



Vance County Planning & Development
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TO: Vance County Citizens Advisory Committee (CAC)
FROM: Ken Krulik, Assistant Director/Senior Planner
SUBJECT: Minutes of the June 12, 2006 CAC meeting
DATE: June 22, 2006

In Attendance

Committee Members: Reverend J,H, Daniels-Committee Chair, Connie Kenney-Committee Vice Chair, John Abbott, Alan Rowland, Thomas Shaw, Rusty McMahon

County Staff: Ken Krulik (meeting facilitator)

Others Present: Marc Woodlief , Martha Ryan

Absent: Helen Williams, Vincent Jefferson, John Foster, Robert Farnum, Matthew Milliken (Daily Dispatch)

- ◆ Chairman Daniels called the meeting to order; noting that with the shorter timeframe since the last meeting (June 8) the minutes were not expected to be prepared for review. He moved the meeting forward to the continued review of the draft ordinance (6/06 version) and review of the proposed Committee recommendations. Discussion began with page 18 section 3.2.1 A-R Agricultural Residential
- ◆ Alan Rowland commented that under this proposed zoning category for A-R (section 3.2.1.5) the built upon area (impervious surface area) is noted as 20%. This would not be enough realistically and he recommended this be changed to 24 %.
- ◆ The Committee discussed this request, it was explained that the need for this requirement is to manage issue of stormwater runoff into natural resources such as surface waters. Impervious surfaces are those that do not allow water to filter naturally into the soil (includes homes, any structures, paving, sidewalks, driveways).
- ◆ After some continued discussion it was determined to revise the A-R impervious surface requirement to 24% to which the Committee agreed.
- ◆ Chairman Daniels moved the meeting forward, reviewing the recommendations noted in the draft ordinance and there were no comments from the Committee on these (pages 19 through 23). He commented that the notes for building height identified on page 23 should be combined; Ken Krulik noted this and would revise the text accordingly.
- ◆ Chairman Daniels then moved to the Table of Permitted Uses, pages 24 to 29. Members had discussion on the recommendations noted for single family and manufactured homes.
- ◆ Ken Krulik explained that given past meetings he revised the table to incorporate under Single Family Detached: **Single Family, Detached and Subdivisions (stick built, modular- see Definitions)** and under Manufactured Home: **single wide or double wide- see Definitions per County Ord. #3**. In addition he then removed individual uses that listed manufactured home.

- ◆ Chairman Daniels continued with reviewing the recommendations noted in the revised draft ordinance, noting several other changes in the table of permitted uses. One was a recommendation from the Planning Board to have a daycare in the A-R zone require a conditional use permit.
- ◆ Rusty McMahon asked as to why it was recommended by the Planning Board; Ken Krulik gave a brief explanation. After some continued discussion it was determined by the Committee that with this use being allowed in other residential zones then it should also be allowed in the A-R, it was recommended to be change back to permitted. Ken Krulik noted this recommendation and would revise the use.
- ◆ Rusty McMahon asked to go back to home occupations and inquired that the first five categories were listed as CU (conditional use). Ken Krulik responded that this was in the original draft and there were no recommendations for changes from the Committee.
- ◆ There was discussion among the Committees as to the additional review necessary for a conditional use permit and if there is enough space on a farm (A-R) then issues of parking and hours of operation should not be a concern..
- ◆ Alan Rowland commented that one reason for the conditional use permit process is insure protection for the neighborhood from incompatible uses that could create a nuisance.
- ◆ After some further discussion it was determined by the Committee to change the CU in the A-R zone for home business to P (permitted).
- ◆ Rusty McMahon noted that on page 89 (Definitions section) that Item G should be removed : No home occupation shall be conducted in any accessory building. Ken Krulik noted this recommendation as well
- ◆ Rusty McMahon and Chairman Daniels also commented that under the use listed as Vehicle Service (cars, trucks, boats) and Vehicle/Boat Sales, Rental and Service, there was some confusion on the difference. Ken Krulik explained that the first use refers to gas stations and the second use is for repairs.
- ◆ There was discussion by the Committee on these two uses as to where they should be allowed, it was determined to add to Vehicle Service (cars, trucks, boats): **ALSO KNOWN AS GAS STATIONS.** The second use would be for repairs. It was recommended by the Committee to have the “service” (repair) use changed in the A-R zone as p (permitted) and R-30 (residential low density) changed from not permitted to CU (conditional use). Ken Krulik noted these recommendations.
- ◆ Chairman Daniels moved the discussion forward to page 28 and reviewed the recommendations noted on the table of permitted uses. The use listed as machine/welding shop raised some discussion.
- ◆ Ken Krulik explained the premise in prohibiting this use in the listed proposed zones and the note that is written on page 24: “This table of permitted uses is not intended to limit or prevent certain operations that are a normal secondary extension (part) of existing development and uses.”
- ◆ After continued discussion it was determined by the Committee to have changed in the table, the zones where a machine/welding shop is allowed: AR would be changed to P (permitted) and R-30 changed to C (conditional use). Ken Krulik noted these recommendations and would revise the text appropriately.
- ◆ Committee members had some discussion on other uses listed in the table of permitted uses, at the conclusion of the discussion Chairman Daniels moved the meeting forward to page 29 (no other comments on pages 25 to 28) and the proposed recommendation from Section 4.5 Substandard Lot of Record.

