

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

MAY 3, 2021
OTHERS PRESENT

Gordon Powell
Kyle W. Puryear
C. Derrick Sims
Charlie Palmer
Patricia Gentry

Heidi York, County Manager
Brenda B. Reaves, Clerk to the Board
S. Ellis Hankins, County Attorney

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, May 3, 2021 at 7:00pm in the Person County Office Building Auditorium.

Chairman Powell called the meeting to order. Commissioner Sims offered an invocation and Commissioner Gentry led the group in the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Sims and **carried 5-0** to approve the agenda.

PUBLIC HEARING:

PETITION TA-01-21 – A REQUEST BY PERSON COUNTY PLANNING STAFF, ON BEHALF OF THE PERSON COUNTY BOARD OF COMMISSIONERS, TO AMEND THE ORDINANCE REGULATING AUTOMOBILE GRAVEYARDS AND JUNKYARDS TO INCLUDE SCREENING REQUIREMENTS FOR PRIVATE ROADS:

A **motion** was made by Commissioner Sims and **carried 5-0** to open the duly advertised public hearing for a request by Person County Planning staff, on behalf of the Person County Board of Commissioners, to amend the Ordinance Regulating Automobile Graveyards and Junkyards to include screening requirements for private roads.

Planning Director, Lori Oakley introduced Angie Blount, Planner I, to present Petition TA-01-21 to the Board of Commissioners.

Ms. Blount stated all state statutes and planning ordinance requirements have been met for this public hearing and requested that the Planning Staff Report be entered into the record. The Staff Report follows:

May 3, 2021

**Text Amendment TA-01-21
Junkyard Screening from Private Roads**

EXPLANATION OF THE REQUEST

Petition TA-01-21 is a request by the Person County Planning staff on behalf of the Person County Board of Commissioners to amend the Ordinance Regulating Automobile Graveyards and Junkyards in Person County to require screening of junkyards and automobile graveyards from both public and private roads.

REQUESTED ORDINANCE CHANGES

Sections Three, Five, Six and Seven *(see attached language)*

Language was amended in these sections to include "Private Road" in the definitions in Section Three, to require screening of junkyards and automobile graveyards from public and private roads in Section Five, to apply the ordinance to residential properties containing a public use visible from a private road in Section Six, and adding "private roads" to Section Seven "A".

PLANNING STAFF ANALYSIS

The current text in the Ordinance Regulating Automobile Graveyards and Junkyards in Person County requires junkyards and automobile graveyards to be screened from public roads, and adjacent properties containing public uses, such as schools and playgrounds.

The proposed text adds "Private Roads" to the definitions and allows screening for junkyards and automobile graveyards from private roads and from adjacent properties that contain public uses, such as schools, playgrounds and recreational uses. The proposed text will be beneficial to properties that are located along private rights of way and will allow equal enforcement of the ordinance.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends approval of TA-01-21. The proposed text will include and apply the screening requirements to junkyards and automobile graveyards from "Private Roads" as it now applies to public roads, allowing a more equitable enforcement of the ordinance.

REASONABLENESS AND CONSISTENCY STATEMENT

The text amendment request is consistent with the Comprehensive Plan and future planning goals and objectives of Person County. It is reasonable and in the public interest as it will provide clear regulations in the Ordinance Regulating Automobile Graveyards and Junkyards in Person County.

The proposed text amendment meets the Comprehensive Land Use Plan, Objective 4.1: Establish design standards that ensure future development contributes to the aesthetic appearance of the County while limiting development of unsightly uses that detract from community appearance.

PLANNING BOARD RECOMMENDATION

At the April 8, 2021 meeting of the Person County Planning Board, the Board voted unanimously (5-0) to recommend approval of the text amendment TA-01-21 to the Person County Board of Commissioners. The board approved a consistency statement that the request was reasonable and in the public interest and that it was consistent with the Comprehensive Plan and met future planning goals and objectives of Person County.

Submitted by: Angie Blount, Planner 1

Ms. Blount shared the following presentation:

May 3, 2021

Text Amendment

TA-01-21– Explanation of Request

Petition TA-01-21 is a request by Person County Planning staff, on behalf of the Person County Board of Commissioners, to amend the Ordinance Regulating Automobile Junkyards and Graveyards to include screening requirements for private roads.

Text Amendment

TA-01-21 – Requested Ordinance Changes

- Amend Section Three to include " Private Road" in the definitions.
- Amend Section Five to require screening of junkyards and automobile graveyards from public and private roads.
- Amend Section Six allowing the ordinance to apply to residential properties containing a public use visible from a private road.
- Amend Section Seven, adding Private Roads to "A" under "Exceptions".

Text Amendment

TA-01-21 – Planning Staff Analysis

- The current text in the Ordinance regulating Automobile Graveyards and Junkyards in Person County requires them to be screened from public roads and adjacent properties containing public uses, such as schools and playgrounds.
- The proposed text adds "Private Roads" to the definitions and allows screening for Junkyards and Automobile Graveyards from private roads and from adjacent properties that contain public uses, such as schools, playgrounds and recreational uses. The proposed text will be beneficial to properties that are located along private rights of way and will allow equal enforcement of the ordinance.

Text Amendment

TA-01-21 – Planning Staff Recommendation

Planning Staff recommends the approval of TA-01-21. The proposed text will include and apply the screening requirements to junkyards and automobile graveyards that are visible from "Private Roads" as it now applies to public roads, allowing a more equitable enforcement of the ordinance.

Text Amendment

TA-01-21 – Reasonableness and Consistency Statement

The text amendment request is consistent with the Comprehensive Plan and future planning goals and objectives of Person County. It is reasonable and in the public interest as it will provide clear regulations in the Ordinance Regulating Automobile Graveyards and Junkyards in Person County.

The proposed text amendment meets the Comprehensive Land Use Plan, Objective 4.1: Establish design standards that ensure future development and contributes to the aesthetic appearance of the County while limiting development of unsightly uses that detract from community appearance.

Text Amendment

TA-01-21 – Planning Board Recommendation

At the April 8, 2021 meeting of the Planning Board, a unanimous vote was taken (5-0) to recommend approval of TA-01-21. The board felt that the proposed text amendment was consistent with the Comprehensive Land Use Plan and future planning goals and objectives of Person County. The board stated that the proposed amendment was reasonable and was in the public interest.

Commissioner Sims stated he had many complaints and recommended approval of the request to amend the Ordinance Regulating Automobile Graveyards and Junkyards to include screening requirements for private roads.

May 3, 2021

There were no individuals appearing before the Board of Commissioners to speak in favor of or in opposition to the request by Person County Planning staff, on behalf of the Person County Board of Commissioners, to amend the Ordinance Regulating Automobile Graveyards and Junkyards to include screening requirements for private roads.

Commissioner Gentry asked for the definition of Junkyards to which Ms. Blount stated the definition in the ordinance reads as follows:

Junk: The term "junk" shall mean scrap metal, rope, rags, batteries, paper, trash, rubber, debris, tires, waste, or junked, dismantled or wrecked motor vehicles or parts.

Junkyard, Commercial: Any establishment or place of business which is maintained, operated, or used for storing, salvaging, keeping, buying or selling junk or for maintenance or operation of an automobile graveyard, but shall not include garbage dumps or county-operated sanitary landfills.

Junk Yard, Residential: A residential parcel of land in which an area of 600 square feet or more of "junk materials" are kept or stored at any given place whether for profit or not. Materials enclosed in closed buildings, solid waste containers or rolling stock (i.e., rail cars, trailer or other containerized body not intended or designed to be self-propelled) are excluded.

Ms. Oakley told the group that there is a provision in a state statute that grandfathers existing junkyards that are five years to seven years old depending on date of origination; this new proposed provision to the County's ordinance would apply to newer junkyards.

Vice Chairman Puryear asked how many complaints have been received to start this process to amend the ordinance to which Ms. Oakley stated she had approximately 20 open cases of complaints related to junkyards across the county.

A **motion** was made by Commissioner Gentry and **carried 5-0** to close the public hearing for a request by Person County Planning staff, on behalf of the Person County Board of Commissioners, to amend the Ordinance Regulating Automobile Graveyards and Junkyards to include screening requirements for private roads.

CONSIDERATION TO GRANT OR DENY REQUEST TO ADOPT TEXT AMENDMENTS TO PERSON COUNTY'S ORDINANCE REGULATING AUTOMOBILE GRAVEYARDS AND JUNKYARDS TO INCLUDE SCREENING REQUIREMENTS FOR PRIVATE ROADS:

A **motion** was made by Commissioner Sims and **carried 5-0** to adopt the presented text amendments to Person County's Ordinance Regulating Automobile Graveyards and Junkyards to include screening requirements for private roads noting the amendments are consistent with the Comprehensive Land Use Plan and future planning goals and objectives of Person County and it was reasonable and in the public interest.

May 3, 2021

**ORDINANCE REGULATING AUTOMOBILE GRAVEYARDS AND
JUNKYARDS IN PERSON COUNTY**

SECTION ONE. TITLE

This ordinance may be known and may be cited as "Ordinance Regulating Automobile Graveyards and Junkyards in Person County."

SECTION TWO. PURPOSE AND OBJECTIVES

The purposes and objectives for which this ordinance is passed are as follows:

- A. To protect the citizens and residents of Person County from possible injury at automobile graveyards and junkyards.
- B. To preserve the dignity and aesthetic quality of the environment in Person County.
- C. To preserve the physical integrity of land in close proximity to residential areas.
- D. To protect the economic interests of the citizens and residents of Person County.
- E. To achieve responsible economic growth in areas of Person County that is compatible with growth and development in nearby areas.

SECTION THREE. DEFINITIONS

For the purpose of this ordinance, certain terms and words are hereby defined; words used in the present tense shall include the future; words used in the singular number shall include the plural number; and the plural the singular; and the word "shall" is mandatory and not directory.

Automobile Graveyard: The term and definition of "automobile graveyards" shall apply to commercial establishment only. Any commercial establishment tract of land which is maintained, used, or operated for storing, salvaging, keeping, buying and selling two or more wrecked, scrapped, ruined, dismantled or inoperable motor vehicles and which are not being restored to operation, regardless of the length of time which individual motor vehicles are stored or kept at said establishment. The phrase "automobile graveyard" as used herein shall be interpreted to include all service stations and repair shops which have on their premises four or more wrecked scrapped, ruined, dismantled or inoperable motor vehicles which are not being restored to operation.

Chronic Offender: A person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

Establishment: Any commercial operation.

Housing Unit: A house, an apartment, a group of rooms, or a single room occupied or intended for occupancy as separate living quarters.

Junk: The term "junk" shall mean scrap metal, rope, rags, batteries, paper, trash, rubber, debris, tires, waste, or junked, dismantled or wrecked motor vehicles or parts.

Junkyard, Commercial: Any establishment or place of business which is maintained, operated, or used for storing, salvaging, keeping, buying or selling junk or for maintenance or operation of an automobile graveyard, but shall not include garbage dumps or county-operated sanitary landfills.

Junk Yard, Residential: A residential parcel of land in which an area of 600 square feet or more of "junk materials" are kept or stored at any given place whether for profit or not. Materials enclosed in closed buildings, solid waste containers or rolling stock (i.e., rail cars, trailer or other containerized body not intended or designed to be self-propelled) are excluded.

Private Road: Any road, right of way or easement which is not intended for dedication to or maintenance by the North Carolina Department of Transportation or other appropriate public agency.

Public Road: Any road or highway which is now or hereafter designated and maintained by the North Carolina Department of Transportation as part of the State Highway System, whether primary or secondary, and any road which is a neighborhood public road as defined in North Carolina General Statute Section 136-67.

Repair Shop: An establishment which is maintained and operated for the primary purpose of making mechanical and/or body repairs to motor vehicles and which receives fifty percent or more of its gross income from charges made for such repairs.

School: Any public or private institution for teaching which is recognized and approved by the State of North Carolina.

Service Station: An establishment which is maintained and operated for the primary purpose of making retail sales of fuels, lubricants, air, water, and other items for the operation and routine maintenance of motor vehicles and/or for making mechanical repairs, servicing and/or washing of motor vehicles, and which receives more than fifty percent of its gross income from the retail sale of this aforesaid items and/or from the making of mechanical repairs, servicing and/or washing of motor vehicles.

Solid Fence: A continuous, opaque, unperforated barrier extending from the surface of the ground to a uniform height of not less than six (6) feet from the ground at any given point, constructed of dirt, wood, stone, steel, or other metal, or any substance of a similar nature and strength.

Vegetation: Evergreen trees, including, but not limited to, white pine and/or hemlock, evergreen shrubs or plants with a minimum height of six (6) inches when planted, which reach a height of at least six (6) feet of maturity.

Visible: Capable of being seen without visual aid by a person of normal visual acuity.

Wire Fence: A continuous, translucent, perforated barrier extending from the surface of the ground to a uniform height of not less than six (6) feet from the ground at any given point, constructed of wire, steel or nylon mesh, or any substance of a similar nature and strength, but which perforations or openings are no larger than sixteen (16) square inches.

SECTION FOUR. PROHIBITIONS

All junkyards or automobile graveyards except as hereinafter provided shall be unlawful after the effective date of this Ordinance for any person, firm or corporation, or other legal entity to operate or maintain in any unincorporated area of Person County a junkyard or automobile graveyard without first obtaining a license to operate same and without maintaining screening from view as hereafter described.

SECTION FIVE. SCREENING

All junkyards or automobile graveyards operated and/or maintained in Person County shall be fenced at all points where said fencing shall be necessary to screen the view of the junkyard or automobile graveyard from public and private roads and public uses (schools, playgrounds, recreational properties, etc.) on adjacent properties, and where such screening is not already substantially provided by natural vegetation, or other natural barriers. The fence shall be wire fence used in conjunction with vegetation or a solid fence. If a wire fence with vegetation is used, the plants shall be planted on at least one side of the wire fence and as close as practical to said fence. Vegetation shall be planted at intervals evenly spaced and in close proximity to each other so that a continuous, unbroken hedgerow will exist to a height of at least six (6) feet along the links of the wire fence surrounding the junkyard or automobile graveyard when the vegetation reaches maturity. Each owner, operator or maintainer of a junkyard or automobile graveyard to which this Ordinance applies and who chooses to use vegetation with wire fence, shall utilize good husbandry techniques with respect to said vegetation, including but not limited to, proper pruning, proper fertilizer and proper mulching, so that the vegetation will reach maturity as soon as practical and will have maximum density in foliage. Dead or diseased vegetation shall be replaced at the next appropriate planting time, and the fence, or wire fence and vegetation, shall be maintained in good condition. All wrecked, scrapped, ruined, dismantled or inoperable motor vehicles and junk shall be stored behind the required screening.

