

PLANNING BOARD
February 11, 2021 - 5:30 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Warren Watson (Chair), John Rose, Neal Barton, Gerald Pack, Alexander Hagerty, Edward Daniel, Wayne Horne
Member(s) Absent: Lee Barker
Staff Present: Cathy Ruth (County Planner), Hannah Lynch (Secretary), Jana Berg (County Attorney - via Zoom)

1. Call to Order

A. In order to maintain the safety of County residents, the Planning Board and Staff, the Planning Board Meeting scheduled for 5:30 p.m. Thursday, February 11, 2021 will be available for the public to call in and listen to the meeting. Call – 1-301-715-8592, Meeting ID – 821 9144 8792, Password – 876874. To ensure the public is able to safely participate in the Planning Board meeting and the Public Comments portion of the meeting, you may submit a public comment by email to hlynch@polknc.org, or by calling the Planning and Zoning Department at 828-894-2732 by 4:30 p.m. on Wednesday, February 10, 2021. Please include the following information: First and Last Name, Address, and Comment. Comments will be read into record by the Clerk during the Planning Board meeting. There will also be a chance during the Public Comments portion of the meeting to present comments live via telephone. If you have any questions, please contact the Planning and Zoning department at 828-894-2732.

Warren Watson called the meeting to order at 5:32 PM. He explained this was a meeting where, due to the COVID-19 pandemic, Zoom was being utilized as an option for Board Members and members of the public, and Jana Berg (County Attorney) would be utilizing it.

2. Approval of Agenda

A motion to approve the agenda was made by Gerald Pack, seconded by John Rose. A vote was taken and all were in favor. The motion carried unanimously.

3. Approval of Minutes

A. Approval of Minutes from December 3, 2020

The Board looked over the minutes from the December 3, 2020 meeting. Cathy Ruth explained staff is still working with Neal Barton to update his comments regarding scale factor, and the Board agreed to table the approval of these minutes to the next meeting.

B. Approval of Minutes from December 10, 2020

A motion to approve the minutes from December 10, 2020 was made by Edward Daniel, seconded by John Rose. A vote was taken and all were in favor. The motion carried unanimously.

4. Group Development Application - William Nichols

Hannah Lynch presented the application for a Group Development. She explained in the Multiple Use zoning district, a parcel is allowed to have a primary residence, accessory dwelling unit, and a guest house for a total of three houses. Mr. Nichols is applying for a second guest house to be located on his property which would make four houses on the property. She explained this is permitted without subdividing the property with the use of a group development permit which has to come before the Planning Board for approval. She explained the application meets all requirements of the Polk County Zoning Ordinance.

The Board discussed the project. A motion was made by Wayne Horne to approve the Group Development permit as proposed, seconded by John Rose. A vote was taken and all were in favor. The motion passed unanimously.

5. Mobile Home Park Ordinance

Cathy Ruth presented changes to the Mobile Home Park Ordinance, along with specific questions from the Planning Board's last meeting for Jana Berg, County Attorney. She explained one question from the prior meeting was whether or not yearly water testing could be required for mobile home parks. Jana Berg explained this could be seen as discriminatory against mobile home parks, as it is not currently required for other multifamily situations. Warren Watson asked about requirements for yearly water testing for multiple tenant buildings such as hotels, to which Jana Berg responded that was a question for Environmental Health. She explained there are regulations for water testing for certain situations, such as if a well is located near a landfill, but for the regulation of wells in general, the state of North Carolina has taken a position to regulate public health.

Gerald Pack asked about mobile home parks with no immediate service to a fire hydrant. The Board discussed how this would be a similar situation to a rural home with no access to a fire hydrant. The Board discussed fire protection in mobile home parks and suggested requiring the Fire Marshal to approve mobile home park plans in regard to fire safety and minimum setback requirements. Jana Berg suggested adding plat approval as a separate section in the ordinance and listing this. The Board agreed to table this to the next meeting to allow staff time to draft this change.

