

**PLANNING AND
COMMUNITY DEVELOPMENT**

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**Cedar Mountain Small Area Planning Committee Meeting
January 28, 2020 at 6:00 PM
Cedar Mountain Community Center, 10635 Greenville Highway**

I. Welcome, Call to Order, Curley Huggins, Chair Cedar Mountain Small Area Plan Committee

Curley Huggins called the meeting to order at 6:04pm on Tuesday, January 28th. Members present were Chair Curley Huggins, Tom Oosting, Mark Tooley, and Candy Gray. Vice Chair Lucia Gerdes was absent (excused). Staff present were Jason Stewart, Planning and Community Development Director, Kate Hayes, Interim Planner, and Darby Terrell, Planner. There were around 35 members of the public present. Curley Huggins commended Lucia for submitting her thoughts for the meeting through email and he welcomed Transylvania County's new Planner Darby Terrell to the meeting.

II. Public Comment (15-minute time limit. Speakers are limited to three minutes.)

Elizabeth Thompson had three questions for the committee because she is late to the game and needs clarification. She asked why the process takes so long when there are already people coming out with great ideas and she referenced the group that came together regarding the first Dollar General on 276. She has asked for a moratorium on commercial development. She then asked why the original steering committee got replaced when they already had the momentum needed? She thought that it was odd that those people are no longer part of the committee and that the community not the commissioners should have chosen them. She referenced the commercial node noted on the maps and asked why that area is designated and would it limit the type of building? Curley Huggins responded that Suzanne, Robert, Clint, Karen, and others did an amazing job for over a year and a half and that we owe our gratitude; there was a handoff from the original committee to the appointed committee. Jason Stewart said the decision predated him, but that this is the process that the Board of Commissioners determined they would use moving forward; the small area committee will send their official recommendation to the Planning Board who then makes the recommendation to the Board. Members of the audience mentioned other commitments as their reason for not applying to the new committee and another member in the audience described the recruitment process and how the committee was advertised. Candy Gray advised that it was a detailed application asking for leadership skills, supervisory experience, and if the individual lived in the area. Curley Huggins assured the audience that the commissioners were not controlling the group.

A member of the audience asked why nothing is getting done after another year has gone by. Curley Huggins addressed the question stating their original meeting in September was a chance to organize the committee and to receive input from the steering committee on the work that had been done. The second meeting in October gave the committee a chance to get a feel for working together in the new group and to air out thoughts and concerns. Curley again assured the audience that there is a love for the area, and he wants the same things as people who have lived here for generations or people who have lived here a short time like himself. They then received information from Planning staff in November to "sink their teeth in" which will happen at tonight's meeting. In order for the committee to review everything, it will take some time but he's hoping to have the document by the end of the year. Jason Stewart then mentioned the goal was to get something to the Planning Board by the end of the Summer and then to the Commissioners by the Fall. Committee members said they

could meet twice a month if they need to. Candy Gray mentioned the committee spent quite a lot of time defining what is Cedar Mountain as well as time developing the vision statement. It's not easy, but it's really important; she mentioned that we have to know what our goals are and that these things have to be defined. She said they lost time around Christmas, but with parliamentary rules they had to define the rules and mission statement, pondering every single word.

Gus Napier doesn't believe Dollar General wants us to have time because they will take advantage of any time. He asked what they can do to slow them down? He was then told that the Dollar General would be in Dunn's Rock, not Cedar Mountain. Curley Huggins stated that the committee is moving as fast as they can while being thorough.

Tom Oosting wanted to make sure we weren't losing sight of the November meeting related to the Comprehensive Plan and the interface with the steering committee. He mentioned that Kate Hayes had presented on how the Cedar Mountain steering committee interfaced with the long-range plan and that it mentions the commercial nodes. He sees that as a recommendation. He referenced the 100+ pages of ordinances they have been asked to read through and the fact that Little River runs through the community which has an impact on the ability to build and use land. The small area plan must go through the committee stage then to the Planning Board for public meetings and then to the Board of Commissioners for a vote.

