

**COLUMBUS COUNTY BOARD OF COMMISSIONERS
Manufactured/Mobile Home Park Ordinance Workshop**

September 28, 2009

6:30 P.M.

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, for the purpose of holding a Columbus County Manufactured/Mobile Home Park Ordinance Workshop.

COMMISSIONERS PRESENT:

James E. Prevatte **Chairman**
Ricky Bullard, **Vice Chairman**
Amon E. McKenzie (Arrived: 7:00 P.M.)
Giles E. Byrd
Edwin Russ
Lynwood Norris
Ronald Gore

APPOINTEES PRESENT:

William S. Clark, **County Manager**
Mike Stephens, **County Attorney**
June B. Hall, **Clerk to Board**

PLANNING BOARD MEMBERS:

Jim Dosssett, County Planner
Al Leonard, Chairman
Franklin Thurman
Haywood Corbett
Glen Evans
Barry Gelezinski
Johnny Edge, Vice Chairman
James Sarvis, Ex-Officio

WORKSHOP CALLED to ORDER:

At 6:30 P.M., Chairman Prevatte called the September 28, 2009 Columbus County Manufactured/Mobile Home Park Ordinance Workshop to order.

INVOCATION:

The invocation was delivered by Commissioner Ronald Gore.

READINGS of PROCEDURE and TYPES of PROCEDURES:

Chairman Prevatte stated the following:

Workshop meetings normally differ from regular board meetings in two respects as follows:

- the meeting is to inform the Board and permit discussion - no final action is taken; **and**
- the procedures are less formal than at a regular meeting, but such meetings are part of the decision-making process, deliberations are going on, and therefore, they constitute "official meetings".

INTRODUCTION by AL LEONARD:

Al Leonard, Chairman of the Columbus County Planning Board, stated the following:

1. We have a Manufactured/Mobile Home Park Ordinance, it has been in effect since the late 1990's, and it is on the books today;
2. When that Ordinance was adopted, very quickly, within a matter of a few months, the County Commissioners, at that time, went back and amended the Ordinance, and made changes;
3. The Manufactured/Mobile Home Park Ordinance has not been enforced, there is no agency in County Government that has been out here for the last eight (8) or ten (10) years implementing that Ordinance on a day-to-day, month-to-month, or year-to-year basis;
4. Last year, a previous Planning Board, had put together a Manufactured/Mobile Home Park Ordinance, and I think we got to the point that we were going to talk to the County Commissioners;
5. At that time, it became apparent that maybe there was some division on the Columbus

- County Planning Board about what we were recommending, so it never got to discussion and a Public Hearing to be adopted;
6. Looking back in retrospect, that was probably the best thing that could have happened, because we stand before you tonight with a document that is backed by every member of the Planning Board, it is an unanimously approved document;
 7. That is not to say that each one of us agreed one hundred (100%) percent with everything that is in that proposed Ordinance, there was a lot of give and take;
 8. We feel that at the end of the process, the product that has been suggested to you is a good product and we stand behind unanimously;
 9. What we did after it kind of fell apart last year, was our Vice Chairman, Johnny Edge and myself, as volunteers, went around and looked at other Mobile Home Park Ordinances of comparable likeness;
 10. We met with the Planning Director and the County Manager of Bladen County and we discovered an interesting thing, the Mobile Home Park Ordinance that Bladen County has today, originally came from your document from the late 1990's;
 11. Over the last ten (10) years, it has been amended, but they are using it very effectively, so we brought it back and our Board voted that, that would be our starting point;
 12. After we did that, two (2) very important things happened, and they are:
 - A. You hired Jim Dossett as County Planner, and we want to thank you for that, we feel like he is the right man, with the right tools for the right time here in Columbus County, and he is doing a tremendous job;
 - B. Several of the Board members made re-appointments to the Planning Board, and those guys have jumped into the traces and worked as hard as some of us that have been around for a while, and we have an excellent Planning Board, at this time;
 13. With a new Planner and a new Planning Board, we come back to you with an unanimous document;
 14. There are three (3) reasons why I think this document should be adopted, and they are as follows:
 - A. This plan is an improvement over what we got;
 - B. This plan is workable; **and**
 - C. This plan is an indicator;
 15. This plan is an improvement over the existing Ordinance and the one we brought to you a year ago because we have a lot more definition, and if we do away with the word sell and use the word rent, it will take the burden off of numerous mobile home parks;
 16. This plan is workable to all, it appeared the major fault went into what do the park owners think, and there seemed to be very little credence given to what do the other folks think;
 17. This plan is an indicator that if we can agree on some reasonable mobile home park regulations, we give an indication that we will take a look at the corridors, we will take a look at our subdivisions, we will try to get Golden Leaf to pay for a Land Use Plan;
 18. If we can't agree on mobile home park regulations that are an improvement, and are workable, then we give an indication that we are going to let the clock run out;
 19. I don't think that we, certainly the Planning Board members, don't what to give that indication; **and**
 20. We look forward to getting something on the books.

