

**MARCH 15, 1993**

The Board of Commissioners of Franklin County, North Carolina met in regular session at 7:30 P. M. in the Superior Courtroom of the Franklin County Courthouse with the following Commissioners present: Chairman James G. Hardy, Vice Chairman George T. Wynne, Commissioner Harry L. Foy, Jr., Commissioner James T. Moss, Jr. and Commissioner Robert L. Swanson.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried the minutes of Commissioners' meetings held February 1 and February 15, 1993 approved.

Proper notice having been given, this is the time and place set for a public hearing to receive public comments on recommendations from the Franklin County Planning Board.

Chairman Hardy declared public hearing open at 7:35 P. M. and recognized County Planner Richard Reid who made comments on the following items:

1. Request for rezoning by Allison S. Michael for a 1.72 acre tract on State Road 1474 in Cedar Rock Township from Neighborhood Business to Conditional Highway Business
2. Amendment to the Unified Development Ordinance adding convenience centers as a conditional use in all zoning districts.
3. Amendment to the Unified Development Ordinance changing sewage & water treatment plants from a conditional use to a special use in the R-15 and R-8 Districts
4. Amendment to the Unified Development Ordinance adding public parks as a permitted use in all zoning districts

Chairman Hardy called for public comments on any of the public hearing items and no one spoke.

Chairman Hardy declared public hearing closed at 7:45 P. M.

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board the following ordinance amending the Franklin County Unified Development Ordinance adopted:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE  
(MAP) TO REZONE 1.72 ACRES LOCATED ON STATE ROAD 1474 IN CEDAR ROCK TOWNSHIP  
FROM  
NEIGHBORHOOD BUSINESS TO CONDITIONAL HIGHWAY BUSINESS DISTRICT**

WHEREAS, the Franklin County Planning Board has reviewed said petition and favorably recommends amendment per the requirements of the Franklin County Unified Development Ordinance; and,

WHEREAS, a public hearing of the Board of County Commissioners has been scheduled, duly advertised per the requirements of G. S. 153A, and conducted on March 15, 1993 at 7:30 P. M.

NOW, THEREFORE, BE IT ORDAINED, that the Board of Commissioners has acted favorably on the petition and provides for the following ordinance:

SECTION I:

That the a proximately 1.72 acres of land located in Cedar Rock Township on the east side of SR1474 be rezoned from the Neighborhood Business District to the Conditional Highway Business District, and more particularly described as follows:

Beginning at a point at the northwest most corner of Lot 75A, Map L05, and being the eastern right-of-way of State Road 1474; thence -easterly along the northern property line 5001 ; thence southerly 150 feet; thence westerly along a line parallel to the northern boundary line 500 feet to the right-of-way of SR1474; thence along the right-of-way of SR1474 150 feet to point of beginning, containing approximately 1.72 acres.

SECTION II That this ordinance shall become effective upon its adoption.

ADOPTED this the 15th day of March, 1993.

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Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Baord the following ordinance amending the Franklin County Unified Dvelopment Ordinance adopted:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (TEXT) IN REFERENCE TO ADDING CONVENIENCE CENTERS AS A CONDITIONAL USE IN ALL DISTRICTS**

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Zoning Ordinance on January 5, 1987; the Subdivision Ordinance on August 1 , 1985, the Mobile H0me & Travel Trailer Park Ordinance on October 21, 1985; and,

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Unified DDevelopment Ordinance on September 16, 1991; and,

WHEREAS, the Franklin County Planning Board has provided a recommendation per the requirements of the Franklin County Unified Development Ordinance; and,

WHEREAS, a public hearing of the Board of Commissioners has been scheduled, duly advertised, per the requirements of G. S. 153A, and conducted on March 15, 1993, and,

NOW, THEREFORE, BE IT ORDAINED that the Board of Commissioners has acted favorably on the Planning Board recommendation and provides the following amending ordinance:

SECTION I That Chapter 2, Article II, Section II-C, (A/R District) be amended as follows to add:

C. Conditional Uses:

20. Convenience Centers

That Chapter 2, Article II, Section 11-3 C, (R-1 District) be amended as follows to add:

C. Conditional Uses:

4. Convenience Centers

That Chapter 2, Article II, Section II-4 C, (R-15 District ) be amended as follows to add:

C. Conditional Uses:

11. Convenience Centers

That Chapter 2, Article II, Section 11-5 C, (R-8 District) be amended as follows to add:

