

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JUNE 17, 2013**

The Jackson County Board of Commissioners met in a Work Session on June 17, 2013, 2:00 p.m., Justice & Administration Building, 401 Grindstaff Cove Rd., Room A227, Sylva, North Carolina.

Present: Jack Debnam, Chairman Doug Cody, Vice Chair Charles Elders, Commissioner Mark Jones, Commissioner Vicki Greene, Commissioner	Chuck Wooten, County Manager Pat Parris, Clerk to Board Jay Coward, Attorney
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Chairman Debnam called the work session to order.

(1) SUBDIVISION ORDINANCE: Gerald Green, Planning Director, presented proposed amendments to the open space section of the Subdivision Ordinance. The ordinance currently requires that major subdivisions dedicate 25% of the total property as open space. No development can occur on the open space and it must be maintained by a homeowners or property owners association. The goals of this requirement appear to be numerous ranging from the provision of recreational areas to the protection of unique natural features. While these goals are good, the requirement increases the cost of property for those wishing to purchase homes or lots. The requirement is also more than those of surrounding jurisdictions that require dedication of open space. In lieu of dedicating open space, subdivisions may be developed with estate lots having a minimum lot size of 3 acres, with standards for development of the lots.

The Planning Board, upon review of the current open space standards, identified revisions to the standards. The primary goal of the revised standards is to provide opportunities for recreational areas within a subdivision with other tangential goals. The proposed standards provide for a range in the amount of open space to be dedicated with the amount increasing as the number of lots increases and provides for alternatives to the dedication of open space. The range of open space required would be changed to:

Number of lots	Open space requirement
Less than 8	None
8 – 20	10% of total lot area
21 – 50	15% of total lot area
More than 51	20% of total lot area

The recommended revisions establish minimum criteria for the open space, a procedure for the dedication of the open space, and standards for the maintenance of the open space. Alternatives to providing open space include developing estate lots with a minimum lot size of 3 acres, providing a fee-in-lieu with the fee used to maintain/upgrade existing recreational facilities or develop new ones, or providing land in another location as mitigation for the open space requirement. There are procedures for the provision of the fee-in-lieu and for the dedication of land as mitigation for open space. The Planning Board unanimously recommends adoption of the revised open space standards.

Consensus: *Add issue to regular meeting agenda for the purpose of scheduling a public hearing.*

(2) WATER RECHARGE ORDINANCE: Gerald Green, Planning Director, stated that during review of open space standards in the Subdivision Ordinance, the Planning Board realized the open space standards attempted to achieve two goals that could at times conflict. These goals were the provision of land for recreational opportunities and the opportunity for water recharge. The Planning Board agreed that providing for water recharge was important due to reliance upon groundwater for drinking water and the continuing development in the county which reduces the opportunity for groundwater recharge. Groundwater recharge is achieved by having rainwater percolate into the ground instead of running off and enter streams and other surface water bodies. Providing for this infiltration in the area in which development is located is important in assuring that the groundwater that supplies the wells serving the development is replenished. The goal the Planning Board sought to achieve with an ordinance was to limit runoff and get the water that fell on the ground into the ground. Based upon significant research, the Planning Board determined that the most effective way to assure that falling water entered the groundwater system was to limit impervious surfaces. The proposed water recharge ordinance establishes the following limits on impervious surfaces:

Land Use	Lot Size	Maximum Allowable Impervious Surface
Single-family residential	¼ - 1.0 acres	7,000 SF
Single-family residential	1.01 – 2.0 acres	10,000 SF
Single-family residential	2.01 – 5.0 acres	12,000 SF
Single-family residential	5.01 – 10 acres	14,000 SF
Single-family residential	10+ acres	15,000 SF
Multi-family residential	<1.0 acres	75%
Multi-family residential	≥1.0 acres	70%
Industrial	All sizes	70%
Commercial	All sizes	70%
Open Space	All sizes	12% (for roads, parking areas)

The ordinance permits the impervious surface limits to be exceeded if best management practices such as retention basins and rain gardens are used that will assure that storm water enters the groundwater system. The ordinance standards would apply to all new development. The Planning Board unanimously recommends adoption of a Water Recharge Ordinance.