INTRODUCTION by JIM DOSSETT, COUNTY PLANNER:

1. The Columbus County Planning Board consists of Glenn Evans,, District IV, Franklin Thurman, District I, Ex Officio Member, James Sarvis with Soil and Water Conservation, Johnny Edge, District VII, Haywood Corbett, District II, Barry Gelezinski, District VI;
2. I appreciate these Board members and they have been a tremendous help to me; **and**
3. I will run through the major topics, and then we will go page-by-page as recommended by Chairman Prevatte, and they are as following:
 - A. Regrouping of the existing articles is the biggest thing;
 - B. Administration being shifted to the Planning Department;
 - C. A lot of discussion on hard-surface roads, signage, lighting, planting strips, and these thing did change;
 - D. Exemptions is a major change; **and**
 - E. Cleaned up the review process.

PAGE-by-PAGE DISCUSSION:**PAGE 1:**

Section C: Authority **Added additional General Statute information**

Section E: Administration **Changed to Planning Department**

PAGE 2:

Section B: Definitions **For the most part, the definitions were cleaned up and a few were added or changed.**

Word Usage #6 Added #6. Masculine includes feminine and neuter.

Family Defined (will be in document at a later place)

Farm Defined

Everything else on this page is the same.

Vice Chairman Bullard: I don't quite understand the part relative to farm.

Jim Dossett: The present Ordinance reads - if you have three (3) or more trailers on a farm, it is a mobile home park. The Planning Board feels that's not the intent of the Mobile Home Park Ordinance. It is not to regulate the farmer.

Commissioner Byrd: Under this Ordinance, the Migrant Camps that have been established will have to set vacant during the months the migrant workers are not staying in them, and cannot be rented.

Jim Dossett: This is correct, but some additional verbiage could be added to the Ordinance to allow for the rental of these units.

Commissioner McKenzie: Is there a limit on the number of houses that can be located on a farm?

Jim Dossett: There is no limit on the number of houses as long as one (1) worker from each house works on the farm.

PAGE 3:

This involves clarification, getting punctuation right and state references.

Number 12 (continued from Page 2): the County Attorney felt like we needed to define this into two (2) parts - automobiles and machinery.

Letter Permitting Construction - Allows you to start work.

Letter of Compliance: After the park is put in, giving owner permission to move homes in. Will be an annual letter, and I will work out a system to alert me on an annual basis.

Manufactured/Mobile Home Park: This is twisted around a little bit to match the new State definition.

Person: Defined.

Planning Board: More defined with reference.

Planning Department: Defines Planning Director or designee.

PAGE 4:

Public Water System: Correction the County Attorney made for us with State reference.

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Technical Review Committee (TRC): This is new. After I do the initial review, we get the experts in to review and make recommendations and passes onto Planning Board. This committee needs to stay a little loose.

Tract: Change recommended by County Attorney. It tightens up the definition.

Wind Zone II: Deleted -25 PSF.

PAGE 5:

Pre-Existing Parks

Section A. Minimum Standards:

Added #7: Provide a road maintenance disclosure statement.

Section B: Letter of Compliance

Added

PAGE 6:

Section F: Access and Streets:

Added the word **NO** to Manufactured/Mobile Home Park space may have direct driveway access to public road.

Roads, streets, driveways and parking areas shall be constructed with four (4") inches of ABC material tested to ninety (90%) percent compaction, or six (6") inches of ABC material.

PAGE 7:

Section H: Exterior Lighting

More defined.

Section I: Planting Strip

Will be a requirement now and list specifications.