Gerald Pack asked about open space requirements in mobile home parks. Cathy Ruth explained with the proposed changes, clustering is being allowed which will allow for more open space in mobile home parks. This is a benefit to

the property owner who will be building less roads, and well as an environmental benefit as there could be a protection buffer around the park and less land being disturbed in general. Jana Berg asked what would be allowed in the open space, to which Cathy Ruth replied it is not formally addressed in the ordinance. The Board agreed to table this to the next meeting to allow staff time to brainstorm and draft changes to tighten up the language regarding open space.

Cathy Ruth also agreed to speak with Environmental Health about how many wells can be utilized for one unit, and how the amount of water needed for a unit is determined.

6. Mobile Home Ordinance

This was originally the 7th item on the agenda, however this was moved up to the 6th to be discussed after the Mobile Home Park Ordinance.

Cathy Ruth presented the Polk County Mobile Home Ordinance changes. She explained this was previously planned to be repealed due to state legislation not allowing counties to prohibit mobile homes based on age, but explained the Board wanted to keep in the part about skirting. This will require all mobile homes within Polk County to have skirting installed and approved before the owner is able to get a Certificate of Occupancy.

The Board discussed this change and agreed to move forward with the recommendation. Warren Watson read through the drafted recommendation including project history and analysis, proposed amendments, plan consistency, and the recommendation. A motion to approve the recommendation of drafted changes to the Polk County Mobile Home Ordinance was made by Alexander Hagerty, seconded by Neal Barton. The motion carried unanimously.

7. Subdivision Ordinance

Cathy Ruth presented drafted changes to the Subdivision Ordinance and went through highlighted ones which were added since the last Planning Board meeting. One change is requiring an application for a 2-lot subdivision, which is currently a simple signoff of the plat in the Planning and Zoning office. Cathy Ruth explained this adds more work for both staff and surveyors, however it will provide a paper trail in case the decision is later appealed.

Another change to the Subdivision Ordinance is regarding conflict of interest standards. The standards have been further narrowed by 160D regulations to include close familial relationships as well as associational relationships.

Cathy Ruth explained regulations on surveyors to utilize control corners in surveys has been changed to allow for grid control instead. She explained the difference in the two and the Board discussed. Neal Barton explained grid control is difficult because surveyors have to know how to, and have access to, GPS software. He also explained monuments for grid control are few and far between in the county, and monuments can be more helpful for surveyors in our county. The board discussed this and decided to leave in the section requiring

control corners for now, to be potentially discussed at a later time.

Cathy Ruth went through changes to the section regarding exemptions to required traffic impact studies. Currently the ordinance reads if there is a recent survey done reflecting current conditions, an additional traffic impact study is not required. The Board discussed this and Alexander Hagerty stated he was not comfortable with saying a "recent" study, as that can be different depending on the area and situation. The Board agreed to change this to read a recent study is five years or newer, and it must reflect current conditions. Warren Watson this asked why the exemption wouldn't just be removed, to which the Board agreed that may be the best change. The Board agreed to have the section regarding traffic impact study exemptions to be removed from the ordinance completely.

Hannah Lynch presented proposed changes regarding setbacks in unzoned areas of the county. She explained currently unzoned areas that have been subdivided have more restrictive setbacks than properties zoned Multiple Use in the zoned area of the county. She presented graphics showing the current differences in setbacks in these areas. The Board discussed this and agreed the unzoned area should be less restrictive than the zoned area of the county. Cathy Ruth also explained this is difficult to regulate for small, unnamed subdivisions, and is easy to miss. The Board agreed to having staff address and draft changes to this to bring back to the next meeting.

The Board discussed changes to section 5.9 and 5.10 of the Subdivision Ordinance which requires discretionary decisions to be made by the Zoning Administrator. Jana Berg stated this was too much discretion for the administrator, as they should be making administrative decisions that are not discretionary. The Board discussed the reason for requiring a buffer easement in a subdivision, and whether or not that would be covered by the required setbacks. The Board agreed it would be beneficial to potentially require a planted buffer or berm around the perimeter of a subdivision, but not around the separate lots within a subdivision. Cathy Ruth agreed to have staff work on this section and bring back to the Board.

