

Perquimans County Board of Commissioners & Planning Board

A G E N D A

Special Joint Work Session
Tuesday, October 11, 2011 at 6:30 PM
(Prior to Regular Monthly Meeting)
Courthouse Annex Building

- Call to Order/Prayer/Introductions/Welcome
- Additions, deletions or corrections to the Agenda

I. Business Items

A. Private Road Maintenance Agreements

1) Policy Issues:

(a) **Overview of existing Road Maintenance Alternatives - for use by Major Subdivisions (see Article III, Section 306 of the Subdivision Regulations):**

- (1) NCDOT Public Street Maintenance; and
- (2) Property Owners Association (POA)-based Private Street Maintenance.

(b) **Overview of proposed Road Maintenance Alternatives - for use by Major Subdivisions:**

- (1) NCDOT Public Street Maintenance;
- (2) POA-based Private Street Maintenance; and
- (3) Non-POA-based Private Street Maintenance (with conditions including limited number of lots).

(c) **Questions and Answers.**

B. Maximum Building Height Restrictions

1) **Policy Issue: Overview of Maximum Building Height Requirements in various zoning districts** (see especially Article VII, Section 704 Table of Area, Yard and Height Requirements, Footnote No. 3).

2) **Questions and Answers.**

C. Highway Corridor Overlay District

1) Policy Issues:

(a) **Purpose and Intent of Highway Corridor Overlay District (see especially Section 604T.(1) and (2));**

(b) **Application of standards on various scenarios:**

- (1) New business requesting a Zoning Permit to locate on a vacant (undeveloped) parcel of land;
- (2) New business requesting a Zoning Permit to renovate an existing sound structure where site improvements do not meet HCOD development standards;
- (3) Former business requesting a Zoning Permit to reoccupy a vacant building(s) where existing site improvements do not meet HCOD development standards; and
- (4) Existing business requesting a Zoning Permit to expand beyond 250 square feet of floor space where existing site improvements do not meet HCOD development standards.

2) **Questions and Answers.**

II. Other Business

III. Adjourn

Perquimans County Board of Commissioners & Planning Board
Special Joint Work Session: October 11, 2011
Agenda Item I-A, Private Road Maintenance Agreements

Introduction/History

- On August 1st the Board of County Commissioners received a request to accept an alternative approach to private road maintenance which relies upon Restrictive Covenants for both organizational structure (in place of a Property Owners Association) and operational structure (in place of Bylaws). At that time, the BCC identified issues which could become problematic if used for developments with a greater number of lots and directed County staff to prepare ordinance language to incorporate procedures to apply countywide. In addition, the BCC granted additional time before the applicant's Maintenance Bond must be renewed under the current regulations.
- On September 20th the Planning staff presented to the Planning Board a proposed ordinance which would establish specific conditions for the owners of lots in a development of 5 or fewer lots to request a release of the Road Maintenance Bond, for countywide application as instructed by the BCC. The Planning Board requested an opportunity to talk with the Board of County Commissioners before formalizing the proposed private road maintenance procedure.

Policy Issues

- **Overview of existing Road Maintenance Alternatives - for use by Major Subdivisions (see Article III, Section 306 of the Subdivision Regulations under):**
 - (a) NCDOT Public Street Maintenance; and
 - (b) Property Owners Association (POA)-based Private Street Maintenance.
- **Overview of proposed Road Maintenance Alternatives - for use by Major Subdivisions:**
 - (a) NCDOT Public Street Maintenance;
 - (b) POA-based Private Street Maintenance; and
 - (c) Non-POA-based Private Street Maintenance (with conditions including limited number of lots).
- **Questions and Answers**

Attachments: Planning Board Staff Report dated September 13, 2011 (rescheduled until September 20th), which includes:

- 1) 9-9-11 Draft Ordinance;
- 2) Sample Road Maintenance Agreement for Private Roads (currently offered by County staff for use by Property Owners Associations);
- 3) Draft Road Maintenance Agreement for Private Roads Serving Less than 5 Lots (proposed for use with pending Text Amendment);
- 4) Restrictive Covenants, Conditions and Restrictions for Owasake Point Subdivision;
- 5) Reduced copy of plat of Owasake Point; and
- 6) NCGS 136-102.6.

