

# US 441 GATEWAY DISTRICT PLANNING COUNCIL

## MINUTES

<b>Date:</b> August 13, 2018					
<b>Time Begin:</b> 6:00 pm					
<b>Time End:</b> 6:32 pm					
<b>Location:</b> Qualla Community Center					
Members	Present	Absent	Members	Present	Absent
Dora Robinson	X		Debby Cowan	X	
Michael Moore	X		Lyna Ferguson		X
Myra Cloer	X		Mary Moody	X	
Paula Wojtkowski		X			

**Others Present:**

Caroline Edmonds, Planner I  
Allison Kelley, Administrative Assistant

**Call to Order and Quorum Check:**

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

**Approval of the Agenda:**

The agenda was approved unanimously.

**Approval of Minutes:**

Chairman Cowan entertained a motion to approve the minutes from May, 3rd, 2018. Dora Robinson made a motion to approve the minutes. Myra Cloer seconded the motion, and it passed unanimously.

**Public Comment: (3 minutes)**

There was no public comment.

**New Business**

**a) UDO Article III & IV**

Caroline Edmonds informed the Council Article III is the Permits and Procedures section. Staff streamlined the procedures from the previous ordinances into one table. The Planning staff created the Development Review Procedures table as a reference guide. The table identifies the type of permit process, the responsible staff, who makes the final decision and the body that hears appeals. Staff did not change the ordinance content in Articles III & IV but moved around sections in order to be more user-friendly and easier to comprehend. The updated draft ordinance now includes more graphics and a flow chart on how the board meetings are pulled for those involved in review procedures. Ms. Edmonds informed the Council they are involved in procedures such as a special-use permit, map and text amendments, rezoning, and design review of regulated districts.

Ms. Edmonds stated the administrative appeal procedure occurs when Planning staff makes a decision (average slope issue, etc.) stating the owner is unable to build on the property.

The owner can then appeal the Planning staff decision to the Planning Director, followed by the Board of Adjustment or the appropriate Council based on the property's jurisdiction.

The Planning staff changed the flow chart for Map and Text Amendment. The chart reflects the process of submitting an application for an amendment. Staff changed the process of the regulated districts to only come before the Community Planning Council as a Public Hearing, as a result that most people want to speak at the community level. Prior to this change, the application had to go to the Community Planning Council, Planning Board, and The Board of Commissioners for Public Hearings. Taking away the hearing at the Planning Board will shorten the process from 90 days to possibly 30 days depending on the date the application is submitted.

In the draft of Article IV, staff eliminated the Definitions, and the Administration & Enforcement sections located in Articles I & II. In addition, the department reorganized the standards to better fit how design professionals follow out reviews when creating subdivisions. Staff cleared up what classifies a major and minor subdivision in Article IV. A major subdivision is when a property is divided into more than eight lots, while a minor subdivision is eight lots or less.

The Completion and Maintenance Guarantees section states when the applicant has an approval of a subdivision final plat there has a performance guarantee to ensure completion of a certain amount of construction and installation. Ms. Edmonds stated the applicant has to give an amount of money to the County if they do not perform. The Planning staff had a similar situation occur with an apartment complex in Cullowhee. The applicant did not complete the landscaping standards and had to pay the amount owed to the County. Staff put out a proposal request and a local landscaping company decided to take on the responsibility and money to ensure completion.

#### **Informal Discussion**


Dora Robinson inquired about the landscaping along US-441 Highway. She noticed taller trees are outside of the Beer & Wine Express store located in Whitter, NC. She is concerned that the growth of the trees may create a blind spot and limit the view for traffic pulling in and out of the business. She inquired if the Council was able to change the landscape ordinance to only allow shrubbery or trees that stay small along US-441 Highway.

Caroline Edmonds informed the Council staff will have Article V & VI to bring to the next Council meeting. In addition, staff is currently reviewing Article IX that includes all community ordinances.

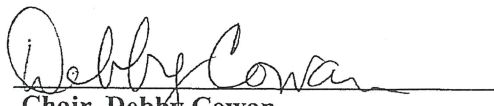
#### **Adjournment:**

With no further business, Chairman Debby Cowan made a motion to adjourn the meeting at 6:32 p.m.

**Submitted By:**

  
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Allison Kelley, Planning Department  
Administrative Assistant

**Approved By:**

  
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Chair, Debby Cowan