The Board also discussed the necessity of the section for marginal access streets. Cathy Ruth explained this feels more like a section for municipalities, but could potentially be useful in the future. Jana Berg agreed to look through this section with staff.

Cathy Ruth presented the section regarding steep slope requirements. The Board discussed this and the difficulty in regulating this as there is no Development Review Board for subdivisions. They agreed to remove the section regarding steep slopes.

Cathy Ruth presented changes in the definitions to easement versus right-of-ways. Jana Berg explained the difference in these, and that we are looking to define each separately. Cathy Ruth explained this would be very important with the Polk County Zoning Ordinance, and the definitions between the two ordinances should ultimately match.

8. Other Business

None.

9. Public Comments

None.

10. Adjournment

Warren Watson adjourned the meeting at 7:24 PM.

PLANNING BOARD
March 11, 2021 - 5:30 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: John Rose (Acting Chair), Neal Barton, Gerald Pack, Alexander Hagerty, Edward Daniel, Wayne Horne
Member(s) Absent: Lee Barker, Warren Watson
Staff Present: Cathy Ruth (County Planner), Hannah Lynch (Secretary)

1. Call to Order

A. In order to maintain the safety of County residents, the Planning Board and Staff, the Planning Board Meeting scheduled for 5:30 p.m. Thursday, March 11, 2021 will be available for the public to call in and listen to the meeting. Call – 1-301-715-8592, Meeting ID – 821 9144 8792, Password – 876874. To ensure the public is able to safely participate in the Planning Board meeting and the Public Comments portion of the meeting, you may submit a public comment by email to hlynch@polknc.org, or by calling the Planning and Zoning Department at 828-894-2732 by 4:30 p.m. on Wednesday, March 10, 2021. Please include the following information: First and Last Name, Address, and Comment. Comments will be read into record by the Clerk during the Planning Board meeting. There will also be a chance during the Public Comments portion of the meeting to present comments live via telephone. If you have any questions, please contact the Planning and Zoning department at 828-894-2732.

John Rose called the meeting to order at 5:32 PM. He explained this was a meeting where, due to the COVID-19 pandemic, Zoom was being utilized as an option for Board Members and members of the public. There was no one currently utilizing Zoom at this time.

2. Approval of Agenda

A motion to approve the agenda was made by Edward Daniel, seconded by Wayne Horne. A vote was taken and all were in favor. The motion carried unanimously.

3. Approval of Minutes

A. Approval of Minutes from December 3, 2020

Hannah Lynch presented updated changes to the minutes from December 3, 2020 and clarified with Neal Barton the changes reflected his explanation during the meeting. He agreed it did. A motion to approve the minutes from December 3, 2020 was made by Gerald Pack, seconded by Neal Barton. A vote was taken and all were in favor. The motion carried unanimously.

B. Approval of Minutes from February 11, 2021

A motion to approve the minutes from February 11, 2021 was made by Wayne Horne, seconded by Edward Daniel. A vote was taken and all were in favor. The motion carried unanimously.

4. Mobile Home Park Ordinance

Cathy Ruth presented updated changes to the Mobile Home Park Ordinance.

The Board discussed the proposed changes and any potential downsides to the residents of the mobile home park or to surrounding neighbors. Cathy Ruth also stated she spoke with Stephen Chambers with Environmental Health who confirmed there can be up to 14 connections on a well before it must go to the state for an approval. She stated he also suggested only one mobile home per septic tank as it can be difficult to share septic systems when mobile homes are being pulled in and out. They confirmed the septic repair areas can be located in the open space required for the mobile home park.

The Board discussed limiting the number of mobile home spaces within a park. The Board agreed to not limit the total number.

A motion to approve the recommendation of drafted changes to the Polk County Mobile Home Park Ordinance with the plan consistency was made by Alexander Hagerty, seconded by John Rose. The motion carried unanimously.

