



Vance County Planning & Development
156 Church St. Suite 003
Henderson, NC 27536
Ph: 252-738-2080 Fax: 252-738-2089

TO: Vance County Citizens Advisory Committee (CAC)
FROM: Ken Krulik, Assistant Director/Senior Planner
SUBJECT: Minutes of the June 8, 2006 CAC meeting
DATE: June 22, 2006

In Attendance

Committee Members: Reverend J,H, Daniels-Committee Chair, Connie Kenney-Committee Vice Chair, John Foster, and Vincent Jefferson, John Abbott, Alan Rowland, Thomas Shaw

County Staff: Ken Krulik (meeting facilitator), Robert Farnum

Others Present: Marc Woodlief , Martha Ryan, Jason Alston (Daily Dispatch)

Absent: Helen Williams and Rusty McMahan

- ◆ Chairman Daniels called the meeting to order; with a new member of the audience, County resident Martha Ryan, Chairman Daniels made introductions and welcomed Mrs. Ryan to the meeting. He then requested review of the May 18, 2006 minutes.
- ◆ Board members identified several minor corrections, noted by Ken Krulik. There were no other corrections identified by Committee members, with no further discussion Chairman Daniels entertained a motion to approve the minutes as corrected:
 - A. **Motion** was made by John Foster to approve the minutes of the May 18, 2006 meeting with the noted corrections. **Second** was made by Thomas Shaw.
 - B. All members present voted to approve the May 18, 2006 minutes.
- ◆ Chairman Daniels then moved the materials distributed by Ken Krulik defining “interested persons” and the Board of Adjustments/Zoning Board; members had some discussion on this material.
- ◆ Chairman Daniels then proposed a meeting schedule for the remainder of June to complete the Committee’s work. After some discussion it was proposed to hold meetings of the CAC on June 12, 20, 22, and 26, Committee Members agreed to this schedule.
- ◆ With no further discussion Chairman Daniels moved the meeting forward to page 79 of the definitions section for continued work on the draft ordinance.
- ◆ John Foster commented under the mini-warehouse definition, where it states “dead” storage he requested clarification; Ken Krulik noted this and would work on the revision.
- ◆ John Foster commented on a better definition for “mobile office” to reflect modular and mobile home units as offices, Ken Krulik also noted this and would revise the definition.

- ◆ Vincent Jefferson commented on the definition for nuisance that states “offensive to the senses,” Ken Krulik responded he would clarify this in the definition.’
- ◆ John Foster commented that under the definition for planning board that there was no mention of “alternates.” Ken Krulik responded he would revise this definition.
- ◆ Under the definition of recreational vehicle, John Foster recommended revising the text to remove “light duty truck” and simply have “truck.” Ken Krulik noted this as well.
- ◆ Chairman Daniels moved the meeting forward; there were no comments from the Committee on the definitions section, pages 80 to 83. He asked Alan Rowland if there any comments on the definition of roads/streets in the draft ordinance. Alan Rowland commented that the text in written for this definition is ‘pretty standard.’
- ◆ Committee members had some discussion on the definition of a “structure,” Ken Krulik responded he would further re-work the text for this definition to include “permanent and/or temporary” in the text (anything constructed or erected).
- ◆ Chairman Daniels commented on the definition of “subdivision,” Committee Members had discussion on this term which would have the division of land (based on General Statutes) as being a subdivision (whether a family situation or selling individual lots).
- ◆ Committee members had further discussion on the subdivision of land and the requirements as outlined in the County’s Subdivision Ordinance. Ken Krulik responded that the definition in draft ordinance is from the County’s Subdivision Ordinance which is from State General Statutes.
- ◆ Chairman Daniels noted that under the definition of “trailer” that “Recreation Vehicle. A self-propelled vehicle or portable structure mounted on such a vehicle designed as a temporary dwelling for travel, recreation, and vacation” should be removed as it is not applicable. Ken Krulik noted this recommendation.
- ◆ Committee members completed their review of the definitions section of the draft ordinance, Chairman Daniels asked for clarification of the zero-lot line development noted under the Planned Unit Development (PUD) definition.
- ◆ Ken Krulik and Alan Rowland explained that this refers to units/development within the PUD itself and does not apply to lot lines (property lines) that on adjoining properties. Ken Krulik commented he would revise the text to clarify the difference.
- ◆ Chairman Daniels moved the meeting to the draft ordinance-signs section (Section 9, page 68) for review by the Committee.
- ◆ John Foster commented on “banners” as identified in the section and noted the need for a more clear definition, as well as the mounting of these signs (not always mounted on a solid frame). Ken Krulik noted the recommendation and would revise the text provision.
- ◆ Chairman Daniels added that the revised text should also refer to instances with “short lived sales” in reference to banners (not rigidly mounted). Ken Krulik noted this as well.
- ◆ Chairman Daniels commented that the text should address multiple small signs on a property that could impair access and visibility to a property (as in a store with many small signs scattered around the property). Ken Krulik responded he would research this and revise the text accordingly.
- ◆ John Foster added to the discussion the issue of election signs, which should be removed within a certain time period once the election is over.
- ◆ Chairman Daniels and Ken Krulik noted this is addressed within the draft ordinance, Ken Krulik added he would make sure this is clarified in the text of the signs section.

