

JACKSON COUNTY PLANNING BOARD

MINUTES

Date: December 9, 2021								
Time Begin: 6:00 p.m.								
Time End: 7:09 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		Tommy White	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
 Anna Harkins- Planner I

Call to Order and Quorum Check

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

Public Comment

There were no public comments.

Approval of the Agenda

Thomas Taulbee made a motion to approve the agenda as written. Joyce Cooper seconded the motion, and it carried unanimously.

Approval of the Minutes

Tamera Crisp made a motion to approve November 18, 2021 minutes. Brad Waldrop seconded the motion, and it carried unanimously.

New Business

a) Major Subdivision Modification: Silver Run

Mr. Jeleniewski presented the staff report for the proposed modification to the Silver Run Reserve project located at 1534 Silver Run Road; PIN 7580-67-3799. He stated the Board approved this subdivision back in April of 2019, the applicant is proposing a modification to the Major Subdivision on the referenced property which will include ~~74~~-77 lots/structures on 287.28 acres in four construction phases. There is currently two access points to this property that will be improved; the main “north” entrance will be from Highway 107 and approximately 580 lf north of the Silver Run Road (S.R. 1105) intersection and the “south” entrance which is at the terminus of Silver Run Road and averages 20’ in width. The south entrance is intended to serve as a construction entrance during development phases and ultimately a service road at the end of construction. Currently there are several existing structures on this property; the main family home, a guest house, a former water bottling facility and other accessory structures. The proposed Silver Run Reserve neighborhood will be served by new and existing (improved) roadways (8 new, 3 existing); ”shared drives” which serve up 8 lots/units; “minor residential roads” which

serve up to 12 lots/units; “major residential roads” which serve up to 50 lots/units and “collector” roads which serve over 50 lots/units. The proposed Silver Run Reserve neighborhood will consist of ~~74~~ **77** single family ~~home lots~~ **dwelling units**; ~~39~~ **27** “Cottage” lots ranging 0.50–1.0 acres; 10 “Ridge Top Estate” lots ranging from 2.0-3.0 acres; ~~6~~ **10** “Meadow Estate” lots ranging from 2.0-2.8 acres; ~~10~~ **6** “Farm Estate” lots ranging from 7.7-11.8 acres; and ~~6~~ **12** “Mountain Estate” lots ranging from 2.4-4.5 acres. **The Farm Estate lots may include up to three dwelling units (1 primary dwelling and 2 guesthouses).** Site amenities will include a future clubhouse, golf course practice turf, community building, several lakes/ponds and nature trails connecting the amenities. Site grading (cut and fill) will be moderate for infrastructure improvements and it is assumed that future home site construction will be built to the existing contour of the land(lots). Proposed stormwater and erosion control measures will need to be designed by a North Carolina licensed engineer and submitted with the final site construction plans for review. Water service will be supplied by five existing wells and wastewater collection which will be on-site or shared systems. Fire protection will be provided by the Cashiers/Glenville Fire Department. This property is located within a designated flood hazard area (100-year floodplain) as Silver Run Creek runs through the center of this development and an existing 50’ wide preservation easement is established along each side of this creek. The average slope of this property is 26% and compliance with the Mountain and Hillside Development Ordinance will not be required (minimum lot sizes). This proposed neighborhood will feature approximately 119 acres of open space overall (including amenities), the open space provided(recreation and preservation) is calculated to be approximately 41% (287.28/119); a minimum of 20% open space would be required for this project.

In addition, this development is subject to review under the county’s subdivision ordinance as a major subdivision and this ordinance defines a major subdivision by including a development with 8 or more lots/structures or, 60 or more bedrooms. The role of the Planning Board in this review is to assure the submitted concept plan complies with the standards established in the subdivision ordinance. The subdivision ordinance establishes standards for road design and construction, site grading, storm water management, provision of water and wastewater treatment, and other matters related to the proposed development. Other County ordinances, notably the erosion and sediment control and water recharge ordinances, address other matters related to the development of the project. Staff will assure these standards are met with plans meeting specifications established by Jackson County ordinances having to be approved prior to commencement of construction activities. The Planning Board will be kept informed of the status of approval of the plans, and schedule for construction activities.