C. Conditional Uses

8. Convenience Centers

That Chapter 2, Article II, Section 11-6 C, (NB District) be amended as follows to add:

C. Conditional uses

7. Convenience Centers

That Chapter 2, Article II, Section 11-6 C, (NB District) be amended as follows to add:

C. Conditional Uses

7. Convenience Centers

That Chapter 2, Article II, Section 11-7 C, (RB District) be amended as follows to add:

C. Conditional Uses

4. Convenience Centers

That Chapter 2, Article II, Section 11-8 C, (HB District) be amended as follows to add:

C. Conditional Uses

8. Convenience Centers

That Chapter 2, Article II, Section 11-9 C, (O-1 District) be amended as follows to add:

C. Conditional Uses:

6. Convenience Centers

That Chapter 2, Article II, Section II-10 C, (LI District) be amended as follows to add:

C. Conditional Uses

4. Convenience Centers

That Chapter 2, Article II, Section II-11 C, (HI District) be amended as follows to add:

C. Conditional Uses

2. Convenience Centers

SECTION II That this ordinance shall become effective upon its adoption.

ADOPTED is the 15th day of March, 1993.

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Upon motion by Commissioner Moss, seconded by Commissioner Wynne with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board the following ordinance amending the Franklin County Unified Development Ordinance adopted:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE  
(TEXT) IN REFERENCE TO CHANGING SEWER & WATER TREATMENT PLANTS**

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Zoning Ordinance on January 5, 1987, the Subdivision Ordinance on August 1, 1985, the Mobile Home & Travel Trailer Park Ordinance on October 21, 1985; and,

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Unified Development Ordinance on September 16, 1991; and,

WHEREAS, the Franklin County Planning Board has provided a recommendation per the requirements of the Franklin County Unified Development Ordinance; and,

WHEREAS, a public hearing of the Board of Commissioners has been scheduled, duly advertised, per the requirements of G. S. 153A, and conducted on March 15, 1993; and,

NOW, THEREFORE, BE IT ORDAINED that the Board of Commissioners has acted favorably on the Planning Board recommendation and provides the following amending ordinance:

Section I That Chapter 2, Article II, Section 11-4 (R-15 District), be amended as follows:

remove:

4. Community, county or municipal sewage treatment plants, water treatment, sanitary landfills provided that all buildings, structures, tanks, and pits be set back at least one hundred (100) feet from all exterior property lines, that a natural buffer at least fifty (50) feet in width separate all such uses from all exterior property lines, and that a non-climbable fence, at least six (6) feet in height, completely enclose such uses.

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add:

D. Special Use:

2. Community, county or municipal sewage treatment plants, water treatment, sanitary landfills, provided that all buildings, structures, tanks, and pits be set back at least one hundred (100) feet from all exterior property lines, that a natural buffer at least fifty (50) feet in width separate all such uses from all exterior property lines and that a non-climbable fence, at least six (6) feet in height, completely enclose such uses.

Section I That Chapter 2, Article II, Section 11-5 (R-8 District), be amended as follows:

remove:

C Conditional Uses:

5. Community, county or municipal water or sewage pumping stations, provided that such pumping stations

be set back at least thirty (30) feet from all exterior property lines, that they be enclosed by a fence, and that they be housed in a building that is compatible with the character of the surrounding development.

add:

D. Special Use:

2. Community, county or municipal water or sewage pumping stations, provided that such pumping stations

be set back at least thirty (30) feet from all exterior property lines, that they be enclosed by a fence, and that they be housed in a building that is compatible with the character of the surrounding development.

SECTION II That this ordinance shall become effective upon its adoption.

ADOPTED this the 15th day of March, 1993. airman

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board the following ordinance amending the Franklin County Unified Development Ordinance adopted:

### **AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (TEXT) IN REFERENCE TO ALLOWING PARKS & OPEN SPACE IN ALL DISTRICTS**

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Zoning Ordinance on January 5, 1987, the Subdivision Ordinance on August 1, 1985, the Mobile Home & Travel Trailer Park Ordinance on October 21, 1985; and,

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Unified Development Ordinance on October 21, 1985; and,

ment Ordinance on September 16, 1991; and,

WHEREAS, the Franklin County Planning Board has provided a recommendation per the requirements of the Franklin County Unified Development Ordinance; and,

WHEREAS, a public hearing of the Board of Commissioners has been scheduled, duly advertised per the requirements of G. S. 153A, and conducted on March 15, 1993; and,

