

**PLANNING BOARD
DECEMBER 9, 2021
5:30 PM**



**BRYANT H. WOMACK
BUILDING
40 COURTHOUSE ST.
COLUMBUS, NC 28756**

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, December 9, 2021 will be available for the public to call in and listen to the meeting. Call – 1-301-715-8592, Meeting ID – 856 2872 0091, Password – 847750. 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 Department at 828-894-2732 by 4:30 p.m. on Wednesday, December 8, 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 Department at 828-894-2732.

2. Approval of Agenda

3. Approval of Minutes

- A. Approval of Minutes from November 18, 2021

4. Zoning Ordinance Discussion

5. Other Business

6. Public Comments

7. Adjournment

POLK COUNTY PLANNING BOARD

AGENDA ITEM

DECEMBER 9, 2021 REGULAR MEETING

Agenda Item#: A.

ATTACHMENTS:

Description	Type	Upload Date
PB Minutes 11.18.2021 - DRAFT	Exhibit	12/1/2021

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 at 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.

POLK COUNTY PLANNING BOARD

AGENDA ITEM

DECEMBER 9, 2021 REGULAR MEETING

Agenda Item#: 4.

ATTACHMENTS:

Description	Type	Upload Date
PB Presentation	Exhibit	11/30/2021

Background/Purpose of Request:

A discussion of modifications to the Polk County Zoning Ordinance regarding RV renewals, guest houses, family care homes, and parking requirements.

Zoning Ordinance Updates

Polk County Planning Board Meeting
December 9, 2021



RV Yearly Renewals

6.2.16 Recreational Vehicle. ^{xv}

6.2.16.1 Recreational Vehicle in Zoning Districts - E, EV, AR, HC, MU and FF zoning districts.

(1) One per parcel, provided:

- a. the recreational vehicle has a valid operational permit from the Health Department for water and a wastewater disposal system, and connected to the wastewater disposal system,
- b. the recreational vehicle is ready for highway use (defined as: fully licensed, own wheels or jacking system, attached to the site only by quick disconnect utilities, with no permanently attached additions, and has a current license plate, if applicable); ~~or;~~
- ~~c. apply for a zoning permit that is required to be renewed annually; or~~

(2) One per parcel during the construction of personal residence provided: ^{xxv}

- a. the recreational vehicle is ready for highway use as defined above and has a valid operational permit from the Health Department for water and a wastewater disposal system, and connected to the wastewater disposal system,
- b. the owner has a valid residential building permit for the parcel upon which the recreational vehicle is located; ~~or;~~
- ~~c. apply for a zoning permit that is required to be renewed annually; or~~

(3) One per parcel while stored upon the owner's property on which there is a residence built and is utilized for the owner's personal use; or

(4) In recreational vehicle and travel trailer parks or service and camp areas.

6.2.16.2 Recreational Vehicle in Zoning Districts RE1, RE2, RE5, R, MR, NC, I and AR5 zoning districts:

One per parcel while stored upon the owner's property on which there is a residence built and utilized for the owner's personal use.



Guest Houses

- ▶ Definition: *A separate and complete dwelling unit located on the same lot as the structure of a single-family dwelling, but not intended for year-round use.*
- ▶ The issue: Can folks have more than one on their property?
 - ▶ Currently in RE1, RE2, RE5, AR, R, MR, and AR5 guest houses are limited:
 - ▶ *6.2.3 Guest house, provided that it shall be placed according to applicable setbacks from any property line and provided that not more than one (1) such facility shall be permitted on any lot. A guest house meeting these requirements may be situated on the same lot as a single family residence.*
 - ▶ E, NC, HC, I, MU, and FF do not have this restriction. The ordinance makes it seem like folks in these districts can have multiple guest houses that do not meet setbacks (but all buildings must meet setbacks).
- ▶ Do we want to limit the number on a property?
- ▶ Do we take out the note about setbacks?