Consensus: *Add issue to regular meeting agenda for the purpose of scheduling a public hearing.*

(3) GREENWAY & BRIDGE CONSTRUCTION PROJECT: Gerald Green, Planning Director, stated the County has been awarded a Parks & Recreation Trust Fund (PARTF) grant in the amount of \$435,000 to assist in financing the cost of constructing Phase 1 of the Tuckasegee River Greenway and construction of a pedestrian bridge over the Tuckasegee River to connect the greenway to the Locust Creek River Access Area. The total project cost, as identified in the PARTF grant application, is \$1,059,476, with a County match of \$624,476 as stated in the grant application. Updated cost estimates have been provided by the engineering firms that show the following costs for the two project elements:

Greenway	\$ 408,851
Bridge	\$ 758,346
Total	\$ 1,167,197

Discussions are continuing to identify cost reductions with a goal of getting detailed estimates in line with the costs identified in the grant application.

Anticipated funding sources for the greenway construction project include a PARTF grant, County CPR funds, a portion of the Duke FERC settlement funds, and a small amount of NCDOT funds. In order to use the Duke FERC settlement funds, an agreement by a committee composed of county, municipal, and Duke representatives will be necessary. NCDOT has committed to paying half the cost of relocating the NCDOT controlled access fence along the greenway route. NCDOT's contribution will be approximately \$15,000. The PARTF grant is a reimbursement program and means the County will be required to spend funds first. The paid invoices and proof of payment are submitted to the NC Division of Parks who verifies the payments and reimburses the County for the costs up to the grant amount. Only those costs that are incurred after the signing of the contract with the NC Division of Parks are eligible for reimbursement. A contract has not been provided by the Division of Parks and therefore the County has not committed to the project. The signing of a contract by the County commits the County to the completion of the project as identified in the grant application. Bid and contract documents for the greenway portion of the project have been prepared and that portion of the project is ready to bid. Bids for the greenway can be solicited at any time with construction starting after the signing of the contract and the approval of the Board of Commissioners. He recommended the following:

- That efforts to identify project cost reductions continue;
- That the Board of Commissioners endorse the use of a portion of the Duke FERC settlement funds for the project;
- That bids be solicited for the greenway portion of the project.

(4) CULLOWHEE PLANNING AREA: Gerald Green, Planning Director, stated that unmanaged growth and development in the Cullowhee area has created some concern among community residents and property owners. Much of this growth is fueled by the expansion of Western Carolina University. During the decade 2000–2010, the Cullowhee Township's population increased by 47% and it is now Jackson County's most populous township, with 24% of the total County population. With new apartment complexes under construction and planned around the University and new residential and commercial development planned throughout the community, this growth is projected to continue. Concern about the efficient use of resources, availability of infrastructure to serve the new developments and residents, and the impact of the unmanaged development on property values has resulted in the desire of community leaders to consider ways to manage the growth.

Community meetings identified the need for community planning as a concern among residents and business owners in the Cullowhee area. This concern was also voiced at community and university forums held recently as part of the WCU campus master planning effort. Community based planning is authorized by state statutes which set forth certain minimum requirements for the process. One of these is that the community planning area contains a minimum of 640 acres with at least 10 separate parcels with 10 property owners. A proposed planning area has been identified and a map of the proposed planning area is posted under Current Projects on the Planning Department's website. Steps that must be taken to move the process forward include:

- The establishment of a steering committee composed of Cullowhee business and property owners to guide the work required for the community planning effort and to provide the connection between county staff and Cullowhee residents and property and business owners.
- Obtaining the support of property owners within the proposed planning area for the effort.
- Endorsement of the planning area boundaries by the steering committee.
- Preparation of a community plan for the planning area, which will provide direction for the drafting of development standards.
- Drafting of development standards to guide the future growth and development of the community.
- Presentation of the community plan and the draft development standards to the community for input and comment.
- Review of the community plan and the development standards by the Planning Board.
- Review and approval of the community plan and the development standards by the Board of Commissioners.

It is anticipated that preparation of the community plan will be completed by late summer/early fall and drafting of development standards will be completed by the end of the year. The Planning Board has officially endorsed the Cullowhee community planning process. The Planning Board will be available as a resource for the community in carrying out the planning effort.

He recommended that the Board of Commissioners endorse the Cullowhee community planning effort provided that it is led by the community and has the support of the community and direct staff to proceed with the planning effort. It is also recommended that the Board of Commissioners approve the composition of a steering committee that will be charged with defining the planning area and drafting the standards to guide development in the planning area. A proposed steering committee membership will be presented to the Board of Commissioners.

Consensus: The Board recommended a 9 member committee and suggested that Commissioner Greene serve along with a WCU representative and each Commissioner make an appointment. Review volunteer applications and ascertain if any are qualified. All members should reside in the Cullowhee map district.

