

# MACON COUNTY PLANNING BOARD MINUTES

## November 8, 2006

A meeting of the Macon County Planning Board was held on November 8, 2006 at the Environment Resource Center. The meeting was called to order at 3:00 pm.

### **CALL TO ORDER:**

Planning Board members present were Chairman Larry Stenger, Lamar Sprinkle, Evelyn Owens, Susan Ervin, Alan Marsh, Mike Decker, Lewis Penland, Jimmy Goodman, and County Planner Stacy Guffey.

### **APPROVAL OF MINUTES:**

Sprinkle made a motion to amend and accept the minutes, Decker seconded the motion and it passed unanimously. The amendments included correcting the nomination of Vice Chair to read "Sprinkle nominated Penland" and changing item (4) under Unfinished Business to read "Agency Review."

### **PUBLIC SESSION:**

Bill Van Horn spoke about his concern over the proposed 10-story building in Highlands. He urged a moratorium on such buildings. Three other members of the general public spoke in favour of a moratorium noting that they were concerned that the same type of structures might be built in other parts of the county.

### **NEW BUSINESS:**

Goodman made a motion for the Planning Board to send a letter to the Board of Commission to recommend a moratorium on buildings over 38 feet in height and to request that the Planning Board be asked to further investigate the issue during the moratorium period. Marsh seconded the motion. Discussion ensued. Goodman noted that he was unsure that he was against the proposed building, but that a moratorium was needed because "the people need to be heard." The board then voted on the motion. The motion carried with 6 voting for and 1 (Sprinkle) voting against.

Chairman Stenger then addressed the board about a recent political ad that questioned the Planning Board's enforcement of the Sign Control Ordinance. Stenger pointed out that the Planning Board does not enforce ordinances. He noted that the Planning Board only acts as an advisory board to the Commission. He noted that the integrity of the board had been threatened. Sprinkle asked who had paid for the ad. Stenger said the ad was paid for by the Republican Party.

### **UNFINISHED BUSINESS:**

Chairman Stenger opened a discussion on clarifying the language of the proposed Subdivision Control Ordinance.

Guffey explained that the language §157.21(A) "if any subdivision street connects to a controlled access highway" violates the governing General Statute 153A-332. After brief discussion, Ervin made a motion to strike the language from the draft. Marsh seconded. The motion passed unanimously.

Many board members expressed their concern that a family member granting land to another family member would not be exempt from the ordinance if conveying more than one lot. Sprinkle made the motion to strike from §157.06, under the definition of a subdivision, the line in exemption (5) that read "whereby each grantee is conveyed only one lot." Penland seconded. The motion passed unanimously.

Stenger then opened a discussion on road standards. Board members had a lengthy discussion regarding road easements and access to subdivisions. Ervin stated that she was concerned about properties that had small right of way easements and that effect on the neighboring property owners' property rights. Sprinkle worried that restrictions based on right of ways would render some properties unusable. Lewis asked that the board be provided with example on how other counties deal with right of way access issues. Sprinkle made the motion to accept the proposed language in §157.12 and that the line "within the subdivision" be added. Owens seconded. The motion passed with 6 in favour and 1 (Ervin) opposed.

Stenger asked for a formal motion to recommend that the road standards language be added to the Soil, Sedimentation, and Erosion Control Ordinance for enforcement purposes. Goodman made a motion to that effect. Marsh seconded. The motion passed unanimously.

Stenger then read to the board his proposed amendment to the review process language under §157.22. There was a brief discussion on the amount of time needed for review and approval. Guffey stated that considering the minimal amount of requirements in the ordinance, that not more than a few days would be needed for review. Sprinkle made a motion to accept the amendments to the language adding an automatic approval stipulation if the review officer fails to render a decision in the stated amount of time, with the

review and approval time changed to read 5 working days for less than 10 lots and 10 working days for 10 or more lots. Goodman seconded. The motion passed unanimously.

Stenger expressed his concern for holding a public forum on an unfinished draft of the ordinance, stating that the board should await legal review by the incoming County Attorney. Marsh made a motion to that effect. Decker seconded. The motion passed unanimously.

Stenger, Ervin, Owens, and Penland shared their experience at the Regional Planners Meeting held at the Southwestern Regional Commission. They explained that Linda Giltz with the Land of Sky Regional Council had secured grant funds to work on a model slope ordinance for the Western Counties. Penland talked about the dramatic nature of the pictures presented by the Haywood County Erosion Control Officer and asked if Josh Ward could produce something similar.

**ADJOURNMENT:**

Stenger reminded the board that the next meeting will be on December 13<sup>th</sup>. The meeting was adjourned at 5:00 PM.

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Larry Stenger - Chairman

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Stacy Guffey - Clerk/Secretary to the Board