Addition of a Permitted Use: Family Care Homes

- ▶ Adult Care Home definition (NCGS 131D-2.1): *An assisted living residence in which the housing management provides 24-hour scheduled and unscheduled personal care services to two or more residents, either directly or for scheduled needs, through formal written agreement with licensed home care or hospice agencies. Some licensed adult care homes provide supervision to persons with cognitive impairments whose decisions, if made independently, may jeopardize the safety or well-being of themselves or others and therefore require supervision. Medication in an adult care home may be administered by designated trained staff. Adult care homes that provide care to two to six unrelated residents are commonly called **family care homes**.*
- ▶ Family Care Home definition (NCGS 160D-907): *A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities.*
- ▶ See blog post from David W. Owens, UNC School of Government
 - ▶ Local ordinances must treat family care homes as if they were single family homes
 - ▶ Cannot be prohibited in a district that allows single-family residences, nor can they be subject to any special review requirements, such as a special use requirement
 - ▶ NCGS160D-907(c) does allow zoning ordinances to require a half-mile separation between family care homes



Addition of a Permitted Use: Family Care Homes

§ 160D-907. Family care homes.

(a) The General Assembly finds it is the public policy of this State to provide persons with disabilities with the opportunity to live in a normal residential environment.

(b) As used in this section, the following definitions apply:

- (1) Family care home. – A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities.
- (2) Person with disabilities. – A person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in G.S. 122C-3(11)b.

(c) A family care home shall be deemed a residential use of property for zoning purposes and shall be a permissible use in all residential districts. No local government may require that a family care home, its owner, or operator obtain, because of the use, a special use permit or variance from any such zoning regulation; provided, however, that a local government may prohibit a family care home from being located within a one-half mile radius of an existing family care home.

(d) A family care home shall be deemed a residential use of property for the purposes of determining charges or assessments imposed by local governments or businesses for water, sewer, power, telephone service, cable television, garbage and trash collection, repairs or improvements to roads, streets, and sidewalks, and other services, utilities, and improvements. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)



Parking Requirements

- ▶ The issue: The parking requirement categories we currently have in the Zoning Ordinance do not match the uses in the permitted use table, and some commercial uses are lacking any parking requirements.
 - ▶ We can usually figure out where to classify a project, but it would be helpful to match the parking list to the permitted use table to reduce the gray area.
- ▶ Handouts
 - ▶ A draft of how this could look and what we are currently missing parking requirements on.
 - ▶ **Blue highlighted are missing parking requirements. Notes and potential requirements are included with these.**
 - ▶ **Yellow highlighted are named differently in the current requirements and just need to be updated in the ordinance.**
 - ▶ A copy of the current parking requirements taken from the ordinance.
- ▶ Note - there is a parking classification for “retail uses not otherwise indicated in this section.”



Current Use Table	Current Parking Requirement or Suggestion(s)
Accessory buildings	N/A
Accessory dwelling unit ^{xiii}	SFR – 2 spaces Mobile Home – 2 spaces for each mobile home
Agricultural building (10 acres or more) ^{xxi}	N/A
Agricultural building (less than 10 acres) ^{xxi}	N/A
Automobile, truck, & farm implement sales & service ^{xii}	“Automobile sales and repair garages” - 1 space for each 2 employees at maximum employment on a single shift and 2 spaces for each 300 square feet of repair or maintenance space
Bed & Breakfast	NOT LISTED Suggestion – 1 space for each sleeping room plus 1 additional space for each 3 employees
Cemetery <i>*see 6.2.7 for restrictions</i>	N/A
Church, synagoge, temple, or other religious building <i>*see 6.2.1 for restrictions</i>	“Churches” - 1 space for each 4 seats in the main sanctuary
Clubs, public or private <i>*see 6.2.1 for restrictions</i>	“Public or private clubs, including golf courses (clubhouse)” – 1 parking space for each 200 square feet of gross floor space
Community recreation centers	“Theaters, community recreation centers” - 1 space per 4 fixed seats in the largest assembly room, or one space for each 40 square feet of floor area available for the accommodation of movable seats in the largest assembly room, or one space for each 150 square feet of gross floor area, whichever is needed by the facility
Courthouse ^{xvi}	1 space per 4 fixed seats in the assembly room, or one space for each 40 square feet of floor area available for the accommodatoin of movable seats in the largest assembly room, or one space for each 150 square feet of gross floor area, whichever is needed by the facility
Convenience stores, including those that sell petroleum and petroleum products	NOT LISTED Suggestion – 1 space per 300 square feet of gross floor area
Customary home occupations, Class I ^{ix}	Parking necessary to conduct business shall be provided. Parking must be off-street and on-site. Parking must be screened so as to obstruct views of the parking area from adjacent properties, streets or roadways, and to maintain the character of the neighborhood.
Customary home occupation, Class II ^{ix}	Parking necessary to conduct business shall be provided. Parking must be off-street and on-site. Parking must be screened so as to obstruct views of the parking area from adjacent properties, streets or roadways, and to maintain the character of the neighborhood.
Day care facility <i>*see 6.2.8 for restrictions</i>	NOT LISTED Suggestion – 1 space per staff member, plus 1 space per 8 students
Duplex ^{xiii}	“Multifamily residence” - 1.5 spaces per dwelling unit
Equestrian centers & facilities, multi-discipline <i>*see 6.2.11 for restrictions</i>	1 space per 5 fixed seats in the largest assembly room, provided that every one hundred sixty-two (162) square feet of fenced ground area (i.e. riding rings) shall county as 1 parking space without the necessity of an improved hard-surface or crushed stone
Events, shows & festivals	1 space per 5 fixed seats in the largest assembly room, provided that every one hundred sixty-two (162) square feet of fenced ground area (i.e. riding rings) shall county as 1 parking space without the necessity of an improved hard-surface or crushed stone
Golf courses & country clubs	“Public or private clubs, including golf courses (clubhouse)” – 1 parking space for each 200 square feet of gross floor space
Guest House <i>*see 6.2.3 for restrictions</i>	Page R2 of 15 SFR – 2 spaces Mobile Home – 2 spaces for each mobile home

