyers which could reduce the affordability of the homes. Staff anticipates that some developers of special and minor subdivisions would be unable to build because of the extra cost.
  - o David Rittenberg disagreed that additional development costs would be passed on to the homebuyer, and disagreed that some developers would not be able to construct the subdivision. He stated that some benefit may be found in requiring semi-major developments to do smaller scale traffic studies or do underground utilities.
  - o Joan Walker asked whether the benefit of underground utilities was enough to require it.
  - o Thad Lewis expressed concern that the discussion was addressing a problem that doesn't exist.

In response to Al Gumpert's statement about the Stormwater Ordinance, Debbie Truempy stated that new development is required to make arrangements for stormwater, including those platted prior to the ordinance, if they are grading an acre or more. Michael Frue stated that the Stormwater Administrator has authority over the ordinance, and review is through the Board of Commissioners. Staff did not believe that the Planning Board has review authority. Jon Creighton stated that the original ordinance was based on the NC state model, and with recent changes, the state is currently reviewing the County's ordinance for compliance. Gillian Phillips stated that the Hillside Development, Steep Slope, Beaverdam, and other overlay standards have limitations on disturbed and impervious surface area. Joan Walker requested more information about the stormwater requirements once the state is done with their review.

**Adjourn**

The meeting was adjourned at 10:07am.