

JACKSON COUNTY PLANNING BOARD

MINUTES

Date: November 12, 2020

Time Begin: 6:03 p.m.

Time End: 6:41 p.m.

Location: Virtual Meeting

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	
Jeremy Hyatt	X		Mark Letson	X		Tommy White	X	
Kirk Shufelt		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

Chairman Mark Letson called the meeting to order at 6:03 p.m. and a quorum was present.

Public Comment

There were no public comments.

Approval of the Agenda

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

Approval of the Minutes

Tommy White made a motion to approve the minutes from September 10th, 2020. Brad Waldrop seconded the motion, and it carried unanimously.

New Business

a) Multi-Family Ordinance Standards Discussion

Mr. Poston stated that most of the Board are aware of the issues they have had with multi-family housing projects throughout Jackson County that are not part of the zoned jurisdictions. The Board reviewed changes recently to the Erosion Control Standards to allow staff to manage these types of projects to avoid grading and construction happening at the same time. He stated the Board of Commissioners asked for the Board to look at the impact of multi-family housing developments located outside the zoning jurisdictions and determine how the county can regulate to alleviate the amount of impact of surrounding properties, streams, and creeks. Mr. Poston stated this type of development typically occurs around the edges of the zoned jurisdictions, as there are available water and sewer; however, multi-family developments are not covered by the county's land-use controls. In the Cullowhee area, the WCU Millennial Campus project is a prime example that could happen again. The project was a large multi-family development outside the zoned jurisdiction, and the only standards that were applied were the subdivision ordinance standards that are designed for dividing a property into single lots. The

county expanded the definition to include multi-housing developments, and the number of bedrooms to help capture some of the student housing projects in the area. Mr. Poston stated before the zoning regulations there was no regulatory framework to address the impact of multi-family developments. The Cullowhee zoning area is in place but there is still potential around the corridors in the area and other zoning areas in the county that have access to water and sewer.

Purpose of the Multi-Family Ordinance

- To apply standards to multi-family developments outside of the zoned jurisdictions.
- Standards that already apply to new development:
 - Mountain and Hillside Development Ordinance
 - Subdivision Ordinance
 - Watershed Protection Ordinance (where applicable)
 - Erosion and Sedimentation Control Regulations
 - Mountain Ridge Protection
 - Water Recharge Regulations

Mr. Poston stated the Mountain and Hillside Development Ordinance (MHDO) is applied to all developments in both zoned and unzoned areas in the county that comes before the Planning Department. The MHDO regulates properties that have a 35% average slope and above that requires a minimum lot size per dwelling unit. If the average slope is below 35%, there is no minimum lot size required per dwelling unit.

The Subdivision Ordinance regulates road design standards, open space requirements, and erosion control, and stormwater measures in relation to the construction of infrastructure.

The Watershed Protection Ordinance regulates how to divide the land, and the minimum lot sizes required that are established by the state as a watershed in the water supply areas. These areas include Tuckasegee, Cullowhee, and the northern parts of Cashiers.

Erosion and Sedimentation Control regulations govern how to grade the property and develop the site. The Board has made amendments over the last couple of years to provide stronger methods and tools for erosion control inspectors to control loss of erosion off the site to reduce going into waterways and neighbors' yards.

The Mountain Ridge Protection Ordinance regulates and creates standards of how to develop on top of a mountain ridge, and it does not prohibit all development on the ridgeline.

Water Recharge Regulations govern the amount of impervious surface when building a development. Creating an impervious surface on a site reduces the amount of water that enters the ground system. These regulations help maintain the viability of groundwater supplies, including wells and lessen the impact of surface runoff.

Existing Regulations (Zoned Areas)

Cullowhee

- Landscaping- minimum buffer width depending on bedrooms
- Parking- one parking space required per bedroom plus 0.25 spaces per unit for guests
- Stormwater- plan for run-off generated by 10 year; 24 hour rain event-first inch of rainfall removed from any rain event
- Design Standards- applies to developments greater than 12 units: building materials, colors, massing and configuration, wall articulation

Elements of multi-family ordinance

- Landscaping
- Parking
- Grading
- Architecture

John Jeleniewski showed the Board pictures of existing apartment complexes in Cullowhee (The Peaks, Summit, 808 West, Riverwalk, WCU Millennial Campus) that triggered the subdivision ordinance the Board reviewed. He stated subdivision ordinance is triggered when a development is 60 bedrooms or more and speaks to infrastructure (roads, grading standards, etc.). However, it does not speak to parking, architecture standards, or landscape buffers that are more site-specific but areas outside the zoned areas could benefit by adding these standards. In the Cullowhee zoned areas, there is a minimum width landscaping buffer depending on the project, parking standards, and stormwater standards. In addition, design standards would apply to the type of building materials (rock, brick, hardie board, traditional wood lap siding, etc.), the coloring, massing and configuration of the buildings, and wall articulation. Mr. Jeleniewski stated the Cullowhee ordinances also require landscaping buffering and interior plantings standards to break up the parking area with landscape islands and trees to create a shade to avoid broken pavement that causes issues with runoff. The Board would need to consider what would be an acceptable and reasonable parking standard (per unit or bed). The Subdivision Ordinance regulates the grading standards that speak to maximum grades and the height of the grade. He stated benching is required above and below to all fill slopes greater than 10 feet in vertical height. In addition, architecture standards should be considered to focus on the long-term impact in the county, these standards are essential for zoned jurisdictions and they could develop minimum standards to avoid a large amount of metal-sided buildings.