Heliport, public & private* <i>see 6.2.12 for restrictions</i>	N/A
Hospitals & clinics	“Hospitals and nursing homes” – 1 space for each 2 beds, exclusive of bassinets, and 1 space for bassinets, and 1 space for each physician and nurse, and 1 space for each 2 additional employees
Kennels ^{iv} <i>*see 6.2.9 for restrictions</i>	NOT LISTED Suggestion – 1 space per employee, plus 1 space per 1,000 square feet of gross floor area
Laundry & dry cleaning services ^{xii}	NOT LISTED Suggestion – 1 space for each 250 square feet of total floor area
Law Enforcement Center ^{xvi}	1 space per each 400 square feet of gross floor area for office areas plus 1 space for each 4 beds
Libraries, public or private	“Public or private libraries” – 1 space for each 150 square feet of gross floor area for public use, plus 1 space for each 2 employees on the shift of greatest employment
Manufacturing, Light	NOT LISTED Suggestion – 1 space per employee at peak shift
Manufacturing	NOT LISTED Suggestion – 1 space per employee at peak shift
Mobile or Manufactured Home, Individual	2 spaces for each mobile home
Mobile or Manufactured Home Parks	MOBILE HOME PARK ORDINANCE
Modular Home	2 spaces
Motels & hotels	“Roominghouses, boardinghouse, and hotels” or “motels, tourist homes, tourist courts” – 1 space for each sleeping room plus 1 additional space for each 3 employees
Museum	NOT LISTED Suggestion – 1 space per 300 square feet of gross floor area
Multifamily residences	1.5 spaces per dwelling unit
Nature-Oriented Non-Motorized Outdoor Recreation ^{vi}	NOT LISTED Suggestion – 1 space per employee at peak shift, plus 1 space per 3 customers at peak shift
Nursery and/or landscape business, & greenhouse	NOT LISTED Suggestion – 1 space per employee at peak shift, plus 1 space for each company vehicle which remains on property
Offices, business, medical, professional & public, including banks	“Offices, business” – 1 parking space for each 400 square feet of gross floor area
Offices pertaining to permitted use	“Offices, business” – 1 parking space for each 400 square feet of gross floor area
Printing, publishing, & engraving establishments	NOT LISTED Suggestion – 1 space for each 250 square feet of total floor area
Public safety facilities (fire, police, etc....)	NOT LISTED Suggestion – 1 space per each 400 square feet of gross floor area for office areas
Quarantine Facilities ^{xxii}	NOT LISTED Suggestion – 1 space per employee at peak shift
Radio & TV stations & studios ^{xii}	NOT LISTED Suggestion – 1 space per employee at peak shift
Recreational facilities, for profit (bowling alleys, skating rinks, etc....)	NOT LISTED – “Bowling alleys” are specifically listed, but not “recreational facilities” as a whole. “Bowling alleys” – 1 space for each employee, 2 spaces for each lane Suggestion – 1 space for each employee plus 1 space for each 250 square feet of total floor area

