

\*\*\*\*\*

JOINT WORK SESSION

October 17, 2022

7:00 p.m.

The Perquimans County Board of Commissioners met in a Joint Work Session with the Perquimans County Planning Board on Monday, October 17, 2022, at 7:00 p.m. in the in the Meeting Room of the Perquimans County Library located at 514 S. Church Street, Hertford, NC 27944.

**BOARD OF COMMISSIONERS:**

MEMBERS PRESENT: Wallace Nelson, Chairman Fondella Leigh, Vice Chair  
Thelma Finch-Copeland Joseph W. Hoffler  
T. Kyle Jones Charles Woodard

MEMBERS ABSENT: None

**PLANNING BOARD:**

MEMBERS PRESENT: Antoine (A.J.) Moore, Chair Lewis Smith, Vice Chair  
Teresa Blanchard John Skinner

MEMBERS ABSENT: None

**OTHERS PRESENT**

Frank Heath, County Manager Mary Hunnicutt, Clerk to the Board  
Rhonda Repanshek, Planner Trevor Miles, Planning Assistant

Wallace Nelson, Chairman of the Board of Commissioners, called the meeting to order. Commissioner Jones gave the invocation and the Chairman led the pledge. Chairman Nelson welcomed everyone and thanked the Planning staff and Planning Board for their service to the County. He stated that the purpose of this Joint Work Session was to review and discuss the County's Zoning Ordinance Highway Commercial Architectural Design Standards, Major Subdivision Review Procedure, and many minor unrelated text amendments in the Zoning Ordinance and Subdivision Regulations, much of which Planning Board has discussed in recent months. At this point, he turned the meeting over to Rhonda Repanshek, Planner, who began her presentation on the Perquimans County Zoning Ordinance Proposed Highway Commercial Architectural Design Standards.

PERQUIMANS COUNTY ZONING ORDINANCE PROPOSED HIGHWAY COMMERCIAL ARCHITECTURAL DESIGN STANDARDS

Ms. Repanshek explained that she had been asked to establish commercial development guidelines that are architecturally compatible with the surrounding agricultural land use and the historical development trends of the county. Before beginning her presentation, Ms. Repanshek explained that she would encourage the County and Town to have some similarities in their ordinances so that they can blend. This way, as the town grows out what the Town would require would be similar to what the County is going to require. She explained that she would cover three (3) different types of commercial structures: standalone commercial structures; shopping centers; and large retail stores. She said that they focused their attention on the small standalone structures because they felt that these were the type of structures that would be in the County. The first structure type she discussed was the standalone structures. Within each of these types of structures, she presented pictures of different buildings with various types of architectural design standards. With each sample, she discussed different types of siding and wall base, roofs, colors, façade design, layout of windows and doors shown in the pictures. She would say that some of the samples might be what the County wanted and ones may have been some that the County did not want. After each picture, she stated that it was up to what the Board wanted and they would have to direct them as to what they wanted in the final draft ordinance. She then moved onto the historical architecture. When we think of Perquimans County, we think more of agriculture than other counties like Chowan and Pasquotank. She showed pictures of some buildings within the County's historical structures like the Newbold-White House, barns, plantation houses, Nicholson House, churches, Parkway Ag, Scott's Store, Layden's Store, and Old Country Store. If you get into the modern architecture, we have Albemarle Plantation, Planter's Ridge Gift Shop, John Deere, and Planter's Ridge Farmer's Market. She turned the presentation over to Trevor Miles, Planning Assistant, who prepare the Article for the proposed commercial districts architectural design standards. Included in the Boards packets was a copy of the Proposed Commercial Districts Architectural Design Standards. (See Attachment A) The items he looked for in the standalone commercial structures were as follows:

- **Siding & Wall Base:** The Board will need to decide on what they need to approve. Do you want all brick or brick and other type of siding or wall base like siding, clapboard siding, etc.?
- **Roof Type:** The Board will need to decide on whether or not they want gable, dormer, hip, hip & valley, gambrel, mansard, flat, or any combination thereof. They may want to have some changes in their roof line. If they do a flat roof they will have to use a parapet wall not a straight line. This allows the rooftop equipment to be screened from view from all streets.
- **Façade Design:** The applicant will be provided a small checklist which will allow them to come up with their façade. They are looking for the following elements to be included:
  - A covered front porch, awning(s), or canopy occupying at least 25% of the length of the façade;
  - The use of projections or recesses in the façade wall;
  - Changes in the roofline, to include changes in the roof planes, cupolas visible when looking at the façade, dormer windows visible when looking at the façade, or change in the height of the parapet wall;
  - Façade color changes, including any brick base or canopies/awnings.

The next structure is the shopping center. Even though he did not think that a shopping center would be in the County but it may be in Town of Hertford, he wanted to address the issue in case it was built in the County.

- He showed a picture of what elements they are looking for in a shopping center structure: a covered porch, dormer windows, changes in recesses, changes in depths, not every store front looks the same, different types of roof, and different pitch,

The last structure is the large retail.

- He does not think that we could make them build it entirely in the same material. The Planning Staff/Board would encourage the contractor to make it look like an agricultural façade.
- They have some of the same requirements that standalone and shopping center structures have.

He completed his remarks by saying that the Board will need to give them some direction on what they are looking for. He did a lot of research online in Currituck County, from the beach, and some other places. This was his first attempt of doing this and welcomes any suggestions or changes. Planning Board member, John Skinner, said that they were on board with the agricultural look. Wallace Nelson said that type of look suited Perquimans County. Mr. Miles turned the presentation back to Ms. Repanshek. She asked if any of the members had questions or comments. Commissioner Leigh asked what the siding was on the Dollar General at Albemarle Plantation. Frank Heath said that it was HardiPlank. Commissioner Finch-Copeland asked what the siding was for Tractor Supply. Mr. Miles said that they have many stores but he thought most of them had metal siding. Mr. Heath agreed

and said that they changed colors, type of façade, etc. Mr. Heath said that you can still do attractive things with metals by changing things up. Chairman Nelson said that he did not want to create something that would put an economic burden on a business. He just wanted something to dress it up a little and make it more attractive. Planning Board Chair Moore said that they did not restrict the use of materials. Mr. Heath said that they wanted to set up guidelines that would allow the Planning Board and Planning Staff to have the flexibility of setting up reasonable uses. Mr. Moore asked if they are asking too much. Chairman Nelson and Commissioner Woodard wanted to have things to blend together but needs variety. Mr. Skinner said that this was not a cookie cutter thing but there is some flexibility to the requirements. Mr. Moore said that the Planning Board did not want to make it so restrictive to the small business that wanted to come to Perquimans County. He further feels that these items will work by making just a few changes. Lewis Smith said that they could at least meet a minimum façade change. Ms. Repanshek pulled up a picture and asked if the changes in color on the façade was enough in this picture. The group felt that there needed to be a more significant change in color. County Manager Heath asked if there was something that they could include in this article that would address a color scheme. Ms. Repanshek said that they did have a color scheme rule. Mr. Heath said that they would need to come up with a percentage that the façade needs to be changed. Mr. Miles said that he feels that they have that information in the proposed ordinance. Both Boards discussed the changing of the façade, with regard to color and style. Ms. Repanshek said that she would like to have a book that would show the various samples that they are looking for. This would not be part of the ordinance but a supplemental booklet so that it would not be required to come before the Boards if they change a picture or two. Ms. Repanshek wanted to talk about the brick. In the ordinance, they listed the color of the bricks they could use which were orange, gray, tan, brown, or some combination thereof. They left out red but were going to put it back in and she asked the commissioners if they wanted it added back in.

**ZONING ORDINANCE TEXT AMENDMENTS**

Ms. Repanshek reviewed the following Zoning Ordinance text amendments:

- **Zoning Ordinance Article IV and Subdivision Regulations Section 106:** This will have to go through County Attorney, Hackney High, to amend. Zoning Ordinance Article IV was not included in their packets.

- **Section 515:** The following change is proposed:

Section 515. Manufactured Home Skirting Required

- (a) **Manufactured Home, Classes A and B.** The perimeter of the manufactured home shall, upon installation, have a continuous, permanent masonry curtain wall unpierced except for required ventilation and access, unless on leased land which shall require a continuous and opaque manufactured foundation skirting described in (b)(ii) below. *The masonry curtain wall shall be installed prior to receiving a Certificate of Occupancy.*

- **Article 8 – Table of Uses:** The following changes are proposed:

**Article VIII. Table of Uses (page 1 of 6)**

USES	RA	HA	RA-43	RA-32	RA-25	RA-15	CR	CN	CH	IL	IH
ABC Store										P	
Accessory Buildings or Uses	P	P	P	P	P	P	P	P	P	P	P
Accessory Buildings or Uses (unlimited number but limited to three on lots 20,000 square feet or less)	P										
Additional Dwelling (one for each 10 acres of land) (Sect. 506)	P										

**Article VIII. Table of Uses (page 4 of 6)**

USES	RA	HA	RA-43	RA-32	RA-25	RA-15	CR	CN	CH	IL	IH
Marina (fuel supplies)								S			
Meteorological (MET) Tower (Temporary)	P										
Military Facilities	S										
Mini-Warehouse/Storage Facilities (Sect. 911.25)							S		S	P	P

- **Section 908 – Change in Special Use Permit:** The following change is proposed:

Section 908. Change in Special Use Permit

An application to materially change a special use permit once it has been issued must first be submitted, reviewed, and approved in accordance with Section 903 and 904, including payment of a fee in accordance with the fee schedule approved by the Board of Commissioners. The County Manager and Planner shall have the authority to approve minor modifications to a special use permit provided the change does not increase the density or intensity of use, nor change the project boundary or property boundary.