III. Agenda Modifications

Having no modifications to the agenda, Mark Tooley motioned to approve as presented. The motion was seconded by Candy Gray and carried unanimously. Tom Oosting motioned to approve the November 20th, 2019, regular meeting minutes as presented with a minor change from Curley Huggins. Candy Gray seconded the motion which carried unanimously.

IV. Old Business

- A.** Vision Statement – Curley Huggins presented the following statement that Tom Oosting drafted for the committee at the previous meeting as the official vision statement of the Cedar Mountain Small Area Planning Committee

"The Cedar Mountain Small Area Planning Committee will develop a land-use management perspective that strives to balance the area's natural beauty, historic, and cultural resources with responsible commercial and private development. The Committee respects the evolution of this community, its values and will develop its management perspective by being responsive to the many voices of the Cedar Mountain citizens"

- B.** Updated Cedar Mountain Map (Kate)

Kate Hayes presented the updated map of the Cedar Mountain Small Area Plan (See attachment). The committee had decided to adopt the map including the Cedar Mountain Voting District as well as the remainder of the Highway 276 Corridor from the voting district to See Off Mountain Road. The section of corridor will include parcels that have frontage on 276. A member of the audience asked if Steel Creek was included in the original steering committee's map and it was. Curley Huggins stated that the boundary map can always be modified, but we need a starting point. The committee agreed to proceed with the boundary map as presented.

V. New Business

- A.** Discussion of Example Ordinances (Blowing Rock, Pisgah Forest, Cashier's, Mills River)

Curley Huggins opened the discussion of the information from the Planning Director; he mentioned that it was a lot to absorb and it was time to dive in. Tom Oosting passed around a document that he created and spoke to what he sent in an email. He wanted to see if the committee would agree to use the Pisgah Forest Community Zoning Ordinance as a framework to work with as it was vetted by the county attorney. Jason Stewart added that the attorney wrote a good portion of it with Mark Burrows. Tom recommended to look at Pisgah Forest first and see what's there and what's not there, what the valued components/overlays are, and then begin to frame the new document for Cedar Mountain. Everything is covered in Pisgah Forest except for the visual appearance of buildings. Curley asked the group if we could use Pisgah Forest as a template? Mark Tooley felt that Cedar Mountain could do a much better job than the Pisgah Forest zoning because it was created so that Brevard would not annex and zone that area; a majority of the Planning Board was against zoning at the time. They had taken a template and added words and the process still took a year and a half. Tom mentioned that the first 20 pages were boiler plate and could be used.

Kate Hayes clarified the difference between Open Use and Corridor Mixed Use that is referenced in the Pisgah Forest ordinance; the distinction could give us language to use for the Cedar Mountain map and to categorize different areas. Mark Tooley wanted to begin by defining the corridors and being conservative to protect them because national chains do not care where they build. Lucia Gerdes had sent in comments addressing the corridors as well as residential roads including Reasonover, Solomon Jones, Haskell Jones, and Rich Mountain. Tom Oosting also added Cascade Lake Road and mentioned there could be different sets of priorities for different roads and what can go in there. It wouldn't be as stringent for the mixed-use corridor, but he thought Lucia brought up good points about commercial businesses seeking to locate on more residential roads. Jason Stewart stated that the group is not limited to the Pisgah Forest template, they could use a special use permit as well.