- ◆ After some continued discussion on temporary and multiple signs, Chairman Daniels moved the meeting forward to page 70 (there were no other comments on pages 68-69).
- ◆ John Foster noted on page 71, provision 9.2.6 the last sentence should be changed from 90 days to 180 days (to read “the existence of a sign or its support structure with no message display for a period of one hundred-eighty (180) days shall be justification to declare the sign abandoned and require its removal”) Ken Krulik noted this revision.
- ◆ Chairman Daniels commented that there should be language to address a “grace period” to remedy issues of correcting signs needing repair, ken Krulik responded he would revise the text accordingly.
- ◆ Chairman Daniels moved to provision 9.2.5 on illuminated signs. Members had some discussion on the direction of the lighting on adjacent properties and to allow illumination beyond the hours of 12:00 to 6:00 AM as outlined in the draft ordinance. Ken Krulik responded he would re-work the text to accommodate the recommendation of directed/shielded lighting between the hours of 12:00 AM to 6:00 AM.
- ◆ Vincent Jefferson commented on that provisions 9.2.3 and 9.2.6 could be combined as they both address maintenance of the signage in good repair (with enforcement by the zoning administrator). Ken Krulik noted this and would revise accordingly.
- ◆ With no further discussion Chairman Daniels move to pages 71-Section 9.3 Exempt Signs and page 72 Section 9.4 Prohibited Signs, there was general discussion on the items in these sections. It was recommended to revise provision 9.4.6 to read “signs that are attached to a structure and extend vertically above the highest portion of the roof of any structure.” Ken Krulik noted this recommendation.
- ◆ Chairman Daniels moved the discussion to section 9.5 Sign Placement, Setbacks, Size. After some discussion it was recommended to remove the following:” Maximum sign size is a cumulative total and shall not exceed 300 square feet in area when multiple displays are used on a single support.” Ken Krulik noted this recommendation as well.
- ◆ There was some continued discussion on the placement of signs on property and the size (square footage of signs), with on premise signs referring to businesses.
- ◆ Thomas Shaw and Chairman Daniels commented on the placement of sign s on trees, it is stated on the draft ordinance under Section 9.4 Prohibited Signs that this includes “signs erected, maintained, painted or drawn on any tree, rock or other natural feature.”
- ◆ Martha Ray (County resident) asked, why an artistic sign painted on a rock could not be allowed on their property. After some discussion by Committee members, it was determined that it should be clarified that if a business is being advertised it would not be allowed, but if it is just “something artistic” it would be allowed (not a commercial message). Ken Krulik noted this and would revise the text as appropriate for clarity.
- ◆ With no further discussion Chairman Daniels moved the meeting forward to page 73 Section 9.6 Nonconforming Signs. He asked if a nonconforming sign is destroyed, will it be able to be re-built. Ken Krulik noted this and would research an appropriate text revision to this section.
- ◆ On completion of the signs section review, Chairman Daniels directed the Members to review the revised draft ordinance 6/06, inclusive of the recommendations as of the last meeting of the Committee. Ken Krulik explained the color code scheme: blue text denotes new recommendations/revisions added, red text with a ~~strike through~~ denotes text removed, if there was a recommended change then it is in red as well, green text denotes new recommendations/revisions per the Vance County Planning Board and/or County Planning Staff, and orange text denotes new recommendations/revisions as of the final review process by the CAC from 5/18/06 through June 2006.