- ◆ Ken Krulik responded that this was an effort to add more clarity to the provision and condense two separate sections in original draft ordinance. With some further discussion from the Committee it was recommended to revise item C under this section to read as follows: “The property can be developed as proposed without any obvious adverse impact on surrounding properties or the public health or safety, based the determination of County planning staff and the property owner.”
- ◆ Chairman Daniels continued the meeting through to 4.23 noting the recommendations from the Committee. It was requested to add a definition of “opaque” in reference to buffers and screening, Ken Krulik responded he would add a definition.
- ◆ As the meeting moved ahead, Alan Rowland noted under Section 4.24 General development regulations, that a provision should be amended to address “0” setback lines at Kerr Lake. He recommended the provisions read as follows:
 - Item B: “...such projection may not exceed six (6) feet and may not be closer than ten (10) feet to any lot line, **except where lots located adjacent to Kerr Lake are allowed a zero (0) lot line setback from the US Army Corps of Engineers property line.**”
 - Item C: “...but such projection shall be at least ten (10) feet from any lot line, **except where lots located adjacent to Kerr Lake are allowed a zero (0) lot line setback from the US Army Corps of Engineers property line.**”
- ◆ Ken Krulik noted these recommendations and would revise the text appropriately.
- ◆ Chairman Daniels continued to review with the Committee’s recommendations as noted in Section 5 and through Section 6.2, there was some discussion but no changes to the recommendations.
- ◆ Alan Rowland commented that a timeline for submittal of applications (conditional use permits, re-zonings, variances) should be developed, similar to what is done for the Planning Board. Ken Krulik noted this and would develop a timeline of application submittal for use by the Board of Adjustments.
- ◆ Martha Ryan asked for a definition of non-conforming building, Chairman Daniels responded and provided a brief explanation. She then asked in reference to the uses listed as bed and breakfast/country inn if there is a definition of country inn in the draft ordinance. Ken Krulik responded he would work on an appropriate revision.
- ◆ Thomas Shaw commented that under Section 6.4 Denials and Appeals on page 41 the following was recommended to the text : “Said appeal as a written notice must be made to the Board of Adjustments within one hundred–eighty (180) days or forever be barred.”
- ◆ As the meeting progressed, Chairman Daniels noted that on page 43 under Section 6.10.A that Items four through nine and Item 11 are to remain in the draft ordinance as General Statutes do give the County authority to regulate adult entertainment establishments.
- ◆ Rusty McMahon commented under Section 6.10.B for salvage yards where it states for storage of vehicles, is there a difference between vehicles stored inside a building versus outside in a yard. Ken Krulik noted this and would work on a potential revision to the text to deal with vehicles stored outside versus those that are stored inside a building..
- ◆ The meeting progressed forward, to the items listed on pages 44 to 47. Chairman Daniels continued with reviewing the recommendations as noted in the draft ordinance, there were no comments from the members.
- ◆ Ken Krulik commented that under Item 3-B for campgrounds that he would revise the text to read: “...a camp store may be provided, **for the use of campground users only**, which may sell camping supplies, e.g. food, ice, personal supplies, etc.”

- ◆ The Committee had further discussion on other uses such as restaurants allowed in campgrounds, it was recommended to add a conditional use permit requirements for restaurants in campgrounds. Ken Krulik noted this recommendation.’
- ◆ Chairman Daniels moved the meeting forward, reviewing the recommendations noted in the draft ordinance, pages 48 through 67. He commented that a definition of “interested parties/persons would be added to the draft ordinance, Ken Krulik agreed that this would be addressed.
- ◆ Chairman Daniels continued that a conflict of interest provision be added to Section 11 for the Board of Adjustments.
- ◆ John Abbott noted that under Section 12.2 Action by the Applicant (Items D-1 and D-2) that the timeframe should refer to “...twenty five business days,” Ken Krulik noted the recommendation.
- ◆ Committee members discussed for Section 12.2.E, that the provision should read, Replication for Amendment: An application for any rezoning of the same property or any application for the same amendment to the Zoning Ordinance text shall be permitted only once within any one year period, **unless the application made is for a different use.** Ken Krulik noted the recommendation.
- ◆ Thomas Shaw recommended that the end of the last sentence, last paragraph of Section 12.3 Action by the Planning Board, should have added at the end: “and the applicant.” Ken Krulik noted this recommendation as well.
- ◆ At the conclusion of the meeting’s discussion, Alan Rowland requested at the next meeting to do a presentation on lot sizes and configuration in relation to the lot sizes proposed in the draft ordinance. Chairman Daniels agreed to this request.
- ◆ Rusty McMahon then asked about the procedure for making recommendations to the Board of Commissioners.
- ◆ Ken Krulik explained that he was working on concluding the updated mapping and incorporation of the recommendation into the draft ordinance, then presenting the documents to the Commissioner for their July 3rd meeting which would give the CAC time the week prior to review all the compiled work.
- ◆ Chairman Daniels noted the next meeting would be June 20th and the Committee could finish their review and wrap up their work on June 22nd.
- ◆ With no further business the members adjourned, the next regular CAC meeting will be held Tuesday June 20 at 6:00 PM.