

Cashiers Area Community Planning Council
Special Meeting Minutes
August 21, 2024
5:00 p.m.
Albert Carlton Community Library, Community Room

Members	Present	Absent	Members	Present	Absent	Members	Present	Absent
Daniel Fletcher	X		Sonia Morales		X	Dr. Douglas Homolka		X
David Bond		X	Carole Stork		X	Judy Zachary	X	
Glenn Ubertino	X							

Staff Present

Michael Poston- Planning Director
 John Jeleniewski- Senior Planner
 Anna Harkins- Planner I
 Allison Kelley- Administrative Assistant III

Others Present

Chad Meadows, CodeWright

Call to Order

Chairman Glenn Ubertino called the meeting to order at 5:00 p.m. and a quorum was not present.

Additions to/Approval of the Agenda

The agenda was not approved as there was no quorum present.

Zoning Map Workshop

a) Recodify Cashiers: Presentation – Chad Meadows, CodeWright

The County adopted the Cashiers Small Area Plan (CSAP) in 2019 and the plan contemplates what kind of development is proposed for Cashiers in the future. Cashiers also decided that it wanted to pursue its own special study, so they brought in an outside consultant called Urban Land Institute (ULI), and they prepared a ULI Advisory Services Panel Report for the Cashiers area. Both the CSAP and ULI documents form the policy basis for the foundation of how growth and development should or should not happen in Cashiers. The consultant team first spent time understanding both of those documents, then they created a community character analysis. The community character analysis is a series of pictures and words that tries to define and explain what is the community character in Cashiers in terms of size of buildings, color of buildings, location of buildings on lots, kinds of uses, how streets or pathways are organized, open space, etc. In addition, the community character analysis was developed to inform the Unified Development Ordinance (UDO) about how we should review new development within the Cashiers area.

The current quasi-judicial hearing process has not been working well in the Cashiers area, which can be seen through the application for Cashiers Village by applicant Stephen MaCauley or the Cashiers Marketplace by applicant Fritz Rybert. During these quasi-judicial processes, it has been difficult for community members to

find out what is going on and the Cashiers Planning Council (CPC) is not permitted to speak to anyone regarding the proposed project. During a quasi-judicial hearing you have to have standing to provide testimony and evidence and it is legally fraught. The County wanted to try a different process for Cashiers to consider when large developments are proposed within the area.

The consultant team is suggesting some changes to the development review process and use the process called conditional zoning and move away from the special use permit and quasi-judicial evidentiary aspects of those processes and move to a legislative, flexible and open-ended rezoning process. The rezoning process will still go to CPC for review of those cases, but the community would be able to attend those meetings, testify, speak to CPC members, talk to the applicant and talk to each other. In addition, there is negotiation embedded in the conditional rezoning process and there is more opportunity for discussion which is the main reason for the County incorporating this process in Cashiers.

Large projects which are 20,000 square feet in floor area, whether it is in one building or multiple buildings, or if they are going to generate 3000 vehicle trips per day for the use they will be required to go through the conditional rezoning process. A part of the process the applicant will be required to submit a concept plan, have a neighborhood meeting, go through the CPC, Planning Board and Board of County Commissioners for approval of their development. If the development is less than 20,000 square feet, it would be reviewed and decided administratively and subject to the rules that we write down in the book about community character.

The consultant team has prepared an annotated outline of some of the drafted UDO changes and it can be viewed on recodifycashiers.com. The UDO is the rules that apply to development countywide such as subdivision, mountain and hillside protection, groundwater recharge, procedures and standards for the various regulated districts that include Cashiers. The team has prepared a draft version of a portion of the UDO changes which are currently in review with the planning staff or the County's attorneys. Once those changes have been through the County's attorneys for review it will then go before the public for consumption.

The consultant team wanted to start with the map because most people do not pay attention to this stuff, but they do when it deals with their property or their neighbor's property. The team wanted to see the property owners who have not come in throughout this process to hear their perspective before they write the ordinance and go through the process to ensure that they getting it right. The zoning map workshop tonight is to gain information and feedback from property owners regarding the proposed draft map and proposed rezoning.

