

# JACKSON COUNTY PLANNING BOARD

## MINUTES

<b>Date:</b> October 16, 2023								
<b>Time Begin:</b> 6:01 p.m.								
<b>Time End:</b> 7:37 p.m.								
<b>Location:</b> Department on Aging, Heritage Room								
<b>Members</b>	<b>Present</b>	<b>Absent</b>		<b>Present</b>	<b>Absent</b>		<b>Present</b>	<b>Absent</b>
Emily Moss	X		Nathan Shepherd	X		Thomas Taulbee	X	
Sandy Davis	X		Ollin Dunford	X		Beverly Crespo	X	
Brian Barwatt	X		Joyce Cooper	X		Elmer Rhodie Humbert	X	
Adam Holt		X	Ken Brown		X			

### **Staff Present:**

Michael Poston- Planning Director

Anna Harkins- Planner I

Allison Kelley- Administrative Assistant III

### **Others Present:**

Bill Horton, Develop Cashiers Responsibly and Village Green

Lance Hardin, Highlands-Cashiers Land Trust

### **Call to Order and Quorum Check**

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

### **Approval of the Agenda**

Nathan Shepherd made a motion to approve the agenda as written. Elmer Rhodie Humbert seconded the motion, and it carried unanimously.

### **Approval of the Minutes**

Elmer Rhodie Humbert made a motion to approve August 10, 2023 minutes as written. Nathan Shepherd seconded the motion, and it carried unanimously.

### **Public Comment**

There were no public comments.

### **New Business**

#### **a) Conservation Planning for Cashiers: Follow up from the ULI Study – Bill Horton**

Mr. Horton stated he completed a three-year Blue Ridge Naturalist certification through the North Carolina Arboretum, which sparked his interest in getting involved in conservation planning. He stated he is not a technical environmental expert, but relies on those to help contribute towards these conversations and Cashiers unincorporated so they also rely on the County for direction. Mr. Horton stated the ULI Study done in Cashiers in 2022 the number one recommendation was to develop a conservation plan. In addition, the study also included other important aspects around housing, infrastructure, etc.

Mr. Horton stated a conservation plan has huge economic, agricultural, recreational impact and benefits. It has enormous health benefits, clean water, and clean air. In addition, it also provides integrity for our surrounding life systems, which we sort of have taken for granted and those life systems are not so easy to obtain and can disappear if we are not careful. The Cashiers Plateau has the second highest rainfall in the continental United States, but it also creates some interesting challenges around stormwater management. Within our area, we have huge changes in altitude that provides all this multiplicity of ecological settings, but also gives plants and animals the opportunity to adapt as things change over time. Mr. Horton stated within the area, they have the largest variety of fish mussels and crayfish in the temperate world. In addition, they around 400 rare plants and 250 endemic plants within the area that we are stewards of that we see every day and have forgotten about. In addition, North Carolina has more old-growth forest stands than in any other Southern Appalachian state. In the Cashiers area, there are 13 of the 17 back species that are known to exist in North Carolina and five of those are classified as endangered that forage around Cashiers and the lake, which is a biodiversity hotspot and a critical climate buffer.

Mr. Horton showed a map that showed that showed those living in the southeastern United States is living under extreme caution or danger, except for the Appalachian Mountains. In addition, he showed a map that shows bird migration from the Cornell Lab of Ornithology. He stated this data came out a few weeks ago that 320 million birds are predicted to migrate in the country. One of the biggest issue is what birds do to the food chain such as distributing seeds to provide food throughout the food web. Mr. Horton stated in approximately a 20-year span of time, the biomass has shrunk by 70 or 80%, depending on which forest you are studying. That is the food chain and the protein source that keeps everything running; it is also the pollinators, which is critical elements for the care of our agricultural food chain. Mr. Horton stated they have an opportunity to make some positive steps to improve this situation with conservation planning for future generations. A quote from the ULI Study "A long-range conservation plan would set the stage for all other efforts to preserve community character and heritage." In addition, he stated from the ULI Study this recommendation is also in line with the Cashiers Small Area Plan, which recommends that Cashiers "specify priorities for open space preservation including: stream buffers, areas near designated Natural Heritage Areas, steep slopes, rock outcroppings, mature stands of trees, terminal vistas and view sheds."

