

JACKSON COUNTY PLANNING BOARD

MINUTES

Date: October 20, 2022								
Time Begin: 6:01 p.m.								
Time End: 7:05 p.m.								
Location: Department on Aging, Heritage Room								
Members	Present	Absent		Present	Absent		Present	Absent
Emily Moss		X	Tamera Crisp	X		Joyce Cooper	X	
Sandy Davis		X	Brad Waldrop	X		Thomas Taulbee		X
Brian Barwatt	X		Mark Letson	X		Ken Brown		X
Kirk Shufelt	X		Ollin Dunford	X				

Staff Present:

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

Call to Order and Quorum Check

Chairman Mark Letson called the meeting to order at 6:01 p.m. and a quorum was present.

Approval of the Agenda

Brad Waldrop made a motion to approve the agenda with the addition of item *b) Wireless Communications Discussion* under “New Business”. Joyce Cooper seconded the motion, and it carried unanimously.

Approval of the Minutes

Tamera Crisp made a motion to approve October 20, 2022 minutes. Brad Waldrop seconded the motion, and it carried unanimously.

Public Comment

There were no public comments.

New Business

a) UDO: Open Space & Campground Standards Discussion

Mr. Poston stated this topic was brought up by their Plan Review Team, which consists of leadership from Environmental Health and Code Enforcement & Permitting Department. Currently Jackson County has no regulations regarding the development of campgrounds and RV parks other than a section in the Cullowhee standards for RV parks within their zoned jurisdiction. Mr. Poston stated the county currently has 8 commercial campgrounds/RV parks. In addition, in regards to county’s Mountain and Hillside Development Ordinance (MHDO) RV’s are not considered dwelling units. He stated these standards are to address concerns of potential health and safety issues.

The following are standards were discussed from the Campground standards draft document:

Campground Levels

- Level 1- Campgrounds with at least two campsites but less than 15.

- Level 2- Campgrounds with 15 or more campsites.

General Provisions

- Site Plan requirements for subdivisions as stated in Article 3.7.14 apply to all campgrounds.
- All proposed campgrounds shall be a minimum of 2 acres in size.

Density Standards

- Each RV pad or campsite shall be at least 20 feet apart.
- Density of shall not exceed 15 sites per acre.

Road Standards

- Campgrounds roads and drainage shall comply with the standards for the minor residential subdivision road type found UDO Section 4.3.5.

Parking Standards

- All campsites shall be limited to a total of one non-RV parking space. An additional area for parking of such vehicles shall be provided equal to one parking place for every ten campsites.
- All parking lots must be compliant with the parking standards found in UDO Section 9.4.6.
- At no time shall parking be permitted on access roads to the campground.

Utilities

- Each campground shall have access to a source of potable water approved by the applicable health authority and building codes.
- Each dependent RV site shall have access to electrical power and follow the standards found in North Carolina State Building Code Article 551.71.
- All campgrounds for the accommodation of dependent RVs and tents shall provide sanitary facilities connected to a sewerage system. Whenever possible, these facilities shall be connected to a public sewerage system. These facilities should be sealed and capped after each use.
- Toilets, lavatories, and bathing facilities shall be as provided under North Carolina State Building Code.
- Toilet facilities shall be plainly marked, lighted at night, and shall be located no farther than 200 feet from any camp pad.
- Toilet facilities may be located in a central building or in two or more buildings according to the size of the campground and location of the campsites in relation to the facilities.
- An adequate and safe sewage disposal facility shall be provided in accordance with the standards of the Department of the Environment Quality and/or Jackson County Health Department.

Level II Campgrounds

Level II Campgrounds shall comply with the requirements for Class II Campgrounds plus the following design standards:

- All Level II Campgrounds roads and drainage shall comply with the standards for the major residential subdivision road type found in UDO Section 4.3.5.
- All level II campgrounds are required to provide bathhouses and laundry facilities.

Mr. Poston also stated the Board would begin discussing open space standards and how they could protect highly sensitive areas (ridges, steep slopes, rivers/creeks/streams) during development.

The following goals are from the Jackson County Land Use Plan 2040:

- NR2- Goal: Preserve and protect natural habitat and corridors for migrating wildlife.
 - Objective: Work with NC Wildlife Resource Commission and other partners to map wildlife
- NR4- Goal: Encourage development that is compatible with the natural environment
 - Update the County's BMP guidance (suggested development practices)

Jackson County open space requirements for all Major Subdivisions are as follows:

Number of lots or buildings	Open Space Requirement
Less than 8	None
8-20	10% of total area
21-50	15% of total area
More than 51	20% of total area

Total lot area = area of all lots excluding road rights-of-way, easements, etc.

Mr. Poston stated he has been in contact with a wildlife biologist that would aid in providing guidance for connecting wildlife habitat through corridors, and prioritize important natural features as the first choice for open space. In addition, he stated while developing these standards they would use the Green Growth Toolbox biology books that are provided by the state of North Carolina.

b) Wireless Communication Discussion

Mr. Poston stated the current wireless telecommunication regulations state that any new tower requires a special use permit to be issued by the county commissioners before it can be installed. In North Carolina, they have started to change the rules surrounding quasi-judicial hearing processes. During these processes, only those as a party with standing or expert witnesses are allowed to participate in the hearing. He stated this is very much a legalistic process that is required to follow the set of guidelines that is issued through the state and court case law about what you can and cannot do. In addition, he stated with each passing year it appears there is another amendment to the clause from the state legislative level, which makes it more problematic for local governments to continue to work through those processes. Mr. Poston stated a lot of it has to do with liability in the court system if they deemed the commissioners did not follow the procedures. The town or the county could be on the hook for not only our legal expenses, but also the legal expenses of the applicant that appealed the decision.

Ms. Baker stated the quasi-judicial hearing process the commissioners review if the proposed plan meets the standards or conditions, which can be sometimes a long contentious process. In addition, she stated there is a liability component that is not practical for counties to go through this difficult process. She stated they would look to begin discussing moving into an administrative approval process and review the current standards required for new cell towers as they have had some issues regarding the maximum height depending on where the tower is located in the county.

c) Vice Chair Nominations

The Jackson County Board of Commissioners appoints these potions and considers the Board's recommendations for Chair and Vice Chair.

Mark Letson made a motion to recommend Thomas Taulbee as Planning Board Vice Chair. Brad Waldrop seconded the motion, and it carried unanimously.

Adjournment

With no further business, Kirk Shufelt made a motion to adjourn. Ollin Dunford seconded the motion and the meeting adjourned at 7:05 p.m.

Submitted by:



Allison Kelley
Administrative Assistant – Planning

Approved by:



Mark Letson
Planning Board Chairman