

JACKSON COUNTY PLANNING BOARD

MINUTES

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|---|---------|--------|-----------------|---------|--------|----------------------|---------|--------|
| Date: December 9, 2024 | | | | | | | | |
| Time Begin: 6:00 p.m. | | | | | | | | |
| Time End: 7:18 p.m. | | | | | | | | |
| Location: Department on Aging, Heritage Room | | | | | | | | |
| | | | | | | | | |
| Members | Present | Absent | | Present | Absent | | Present | Absent |
| Emily Moss | X | | Nathan Shepherd | X | | Elmer Rhodie Humbert | | X |
| Brian Barwatt | X | | Ollin Dunford | | X | Vacant | | |
| Michael Cox | X | | Joyce Cooper | X | | Vacant | | |
| Ken Brown | | X | Beverly Crespo | X | | | | |

Staff Present:

Michael Poston- Planning Director
 John Jeleniewski- Senior Planner
 Ashley Clapsaddle- Planner I
 Allison Kelley- Administrative Assistant III

Call to Order and Quorum Check

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

Approval of the Agenda

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

Approval of the Minutes

Beverly Crespo made a motion to approve October 14, 2024 minutes. Brain Barwatt seconded the motion, and it carried unanimously.

Public Comment

There were no public comments.

Old Business

a) Water Recharge Ordinance Discussion

Mr. Poston presented the draft amendments to the Water Recharge Ordinance that was discussed at the previous Planning Board meeting.

Mr. Poston highlighted the following amendment draft language standards (*italic*) and changes to the ordinance:

- *Maximum impervious surface on a tract of land is 30% without providing onsite stormwater mitigation.*
- *For projects with less than 30% impervious surface are required to follow the design guidelines given in the most recent edition of the Stormwater Design Manual published by the North Carolina Department of Environmental Quality.*

- Removing Table 5.2: Maximum Impervious Surface since it is for all non-residential.
- Tracts of land that exceed 30% impervious surface must comply with stormwater requirements for new development, existing development.
- Stormwater management measures that tells an engineer what to design, and the requirement of a stormwater management plan that accommodates the stormwater runoff generated by a 10-year 24-hour rain event, or if it is in a designated Protected Watershed Area, the 25-year storm.
- Stormwater measures may be located off-site, but have to be within the same ownership.

Mr. Poston explained that staff applied the same stormwater provisions used in zoned and multi-family districts, which focuses on calculation, design, and necessary information for County evaluation of the standard. A key difference is the consideration of requiring bio-retention or natural stormwater features instead of traditional retention basins. The Board previously discussed setting thresholds such as 30% and 40% imperviousness, with stormwater treatment required above 40% and stormwater mitigation at 30%.

Staff outlined the process for obtaining a stormwater permit and that it is required to have an engineer certification confirming that the project meets the stormwater management plans. The ordinance includes inspections and maintenance, and that the County has the ability to request an inspection report. Staff put in a requirement that all buildings and parking areas must be setback 25 feet from any perineal stream to provide protection.

Staff updated the slope standards to 35% to align with the Mountain and Hillside Development (MHDO) ordinance. Section 5.5.6 outlines stormwater treatment requirements for developments exceeding 40% imperviousness, requiring two treatment designs such as bio-retention or permeable pavement to treat 50% of the TSS requirements. Additional treatment designs can be approved by the County Planning Director if prepared by a licensed professional in the State of North Carolina. Section 5.5.7 addresses vegetation preservation and references the existing MHDO ordinance regulations. Also, property owners can request a variance through a quasi-judicial process.

There was discussion of where the 30% and 40% tiered numbers came from. Staff based those numbers on studies and graphics that they prepared for the Board over the last couple of months. Also, by lowering the threshold they would encourage lighter development and water quality in the areas where there are a lot of streams and rivers.

Staff will bring back more information of stream classifications, what types of buffers are required and what types of disturbance can happen in those buffers and under what circumstances.

Mr. Poston informed the Board of a hurricane Helene relief bill, Senate Bill 382 that is under consideration at the state level that may put this project and some of our other projects on pause. The bill includes a section discussing down zoning, and the new proposed language states that it would apply to local government and if you want to down zone property, you are required to have the affected property owners written consent. Also, the new proposed bill includes a change to the zoning regulation that if the down zoning potentially causes a nonconformity, they are required to get written consent of all parties that are impacted before they can approve the rezoning. Other sections of this bill include some hurricane relief money, structural elements of the governor's job responsibilities and duties, etc. The County attorney will likely advise that if this bill is passed to pause everything until we have more information from the School of Government and other attorneys to understand how this impacts our rulemaking authority moving forward. The proposed bill could significantly impact how counties

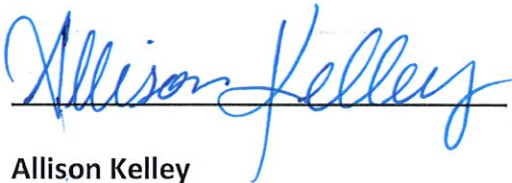
adopt, maintain and prepare for future development and staff will update the Board where this bill stands in January.

Mr. Poston announced that both Emily Moss and Ollin Dunford have served two consecutive terms on the Board and this meeting is officially the end of their terms as they cannot be reappointed. He presented Ms. Moss a Certificate of Awesomeness and Lots of Appreciation for her service on the Board and will reach out to Mr. Dunford to give him his certificate since he was unable to make this meeting.

Adjournment

With no further business, Emily Moss made a motion to adjourn. Beverly Crespo seconded the motion, and the meeting adjourned at 7:18 p.m.

Submitted by:



Allison Kelley
Administrative Assistant – Planning

Approved by:



Nathan Shepherd
Planning Board Chairman