5. Subdivision Ordinance

Cathy Ruth presented drafted changes to the Subdivision Ordinance. The Board members discussed the proposed changes, as well as the existing NCDOT Subdivision Road requirements in the ordinance that are required to be signed off by an engineer.

A motion to approve the recommendation of drafted changes to the Polk County Subdivision Ordinance with the plan consistency was made by Edward Daniel, seconded by Gerald Pack. The motion carried unanimously.

6. Other Business

Cathy Ruth presented a proposed schedule for presenting the ordinance changes to the Board of Commissioners which includes a workshop with Commissioners, two open house public meetings and public hearing at the Commissioner's meeting.

She also explained there are two final ordinances, the Watershed Ordinance, awaiting the State to finish the model, and the Zoning Ordinance. To meet the required dates by the General Assembly, the Planning Board will review the required changes, and they can recommend coming back and looking at other changes needed.

Neal Barton also spoke to the Board about the monuments in the area for surveyors. He explained there are very few in Polk County which makes it difficult to make surveys exact for property owners. He stated he would like for the Board to discuss ways to fix this at a future meeting.

7. Public Comments

None.

8. Adjournment

John Rose adjourned the meeting at 6:42 PM.

PLANNING BOARD
April 8, 2021 - 5:30 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Warren Watson (Chair), John Rose, Neal Barton, Gerald Pack, Alexander Hagerty, Edward Daniel, Wayne Horne

Member(s) Absent: Lee Barker

Staff Present: Cathy Ruth (County Planner), Hannah Lynch (Secretary)

1. Call to Order

A. In order to maintain the safety of County residents, the Planning Board and Staff, the Planning Board Meeting scheduled for 5:30 p.m. Thursday, April 8, 2021 will be available for the public to call in and listen to the meeting. Call – 1-301-715-8592, Meeting ID – 821 9144 8792, Password – 876874. To ensure the public is able to safely participate in the Planning Board meeting and the Public Comments portion of the meeting, you may submit a public comment by email to hlynch@polknc.org, or by calling the Planning and Zoning Department at 828-894-2732 by 4:30 p.m. on Wednesday, April 7, 2021. Please include the following information: First and Last Name, Address, and Comment. Comments will be read into record by the Clerk during the Planning Board meeting. There will also be a chance during the Public Comments portion of the meeting to present comments live via telephone. If you have any questions, please contact the Planning and Zoning department at 828-894- 2732.

Warren Watson called the meeting to order at 5:34 PM. He explained this was a meeting where, due to the COVID-19 pandemic, Zoom was being utilized as an option for Board Members and members of the public. There was no one currently utilizing Zoom at this time.

2. Approval of Agenda

A motion to approve the agenda was made by Alexander Hagerty, seconded by John Rose. A vote was taken and all were in favor. The motion carried unanimously.

3. Approval of Minutes

A. Approval of Minutes from March 11, 2021

A motion to approve the minutes from March 11, 2021 was made by Gerald Pack, seconded by Wayne Horne. A vote was taken and all were in favor. The motion carried unanimously.

4. Zoning Ordinance Draft 160D

Cathy Ruth presented changes to the Polk County Zoning Ordinance. The Board members discussed the proposed changes, as well as changes to clarify the definition of setbacks and where these should be measured from in different scenarios.

A motion to approve the recommendation of drafted changes to the Polk County Zoning Ordinance with the plan consistency was made by Gerald Pack, seconded by John Rose. A vote was taken and all were in favor. The motion carried unanimously.

5. Other Business

None.

6. Public Comments

None.

7. Adjournment

Warren Watson adjourned the meeting at 6:32 PM.

PLANNING BOARD
August 12, 2021 - 5:30 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Edward Daniel, Ray Gasperson, James Alexander Hagerty, Jr., Don Hofmann, Chris Jones, John Rose, and Anwar Timol
Absent: Libby Morris
Staff Present: Cathy Ruth, Chelsea Allen

1. Call to Order

John Rose called the meeting to order at 5:31 PM.

