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**Planning Board Minutes  
Regularly Scheduled Meeting  
Maggie Valley Town Hall Boardroom  
Tuesday March 21st, 2023  
5:30pm**

**Planning Board Members Present:** Chairman Eric Helfers, Jeff Lee, Bill Sebastyn, Jim Heffron, Dr. Janet Banks, Josh Hoogerwerf.

**Members Absent:** None

**Staff Present:** Kaitland Finkle, Town Planner, Sam Cullen, Assistant Town Planner.

**1. Call to Order and Pledge of Allegiance**

Chairman Rick Helfers called the meeting to order at 5:27 pm. The Pledge was said.

**2. Appointment of Chair and Vice Chair**

Janet Banks nominated Rick Helfers for Chairman.

**Janet Banks made a motion to appoint Rick Helfers as Chairman, Jim Heffron seconded. The Motion passed with all in favor.**

Janet Banks nominated Jeff Lee for Vice chairman.

**Janet Banks made a motion to appoint Jeff Lee as Vice chairman, Jim Heffron seconded. The Motion passed with all in favor.**

**3. Roll Call / Quorum Determination**

Quorum was established.

**4. Approval of Agenda /Disclosure of Conflicts**

Chairman Rick Helfers asked if there were any conflicts of interest. There were no conflicts. The following changes were made to the agenda:

1. Addition of item 2, Appointment of Chair and Vice Chair
2. Addition of item 6 b, Maggie Valley newspaper/media relations
3. Addition to item 7 a, short term rentals.

**Bill Sebastyn moved the agenda be approved with the noted changes; Jim Heffron seconded. Motion passed with all in favor.**

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**5. Approval of Minutes**

**a. February 21<sup>st</sup>, 2023**

**Jeff Lee made a motion that the minutes of February 21<sup>st</sup> be approved with the noted changes; Bill Sebastyn seconded. Motion passed with all in favor.**

**6. New Business**

**a. Staff Initiated Text Amendments to the Unified Development Ordinance**

**i. 152.12 ACCESSORY USES AND STRUCTURES & 160.02 DEFINITIONS (ADU)**

Planner Finkle walked the board through the proposed text amendments starting with accessory structures. She explained the current town standards and the changes that have been made. She spoke to the fact that language has been proposed giving the Town Planner authority to require buffering around accessory structures and that a new definition has been drafted. She spoke of new size restrictions and discussion was had about breezeways and attached versus detached units.

Discussion was had about the allowed location of accessory structures on lots and their setbacks.

Rick Helfers asked about the discretion of the Town Planner and if there were other options. Planner Finkle explained that the Town Planner language could be replaced by the Zoning Board of Adjustment but if the Town Planner made the decision on buffering, an applicant could always appeal to the Zoning Board of Adjustment.

Jim Heffron spoke to the fact that a 20-foot height allowance seemed low. Discussion was had and the board would like to see a 24-foot height allowance instead.

**Janet Banks made a motion to recommend approval of the text amendment with the discussed changes, Bill Sebastyn seconded. The Motion passed with all in favor.**

**ii. 154.10 PRODUCE STANDS & 154.13 TAILGATE MARKETS AND YARD SALES**

Planner Finkle explained the proposed language already is existing in the current town Code of Ordinances and staff has not changed it, only placed it in the UDO for the sake of consistency.

Rick spoke to the fact that allowing someone to set up a table 3 feet off the roadway seems too close to the road. After discussion the board would like to see it changed to 5 feet.

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The board discussed the definition of owner and long-term renter. The board would like each person selling items has written consent from the property owner. The board would like to add "contiguous" to the 3-day limit.

**Bill Sebastyn made a motion to recommend approval of the text amendment with the discussed changes, Janet Banks seconded. The Motion passed with all in favor.**

**iii. 154.14 RECREATIONAL VEHICLES**

Planner Finkle explained that this language was missed when the town changed over to the UDO, and she read the current language from 2001.