NOW, THEREFORE BE IT ORDAINED that the Board of Commissioners has acted favorably on the Planning Board recommendation and provides the following amending ordinance:

Section I That Chapter 2, Article 11, Section 11-2, (A/R District) be amended as follows:

A. Permitted Uses:

11. Parks & Open Space (public or private)

That Chapter 2,

A. Permitted Uses

7. Parks & Open Space (public or private)

That Chapter 2, Article 11, Section 11-4, (R-15 District) be amended as follows:

A. Permitted Uses

10. Parks & Open Space (public or private)

C. Conditional Use:

8. Parks, picnic areas, public swimming pools, and other public or private recreation facilities.

That Chapter 2, Article II, Section 11-5, (R-8 District) be amended as follows:

A. Permitted Uses:

9. Parks & Open Space (public or private)

C. Conditional Use:

4. Parks, picnic areas, public swimming pools, and other public or private recreation facilities.

That Chapter 2, Article II, Section 11-6 (NB District) be amended as follows:

A. Permitted uses:

7. Parks & Open Space (public or private)

That Chapter 2, Article II, Section 11-7, (RB District) be amended as follows:

A. Permitted Uses:

8. Parks & Open Space (public or private)

That Chapter 2, Article II, Section 11-8, (HB District) be amended as follows:

A. Permitted Uses:

41. Parks & Open Space (public or private)

That Chapter 2, Article II, Section 11-9, (O-1 District) be amended as follows:

A. Permitted uses:

11. Parks & Open Space (public or private)

That Chapter 2, Article II, Section II-10, (LIDistrict) be amended as follows:

A. Permitted Uses:

41 Parks & Open Space (public or private)

That Chapter 2, Article II, Section II-11, (HI District) be amended as follows:

A. Permitted uses:

58 Parks & Open Space (public or private)

That Chapter 2, Article II, Section 11-12, (R-40 District) be amended as follows:

A. Permitted uses:

9. Parks & Open Space (public or private)

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That Chapter 2, Article II, Section 11-13, (R-80 District) be amended as follows:

A. Permitted Uses

7. Parks & Open Space (public or private)

SECTION II That this ordinance shall become effective upon its adoption.

ADOPTED this the 15th day of March, 1993.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried that a public hearing be held during the meeting of the Board of Commissioners, which begins at 7:30 P. M., to receive comments on recommendations from the Franklin County Planning Board.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson,,- voting "AYE" Commissioner Wynne, Commissioner Swanson, Commissioner Hardy and Commissioner Moss, voting "NO" Commissioner Foy, upon the recommendation of the Franklin County Planning Board the following ordinance creating the an Airport Height Overlay District adopted:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (TEXT) IN REFERENCE TO ADDING AN AIRPORT HEIGHT OVERLAY DISTRICT**

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Zoning Ordinance on January 5, 1987; the Subdivision Ordinance on August 1, 1985, the Mobile Home & Travel Trailer Park Ordinance on October 21, 1985; and,

WHEREAS, the Frnaklin County Board of Commissioners duly adopted the Franklin County Unified Development Ordinance on September 16, 1991; and,

WHEREAS, the Franklin County Planning Board has provided a recommendation per the requirements of the Franklin County Unified Development Ordinance; and,

WHEREAS, a public hearing of the Board of Commissioners has been scheduled, duly advertised, per the requirements of G. S. 153A, and conducted on February 15, 1993, and,

NOW, THEREFORE, BE IT ORDAINED that the Board of Commissioners has acted favorably on the Planning Board ercommendation and provides the following amending ordinance:

SECTION I That Chapter 4, Overlay Districts - Airport Height Overlay District (AHO) be added as follows:

**AIRPORT HEIGHT OVERLAY DISTRICT (AHO)**

**ARTICLE I ----- GENERAL PROVISIONS**

**Section I-1 Purpose**

The Airport Height Overlay District (AHO) is established as an overlay district of all general zoning districts in the vicinity of the Franklin County Airport., The purpose of the AHO is to protect the airport environs from encroachment of incompatible land uses which present hazards to users of the airport as well as to persons residing or working in the airport vicinity. The additional regulations imposed in the AHO are designed to place additional height restrictions on buildings, structures and trees.

B. The Airport Height Overlay (AHO) District is not intended to be utilized as a district classification, but as designation which identifies area subject to regulations which are supplementary to the regulations of the district to which such designation is attached, appended or "overlaid". Regulations which apply to areas designated on the zoning map as being within such appended or overlaid designation must be determined by joint reference to the regulations of both the basic district classification and the appended or overlay classification.