The Cashiers Area Chamber tasked Mr. Horton and others to begin looking into conservation planning with collaboration with Jackson County. In addition, they have also collaborated with Chad Meadows from CodeWright Planners that is currently working on the Cashiers ordinance recodification. The conservation plan once it has been drafted would be brought to the Planning Board for review and input to the County Commissioners. Mr. Horton stated they formed two advisory panels, the Technical Advisory Panel with professionals with expertise in conservation planning, and the other panel has been discussions regarding public education. Some of the viewpoints on the panels are someone who is active in residential and commercial construction, an architect, forestry expert, legal expert, and a local family that is invested in agriculture, etc. In addition, they have used resources such as the green growth toolbox, which is specific to North Carolina and others at the federal level to understand best practices or current science around certain questions. Mr. Horton stated most all conservation fundamentals look at issues of watershed managed areas, and connectivity of how different parcels of land intersect with one another as it could indirectly or directly affect other properties. In addition, they lean on Jackson County Planning Department when looking into steep slopes and view sheds to find the balance in the middle between public rights and property rights, and between regulations and incentives. In the Cashiers area, he stated they have one of the biggest infrastructure challenges due to the topography, and they have to be mindful of what the County has control over versus a state or federal issue.



Mr. Horton stated they started with a watershed analysis as that is a concern in Cashiers, and then they reviewed the managed parcels within the township of Cashiers as they mapped out conservation plan following the water. In addition, he stated there is a lot of managed land, particularly in the southern half of our township, and there is very little managed land in the northern half, which is where many of the developments happen. He stated they began to consider a plan as a pilot or proof of concept that an overlay district of the township boundary could be modified as needed for the benefit of other townships in Jackson County based on local needs. He stated the ULI Study recommended to look into strategic parcels that are areas that are unique that might require special protection, buffer enhancements, incentives and regulations. Mr. Horton stated they could make improvements to the strategic priority parcels, and the County has a functioning Water Recharge Ordinance that could be reviewed for improvements and enhancements in the whole water control area, such as buffer expansions, dark sky, and open space requirements or use. In addition, he stated they want to keep the visibility of the view shed, steep slopes, and tree protections. Mr. Horton stated on the strategic parcels for the Cashiers township, they did an analysis of the critical parcels that exist that have high conservation, value or impact, and whether it is related to water management or other features. In addition, Chad Meadows had asked them to do a constant analysis of priority parcels within the regulated district to help with his work for the Cashiers ordinance recodification project.

Lance Hardin with the Highlands-Cashiers Land Trust stated they have spent a lot of time reviewing the available parcels, and whether they are private or public, and ranking them by the ecological values. He stated the Highlands-Cashiers Land Trust has limited staff and financial resources and covers both Macon and Jackson Counties. Mr. Hardin stated they have a watch list of properties that really have high ecological values, whether it is from a view shed or water quality, or open space perspective, etc. In addition, this matched up with the ULI Study recommendation within the Cashiers corridor of where they would put placement priority of what should be saved. Mr. Hardin also stated that they also collaborate directly with individuals that are knowledgeable in Cashiers history to determine if the property has a higher cultural value as history does play into the value of a property as well.

Mr. Horton stated dark skies have vanished from the United States in the big cities and is now beginning to creep into our regions. Preserving the night functioning piece of our ecosystem is vital for the animals and plants. In addition, there is some very serious human health issues related to the loss of night exposure relating to your immune system, ties to cancer affects and so forth. The easiest fix for light pollution is to just hit a switch, or create an adaptive control that turns the lights off. He stated the County has been spending a lot of time digging into dark skies compliance and he knows the Board has had some discussions on the topic. Dark skies compliant is a big deal, not only for the integrity of this special ecosystem, but for the people that live here and quality of everyday life. In addition, Mr. Horton stated they would begin the public education portion of conservation planning that they will need the Boards help to get the word out as this is only specific for Cashiers area based on the ULI Study but the hope is to leverage across all of Jackson County. The public education of conservation planning is gain citizen stakeholder engagement and to help the public understand why conservation planning is effective and has meaningful health upsides, and financial implications for property value and businesses.