Recreational facilities, non-profit (parks, playgrounds, nature centers, equestrian courses, etc...) *see 6.2.4 for restrictions	NOT LISTED Suggestion – 1 space per employee at peak shift, plus 1 space 1000 square feet of total area
Recreational Vehicle (RV) ^{xv, xxii} *see 6.2.16 for restrictions	NOT LISTED Suggestion – One space per RV
Recreational Vehicle (RV) & Park and/or Camp Areas ^{xv, xvii} *see 6.2.14 for restrictions	NOT LISTED Suggestion – One space per RV
Restaurants, excluding fast food & drive thru services	1 space per employee, plus parking space equivalent to 1 space per 3 seats or stools
Restaurants, including fast food & drive thru services	1 space per employee, plus parking space equivalent to 1 space per 3 seats or stools
Rest & convalescent homes, sanitariums	1 space for each 6 beds plus 1 space for each staff or visiting doctor plus 1 space for each 4 employees
Residential Vacation Rentals ^{ix, xix, xxv}	SFR – 2 spaces Mobile Home – 2 spaces for each mobile home
Retail trade, commercial services, sales and rental of merchandise & equipment	NOT LISTED Suggestion – 1 space for each 250 square feet of total floor area
Retail business customarily serving residential neighborhoods & conducted within an enclosed building	NOT LISTED Suggestion – 1 space for each 250 square feet of total floor area
Roadside stands selling home grown products	6 off-street parking spaces
Sawmill	NOT LISTED Suggestion – 1 space per employee at peak shift
Schools, public or private ^{xxii}	“Elementary school and junior high school” – 1 parking space for each classroom [and] administrative office “Senior high school” – 1 parking space for each 20 students for which the building was designed plus 1 parking space for each classroom and administrative office
Schools; vocational schools, business schools, & special schools ^{xvii, xxii}	NOT LISTED Suggestion – 1 space for each 2 students for which the building was design plus 1 parking space for each classroom and administrative office
Service stations ^{xii}	3 spaces for each grease rack plus 2 spaces for each gas pump
Single family residences	2 spaces
Solar Energy Generating Facility, Major ^{vii}	NOT LISTED Suggestion – 1 space per employee at peak shift
Solar Energy Generating Facility, Minor ^{vii} *see 6.2.10	NOT LISTED Suggestion – 1 space per employee at peak shift
Spectator sport facilities 500 or more spectators ^{xxii} *see 6.2.13 for restrictions	“Spectator sports facilities, any size” – 1 space per 5 fixed seats in the largest assembly room, provided that every two (200) hundred square feet of fenced ground area (i.e. riding rings) shall count as 1 parking space without the necessity of an improved hard-surface or crushed stone.
Spectator sport facilities less than 500 spectators ^{xxii} *see 6.2.13 for restrictions	“Spectator sports facilities, any size” – 1 space per 5 fixed seats in the largest assembly room, provided that every two (200) hundred square feet of fenced ground area (i.e. riding rings) shall count as 1 parking space without the necessity of an improved hard-surface or crushed stone.
Stables, private *see 6.2.5 for restrictions	N/A
Storage & warehousing ^{xii}	NOT LISTED Suggestion – 1 space per employee at peak shift, plus 1 space per 100 units for self-storage facility

Theaters	“Theaters, community recreation centers” - 1 space per 4 fixed seats in the largest assembly room, or one space for each 40 square feet of floor area available for the accommodation of movable seats in the largest assembly room, or one space for each 150 square feet of gross floor area, whichever is needed by the facility
Towers *see Polk County Wireless Telecommunication Ordinance ^{xix, xxiv}	N/A
Towers (Non-Administrative Approval, Section 304 *Polk County Wireless Telecommunication Ordinance) ^{xix, xxiv}	N/A
Truck terminals	“Wholesaling, industrial plants and truck terminals” – 1 space per employee at peak shift
Utility buildings and facilities, public*see 6.2.6 for restrictions	“Public utility buildings” – 1 parking space for each 200 feet of gross floor area
Veterans’ Affairs Office ¹	NOT LISTED Suggestion – 1 space per each 400 square feet of gross floor area for office areas
Veterinarian clinics, animal shelters ^{xii, xxii} *see 6.2.9 for Restrictions	NOT LISTED Suggestion – 1 space for each 500 square feet of gross floor area
Vineyard/Winery	1 space per employee, plus 1 space for every 3 seats in any tasting room open to the public
Waste Handling, Treatment, Processing, Management or Disposal Facility	NOT LISTED Suggestion – 1 space per employee at peak shift
Wholesale sales, retail sales & supply houses	“Wholesaling, industrial plants and truck terminals” – 1 space per employee at peak shift