B. It is the intent of this section to restrain influences which are adverse to the property and safe conduct of aircraft in the vicinity of the Franklin County Airport, to prevent creation of conditions hazardous to aircraft operation, to prevent conflict with land development which may result in a loss of life and property, and to encourage development which is compatible with airport use characteristics within the intent and purpose of zoning. To this end, the AHO designation, when appended to a basic district classification, is intended to coordinate the purpose and intent of this section with other regulations duly established by the County of Franklin whose primary intent is to further the purposes set out above.

#### Section 1-2 Authority

The provisions of this ordinance are adopted by the Franklin County Board of Commissioners under authority granted by the General Assembly of the State of North Carolina, in Chapter 153A, Article 18 of the General Statutes. Section 1-3 Zones

Except as otherwise provided in this section, no structure shall be erected, altered or maintained, and no trees shall be allowed to grow in any zone created by this section to a height in excess of the applicable height limitations herein established for each zone in question as follows:

#### C. Approach Zone - AHO-A:

Runway 22= slopes thirty-four (34) feet outward for each one (1) foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand (10,000) feet along the extended runway centerline. Runway 4 = slopes fifty (50) feet outward for the each one (1) foot upward for the first ten thousand (10,000) feet, and slopes forty (40) feet outward for each one (1) foot upward for forty thousand (40,000) feet. B. Transitional Zones - AHO-T:

Slopes seven (7) feet outward for each foot upward beginning at the side of and at the same elevation as the primary surface and the approach surface, and extending to a height of one hundred fifty (150) feet above the airport elevation or 516.25 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides and at the same elevation as the approach surface, and extending to where they intersect the horizontal surface.

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#### C. Horizontal Zone - AHO-H:

Established at one hundred fifty (150) feet above the airport or at an elevation of 516.25 feet above mean sea level.

#### D. Conical Zone - AHO-C:

Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal zone and at one hundred and fifty (150) feet above the airport elevation and extending to an elevation of 716.25 feet above mean sea level.

#### Section 1-4 Use Restrictions

Notwithstanding any other provisions of this section, no use may be made of land or water within any zone established by this section in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

#### Section 1-5 Nonconforming Uses

1. Regulations Not Retroactive - The regulations prescribed by this section shall not be construed to require the removal, lowering or other change or alternation of any structure or tree not conforming to the regulations as of the effective-date of this section, or otherwise interfere with the continuance of a

nonconforming use. Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this section, and is diligently prosecuted.

2. Markings and Lighting -Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by the Franklin County Airport Commission to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated and maintained at the expense of Franklin County Airport Commission.

#### Section 1-6 Issuance of Zoning Permit

The Zoning Administrator shall not issue a zoning permit within an AHO-A, AHO-H or AHO-C area until it has been determined that the proposal upon which he is requested to act is in compliance with the terms of these regulations.

##### A. Future Uses:

Except as specifically provided in (1), (2) and (3) hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no trees shall be planted in any zone hereby created unless a permit therefor shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient information particularly to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this section shall be granted unless a variance has been approved in accordance with subsection (D).

(1) In the area lying within the limits of horizontal zone and conical zone, no permit shall be required for any tree or structure less than one hundred (100) feet of vertical height above the ground except when because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones. (2) In areas lying within the limits of the approach zones, but at a horizontal distance of not less than four thousand two hundred (4,200) feet from each end of the runway, no permit shall be required for any tree or structure less than one hundred (100) feet of vertical height above the ground except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

1. In the areas lying within the limits of the transition zones, no permit shall be required for any tree or structures less than one hundred (100) feet above the ground, except when such tree or structure because of terrain, land contour or topographic features, would extend above the height limit prescribed for such transition zones.
- (4) Amateur radio operators must comply with Part 97 of FCC regulations. Nothing contained in any of the foregoing exceptions, shall be construed as permitting or intending to permit any construction, alteration of any structure or growth of any tree in excess of any height limits established by this Chapter except as set forth in Section 1-5.

##### A. Existing Uses:

No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this section, or any amendments thereto, or than it is when the application for a permit is made. Except as indicated, all applications for such permit shall be granted.