- **Section 911 – Implementation of Special Use Permit:** The following change is proposed:

**911.25 Mini-Warehouse (self-storage)**

A. **Zoning Districts:** CH, CR

B. **Site Considerations:**

- (1) The total ground area covered by buildings shall not exceed fifty percent (50%) of the lot.
- (2) Maximum building height: twenty (20) feet.

C. **Screening:** Any features or activities which may impinge on residential property or uses, including but not limited to parking lots and loading areas shall be provided with a vegetative buffer, either planted or natural, meeting the requirements of Article XIV “Buffers and Screening.”

D. **Lighting:** Outdoor lighting shall be shielded so as to prevent light from directly hitting adjacent property or any public right-of-way.

E. **Operational Considerations:**

- (1) No outside storage shall be permitted.
- (2) The storage of hazardous, toxic, or explosive substances shall be prohibited.
- (3) No business activity other than rental of storage units shall be conducted on the premises.

- **Article 11 – Exceptions & Modification:** The following changes are proposed:

**Section 1108. Accessory Building or Garage on Vacant Lot for Residential Storage Use**

- (1) An accessory building or garage may be placed on a vacant lot provided it meets current setbacks and will not hinder placement of future dwelling.
- (2) Accessory building or garage shall only be used for storage of items of residential nature.
- (3) Garage may be a principal structure for residential storage use on a vacant lot in a Residential zone only if the landowner resides on a lot 15,000 square feet or less within 500 feet of the vacant lot of 15,000 square feet or less both of which are in a major subdivision created by survey recorded on or prior to May 7, 1973.
- (4) Only one accessory storage structure is allowed on a parcel without an established primary residence or qualification as a bona fide farm.

**Section 1109. Manufactured Home or Travel Trailer as Temporary Residence After Natural Disaster Hardship**

A manufactured home or travel trailer as defined in Article XIX. Definitions and Word Interpretations may be issued a temporary dwelling permit valid for a 6 month period for use as a temporary residence in the case of a principal dwelling being destroyed by natural disaster or accidental fire where the principal dwelling being destroyed by a natural disaster or accidental fire is damaged enough to be classified as unsafe and uninhabitable by the County Building Inspector.

Zoning staff may approve this temporary dwelling permit for one 6 month extension while repairs are being made to the destroyed residence on-site. Any further permit extensions must be approved by Planning Board and Board of County Commissioners using quasi-judicial procedures.

All following conditions must be met:

- 1) Persons residing in the temporary dwelling are limited to those who resided in the house at the time of the disaster.
- 2) Temporary dwelling must meet all setbacks.
- 3) Temporary dwelling must be connected to potable water and sewer.
- 4) Temporary dwelling location must not hinder rebuilding.
- 5) Building permits must be obtained for any necessary connections.
- 6) Zoning permits for the temporary dwelling and the repair or reconstruction of the destroyed residence shall be applied for concurrently.
- 7) Temporary dwelling shall not be expanded or have attached permanent structures.
- 8) Temporary dwelling shall be removed from the property within 4 weeks of the completion of the repair or reconstruction of the house and issuance of a certificate of occupancy.

The Temporary Dwelling Permit may be revoked if the terms and conditions of the permit have been violated.

Section 1110. Single Family Dwelling in CH District/HCOD zone if Major Subdivision with Restrictive Covenants Approved Prior to July 1, 2002

Three major subdivisions in the CH (Highway Commercial) zone, on Highway 17, have restrictive covenants that restrict their lots to residential single-family development only. As stated in section 106, it is not intended by this Ordinance to interfere with covenants or other agreements between parties. Therefore, vacant lots in Cherokee Court subdivision, Poplar Acres subdivision and XYZ subdivision may have one single-family dwelling and one accessory structure per lot in their respective CH zone provided the structures meet minimum zoning setbacks for CH zoning districts.

- **Section 1204 - Extension or Enlargement of Nonconforming Situations:** The following change is proposed:

(a) Notwithstanding Subsection (a):

- (1) any structure used for single-family residential purposes (other than a class "B" or "C" manufactured home) may be enlarged or replaced with a similar structure so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities with respect to such matters as setback and parking requirements; and,
- (2) a nonconforming class "B" or "C" manufactured home (located outside a manufactured home park) may be replaced with a site built home or class "A" or "B" or "C" manufactured home that was manufactured in the same year or later than the home being replaced ~~and is as large or larger than the home being replaced~~, so long as (a) the power and water accounts, having been terminated for the replacement of the manufactured home, are reinstated within 180 days of termination, (b) all necessary permits have been issued by the county Health Department relating to the installation and operation of a satisfactory sewage treatment system, (c) underpinning of all-weather base material is placed around the manufactured home or, in the case of a class "A" manufactured home, a masonry curtain wall; and (d) all setbacks are met to the extent feasible.

- **Section 1506 - Parking Lot Surfaces:** The following change is proposed:

- (b) When crushed stone, gravel, or other suitable material is used, the perimeter of such parking lot shall ~~may~~ be required by Planning staff to be defined by bricks, stones, railroad ties, or other similar devices when deemed necessary for safety, harmony, or environmental stewardship. However, delineation is not required where vehicular areas are to be used exclusively by employees of the business in question and/or for deliveries and are not intended for use by the general public. In addition, whenever such a parking lot abuts a paved street, the driveway leading from such street to such area (or, if there is no driveway, the portion of the parking lot that opens on to such streets), shall be surfaced with asphalt or six inches (6") of concrete for a distance of fifteen (15) feet back from the edge of the paved street. This Subsection shall not apply to single-family or two-family residences or other uses that are required to have only one (1) or two (2) parking spaces.

- **Section 1507 – Mobile Home and Trailer Parking and Storage:** The following change is proposed:

Section 1507. Mobile Manufactured Home and Travel Trailer Parking and Storage

It shall be unlawful to park or otherwise store for any purpose whatsoever any ~~mobile~~ manufactured home or travel trailer within any zone district except as follows:

- (a) At a safe, lawful, and non-obstructive location on a street, alley, highway, or other public place, providing that the travel trailer or ~~mobile~~ manufactured home shall not be parked overnight;
- (b) Within a ~~mobile~~ manufactured home park, provided, however, the ~~mobile~~ manufactured home shall either have a North Carolina or HUD Label of Compliance permanently attached thereto; and,
- (c) On any other lot or plot provided that travel trailers, as defined in Article IX "Special Uses," and Article XIX "Definitions and Word Interpretations" shall be ~~stored~~ parked in a campground (section 911.14) or a garage or carport of a currently inhabited principal residential dwelling or in the rear or side yard of a currently inhabited principal residential dwelling.

- **Section 1607 – Prohibited Signs:** The following change is proposed:

Section 1607. Prohibited Signs

Unless otherwise permitted as a temporary or Special Use, the following signs are prohibited:

- (a) Banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, or other similar devices.
- (b) Signs advertising an activity, business, product, or service no longer conducted on the premises upon which the sign is located.
- (c) Off-premises advertising signs, or billboards. Certain off-premise advertising signs, not including billboards, that are to be located in the RA Zoning District area exempted from the prohibition contained in this section (see specific exemption in Section 1605 above).
- (d) Roof signs.
- (e) Projecting signs and freestanding signs located within a public right-of-way except when erected by the County, State, or Federal government.
- (f) Animated, rotating, or other moving, or apparently moving, signs shall be prohibited.
- (g) Signs with obscene language or obscene gestures or profanity.

- **Article 19 – Definitions and Word Interpretations:** The following changes are proposed:

Accessory Dwelling Unit (ADU): A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit. An ADU may be located within a principal structure, as a freestanding building, or above a detached structure on the same lot. To insure that an accessory dwelling unit is secondary to the primary residence and not a duplex, it is subject to the following restrictions:

- A. Only one accessory dwelling unit may be permitted on a single-family lot. No ADU shall be permitted on the same buildable lot with a duplex or multi-family dwelling.
- B. ADUs may be attached (located in the principal residence) or in a detached structure on the lot providing requirements for the lot coverage and setbacks for the district are met.
- C. ADUs shall not be larger than 40 percent of the heated floor area of the primary residence or 800 square feet, whichever is smaller.
- D. ADUs shall not be subdivided or otherwise segregated in ownership from the primary residence.
- E. An ADU must meet NC Building Code.
- F. One additional off-street parking space shall be provided for the ADU

- G. Either the primary residence or the ADU shall be occupied by an owner of the property.  
 H. The use of manufactured homes, travel trailers, campers, or similar vehicles as an ADU is prohibited.