Bill Sebastyn asked about the sewer disposal process for recreational vehicles. Planner Finkle explained there are multiple ways for the sewer to be disposed of, but the town likes to see a permanent connection to the towns sewer system and proper capacity fees paid.

Jim Heffron suggested reducing the allowed number of recreational vehicles to 1 for residential lots and leave it 2 for commercial lots. After discussion the board agreed.

Discussion was had about the difference in moving a recreational vehicle and not using one. The board discussed having to make the owners move the recreational vehicle off of the lot every 6 months for at least 24 hours.

Discussion was had about renter versus owner.

**Jim Heffron made a motion recommending approval of the text amendment with the discussed changes; Josh Hoogerwerf seconded. The Motion passed with all in favor.**

**iv. 155.05 DESIGN GUIDELINES (Roof Pitch)**

Planner Finkle explained that this amendment is to make the UDO consistent with current language and definitions. She explained the UDO defines a flat roof as a 2x12 pitch.

Discussion was had about recourse for exceptions if needed.

**Bill Sebastyn made a motion to recommend approval of the text amendment, Jim Heffron seconded. The Motion passed with all in favor.**

**v. 156.12 SUBDIVISION DESIGN STANDARDS (Flag Lots)**

Planner Finkle explained the changes to the current language noting that the road frontage requirement was changed from 35 feet to 12 feet. She spoke to the fact that there is a proposed difference in major and minor subdivision requirements.

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Janet Banks asked if some of this language came from the Department of Transportation and Planner Finkle said yes.

Planner Finkle gave some examples of these lots in town already.

**Janet Banks made a motion to recommend approval of the text amendment, Jeff Lee seconded. The Motion passed with all in favor.**

**vi. 156.13 STREET STANDARDS**

Planner Finkle reviewed the changes with the board, and she explained that the changes were for the most part already taking place in practice.

Janet Banks asked for clarification on the difference of city limits and ETJ regulation.

Rick Helfers noted one-way roads are not allowed without getting an exception.

The definition of streets was discussed, and discussion was had about shared driveways.

**Bill Sebastyn made a motion to recommend approval of the text amendment, Janet Banks seconded. The Motion passed with all in favor.**

**vii. 161.04 ADMINISTRATION & 161.05 PROVISIONS FOR FLOOD HAZARD REDUCTION (Accessory Structure)**

Planner Finkle explained that this language came from FEMA and would remain consistent with their regulations. She explained that Flood Regulations is its own standalone ordinance with unique definitions.

**Jim Heffron made a motion to recommend approval of the text amendment to 161.04, Bill Sebastyn seconded. The Motion passed with all in favor.**

**Janet Banks made a motion to recommend approval of the text amendment to 161.05, Josh Hoogerwerf seconded. The Motion passed with all in favor.**

**b. Maggie Valley newspaper/media relations**

Rick Helfers spoke about the importance of advertising public hearings in the newspaper. And spoke about some of the articles in the Mountaineer recently. Discussion was had about how the newspaper receives information.

**7. Old Business**

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**a. Comprehensive Plan Update: Introduction, Vision, Goals.**

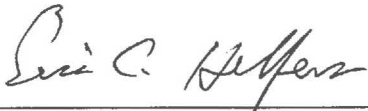
Planner Finkle updated the board on the comprehensive plan's goals and vision statement.

Discussion was had about breaking up the statement with some periods and a proposal was given by Janet Banks. The board agreed with her proposal.

Discussion was had about the inclusion of short-term rentals in the comprehensive plan.

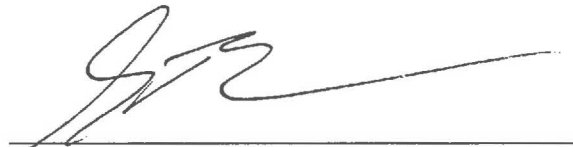
**8. Adjourn**

**Janet Banks made a Motion to adjourn at 7:25 pm. Jim Heffron Seconded. The Motion passed with all in favor.**



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Eric C. Helfers, Chairman



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Sam Cullen, Assistant Town Planner