

Board of Commissioners

Benita Finney, Chair
M Brent Shoaf, Vice Chair
Richard Poindexter
Terry Renegar
Mark Jones



Brian Barnett
County Manager
Commissioners Room
123 S. Main Street
Mocksville, NC 27028
July 23, 2026
9:00 AM

MINUTES

**Davie County - Board of Commissioners
Work Session**

1. Meeting Called to Order - Chair Finney

At 9:00 AM, Benita Finney called the meeting to order. Commissioner Shoaf was not present at this time.

2. Invocation - Rodney Pierce

3. Pledge of Allegiance - Meagan Tomlin

4. Adopt Agenda - Chair Finney

Commissioner Renegar made the motion to adopt the agenda. Commissioner Jones seconded the motion. All were in favor, and the motion passed 4-0 (Jones, Finney, Poindexter, Renegar)

5. Report to Board - Brian Barnett

Commissioner Shoaf arrived at 9:02 AM.

Commissioner Jones asked Cindy Hendricks what the estimated amount to be put into the fund balance would be. Cindy and Brian Barnett explained they would get those numbers to the commissioners. Jones stated he would like these numbers soon to see if there is an option to give funds back to the citizens of Davie County.

a. Emergency Management Ordinance Introduction — Cameron Webb

Fire Marshal Cameron Webb presented a proposed Emergency Management Ordinance for the Board's consideration and outlined its purpose and importance. He explained that the ordinance would establish the legal framework for emergency management within Davie County and clearly define the roles and responsibilities of the Board of Commissioners during a declared emergency. Brian Barnett advised that the proposed ordinance would be presented for a public hearing at the September Board of Commissioners meeting. Commissioner Jones asked for clarification that the proposed ordinance would not change what constitutes an emergency. Cameron confirmed that the ordinance would not alter the definition of an emergency. He explained that, under the proposed framework, he would coordinate with County Manager Brian Barnett, and the Chair of the Board of Commissioners would make local

emergency declarations and related decisions as authorized by the ordinance.

b. Subdivision Discussion - Johnny Easter

Johnny Easter presented the proposed amendments to the Davie County Subdivision Ordinance for the Board's review. The proposed changes include:

- Increasing the minimum lot width to 100 feet.
- Increasing the minimum front setback to 50 feet and establishing a 20-foot minimum setback where applicable.
- Revising common open space requirements, with the required amount varying based on the number of lots. For subdivisions containing 10 lots or more, all proposed ordinance changes would apply if approved by the Board.
- Providing clearer definitions for common open space, including specifically defining what constitutes an active recreation space.
- Adding performance guarantee provisions to the ordinance.
- Requiring approval of clustered mailbox units and Davie County school bus stop locations as part of the subdivision review process.
- Defining street trees within the ordinance. Commissioner Shoaf suggested requiring a minimum tree caliper of 6 inches.
- Requiring all major subdivisions to install a Type C buffer strip around the perimeter of the development. The Board indicated it does not wish to require buffer strips between individual residential lots.
- Authorizing the Board to establish subdivision review fees, with revenue designated to offset costs such as third-party engineering and technical reviews. Commissioner Jones requested that Mr. Easter research fees charged by other counties and identify how those funds are utilized before presenting a recommendation.
- Addressing water and sewer service requirements through the Public Utilities Ordinance. Mr. Easter stated that subdivision applicants would be directed to that ordinance for utility requirements and connections.

Mr. Easter advised that the proposed ordinance amendments must first be reviewed by the Planning Board and undergo the required public advertisement process. The Board is expected to consider the proposed Subdivision Ordinance amendments at the September 8 Commissioners Meeting.

Chair Finney wants to ensure roads will be wide enough for all emergency vehicles to be able to get to and from all homes.

6. Pending Action Items - Brian Barnett

Mr Barnett stated that we will not have an August work session due to the conference.

He reviewed the tentative agenda for the August 3 Regular Meeting, which is expected to

include the following items:

- Hazard Mitigation Plan
- Kinderton Farms Sewer Capacity
- Exempt Engineers
- Contract for the Safe County Project

7. Discussion Items - Chair Finney

Commissioner Renegar asked Mr. Barnett for a Definition of Data Centers. Brian stated that there should be something presented to the planning board in August for an actual ordinance regarding Data Centers.

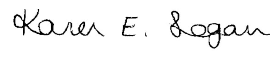
8. Commissioners' Comments

The Commissioners thanked everyone for attending the meeting and expressed their appreciation for all that staff and the community do for Davie County. Commissioner Jones stated that, earlier in the week, the Board received information regarding Duke Energy's request related to zoning for two proposed power plants. He noted that the correspondence from Duke Energy was addressed to County staff rather than the Board of Commissioners and requested that the letter be included in the official meeting minutes as part of the record.

9. Adjourn - Chair Finney

Commissioner Shoaf made the motion to adjourn. Commissioner Poindexter seconded the motion. All were in favor, and the motion passed 5-0 (Jones, Finney, Poindexter, Renegar, Shoaf)


Benita Finney - Chair


Karen Logan - Clerk



Proposed Subdivision Ordinances Changes



-Lot Width

All lots in a major subdivision shall meet the following requirements:

(a) Lot width. 100 feet shall be the minimum width of each lot. The measurement shall be made from one side property line to the other at the building at the building setback line.

