

JACKSON COUNTY PLANNING BOARD

MINUTES

Date: May 14, 2020

Time Begin: 6:00 p.m.

Time End: 6:28 p.m.

Location: ZOOM

| Members | Present | Absent | | Present | Absent | | Present | Absent |
|--------------|---------|--------|--------------------|---------|--------|-----------------------|---------|--------|
| Emily Moss | X | | Tamera Crisp | X | | Joyce Cooper | | X |
| Sandy Davis | X | | Brad Waldrop | X | | Steven Johannessen | | X |
| Jeremy Hyatt | | X | Mark Letson | X | | Tommy White | X | |
| Kirk Shufelt | X | | Zachary Newland | X | | | | |

Staff Present:

- Michael Poston- Planning Director
- John Jeleniewski- Senior Planner
- Caroline LaFrienier- Planner II
- Heather Baker- County Attorney
- Allison Kelley- Administrative Assistant

Call to Order and Quorum Check

Vice Chair Mark Letson called the meeting to order at 6:00 p.m. and a quorum was present.

Public Comment

- ❖ Karen Kandl (Oak Forest Resident): Ms. Kandl thanked the Board for considering changing the number of unrelated individuals living in single family housing to no more than three individuals in the Cullowhee zoned areas regardless of their location. It is disingenuous that single-family housing should mean a whole posse of unrelated people living in a single dwelling. She stated it should not matter whether or not the dwelling is close to or further from WCU. Ms. Kandl stated that some people suggest that the limit not be changed because limits such as these are impossible to enforce, which is not the case as the county has enforced this in the past. In addition, other communities enforce limits such as these, and believes this community can do the same. Others argue that these types of limits would hurt developers and people buying property for rentals. Not having these limits hurts the people that bought houses in the neighborhoods because those neighborhoods were quiet and relatively free from students. Ms. Kandl stated the Board is here to serve both the existing community and the future of the community. The limit of no more than three unrelated people in a single-family unit would serve the community well. It would help protect the quality and character of the existing neighborhoods, and would not harm developers if their intent were to build single-family housing.
- ❖ Pam Buskey (Oak Forest Resident): Ms. Buskey stated she would like to reiterate Ms. Kandl’s public comment and the community would like the opportunity to reduce the number of unrelated people in a single-family dwelling to three unrelated individuals.
- ❖ Joseph Pechmann (Oak Forest Resident): Mr. Pechmann stated he is in support of the proposition to reduce the number of unrelated people than can live in a house, in an area zoned single-family from five to three unrelated people within ¼ mile from WCU. He believes this amendment would make the definition of single family housing consistent across the Cullowhee Community Planning Area, and consistent with the regulations used in most places in Jackson County, the

State of North Carolina, and elsewhere. Mr. Pechmann stated he was surprised to learn a few months ago that single-family housing was defined differently in the area within ¾ mile of WCU by zoning regulations. This area includes his entire neighborhood Oak Forest, and nearly all of the Cullowhee Community Planning Area designated as single family residential. He stated single-family neighborhoods near WCU, including Oak Forest should be treated the same way and given the same protections by zoning as other neighborhoods. He stated by limiting the number of unrelated people that can live in a single family zoned dwelling will keep single family residential districts from becoming taken over by students or other renters. Students and other renters are transient and do not have the same investment as family homeowners do in the long-term good of their house and community. In addition, student lifestyles are often not a good mix with those of families. He stated a neighborhood that becomes dominated by student rentals becomes undesirable for single families, and housing prices would drop accordingly. Mr. Pechmann believes that allowing five unrelated people to share a single-family zoned house near WCU decreases the availability of affordable housing in Cullowhee. Those people that buy homes and rent to students are not renting at bargain prices. Rather, the landlords that turn these homes into student rentals will make money on them at the expense of the availability of affordable family housing for the community. He asked the Board to please give the neighbors of WCU the same protections for the character and quality of our neighborhoods as others by eliminating this exception to the definition of a family within three quarters of a mile of WCU.