SECTION SIX. APPLICABILITY

This Ordinance applies to all residential zoned properties and uses and applies to junk as defined in this Ordinance from an adjacent property containing a public use, and/or public or private road. This Ordinance applies to all commercial and industrial uses and to junk and abandoned vehicles as defined in this Ordinance that are visible from a public or private road or public use (school, playground, recreational properties, etc.).

SECTION SEVEN. EXCEPTIONS

- A. Ordinance shall not apply to residential properties that are not visible from public uses (schools, playgrounds, recreational uses, etc.) on adjacent properties or from public or private roads.
- B. Ordinance shall not apply to service stations or repair shops unless said service station or repair shop has inoperable motor vehicles which are not being restored to operation.
- C. This ordinance shall not apply to bona fide farm properties as defined by NCGS §153A-340.
- D. Automobile graveyards or junkyards existing at the effective date of this Ordinance which would be in violation of this Ordinance shall be granted a grace period of four (4) months to conform to

the provisions of this Ordinance, thereafter same shall be subject to the provisions of this Ordinance.

- E. The provisions of this section shall not apply to material which is being used in connection with a construction activity taking place on the premises provided the construction activity associated with an active permit is being diligently pursued, and complies with applicable ordinances and codes.

SECTION EIGHT. LICENSING

Any person, firm, corporation, or other organization desiring to operate, or continue to operate a junkyard or automobile graveyard after the adoption of this Ordinance shall be required to obtain a license to operate same from the Person County Planning Director. The application for license shall be in writing and contain such information that, in the discretion of the Director, is needed to guarantee that the operation is, or shall be, in compliance with the provisions of this Ordinance.

The County Director shall issue a license to operate to each applicant, upon payment of a license fee of \$50.00, unless it appears that said operation is or shall be in violation of this Ordinance.

The County Director shall have the authority to revoke the license or any person, firm, corporation, or other organization who fails to comply with the provisions of this Ordinance.

SECTION NINE. SIGNAGE

All commercial junkyards and automobile graveyards operated and maintained in Person County shall be identified at the entrance to said facility by a sign not less than fifteen (15) square feet in area.

SECTION TEN. ENFORCEMENT PROVISIONS

Complaints shall be submitted by residents and investigated by the Planning Department; upon determining that a violation of this ordinance exists, the Planning Department shall issue written notice to the registered owner, lessee, or person(s) entitled to the land. The notice shall be provided by registered or certified mail. The notice shall:

1. Identify the property and describe the violation located thereon to be removed, abated, or remedied;
2. State that the costs incurred by the county for chronic offenders to remove, abate, or remedy the violation, if not paid by the violator(s), shall be subject to NCGS §153A-140.2 for chronic offenses.
3. If the violation is not removed, abated or remedied within thirty (30) days of the initial notice, and an appeal has not been filed, a second notice shall be issued. The notice shall:
4. Direct that the violation be removed, abated or remedied;
5. Advise that the property must comply by a specific date thirty (30) days from the certified mailing date of the second notice;

6. Advise that civil penalties, are being assessed daily as of the date of the second notice; and,
7. Advise that in addition to any and all remedies above, the Person County Board of Commissioners may request criminal penalties (for commercial properties) in accordance with this Ordinance.
8. Chronic Violators. Pursuant to NCGS §153A-140.2, the county may notify a chronic violator of the county's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

Penalties and remedies for violations shall be as follows:

- A. Criminal Penalty (shall only apply to parcels used for commercial purposes). Any person, firm, corporation, or other entity who maintains or operates or who controls the maintenance of a junkyard or automobile graveyard in violation of this Ordinance shall be guilty of a misdemeanor and subject to prosecution, and if convicted, shall be punished by a fine not to exceed \$50 or by imprisonment not to exceed thirty (30) days, or both, in the discretion of the Court. Each day that said automobile graveyard or junkyard shall be maintained or operated in violation of this Ordinance shall constitute a separate and distinct offense.
- B. Civil Penalties. In addition to the criminal sanctions as herein set out, as provided by North Carolina General Statute 153A-123 (d), and (e), this Ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction or by injunction and order of abatement.
- C. The Person County Planning Director shall be responsible for enforcing the provisions of this Ordinance and may take informal measures to procure compliance from any person deemed by the Director or his/her representative to be in violation. If such informal measures fail to cause compliance, the Director shall be responsible for obtaining warrants or instigating civil remedies for violations of this Ordinance.
- D. This Ordinance may be enforced by an appropriate equitable remedy, including temporary restraining order, preliminary injunction and permanent injunction was issued by a court of competent jurisdiction.
- E. Pursuant to NCGS §153A-140.2, the County Planning Director may issue annual notice to chronic violators. The County may notify a chronic violator of the County's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes.

F. Appeals

- 1.) Unless the owner is a chronic violator, an owner who has received a violation notice under this section may appeal from the order to the Board of Commissioners by giving written notice of appeal to the Planning Department and to the clerk within 10 days following the day the order is issued. In the absence of an appeal, the order of the Planning Director is final.
- 2.) Without exception, the County may notify a chronic violator of the county's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail.

SECTION ELEVEN. EFFECTIVE DATE

This ordinance shall become effective the 3rd day of May 2021 and supersedes any previous versions of the ordinance.

Adopted, this, the 6th day of April 2015.

Adopted, this, the 9th day of March 2020.

Adopted, this, the 3rd day of May 2021.

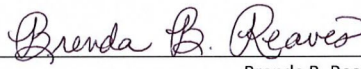


Gordon Powell, Chairman
Person County Board of Commissioners

5/3/2021
Date



Attested by:


Brenda B. Reaves
Clerk to the Person County Board of Commissioners

PUBLIC HEARING:

PETITION TA-02-21 - A REQUEST BY THE PERSON COUNTY PLANNING DEPARTMENT TO AMEND THE PERSON COUNTY PLANNING ORDINANCE AND SUBDIVISION REGULATIONS IN ORDER TO COMPLY WITH THE NEW NC GENERAL STATUTES CHAPTER 160D:

A **motion** was made by Vice Chairman Puryear and **carried 5-0** to open the duly advertised public hearing for a request by the Person County Planning Department to amend the Person County Planning Ordinance and Subdivision Regulations in order to comply with the new NC General Statutes Chapter 160D.

Planning Director, Lori Oakley stated all state statutes and planning ordinance requirements have been met for this public hearing and requested that the Planning Staff Report be entered into record. The Staff Report follows:

May 3, 2021

**Text Amendment TA-02-21
NC General Statutes Chapter 160D**

EXPLANATION OF THE REQUEST

Petition TA-02-21 is a request by the Person County Planning Department to amend the Person County Planning Ordinance and Subdivision Regulations in order to comply with the new NC General Statutes Chapter 160D.

BACKGROUND ON PROPOSED CHANGES

In July, 2019 the NC General Assembly adopted the new Chapter 160D of the NC General Statutes. 160D consolidates current city and county enabling statutes for development regulations into a single, unified chapter and organizes these statutes into a more logical, coherent structure. The new legislation does not make major policy changes but rather it provides several clarifying amendments that must be incorporated into local development regulations. All local governments within NC shall adopt the necessary ordinance amendments to comply with Chapter 160D no later than July 1, 2021. At that date, the rules and procedures of Chapter 160D will apply regardless if the local (Planning & Subdivision) ordinance has been updated.

REQUESTED ORDINANCE CHANGES

Please see the attached redlined versions of both the Person County Planning Ordinance and Subdivision Regulations for the proposed changes.

PLANNING STAFF ANALYSIS

The state's objective for creating Chapter 160D include consolidating and improving organization rules for all local jurisdictions under one-chapter heading (previously Chapter 153A and 160A), clarifying areas of authority for local governments where uncertainty has existed and modernizing the tools for development regulation based on newer practices.

Highlights of the proposed text amendment changes include the following:

- Conditional use permits are eliminated. Special use permits will remain.
- Conditional use permits with simultaneous rezonings (i.e., conditional use district rezoning) will be eliminated. The two types of rezonings allowed will be: general rezonings and conditional district rezonings.
- Special use permits will no longer be reviewed by the Planning Board. Once submitted to staff, they will go straight to the Board of Commissioners for review.
- The language clarifies when development agreements are allowed.
- Manufactured homes can no longer be regulated based on the age of the home.
- New definitions are added and others are amended in order to be consistent.

The proposed text amendment also addresses some typos previously contained in both ordinances and amends the language so that there is consistency among both ordinances.

JOINT WORK SESSION WITH BOARD OF COMMISSIONERS AND PLANNING BOARD

On March 15th, 2021, a joint work session was held with the Board of Commissioners and Planning Board in order for staff to provide a general overview of the proposed changes to the Planning Ordinance and Subdivision Regulations.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends approval of TA-02-21. The proposed text amendment will be consistent with the new Chapter 160D of the NC General Statutes and also provide consistency among both ordinances.

PLANNING BOARD RECOMMENDATION

At the April 8, 2021 meeting of the Planning Board, the Board recommended unanimous (5-0) approval of the text amendment as presented with one minor modification – to remove the word “the” in front of “Person County” in sentence two in Section 33-4 of the Subdivision Regulations. The Planning Board also included their Statement of Reasonableness and Consistency listed below.

REASONABLENESS AND CONSISTENCY STATEMENT

The text amendment request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and in the public interest as it meets several objectives listed in the Person County Land Use Plan. Specifically, it meets Objective 1.2, amend all applicable land development ordinances to address goals and objectives of the land use plan.

Submitted by: Lori Oakley, Planning Director

Ms. Oakley shared the following presentation:

Text Amendment

TA-02-21– Explanation of Request

Petition TA-02-21 is a request by the Person County Planning Department to amend the Person County Planning Ordinance and Subdivision Regulations in order to comply with the new NC General Statutes Chapter 160D.

Chapter 160D

TA-02-21 - Background

In July, 2019 the NC General Assembly adopted the new Chapter 160D of the NC General Statutes. 160D consolidates current city and county enabling statutes for development regulations into a single, unified chapter and organizes these statutes into a more logical, coherent structure. The new legislation does not make major policy changes but rather it provides several clarifying amendments and consensus reforms that must be incorporated into local development regulations. All local governments within NC shall adopt the necessary ordinance amendments to comply with Chapter 160D no later than July 1, 2021. At that date, the rules and procedures of Chapter 160D will apply regardless if the local (Planning & Subdivision) ordinance has been updated.

Chapter 160D

TA-02-21 - Ordinance Changes

- Eliminates conditional use permits. Special use permits will remain.
- Conditional use permits with simultaneous rezonings (ie, conditional use district rezoning) will be eliminated. The two types of rezonings allowed will be: general rezonings and conditional district rezonings.
- Special use permits will no longer be reviewed by the Planning Board. Once submitted to staff, they will go straight to the BOC for review.
- Clarifies when development agreements are allowed.
- Cannot regulate manufactured homes based on the age of the home.

Chapter 160D

TA-02-21 - Other Changes

- An up-to-date comprehensive plan will be required if you have zoning in your jurisdiction.
- All governing boards (Planning Board and Board of Adjustment) will be required to have bylaws and all members shall be sworn in as members.

Chapter 160D

TA-02-21 - Planning Ordinance

*Optional changes are in yellow.

• Appendix C - Table of Uses

- Most "C's" (conditional use permits) were changed to "S" (special use permits).
- A few of the "C's" were changed to "X" by right:

Animal Medical Care in the B2	Kennel Operations in B1
Blacksmith in B1	Landscape Contractor in B2
Churches in R, B1, B2 and G1 (RLUHPA)	Nursing Home in B1
Day Care Center in B1, B2, G1	Public Recreation in B1, B2
Exterminating Service in B2	Rest Home in B1

Chapter 160D

TA-02-21 - Planning Ordinance

*Optional changes are in yellow.

- Notes 1 & 2: Corrected typos.
- Note 3: Removed Class C manufactured homes (MH predates 1976).
- Note 4: Manufactured Home hardships to be approved by Zoning Administrator
- Notes 5 & 6: No changes.
- Note 7: Allows Zoning Administrator to approve temporary MH during construction of a permanent dwelling.
- Note 8: Allows Zoning Administrator to approve temporary camper/RV in the case of a natural disaster.

Chapter 160D

TA-02-21 - Subdivision Regulations

- Section 33 – Bonding Requirements
 - Only clarifies the process, no major policy changes.
 - Submittal requirements was amended to match the Planning Ordinance.

Text Amendment

TA-02-21 – Planning Staff Recommendation

Planning Staff recommends approval of TA-02-21. The proposed text amendment will be consistent with the new Chapter 160D of the NC General Statutes and also provide consistency among both ordinances.

Text Amendment

TA-02-21 – Statement of Reasonableness and Consistency

The text amendment request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and in the public interest as it meets several objectives listed in the Person County Land Use Plan. Specifically, it meets Objective 1.2, amend all applicable land development ordinances to address goals and objectives of the land use plan.

Text Amendment

TA-02-21 – Planning Board Recommendation

At the April 8, 2021 meeting of the Planning Board, the Board recommended unanimous (5-0) approval of the text amendment as presented with one minor modification – to remove the word “the” in front of “Person County” in sentence two in Section 33-4 of the Subdivision Regulations. The Planning Board also included their Statement of Reasonableness and Consistency listed on the previous screen.

There were no individuals appearing before the Board of Commissioners to speak in favor of or in opposition to the request by the Person County Planning Department to amend the Person County Planning Ordinance and Subdivision Regulations in order to comply with the new NC General Statutes Chapter 160D.

