

**Cashiers Area Community Planning Council**  
**Minutes**  
**November 29, 2021**  
**5:00 p.m.**  
**Albert Carlton Community Library, Community Room**

| Members        | Present | Absent | Members      | Present | Absent | Members         | Present | Absent |
|----------------|---------|--------|--------------|---------|--------|-----------------|---------|--------|
| David Bond     | X       |        | Doug Homolka | X       |        | Michael Cox     | X       |        |
| Glenn Ubertino | X       |        | Carole Stork | X       |        | Daniel Fletcher | X       |        |
|                |         |        |              |         |        | <i>Vacant</i>   |         |        |

**Staff Present**

Michael Poston- Planning Director  
 John Jeleniewski- Senior Planner  
 Heather Baker- County Attorney  
 Anna Harkins- Planner I  
 Allison Kelley- Administrative Assistant

**Call to Order**

Chairman Michael Cox called the meeting to order at 5:07 p.m. and a quorum was present.

**Additions to/Approval of the Agenda**

Glenn Ubertino made a motion to approve the agenda as written. Doug Homolka seconded the motion, and it carried unanimously.

**Approval of Minutes**

Doug Homolka made a motion to approve the minutes as presented. Daniel Fletcher seconded the motion, and it carried unanimously.

**Public Comment**

- **Robin Walker:** She spoke regarding the proposed amendments to the ordinance and that the current ordinance calls for a threshold of 1,500 square foot for buildings that have to come before the Council for a special use permit. The 1,500 standard was reached several years ago after careful deliberation and consideration by the Council and she did not see a good reason for changing the standard. Also, there has been a lot of conversation about how the special use permit hearings have taken up most of the Council’s time. She did research on the Planning Department page with the posted agendas and minutes. Those findings included in 2017 there was one special use permit hearing for the Village Green, 2018 there were three, 2019 there were zero, 2020 there were five and one of those was the McCauley project, and in 2021 there was one follow up hearing about McCauley’s project and one other special use permit hearing. Also, there were approximately five modifications of special use permits and the average of those special use permit hearings are two a year which leaves about nine meetings where they could be working on the ordinance. She noted that out of those hearings very few of them were over 8,500 square feet. She is concerned that if the Council approves these amendments that almost none of those special use permits would have come before them for any review, which she feels is important since there were important points that were brought up during those hearings.

Within the draft there is the recommendation to have a community meeting but that does not substitute for a quasi-judicial hearing before this Council. The developer would not be required to adopt any of the things the community brings up, the standards are different, and the process is different.

- **Craig Pendergrast:** He recommended that regarding the formal submittal requirements for the site plan they should specify that the site plan is at a scale no more than 50 feet to an inch. Also, he recommended regarding the conceptual utility plan and the conceptual stormwater plan that it be more than just a concept that the developer had done their homework to determine that what they are planning is actually feasible. For example, if there is going to be an onsite sewage treatment system they need to have soil studies showing what they are going to do and that it is feasible. There were issues that were brought up but not discussed about the possibility of eliminating single family detached dwellings, but they have had no problems so far. Also, recommended that they revisit the maximum height as 45 feet (four stories) as it is not consistent with the character of Cashiers. He is unsure why there has not been any follow up discussions on the proposal brought up by Dr. Homolka of having maximum size limits subject to exceptions for larger uses. There was also the proposal of slope provisions proposed by Dr. Homolka that have not been discussed and he provided the slope ordinances for Black Mountain and the Town of Asheville to the Council. Also, the TIA trigger of 100 or more trips per hour seemed like a high threshold when there is already traffic problems and that it should be lowered.
- **Ben Hill:** He stated they did the right thing when they obtained ULI to come to Cashiers to do a complete study to make Cashiers the place that we know and will continue to be, and to accommodate growth. He requested to hold off on the amendments because if they start adopting any of these modifications they would likely have problems that would have to be revisited. He requested that they have discussion but to defer the vote until we see what ULI recommends.
- **Leah Horton:** She pointed out that Mr. Hills comment about waiting and not making major changes makes sense to her and that it is really important. The other point made by Ms. Walker was that the 1,500 square foot limit that was decided by the Council has worked fine, and has not been an onerous burden. It seems extreme to change the square foot limit at this point because two meetings out of twelve is not too much and they have other things to do but their most important job is to protect the character of the Cashiers community through their work.
- **Troy Lucas:** He stated that he believes they are doing a nice job by taking steps forward with single family homes. Also, they are reviewing 1,500 square foot single family homes which they will be busier and certainly in the future if they adopt that ordinance and he cautioned the Council to be careful. He spoke about the general process and that the Council needed to be careful about adopting rules that are either arbitrary or capricious. The Council needs to make sure that they have some fact base behind it to back it up and reference the Cashiers Small Area Plan. He agrees that the ULI study is important but he is not sure if it is necessary to wait for things to be fixed when they can be fixed immediately. Any rules that the Council adopts should be based off of the Cashiers Small Area Plan or other public input documents.