##### B. Nonconforming Uses Abandoned or Destroyed:

Whenever the administrator determines that a nonconforming tree or structure has been abandoned or more than eighty percent (80%) torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

##### C. Variances

Any person desiring to erect or increase the height of any structure, or permit the growth of any tree or use property not in compliance with the regulations prescribed in this Chapter may apply to the Board of Adjustment for a variance in accordance with the provisions of Chapter 2, Article VIII. The application for a variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement



of the regulations will result in unnecessary hardship and relief, if granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and will be in accordance with the spirit of this Chapter. Additionally, no application for variance to the requirements of this section may be considered by the Board of Adjustment unless a copy of this application has been furnished to the airport manager and/or the airport commission for advice as to the aeronautical effects of the variance. If the airport manager and/or airport commission does not respond to the application within fifteen (15) days after receipt, the Board of Adjustment may act on its own to grant or deny said application.

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Any permit or variance granted, if such action is deemed advisable to effectuate the purpose of this section and be reasonable in the circumstances, may be so conditioned as to require the owner of the structure or tree in question to install, operate or maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Board of Adjustment, this condition may be modified to require the owner to permit the Franklin County Airport Commission, at its own expense, to install, operate and maintain the necessary markings and lights.

#### Section 1-7 Enforcement

It shall be the duty of the Zoning Administrator to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Director of the Department of Planning and Development upon a form published for that purpose. Applications required by this Chapter shall be promptly considered and granted or denied.

#### Section 1-8 Penalties

Violation of this chapter shall be a misdemeanor as provided by N.C.G.S. 153A-123(b) and N.C.G.S. 144-4. This chapter may be enforced by injunction and order of abatement, and all other appropriate equitable remedies to insure compliance with this chapter as provided in N.C.G.S. 153A-123. Each day's continuing violation shall be considered a separate and distinct offense as provided in N.C.G.S. 153A-123(g).

#### Section 1-9 Conflicting Regulations

Where there exists a conflict between any of the regulations or limitations prescribed in this Ordinance and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

#### Section 1-10 Severability

If any of the provisions of this Ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this are declared to be severable.

Section II The following definitions shall be added to Chapter 1, Section 1-2, of the Franklin County Unified Development Ordinance:

Airport Height Overlay Definitions:

Airport: as used in Chapter 4 shall refer to: Franklin County Airport

Airport Elevation: The highest point of an airport's usable landing area measured in feet above mean sea level. The Franklin County Airport elevation equals 366.25.

Approach Surface: A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope as set forth in Chapter 4, Airport Height Overlay District.

Airport Zones: Precision Approach Zone: The inner edge of this approach zone coincides with the width of the primary surface and is one thousand (1,000) feet wide. The approach zone expands outward uniformly to a width of sixteen thousand (16,000) feet at a horizontal distance of fifty thousand (50,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

Non-Precision Approach Zone: The inner edge approach zone coincides with the width of the primary surface and begins two hundred (200) feet from the runway end and is one thousand (1,000) feet wide. The approach zone expands outward uniformly to a width of four thousand (4,000) feet at a horizontal distance of ten thousand (10,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

Conical Surface: A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of four thousand (4000) feet.

Conical Zone: A conical zone is established on the area that commences at the periphery of the horizontal zone and extends outward therefrom for a distance of four thousand (4000) feet, and upward at a slope of 20:1.

Hazard to Navigation: An obstruction determined to have a substantial adverse effect on the safety and efficient utilization of the navigable airspace.

Height: For the purpose of determining the height limits in the airport height restrictive area, the datum shall be mean sea level elevation unless otherwise specified.

Horizontal Surface: A horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which in plan coincided with the perimeter of the horizontal zone. Horizontal Zone: The horizontal zone is established, the primary surface of the runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

Obstruction: Any structure, growth or other object, including a mobile object, which exceeds a limited height set forth in Chapter 4, Airport Height Overlay District.

Primary Surface: A surface longitudinally centered on a runway. The primary surface extends two hundred

(200) feet beyond each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is one thousand (1000) feet.

Runway: A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Structure: An object, including a mobile object, constructed or installed by man, including but not limited to: buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

Transition Surfaces: These surfaces extend, outward at right angles (ninety-degree angles) to the runway

centerline and extend at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.

Transitional Zones: The transitional zones are the areas beneath the transitional surfaces.

SECTION III That this ordinance shall become effective upon its adoption.

ADOPTED this the 15th day of March, 1993.