A **motion** was made by Commissioner Gentry and **carried 5-0** to close the public hearing for a request by the Person County Planning Department to amend the Person County Planning Ordinance and Subdivision Regulations in order to comply with the new NC General Statutes Chapter 160D.

CONSIDERATION TO GRANT OR DENY REQUEST TO ADOPT TEXT AMENDMENTS TO THE PLANNING ORDINANCE AND SUBDIVISION REGULATIONS IN ORDER TO COMPLY WITH THE NEW NC GENERAL STATUTES CHAPTER 160D:

A **motion** was made by Vice Chairman Puryear and **carried 5-0** to adopt text amendments to the Planning Ordinance and Subdivision Regulations per the Planning Staff recommendations in order to comply with the new NC General Statutes Chapter 160D effective July 1, 2021 noting the amendments are consistent with the Person County Land Use Plan and future planning goals of the county and are reasonable and in the public interest.

The Planning Ordinance and Subdivision Regulations, as adopted, are incorporated into these minutes by reference and a copy will be on file in the Clerk to the Board of Commissioners' Office as well as maintained in the Planning and Zoning Offices.

PUBLIC HEARING:

PETITION SUB-01-21 - A REQUEST BY DLH DEVELOPMENT, LLC, FOR A CLUSTER SUBDIVISION CONCEPT PLAN FOR THE HIGHLANDS AT DUNCAN PLANTATION, CONSISTING OF 24 LOTS ON 35.5 ACRES LOCATED ON DUNCAN PLANTATION DRIVE (OFF OF SR 1711 - KERMIT DUNCAN RD.) ON TAX MAP & PARCEL A63-41C IN THE R (RESIDENTIAL) ZONING DISTRICT:

A **motion** was made by Commissioner Sims and **carried 5-0** to open the duly advertised public hearing for a request by DLH Development, LLC, for a Cluster Subdivision Concept Plan for the Highlands at Duncan Plantation, consisting of 24 lots on 35.5 acres located on Duncan Plantation Drive in the residential zoning district.

Planning Director, Lori Oakley stated all state statutes and planning ordinance requirements have been met for this public hearing and requested the Planning Staff Report be entered into the record. The Planning Staff Report follows:

May 3, 2021

**Cluster Subdivision Concept Plan
SUB-01-21
The Highlands at Duncan Plantation**

EXPLANATION OF THE REQUEST

A request by DLH Development, LLC, for a cluster subdivision concept plan for The Highlands at Duncan Plantation, consisting of 24 lots on 35.5 acres located on Duncan Plantation Drive (off of SR 1711 - Kermit Duncan Rd.) on Tax Map & Parcel A63-41C in the R (Residential) Zoning District.

LOCATION & CURRENT LAND USE

Currently, the subject property is vacant and contains woodlands. The property is zoned R (Residential).

- Condition and land use of the surrounding properties are:
- To the West –Single-family dwellings and woodlands zoned R (Residential)
 - To the North– Single-family dwellings in the Crystal Springs subdivision zoned R (Residential).
 - To the East and South – Single-family dwellings in the Duncan Plantation subdivision zoned R (Residential).

BACKGROUND INFORMATION ON THE SITE

The Duncan Plantation subdivision (to the south and east of this site) was approved by the Board of Commissioners in 2004 for 35 lots. A majority of those lots have single family dwellings built on them. When the Board of Commissioners reviewed the subdivision plans in 2004 and again in 2006 (for a revision), both plans showed 26 “future lots” for the subdivision on this parcel. That phase of the subdivision was never constructed and is being proposed at this time as The Highlands at Duncan Plantation subdivision.

LAND USE / SITE PLAN ISSUES

- A single-family cluster subdivision is proposed for the site in accordance with Section 77 of the Person County Planning Ordinance. There will be a total of 24 lots located on 35.5 acres. The minimum lot size allowed in a cluster subdivision is 6,000 square feet; however, the applicant is proposing a minimum lot size of 40,000 square feet.
- Setbacks are reduced in cluster subdivision and are as follows: Front on main road – 25 feet, front on cul-de-sac – 10 feet, rear – 15 feet and side - 8 feet.
- The subdivision will contain 10.64 acres of common open space, which will include two proposed SCM's (stormwater control measures) in accordance with Section 77-7 *Cluster Development* and Section 31 *Person County Falls Watershed Stormwater Ordinance for New Development* of the Person County Planning Ordinance.
- The applicant is proposing 2 public streets with cul-de-sacs in the subdivision with 50' wide rights-of-way that will be dedicated to NCDOT. NCDOT has reviewed the proposed subdivision concept plan.
- The lots will be served by individual septic systems and wells.

- The property is located within the Falls Watershed and the plan has been reviewed by the county's consulting engineer for stormwater compliance.
- There is a stream located along the northern border of the proposed subdivision and the applicant is proposing a 50' wide stream buffer in accordance with the Water Supply Watershed Protection Requirements contained in Section 30 of the Planning Ordinance. The property does not lie within the 100-year special flood hazard area according to the FEMA map.

COMPREHENSIVE PLAN

The Person County Land Use Plan identifies the property as Suburban Residential. Suburban Residential is defined as

Residential land uses including subdivisions and manufactured home parks at densities of 1-3 dwelling units per acre; commercial, office, industrial, public/institutional uses meeting locational criteria. Locational criteria for nonresidential uses within this land use category would include frontage and access to a major State highway or secondary road, proximity to similar uses and spatial separation from non-compatible uses such as existing residential development. Land uses within this category could develop with or without public sewer.

Appendix O of the Land Use Plan lists goals and objectives for the county including the following:

- 1.5 – Provide for a variety of housing types, densities and price ranges.

PLANNING STAFF ANALYSIS AND RECOMMENDATION

The property is zoned R (Residential) and the applicant is proposing to develop a 24 lot cluster subdivision on 35.5 acres. The subdivision will contain 10.65 acres of common open space and 2 stormwater control measures in compliance with the County's Falls watershed regulations. When the adjoining subdivision was originally approved it showed a future phase in this area consisting of 26 lots.

The proposed subdivision meets the requirements outlined in Section 77 *Cluster Development* of the Person County Planning Ordinance and planning staff recommends approval of the concept plan for the cluster subdivision SUB-01-21.

PLANNING BOARD RECOMMENDATION

At the April 8, 2021 meeting of the Planning Board, the Board recommended unanimous (5-0) approval of the subdivision concept plan, SUB-01-21, as presented.

Submitted by: Lori Oakley, Planning Director

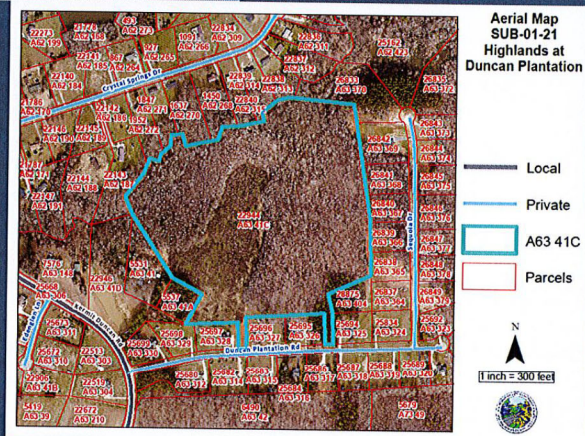
Ms. Oakley shared the following presentation:

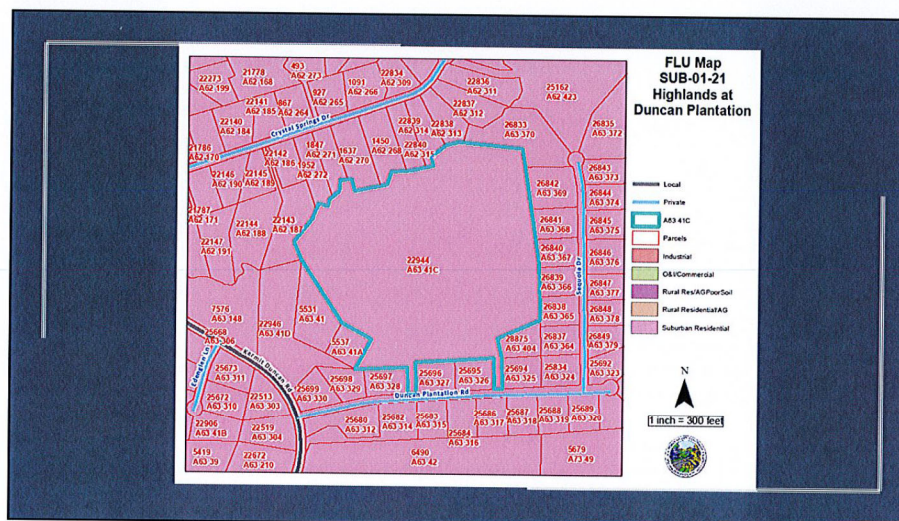
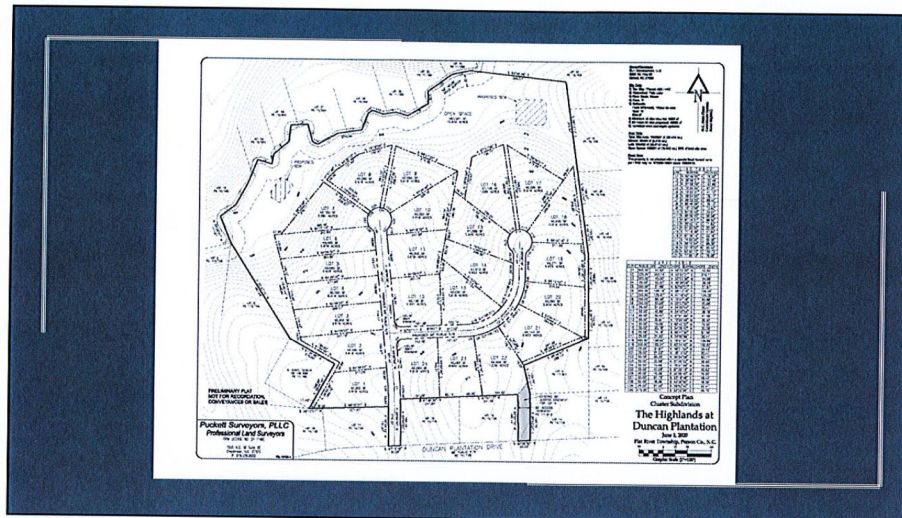
May 3, 2021
24

Subdivision Concept Plan

SUB-01-21 – Explanation of Request

Petition SUB-01-21 is a request by DLH Development, LLC, for a cluster subdivision concept plan for The Highlands at Duncan Plantation, consisting of 24 lots on 35.5 acres located on Duncan Plantation Drive (off of SR 1711 - Kermit Duncan Rd.) on Tax Map & Parcel A63-41C in the R (Residential) Zoning District.





Subdivision Concept Plan

SUB-01-21 – Planning Staff Recommendation

- The property is zoned R (Residential) and the applicant is proposing to develop a 24 lot cluster subdivision on 35.5 acres. The subdivision will contain 10.65 acres of common open space and 2 stormwater control measures in compliance with the County's Falls watershed regulations. When the adjoining subdivision was originally approved it showed a future phase in this area consisting of 26 lots.
- The proposed subdivision meets the requirements outlined in Section 77 *Cluster Development* of the Person County Planning Ordinance and planning staff recommends approval of the concept plan for the cluster subdivision SUB-01-21.

Subdivision Concept Plan

SUB-01-21 – Planning Board Recommendation

- At the April 8, 2021 meeting of the Planning Board, the Board recommended unanimous (5-0) approval of the subdivision concept plan, SUB-01-21, as presented.

Ms. Oakley clarified the density in this area per the County's Comprehensive Plan was one to three acres noting this proposed subdivision falls right in line with the Comprehensive Plan.

There were no individuals appearing before the Board of Commissioners to speak in favor of the request by DLH Development, LLC, for a Cluster Subdivision Concept Plan for the Highlands at Duncan Plantation, consisting of 24 lots on 35.5 acres located on Duncan Plantation Drive in the residential zoning district.

Speaking in opposition to the request by DLH Development, LLC, for a Cluster Subdivision Concept Plan for the Highlands at Duncan Plantation, consisting of 24 lots on 35.5 acres located on Duncan Plantation Drive in the residential zoning district were:

Ms. Wendy Jones and Mr. Rodney Jones of 160 Plantation Drive, Timberlake and Mr. Dallas Ormand of 65 Duncan Plantation, all residents belonging to the original Duncan Plantation Home Owner's Association (HOA), made the Board aware of their concerns with the proposed Cluster Subdivision Plan for the Highlands at Duncan Plantation as it was not included with the original Duncan Plantation HOA to pay dues and to help maintain the access road for the wear and tear, especially during the construction phase using heavy equipment. Ms. Jones explained since the original Phase I, there had been a number of real estate transactions of the remaining land and some things were left out of the description; she opined that a thorough title search had not been completed. Ms. Jones said she took issue with the name of the new proposed subdivision noting her opinion that the subdivision should become part of the existing Duncan Plantation. Ms. Jones said they had questions regarding Lot A which was not a part of the proposed cluster subdivision.

Commissioner Sims clarified for the group and the County Attorney, Ellis Hankins, confirmed the Board of Commissioners has no legal authority related to the HOA. Mr. Hankins noted he would have to review the real estate transactions to speak accurately on the title search.

Vice Chairman Puryear asked if the developer was present to which he was in the audience. The developer, Mr. David Haskins stated the access road was planned to be upgraded to NC DOT specifications and would be turned over to the NC DOT for maintenance.

A **motion** was made by Commissioner Sims and **carried 5-0** to close the public hearing for a request by DLH Development, LLC, for a Cluster Subdivision Concept Plan for the Highlands at Duncan Plantation, consisting of 24 lots on 35.5 acres located on Duncan Plantation Drive in the residential zoning district.

