

JACKSON COUNTY PLANNING BOARD

MINUTES

Date: January 12, 2024

Time Begin: 6:02 p.m.

Time End: 7:19 p.m.

Location: Department on Aging, Heritage Room

Members	Present	Absent		Present	Absent		Present	Absent
Emily Moss	X		Nathan Shepherd	X		Beverly Crespo	X	
Sandy Davis	X		Ollin Dunford		X	Elmer Rhodie Humbert		X
Brian Barwatt	X		Joyce Cooper	X		<i>Vacant</i>		
Adam Holt		X	Ken Brown		X			

Staff Present:

Michael Poston- Planning Director

Allison Kelley- Administrative Assistant III

Call to Order and Quorum Check

Vice Chair Nathan Shepherd called the meeting to order at 6:02 p.m. and a quorum was present.

Approval of the Agenda

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

Approval of the Minutes

Brain Barwatt made a motion to approve October 16th and November 9th, 2023 minutes. Joyce Cooper seconded the motion, and it carried unanimously.

Public Comment

- **Beverly Crespo:** Ms. Crespo stated when Tiffany Henry came to speak to the Board about broadband, she followed all the links that were provided. She stated she called sometime before Christmas and that community that so back from the hinterlands is now approved for fiber optic.
- **Joyce Cooper:** Ms. Cooper stated she informed two friends about Landstar, and they both now have internet.

New Business

a) Chairman and Vice Chairman Nominations

Mr. Poston informed the Board that most have heard of the unexpected passing of our chairman Thomas Taulbee, and he was a great guy that many people knew. The Board now needs to consider electing a new chairman to serve the Board and help run the meetings.

Beverly Crespo made a recommendation to elect Nathan Shepherd as chairman to the Board of Commissioners. Joyce Cooper seconded the motion, and it carried unanimously.

The Board asked to wait for vice chairman nominations to a future meeting to allow more members to be present.

b) Staff Updates

Mr. Poston stated the County applied and had an opportunity to fund an additional GREAT grant for broadband expansion in the Glenville area around the lake. In addition, the Board's February meeting they expect the Permitting and Code Enforcement Director Tony Elders to discuss some of the larger topics that the Board prioritized at the last meeting regarding floodplains, unsafe buildings, and how the state building code addresses those and his authority as a code enforcement official. In addition, he stated the other topic they wanted to prioritize is historic preservation and our office runs that program for the County, and they would have Ms. Harkins speak at the Board's March meeting about that program. Mr. Poston stated, as the Board may be able to address concerns in the community in these different areas; he will have others come in to discuss some of the other topics that they have prioritized to give a better understanding of ways to improve our ordinances. He anticipates the Board will review the Outdoor Lighting ordinance in March after receiving some feedback and information from their consultant who is working on the ordinance recodification in Cashiers.

Mr. Poston stated they would ask Mr. Elders to touch on the topic of manufactured housing as well in February. He stated he wanted to give the Board information on what the County is currently regulating and if there are ways to improve those ordinances opposed to redoing the manufacturing housing ordinance. Ms. Crespo inquired if at a future meeting if they could add to discuss as an agenda item of community appearance. Mr. Poston stated they could add that to discuss at a future meeting of what a community appearance does and what are the limitations and benefits for counties. In his experience, these commissions happen within municipalities, and not as often in counties and they would have to discuss how to build that in a county model.

Mr. Shepherd stated looking at the Board's priority list there are a lot of great ideas and there are some things that we can and cannot control. He believes that as we are looking into solutions, a lot of that may come back to more a holistic approach and opportunity of County zoning. He stated his mindset and he believes others in the communities have shifted to start thinking about how they can protect our community. In addition, he stated he believes the Board has already run into many dead ends that they are limited to do and cannot change with these development ordinances.