- ◆ Ken Krulik noted he would re-work the format of the final draft to better illustrated page numbers and to also include the correct numbering in the table of contents.
- ◆ Chairman Daniels stated the review, noting that the section on Minimum Housing Standards was deleted. Ken Krulik responded this was a recommendation from the Commissioners, he added that a free standing ordinance could be drafted at a later time.
- ◆ Moving forward Chairman Daniels also commented that “affordable housing” was not addressed in the draft ordinance; Ken Krulik noted this and would research this about potential inclusion in the draft document.
- ◆ Chairman Daniels continued the review and noted the first changes are addressed on page 9, he asked for any comments or changes from the Committee. The definition of bona fide farms again raised more discussion and comments, Ken Krulik commented that the proposed recommendations are based on the prior discussions and input by the Committee and coordinated with the definitions used by the Vance County Tax Office.
- ◆ The Committee had continued discussion on the provision that states: “Forestland – Land that is part of a forest unit that is actively engaged in the commercial growing of trees under a sound management program.”
- ◆ Members, along with input from County residents Martha Ray and Marc Woodlief, had discussion on this proposed recommended revision to the draft ordinance, as relates to “sound management program.” There were comments as to the possibility of revising the recommendation to include definition of “natural forestland” and used “for tax purposes.”
- ◆ Ken Krulik restated that the original recommendation was formulated based on the Committees input to use the same definition as what is used by the County Tax Office.
- ◆ Committee Members continued their discussion on this issue; Marc Woodlief provided some information as to what the state requires for a sound management program.
- ◆ Chairman Daniels recommended a potential revision to include text reading “forestland as land that is a natural forest or engaged in the commercial growing of trees.”
- ◆ With much discussion among Committee Members, it was determined that the types of trees did not dictate “forestland” for being a bone fide farm. It was also discussed that the state determines a “sound management program” for forestland when a property owner applies to have such designation enacted for their property.
- ◆ Ken Krulik noted these comments, but the definition of “bona fide farm” as recommended in the draft ordinance remains as it was revised.
- ◆ Chairman Daniels moved the meeting forward and reviewed the recommendations noted on pages 10 through 12; there were no changes to these recommendations.
- ◆ Alan Rowland recommended that on page 13 under Item C Site Plan Requirements, the proposed (not yet adopted) fees identified for zoning permits, variances, conditional use permit, and re-zonings should be removed from this ordinance and added to the Planning and development department Fee Schedule. Ken Krulik noted this recommendation would revise the text appropriately, there were no changes to be made to page 14.
- ◆ Alan Rowland and Chairman Daniels noted under Item F Complaints (page 15), should read “signed complaint from County residents, property owners, or their agents or an absentee landowner or their agent...”
- ◆ John Foster commented on page 16 Item 2-J Cancellation of Permits, 30 days is not sufficient. It was recommended to revise this to 45 days, Ken Krulik noted this recommendation and included that a written plan of action should be submitted.

- ◆ Chairman Daniels continued forward with the review, moving to page 17.
- ◆ Under 3.1.F Zones, Descriptions, and Dimension, John Foster recommended that a timeline be added to identify the zoning category on individual property tax bills. Ken Krulik noted this recommendation and would revise the text provision to read as follows:
 - The zoning category for the individual property shall be noted on the property owners County Tax bill:
 - (i) Said identification and notation of zoning for individual properties shall be conducted within twelve (12) months after the date of adoption of this Ordinance.
 - (ii) Upon the adoption of this Ordinance and completion of notation for zoning for all individual properties, future re-zonings that are approved through the process outlined in this Ordinance, shall be noted in the Vance County Tax Office within ninety (90) days of the approved re-zoning.
 - (iii) It shall be the responsibility of the County residents or their agents or an absentee landowner or their agent and all persons or parties with interest in property within Vance County, to research potential re-zonings with the Vance County Planning and Development Department and the Vance County Tax Office.
- ◆ Chairman Daniels moves the discussion to discuss development of land around the lake and the requirements for a septic system repair area (30,000 square foot minimum). There was discussion by the Committee as to the state's requirements, the County Health Department allows, and what is proposed in the draft ordinance under review.
- ◆ Ken Krulik commented the County's Subdivision Ordinance has a provision that historically has been interpreted to allow for lots smaller in size than the 30,000 square foot minimum necessary for a septic system if there is agreement between the County Health Department and Planning and Development Department. He added that this is a concern of his department (lots too small for a septic system/repair area) and this would be addressed if countywide zoning is adopted.
- ◆ Ken Krulik further added that if the draft zoning ordinance is adopted then the provision on lot sizes in the County's Subdivision Ordinance would need to be removed (ordinance amended) since a zoning ordinance is what determines lot sizes and the two documents would be in conflict with each other.
- ◆ With the close of discussion Chairman Daniels noted the next meeting would be June 12 and the minutes of this meeting would not be expected to be ready given the short timeframe. He added that the next section for review would begin on page 18 section 3.2.1 A-R Agricultural Residential.
- ◆ With no further business the members adjourned, the next regular CAC meeting will be held Thursday June 12 at 6:00 PM.