CONSIDERATION TO GRANT OR DENY REQUEST BY DLH DEVELOPMENT, LLC, FOR A CLUSTER SUBDIVISION CONCEPT PLAN FOR THE HIGHLANDS AT DUNCAN PLANTATION, CONSISTING OF 24 LOTS ON 35.5 ACRES LOCATED ON DUNCAN PLANTATION DRIVE IN THE RESIDENTIAL ZONING DISTRICT:

A **motion** was made by Commissioner Gentry and **carried 5-0** to approve the request by DLH Development, LLC, for a Cluster Subdivision Concept Plan for the Highlands at Duncan Plantation, consisting of 24 lots on 35.5 acres located on Duncan Plantation Drive in the residential zoning district.

PUBLIC HEARING:

PETITION RZ-01-21 - A REQUEST BY CRAIG C. HESTER FOR A REZONING/MAP AMENDMENT FROM RESIDENTIAL TO RURAL CONSERVATION ON 2.93 ACRES (TAX MAP & PARCEL 112-13) LOCATED ON BURLINGTON RD (HWY 49):

A **motion** was made by Commissioner Gentry and **carried 5-0** to open the duly advertised public hearing for a request by Craig C. Hester for a rezoning/map amendment from residential to rural conservation on 2.93 acres (Tax Map & Parcel 112-13) located on Burlington Rd (Hwy 49).

Planning Director, Lori Oakley introduced Angie Blount, Planner I, to present Petition RZ-01-21 to the Board of Commissioners.

Ms. Blount stated all state statutes and planning ordinance requirements have been met for this public hearing and she requested the Planning Staff Report be entered into the record. The Planning Staff Report follows:

**Rezoning Request RZ-01-21
Burlington Rd (Hwy 49)
Craig C. Hester**

EXPLANATION OF THE REQUEST

Petition RZ-01-21 is request by the applicant and owner, Craig C. Hester, for a rezoning/map amendment from R (Residential) to RC (Rural Conservation) on 2.93 acres (Tax Map & Parcel 112-13) located on Burlington Road (Hwy 49).

LOCATION & CURRENT LAND USE

Currently, the subject property is a vacant, wooded lot. The property is zoned R (Residential).

- Condition and land use of the surrounding properties are:
- To the West – Woodlands, zoned R (Residential).
 - To the North – Warehouse buildings and one single family dwelling, property zoned R (Residential).
 - To the East – Single family dwellings, zoned R (Residential).
 - To the South –Single family dwellings, zoned R (Residential).

EXISTING ZONING AND LAND USE

- The property is currently zoned R (Residential). According to Article VII Section 70 of the Person County Planning Ordinance:

The purpose of this district is to provide for single family residential uses and compatible development.

- The property is currently a vacant, wooded lot.

COMPREHENSIVE LAND USE PLAN

The Person County Land Use Plan identifies the proposed site as Suburban Residential and Rural Residential/AG.

Suburban Residential is defined as:

Residential land uses including subdivisions and manufactured home parks at densities of 1-3 dwelling units per acre; commercial, office, industrial, public/institutional uses meeting locational criteria. Locational criteria for nonresidential uses within this land use category would include frontage and access to a major State highway or secondary road, proximity to similar uses and spatial separation from non-compatible uses such as existing residential development. Land uses within this category could develop with or without public sewer.

Rural Residential/Agricultural is defined as:

Public/institutional uses meeting locational criteria. Most of the land within protected water supply watersheds should be placed in this category. Locational criteria for non-residential uses within this land use category would include frontage and access to a major State highway or secondary road, proximity to similar uses and spatial separation from non-compatible uses such as existing residential development. Land uses within this category would be expected to develop without public sewer, i.e., with private septic tank systems.

Appendix O of the Land Use Plan lists goals and objectives for the county including the following:

1.0 – Promote an orderly and efficient land use development pattern, which allows for a variety of land uses while being sensitive to environmental concerns.

PLANNING STAFF ANALYSIS & RECOMMENDATION

The applicant is requesting a general rezoning from R (Residential) to RC (Rural Conservation).

According to Article VII Section 70 of the Person County Planning Ordinance, the purpose of the RC (Rural Conservation) District shall be to provide for only limited land use controls in areas with limited nonagricultural development. A rezoning to RC (Rural Conservation) from the current R (Residential) would allow a wide range of permitted uses, some by right and some requiring Special Use permits.

Planning staff recommends approval of the proposed general rezoning RZ-01-21 based on the Person County Land Use Plan and the Future Land Use Map contained within the Land Use Plan. This zoning is a general rezoning request, and therefore, no conditions can be placed on the approval and no site plans can be approved with the request.

REASONABLENESS AND CONSISTENCY STATEMENT

The Planning Board is required to make a motion on the Reasonableness and Consistency statement.

Reasonableness and Consistency Statement: The request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and in the public interest as it meets the goals of the Person County Land Development Plan specifically 1.0 – To promote an orderly and efficient land use development pattern, which allows for a variety of land uses while being sensitive to environmental concerns.

PLANNING BOARD RECOMMENDATION

At the April 8, 2021 meeting of the Person County Planning Board, the Board voted unanimously (5-0) to deny the proposed rezoning request, RZ-01-21. The Board felt that the request was not consistent with the Person County Land Use Plan or the Statement of Reasonableness and Consistency: The request is not consistent with the Person County Land Use Plan and future planning goals of the county, as it would allow a variety of commercial uses in a residential area.

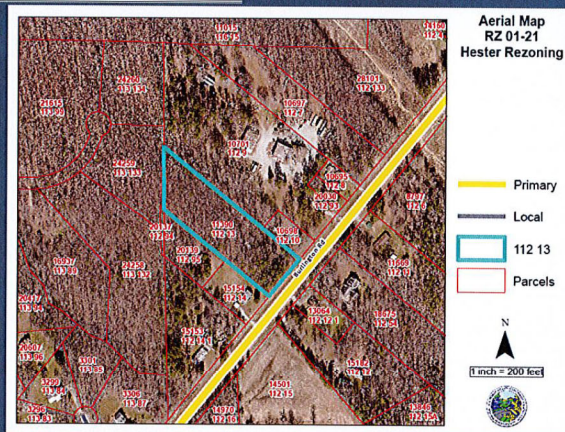
Submitted by: Angie Blount, Planner 1

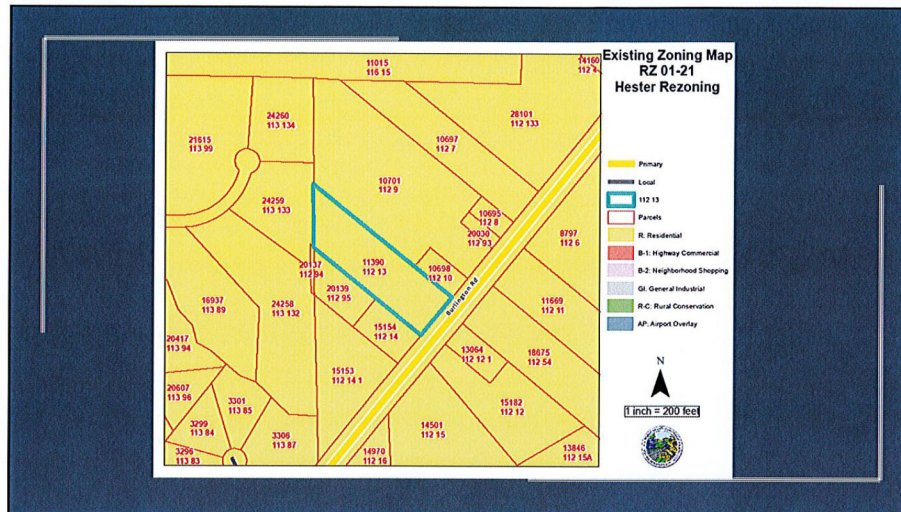
Ms. Blount shared the following presentation:

Rezoning Request

RZ-01-21- Explanation of Request

Petition RZ-01-21 is a request by Craig C. Hester, for a rezoning/map amendment from R (Residential) to RC (Rural Conservation) on 2.93 acres (Tax Map & Parcel 112-13) located on Burlington Rd (Hwy 49).





Rezoning Request

RZ-01-21 – Planning Staff Analysis

- The applicant is requesting a general rezoning from R (Residential) to RC (Rural Conservation).

Rezoning Request

RZ-01-21 – Planning Staff Analysis

- According to Article VII, Section 70 of the Person County Planning Ordinance, the purpose of the RC (Rural Conservation) District shall be to provide for only limited land use controls in areas with limited nonagricultural development. A rezoning to RC (Rural Conservation) from the current R (Residential) would allow a wide range of permitted uses, some by right and some requiring Special Use Permits.

Rezoning Request

RZ-01-21 – Planning Staff Recommendation

- Planning staff recommends approval of the proposed general rezoning, RZ-01-21, based on the Person County Land Use Plan and the Future Land Use Map contained within the Land Use Plan. The application is a general rezoning request, and therefore, no conditions can be placed on the approval and no site plans can be approved with the request.

Rezoning Request

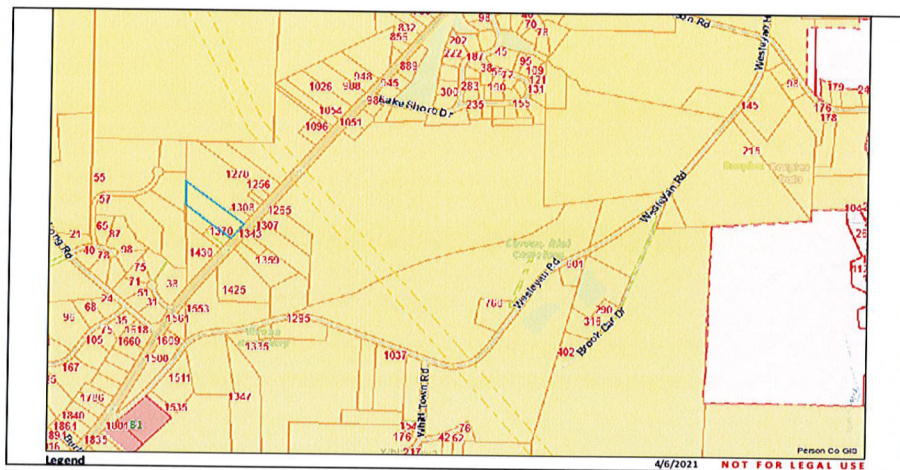
RZ-01-21 – Statement of Reasonableness and Consistency

- Reasonableness and Consistency Statement: The request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and is in the public interest as it meets the goals of the Person County Land Development Plan, specifically:
 - 1.0: To promote an orderly and efficient land use development pattern, which allows for a variety of land uses while being sensitive to environmental concerns.

Rezoning Request

RZ-01-21 – Planning Board Recommendation

- At the April 8, 2021 meeting of the Person County Planning Board, a unanimous vote (5-0) was taken not to recommend the rezoning case RZ-01-21. The board felt that the request was not consistent with the Person County Land Use Plan or the Statement of Reasonableness and Consistency:
- The request is not consistent with the Person County Land Use Plan and future planning goals of the county, as it would allow a variety of commercial uses in a residential area.



Ms. Blount said staff recommended the general rezoning because it was done without condition as staff could not take into consideration any of the permitted uses in the RC district or what the applicant may do with the parcel later. She reiterated that the Planning Board voted unanimously to deny the request as it would allow a variety of commercial uses in a residential area.

The applicant, Craig C. Hester addressed the Board of Commissioners to speak in favor of the rezoning/map amendment from residential to rural conservation on 2.93 acres (Tax Map & Parcel 112-13) located on Burlington Rd (Hwy 49) to clarify his plans for the parcel was to construct a self-storage facility noting that was the reason for his request to rezone to RC. Mr. Hester said his intent was not to have the facility open 24-hours, maybe 7:00am to 7:00pm with a number to call on an emergency basis. Mr. Hester noted he would not have huge lights in the sky but minimal lighting. Mr. Hester opined it would not be an increase traffic concern nor would it drive away potential residents. Mr. Hester stated he understood the concerns noting he could say one thing and do another; however, he wanted to inform the Board of his plans.

Commissioner Sims asked Mr. Hester if he intended to install a security fence and security cameras to which he replied affirmatively; Mr. Hester added the facility would be gated to open and close at the times stated above.

Speaking in opposition to the request by Craig C. Hester for a rezoning/map amendment from residential to rural conservation on 2.93 acres (Tax Map & Parcel 112-13) located on Burlington Rd (Hwy 49) were the following:

Mr. Don Vaughan of 612 W. Friendly Avenue, Greensboro, an attorney representing Arthur Winstead, Jr, as well as Mr. Winstead's mother to express their strong opposition to rezoning the property located between 1370 and 1308 Burlington Road, tax map and parcel number 112-13 from residential to rural conservation. Mr. Vaughan said Mr. Winstead's mother owns the property located at 1553 Burlington Road, tax map and parcel number 112-15, and Mr. Winstead is his mother's designated agent. Mr. Vaughan stated they were pleased the Planning and Zoning Board unanimously denied the request and noted it was his belief that allowing the rezoning, which will open the property to almost unlimited uses, will result in a drastic change in the character of the neighborhood and surrounding areas, which are almost entirely residential. Allowing a near unlimited variety of uses will lower property values on these homes, prevent the residential owners from fully enjoying their land, and drive away other potential residents who may have moved to the area. In addition, Mr. Vaughan conveyed that the rezoning and the development that will occur afterward would lead to an increase in traffic in the area. The roads in the area consist entirely of single lane, rural roads that do not see much traffic at the current time. Allowing for additional non-residential uses in the area will lead to the roads being worn quicker, a decrease in safety for local children who may be victims of traffic accidents, and an increase in noise and air pollution affecting the local residents. The additional traffic, noise and air pollution would also be likely to have an effect on the local wildlife. Mr. Vaughan urged the Board of Commissioners to recommend against the proposed rezoning and help keep this lovely community the way its residents would like it to remain. Mr. Don Vaughan introduced his client, Mr. Arthur Winstead.

Mr. Arthur Winstead of 1401 McDowell Drive, Greensboro noted his roots were in Person County and conveyed that his mother requested him to appear before the Board of Commissioners to speak against the proposed rezoning as it was not consistent with the surrounding area. Mr. Winstead asked the Board of Commissioners to deny the request to rezone the 2.93 acres located on Burlington Road from residential to rural conservation.