Mr. Poston stated if everyone in the County said that they want to do zoning today, and there was not going to be anybody that was against it and the County Commissioners said to move forward it would most likely be a two year process. County zoning discussions will take some time to building within the community, and he does not believe that we stop improving our development ordinances as well. Mr. Poston stated in regards to Mr. Shepherd's comment about meeting dead ends, and how they can look about managing would be to develop standards for certain use types. However, outside of our zoned areas, we cannot tell you that this particular area is only residential and you cannot put a commercial use in here. In addition, they cannot tell them that this is all commercial, we really want to see more business and industry along this side as it on the highway, and it has the best roads, utilities and is more suited for more intensive type of uses. Mr. Poston stated they could look at creating development standards that tell us how if you are going to develop this is our minimum standards that they would need to comply with and there are some limitations with that approach. In addition, he stated through conversations he sees that folks that have generational family are concerned about how fast the County is changing and maybe countywide zoning is a way to help us protect more of what we have, and manage those processes a little bit more concisely. If the Planning Board wants to start thinking and planning for these types of concerns and how do they improve what we have and maximizing our ability to mitigate impacts of development while the community is catching up with maybe where we ultimately are going to go.

Ms. Crespo stated in 1980 in Forsyth County, Georgia, which was a lot like Jackson County where most people did not want anyone to tell them how to use their land and fast-forward to the 1990s where ordinances were being passed to try to keep up and the people were begging for protection. In addition, she stated was a tipping point where the community needed to have protection.

Mr. Poston stated as a Planning Board, he believes County zoning is a good conversation for us to continue to have, and eventually look at having a joint session with the County Commissioners to gain input, share those concerns and look to start preparing. Ms. Cooper stated if you watch the news, all of the other western counties are experiencing what we are talking about in regards to growth in development, so the reality is here. Mr. Poston stated in a short-term effort, the Board could help staff amend ordinances to help us better manage but would not cover everything, but would help us bridge the gap. He stated some of these conversations would be how we address planning through the actual plan function. Planning staff has been caught up with many hearings up in the Cashiers area over the last six months that has taken time away from the Jackson County Land Use Plan 2040 update the Board discussed in the spring of 2023. Mr. Poston stated they plan to get that started again this year with our stakeholders to ask the community at large, and the Planning Board if they are satisfied with the regulations as they are today, should they be more robust, and should we think about countywide zoning. Mr. Poston stated he told someone in the Cullowhee community that said it took us until 2015 to get the zoning ordinance to protect us, and if we had done this in 1990, we would have most likely not had all of these problems. However, he stated he was on campus in Cullowhee in the 1990s, and was not ingrained in the community and he would have said it would have been a heavy lift. Mr. Poston stated the North Carolina legislature gave counties the authority to exercise zoning in 1959.

In addition, if the Board wants to explore countywide zoning they should start with baby steps, he will report to the interim manager about the Board having these conversations, and we are moving towards a consensus about seeing the need for countywide zoning discussion to happen in the community. Mr. Poston stated he would report to the Board of feedback of direction from the Commissioners.

The Board discussed manufactured home parks and wanted to review those development standards to see if there are modifications to help staff better manage those uses. Mr. Poston stated counties are agents to the state and manufactured home parks are regulated by the state building code. In addition, he stated there are certain functions that the counties are required to administer including state building codes, social services, public health, school systems, and counties follow the state rules and locally there is not a lot of things that we can do. Mr. Poston stated Tony Elders would come to speak more in-depth regarding those limitations at the next meeting.

Ms. Crespo quoted Chapter 160D-910 Manufactured Homes “(a) The General Assembly finds that manufactured housing offers affordable housing opportunities for low- and moderate-income residents of this State who could not otherwise afford to own their own home. The General Assembly further finds that some local governments have adopted zoning regulations that severely restrict the placement of manufactured homes. It is the intent of the General Assembly in enacting this section that local governments reexamine their land-use practices to assure compliance with applicable statutes and case law and consider allocating more residential land area for manufactured homes based upon local housing needs. (b) For purposes of this section, the term "manufactured home" is defined as provided in G.S. 143-145(7). (c) A local government may not adopt or enforce zoning regulations or other provisions that have the effect of excluding manufactured homes from the entire zoning jurisdiction or that exclude manufactured homes based on the age of the home. (d) A local government may adopt and enforce appearance and dimensional criteria for manufactured homes. Such criteria shall be designed to protect property values, to preserve the character and integrity of the community or

individual neighborhoods within the community, and to promote the health, safety, and welfare of area residents. The criteria shall be adopted by ordinance.”