- ❖ Hiddy Morgan (Buzzards Roost Resident): Ms. Morgan encouraged the Board to vote in favor of the proposed change as recommended by the Cullowhee Planning Council. She asked the Board to amend Section 9.4.4, maximum number of unrelated person in a home shall be three unrelated persons if in a single-family housing neighborhood. In addition, to remove the requirement that five unrelated person if a home is ¾ mile or less from WCU campus. Ms. Morgan asked the Board to consider their concerns as these neighborhoods need to be preserved, and to consider approving this text amendment.
- ❖ Catherine Carter (Oak Forest Resident): Ms. Carter stated she was in favor of reducing the number of unrelated people per single family dwelling to three unrelated people. In addition, she believes it is important to preserve the character of the existing neighborhoods, as a neighborhood changes when students move in to occupy single-family homes. In reference to Gene Norton, the community does not want single-family homes to become de facto frat houses. This is a possibility as it has happened in other neighborhoods and they are against allowing this to happen and are for reducing the number of unrelated persons to three, as this would be a good safeguard.

Approval of the Agenda

Brad Waldrop made a motion to approve the agenda as written. Sandy Davis seconded the motion, and it carried unanimously.

Approval of the Minutes

Brad Waldrop made a motion to approve the minutes from February 13th, 2020. Tommy White seconded the motion, and it carried unanimously.

New Business

a) Text Amendment to Unified Development Ordinance (UDO) Section 9.4.4 of the Cullowhee Community Planning District

Mike Poston presented to the Board that the proposed text amendment from the Cullowhee Planning Council and from the Cullowhee standards in UDO Section 9.4.4. The Council had discussed at length over this standard regarding the number of unrelated people allowed to live in a single-family housing district. The existing language was problematic as it speaks about student rentals that they cannot discriminate against based on fair housing laws. However, staff can look at unrelated persons, which would include students that are attending

schools in the area. The current regulation also breaks down the distance of single-family homes in the district based on the distance from WCU campus. The Council asked staff to review this standard to for more clarity and to be consistent with the Cullowhee Small Area Plan. This plan calls to protect single-family existing neighborhoods and this text amendment would be providing the framework to do so.

Staff changed "Student Rentals" to "Unrelated Persons," removed the 3/4 mile from WCU campus rule, and added the rule that the maximum number of unrelated persons in a home shall be **three**. Mr. Poston stated this rule only applies to the single-family zoned districts and would not affect multifamily housing developments that are student housing in other districts.

Tamera Crisp made a motion to approve the text amendment and recommend for adoption and the consistency statement. Tommy White seconded the motion, and it carried unanimously.

b) Oath of Office

Agenda item tabled until next Board meeting.

c) Staff Updates

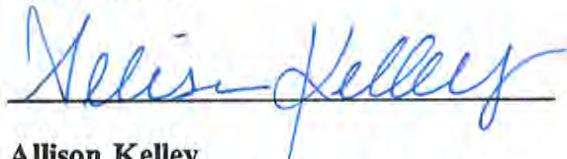
Mike Poston introduced new Board members Zac Newland and Emily Moss to the Planning Board and Planning Department staff. He stated staff amidst the Stay at Home Order has been fully operating and functioning telecommuting by reviewing plats, issuing zoning/sign permits, and responding to code compliance and complaints. He informed the Board there would be a June meeting for a subdivision request and currently was unsure if it would be virtual or in-person and that would depend on the guidance from the NC Governor's Office and local Public Health Officials.

John Jeleniewski informed the Board that they had reviewed and approved a Tiny Homes Subdivision (Whiteside Cliffs) at the end of 2019. The applicant is planning to do a modification request as they have been having issues with the 32 lots/units and will be coming back to the Board in the future to lessen the density.

Adjournment

With no further business, Kirk Shufelt made a motion to adjourn. Tommy White seconded the motion and the meeting adjourned at 6:28 p.m.

Submitted by:



Allison Kelley
Administrative Assistant – Planning

Approved by:



Mark Letson
Planning Board Vice Chairman