Page 8:

Section J: Numbering and Park signs

2. Changed space numbers from four (4") inches to six (6") inches.
4. New - The Operator shall purchase all street signs through the Columbus County E-911 Addressing Office.

Article V: Additional Requirements and Restrictions

Section A: Manufacture Date

Added

PAGE 9:

Section B: Responsibilities and Duties of Operator

May have tightened up the language. This Ordinance is a little more stringent.

PAGE 10:

Section D: Skirting

Added

Set-up Discussion:

Discussion was conducted relative to who is ultimately responsible for making sure the mobile home is set up properly to pass inspection - the owner of the lot, the owner of the mobile home or the operator of the park.

After additional discussion was conducted, Jim Dossett stated that some verbiage could be added for clarification.

PAGE 11 and continuing to PAGE 12:**Section F: Residential Units Not To Be Travel Trailers**

You can not have a camper trailer sitting on a mobile home park that is actually used for housing.

Section H: Assist County Tax Assessor

No matter what your county Ordinance says, if you rent three (3) or more properties, the State requires you to report that to the Tax Assessor.

Section B: Exception for Farms

If you have a farm with three (3) or more units that are occupied by somebody that works on that farm, you do not fall under this regulation.

Discussion on Migrant Camp Classification:

Lengthy and in-depth discussion was conducted relative to the use and classification of vacated migrant camps. The following topics were discussed:

1. The majority of the migrant camps are situated in the middle of, or on, large acreage farms;
2. The State mandated the migrant camps to be brought up to certain standards which entailed large amounts of money to be expended;
3. The farmers were forced to diversify from tobacco production and are left with numerous migrant camps that could be utilized for other purposes;
4. Under the proposed Ordinance, if you have three (3) or more units located on the same site, you would have a mobile home park, and be forced to meet certain standards at additional expense;
5. No true farmer, who has land that has been in their family for generations, wants to section out their farm to make mobile home parks;
6. Due to the fact that the farmers were forced out of the tobacco business, and large amounts of money were expended on these migrant camps, there is a need for an exception to be included in the Ordinance for these migrant camps;
7. The requirements for family members occupying the dwellings on a farm needs to be less strenuous; **and**
8. If these mobile homes and/or migrant camps were existing before the passage of this Ordinance, they need to be grandfathered in, and not regulated by this Ordinance.

Section D: Enforcement

This section is basically the same as it was, and the way it is set up now is as follows:

1. The Planning Director will inspect the Mobile Home Park;
2. If a violation is discovered, the Operator will be notified in writing and will have thirty (30) days to take corrective action;
3. If a critical situation is discovered, the building official has the right to go in and take appropriate action, the Health Department has the same ability;
4. The Planning Department and the Environmental Health Department will make trips to the mobile home parks at the same time; **and**

5. If there is a violation, and the park owner refuses to amend or fix it, one thing that can be done is to hold the next Letter of Compliance.

Section E: Variances

This section has not changed at all. It is important for the Board to know that there is a State law that does not allow any Board to give a variance to a use type.

Section G: Right of Appeal

If the Planning Department does anything the applicant does not agree with, they can appeal it to the Planning Board. If they do not like the decision of the Planning Board, then it can be appealed to the court of appropriate jurisdiction as provided by law.

ARTICLE VII: APPLICATION PROCEDURE

Section A: Application for Approval

1. Sketch Plan:

What this does, is the park owner, or someone who is interested in developing a park, does not have to expend large amounts of money to get someone to draw up a plan. They come in and we talk about the feasibility of the plan. If there is an area that I am concerned with, this gives me the authority to take the sketch plan to the Technical Review Committee. This is a new step, it does not cost anything, it saves a lot of time and money. It is a really good tool.

SYNOPSIS of AREAS to be LOOKED at:

Chairman Prevatte stated there were three (3) areas the Planning Board needed to look at for revision in the Manufactured/Mobile Home Park Ordinance and bring back to the Board of Commissioners, as follows:

1. Responsibilities of the Owner (connecting to sewer and electricity);
2. Farm situation (migrant -vs- renters); **and**
3. Right of Appeal, next level.

ADJOURNMENT:

At 9:17 P.M., Chairman Prevatte declared the Manufactured/Mobile Home Park Ordinance Workshop adjourned.

APPROVED:

JUNE B. HALL, Clerk to Board

JAMES E. PREVATTE, Chairman