Mr. Johnnie Wrenn of 1430 Burlington Road, Roxboro appeared before the Board of Commissioners to speak against the proposed rezoning on Burlington Road. He opined that no businesses were needed in the area.

Mr. Mike Partin stated he lived in Franklin County however; he was there to represent KD3 Investments, LLC of 1270 Burlington Road, Roxboro to speak against the proposed rezoning as it would have a negative impact on the area.

A **motion** was made by Commissioner Sims and **carried 5-0** to close the public hearing for a request by Craig C. Hester for a rezoning/map amendment from residential to rural conservation on 2.93 acres (Tax Map & Parcel 112-13) located on Burlington Rd (Hwy 49).

CONSIDERATION TO GRANT OR DENY REQUEST BY CRAIG C. HESTER FOR A REZONING/MAP AMENDMENT FROM RESIDENTIAL TO RURAL CONSERVATION ON 2.93 ACRES (TAX MAP & PARCEL 112-13) LOCATED ON BURLINGTON RD (HWY 49):

A **motion** was made by Commissioner Sims and **carried 5-0** to deny the request by Craig C. Hester for a rezoning/map amendment from residential to rural conservation on 2.93 acres (Tax Map & Parcel 112-13) located on Burlington Rd (Hwy 49) noting the request was not consistent with the Person County Land Use Plan nor the future planning goals of the county as it would allow a variety of commercial uses in a residential area.

INFORMAL COMMENTS:

The following individuals appeared before the Board to make informal comments:

Mr. Cecil Barker of 367 Barefoot Landing Lane, Semora addressed the Board of Commissioners, on behalf of the Roxboro-Person County Home Builders Association, about the permitting process involving the Person County Environmental Health and the Inspections Department. He spoke of the demand of services over the last year noting that permitting must have increased over 100%; Mr. Barker asked for any help with expediting the permitting process.

Ms. Cynthia Lynch of 395 Union Grove Church Road, Hurdle Mills stated the need to preserve farmland as indicated as the second most important principle in the Joint Comprehensive Plan. Ms. Lynch suggested the Board to extend its informal comment period to allow more people to express their thoughts.

Ms. Cindy Martin of 396 Shore Acres Drive, Semora addressed the Board to reiterate the need to find a tenant for the Mega Park site to help the power plant workers that may be displaced if Duke Progress closes the two plants in Person County.

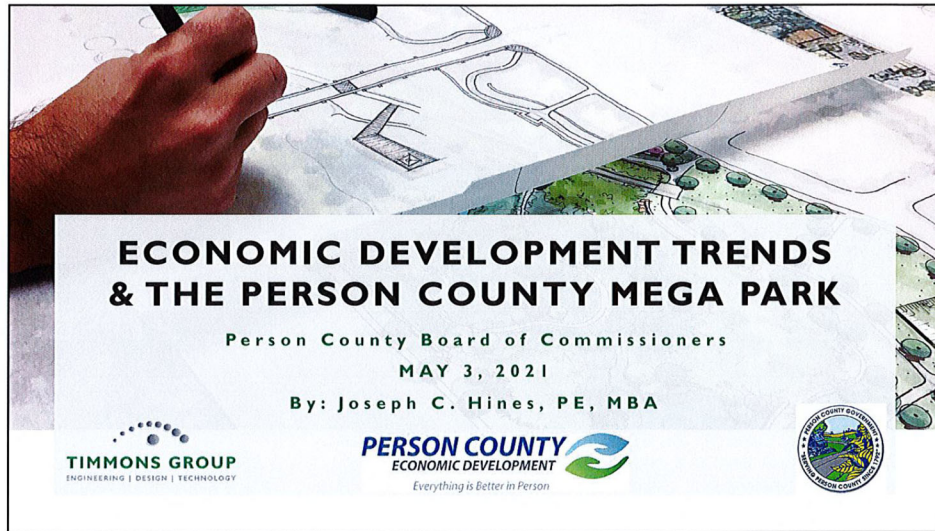
DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:


A **motion** was made by Commissioner Sims and **carried 5-0** to approve the Consent Agenda with the following items:


- A. Approval of Minutes of April 19, 2021,
- B. Budget Amendment #15,
- C. Amended Audit Contract for Fiscal Year 2020 increasing from \$59,300 by \$10,930 to a modified fee of \$70,230, and
- D. Selection of County Airport Engineering Firm

NEW BUSINESS:**PRESENTATION ON THE PERSON COUNTY MEGA PARK SITE:**

Commissioner Gentry introduced Mr. Joe Hines, PE with the Timmons Group in the Richmond, Virginia Office to share a presentation about the opportunities of the Person County Mega Park site. Mr. Timmons presentation follows:









FEED MORE
SM


RECENTLY MADE
5 YEAR CORPORATE
COMMITMENT TO
FEED MORE IN
ADDITION TO
HOSTING FOOD
DRIVES






NC OFFICES IN
Raleigh, Greensboro,
Charlotte, Elizabeth
City & Wilmington

18 offices across the U.S.
5 Located in NC



**ESTABLISHED
IN 1953**

Over 68 years of experience
700+ Employees
200+ in North Carolina



**FULL-SERVICE
ENGINEERING &
TECHNOLOGY FIRM**

Economic Development,
Engineering, Infrastructure,
Design & Technology
Worked in 50 States 2019 & 2020

My Background

- Senior Principal & Director of Economic Development
- Professional Engineer in multiple states (NC was my first license)
- NC State Civil Engineering Graduate
- Graduate Coursework / Baseball @ Belmont Abbey
- MBA from Fuqua School of Business at Duke University
- 30 years experience in Economic Development & Infrastructure
- NC State Civil, Construction & Environment Engineering Alumni Advisory Board
- Duke Fuqua School of Business– Alumni Council & Board of Visitors
- Southern Economic Development Council – Board of Directors



Timmons Group Economic Development Practice

- Committed to our Client's **Long-Term Economic Prosperity**
- Assisted Local Government Clients close over **\$12 Billion** in announced investment with over **14,000 jobs** created (since 2007)
- Conducted Site Assessment Studies for over **500 sites** in the Southeast
- Performed GIS Site Selection Studies in over **100 Localities** in Va and NC
- Work with Site Selectors to evaluate sites for Prospective Companies
- Work with Localities to prepare Sites & Infrastructure to be competitive



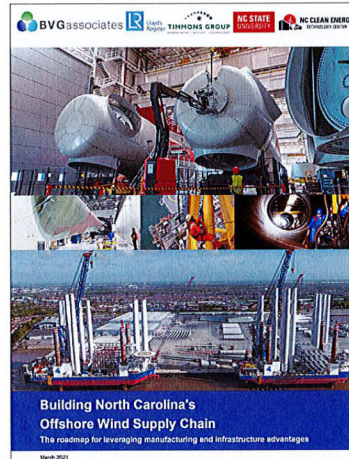
Some recent High Profile Projects...

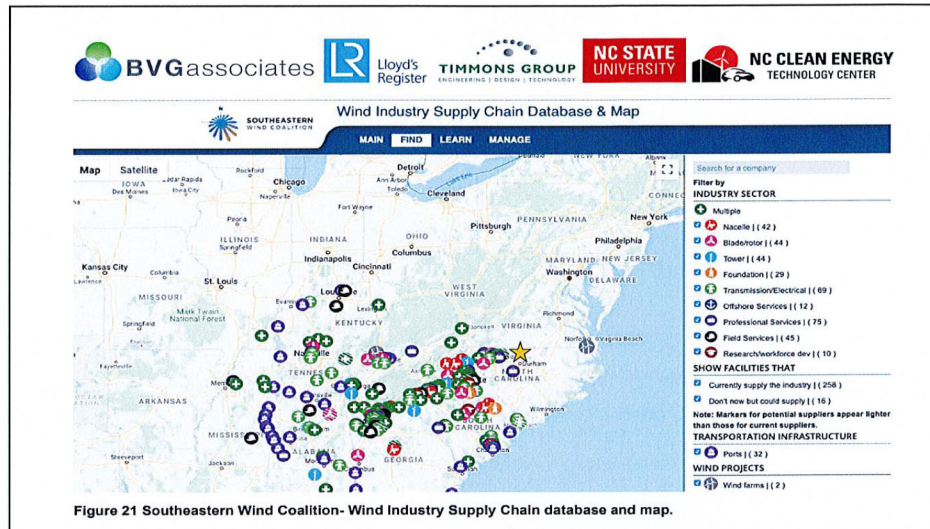
NC Offshore Wind Supply Chain Study

- Evaluated Wilmington & Morehead City Ports
- Evaluated many smaller ports along coast
- ***\$100+ Billion Supply Chain Market Opportunity***
- Advanced Manufacturing Capacities sets NC apart
- ***"SMART-POWER" Agreement*** Announced in Oct 2020 between North Carolina, Virginia & Maryland
- ***Southeast and Mid-Atlantic Regional Transformative Partnership for Offshore Wind Energy Resources***
- Working with several potential developers on facilities

Maryland, North Carolina, and Virginia Announce Agreement to Spur Offshore Wind Energy and Economic Development

Alliance will streamline development of offshore wind resources in Southeast and Mid-Atlantic region





Some recent High Profile Projects...

- **FUJIFILM Announcement**
 - Located in Holly Springs, NC
 - NC Certified Site by Timmons Group
 - **\$2 Billion Investment**
 - 500,000 SF Cell Culture Manufacturing Facility
 - **\$4,000 per SF Investment**
 - 725 jobs
- Timmons Group assisted Holly Springs with Site Related issues during negotiations & currently assisting company
- 25 mins from Parent Facility in Research Triangle Park
- **5 Months from RFP to Announcement**

Posted on: March 18, 2021

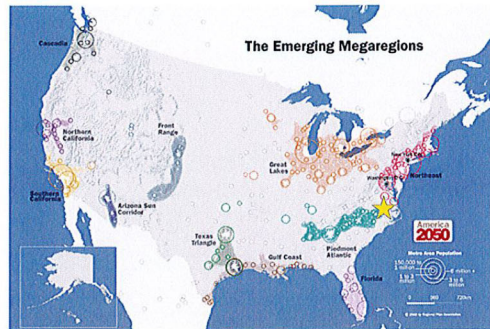
FUJIFILM Diosynth Biotechnologies Announces \$2 Billion Investment in Holly Springs

The Town has worked strategically for years to make Holly Springs a perfect fit for the life science and biomanufacturing industry.



What drives Prospect Location Decisions?

- ✓ Access to Markets
- ✓ Workforce
- ✓ Logistics Infrastructure
- ✓ Transportation Costs
 - Rail
 - Drayage for Trucking
 - Shipping Costs
- ✓ Total Costs of Ownership (TCO)
 - Energy Costs & Supply
 - Electrical & Natural Gas
 - Utility Costs
 - Tax Rates
 - Capital Investment
- ✓ Sustainability & Renewable Energy Alternatives (last 5 years)



Person County is at the edge of the Piedmont Atlantic w/ access to 3 major markets...

TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY

Trends in Economic Development & Site Selection A Consultant's Perspective....

- ✓ Logistics & Workforce Analysis usually Completed First
- ✓ Prospects & consultants usually go directly to **STATES & REGIONS**
- ✓ **Speed to market** matters – Projects move in **MONTHS**, not years
- ✓ “Ready to go” & Publicly Controlled Sites Rule
- ✓ Due to Market Drivers, **CONFIDENTIALITY IS CRITICAL**
- ✓ Incentives do matter, AFTER you become a FINALIST



100% of your success is **70-80%** out of your control...

Control what you can – your Sites and Infrastructure!

TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY

Site Selection Magazine Site Selectors' Top Location Criteria

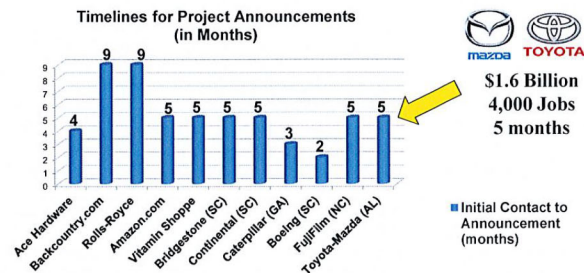
Rank	Location Factor	North Carolina
1	Existing Workforce Skills	Strong
2	State and local tax scheme	
3	Transportation Infrastructure	Strong
4	Utility Infrastructure (Cost & Reliability)	Strong
5	Land / Building prices & supply	"Ready to Go" Sites an Issue
6	Ease of permitting & regulatory procedures	Becoming more cumbersome at Federal & State Level
7	Flexibility of Incentive Programs	
8	Right-to-work State	Strong
9	Availability of incentives	
10	Access to higher education resources	Strong

COE & NC DEQ
Permit in Hand
is significant

Source: Site Selection Survey of Corporate RE Executives

TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY

How fast are prospects moving? FUJIFILM is the "Norm"



\$8.5 billion investment & over 14,725 jobs for 11 projects

Avg: \$773 Million investment, 1,340 jobs and 5 months!

TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY

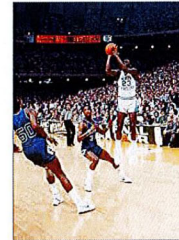
THE "PROCESS" OF PRODUCT DEVELOPMENT & PROSPECT RECRUITMENT

"Pre-Prospect" Planning: Remove as many unknowns / development obstacles as practical & address all potential development scenarios (timing & costs) to give you best ***Odds of Success*** to close the deal

- Due Diligence (Site Eliminators)
- Master Planning Process & Build-out Analysis (Maximum Footprint & Build-out)
- Align Infrastructure & Site Requirements with Target Industries
- Definition of Site & Infrastructure Development Costs
- Timelines for Implementation (ideally 12 months or less)
- Address Cultural Resource & Permitting Issues up-front

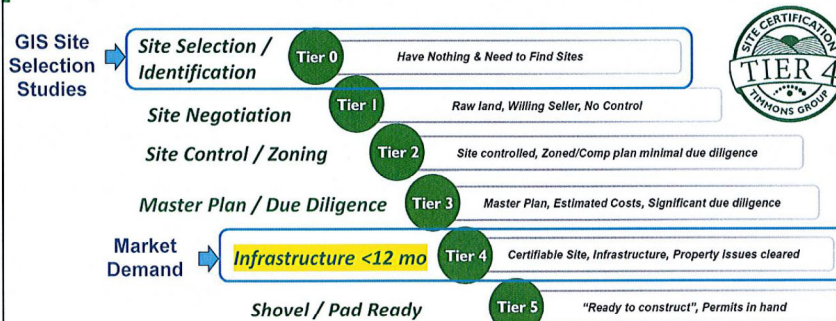
"Post-Prospect" Execution: Respond to Prospect inquiries within ***48-72 hrs*** and show how the site & infrastructure can work for their project

- 3D Visualization & Site Schematics
- Responsiveness to RFI's
- Deal Closing



TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY

Major Considerations – Site Development



TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY

Typical Costs & Timelines to increase "Odds of Success"

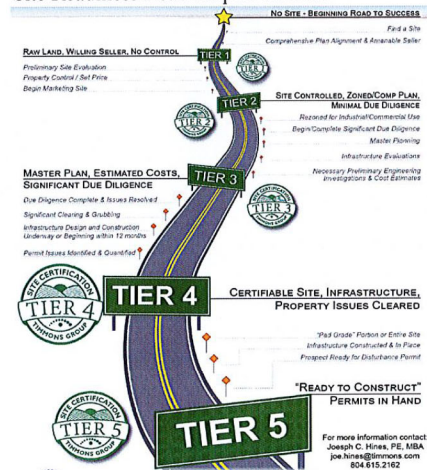
Tier	Develop Timeline	Odds of Success	Prospect Readiness	Major Considerations	Typical Financial Investment
0	4-10+ yrs	0%	No	Need to find sites	\$20k to \$100k+ (Local or Regional)
1	3-7 yrs	< 10%	No	Willing Seller	Minimal / Property Negotiation
2	2-4 yrs	< 20%	No	Site Controlled / Zoned	Option Agreements or Site Acquisition
3	12-36 mo	40-50%	Minimum	Master Planning / Due Diligence	\$50k to \$250k+ \$500 - \$1,500/Acre
4	9-12 mo	70-80%	Preferred	Infrastructure / Certifiable	\$5 to \$50+ million Geography / location
5	3-9 mo	> 90%	Preferred	Shovel / Pad Ready	\$100k to \$150k/Acre Geography / location

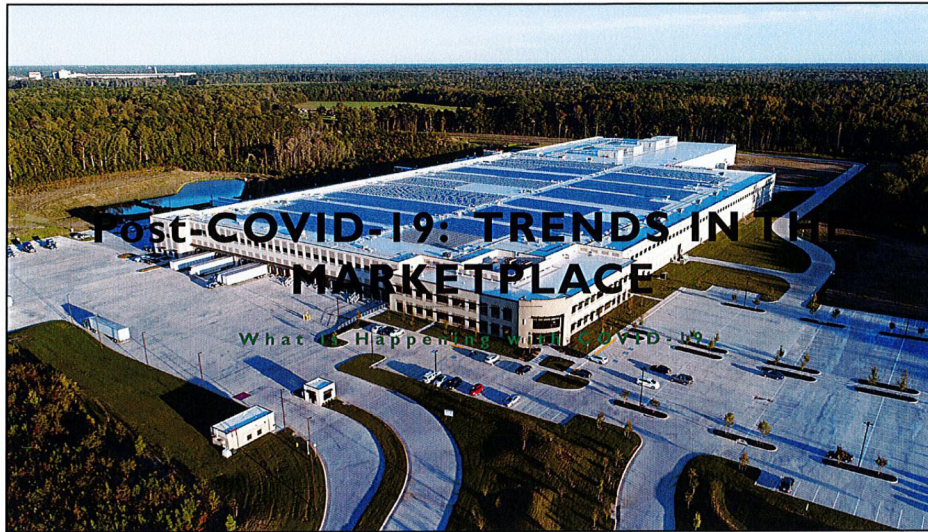
THOMSON GROUP
SERVING | DESIGN | TECHNOLOGY

*Tier 4 Certified Site
brings Certainty,
and Certainty brings
Business.*

TIME > MONEY
& Competitive Advantage
in Site Selection

Site Readiness Road Map to Success





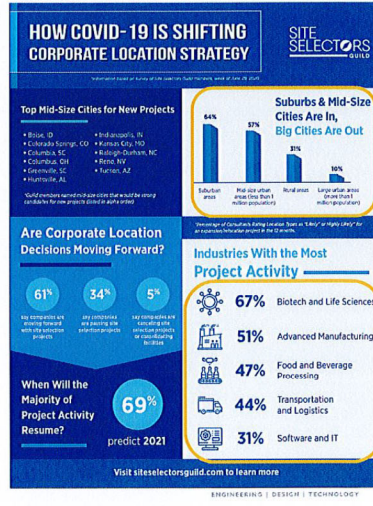
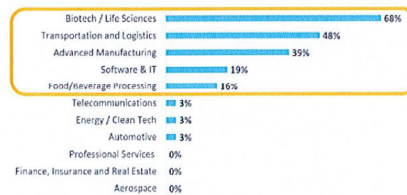
COVID-19: Trends in the Marketplace

BIG CITIES ARE OUT...

Target Markets (Pre-COVID):

- Manufacturing
- Logistics / Distribution
- Information Technology / Data Centers
- Biomedical / Medical Technology
- Defense & Security
- Food & Beverage

Most Active Industries Post COVID-19



Advanced Manufacturing Trends Includes Biotech / Life Sciences

COVID-19 SPECIAL REPORT: ADVANCED MANUFACTURING
From Site Selection magazine, July 2020
SHARE THIS ON SOCIAL MEDIA
Twitter | LinkedIn | Facebook | Email



Could a Post-Pandemic National
Industrial Strategy Advance the
Cause of Advanced
Manufacturing?

BROOKINGS

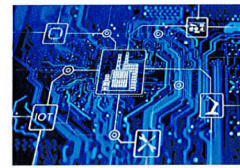
REPORT
Reshoring advanced manufacturing supply chains to
generate good jobs

Andrew Fish and Honore Spillane July 23, 2020

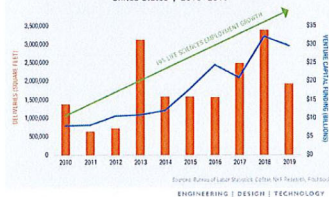
10 Ways AI Is Improving Manufacturing In 2020

Luigi Colombo Senior Contributor
Energy & Cloud

Forbes



LIFE SCIENCES SPACE DELIVERIES AND VENTURE CAPITAL INVESTMENT United States | 2010-2019



E-Commerce: Distribution & Fulfillment Centers

E-commerce sales could hit \$1.5 Trillion in 2025 (JLL)



Industrial real estate demand to
grow to 1 billion square feet by
2025

U.S. demand surges alongside e-commerce's pandemic boom
myff.com



Business In the Age of COVID-19

Amazon has the right businesses to
prosper during coronavirus, but
spending could grow even faster

Published: July 24, 2020 at 1:55 p.m. ET

By Jan Skutitz


Amazon in the age of COVID-19: Online shopping, cloud computing and streaming video are expected to be strong, but company known for spending big looks to be following that path

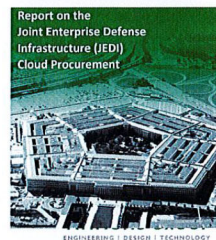
Forbes

COVID-19 Accelerated E-
Commerce Growth '4 To 6
Years'

TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY

Data Centers: COVID-19 Immediate Impact

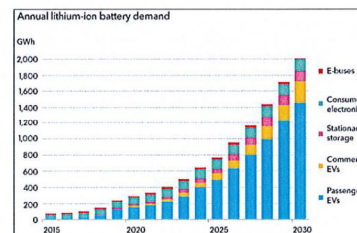
- Unprecedented surge in Internet traffic
Peak Traffic **MORE THAN DOUBLED** from March 2019 to March 2020
WITH **NO MARCH MADNESS...**
- Zoom and other web collaboration services skyrocket 
Maximum Daily Zoom Meeting Participants:
December 2019 – **10 Million**
April 2020 – **300 Million** } **3,000% Increase in 5 months**
- AT&T sees VPN demand **increase 700%**
- On-line gaming usage **up 75%**
- Increased investment in virtual workforce for Healthcare, Government and Education – Project "JEDI"



Electric Vehicles & Battery Manufacturing: Technology Disruption

- EV Sales Rise by **70% in 2021**
- 2025 Market Demand: **12.2M Vehicles**
- 52% Annual Growth** Compounded

IHS Market forecasts global EV sales to rise by 70% in 2021



COVID-19 Reshoring / Nearshoring of Overseas Industries

- Pharmaceuticals
- Medical Supplies
- Semiconductors / Computer Chips



Semiconductor Chip Shortage: a REAL ISSUE post COVID-19

- Apple & iPhone, Vehicles & Medical Supply demand has increased w/ COVID
- Congress: CHIP Act Proposed 2020
- Goldman-Sachs: 169 US Industries use Semiconductors in their products

The 2021 Semiconductor Chip Shortage: What, Why, and What's Next?



The global chip shortage is going from bad to worse. Here's why you should care

By ERIK BRADY, CHRIS BULLOCK
Updated 2:43 PM ET, Thu April 29, 2021



Tech Policy

Chip shortage spreads, hurting sales at Apple and Samsung

Caterpillar says its business could be affected this year as well; Ford expects to produce 1.1 million fewer vehicles as a result.

The semiconductor shortage is here to stay, but it will affect chip companies differently

Published April 17, 2021 at 12:47 p.m. ET

By Michael J. Sauter

Semiconductors in the age of COVID-19: Extreme demand spike will keep chips in short supply for the foreseeable future, but different types of semis will experience it in different ways

Why are Semiconductors coming back to US?

US Share of Global Semiconductor Industry

1990: 37% 2021: 12%



Supply Chain Issue – 75% Chips come from Asia

Semiconductor Industry Leaders Urge President Biden to Prioritize Funding for Semiconductor Manufacturing, Research

Thursday, Feb 11, 2021, 5:00am
by Semiconductor Industry Association

Broad Coalition of Tech, Medical, Auto, Other Business Leaders Urge President Biden to Fund Domestic Semiconductor Manufacturing, Research in Infrastructure Plan

Thursday, Feb 18, 2021, 5:00am

TECH - SEMICONDUCTORS

Arizona emerges as manufacturing hotspot in U.S. push to insulate semiconductor supply from China

7:00AM EST
1000 x 1250 (1024 x 768)

TECH

Intel is spending \$20 billion to build two new chip plants in Arizona

PUBLISHED TUE, MAR 23 2021 4:59 PM EDT | UPDATED WED, MAR 24 2021 7:35 AM EDT

60 Minutes News Article – May 2, 2021

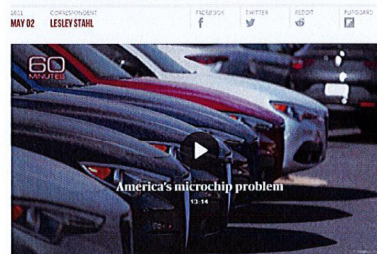
Chip Shortage Highlights US Dependence on Fragile Supply Chain

- 75% of Semiconductors / Microchips manufactured in Asia
- Intel® is lagging behind industry, but investing \$20 Billion in new Facilities
- TSMC – Taiwan Semiconductor Manufacturing Company is leading researcher and producing chips that are 30% faster than Intel Chips
- TSMC – Announced \$100 Billion Investment in R&D, Upgrades &



CHIP SHORTAGE HIGHLIGHTS U.S. DEPENDENCE ON FRAGILE SUPPLY CHAIN

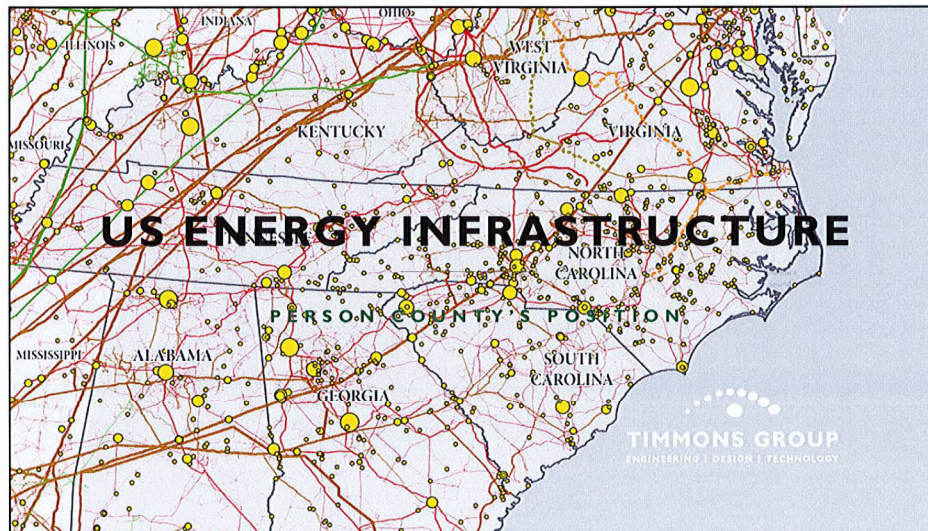
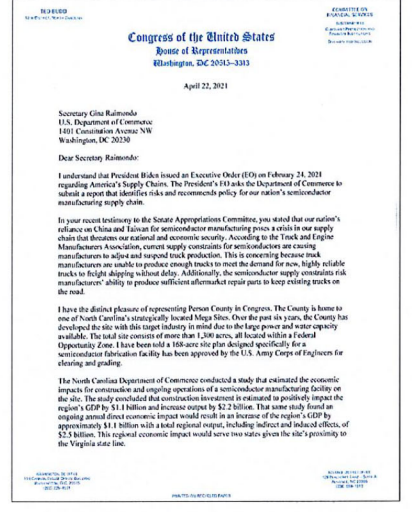
Seventy-five percent of semiconductors, or microchips – the tiny operating brains in just about every modern device – are manufactured in Asia. Lesley Stahl talks with leading-edge chip manufacturers, TSMC and Intel, about the global chip shortage and the future of the industry.