Jason advised the committee to think worst case scenario when they are considering specific management themes present in the corridor. Tom wouldn't be interested in having a conversation about any of the Pisgah Forest special uses in Cedar Mountain. Jason mentioned that mixed use allows for more intense zoning while open use is "zoning light" for less populated and less intense areas. Mark mentioned that mixed use has setbacks and provisions for stormwater and open use does not have any of those. From the audience, Gus Napier asked if there was a more progressive model for those who want zoning or another model we could be looking at? Tom said that the committee will do better, but we have to start somewhere. Mark recommended including Cascade Lake Road and DuPont/Staton Road, but he's not sure about Reasonover, Rich Mountain and Solomon Jones. Candy Gray advised she would include Cascade Lake and Staton; the audience questioned why the committee would leave out Reasonover if they are planning long term. Tom felt that the large parcel sizes along Rich Mountain Road made it vulnerable, but Curley advised the committee to include all the roads including secondary as well. Mark then said if the people want it included, then include it. A member of the audience mentioned the potential for growth on Green River Road if it was paved because it connects to Reasonover Road. Curley said things are going to change in the years ahead and we need to get out in front of that change by planning ahead. A member of the audience said that Solomon and Reasonover boundary DuPont that sees close to 1,000,000 visitors especially from Greenville. Cedar Mountain is the first place they see looking for accommodations and restaurants; there were concerns about the amount of people who come to play in the area. Tom Oosting mentioned adding youth camps and multi-family dwellings to their list. There was consensus among the committee to list all roads available for

development other than residential. Tom questioned making a distinction between open use and the corridor mixed district where open use would be primarily residential, but the committee could talk about specific issues around setbacks, height, parking, etc. in the corridors. Jason Stewart recommended talking about uses first and what they want to regulate. The committee wants to control the development knowing Cedar Mountain is going to grow but agreeing with the audience that they're trying to protect the area. Tom suggested establishing setbacks, footprint requirements, landscaped vegetation, lighting, height restrictions, and possible pervious parking. This wouldn't deny a property owner from using the property. Members of the audience expressed their interest in zoning the entire area, not just the corridors. Curley mentioned the committee needs to get to a point of recommendations that the community can review; the usage on 276 and other roads will be part of the recommendations.

Jason Stewart stated that they need more flexibility on the corridors, but the audience questioned why when they want to keep Cedar Mountain residential. Jason responded that they have to plan for the whole county, but Cedar Mountain residents felt this was the Board of Commissioner's job, not theirs. The audience wanted to be in charge of their own destiny in Cedar Mountain; one audience member asked about incorporating and voting on their own matters like Flat Rock. Candy stated there needed to be a larger tax base to support the services needed to incorporate.

As the discussion began to diverge, Curley addressed the audience to say if they want the committee to continue, they have to move things along. He encouraged audience members to approach the Commissioners about incorporating or other matters outside the charge of the small area planning committee. Curley wants to get to the point of having a document ready to present to the community and at that point, the committee will invite everyone's comments and suggestions. The audience supports the committee in their work, and they all want to preserve Cedar Mountain. An audience member suggested clustering businesses together in business parks instead of scattered throughout the area. Jason Stewart suggested considering uses the group wants to prohibit which is different from special uses. Tom referenced hazardous waste, radioactive waste, and adult entertainment businesses from the Pisgah Forest zoning ordinance because if you don't list them, they will come. Mark Tooley mentioned the state statute because you can't prohibit uses in the state; Jason then mentioned special uses and design standards. Candy wanted to move some of the special uses into the prohibited category such as industry, solid waste management, mining, concrete, asphalt, junk yards, motor sports, slaughter, amusement parks, and chip mills. She wanted to prohibit slaughterhouses. Jason will check on which special uses can be moved to the prohibited section. Mark added shooting ranges to the list for Jason to check on. Jason then asked if the group wanted to talk about special uses for retail. Tom Oosting mentioned the only thing missing from Pisgah Forest that would be relevant to Cedar Mountain is language saying there is a waiver for bona fide agricultural activity if it is a functioning farm. He wanted to include the following as a special use with hoops to jump through: animal rescue with kennels, multi-residential facility, youth camps, church camps, RV parks, and outdoor entertainment venues.