Mr. Jeleniewski stated staff’s recommendation is to approve **the modification request** for the *Silver Run Preserve Subdivision* project under the condition that final site construction plans be reviewed by Planning Staff and that site construction/plans be in full compliance with the *Jackson County Subdivision Ordinance* (including performance guarantee/bond requirement).

Mr. White stated he was concerned of the possibility of these guest homes becoming an Airbnb, as there would be 12 Farm Estate Lots with single-family homes already in this subdivision. Mr. Jeleniewski stated this is a very high-end exclusive neighborhood, and in this area of the property, it would be more of a family compound or guest home for visitors. In addition, he stated the developer told staff the subdivision’s Home Owner Association (HOA) does not allow for Airbnb. Mr. Poston stated this modification of adding 6 additional dwelling units does not change the infrastructure required in regards to width of road, or more open space.

Kirk Shufelt made a motion to approve the modification request for the Silver Run Preserve Subdivision. Tamera Crisp seconded the motion, and it passed unanimously.

b) Major Subdivision Review: Peregrine

Mr. Jeleniewski presented the staff report for the proposed project *Peregrine at Whiteside Cliffs Subdivision* by applicant Black Rock LLC (Mark Battle) located at 182 Peregrine Trail, Cashiers; PIN 7560-69-2808. The applicant is requesting to develop the existing 29 vacant lot

Peregrine Subdivision into a new major subdivision that will consist of 100 single-family lots situated on 103.10 acres. This development will be served primarily by a main road, which has a proposed pavement width of 20' and 3' wide shoulders. Access to this proposed subdivision will be from Peregrine Trail which connects to Whiteside Cove Road, is an NCDOT maintained roadway (S.R. 1107) and has an approximate pavement width of 20'. The proposed single-family home lots will range from 0.20 to 0.70 acres in land area. Site grading (cut and fill) will be moderate for infrastructure improvement as the submitted plans indicate that the proposed road network will take advantage of the existing roadbeds, topography and limited to the proposed right-of-way corridors; it is assumed home site construction will be built to the existing contour of the land. Responsible storm water and erosion control measures will be required for this project and be shown on the final site construction plans. Water service for these proposed lots will be from private wells and wastewater treatment will be traditional septic systems; both the water and septic systems will require permitting/approval by Jackson County Environmental Health (Health Department) or State of North Carolina for shared systems. The Cashiers/Glenville Fire Department will provide fire protection for this proposed development. This property is not located within a designated flood hazard area. The average slope of this property is 34% with protected/non-buildable areas as required by the Mountain and Hillside Development Ordinance. The Subdivision Ordinance requires 20% open space for developments that include more than 51 lots; the total lot area for this proposed subdivision is approximately 53.48 acres and 10.70 acres of open space is required, however, the applicant is providing a total of 44.23 acres of open space.

In addition, this development is subject to review under the county's subdivision ordinance as a major subdivision and this ordinance defines a major subdivision by including a development with 9 or more lots/structures or, 60 or more bedrooms. The role of the Planning Board in this review is to assure the submitted concept plan complies with the standards established in the subdivision ordinance. The subdivision ordinance establishes standards for road design and construction, site grading, storm water management, provision of water and wastewater treatment, and other matters related to the proposed development. Other County ordinances, notably the erosion and sediment control and water recharge ordinances, address other matters related to the development of the project. Staff will assure these standards are met with plans meeting specifications established by Jackson County ordinances having to be approved prior to commencement of construction activities. The Planning Board will be kept informed of the status of approval of the plans, and schedule for construction activities.

