

Cullowhee Planning Council

Minutes

April 5, 2021

6:00 p.m.

Virtual Meeting

Members	Present	Absent	Members	Present	Absent	Members	Present	Absent
Rick Bennett	X		Jim Lewis	X		Chris Stuckey	X	
Joel Setzer	X		Mike Byers	X		Donna Huguelet	X	
David Claxton	X		Carol Burton	X				

Staff Present

Michael Poston, Planning Director
Heather Baker, County Attorney
Allison Kelley, Administrative Assistant

Call to Order

Chairman David Claxton called the meeting to order at 6:00 p.m. and a quorum was present.

Additions to Agenda

Jim Lewis made a motion to approve the agenda as written. Joel Setzer seconded the motion and it passed unanimously.

Approval of Minutes

Carol Burton made a motion to approve the minutes from March 1, 2021. Donna Huguelet seconded the motion and it passed unanimously.

Public Comment- Sign-up sheet- 3 minutes per speaker

There were no public comments.

New Business

a) Approval Process Discussion

Mr. Poston stated at the last Council meeting they discussed the different types of approval processes such as administrative, quasi-judicial, and legislative. The Council's agenda packets included a guidance document from UNC School of Government for Chapter 160D regarding conditional zoning. He stated Chapter 160D is a mandatory recodification of statutes that allow counties and cities to exercise land development regulations including zoning, subdivisions, etc. In addition, staff included the Village of Forest Hills conditional zoning process as an example of how the language could be structured in the ordinance.

Mr. Claxton stated one of the advantages of the conditional zoning process is to allow the community to have more input in the decisions the Council would be making without being entangled in the legal aspect that comes from the quasi-judicial process.

Mr. Poston stated the conditional zoning process would allow the community to be involved early on in the process versus in the middle of the process. Staff currently recommends that the applicants applying for a special use permit should contact the adjoining property owners, but it is not mandatory. With the conditional zoning process, the Council can build in the requirement to those applying for a special use permit reach out to the adjoining property owners. Mr. Poston stated this process also gives more flexibility working with the developer to deal with concerns from the community or Council. The Council also would be required to adopt a consistency statement for the proposed map amendment

that would allow staff to encourage applicants to be consistent with the Cullowhee Small Area Plan and other county adopted land use plans.

Rick Bennet asked if a community meeting is a component of the conditional zoning process. Mr. Poston stated he would recommend the Council include the requirement of a community meeting in the process.

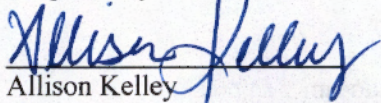
Joel Setzer inquired with the conditional zoning process if the Council would still have the opportunity to ask questions and cross-examine as they did in the quasi-judicial process. Mr. Poston stated the process would not be as formal as the quasi-judicial hearing that allowed the Council, county attorney, and parties with standing to ask questions from expert witnesses.

Carol Burton made a motion to direct staff to present a draft document for conditional zoning at a future Council meeting. Chris Stuckey seconded the motion, and it passed unanimously.

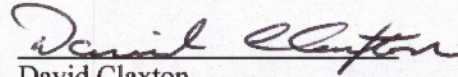
Adjournment

With no further business, Joel Setzer made a motion to adjourn. Carol Burton seconded the motion and the meeting adjourned at 7:00 p.m.

Respectfully Submitted,



Allison Kelley
Administrative Assistant- Planning



David Claxton
Planning Council Chair