Perquimans County Board of Commissioners & Planning Board
Special Joint Work Session: October 11, 2011
Agenda Item I-B, Maximum Building Height Restrictions

Introduction/History

On September 20th the Planning Board considered a proposed text amendment to allow “Small Scale Solar Energy Facilities as limited Accessory Use to Principal Residential Use.” In the course of reviewing the proposed changes to the Zoning Ordinance, the Maximum Building Height of Residences became a topic of concern. The Planning Board requested clarification on this design standard; therefore, it has been added to the agenda to seek the BCC’s feedback.

Policy Issues

➤ **Maximum Height of Residential Structures**

- (a) **Overview of Maximum Building Height Requirements in the residential districts** (see especially Article VII, Section 704 Table of Area, Yard and Height Requirements, Footnote No. 3);
- (b) **Examine need to change the Maximum Building** (through a text amendment - if existing standards are not found to be acceptable and desired);
- (c) **Examine need to clarify existing Maximum Height of Residential Buildings regulations** (through a text amendment - to more accurately apply the existing regulations). If the existing ordinance provides for the desired standard, then the Boards may wish to consider adding some verbiage to the Section 704 Footnote No. 3 to read as follows:

“Maximum Building Height for structures in all Residential Districts is limited to 35 feet from any space which may be occupied, such as the bottom of all the highest windows window, rooflines, roofline, soffet, balconies balcony, etc.”

- (d) **Questions and Answers**

Attachments: Articles VII and XI of Perquimans County Zoning Ordinance.

Perquimans County Board of Commissioners & Planning Board
Special Joint Work Session: October 11, 2011
Agenda Item I-C, Highway Corridor Overlay District

Introduction/History

The Planning staff has received four inquiries over the last month or so pertaining to development on Ocean Highway, as follows:

- 1) Construction of new building on property currently developed for infrequent functions;
- 2) Conversion of dwelling unit for use as a sales office;
- 3) Reestablishment of business in vacant building; and
- 4) Development of new business on vacant lot.

The Planning staff is seeking some direction from the Planning Board and BCC to determine the extent to which the current Highway Corridor Overlay District fits their vision for the development and in some cases the redevelopment of land along Ocean Highway (US Highway 17). To help visualize the HCOD regulations, we hope to have some illustrations ready for the Work Session which will show examples of parking lot improvements and landscape buffers and/or screening as required for a typical new business, a business expansion, and the “adaptive reuse” of two existing structures. The Planning staff is pleased to introduce Rick MacConnell, the County’s new Intern from the College of the Albemarle’s Architectural Technology Program who is taking the lead on producing these illustrations through COA’s computer capabilities.

Policy Issues

- **Purpose and Intent of Highway Corridor Overlay District** (see especially Section 604T.(1) and (2);
- **Application of standards on various scenarios:**
 - (a) New business requesting a Zoning Permit to locate on a vacant (undeveloped) parcel of land;
 - (b) New business requesting a Zoning Permit to renovate an existing sound structure where site improvements do not meet HCOD development standards;
 - (c) Former business requesting a Zoning Permit to reoccupy a vacant building(s) where existing site improvements do not meet HCOD development standards; and
 - (d) Existing business requesting a Zoning Permit to expand beyond 250 square feet of floor space where existing site improvements do not meet HCOD development standards.
- **Questions and Answers**

Attachments: Excerpts of County Zoning Ordinance, including Article VI, Section 604T; Article VII, Section 704, Page 3 of 4; Article IX, esp. Sections 907.5, 907.6 and 907.7); and Articles XVII, XVIII and XIX.