2. Approval of Agenda

Alexander Hagerty made a motion to approve the agenda, seconded by Don Hofmann . A vote was taken and all were in favor. The motion carried unanimously.

3. Approval of Minutes

A. April 8, 2021 Minutes

Chris Jones made a motion to approve minutes from April 8, 2021, seconded by Edward Daniels. A vote was taken and all were in favor. The motion carried unanimously.

4. Chair, Vice-Chair, Secretary

Cathy Ruth reviewed the rules of procedure for Chair, Vice-Chair and Secretary appointments. She took nominations for Chair. John Rose nominated Ray Gasperson for Chair, seconded by Alexander Hagerty. A vote was taken and all were in favor. The motion carried unanimously.

Cathy Ruth took nominations for the Vice-Chair. John Rose nominated Edward Daniel, seconded by Anwar Timol. A vote was taken and all were in favor. The motion carried unanimously.

Cathy Ruth took nominations for the Secretary/Clerk. John Rose made a motion to appoint Chelsea Allen, seconded by Anwar Timol. A vote was taken and all were in favor. The motion carried unanimously.

5. Three Fork Land Holding – Minor Subdivision (5 lots); 5156 NC Hwy 9 South; Tax Parcel P67-9; Township: Cooper Gap; Average Lot Size: 10.94 acres

Cathy Ruth presented the plat and the application for the minor subdivision, Three Fork Subdivision. The board asked questions. Anware Timol made a

motion for preliminary approval of the minor subdivision, seconded by John Rose. A vote was taken, all were in favor. The motion carried unanimously.

6. Other Business

Cathy Ruth shared a presentation she presented to Kiwanis. Topic, "What's going on in Polk County." The presentation included population, new residential building permits, new commercial development, tiny homes, container homes, living off the grid, and landslide mapping. She also discussed updating GIS maps for zoning and townships. Additional topic discussed was Economic Development combining with the Planning Department.

7. Public Comments

No public comment.

8. Adjournment

Ray Gasperson made a motion to adjourn, John Rose seconded, all in favor. The meeting was adjourned at 6:20 p.m.

PLANNING BOARD
September 9, 2021 - 5:30 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Edward Daniel, Ray Gasperson (Chair), Alexander Hagerty, Don Hofmann, Libby Morris, John Rose
Members Present via Zoom: Chris Jones, Anwar Timol (Alternate),
Staff Present: Chelsea Allen (Secretary), Hannah Lynch (Zoning Administrator), Cathy Ruth (County Planner)

1. Call to Order

Ray Gasperson called the meeting to order at 5:30pm.

A. In order to maintain the safety of County residents, the Planning Board and Staff, the Planning Board Meeting scheduled for 5:30 p.m. Thursday, September 9, 2021 was available for the public to call in and listen to the meeting.

2. Approval of Agenda

A motion to approve the agenda was made by Ray Gasperson, seconded by Libby Morris. A vote was taken and all present were in favor. Chris Jones and Anwar Timol (Alternate) were in favor, via Zoom. The motion carried unanimously.

3. Approval of Minutes

A. Approval of Minutes - August 12, 2021

A motion to approve the minutes from the August 12, 2021 Planning Board meeting was made by Ray Gasperson, seconded by Alexander Hagerty. A vote was taken and all present were in favor. Chris Jones and Anwar Timol (Alternate) were in favor via Zoom. The motion carried unanimously.

4. Paron Estates - Minor Subdivision (4 lot); Grassy Knob Road; Tax Parcel P77-72; Township: Cooper Gap; Average Lot Size 11.63 acres

Cathy Ruth presented the plat and the application to the Board. The Board asked questions about the proposed subdivisions during their discussion. Libby Morris made a motion for preliminary approval of the minor subdivision, seconded by Ray Gasperson. A vote was taken and all were in favor. Chris Jones and Anwar Timol (Alternate) were in favor via Zoom. The motion carried unanimously.