Mr. Poston stated you could adopt architectural standards or minimum appearance criteria for manufactured housing. He stated many local governments have shrunk down on manufactured housing as a housing option, and the state language is giving tools to try to blend this housing into the communities. In addition, he stated we have less tools today to regulate land use than we did 10 years ago, and he is not sure if that is a good thing or a bad thing from where you sit. When the Board begins to discuss standards, our attorney will tell you is that we are going to be very intentional about how we build these things. For example, what happened in Maggie Valley showed us that it does not take much for a local representative to change your ability as a local government and what tools you may have in the future. In addition, he stated as the Board begins these conversations, we need to balance, show the need and ensure building consensus in the community, and we need to ensure that our manufactured home parks are built and compatible with the areas.

Mr. Poston stated the county has received a grant from Dogwood Health Foundation, and has contracted with the Development Finance Initiative, which is a group contained within the School of North Carolina School of Government. This group are housing experts and development experts, and they come into communities evaluate what are the housing needs by doing an assessment of what housing exists and what are the housing needs. Mr. Poston both he and Economic Development Director Tiffany Henry have been working on this for the last few months, and they came to the County Commissioners in December to discuss the work they have started. Part of the project is the build the communities’ capacities of what things can governmental units impact in this discussion, and how do we help facilitate. In addition, how do we help think about housing, whether we talk about affordable housing, which is 80% of the median household income which is estimated around \$47,000 in Jackson County or less then you are in low to moderate income homes and market rate housing is everything above. He stated he believes the County is going to discuss the entire universe of housing, which includes market rate housing and low to moderate housing and what current exists. Mr. Poston stated there is a broad spectrum of housing types that communities have to think about, we are already dealing with a homeless population, those that are housing insecure, transitional housing, affordable housing, market rate housing, student housing, and discuss how can the County impact this discussion. The rule of thumb that the federal state government uses for affordable housing is that you should only be spending 30% of your income on housing and housing related expenses. In addition, he stated as they are gaining more information he will bring that back to the Board to update them regarding housing.

Mr. Poston stated through regulatory policy they could achieve certain outcomes, and then there are certain outcomes that we will never achieve through regulation and governmental policy, because there are things that are outside of our control. Ultimately, the Commissioners will be the ones that will need to discuss if they see any value in any strategy. In addition, he stated they are currently in the process of finding out what strategies are available to us, and what universal things can we do that other governmental agencies in North Carolina have found effective in seeing a rise in different housing types that are needed throughout our community. Mr. Poston stated housing is not just a planning issue, it is an economic development issue, workforce development issue, and there are many things that play into how we grow. The County partners with Mountain Projects that has a program for those that make between 80 and 125% of the median household income. Mr. Poston stated they just finished the five homes project on Second Avenue, and they expect that they would continue to expand that program in the County.

Ms. Cooper inquired if they could add an agenda item to discuss meeting time and date at a future meeting. Mr. Poston stated they could add that to the February agenda, and asked the Board to gather what dates and/or times would work best for each member to have a discussion.

Adjournment

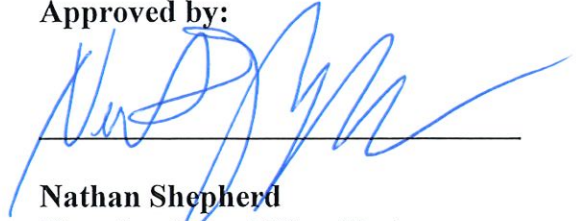
With no further business, Joyce Cooper made a motion to adjourn. Beverly Crespo seconded the motion, and the meeting adjourned at 7:19 p.m.

Submitted by:



Allison Kelley
Administrative Assistant – Planning

Approved by:



Nathan Shepherd
Planning Board Vice Chairman