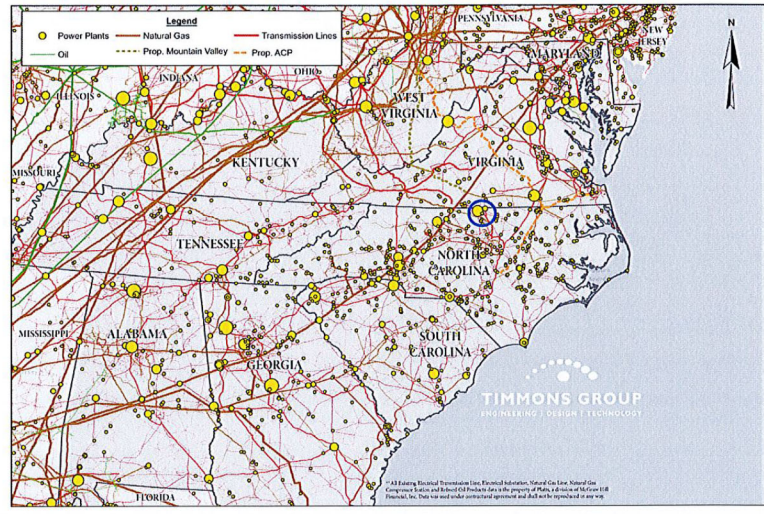
Congressional Efforts to Incentivize Semiconductor Industry to Reshore

HR 7178 Helpful Incentives to Produce Semiconductors for America Act (CHIPS for America Act)

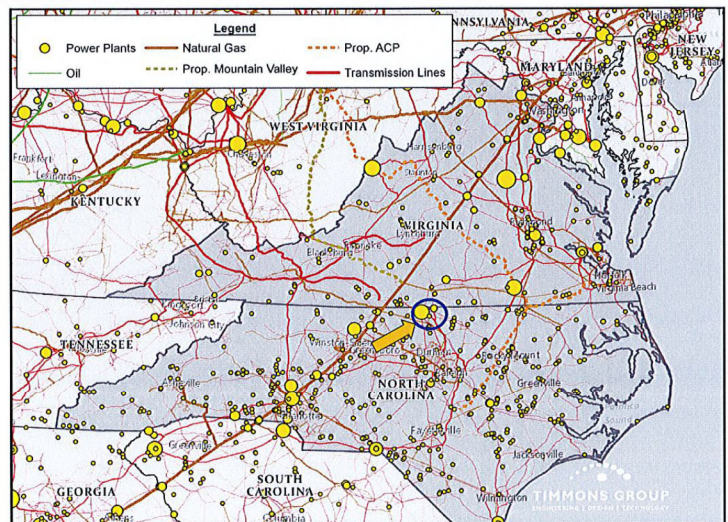
- Supported by Congressman Ted Budd
- Tax Credit for Semiconductor equipment of Manufacturing Facility thru 2026
- Department of Commerce through the National Institute of Standards and Technology (NIST), shall carry out a R&D Program to accelerate microelectronics through creation of Manufacturing USA institute for semiconductor manufacturing



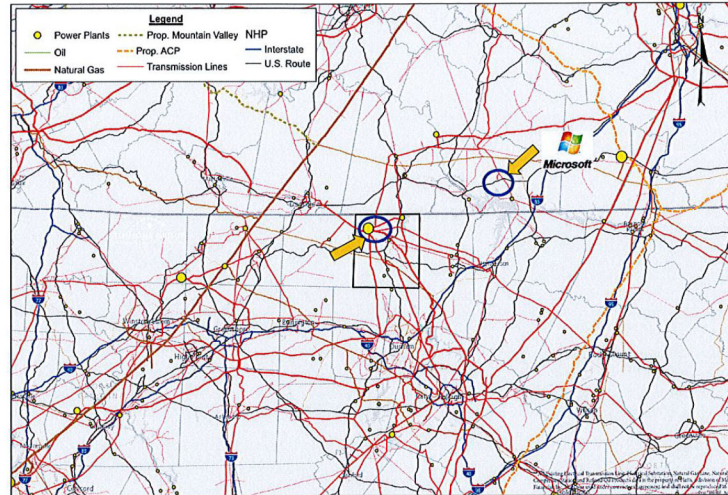
**Southeast
US Energy
Grid**



**NC & Va
Energy Grid**



Regional Energy Grid & Person County Mega Park



Is a Data Center Corridor Realistic? Microsoft Acquires Three Industrial Parks in Mecklenburg & Brunswick Counties



The Colossal Future Cloud: Land Deals Hint at Even Larger Data Centers

BY MICHAEL J. SULLIVAN | JANUARY 18, 2021 | 8:00PM EST



The cloud is not just a place of high-speed internet in perfectly sterile server rooms in Virginia, which has become a hot spot for companies to build data centers. Photo: Microsoft Corp.



Microsoft acquires land from Mecklenburg, Brunswick counties

News Letters Opinion Opinions Multimedia Calendar Business Directory Classifieds

Janet Sneed, South Hill Enterprise Staff Writer | Dec 31, 2020



Two weeks ago the Microsoft Corporation acquired land from the Mecklenburg and Brunswick County Industrial Development Authorities, the Town of South Hill, and the Charlotte and Chatham City Economic Development Authorities.



Most Popular

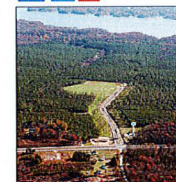
Articles

SoVaNow.com

News Weather Virginia News Politics & Government

Microsoft snaps up land at three industrial parks

By Michael J. Sullivan | Dec 31, 2020



As a part of the acquisition, Microsoft Corp. has acquired the land from the Mecklenburg and Brunswick County Industrial Development Authorities, the Town of South Hill, and the Charlotte and Chatham City Economic Development Authorities.

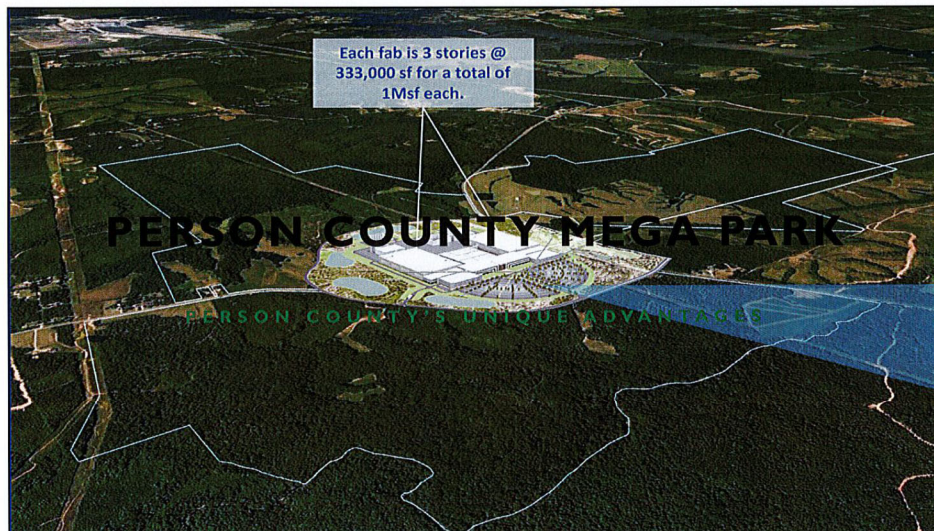
By Michael J. Sullivan | Dec 31, 2020

TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY

Heavy Power Users in Today's Market

- Semi-Conductor Plants
- Data Centers
- Electric Vehicle Manufacturers
- Electric Vehicle Battery Manufacturers

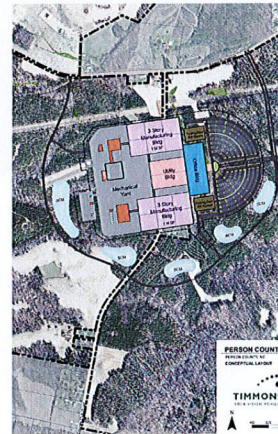
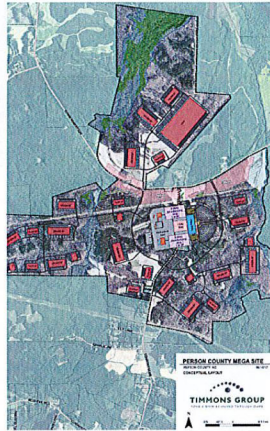
Workforce, Site Readiness & Timing are Critical...



Person County Mega Park Master Planning Exercise

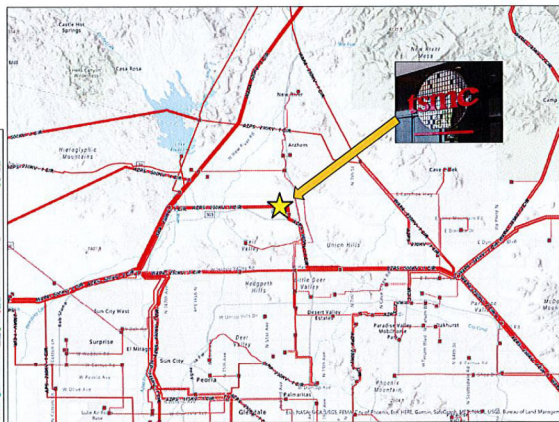
Site Basics

- 1,350 Acres
- 2 Million SF Manufacturing Facility Phase 1 Build-out
- Up to 10 Million SF Total
- Three (3) 230kV Electric Lines
- 5.5 MGD current up to 21 MGD Water Capacity
- COE & NC DEQ Permit for Ph 1 in place until 2030



Critical Electrical Infrastructure

TSMC Future Plant Site in Arizona
vs. Person County Mega-Park



TIMMONS GROUP
ENGINEERS • DESIGN • EPC



- Total Investment: **\$12 Billion**
- Facility Size (Ph 1): 3.8 Million SF
- **\$3,160 per SF Investment**
- Jobs: 1,900 full time
- 1,129 Acre Tract
- Land Purchase Price: **\$89 Million**
- Incentives by City of Phoenix
 - **\$205 Million** in Infrastructure
 - \$62 Million for Roads
 - \$37 Million for Water
 - \$107 Million for Wastewater

TSMC to build a \$12 billion advanced semiconductor plant in Arizona with US government support

Catherine Shu @cathieshu / 11:22 PM EDT • May 14, 2020

Commented Real Estate

Reports: Taiwan Semiconductor's Phoenix plant likely three times larger than originally announced

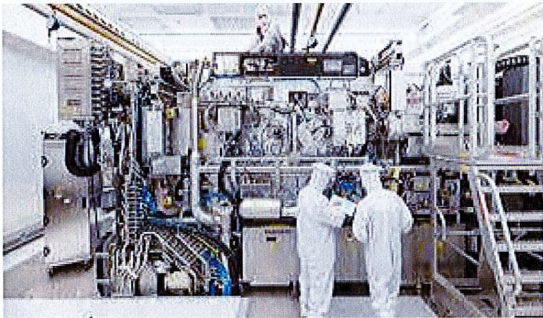
TECH

TSMC says plans to invest \$100 billion over next 3 years to meet chip demand

PUBLISHED WED, MAR 25 2020 11:25 PM EDT | UPDATED WED, MAR 31 2021 11:45 PM EDT

Why North Carolina?

Example States with Semiconductor Plants & Outlying Concerns



- **Arizona** – Adequate water supply an issue
- **Texas** – Power an issue, especially after the outages this winter
- **New York** – Weather and Workforce
- **California** – Taxes and Water Supply issues

Potential Tax Revenue for Major Industrial User

- Person County Property Tax Rate
- \$0.72 per \$100 Assessed
- Depreciation Schedule A-10
 - 10 Year Service Life for Equipment
- Average Depreciation = 62.7%
- Assume \$2 Billion Investment
- Average Wage: \$85,000

NC Department of Revenue		Index Page 17															
Local Government Division		Effective 1/1/2021															
Personal Property Section																	
		Schedule A Valuation Table															
		Historical (Original) Cost															
		Percent Good Factors															
Year	Trend	Life in Years															
Acq'd	Age	Factor	3	5	6	8	9	10	11	12	14	15	16	17			
2020	1	1.00	67	80	83	87	89	90	91	92	93	93	94	94			
2019	2	1.02	34	61	68	77	81	82	84	85	88	89	89	90			
2018	3	1.04	25	42	52	66	70	73	76	78	82	83	84	85			
2017	4	1.07	25	35	54	60	64	68	72	76	78	80	81				
2016	5	1.08		25	40	48	54	58	63	69	72	75	77				
2015	6	1.09			27	36	44	48	55	62	65	69	71				
2014	7	1.11			25	35	43	47	56	59	62	65					
2013	8	1.13				25	33	40	47	53	57	60					
2012	9	1.14					25	29	41	46	50	54					
2011	10	1.17						25	34	39	43	48					
2010	11	1.20							25	32	37	42					
2009	12	1.21								25	30	35					
2008	13	1.22									25	28					
2007	14	1.28										25					
2006	15	1.31											25				
2005	16	1.34												25			
2004	17	1.39													25		

Potential Tax Revenue from Mega Park Phase 1 Build-out

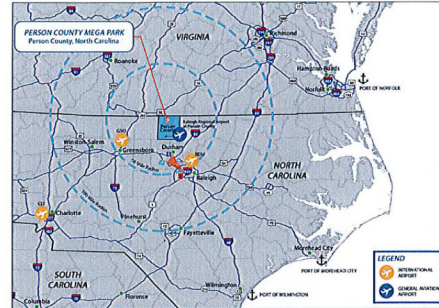
Assumptions

- 2 Million SF on 170 Acres (15% of Site)
- \$2,000 per SF
- \$4 Billion Investment
- \$400 / SF Real Estate
- \$1,600 / SF Business & Personal Property (A-10 Depreciation)
- Does NOT include Water & Sewer Rev
- Assume 2,000 Employees @ \$85,000
- Annual DIRECT Payroll: \$170 Million
- **Annual NC DIRECT Income Tax Revenue @ 5.25%: \$8.9 Million**

Person County Tax Information		
Real Estate Tax Rate	\$0.7200/per \$100 Assessed	
Bus Pers Property Tax Rate	\$0.7200/per \$100 Assessed	
Avg Depreciation Bus Pers Prop	62.8% A-10 NCDOR Dep Schedule	
Person County Mega-Park - Phase 1 (170 acres)		
Facility Size	2,000,000 SF	
Investment Amount	\$2,000/per SF	
Total Investment	\$4,000,000,000	
Real Estate Investment	\$400/per SF	
Bus Pers Property Investment	\$1,600/per SF	
Taxable Real Estate	\$800,000,000	
Taxable Bus Pers Property	\$3,200,000,000	
Annual Real Estate Tax Revenue	\$5,760,000	
Annual Bus Pers Prop Tax Revenue	\$14,469,120	
Total Potential Annual Tax	\$20,229,120	Person County Tax Rev
Municipal Bonding Capacity		
Assume Annual Tax Revenue	\$20,000,000	
20 years @ 3% Interest	\$300,000,000	Borrowing Capacity
30 years @ 4% Interest	\$350,400,000	Borrowing Capacity

Person County Mega Park Assets

- Proximity to RTP & Durham
- High Quality of Life
- Excellent Energy Infrastructure
- Excellent Water Supply
- Access to Workforce
- Access to Workforce Training
- Access to Higher Education
- Access to Major Markets
- Great Potential Return on Investment



*Timing couldn't be more perfect for Reshoring
and COVID-19 Shift of Key Industries*

TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY



Communities Successful in Economic Development...