(5) US 441 DEVELOPMENT ORDINANCE: Gerald Green, Planning Director, stated the US 441 Corridor Development Ordinance was adopted in late 2009. In the years since the adoption, a number of concerns have been expressed regarding the applicability of the ordinance standards to the corridor. The 441 Corridor Council spent the first part of this year reaffirming revisions previously recommended, identifying additional revisions, drafting new text amendments, and identifying revisions to the 441 Corridor zoning map. The revisions to the ordinance recommended by the Council include:

- Revision of the Gateway Corridor standards to better reflect the context of the area by permitting new development in context with existing development patterns (limited parking in front, reasonable setbacks);
- Revision of the Village Center standards to permit the development of larger shopping areas that provide opportunities for regional stores;
- Revision of the landscape and sign standards to preserve the natural aesthetics of the corridor while providing for adequate signage for businesses;
- Revision of sign standards to reflect the auto-oriented nature of the corridor;
- Revision of the residential standards to reduce the 5 acre minimum lot size to a 1 acre minimum lot size.

The 441 Corridor zoning map has been revised to reflect the existing and proposed use of properties. He requested authorization to schedule community meetings to receive input regarding the proposed revisions to the ordinance

Consensus: *Mr. Green authorized to schedule community meetings.*

(6) PERMITTING & SOFTWARE PROJECT UPDATE: Tony Elders, Director of Permitting & Code Enforcement, reported that the new permitting software program has been in the development stage since July 2012. Staffs from IT, Tax Administration, Environmental Health, GIS Mapping, and Permitting & Code Enforcement, have been working with ROK Technologies of Charleston, SC to develop a detailed, GIS based, and easily updated software package. The entire system will be accessible from any where with an internet connection. Upon completion, the software program will be used to issue permits for land development, well and septic, erosion, building, signs, zoning, and will track inspections for each of those permits. As of today, land development, zoning, signs, erosion control, and environmental health permits have been created and tested. All land development permits in 2013 have been issued through the system. By July 1 all erosion, zoning, and sign permits will be issued through the system.

All old septic and well permits for the last 30 plus years are being scanned into the system and will be available on-line in the near future. Environmental health permits for well and septic should "go live" in the system within the next month. Building permits have just been added to the system in June and are currently being tested in both the Cashiers and Sylva offices. It is anticipated these permits will be fully complete by mid-July.

The process of field inspections and mobile access for inspectors through the use of tablets is just beginning to take shape. The tablets for code enforcement officers have been purchased and will be activated in July allowing mobile access to the permitting system for all field staff.

The public access portion of the system is just beginning to be put together. This web portal will provide access to citizens for researching permits for all parcels. Contractors will have access to enhanced services such as email notification of inspection results by the end of the calendar year. ROK Technologies will be actively involved until completion of the project which should wrap up by year's end at the latest.

(7) EMERGENCY OPERATIONS CENTER & 911 CALL CENTER: Mr. Wooten stated the first preliminary estimate was \$1,607,904 for construction and site work for the two centers. Funding would be from Capital Project Reserve Fund along with 911 Call Center Reserve.

***Consensus:** Mr. Wooten was authorized to move forward with the planning process and notify Odell Thompson to complete construction drawings and submit for approval and then continue to the bids process.*

(8) MEETING SCHEDULE FOR JULY – DECEMBER 2013: July 1st will be the only meeting in July. Beginning in August, resume the two regular meeting schedule on the first and third Monday of each month along with a Work Session prior to each second monthly meeting with the exception of December (first Monday meeting only).

The second meeting in September will be held in the Caney Fork community.

(9) COUNTY REAL PROPERTY: Mr. Wooten stated that if the Board is interested in selling two particular parcels in Sylva, appraisals and/or surveys are necessary for the following:

(a) Former rescue squad building is currently zoned for governmental use and may need to be rezoned. It is not part of the Mark Watson Park and is mapped as separate property.

(b) A 1.95 acre parcel located on West Main St (below former Buster Brown bldg.).

***Consensus:** Mr. Wooten authorized to:*

*(a) have the former rescue squad property **surveyed** and appraised. Gerald Green to review zoning restrictions and ascertain if the property needs to be rezoned.*

(b) have the 1.95 acre tract on West Main St. appraised (survey completed).

There being no further comments, Commissioner Cody moved to adjourn the Work Session. Commissioner Jones seconded the Motion and the Work Session adjourned at 4:00 p.m.

Attest:

Approved:

Patsy C. Parris, Clerk to Board

W. J. Debnam, Chairman

