
**Transylvania County Planning Board Minutes
Regular Meeting, January 21, 2021**

Call to Order: The Transylvania County Planning Board met in regular session on Thursday, January 21, 2021, in the Commissioners Chambers.

Members present were Chair, Kimsey Jackson, Bob Twomey, John Wayne Hardison, Karen Gleasman, Beecher Allison, Vice Chair, Lauren Wise, and Rick Lasater. Staff members present were Director of Planning and Community Development, Allen McNeill, and Planner, Darby Terrell. Also Present was IT Support Mike McKinney. No member of the public was present. No media attended.

- I. **Welcome:** Chairman Jackson welcomed everyone. The meeting began at 7:00 p.m. Mr. Twomey said the invocation and Mr. Wise led the Pledge of Allegiance.
- II. **Public Comment:** No comments were given.
- III. **Agenda Modifications:** There were no agenda modifications.
- IV. **Consent Agenda:**
 - A. Minutes (October 15, 2020) – Mr. Lasater pointed out in the minutes that the spelling of his name in the Consent Agenda under the Minutes section was misspelled.
 - B. Subdivision Approvals and Updates
Mr. Lasater motioned to approve the consent agenda with the correction to the minutes discussed, Mr. Allison seconded, and the motion was carried unanimously.
- V. **Old Business:**
 - A. **Cedar Mountain Small Area Plan Update** – The Committee has met three times since the last time the Planning Board has met. Mr. McNeill informed the board that the Committee is nearing the end of the process. During their three meetings, they identified more planned goals and are waiting for feedback from the Planning Board at this time. After receiving the feedback, the Committee plans to take all the information gathered and approved to the public in the public workshop sessions. The Committee is currently waiting to schedule these public workshop sessions. They will discuss when and what format they would like to hold these public input workshops in their next upcoming meeting.

Ms. Gleasman asked staff two questions, the first being if the Committee is going to wait to hold the workshops after they hear feedback from both the Planning Board and County Board of Commissioners or if they would hold the public workshop sessions before. Ms. Gleasman also asked the staff if they know how they could make sure that the Committee's current approved documents could get on the upcoming Commissioners agenda. Mr. McNeill answered that the Commissioners' Small Area Plan Process states that the Committee must wait until after they hear back from both the Planning Board and Board of

Commissioners with feedback if there is important information that needs to be adjusted before the public reviews the information. Mr. McNeill also explained that it is not up to staff to determine what items will be on the agenda. The Board of Commissioners Chair and the rest of the Commissioners make that decision. The staff could not guarantee when the Commissioners would receive the Committee's information to give feedback.

B. Cedar Mountain Small Area Plan Approved Goals Discussion – The Committee has made three (3) changes to their draft goals that they initially agreed on in the September 8th meeting. What was changed was the wording of Goals Economic Development Goal 1, Agriculture Goal 1, and the deletion of Natural Resources Goal 4, which Mr. McNeill explained all the changes to the board. Mr. McNeill explained that the Planning Board should review, discuss, and provide feedback to the Committee on their draft plan goals. The Planning Board discussed the current changes to the goals and asked some clarifying questions to staff on why the Cedar Mountain Committee made certain changes. The Planning Board discussed no specific feedback to give to the Committee.

VI. New Business:

A. Cedar Mountain Small Area Plan approved planning tools Discussion – The Transylvania County Board of Commissioners Small Area Plan Process lays out creating a small area plan in the County. In the "Project Development" section of this process, the Cedar Mountain Small Area Plan Committee must identify potential solutions and planning tools. They should then share these results with the Planning Board for their review. On September 29th, the Committee started discussing planning tools and potential solutions. The tools discussed are allowed by law in North Carolina for local governments. They can be included in the Cedar Mountain Small Area Plan. At the last meeting on December 22nd, the Committee approved a list of planning tools and solutions. Mr. McNeill asked the Planning Board to review and discuss the approved planning tools and solutions to provide feedback to the Committee. The Board members discussed specific planning tools and solutions as well as the pros and cons to those solutions. The Board members asked staff clarifying questions on specific planning tools and cons that seemed to be listed multiple times in the document. One question that came up was clarifying the difference between zoning and form-based codes. Mr. McNeill explained to the Board members those differences. Board members asked if the County could outsource some of the planning tools to third parties or collaborate with third parties and the County or County boards. Mr. McNeill explained that that could be possible, but it would still require staff time to make those connections. The Planning Board did not have any specific comments to the Committee about their approved planning tools and solutions.

B. Transylvania County Subdivision Control Ordinance amendment review – The new Chapter 160D of the North Carolina General Statutes consolidates current city-and-county-enabling statutes for development regulations. Chapter 160D is now effective. Until July 1, 2021, all local governments must have their development ordinances conform to this new law. Under Section 22 of the Subdivision Control Ordinance, "no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. The Planning Board has 30 days from the time they are presented a proposed amendment to recommend the Board of Commissioners. Mr. McNeill informed the Board that the County Attorneys have been able to review the new 160D changes to the Subdivision Control Ordinance. That staff has

made some suggestions as well.