The audience mentioned protecting natural resources and adding something to take into consideration the impact on water quality. Tom mentioned the lack of a water system was in Cedar Mountain's favor. Candy asked if water quality wouldn't be caught by a flood permit? Jason said we could once we determine which uses are where. Jason also said we need definitions to help staff make zoning determinations. Jason said the Planning staff could help come up with definitions for uses. Tom also asked Jason for recommendations on how we go about special uses

and what hoops would exist. Mark mentioned a special use would have many standards it would need to meet. The committee will set the standards under open use and mixed-use corridors to dictate types of development. They will look to Jason to add other uses that would be appropriate under special uses or prohibited. Uses such as single-family homes will be allowed by right and will not require a permit; they are the more routine uses that are not offensive according to Jason. For multiple uses, each would be evaluated separately on the same parcel. Jason wanted the committee to define retail; Tom would encourage there to be distinctions between country stores, major retail stores, and big box stores possibly based on square footage. Mark referenced Cashiers singling out franchises and chains. Jason said the committee could pull from any of the documents. Jason will come up with definitions for retail and consider adding them in, as well as definitions for special uses. Candy would like to see retail/franchise/chains under special use.

Mark would like to look to the commercial nodes to concentrate the retail; someone asked if it would be appropriate for a moratorium on commercial development until the committee completes the plan and if the commissioners would allow that option. Tom asked if Dunn's Rock had started their process and Elizabeth Thompson said they are struggling to get people engaged. Jason was unsure of the staff capacity to have two small area plans at the same time, but Christy Blakely is interested in Dunn's Rock. Elizabeth offered an online platform where they could set aside space to talk about Cedar Mountain to gather information before coming to the meetings.

Candy Gray has agreed to interface with the Cedar Mountain News to get an audience Question and Answer section; Kate Hayes offered to put information on the Planning Department's website as well as link the Cedar Mountain News.

B. Other

VI. Public and Board Member Comments

An audience member asked the committee if the process would be voted on by ballots in Cedar Mountain. Curley addressed the individual and stated that the committee will develop a planning document and present it to the residents of Cedar Mountain by the end of summer. The public will be able to view the draft and make recommendations and give feedback as well as input; the committee would then make the necessary changes before presenting the final draft to the Planning Board and Board of Commissioners.

Clint Owings asked if there would be a public meeting when the plan goes to the Planning Board? He then said the group would have to speak up if they don't like it.

A member of the audience asked how will all homeowners in Cedar Mountain receive the information? Jason Stewart said it would be widely advertised and it will be on the website as well as in the Transylvania Times.

Mark Tooley mentioned that he does not want the plan to be voted down like the High Impact Land Use policy; he needs the community to prevent that from happening. Curley Huggins again mentioned needing generational folks at the meetings to hear from them before the 11th hour. He encouraged people to come to the meetings and remain involved.

Christy Blakely made a recommendation for the committee to consider creating context around what scale and intensity of development they want, make a list of businesses that are in existence including their sizes, and designate setbacks and square footage requirements moving forward. She also encouraged the committee to create a narrative that we are accepting of new businesses up to a certain size for it not to overpower what is already here. Elizabeth Thompson said their website could help and they could designate someone to work on that.

Suzanne Lawson said that small businesses are the backbone of our country. She expressed wanting parameters to protect residents; Creekside pays a living wage as well as the Cedar Mountain Café while Dollar Generals work employees to the ground while controlling the businesses while having no stake in the community. She implored the committee to look at what makes Cedar Mountain so special. She wants the committee to move forward because the original survey was published for over a year. She asked what they have to do to get a moratorium on development during the Small Area process? She mentioned business owners losing 40% of their profits and having to layoff employees.

A resident of Greenville spoke about living in SC and seeing Greenville develop into a housing boom and then a moratorium was placed on building. He asked why can't that be done here?

Elizabeth Thompson mentioned GS 153A-340 and asked the committee to find where we can't have a moratorium on the proposed Dollar General because a permit had not been issued and it was only in the due diligence stage. She said the county attorney should be looking into the issue.

VII. Adjourn - Next Meeting date February 25th, 2020

The next meeting is scheduled for February 25th at 6:00pm in the Cedar Mountain Community Center. There being no further business Tom Oosting moved to adjourn and Candy Gray seconded the motion, which carried unanimously. The meeting ended around 8:00pm.

			
Planning Staff	Date	Chair Curley Huggins	Date