Campsite, Primitive: No amenities are provided. No grills. No picnic tables. Hike-in hike-out style of camping.

Campsite, Developed: Separate sanitary facilities for both sexes (including showers) are available within four hundred (400) feet of each campsite and potable water is provided within one hundred (100) feet of each campsite.

Dwelling, Accessory: see Accessory Dwelling Unit (ADU)

Dwelling, Duplex: A building containing two (2) dwelling units, other than where a second dwelling unit is permitted as an accessory use. The units must share a common wall, or have the ceiling of a lower unit as the floor for the unit above.

Dwelling, Resumed Single Family: A building A site residential home site in the Highway Commercial zone with site improvements previously installed on a lot that was previously developed and occupied as a Single-Family Dwelling based on Special Use criteria in Zoning Ordinance section 911.28 Resumed Single-Family Dwelling.

Modification, Major Any significant change in land use, and/or change in the project boundary or property boundary and/or any change that results in an increase in the density or intensity of a project, as shown and described in an approved Special Use Permit and/or site plan or preliminary plat or final plat.

Once Ms. Repanshek completed reviewing the Zoning Ordinance text amendments she review the following Subdivision Regulation amendments:

- **Section 106 – Transfer of Lots in Unapproved Subdivision Plats:** The following change is proposed. These will have to be confirmed with County Attorney High:

**Section 106 Transfer of Lots in Unapproved Subdivision Plats**

- A) Any person who, being the owner or agent of the owner of any land located within the planning and development regulation jurisdiction of the county, thereafter subdivides his land in violation of the regulation or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under such regulation and recorded in the office of the Perquimans County Register of Deeds, ~~shall be guilty of a Class 1 misdemeanor~~ is subject to a civil penalty, court action or other remedy as referenced in Section 204. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The county may bring an action for injunction of any illegal subdivision, transfer, conveyance, or sale of land, and the court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with the subdivision ordinance. Building permits required pursuant to NCGS 160D-1108 may be denied for lots that have been illegally subdivided. In addition to other remedies, the county may institute any appropriate action or proceedings to prevent the unlawful subdivision of land, to restrain, correct, or abate the violation, or to prevent any illegal act or conduct.

- **Section 204 – Penalties for Vioation:** The following change is proposed:

**Section 204 Penalties for Violation**

After the effective date of this ordinance, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this ordinance, thereafter subdivides his land in violation of this ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this ordinance and recorded in the Office of the Perquimans County Register of Deeds, ~~shall be guilty of a misdemeanor~~ is subject to a civil penalty, court action or other remedy as referenced in sections 204.1 through 204.4 (per authority given by NCGS 160A-175).

- **Section 301 – Plat Shall Be Required on Any Subdivision of Land:** The following change is proposed:

**Section 301 Plat Shall Be Required on Any Subdivision of Land**

Pursuant to G.S. 153A-330 ~~160D-801~~, a final plat shall be prepared, approved, and recorded pursuant to the provisions of this ordinance whenever any subdivision of land takes place.

- **Section 304 – Major Subdivision Requirements:** Mr. Skinner said that this change came about due to a recent request to approve a subdivision and they asked the developer to do the things required. The applicant said that it was going to too expensive to do all these things. Well, the subdivision was approved by the Planning Board and the Board of Commissioners. They felt that we needed to do something to make sure that they would comply with the rules. Planning Board Chair said that at each level of approval, they would be told that they are working on the required documentation but it would move to the next step until they received the documentation but it was too late for them to check to see if they complied with the rules. Therefore, the following changes are proposed:

**Section 304 Major Subdivision Requirements**

A pre-application meeting with the County Manager and/or County Planner is recommended.

If the land to be subdivided contains more than ten (10) acres, or is waterfront property, the subdivider shall submit a sketch plan prior to submitting a preliminary ~~plan~~ plat. Smaller subdivisions may be submitted in sketch plan form if the subdivider wishes. The sketch plan shall be drawn by a surveyor or engineer at a suitable scale with sufficient detail to enable staff to provide advice and information pertaining to the proposed subdivision. If the sketch plan is required or the subdivider wishes to submit one to the Planning Board, it must be submitted to the Subdivision Review Officer ~~fifteen (15) business~~ twenty-one (21) days prior to the Technical Review Committee (TRC) meeting. TRC review of a sketch plan will be at the discretion of the County Manager or Planner. Planning Board review of a sketch plan shall be required. At the meetings of the TRC and Planning Board, the subdivider or his representative should explain the plan, answer questions, and advise the TRC and Planning Board of any variations from the subdivision regulations. Sketch plans shall conform to the following requirements indicated in Section 306.7, Table of Map Requirements when submitted to the Planning Board for their review. Upon submission of the sketch plan for processing, the subdivider shall pay a processing fee to Perquimans County in an amount set by the Board of County Commissioners in a separate fee schedule. Additional information may be included to aid in the sketch plan review.

**304.1 Sketch Design Plan Requirements**

The Sketch Design Plan shall depict or contain the following information:

1. ~~Boundary of tract and the portion to be subdivided~~
2. ~~Sketch of proposed street and lot layout~~
3. ~~Dimensions of street right-of-way~~
4. ~~Location of other rights-of-way and easements~~
5. ~~Sites, if any, for schools, churches, parks, beaches, etc.~~
6. ~~Location of streets and lots of developed or platted properties within 100 feet of property being considered for subdivision~~
7. ~~Zoning classification(s) of the tract and of adjacent properties if applicable~~
8. ~~Site data:~~
  - (a) ~~Acreage in tract~~
  - (b) ~~Acreage to be subdivided~~
  - (c) ~~Approximate acreage in parks or other land usage~~
  - (d) ~~Approximate number of lots proposed~~
9. ~~Sketch Vicinity Map showing the relationship of the proposed subdivision to the surrounding area, the adopted thoroughfare plan, the 100-year floodplain, areas of environmental concern and land classification map. (Note: Information pertaining to the last four items may be obtained from the Tax Supervisor's Office).~~
10. ~~Number of copies and graphics media: Six (6) copies shall be submitted to the Planning Board. No specific graphics media must be employed.~~
11. ~~Size of Plan and Scale: No specific size requirements apply to sketch design plans; it is suggested that the requirements applicable to preliminary and final plats be utilized.~~
12. ~~Administrative Fees: Administrative fees charged in connection with the submission of sketch design plans are set by the Board of County Commissioners in a separate fee schedule.~~
13. ~~Certificates Required: No certificates must be provided in connection with the submission of sketch design plans.~~
14. ~~Sketch Design Plan Review Procedure: The Planning Board shall review the sketch design plan for general compliance with the requirements of this regulation. The Planning Board shall advise the subdivider or his authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of~~



the preliminary and final plats. This review shall in no way be construed as constituting an official action of approval for recording of the subdivision by the Planning Board or Perquimans County Board of Commissioners as required by this regulation.

15. Disposition of Copies: Three (3) copies shall be retained as part of the minutes of the Planning Board, with the other copy being returned to the subdivider or his authorized agent.

➤ **Section 305 – Preliminary Plat Review:** The following changes are proposed:

**Section 305 Preliminary Plat Review**

After sketch plan review by TRC members and approval by the Planning Board, a preliminary plat may be submitted.

**General:** The subdivider shall submit three (3) paper copies of the preliminary plat and one digital copy and any supplementary material to the Subdivision Review Officer (SRO) at least twenty-one (21) days prior to the regularly scheduled Technical Review Committee (TRC) meeting at which said plat is to be considered by the TRC. Upon submission of the preliminary plat for processing, the subdivider shall pay a processing fee to Perquimans County in an amount set by the Board of County Commissioners in a separate fee schedule. Up to ten (10) additional paper copies may be required after initial review by SRO.

The preliminary plat shall be prepared by a surveyor, to the extent permitted by G.S. Chapter 89C, or engineer at a scale of one (1) inch equals two hundred (200) feet or less, with sheet sizes not larger than twenty-four (24) inches by thirty-six (36) inches. Where multiple sheets are necessary, appropriate match lines shall be shown. The preliminary plat shall show the information indicated in Section 306.7, Table of Map Requirements. The Subdivision Review Officer may reject any preliminary plat which does not conform to this Section and shall return the deficient plat map to the subdivider for revision and resubmittal.