UDO Section 9.3 is the Cashiers regulated district that applies to the Cashiers area. Within the section includes the purpose and intent standards, procedures that will be applied in the Cashiers zoning districts, development standards, allowable uses, definitions, non-conformities, etc. Property owners within the regulated Cashiers district received a letter in the mail from the County that included what their current property was zoned and what the new proposed zoning would be along with a draft table of uses for each of the districts (residential, non-residential, mixed-use). The consultant team also produced a 13-minute overview YouTube video of the methodology used to prepare the draft zoning map that can be viewed off of the link on the Recodify Cashiers webpage under the documents page.

Mr. Meadows went over the methodology used to prepare the draft zoning map. Currently, the Cashiers regulated district includes two districts, Village Center and General Commercial. Looking at the current Cashiers regulated districts, the consultant team realized that it was not accurate and did not depict the full range of allowable uses

that had been permitted within the Cashiers area such as residential subdivisions, etc. We want to protect single-family homes and we do not want noise or traffic around homes and we cannot protect those homes if you only have commercial zoning. In order to take a greater recognition and more care about the uses that are on the ground today and their protection we need to fix the Cashiers zoning map. The consultant team has not changed the boundaries of the zoning area as the zoning district boundary designations must stay within the boundary for this process. The zoning district boundary designations for the proposed zoning map include Cashiers Residential (CRS), Cashiers Non-Residential (CNR), and Cashiers Mixed-Use (CMX). The methodology used is a simple, consistent approach to making some initial determinations about how to designate property in Cashiers.

Methodology- Residential

- Lots proposed for residential zoning classification are shown in yellow
- Lots with a single-family home or other residential use are designated residential
- Vacant lots with no frontage on an NCDOT street are designated residential
- Some lots are proposed for utilities or shown as commercial in the Cashiers Small Area Plan were designated as non-residential

Cashiers Residential (CRS)

- Maximum Density: 4.0 Units/Acre
- Minimum Lot Size: 10,000 square foot
- Allows single-family detached homes, duplex, triplex, quadplex, accessory dwelling units (ADU), (including manufactured homes)
- Allows schools, churches, fraternal organizations, minor utilities, major utilities, towers, parks

Methodology- Non-Residential

- Lots proposed for residential zoning classification are shown in red
- Non-residential includes office, commercial, industrial or institutional uses
- Lots with an existing non-residential use are designated non-residential
- Vacant lots with frontage on an NCDOT street are designated non-residential

Cashiers Non-Residential (CNR)

- Maximum Density: 4.0 Units/Acre
- Minimum Lot Size: 10,000 square foot (residential); 20,000 square foot (non-residential)
- Allows retail, office, personal service, restaurants, entertainment, institutional uses
- Allows single-family attached residential, triplex, quadplex, multi-family
- Does not allow single-family detached homes (??)

Methodology- Mixed-use

- Lots proposed for mixed-use zoning classification are shown in purple
- Mixed-use is a lot with both a residential principal and a non-residential principal use
- The “Kessler” site is designated mixed-use because of its approved Special Use Permit (SUP) even though it is vacant
- The “Marketplace” site does not have a designation yet since it is still in review

Cashiers Mixed-use (CMX)

- Maximum Density: 8.0 Units/Acre
- Minimum Lot Size: 5,400 square foot
- Allows all forms of residential and most forms of non-residential (but not light industrial)
- Must mix 2 housing types or 2 non-residential use types

Cashiers Conditional (CCD)

- None are pre-assigned; established only via application
- Reserved solely for development meeting thresholds
- Allows same dimensional standards as CMX and any listed principal uses
- Requires a concept plan

Mr. Meadows stated they are beginning to integrate some modern tools into your regulation, density, lot area and others, and introducing more control, complexity and compatibility. They also wanted to allow and encourage higher density forms of residential as both the CSAP and ULI report said that Cashiers needs more workforce housing. The consultant teams' approach was to broaden the range of allowable use types and encourage more of duplexes, triplexes, quadplexes, single-family, and attached townhouses, etc. This approach was because land is expensive in Cashiers and not everyone can afford a single-family detached home in the community, this is to accommodate those by having minimal, minor increases in density on lots. The consultant team is suggesting that single-family detached homes not be allowed in non-residential district as they are wanted to encourage workforce housing, more compact and efficient forms of residential development in Cashiers. The community said they wanted workforce housing, cheaper houses that had more opportunities for different incomes and for people at different life stages.