5. Zoning Ordinance Overview and Discussion

Cathy Ruth presented proposed updates to the Zoning Ordinance. The Board discussed these modifications. Libby Morris made a motion to have staff work on suggested changes, seconded by Ed Daniel. A vote was taken and seven members were in favor, Chris Jones via Zoom. Anwar Timol (Alternate) via Zoom was in opposition. The motion passed.

6. Other Business

Cathy Ruth shared a presentation with the Board, an overview of current development projects taking place in the county, a MapBook 2021 of the State, and a Building Trends report of current residential and commercial building.

7. Public Comments

None.

8. Adjournment

Ray Gasperson made a motion to adjourn the meeting, seconded by John Rose. A vote was taken and all were in favor, Chris Jones and Anwar Timol (Alternate) via Zoom. The meeting adjourned at 6:36 PM.

PLANNING BOARD
November 18, 2021 - 5:30 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Don Hofmann, Ray Gasperson, Chris Jones, Anwar Timol,
Alexander Hagerty, Edward Daniel, Libby Morris

Members Absent: John Rose

Staff Present: Cathy Ruth (County Planner), Chelsea Allen (Secretary)

1. Call to Order

A. Ray Gasperson called the meeting to order at 5:36 PM.

2. Approval of Agenda

A motion to approve the agenda was made by Ray Gasperson. Seconded by Chris Jones. A vote was taken, the motion carried unanimously.

3. Approval of Minutes

A. Approval of Minutes from September 9, 2021

A motion to approve the minutes from September 9, 2021 was made by Don Hofmann, seconded by Anwar Timol. A vote was taken, the motion carried unanimously.

4. Zoning Ordinance Discussion

Cathy Ruth presented to the board some areas in need of clarification within the Zoning Ordinance. These topics included the requirement for yearly RV Permits, definitions for a dwelling and family care homes.

The board discussed each of these topics individually, no motions were made and all were tabled for subsequent meetings.

5. Other Business

Cathy informed the board the planning board members need to be sworn in by an Oath of Office.

Chelsea Allen swore in the board members, notarized and signed public Oaths of Office.

6. Public Comments

Cathy Ruth discussed 2021 Census counts were lower in Polk County and the County is looking a the option to appeal.

7. Adjournment

Ray Gasperson made a motion to adjourn, seconded by Libby Morris. A vote was taken and all were in favor. The meeting adjourned at 6:44pm.

PLANNING BOARD
December 9, 2021 - 5:30 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Ray Gasperson, Anwar Timol, Chris Jones, John Rose,
Members Absent: Libby Morris, Don Hoffmann, Alexander Hagerty, Ed Daniels
Staff Members: Cathy Ruth, Hannah Lynch, Chelsea Allen

1. Call to Order

A. Ray Gasperson called the meeting to order at 5:32 PM.

2. Approval of Agenda

A motion to approve the agenda was made by Ray Gasperson. Seconded by John Rose. A vote was taken, the motion carried unanimously.

3. Approval of Minutes

A motion to approve the minutes from November 18, 2021 was made by Ray Gasperson, seconded by Chris Jones. A vote was taken, the motion carried unanimously.

A. Approval of Minutes from November 18, 2021

4. Zoning Ordinance Discussion

Hannah Lynch gave a presentation clarifying the topics tabled from last month's meeting.

These topics included the requirement for yearly RV Permits, definitions and history of Guest Houses, dwelling and family care homes, and the need for congruity among "Use" definitions in each section of Zoning Ordinance and that every use has parking requirements clearly defined where applicable.

The board discussed each of these topics in further detail.

A motion was made by Anwar Timol to remove the yearly RV renewal requirement, seconded by Chris Jones. A vote was taken, the motion carried unanimously.

No further motions were made on the other topics and were tabled for further discussion in subsequent meetings.

5. Other Business

A brief discussion was held regarding the upcoming Planning Board Terms and Renewals with the board members.

6. Public Comments

None.

7. Adjournment

Ray Gasperson made a motion to adjourn, seconded by Anwar Timol. A vote was taken, and all were in favor. The meeting adjourned at 6:45 pm.