**305.1 Preliminary Plat Requirements**

The Preliminary Plat shall depict or contain the following information:

- ~~1) The preliminary plat shall be at a scale of one hundred feet to one inch or larger and will be drawn in ink on a sheet of drafting film which is 16 3/4" x 20" in size.~~
- ~~2) The location of existing and platted property lines, streets, buildings, water courses, railroads, transmission lines, sewer, bridges, culverts and drain pipes, water mains, city and county lines (if adjoining) and any public utility easements.~~
- ~~3) Boundaries of tract shown with bearings and distances.~~
- ~~4) Wooded areas, marshes, and any other conditions affecting the site.~~
- ~~5) Names of adjoining property owners or subdivisions.~~
- ~~6) Zoning classification, if any, both on the land to be subdivided and on adjoining land.~~
- ~~7) Proposed streets, street names, rights-of-way, roadway widths, and approximate grades.~~
- ~~8) The plans for proposed utility layouts (sewer, water, gas, electricity) showing connections to existing systems or plans for individual water supply, sewage disposal, storm drainage, etc.~~
- ~~9) Other proposed rights-of-way or easements; locations, widths, and purposes.~~
- ~~10) Proposed lot lines, lot and block or section numbers or letters, and approximate dimensions.~~
- ~~11) Proposed minimum building setback lines.~~
- ~~12) Contour lines with elevation intervals of two feet. Contours of less than two feet may be required by the Planning Board. The 100 year flood plain contour shall be labeled and clearly indicated with a bolder thicker line.~~
- ~~13) Proposed parks, school sites, or other public open spaces, if any.~~
- ~~14) Title, date, north point and graphic scale.~~
- ~~15) Name of owner, surveyor or land planner.~~
- ~~16) Site data
 
  - ~~a) Acreage in total tract~~
  - ~~b) Acreage in parks or other land usage~~
  - ~~c) Total number of lots~~
  - ~~d) Lineal feet in streets~~~~
- ~~17) Sketch vicinity map showing relationship between subdivision and surrounding area, adopted thoroughfare plan, 100-year flood plain, areas of environmental concern, and land classification map. (Note: Information pertaining to the last four items may be obtained from the Tax Supervisor's Office.)~~
- ~~18) Environmental Impact Statement
 

— Pursuant to Chapter 119 of the North Carolina General Statutes, the Planning Board may require the subdivider to submit an environmental impact statement with his preliminary plat if:

  - ~~a) The development exceeds 10 acres in area, and~~
  - ~~b) If the Board deems it necessary due to the nature of the land to be subdivided, or peculiarities in the proposed layout.~~~~

**305.3 Preliminary Plat Approval**

Unless otherwise provided herein, the Perquimans County Planning Board shall have the sole authority to review and approve or disapprove all plats presented under this ordinance prior to their submission to the Perquimans County Board of Commissioners.

Failure on the part of the Planning Board to act within forty-five (45) days after the preliminary plat is submitted shall be deemed as approved by the Planning Board.

The Board of Commissioners shall approve or disapprove the preliminary plat. If the Board of Commissioners approves the plat, such approval shall may be noted on up to eight copies of the plat. One (1) copy of the plat shall may be retained by the County Manager, one (1) copy shall be retained in the Planning Board records, one (1) copy shall may be given to the subdivider, and the remaining copies will may be filed in the Planning Office. If the Board of Commissioners shall disapprove the preliminary plat, the subdivider shall be given the reasons in writing. The subdivider shall be instructed concerning resubmission of the plat to the Board of Commissioners if deficiencies can be corrected.

- a) Upon a Approval of the preliminary plat by the Board of Commissioners is authorization for the subdivider to, the subdivider may proceed with the preparation of the final plat, and the installation of or arrangement for required improvements in accordance with the approved preliminary plat and the requirements of this ordinance. Preliminary plat approval shall in no way be construed as constituting an official action of approval for recording of the subdivision as required by this ordinance.
- b) Conditional approval of the preliminary plat is authorization for the subdivider to proceed with preparation of the construction plan, if applicable, or other submittals prior to submission of the final plat, as permitted or limited by conditions or requirements. Submittal of a revised preliminary plat may be included as a condition of approval. As required by other provisions of this Ordinance, evidence that these conditions have been met shall be provided to the County concurrent with submittal of a construction plan, if required, or the final plat.
- c) Disapproval of the preliminary plat shall require submittal of a revised plat.

Preliminary plat approval shall in no way be construed as constituting an official action of approval for recording of the subdivision as required by this ordinance.

**305.X Preliminary Plat Requirements**

The preliminary plat shall show the information indicated in section 306.7, Table of Map Requirements in addition to details listed in this section 305.X.

Other items to be submitted by the Subdivider with the preliminary plat include the following:

- A) A copy of any deed restrictions or similar covenants, including, but not limited to, road maintenance requirements and common space maintenance and ownership should be submitted to the Planning Office prior to approval of a preliminary plat by the Board of County Commissioners with adequate time for the county attorney to review such documents.
- B) Any information considered by either the subdivider, Subdivision Review Officer, Planning Board or Board of Commissioners to be pertinent to the review of the plat shall be submitted prior to preliminary plat approval by the Board of Commissioners.

### 305.X Constructions Plasns

No construction or installation of improvements shall commence in a proposed subdivision until the preliminary plat has been approved by Planning Board and Board of County Commissioners and all construction plans and specifications relevant to conditional approval have been approved by the appropriate authorities. [note: almost the same as 403(A)]

No construction or installation of any specific improvement shall commence until the County Planning Office has reviewed its specific construction plan layout for congruency with the approved preliminary plat; this includes water, sewer, and NCDOT transportation.

Prior to construction the County Planning Office shall be given copies of a current NCDEQ Stormwater Management Permit, a CAMA permit if applicable, an Army Corps of Engineer permit if applicable, and any additional information needed by the County Planner, Technical Review Committee, County Manager or County Attorney.

Construction plans shall be prepared by a surveyor, to the extent permitted by G.S. Chapter 89C, or engineer at a scale of one (1) inch equals one hundred (100) feet or less with sheet sizes not larger than twenty-four (24) inches by thirty-six (36) inches. Where multiple sheets are necessary, appropriate match lines shall be shown. The construction plan shall show the information indicated in Section 306.7, Table of Map Requirements, and shall address conditions and requirements of preliminary plat approval. The Subdivision Review Officer may reject any construction plan which does not conform to this Section and shall return the deficient plan map to the subdivider for revision and resubmittal.

Construction plans shall be reviewed by the Subdivision Review Officer for congruency with the approved preliminary plat then forwarded to related County departments or County Engineers for approval. If construction plans are denied, applicant must make corrections and re-submit to the Subdivision Review Officer and appropriate approving authority.

### 305.4 Adequate Public Facilities

A preliminary plan plat of subdivision must not be approved unless the Board of Commissioners determine that the proposed subdivision will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within 2 years after the initial approval of the sketch plan preliminary plat.

- **Section 306 – Final Plat Review:** The following changes are proposed:

#### **Section 306 Final Plat Review**

##### General

Prior to completion of the final plat for review by the Board of County Commissioners, the developer shall have completed the installation of all improvements in accordance with the approved preliminary plat. The only exception may be asphalt street paving and related shoulder/ditch grading and seeding, provided the developer submits an improvement guarantee in accordance with Section 306.5, Improvements Guarantees.

### 306.3 Final Plat Requirements

The final plat shall be at the same scale, same sheet size, graphic media and shall conform substantially to the preliminary plat as approved and shall constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time.

The final plat shall show the information indicated in section 306.7, Table of Map Requirements in addition to details listed in this section 306.3.

The final plat will show:

- A) ~~The lines of all streets and roads.~~
- B) ~~Lot lines and lot number.~~
- C) ~~Minimum building setback lines.~~
- D) ~~Reservations, easements, alleys and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.~~
- E) ~~Sufficient data to determine readily and reproduce on the ground, the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including true north point. This should include the radius, center angle, and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved streets.~~
- F) ~~All dimensions should be to the nearest one-tenth (1/10) of a foot and angles to the nearest second.~~
- G) ~~Accurate location and description of all permanent monuments and stakes.~~
- H) ~~The proposed utility system:
 
  - (1) ~~Water~~
  - (2) ~~Gas~~
  - (3) ~~Sewers~~
  - (4) ~~Storm drainage~~
  - (5) ~~Electric utilities~~~~
- I) ~~The names and locations of adjoining subdivisions, and streets, and the location and ownership of adjoining unsubdivided property.~~
- J) ~~Title, date, name and location of subdivision, graphic scale and north point (indicate if true north, magnetic north or N.C. State Grid System is used).~~
- K) ~~Name of owner, surveyor or land planner.~~
- L) ~~Sketch vicinity map showing relationship between subdivision and surrounding area.~~
- M) Other items to be submitted by the Subdivider with the final plat include the following:
  - (1) ~~Maintenance Bond and security to guarantee street maintenance until acceptance by the North Carolina Department of Transportation Improvement guarantee for asphalt street paving and related shoulder/ditch grading and seeding, in accordance with Sections 306.5 and 306.55;~~

### 306.35 306.3.1? Re-subdivision Regulations

For any re-platting or re-subdivision of land, the same procedures, rules and regulations stated in Article II, of this ordinance shall apply as prescribed herein for an original subdivision. Lot size may, however, be varied on the approved plan after recording, provided that:

- a) drainage, easements or right-of ways shall not be changed;
- b) street alignments and block sizes shall not be changed;
- c) the property line between the back of the lots shall not be changed;
- d) the rear portion of lots shall not be subdivided from the front parts;
- e) the character of the area shall be maintained.