Mr. Shepherd inquired what would be a successful implementation such as land acquisition, code enforcement, or stream buffers, etc. Mr. Horton stated they would form a separate entity that helps enable land acquisitions and strategic areas. In addition, he stated they plan to turn it over to a professional group to create a document that would give recommendations based on the code and ordinance that would be wise to enact and present to the Planning Board and Board of Commissioners for consideration.



**b) G.S. Chapter 160D Discussion**

Mr. Poston stated general state statute Chapter 160D was created by the state to give to cities and counties their authority. He stated they are a Dillon's Rule state where we only have the authority that the state tells us we can have, and in terms of planning and zoning regulations, Chapter 160D is our guidance document that allows us to understand what we are required to do and what we are able to do.

Mr. Poston went through Chapter 160D document and stated section 103 Unified Development Ordinance (UDO) which means cities and counties can actually develop a UDO in terms of planning and zoning and is a relatively new framework document that is now expressly allowed. The UDO allowed Jackson County to combine development related ordinances all into one single document. Section 104 he stated that mostly all of our permits run with the land, not the property owner. Therefore, if you get a special use permit or a rezoning it is entitled to the land. Mr. Poston stated Section 201 tells us about the jurisdictions and states cities and counties have the authority to enact regulations. In addition, Section 301 tells us why the Planning Boards exist and why counties have the ability and authority to establish them. The rest of Article 3 discusses the different boards that counties are enabled to create Boards of Adjustment, and the County does have a Historic Preservation Commission.

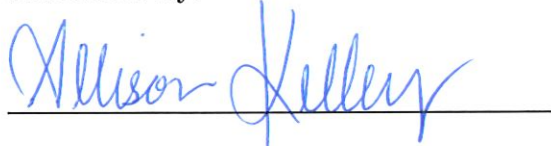
Mr. Poston stated Section 501 states that communities can create plans and can enact land use plans and development plans. He stated if zoning is in your jurisdiction or if the County is partially zoned, they are required to have a comprehensive plan in order to exercise zoning. Jackson County has had comprehensive plans since 1974, and have been updated regularly over the last 50 years. Article 6 tells you the procedure for adopting, amending, or repealing development regulations, which is through a public hearing. Article 7 discusses the zoning regulations, grant of power, and zoning districts, etc. Article 8 discusses the subdivision regulations, and this grant of power allows us to establish subdivision regulations and how land is subdivided in the County. Article 9 discusses the regulation of particular uses and areas, and what we are given the right to regulate such as adult businesses, agricultural uses, airport zoning, amateur radio antennas, beehives, family care homes, fence wraps, fraternities and sororities, manufactured homes, modular homes, outdoor advertising, public buildings, solar collectors, temporary health care structures, streets and transportation, etc.

Mr. Poston asked the Board to begin considering their top priorities to start to review at the beginning of the year of what they could start to improve on certain land use related topics.

**Adjournment**

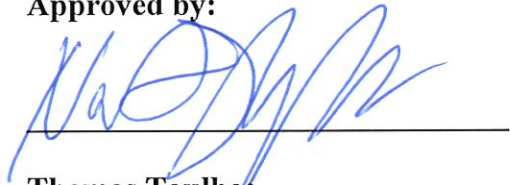
With no further business, Ollin Dunford made a motion to adjourn. Beverly Crespo seconded the motion, and the meeting adjourned at 7:37 p.m.

**Submitted by:**



**Allison Kelley**  
**Administrative Assistant – Planning**

**Approved by:**



**Thomas Taulbee**  
**Planning Board Chairman**