Mr. Jeleniewski stated staff's recommendation is to approve the *Peregrine at Whiteside Cliffs Subdivision* under the condition that all proposed site construction be in accordance the *Jackson County Unified Development Ordinance* including performance guarantee, all other applicable County ordinances and the final site construction plans when submitted and approved by Planning Staff. Also, that the applicant complies with any requirements set forth by the NCDOT, State of North Carolina, Army Corps of Engineers, Duke Energy and any other agency with jurisdiction.

Ms. Crisp inquired if the road would be wide enough for emergency management to access where the road reduces to 10 feet width. Mr. Jeleniewski stated the ordinance requires staff to apply roadway standards for the number of units/lots that are served, and the more lots the road is required to be wider. In addition, he stated the ordinance states eight lots can be on a shared drive, which would be 10 feet wide. Mr. Jeleniewski stated if emergency services had an issue of the roads not being wide enough, staff could reevaluate with the board to amend the ordinance to accommodate the need for wider roads for major subdivisions. Mr. Poston stated emergency services in the county does have different size vehicles to accommodate different areas throughout the county.

Kirk Shufelt made a motion to approve the Peregrine at Whiteside Cliffs Subdivision with staff's recommendations. Tommy White seconded the motion, and it passed unanimously.

c) Subdivision standards review

Mr. Poston stated the Board has received proposed amendments in regards to major subdivision reviews. These amendments are presented based on feedback received from the board over the years that these reviews take up a good portion of their meetings. The Planning Boards role in a major subdivision review is what is called administrative and act as staff would in regards of applying the ordinance standards to the application. In addition, he stated they do not have the authority to deny these applications if they meet the technical standards. The board will still review larger subdivisions, modification requests, and any appeal of staff's decision. Staff is recommending having two levels of major subdivision reviews, level one review is less than 100 lots/units would be staff reviewed, and level two review is greater than 100 lots/units and would be reviewed by the board.

d) Multi-Family Development standards review

Mr. Poston stated staff is recommending a multi-family ordinance that will complement the subdivision ordinance standards. He stated the subdivision standards was not designed to address multifamily development impacts outside of the zoned jurisdictions. These tools would help staff manage projects in the county that are near water and sewer infrastructure. Mr. Poston stated these developments occur outside the zoned jurisdictions and the average slope of the property would drive the density of the project. The proposed ordinance has a minimum setback to encourage larger buildings to be further away from property lines regardless of the building material used that may allow them to build closer to property lines. In addition, this ordinance speaks of landscaping standards, bufferyard requirements, parking/loading/access standards, stormwater management standards, and architectural design standards.

Kirk Shufelt made a motion to call for a public hearing on January 13, 2022 regarding text amendments to the Unified Development Ordinance (UDO) regarding major subdivision review, multifamily developments and definitions for major subdivisions. Thomas Taulbee seconded the motion, and it passed unanimously.

e) UDO Sections to be Reviewed/Work plan

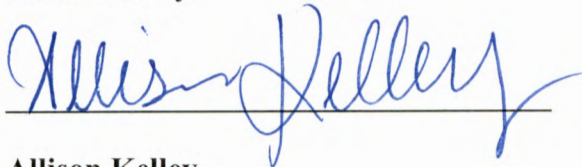
Mr. Poston stated the UDO sections of the ordinances need to be updated as follows: Outdoor Lighting, Sedimentation and Erosion Control, Subdivision, Telecommunications, Multifamily Development, Industrial Development, Temporary Events, Alternative Energy, Signs would be discussed and reviewed by the Board. Mr. Poston asked the Board to start thinking about these discussions and if they had any additional potential ordinance updates they would like to see move forward to discuss at the next meeting.

Mr. Poston stated Board member Tommy White is rotating off, and presented a Certificate of "Awesomeness" and Appreciation of Service.

Adjournment

With no further business, Tamera Crisp made a motion to adjourn. Tommy White seconded the motion and the meeting adjourned at 7:09 p.m.

Submitted by:



**Allison Kelley
Administrative Assistant – Planning**

Approved by:



**Mark Letson
Planning Board Chairman**