**Note:** Improvements in the re-subdivision petitioning will be considered; but the burden of conclusiveness demonstrating that the re-subdivision is an improvement will be on the petitioner. Furthermore all buyers of property in the original subdivision will be contacted and their written consent of the change will be submitted with the petition of re-subdivision.

### 306.7 Plat Requirement Checklists Table of Map Requirements

As listed in the Table in this subsection, the necessary information indicated for each sketch plan ("S"), preliminary plat ("P"), construction plan ("C"), or final plat ("F") map submittal shall be shown.

<u>INFORMATION REQUIRED</u>	<u>Sketch Plat</u>	<u>Preliminary Plat</u>	<u>Final Plat</u>
The name of the subdivision	X	X	X
A sketch vicinity map showing the relationship between the proposed subdivision and surrounding area at an appropriate scale		X	X
Total acreage of tract to be subdivided with the location of previously subdivided lots within the tract		X	X
A topographic map showing vertical contours every two (2) feet or less (only 25 lots or more)		X	X
Name of township, county and state in which the subdivision is located	X	X	X
Corporate limits, township boundaries, county lines, if on the subdivision tract	X	X	X
The names and addresses, of all owners, registered surveyors, land planners, and professional engineers responsible for the subdivision		X	X
The registration numbers and seals of the professional engineers and registered surveyors			X
Date of survey plat preparation		X	X
Scale denoted both graphically and numerically		X	X
An accurately positioned north arrow tied into the North Carolina Grid System if within 2,000 feet of a monument		X	X
<u>The exact boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearings, and the location of existing boundary lines of adjoining lands</u>			X
The names of adjoining property owners	X	X	X
<u>The boundaries of the tract or portion thereof to be subdivided distinctly and accurately represented with all bearings and distances shown</u>		X	X
<u>The names of any adjoining subdivisions of record or proposed and under review</u>		X	X
<u>Minimum building setback lines</u>		X	X
<u>Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line, and building whether curved or straight. This should include the radius central angle, and tangent distance for the center line of curved streets and curved property lines that are not boundaries of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.</u>			X
<u>The blocks numbered consecutively throughout subdivision and the lots numbered consecutively throughout each block, square feet of each lot so indicated</u>	X	X	X
<u>Wooded areas, wetlands, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site, including the location of known areas subject to flooding</u>	X	X	X
<u>Street names</u>		X	X
The location and dimensions of all rights-of-way, utility or other easements		X	X
The plans for utility layouts including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone and electric service or plans for individual water supply systems and sewerage disposal systems		X	X
Provide maintenance of street guarantees until acceptance by NCDOT			X
Bench mark elevation established on the top of all fire hydrants within the subdivision and noted on the drainage plan.			X
Payment for plat application fees		X	X
Letter of tentative approval of water supply and sewage disposal plans by appropriate county and state authorities		X	
Improvement Certificate of approval for water and sewage systems by appropriate county and state authorities			X
Letter of applicability of a Storm Water Drainage Plan from the Division of Environmental Management		X	

A) Information block, containing the following:

<u>1. Subdivision name, including phase(s) or section(s), re-subdivision or Other action, and lot numbers</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>2. Landowner's name(s), address(es), and phone number(s)</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>3. Location (tax township, county, state)</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>4. Date of preparation of map</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>5. Map scale, in written and graphic bar form</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>6. Name, address, telephone number, registration number, and seal of Surveyor or engineer</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>7. Type of map submittal (i.e., sketch, preliminary, construction, final)</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>8. Tax parcel number(s)</u>		<u>P</u>	<u>C</u>	<u>F</u>

B) Locational information:

<u>1. Vicinity map, with an appropriate scale and sufficient accuracy, to show The subdivision's location in relation to the road network and existing development</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>2. North arrow, oriented to top of map unless impractical</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>3. Adjoining property owner(s), land use(s), and street(s)</u>		<u>P</u>	<u>C</u>	<u>F</u>
<u>4. Adjoining subdivisions of record, with names, streets, lot lines</u>		<u>P</u>	<u>C</u>	<u>F</u>
<u>5. Fire district</u>		<u>P</u>	<u>C</u>	<u>F</u>
<u>6. Distance from existing and/or proposed nearest fire hydrants</u>		<u>P</u>		
<u>7. Existing road names and state road numbers on plan and associated vicinity maps</u>		<u>P</u>	<u>C</u>	<u>F</u>

<u>8. Current zoning district for property being subdivided and adjacent properties</u>		<u>P</u>	<u>C</u>	<u>F</u>
<u>9. Statement confirming the development is located within or outside of a Voluntary Agricultural District buffer</u>		<u>P</u>		<u>F</u>

C) Property division information:

<u>1. Approximate boundary line of proposed subdivision</u>	<u>S</u>	<u>P</u>		
<u>2. Boundary lines of proposed subdivision, with bearing and distances, referenced to the centerline of the nearest public street intersection.</u>			<u>C</u>	<u>F</u>
<u>3. Existing and proposed lot lines with scaled dimensions</u>	<u>S</u>	<u>P</u>		
<u>4. Existing and proposed lot lines with bearings and distances and lot dimensions to the nearest one-hundredth of a foot and angles to the nearest minute</u>				<u>F</u>
<u>5. Monuments and markers</u>			<u>C</u>	<u>F</u>
<u>6. Individual lot numbers and approximate lot areas (square feet or acres)</u>	<u>S</u>	<u>P</u>		
<u>7. Individual lot numbers and calculated lot areas (square feet or acres), with appropriate designation of nonbuildable areas</u>			<u>C</u>	<u>F</u>

D. Development information:

<u>1. Building setback lines from all streets</u>		<u>P</u>	<u>C</u>	<u>F</u>
<u>2. Reserved or special parcels and their intended use</u>	<u>S</u>	<u>P</u>	<u>C</u>	<u>F</u>
<u>3. Topographic contours at intervals of two (2) feet or less, referenced to state or federal monuments if within two thousand (2,000) feet</u>		<u>P</u>	<u>C</u>	
<u>4. Names of proposed streets and "public" or "private" designation</u>		<u>P</u>	<u>C</u>	<u>F</u>
<u>5. Proposed street layout and right-of-way dimensions</u>	<u>S</u>	<u>P</u>		
<u>6. Street right-of-way dimensions and centerline horizontal curve data</u>			<u>C</u>	<u>F</u>
<u>7. Typical street cross section</u>			<u>C</u>	
<u>8. Sight distance triangle at intersections</u>		<u>P</u>	<u>C</u>	<u>F</u>
<u>9. Natural and manmade features, including watercourses, drainageways, ditches, railroad lines, electric transmission lines, pipelines, and bridges</u>	<u>S</u>	<u>P</u>		
<u>10. Existing and proposed easements for features and major improvements as listed in the previous item, as well as for drainage, utilities, signs, trails, recreation areas, etc., with dimensions and ownership status</u>		<u>P</u>	<u>C</u>	<u>F</u>
<u>11. Existing and proposed utilities with sizes, including sewer, water, fire hydrants, culverts, tile, and ditches. Information listed in this subsection shall be shown on preliminary plats, as well as construction plans</u>		<u>P</u>	<u>C</u>	
<u>12. Permanent Existing buildings and proposed community buildings</u>		<u>P</u>	<u>C</u>	
<u>13. 100-year flood hazard areas and floodways</u>		<u>P</u>	<u>C</u>	<u>F</u>
<u>14. Existing and proposed lakes and ponds</u>		<u>P</u>	<u>C</u>	
<u>15. Tentative wetlands boundaries</u>		<u>P</u>		
<u>16. Identified wetlands boundaries</u>			<u>C</u>	<u>F</u>

E) Certifications, approvals, summary data, and notes:

<u>1. Certificate of Approval of Storm Water Drainage Improvements (Signed by engineer and list registration number)</u>				<u>F</u>
<u>2. Certificate of Approval by the Planning Board</u>				<u>F</u>
<u>3. Certificate of District Highway Engineer</u>				<u>F</u>
<u>4. Certificate of Subdivision Review Officer</u>				<u>F</u>
<u>5. Certificate of Approval and Acceptance of Dedications (signed by County Commissioner Chair or County Manager)</u>				<u>F</u>
<u>6. Certificate of Ownership and Dedication</u>				<u>F</u>
<u>7. Certificate of Accuracy signed by surveyor</u>				<u>F</u>
<u>8. Certificate of Approval for Recording to be signed by the plat Review Officer</u>				<u>F</u>
<u>9. Certificate of Approval of Artificial Drainage Improvements</u>				<u>F</u>
<u>10. Summary site data, including total acreage, number of lots, linear feet of streets, and acreage of reserved or open space areas</u>	<u>S</u>	<u>P</u>		<u>F</u>
<u>11. Listing of utility or service providers</u>				<u>F</u>
<u>12. Any special notes relating to such items as flood elevations, utilities, nonbuildable areas, etc.</u>			<u>C</u>	<u>F</u>

➤ **Section 307 – Technical Review Committee:** The following changes are proposed:

**Section 307 Technical Review Committee**

There is hereby created a Technical Review Committee (TRC) consisting of the County Planner, County GIS Coordinator, County Building Inspection representative, County Manager, County Health Department representative, County Water Department Superintendent, County Emergency Management Director, County Schools Superintendent or representative, Natural Resources Conservation Service representative, and Planning Board representative. Depending upon the specific aspects of a development proposal, additional members of the TRC may include representatives of the following agencies:

- 1) The District Highway Engineer as to proposed streets, highways, and drainage systems;
- 2) Such other agencies and officials as the County Planning Board and/or County Board of Commissioners may deem, from time to time, necessary or desirable;
- 3) The Land Quality Section, Division of Land Resources as to sedimentation and erosion control for review and recommendation;
- 4) The Division of Coastal Management as to locations of any Areas of Environmental Concern that may be located on the proposed subdivision property;
- 5) The Division of Environmental Management as to applicable storm water drainage;
- 6) The US Post Office for any subdivision plat with five lots or more for possible inclusion in the Community Mail Box Program;
- 7) The County Emergency Medical Services representative;
- 8) The Fire Chief of the Volunteer Fire Department responsible for servicing the proposed subdivision shall review the plat for possible locations of dry fire hydrants, where applicable.

The County Planner or his designee shall serve as the chairman of the TRC. The TRC shall appoint a secretary.



The TRC shall establish a regular meeting schedule and shall meet frequently enough so that it can take action in conforming with the review procedures delineated in this Ordinance. At County Manager and Planning staff discretion, group TRC emails may be utilized in lieu of physical, in-person TRC meetings.

The TRC may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this Ordinance.

➤ **Section 308 – Certificates:** The following changes were proposed:

C) ~~Certificate of Approval of Sewage System~~

~~This subdivision, entitled \_\_\_\_\_, has been designed for the construction of individual sewage systems and meets the criteria and requirements of the Albemarle Regional Health Services (ARHS) based on existing conditions and regulations. The ARHS reserves the right to require additional improvements to these properties and to limit the number of bedrooms and size of structure based on site conditions upon issuance of the final site improvements permits. This certification does not constitute a warranty and is issued based on this subdivision being serviced by \_\_\_\_\_ Water System.~~

~~\_\_\_\_\_ (Indicate Individual or Public)~~

~~\_\_\_\_\_ Date~~

\_\_\_\_\_  
Albemarle Regional Health Services  
Director or Authorized Representative

D) ~~Certificate of Approval of Artificial Drainage Improvements~~

~~In the subdivision entitled \_\_\_\_\_, artificial drainage has been installed according to plans and specifications prepared by \_\_\_\_\_, and based upon the requirement of the Albemarle Regional Health Services (ARHS) to keep the seasonal high water table a minimum of twelve inches (12") below the septic tank nitrification lines. Proper landscaping and maintenance of these drainage facilities are the responsibility of the property owners to insure that septic tank malfunctions do not occur. The ARHS assumes no responsibility for the design, maintenance, or the guaranteed performance of the artificial drainage measures and their effects.~~

~~\_\_\_\_\_ Date  
Certifier of Drainage Facilities~~

G) ~~Certificate of Approval by the Planning Board~~

~~I, \_\_\_\_\_, Chairman of the Perquimans County Planning Board, do hereby certify that said Planning Board approve the final plat of the subdivision entitled \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.~~

~~\_\_\_\_\_, Chairman  
Perquimans County Planning Board~~

➤ **Section 801 – Definition of a Subdivision:** The following changes are proposed:

**Section 801 Definition of a Subdivision**

(6) The gift by a property owner of a single lot to his or her child or grandchild or to each of his or her children or grandchildren where no new road is involved, provided that only one such gift per child or grandchild be made during a ten year period and where the resultant lot is equal to or exceeds the standards of the County as shown in these subdivision regulations, as approved by the Subdivision Review Officer, and provided that the following restrictions are placed in the Deed of Gift to the child or grandchild:

8) The combination or reconfiguration of previously subdivided and recorded lots if the total number of lots is decreased and the size of the resultant lot(s) are equal to or greater than the originally recorded lots size and no other new nonconformities of any kind are created. Example: two nonconforming lots of 5,000 square feet are combined into 1 lot of 10,000 square feet.

Any combination, recombination or reconfiguration requested under Subsections ~~6 and 7~~ 7 and 8 shall use a Deed of Combination or Affidavit of Combination Forms as provided by the County and completed by the Applicant's attorney. In addition, requests made pursuant to Subsections ~~6 and 7~~ 7 and 8 may be referred, at the discretion of the Subdivision Review Officer, to the Planning Board and/or Board of County Commissioners for review and action where concerns regarding the public health, safety or general welfare are in question or where conditional approval is deemed necessary.

In addition to the above text amendments, Ms. Repanshek is requesting that the following typographical errors in the Zoning Ordinance be corrected:

SECTION	TITLE	EDIT
302(a)	Notice of Hearing on Proposed Zoning Map Amendments	6th line down, <i>addressed</i> should be <i>address</i>
302(b)	Notice of Hearing on Proposed Zoning Map Amendments	8th line down, <i>on-half</i> should be <i>one-half</i>
309 (c)(2)	Types and Duration of Statutory Vested Right	<i>which</i> should be <i>with</i>
309(d)	same	<i>of</i> should be <i>or</i>
article 8 Table of Uses	Table of Uses	Telecommunications Infrastructure reference should be Table <i>1805-B</i> , not <i>2205-B</i>
911.14 (B)(4)	Campground, Public and Private (including Recreational Vehicle Park)	add words <i>or</i> and <i>by</i>
section 1626 (b),(c),and(e)	Signs Permitted in the CH Highway Commercial District	b = <i>sing</i> should be <i>sign</i> , c = <i>are</i> should be <i>area</i> , e = <i>all</i> should be <i>allow</i>
section 1808(d)(1)	Permit (Level III) New Non-Concealed Towers	remove parenthesis before "For example", change <i>plus</i> to <i>or</i> ; add "whichever is <i>greater</i> " to the end and remove the last parenthesis
article 19	Definitions and Word Interpretations	<i>Sign, Height --sigh</i> should be <i>sign</i>
article 19	Definitions and Word Interpretations	Tower definition should reference section <i>1816</i> , not <i>1815</i>

**MANLEY/PHOENIX/DUKE ENERGY SOLAR FARM VEGETATIVE BUFFER PRESENTATION**

A question has come up about the vegetative buffer of the Manley/Phoenix/Duke Energy Solar Farm located on the corner of Snug Harbor Road and US Highway 17. Rhonda Repanshek researched the matter and presented a PowerPoint Presentation showing the vegetative buffer and explained where the problems were. Ms. Repanshek and Mr. Miles did their research in the middle of July. The first picture she showed was a picture in her files of what the solar farm vegetation looked like when it was built. Several of the plants already looked like they were dying. In April, Ms. Repanshek took another picture of the vegetation from the highway and showed them the bad spot. She returned in July and took more pictures. The first picture was from the Snug Harbor Road side. She showed how tall the vegetation had grown. She had a 7-foot pole and the trees were as tall as the pole and was close to the top of the fencing. The solar farm was installed somewhere around October, 2019 so this will be third year that they have been growing and, according to their Conditional Use Permit, they should be at least 7-feet tall. She then showed a picture of the US Highway 17 side. The maple shade trees looked real good but the smaller trees looked like some of them were dying. There was, during one crop season, corn planted in front of the solar farm which buffered it a lot. Currently, they have something small planted in front of the solar farm. They rotate the crops each year. She further said that some of the trees were not going to make 7-feet. She also noticed a lack of drainage around there and a lot of fire ants. She then showed the bad area which was about 100 feet where the big power poles are located. There was a small ditch there. She was standing on one side of the ditch and Mr. Miles was across the ditch taking the picture. Close to the 100 foot area the ditch stopped and there was this one big wet area