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### **Minutes of meeting of March 15, 1993 --- Continued**

Dr. Delma Blinson, School Merger Consultant, appeared before the Board to present the proposed act to merge the Franklin County and Franklinton City School Administrative Units and the accompanying Implementation Policy for possible approval.

Upon motion by Commissioner Moss, seconded by Commissioner Foy with all present voting "AYE" duly carried approve the Act to Merge the Franklin County and Franklinton City School Administrative Units and the accompanying Implementation Policy subject to revision of districts in Section 4a, and Section 6a and 6d; and that the plan and policy be submitted immediately to the Franklin County Legislative delegation for enactment by the North Carolina General Assembly.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried that 0.5 acre of land located at the Gold Sand Elementary School be declared surplus property and advertised for public sale.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried the Epsom School property declared surplus property and the county manager authorized to advertise it for public sale.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried the following lots located at Lake Royale be declared surplus property and offered for sale through the negotiated offer, advertisement, and upset bid process:

Lake Royale lot C1841	\$750.00
Lake Royale Lot C1317	\$750.00
Lake Royale Lot 1965	\$500.00

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried approve agreement between Franklin County and McKim & Creed Engineers for professional services for implementation of the Franklin County Water Facilities Improvements - Phase 1.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried that the Franklin County Board of Commissioners will sit as the Board of Equalization and Review on April 20 & April 21, 1993, from 7:30 P. M. until 9:00 P. M. in the Conference Room of the Franklin County Office Building.

Upon motion by Commissioner Wynne, seconded-by Commissioner Foy with all present voting "AYE" duly carried the following resolution concerning the Home & Community Care Block Grant for older adults be adopted and that the Kerr-Tar Regional Council of Governments be designated with lead responsibility for planning and coordination of the Aging County Funding Plan under the Home & Community Care Block Grant:

#### **RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS**

WHEREAS, the North Carolina General Assembly enacted Senate Bill 165: AN ACT TO PROVIDE FOR THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING TO ADMINISTER A HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS; and,

WHEREAS, North Carolina General Statute 143B-181.1(c) gives the Division of Aging authority to establish policies and procedures for programs administered by the Division; and,

WHEREAS, the Division of Aging has established policies and procedures for the Home and Community Care Block Grant which were effective July 1, 1992; and,

WHEREAS, these policies and procedures call for the development of a county Home and Community Care Block Grant Aging Funding Plan in each county in North Carolina; and,

WHEREAS, these policies and procedures call for the County Board of Commissioners to annually designate an agency or office with lead responsibility for planning and coordination in the development of the County Aging Funding Plan; and,

WHEREAS, these policies and procedures also call for the County Board of Commissioners to appoint a committee to serve as a Block Grnt Advisory Committee to the lead agency for planning and coordination in the development of the County Aging Funding Plan.

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners do hereby designate the Kerr-Tar Regional Council of Governments to have lead responsibility for planning and coordination in the development of the County Aging Funding Plan.

BE IT FURTHER RESOLVED that the Franklin County Board of Commissioners appoints the following committee to serve as a Block Grant Advisory Committee to the agency with lead responsibility for the development of

the County Aging Funding Plan:

Roxanne Bragg-Cash	Glenn Osborne
Mattie Woodard	Angela Harris
Anita Flayer	James T. Moss, Jr.

ADOPTED this the 15th day of March, 1993.

Upon motion by Commissioner Moss, seconded by Commissioner Foy with all present voting "AYE" duly carried approve road petition for Addition to State System for Misty Way and forward to the North Carolina Department of Transportation for evaluation and review.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve road petition for Paving a portion of SR1201 and forward to the North Carolina Department of Transportation for Evaluation and Review.

## **445**

### **Minutes of meeting of March 15, 1993 --- Continued**

Upon motion by Commissioner Moss, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following appointments made to the Franklin County Solid Waste Education Task Force:

Nancy Huber  
Route 3, Box 259

Franklinton, NC Reappointed two-year term, expiring 1995

John Houston  
124 Rex Place  
Louisburg, NC

Reappointed two-year term, expiring 1995

Cheryl Dement  
120 Jolly Street  
Franklinton, NC

Appointed two-year term, expiring 1995

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried the following appointment made to the Franklin County Library Board:

Karen Raun  
Route 1, Box 149P-25  
Youngsville, NC

Appointed to fill unexpired term, expiring July, 1993

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following appointment made to the Franklin County Planning Board:

David Brantley

Route 2, Box 199  
Zebulon, NC

Appointed to fill unexpired term, expiring September, 1993

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried the following budget amendments approved:

**FRANKLIN COUNTY BUDGET ORDINANCE AMENDMENT**

BE IT ORDAINED by the Board of Commissioners of the County of Franklin, North Carolina that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 1993. Section 1. To amend the Public Assistance Fund, the expenditures are to be changed as follows:

ACCOUNT	LINE	Decrease	Inc
40-660-5190	Crisis		\$ 2,089.00
40-660-0190	Day Care-		
Federal		14,130.71	
40-660-0191	Day Care-		
State		4,037.29	

This will result in a net increase of \$20,257 in the expenditures of the Public Assistance Fund. To provide the additional revenue for the above, the following revenues will be increased.

ACCOUNT	LINE	AMOUNT
40-335-0000	Carolina Power & Light	\$ 2,089.00
40-349-0000	Federal Revenues	14,130.71
40-348-0000	State Revenues	4,037.29

Section 2. Copies of this amendment shall be furnished to the Clerk to the Board of Commissioners, the Budget Officer and the Finance Officer for their direction.

ADOPTED this 15th day of March, 1993.

**FRANKLIN COUNTY BUDGET ORDINANC ENDMENT**

BE IT ORDAINED by the Board of Commissioners of the County of Franklin, North Carolina, that pursuant to North Carolina General Statutes 159-13.2, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 1993 Section 1. To amend the Franklinton Library Project, the expenditures are to be charged as follows:

ACCOUNT	LINE	Decrease	
63-630-0330	Furnishings	(\$10,000)	
63-630-0450	Architect/Design		\$
63-630-0720	Construction		25,86
63-630-0740	Contingency	(\$12,935)	

This will result in a net increase of \$5,900 in the expenditures of the Franklinton Library Project. To provide the additional revenue for the above, the following revenues will be increased.

ACCOUNT	LINE	AMOUNT
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63-350-0000 Local Donations \$ 5,900

Section 2. Copies of this amendment shall be furnished to the Clerk to the Board of Commissioners, the

Budget Officer and the Finance Officer for their direction.

ADOPTED this 15th day of March, 1993.

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#### Minutes of meeting of March 15, 1993 ---- Continued

#### FRANKLIN COUNTY BUDGET ORDINANCE AMENDMENT

BE IT ORDAINED by the Board of Commissioners of the County of Franklin, North Carolina that, pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance

for the fiscal year ending June 30, 1993:

Section 1. To amend the DEA Fund, the expenditures are to be changed as follows:

ACCOUNT	LINE	Decrease	Inc
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rease

41-510-0355	Law Enforcement		
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Equipment		\$ 2,158	
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This will result in a net increase of \$2,158 in the expenditures of the DEA Fund. To provide the additional revenue for the above, the following revenues will be increased. These funds have already been received:

ACCOUNT	LINE	AMOUNT
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41-349-0000	Federal Forfeiture Funds	\$ 2,158-00
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Section 2. Copies of this amendment shall be furnished to the Clerk to the Board of Commissioners, the Budget Officer, and the Finance Officer for their direction.

ADOPTED this the 15th day of March, 1993.

#### FRANKLIN COUNTY BUDGET ORDINANCE AMENDMENT

BE IT ORDAINED by the Board of Commissioners of the County of Franklin, North Carolina that, pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance

for the fiscal year ending June 30, 1993:

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

ACCOUNT	LINE	Decrease	Increase
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e

10-495-0750	Capital Projects, Economic Development	\$ 45,000.00	
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This will result in a net increase of \$45,000 in the expenditures of the General Fund. To provide the additional revenue for the above, the following revenues will be increased. These revenues have already been received.

ACCOUNT	LINE	AMOUNT
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10-348-0196	State Grants-Economic Development	\$ 45,000.00
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Section 2. Copies of this amendment shall be furnished to the Clerk to the Board of Commissioners, the Budget Officer, and the Finance Officer for their direction.

ADOPTED this the 15th day of March, 1993.

Upon motion by Commissioner Moss, seconded by Commissioner Moss with all present voting "AYE" duly carried

request that the North Carolina Department of Transportation consider the installation of traffic light with turn signals at the intersection of U. S. #1 and N. C. #96.

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried authorize County Manager Hodgkins to take necessary actions to repair the roof on the Franklin County Jail.

There being no further business to come before the Board, adjournment recorded at 10:00 P. M.