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Posted By: Evelyn Baker
Witnessed: _____

**MINUTES OF A
WORK SESSION
OF THE
JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JUNE 26, 2007**

The Jackson County Board of Commissioners met in a Work Session on June 26, 2007, at 6:30 pm, Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman
Joe Cowan, Vice Chair
Tom Massie, Commissioner
William Shelton, Commissioner
Mark Jones, Commissioner
Kenneth L. Westmoreland, County Manager
W. Paul Holt, Jr., County Attorney
Evelyn Baker, Clerk to Board

Chairman McMahan called the meeting to order and stated the purpose of the work session is to discuss the proposed Subdivision Ordinance and Mountain & Hillside Development Ordinance.

Michael Egan, Consultant, stated he reviewed the public comments and letters, found many worthwhile and incorporated several suggestions in the proposed changes.

MOUNTAIN & HILLSIDE DEVELOPMENT ORDINANCE:

Section 7 “applicability” revised; Section 7.1 “determining slope” proposed revision; Section 7.2 “division of area” added;

Section 8.4 “existing lots of record” delete all reference to five years; Section 8.5 “prior development plan approval” revised; add Section 8.6 to address “development agreements”;

Section 12 “application requirements for all land-disturbing activity other than that associated with a single-family dwelling” revised;

Section 13 “application requirements for land-disturbing activity associated with a single family dwelling” revised; Section 13.1 “level 1 requirements” revised concerning required reports for single-family residences; Section 13.2 “level 2 requirements” revised;

Section 14.6 “density limits” revised;

Section 15.1 revised;

Section 16 “construction of buildings” revised; Section 16.1 “plot plan” revised; Section 16.2 “disturbance limits” revised; Section 16.3 “building and grading envelopes” revised; Section 16.4 “building height” revised;

Section 18.8 “rooflines” revised; “Section 18.9 “building colors” revised;

Section 20 “criteria for approval of applications” delete paragraph (b);

SUBDIVISION ORDINANCE:

Section 1.3 “definitions” some revisions; Section 1.6.3 “exempt subdivisions” draft revision;

Sections 2.1.1 through 2.1.4.2 revised and modified to provide for preliminary plat review by planning board;

Section 3.1.1 “scope applicability; phasing” alternative language drafted for clarification; Section 3.2.1.3 “public subdivision roads” clarified by adding “for a distance of at least 30 feet”; Section 3.2.1.8 “relation to transportation and land development plans” draft alternative language; draft a new Section 3.2.15 addressing buffers around “gravesites and cemeteries”; Section 3.6.2 “required open space” needs further consideration; Section 3.6.3 “payment in lieu of required open space” should be deleted; Section 3.6.4 “open space use, location and design” modified to clarify that listed recreational uses should not qualify requirement that primary conservation areas remain natural and undisturbed; Section 3.2.7.2 consider substituting “county attorney” for “planning director”;

Section 4.2.2.3 revise by adding “County Finance Director”; Section 4.6.3 change “accepts tort liability” to “accepts responsibility”;

Section 5.6 “enforcement procedures” alternative language drafted; Section 5.7 “criminal penalty” alternative language drafted.

Consider a provision for two-foot contours necessary for a grading plan.

Consider a provision that the open space requirement should not apply to large-lot subdivisions and possible estate lot alternative for subdivisions with lots exceeding three acres and limited disturbed and impervious areas.

Consider maintaining a 30’ stream buffer, not mandate that it be in common ownership, but require preservation of stream buffer for any estate lot exclusion.

Consider a provision that all major subdivisions will comply with N.C.G.S. Chapter 47F, and as hereinafter amended, of the North Carolina Planned Community Act, increasing the threshold for major subdivisions to 20 lots to conform to the Act, or, in the alternative, increase it to 14 lots and adding an aggregation section.

NCDOT has prepared a “Private Subdivision Roads Minimum Construction Standards” which will be reviewed during subsequent work sessions.

All proposed changes will be incorporated into a revision of the ordinances and presented for further review at the next work session on July 2, 2007 at 7:00 p.m.

There being no further comments, Commissioner Shelton moved that the work session be adjourned. Commissioner Jones seconded the Motion. Motion carried and the work session adjourned at 11:00 p.m.

Evelyn B. Baker, Clerk

Brian Thomas McMahan, Chairman