which could cause the drainage problem. It contained a lot of water. She continued showing pictures of various locations along the solar farm. Most of the areas of vegetation meets the criteria of the Conditional Use Permit. They needed a few more trees in the problem area. She had asked Bob Denton, the developer, to stop by when he came to check the Elizabeth City solar farm. She will be getting back to him after tonight's presentation. She reviewed all the vegetation requirements in the Conditional Use Permit and said that all but that 100 foot problem area met guidelines. She then presented the options that they needed to do to make it completely compatible to the Conditional Use Permit: fix the drainage problem and replant new plants; could do a berm but that really is not feasible for the space available; fencing but that did not work in the Winfall solar farm especially since the fencing is already there; and could do a Special Use Permit for that one bad area. She recommends the fixing of the drainage problem and replanting vegetation in the 100-foot area that does not comply completely with the Conditional Use Permit. Commissioner Woodard clarified that her recommendation was to fix the drainage problem and replant. Ms. Repanshek said it was. Chairman Nelson expressed his frustration that they have not fixed it to make sure that it is not being seen along the US Highway 17 and Snug Harbor Road because he travels by there every day. County Manager Heath asked Ms. Repanshek to get a picture of the Belvidere Road Solar Farm and show it to Mr. Denton because its vegetation is covering it real well. Ms. Repanshek also mentioned the solar farm that Mr. McLaughlin installed and he did something unique with their solar farm that buffered it from US Highway 17. Ms. Repanshek said that the Manley Solar Farm is too close to the road and that the Boards need to remember that, should another solar farm request come before the Planning Board and Board of Commissioners, they should make sure that it is not this close to the road. Lewis Smith said that they might want to find a species of tree that would grow in this wet area. He feels that the developers are using the cheapest vegetation that they can get. He cited the Winfall Solar Farm and how sorry their vegetation looks. In addition, they abut up to many homes there in Winfall. John Skinner asked if there was a specification of plantings that they are supposed to use. Ms. Repanshek said that there was a list in the Zoning Ordinance. Chairman Nelson also said that the people in Winfall have the solar farm right next to their property line. Lewis Smith said that they have cleaned it up some recently but before they cleaned it up the trees were growing up among the solar panels. Chairman Nelson said that, in his opinion, he thinks that we may need to make the vegetation buffer a little denser than it is. Ms. Repanshek said that they have made some improvements in the Zoning Ordinance since these solar farms were approved. County Manager Heath said that they did add the use of a blind barrier as an option to the Zoning Ordinance. Ms. Repanshek said that, at the Winfall solar farm along Bembury Road in Winfall, they did have a berm already there but, as soon as people found out that it was staying there, she started receiving complaints. They have since cut it and cleaned it up some.

There being no further comments or questions on the Solar Farm vegetation issue, Ms. Repanshek explained the process of adopting these text amendments. The Planning Board will review them next taking into consideration the comments made tonight and any comments presented before their November meeting. Then, a Public Meeting will be held by the Planning Board at which time they would approve the text amendments and recommend approval from the Board of Commissioners. The Board of Commissioners would hold their Public Hearing and adopt the text amendments as recommended by the Planning Board with any changes that they would recommend. Therefore, these text amendments would probably not be approved until sometime in January or February. Chairman Nelson encouraged the Board of Commissioners and Planning Board to review these proposed changes carefully and decide if they are okay with them to take action on them sometime in the next couple of months.

Ms. Repanshek asked the Boards if they wanted her to look at the vegetation requirements for solar farms and make recommendations for their consideration. They discussed some things to consider. Lewis Smith suggested that maybe, if possible, we could require them to get a landscaper to advise them on what they need. He talked about the difference in soil types. Ms. Repanshek said that we do not have a landscaping architect in Perquimans County or close to the County. They would probably have to go to Raleigh. Chairman Nelson asked if there were any more questions or comments. Trevor Miles asked if we had anything in the ordinance that determines how far a solar farm should be from a current road. County Manager Heath explained that he did not think that we will be having any more applications for solar farms due to the power capacity of the local grid being almost full. Ms. Repanshek said that the Pender Road solar farm was approved under the new regulations but has not been developed yet for various reasons. She has contacted them about requesting an extension in December, 2022.

**ADJOURNMENT**

There being no further questions or comments, Chairman Nelson thanked the Board, the Planning Board and the Planning Staff for coming tonight and for all their hard work. The meeting was adjourned at 9:00 p.m.

\_\_\_\_\_  
Wallace E. Nelson, Chairman

\_\_\_\_\_  
Clerk to the Board

\*\*\*\*\*

**ATTACHMENT 1**

**ARTICLE XXXXX. PROPOSED COMMERCIAL DISTRICTS  
ARCHITECTURAL DESIGN STANDARDS**

Section 1901. Purpose and Applicability

These design standards are intended to identify the county's goals and expectations for all commercial development quality in the Highway Commercial, Rural Commercial, and Neighborhood Commercial districts as a means of establishing commercial development that is architecturally compatible with the surrounding agricultural land use and the historical development trends of the county.

Section 1902. Commercial Design Standards

**(a) Standalone Commercial Structures**

- (1) The requirements listed in this subsection shall apply to any standalone commercial structures in the Highway Commercial (CH), Rural Commercial (CR), and Neighborhood Commercial (CN) zoning districts.
- (2) **Siding and Wall Base** - The following specifications are demonstrative of the materials and styles of siding which may be used in the exterior design of a standalone commercial structure in the CH, CR and CN zoning districts:
  - i) Clapboard siding;
  - ii) Vertical board and batten siding;
  - iii) Wood, vinyl, aluminum, metal, concrete, or other materials which appear to be or mimic the style of clapboard or vertical board & batten siding.
  - iv) A wall base of standard brick may be used on exterior walls, provided the base is no taller than 2 feet in height.

- v) Brick masonry may be used as siding, provided these conditions are met:
  - (1) The coloration, pattern, and type of brick are approved by the Planning Department as being in harmony with the site location; and
- vi) Any masonry used in accordance with the above rules is also subject to the following texture and color requirements:
  - (1) The color of the brick should be orange, gray, tan, brown, or some combination thereof; and
  - (2) All brick textures are permissible with the exception of smooth.
  - (3) All masonry use is subject to review by the Planning Department prior to issuance of a zoning permit.
- vii) Only approved materials may be used on any side of the building visible from any adjacent street.

**(3) Colors**

- i) Colors should relate to, and/or mimic the natural elements found in Perquimans County.
- ii) Words and pictures are considered signs, which are regulated under Article XVI "Signs"

**(4) Roofs**

- i) Roofs may be gable, dormer, hip, hip and valley, gambrel, mansard, flat, or any combination thereof;
- ii) Flat roofed structures shall have parapet walls;
- iii) All rooftop equipment shall be screened from view from all streets;
- iv) In the case of pitched roofs, roof-based equipment shall be located on the elevation least likely to be seen from public streets, and shall be painted or otherwise camouflaged to minimize visual impact;
- v) Metal roofing may be used, provided coloration is appropriate and compatible with the rest of the structure.

**(5) Façade Design**

- i) All façades will be constructed with approved materials and colors.
- ii) If a façade extends for a length of more than 20 feet, then at least 2 of the following elements must be included
  - (1) A covered front porch, awning(s), or canopy occupying at least 25% of the length of the façade;
  - (2) The use of projections or recesses in the façade wall;
  - (3) Changes in the roofline, to include changes in the roof planes, cupolas visible when looking at the façade, dormer windows visible when looking at the façade, or changes in the height of the parapet wall;
  - (4) Façade color changes, including any brick base or canopies/awnings

**(6) Fenestration (Layout of Windows and Doors)**

- i) Buildings subject to these standards shall be configured so that façades visible from streets include a window or functional general access doorway at least every 20 feet along the façade. False or display casements are an allowable alternative, as approved by the County Planner.
- ii) 15% of the 1<sup>st</sup> 10 feet of height of the façade must be transparent.
- iii) Ventilation grates or emergency exits located on the first floor level, visible from any street, shall be compatible in style with the rest of the structure.

**(7) Fencing and Buffers**

- i) All fencing and buffers shall comply with Article XIV of the Perquimans County Zoning Ordinance.

**(8) Accessory Structures**

- i) Accessory structures shall be constructed in a similar architectural style to the principal commercial structure.

**(9) Parking**

- i) Standalone commercial structures shall have off-street parking containing the appropriate amount of parking spaces as determined by the Planning Department in the form of a shared parking lot, to include landscaping, as regulated by Article XV "Parking and Loading."