Mr. Poston asked the Board if they had any feedback or questions regarding this potential multi-family ordinance. Mark Letson inquired if there were any issues in adopting the Cullowhee zoning standards to the areas that are close to campus to keep it unified in the area. Mr. Poston stated he believed if they did that only in the Cullowhee area, they would have to expand the Cullowhee zoning district. Staff believes they should create a multi-family ordinance that is broader to apply to the entire county to pick up areas outside of the zoned jurisdictions (Cashiers, 441 Corridor, Cullowhee, Sylva, etc.). In addition, Mr. Jeleniewski stated when the Board considers the multi-family ordinance it should not be based on utilities, and how close the property is to the zoned jurisdictions. Developers would not be discouraged to consider developing a property further away from the zoned jurisdictions, as they could do sanitary package systems with private wells.

Thomas Taulbee inquired when the Cullowhee zoning area was adopted, and if there had been any amendments since the originally adopted ordinance. Mr. Jeleniewski stated the Cullowhee zoning areas were adopted in 2015, and there had been both text and map amendments made to the ordinance as it has evolved. Mr. Letson inquired if all the zoned districts have a set standard that the county could apply to the unzoned areas. Mr. Poston stated they would apply the same standards when developing the multi-family ordinance, and he did not believe they would see any difference if they only applied to specific areas. In addition, he stated the MHDO would dictate the density of development, and the Board would need to address the known impacts of these types of developments (water quality, parking, etc.) and create basic development guidelines. The Board can also consider architecture standards to discourage institutional buildings, and encourage the character and unity of other buildings in the surrounding areas.

Brad Waldrop inquired what type of issues staff recognize that attend to occur in the unzoned areas. Mr. Jeleniewski stated there are no parking standards in the county and when developers come to the Planning Board for a major subdivision, it does not speak to parking in unzoned areas. In addition, it is presumed that a reasonable developer would have enough parking on their property for tenants, but that is not always the case. Mr. Jeleniewski stated in terms of runoff, there are no true stormwater standards as erosion control is separate from the stormwater quality, which is collected and treated before leaving the property. These standards are in place in zoned areas, but not in the unzoned areas in the county or the Subdivision Ordinance. In addition, if a developer is not required to do landscaping, they would not put a lot of funds towards landscaping which is important for balance and buffering from residential neighbors.

Mr. Waldrop stated he lived in Atlanta for sixteen years and the area does not require developers to provide parking and this then becomes another person's problem. They are not dealing with this issue currently in the county but it could potentially happen. Mr. Poston stated both staff and the Board would

need to work through parking standards for this ordinance. Student housing projects in the Cullowhee zoned area require an extra parking space per unit for guests. For example, there has been parking along the roadway at the Summit apartment complex, this extra parking was not a requirement at the time the complex was developed and there were not enough provided parking spaces. The Board would need to find a balance, as most multi-family developments are not only for just students and there is not much of a need for a large number of extra parking spaces.

Mr. Waldrop inquired if there are existing model ordinances for college towns. Mr. Poston stated developers are seeing a reduction and need for parking in student housing, as developments closer to campus more students tend to not have a vehicle. In addition, some developers can operate on less than one parking space per unit or bedroom in these areas. Mr. Poston stated the I.T.E, which is an engineering manual has parking studies that help determine the number of parking spaces that would be needed for multi-family developments.

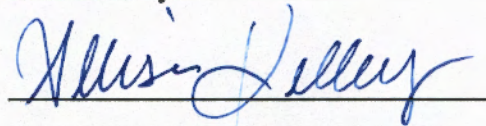
Mr. Waldrop inquired if it is common for places to have different ordinances in a university area, and if having a traditional multi-family housing ordinance would eliminate the issue of parking. Mr. Poston stated the issue that staff deals with is the land use as both student housing and residential multi-family housing are both considered the same use. The Board would determine the best solution to provide enough parking without it being excessive for a true multi-family housing project. In addition, staff would have to review from a legal aspect that they are regulating the same land use but not change regulations on who occupies the building. Mr. Jeleniewski stated the Town of Sylva's parking schedule is 1.5 spaces per unit, and it does not focus on the number of bedrooms in the unit, which is more along the lines of the discussion when developing this ordinance.

Mr. Poston stated the approval process could be either staff approval or they can set up for Board review. Mr. Letson asked staff to begin gathering information for a multi-family ordinance for the Board to begin a discussion at their next meeting.

Adjournment

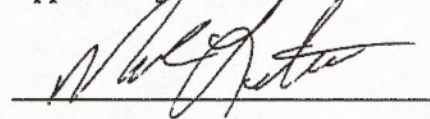
With no further business, Tommy White made a motion to adjourn. Brad Waldrop seconded the motion and the meeting adjourned at 6:41 p.m.

Submitted by:



Allison Kelley
Administrative Assistant – Planning

Approved by:



Mark Letson
Planning Board Chairman