## New Business

### a) ULI Update

Mr. Ubertino provided an update that the ULI panel will be coming to Cashiers January 23-28, 2022 and will give a report on Friday morning that will be live streamed

and recorded. Ed McMahon will be the chair for the ULI panel and he is the Charles E. Fraser chair on Sustainable Development and Environmental Policy at the Urban Land Institute. He is also the leading authority on topics such as the links between health and the built environment, sustainable development, land conservation, smart growth, and historic preservation.

In addition, in coordination with numerous sources including Jackson County, Jackson County Tourism Development Authority, NCDOT, Cashiers Historical Society and others, the Cashiers Area Chamber is assembling a Briefing Book according to explicit ULI guidelines for advance review by the Panel. The Briefing Book will include background, maps, demographics, statistics, photography, economic data and more.

The Chamber has been working concurrently with members of the Cashiers Area Community Planning Council, Jackson County Planning staff, elected officials to draft the panel assignments. Also, the interviewees have been happening and are being collected by the Chamber via nomination, volunteering and recruiting. Selections will consider demographics to ensure diversity (age, gender, ethnicity, residency (full-time, part-time, seasonal), occupation, length of residency, residency location, commuters, students, etc.)

**b) Proposed Amendments to the UDO**

Mr. Poston presented the draft of the proposed amendments to the UDO. The draft included some concepts from conditional zoning of what would be required to be submitted for a special use permit application review such as conceptual site plans drawn to scale, community meeting with notification of both mailing and newspaper advertisement two weeks prior to the meeting that includes the time, date, place and description of what is going to happen to the property. The applicant is also going to be required to write a report about the meeting for feedback of who was issued letters, who attended the meeting, issues that were discussed and if they made any changes based on feedback heard from the community. Also, they would require a conceptual utility plan and stormwater plan. Mr. Fletcher asked for staff to change the word from conceptual to schematic. Other amendments included the trigger for a special use permit is that any building of 8,500 square feet or more, and added to clarify that single-family detached dwellings are exempt from the special use requirements. In both districts, they added the amendment of a maximum floor area ratio of 1.5. Also, they added the Traffic Impact Analysis as it has always been a standard for a conditional use permit to address traffic. The proposed amendments also included prohibited uses that was discussed in a previous work session meeting. Within the proposed amendments they removed the tiered system for stormwater management and proposed that for any new development or existing development that expands they have to account for stormwater control management issues and that would be engineered.

The Council discussed how they came up with the 8,500 square foot trigger for a special use which was because it was recommended for consideration in the Cashiers Small Area Plan and the proposed amendments Dr. Homolka brought before the Council also suggested an 8,500 square foot maximum. The Council discussed changing the trigger for a special use to 4,000 square foot for the Village Center (VC) district and 6,000 square foot for the General Commercial (GC) district.

*Doug Homolka made a motion to call for a special meeting for a public hearing of the proposed text amendments and with the edits that the Council discussed on January 10, 2022. David Bond seconded the motion, and it passed unanimously.*

**c) Block Length Discussion**

Staff discussed that a shorter block length promotes a more walkable community and the Cashiers Small Area Plan recommends consideration that they adopt a block length. Mr. Cox asked the Council to review the videos he sent out regarding block length so they could begin to have a discussion at a future meeting. Staff was directed by the Council to bring back ideas and information of a block length framework of 240 to 360.

**Adjournment**

With no further business to discuss, Doug Homolka made a motion to adjourn. Daniel Fletcher seconded the motion, and the meeting adjourned at 7:27 p.m.

**Respectfully Submitted,**



**Allison Kelley**  
Administrative Assistant



**Cashiers Planning Council Chairman**