**(b) Shopping Centers**

- (1) The requirements listed in this subsection shall apply to any shopping centers or strip malls constructed in the Highway Commercial zoning district.
- (2) A shopping center is defined as one or more commercial buildings, of 10,000 square feet or more, that is divided into three or more individual tenant spaces that are planned, constructed, and managed as a single entity with common parking, access, loading, stormwater, landscaping, and/or open space facilities.
- (3) **Parking**
  - i) Shopping centers shall have off-street parking containing the appropriate amount of parking spaces as determined by the Planning Department in the form of a shared parking lot, to include landscaping, as regulated by Article XV "Parking and Loading."
  - ii) Pedestrian walkways shall be distinguished from driving surfaces through the use of different surfaces materials and/or paints.
- (4) **Outparcel Development**
  - i) To the maximum extent practicable, outparcels and their buildings shall be clustered in order to define street edges, entry points, and spaces for gathering or seating between buildings.
  - ii) Spaces between outparcel buildings shall be configured with small-scale pedestrian amenities, such as plazas, seating areas, pedestrian connections, and gathering spaces.
  - iii) Automotive oriented businesses with drive-through facilities should be located on the edge of a given cluster of multiple buildings
- (5) **Building Placement and Design**
  - i) Entrances must face the shared parking lot or the street.
  - ii) Customer entrances shall be highly visible and include at least 3 of the listed elements:
    - (1) Canopies/porticos above the entrance;
    - (2) Roof overhangs above the entrance;
    - (3) Recesses/projections in the façade wall;
    - (4) Gabled, dormer, or gambrel roofs, or any combination thereof;
    - (5) Outdoor plaza adjacent to the entrance, with a minimum depth of 20 feet;
    - (6) Display windows adjacent to the entrance;

- (7) Covered front porch with a minimum depth of 6 feet and a minimum length of 25% of the anchor tenant(s) front façade(s)
  - iii) For all facades 60 feet or wider, offset(s) of at least 2 feet in depth and at least 20 feet wide shall be required at least every 40 feet.
  - iv) Alternatives to the offset requirement include the following:
    - (1) Façade color changes meeting the same dimensional requirements as offsets; or
    - (2) Changes in the roofline, to include changes in the roof planes or changes in the height of the parapet wall
  - v) Non-anchor tenants may have facades which differ in scale and design but must be compatible in style with the anchor tenant(s) façade(s).
- (6) **Glazing**
- i) At least 35% of the ground floor façade facing any street or single-family development shall incorporate glazing.
  - ii) No reflective window tint shall be used.
  - iii) For purposes of calculating the portion of the ground floor façade glazing, façade area shall be calculated by measuring the applicable building wall between the finished grade and the underside of the roof.
- (7) **Roofing**
- i) Roofs may be gable, dormer, hip, hip and valley, gambrel, mansard, flat, or any combination thereof;
  - ii) Flat roofed structures shall have parapet walls;
  - iii) All rooftop equipment shall be screened from view from all streets;
  - iv) In the case of pitched roofs, roof-based equipment shall be located on the elevation least likely to be seen from public streets, and shall be painted or otherwise camouflaged to minimize visual impact;
  - v) Metal roofing may be used, provided coloration is appropriate and compatible with the rest of the structure.
- (8) **Accessory Structures**
- i) Accessory structures shall be constructed in a similar architectural style to the principal commercial structure.
- (9) **Siding and Wall Base-** The following specifications are demonstrative of the materials and styles of siding which may be used in the exterior design of a shopping center commercial development in the CH zoning district:
- i) Clapboard siding;
  - ii) Vertical board and batten siding;
  - iii) Wood, vinyl, aluminum, metal, concrete, or other materials which appear to be or mimic the style of clapboard or vertical board & batten siding.
  - iv) A wall base of standard brick may be used on exterior walls, provided the base is no taller than 2 feet in height, and the color of brick is appropriate and compatible with the rest of the structure.
  - v) Brick masonry may be used as siding, provided these conditions are met:
    - (1) The coloration, pattern, and type of brick are approved by the Planning Department as being in harmony with the site location; and
    - (2) The masonry covers all sides of the structure.
  - vi) Any masonry used in accordance with the above rules is also subject to the following texture and color requirements:
    - (1) The color of the brick should be orange, gray, tan, brown, or some combination thereof; and
    - (2) All brick textures are permissible with the exception of smooth.
    - (3) All masonry use is subject to review by the Planning Department prior to issuance of a zoning permit.
  - vii) Only approved materials may be used on any side of the building visible from any adjacent street.
- (10) **Colors**
- i) Colors should relate to, and/or mimic the natural elements found in Perquimans County.
  - ii) Words and pictures are considered signs, which are regulated under Article XVI "Signs"
- (11) **Fencing and Buffers**
- i) All fencing and buffers shall comply with Article XIV of the Perquimans County Zoning Ordinance.
- (c) **Large Retail**
- (1) The requirement listed below shall apply to all new, Department, Variety, or General Merchandise store in the CH Zone exceeding 25,000 square feet.
  - (2) **Parking**
    - i) Large retail establishment shall have off-street parking containing the appropriate amount of parking spaces as determined by the Planning Department in the form of a single parking lot as regulated by Article XV "Parking and Loading"
    - ii) Pedestrian walkways shall be distinguished from driving surfaces through the use of different surfaces materials and/or paints.
    - iii) All parking lots shall incorporate landscaping as deemed appropriate by the Planning Department and regulated by Article XIII "Highway Corridor Overlay District  
Any parking lot of 300 or more spaces serving a large retail building shall be organized into a series of parking bays surrounded by buildings, landscaping, or streets.
  - (3) **Building Entrance**
    - i) Large retail buildings shall have clearly defined, highly visible customer entrances with at least 3 of the following features:
      - (1) Covered porch or porticos;
      - (2) Overhangs;
      - (3) Recesses/projections;
      - (4) Gable, dormer, hip, hip and valley, gambrel, or mansard roofs, or any combination thereof;
      - (5) Outdoor patios;
      - (6) Display windows; or
      - (7) Integral planters that incorporate landscaped areas and places for sitting



**(4) Building Massing**

- i) The front façade of a large retail building shall be articulated to reduce its mass, scale, and uniform appearance. Large retail buildings shall incorporate at least two of the following design elements on each façade visible from a street:
  - (1) Changes in wall plane, such as projections or recesses, having a wall offset of at least one foot depth, and located a minimum of every 40 feet. Each required offset shall have a minimum width of ten feet;
  - (2) Distinct changes in texture and color of wall surfaces;
  - (3) Variations in roof form and parapet heights;
  - (4) Vertical accents or focal points.
- ii) Side walls shall be in conformity with the above requirements if they exceed 30 feet in length.

**(5) Glazing**

- i) Facades of large retail buildings facing a street shall include glazing in an amount equal to 25% of the ground floor façade area.
- ii) Glazing may consist of clear, frosted, or spandrel glass. False casements may be approved as an alternative.

**(6) No reflective window tint shall be used.**

**Approved Materials**

- i) Clapboard siding;
- ii) Vertical board and batten siding;
- iii) Wood, vinyl, aluminum, metal, concrete, or other materials which appear to be or mimic the style of clapboard or vertical board & batten siding.
- iv) A wall base of standard brick may be used on exterior walls, provided the base is no taller than 2 feet in height, and the color of brick is appropriate and compatible with the rest of the structure
- v) Brick masonry may be used as siding, provided these conditions are met:
  - (1) The coloration, pattern, and type of brick are approved by the Planning Department as being in harmony with the site location; and
  - (2) The masonry covers all sides of the structure.
- vi) Any masonry used in accordance with the above rules is also subject to the following texture and color requirements:
  - (1) The color of the brick should be orange, gray, tan, brown, or some combination thereof; and
  - (2) All brick textures are permissible with the exception of smooth.
  - (3) All masonry use is subject to review by the Planning Department prior to issuance of a zoning permit.
- vii) Only approved materials may be used on any side of the building visible from any adjacent street.

**(7) Colors**

- i) Colors should relate to, and/or mimic the natural elements found in Perquimans County.
- ii) Words and pictures are considered signs, which are regulated under Article XVI "Signs"

**(8) Roofs**

- i) Roofs may be gable, dormer, hip, hip and valley, gambrel, mansard, flat, or any combination thereof;
- ii) Flat roofed structures shall have parapet walls;
- iii) All rooftop equipment shall be screened from view from all streets;
- iv) In the case of pitched roofs, roof-based equipment shall be located on the elevation least likely to be seen from public streets, and shall be painted or otherwise camouflaged to minimize visual impact;
- v) Metal roofing may be used, provided coloration is appropriate and compatible with the rest of the structure.

**(9) Accessory Structures**

- i) Accessory structures shall be constructed in a similar architectural style to the principal commercial structure.

**(10) Fencing and Buffers**

- i) All fencing and buffers shall comply with Article XIV of the Perquimans County Zoning Ordinance.

**END OF ATTACHMENT A**

\*\*\*\*\*

WORK SESSION  
October 17, 2022  
7:00 p.m.

The Perquimans County Board of Commissioners Regular Work Session on October 17, 2022 was cancelled.

\*\*\*\*\*