There was discussion regarding the rezoning process and how the process that exists today will still be the same process. When there is a proposed map rezoning change it would still go before the CPC for recommendation and the BOCC would make the decision of whether to approve or deny. In addition, there was discussion of where the 3000 vehicular trips trigger came from. Mr. Meadows stated the number came from NCDOT because they are executing traffic impact analyzes for the projects that are happening in Cashiers based on 3000 vehicle trips per day or more. Those traffic impact analyzes consider pending proposed planned developments if the County is aware of the development, there is an application pending or if there has been a recent approval that has not been built yet.

Cashiers East Village project by applicant Richard Kessler submitted a revised application and they will be required to go through the special use permit process again. The Cashiers East Village project has already had an approval for a mixed-use development by the CPC therefore on the map the property is designated mixed-use (purple). The Cashiers Marketplace project by applicant Fritz Rybert is at a pause and they have not had approval from the CPC therefore on the map the property has hatching on it and is not designated.

There was discussion regarding if it was considered mixed-use if a church and a parsonage was on the same property. Churches that have on site parsonages is usually considered to be an accessory use to the church as historically parsonages are part of the church property and church function. However, in planning theory conversations you could make the case that it is technically mixed-use, however the residential component of that is usually an accessory to the institutional use that is going onto the property. In some situations, the Church may decide to no longer maintain the residential structure, and sometimes they will subdivide that out and make that a separate parcel, sell it or do something else with it.

There was discussion of the Unified Development Ordinance (UDO) and what within that ordinance do they have that would control traffic. Mr. Meadows stated there was not much within the UDO to control traffic as counties in North Carolina do not own roads or have any control over roads. Roads are either private or are controlled by NCDOT.

The other aspect to consider is how do we regulate, track and enforce a set of rules about traffic. For example, if there is a business in Cashiers and it is doing well and generating traffic, we do not want to punish them for being successful and adding to the community. Most business owners like having traffic to their to your establishment, and it may not be in the best interest to regulate that and it is also very difficult to enforce. The only way to control traffic would be when the use is coming in in the first part of the process. One of the threshold amounts for the conditional rezoning process is a traffic of 3000 trips a day or 100 trips in the peak hour (am or pm) in recognition of the traffic problem in Cashiers. These standards will try to attempt to control vehicular circulation and access, but it will not limit the total amount of traffic. The way that you address traffic is through land use, and an example is for a mixed-use project, buildings are closer together, have a lot of greenways, trails and bike lanes, which are ways that address traffic by creating ways for people to get around without getting in cars. In addition, if you are a town it is easy to control traffic more because you can have sidewalks, greenways, parks and control the size of streets. However, when you are a County you cannot control traffic the same way a town can. The proposed standards are pushing the edge as the consultant team is suggesting private sidewalks, standards for continuation and connection of private streets in pursuit of a connected street network for Cashiers. The consultant team is proposing standards as far as they can legally to begin to address some of the circulation challenges and problems in the Cashiers area.

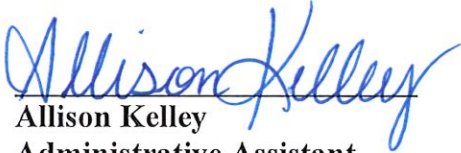
Throughout the Recodify Cashiers process over the last few years the consultant team has been hearing from some of the same voices, and those voices have a position, stance, viewpoint, philosophy, and they have been very active and have shared their concerns. Those concerns are to slow growth, control growth, no growth, protect the environment, and do not want any development here at all or very little development. After sending out the letters to all of the property owners in the Cashiers zoned jurisdiction the consultant team has received feedback from other community voices. Some of the feedback they have received is that they do not want their property to change to residential because they want the availability to sell it to a developer.

Concluding the presentation there were two tables set up with planning staff members John Jeleniewski and Michael Poston for the community to come discuss the proposed zoning map draft, ask questions, and communicate their concerns. There also was a comment table set up with other planning staff members Anna Harkins and Allison Kelley for community members to fill out a comment form. The comment form included property owner information that was only needed for specific property questions, if they would like to request a meeting with consultant Chad Meadows, meeting availability and a section for comments for the consultant team. Community members were informed that there were office hour slots open this Friday if anyone would like to come and talk.

Adjournment

With no further business to discuss, the meeting adjourned at 7:00 p.m.

Respectfully Submitted,


Allison Kelley
Administrative Assistant



Glenn Ubertino
Cashiers Planning Council Chairman