The Board started the discussion by going from page to page, asking clarifying questions to staff about changes or specific items in the Subdivision Control Ordinance. Mr. McNeill read for the public that was present virtually the changes made and clarified each one if it was mandatory through State Statute 160D, a staff recommendation, or a recommendation from 160D. Ms. Gleasman pointed out to staff two places on the first page that were notes left in the document that may need to be taken out. Mr. McNeill stated that staff would make those changes. Ms. Gleasman also pointed out that it seemed like in Section 16, subsections 16.2 and 16.3 seemed to be the same language copied over again. Mr. McNeill said he would discuss with the County Attorney to see if one of those subsections could be taken out. Ms. Gleasman also pointed out that there should be a new date on the bottom of the document. Mr. Allison asked to staff the meaning of the 125% estimated cost of completion maximum. Mr. Allison asked it was 100% of the cost plus 25% of the cost; Mr. McNeill said yes, the 25% was in case of an increase in the project's cost of materials.

The Chair asked for a motion to recommend the changes as presented to the board tonight, a clarification from staff corrected the motion to be “to approve with the proposed changes and including the changes recommended tonight as well.” Mr. Lasater motioned, Mr. Allison seconded, and the motion passed unanimously.

- C. **Transylvania County Planning Board Charter amendment review** – The new Chapter 160D of the North Carolina General Statutes consolidates current city-and-county-enabling statutes for development regulations. Chapter 160D is now effective. Until July 1, 2021, all local governments must have their development ordinances conform to this new law. Staff provided the Board members a copy of the revised Planning Board Charter, which has also been reviewed by legal counsel. The Board was presented the Planning Board Charter with the changes they made on the October 20 meeting and those suggested by Staff, and the required 160D changes.

The Planning Board discussed the changes recommended and discussed possible new changes to the document. Mr. McNeill detailed each change. If they were being recommended as a mandatory change per State Statute 160D, the State Statute 160D recommended changes, or the Planning Board recommended changes to the document. Mr. Lasater asked if they can change the wording from the chair being “appointed” to “elected,” so the sentence would read:

“The Chair shall be elected by the Committee for a term of one (1) year.”

The Board discussed this change and gave consensus as to making this a recommended change. Ms. Gleasman suggested that the words “Planning Board” and “Commissioners” be capitalized or not throughout the document for consistency reasons. Mr. Lasater asked why an appeal would go to the Board of Commissioners and not to the Superior Court. Mr. McNeill explained that most Planning Board ordinances have a similar process to have the governing Board hear appeals. Mr. Lasater disagreed with this process.

The Chair, Mr. Jackson asked for a motion to approve the recommended changes. Ms. Gleasman motioned, and Mr. Twomey seconded.

Mr. McNeill asked for a clarification and asked for the motion to be “to approve with the proposed changes and including the changes recommended tonight as well.” The Chair,

Mr. Jackson approved the new wording for the motion, and the same members motioned and seconded the new motion. The motion was passed with six (6) votes for and one (1) vote no.

D. Director's Report

Mr. McNeill informed the Planning Board that there had been some staffing changes since their last meeting. Ms. Cain, who was the Administrative Support Specialist for the Department, could take another position outside the County and is no longer with the department. Staff wishes her the best in her new job. Mr. McNeill stated that staff hopes to fill this position by February 15th. Mr. McNeill informed the Planning Board that he has officially accepted the Director's position and is now the permanent Director.

Mr. McNeill informed them that at their next meeting on February 18th, an organizational meeting and staff would lead the meeting to begin with before the Planning Board appoints their new chair for the next year. They will also continue their 160D review. It is not clear which ordinances will be reviewing yet, or how many ordinances. Staff will work with the County Attorney's to decide that before the upcoming meeting.

Mr. McNeill informed the Planning Board that the County has officially installed its Fixed-Route Transit System. This route is currently still being worked on and improved. Staff encourages members of the public to participate. It is a dollar fee for each stop they would like to take.

Mr. McNeill thanked Mr. John Wayne Hardison for his time and service were given to this board and would like to wish him good luck in his upcoming ventures.

VI. **Public Comment** (15-minute time restriction. Speakers are limited to three minutes.).
No Comments were given.

VII. **Board Members' Comments:**

Mr. Hardison commented it had been a pleasure serving with the board members and the county. Mr. Hardison decided not to be reappointed for personal reasons, which would not allow him to delegate the time needed for this board.

Multiple Board members thanked Mr. Hardison for his service and wished him well.

Ms. Gleasman wanted to congratulate Darby and Allen on their hard work and wanted to remind staff she had previously asked for a map that showed the county's townships.

VIII. **Adjournment:** The next Planning Board meeting is scheduled for February 18th, 2021, at 7:00 pm in the Commissioners Chambers. The Chair Mr. Jackson asked for a motion to adjourn, Mr. Wise motioned, and Mr. Allison seconded the motion. The motion carried unanimously. The meeting ended at 8:46 pm.

MINUTES APPROVED



Darby Terrell, Recording Secretary



Chair, Planning Board