- ✓ Are *Pro-Active* and *Intentional* about Economic Development
- ✓ Understand it's a *Long-term game*, NOT an Election Cycle Buzzword
- ✓ Have a *Comprehensive Economic Development Strategy* and *Execute* the Plan
- ✓ Understand their *Assets and Sites*
- ✓ Understand their *Cost & Revenue Drivers*
- ✓ *Remove political hurdles (or risks)* for Prospects
- ✓ Respect *Confidentiality* & Prospect Market Sensitivities
- ✓ Have *"fast-track" permitting* procedures in place
- ✓ *Plain and simple they "Get it"!*

Thanks for your help to make Person County and North Carolina Successful!

PERSON COUNTY
ECONOMIC DEVELOPMENT
Everything is Better in Person

ECONOMIC DEVELOPMENT PARTNERSHIP of NORTH CAROLINA

DUKE ENERGY

TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY









We put a man on the MOON - Together we can accomplish anything!

Thanks for your time !

Contact info:

Joe Hines, PE, MBA
Senior Principal & Director of Economic Development
joe.hines@timmons.com
804.615.2162 (c)
804.200.6380 (o)

The information presented in this presentation is copyrighted and considered the work product of Timmons Group and Joseph C. Hines, PE, MBA. As such, the reproduction or reuse of this material without the express written consent of Timmons Group will be considered a violation of this copyright.

TIMMONS GROUP
ENGINEERING | DESIGN | TECHNOLOGY

The Board thanked Mr. Hines for his informative presentation.

A **motion** was made by Vice Chairman Puryear and **carried 5-0** to recess the meeting at 9:07pm for a brief break. The meeting was reconvened at 9:13pm.

May 3, 2021

PERMITTING PROCESS IMPROVEMENT PLAN:

County Manager, Heidi York told the group that on April 20, 2021, the Roxboro-Person County Homebuilders Association held a special meeting to share concerns with Person County staff regarding the length of the permitting process. Ms. York noted three county departments are involved in the process. For a building permit to be issued, approval is required from 1) Environmental Health, 2) Zoning and 3) Inspections (in that order). Environmental Health staff approval is needed before Zoning staff can issue a zoning permit. A zoning permit must be issued before Inspections staff can issue a building permit.

Ms. York said it currently takes approximately 10 weeks to complete an environmental health site evaluation. If property lines are not properly marked or the site is inaccessible due to dense vegetation, additional time will be required to complete the evaluation. If all plans and paperwork are complete and correct, the process to issue a building permit can take 20 days. Incomplete applications and/or issues that must be corrected slow down the approval process, potentially extending it by four weeks.

Prior to the Homebuilders Association meeting, Ms. York stated county staff had heard concerns from builders and taken proactive steps to improve the process, including implementing Energov permitting software which will enhance information sharing and efficiency and requesting funding for new positions to address increasing workloads. The new Energov permitting software was piloted with a few contractors with the Inspections Department. Energov is projected to be fully implemented by the end of June as forms are being finalized. Ms. York said demands on these departments have grown even more as the housing market has picked up over the past year. Each of these departments provide a variety of services with a limited number of employees.

Assistant County Manager, Katherine Cathey said that with increasing delays in Environmental Health and Inspections, the following strategies for improving current permit wait times are offered as options for the Board's consideration.

New Positions

Staff recommended authorizing two new positions, 1) an Environmental Health Specialist and 2) a Chief Building Inspector to assume some of the workload that is overwhelming current staff. If the Board authorizes the two new positions, the Human Resources Department will initiate recruitment with the goal of onboarding new employees by July 1. Ms. Cathey said the funding for these positions was included in the Manager's Recommended Budget for Fiscal Year 2022.

The Inspections Department proposes to hire a Chief Inspector with higher-level certifications who will require minimal training. Environmental Health will seek an experienced candidate, but due to a limited pool of qualified candidates, they may have to hire an employee who will require up to a year and a half of training before becoming independent in their work. In both cases, hiring challenges exist related to availability of certified and experienced candidates and compensation demands.

Ms. Cathey noted that with new staff in place, additional resources will be available to address the backlog of applications and speed up the process going forward. There will be a delay in realizing these benefits due to the time it takes to recruit and train new employees.

Contract or Temporary Assistance

Another option for the interim prior to filling the full time positions, Ms. Cathey stated Environmental Health and Inspections could seek to hire an experienced contractor(s) or part-time temporary employee(s) to assist with the permitting process during the recruitment and training period for new full-time employees. Each department requests \$5,000 for a total allocation of \$10,000 in Fiscal Year 2021 to compensate these workers. There is a very limited pool of qualified candidates who would be interested in providing these services to the county on a part-time basis, so it may be difficult to attract the needed resources. In addition, additional oversight will need to be provided by county staff to ensure high-quality work.

Residential and Express Plan Reviews

The Inspections Department currently provides residential plan reviews as a service to builders. Although this step is not required by the state and adds time to the permitting process, county staff find it beneficial for catching problems that may arise during the building phase had they not conducted the residential plan review. Many builders also appreciate this level of service, but others are dissatisfied with the time it adds to the process. Residential plan reviews could be eliminated, but staff recommends keeping them in place to provide an option for individual or smaller builders who rely on this review in lieu of obtaining sealed engineered plans.

Ms. Cathey stated staff could implement an express review that would enable builders who have invested in engineered plans to skip the staff's residential plan review. Engineered plans range in cost from approximately \$600 to \$800 depending on the house. Staff would still be responsible for permitting and inspections, but it would be a quicker process. An express review would be similar to several options currently offered by Environmental Health. Applicants can expedite the site evaluation process by obtaining the services of a Professional Engineer or a Licensed Soil Scientist, who have the option of submitting proposals to Environmental Health in accordance with regulatory requirements. Ms. York said the express plan would give contractors the option to expedite or not. Ms. Cathey added Durham County charges \$300 for the express plan review and Wake County charges \$600 for the express plan review.

Simultaneous Review

Currently, Ms. Cathey noted the permitting process required approval from three different departments, with changes potentially made at each step. If Inspections staff begin reviewing plans before Environmental Health and/or Zoning approve them, they may spend time evaluating certain components that will change during the prior approval steps. When Energov is operational, staff will be able to share information through the system,

which will help to speed up the process. With the current paper-based system, it is difficult to share plans that may be updated in different departments prior to approval and keep up with the workflow simultaneously.

Commissioner Sims stated it may be hard to fill the full-time positions and asked if Person County was competitive with surrounding areas to which Ms. Cathey said the County's Human Resources Department was reviewing salary information.

A **motion** was made by Commissioner Sims and **carried 5-0** to authorize new positions to be recruited immediately to have in place by July 1, 2021 at competitive salaries with a hiring bonus, as needed: 1) an Environmental Health Specialist and 2) a Chief Building Inspector, and, to seek to hire an experienced contractor(s) or part-time temporary employee(s) to assist with the permitting process during the recruitment and training period for new full-time employees allocating \$10,000 in Fiscal Year 2021 to compensate these workers as well as implement the Residential and Express Plan review at no additional charge.

RECOMMENDED CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2022-2026:

County Manager, Heidi York and Finance Director, Amy Wehrenberg presented the Recommended Capital Improvement Plan (CIP) for Fiscal Years 2022-2026 that was presented to the Board on April 5, 2021 for adoption. Ms. York stated the adoption of this CIP will allocate funding for the priority projects for the County, Person County Schools, and Piedmont Community College for Fiscal Year 2021-2022. The document also sets the priorities of projects for future fiscal years, although funding is appropriated on an annual basis and the plan is reviewed annually. The total amount proposed for Fiscal Year 2022 is \$2.46M from the County's General Fund. Ms. York confirmed the CIP could be revised at any time.

A **motion** was made by Commissioner Gentry and **carried 5-0** to adopt the Capital Improvement Plan for Fiscal Years 2022-2026 with \$2.46M budget for Fiscal Year 2022, as presented.

A copy of the Person CIP is hereby incorporated into these minutes by reference and a copy of the Adopted CIP will be on file in the Clerk to the Board of Commissioners' Office.

REVIEW OF THE BOARD'S RULES OF PROCEDURE:

Commissioner Gentry presented the current Rules of Procedure for the Board of Commissioners that was last updated and adopted on March 23, 2020. The original version of the Board's Rules of Procedure was adopted on December 17, 1984 and contained the provision that "the board may, by majority vote, add an item that is not on the agenda." This provision is also included in the model Rules of Procedure created by the School of Government for which Person County's Rules of Procedure are based. These Rules remained unchanged until August 4, 1997, when then-Chairman Hurdle made a motion to amend the Rules of Procedure that was approved 4/1 as follows:

The County Manager shall not accept any item for placement on an agenda, nor shall any item otherwise be added to the agenda, unless it is accompanied by a short and plain synopsis succinctly summarizing the matter to be considered by the Board of Commissioners and the action, if any, requested of the Board.

In 2000, the Board of Commissioners approved Rules of Procedure that revised the language to read as it did originally "the board may, by majority vote, add an item to the agenda" to again be consistent the Second Edition of Suggested Rules of Procedure for Small Local Government Boards from the School of Government.

Chairman Powell requested the County Attorney, Ellis Hankins to address Commissioner Gentry's request to amend the Board's Rules of Procedure to which Mr. Hankins confirmed the Board can amend its rules at any time with a majority vote; he suggested when an item was added to the agenda that commissioners may ask questions to have a more informed decision.

A **motion** was made by Commissioner Gentry and **failed 2-3** to amend its Rules of Procedure that the County Manager shall not accept any item for placement on the agenda, nor shall any item otherwise be added to the agenda, unless it is accompanied by a short and plain synopsis succinctly summarizing the matter be considered by the Board of Commissioners and the action, if any, requested of the Board. Commissioners Gentry and Palmer voted in favor of the motion. Chairman Powell, Vice Chairman Puryear and Commissioner Sims voted in opposition to the motion.

CHAIRMAN'S REPORT:

Chairman Powell said it was National Small Business Week and urged citizens to support small businesses within our community.

MANAGER'S REPORT:

County Manager, Heidi York provided a reappraisal report from the Tax Administrator, Russell Jones related to notices mailed to citizens with a decision after review to their appeal for their new tax value. The notice included detailed information on how to appeal formally to the Board for Equalization and Review. The total appeals received was 596, compared to 3,500 for the 2013 reappraisal. The tax office has reviewed all but 11 appeals noting they will be provided an appraisal shortly but were delayed due to waiting on the taxpayer to provide information.

The County's Special Board of Equalization and Review convened its meeting to start accepting appeals on May 3, 2021 at 9:00am, and will adjourn for the acceptance of appeals on May 24, 2021 at 9:00am. The 2013 appeal process resulted in approximately 500 appeals and based on the current 2021 information the tax office believes around 85 appeals may be heard by the Special Board of Equalization and Review. Appeals with value changes are based on net taxable value, so they do not reflect new applications for deferred value (PUV), new senior/disabled exemptions, etc.

COMMISSIONER REPORT/COMMENTS:

Commissioner Gentry commented the need for foster care in Person County noting there was double the number of children requiring foster care since pre-COVID-19.

Commissioner Palmer asked his fellow commissioners to speak louder into the microphone or to remove the face mask when speaking as it was hard for him to understand everything that was being discussed.

There were no reports from Vice Chairman Puryear or Commissioner Sims.

CLOSED SESSION #1

A **motion** was made by Commissioner Sims and **carried 5-0** to enter into Closed Session at 9:53pm per General Statute 143-318.11(a)(4) for the purpose of discussion of matters relating to the location or expansion of industries or other businesses in the county (economic development) with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, Economic Development Director, Sherry Wilborn, County Attorney, Ellis Hankins, Jordan Jones, UNC School of Government Development Finance Initiative and Economic Development Commission Chairman, Phillip Allen.

The Closed Session #1 was called to order at 9:55pm.

A **motion** was made by Commissioner Gentry and **carried 5-0** to return to open session at 10:34pm.

CLOSED SESSION #2

A **motion** was made by Commissioner Gentry and **carried 5-0** to enter into Closed Session at 10:36pm per General Statute 143-318.11(a)(4) for the purpose of discussion of matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, Economic Development Director, Sherry Wilborn and County Attorney, Ellis Hankins.

The Closed Session #2 was called to order at 10:37pm.

A **motion** was made by Commissioner Gentry and **carried 5-0** to return to open session at 10:50pm.

ADJOURNMENT:

A **motion** was made by Commissioner Sims and **carried 5-0** to adjourn the meeting at 10:51pm.

Brenda B. Reaves
Clerk to the Board

Gordon Powell
Chairman