-Setbacks

All lots in a major subdivision shall meet the following requirements:

Front yard setback. 50 feet shall be minimum setback of the principal structure, measured from the nearest point of the building and the right-of-way line.

-Setbacks

All lots in a major subdivision shall meet the following requirements:

Side yard setback. 20 feet shall be the minimum side yard for each principal building, measured from the nearest point of the building and the side lot line.

Proposed Subdivision Changes

- **All Major Subdivisions Greater than 10 lots shall meet the follow:**
 - TRC and Staff approval of site plan.
 - Pedestrian access. Sidewalks shall be provided on at least one side of all street. Sidewalks shall be constructed of concrete, brick, or stone paving materials on a case- by-case basis. Sidewalks shall be a minimum width of five (5) feet. Vertical clearance along all sidewalks shall be at least eight (8) feet maintained by a homeowners association.
 - Sidewalk lighting shall be required along all sidewalks, all lighting shall be 15' or less in height, all light fixtures shall be located, aimed or shielded so as to minimize stray light trespassing across property boundaries and be directed in a way so as not to jeopardize traffic safety. Sidewalk lighting shall have a character compatible with the nature of the area and complementary to the building architecture and shall be provided at pedestrian intersections, public spaces and along paths to parking lots and other destinations maintained by a homeowners association.
 - Street trees shall be planted along both sides of all public streets maintained by a homeowners association.
 - Shall have at least 2 NC DOT approved entries/exists that connect or are accessed by a publicly-dedicated or maintained street/road.
 - Curb and gutter shall be required along all streets/roadways.
 - Final Site plan and design Approval by the Davie County Planning Board and the Davie County Board of County Commissioners.

Proposed Subdivision Changes



- **All Major Subdivisions lots shall meet the follow:**
- ***Maximum Lot Width to Depth Ratio 1:4 or 4:1***
- ***Example 100'x 400' or 400' x 100'***

Proposed Subdivision Changes

■ Open Space

To qualify as common open space, land shall be usable for recreation purposes or shall provide visual, aesthetic or environmental amenities and may not be occupied by streets, drives, parking areas, or structures other than recreational structures. At least 30% of the gross area (unless otherwise allowed by the Davie County Board of Commissioners dedicated (for open space) must be suitable for and designed to be used as **active recreation space (for example, walking trails, ball fields, community swimming pools, playgrounds and the like).**

Open space shall be held in common ownership by a homeowner's association as public open space.

■ Performance Guarantees

Major subdivision shall have a Performance Guarantee:

§160D-804.1. Performance guarantees. To assure compliance with G.S. 160D-804 and other development regulation requirements, a subdivision regulation may provide for performance guarantees to assure successful completion of required improvements.

Proposed Subdivision Changes

■ Clustered Mailbox Units and Davie County School Bus Stops

Major subdivision with more than 10 lots shall meet the following requirements:

- When cluster mailbox units and Bus Stops are required by the UPS and Davie County School, they shall be configured in accordance with the following:
- Cluster mailbox units shall be configured in accordance with all applicable USPS standards.
- Cluster mailbox units shall be served by a sidewalk connected to the larger pedestrian network in the development, or shall provide at least two designated parking spaces that provide safe and unobstructed access to the mailbox unit.
- Cluster mailbox units and Bus Stops shall be covered to protect pedestrians from inclement weather while accessing their individual mailbox.
- Cluster mailbox units and Bus Stops shall be served by exterior illumination of at least 2 foot-candles to ensure safety during night time hours.
- Cluster Mailbox Units and Bus Stops must be located on a lot or area dedicated for open space or public access easement obtained by the developer.
- Cluster Mail Box Units and Bus Stops may not be placed in the Right of Way (ROW) of any road.
- The location of the Cluster Mailbox Unit and Bus Stops within the subdivision shall be determined by the Zoning Administrator or Subdivision Administrator; local Post Master; School Superintendent and developer or builder.

Proposed Subdivision Changes

- **All Major Subdivisions Greater than 10 lots shall meet the follow:**
 - TRC and Staff approval of site plan.
 - Pedestrian access. Sidewalks shall be provided on at least one side of all street. Sidewalks shall be constructed of concrete, brick, or stone paving materials on a case- by-case basis. Sidewalks shall be a minimum width of five (5) feet. Vertical clearance along all sidewalks shall be at least eight (8) feet maintained by a homeowners association.
 - Sidewalk lighting shall be required along all sidewalks, all lighting shall be 15' or less in height, all light fixtures shall be located, aimed or shielded so as to minimize stray light trespassing across property boundaries and be directed in a way so as not to jeopardize traffic safety. Sidewalk lighting shall have a character compatible with the nature of the area and complementary to the building architecture and shall be provided at pedestrian intersections, public spaces and along paths to parking lots and other destinations maintained by a homeowners association.
 - **Street trees shall be planted along both sides of all public streets maintained by a homeowners association.****
 - Shall have at least 2 NC DOT approved entries/exists that connect or are accessed by a publicly-dedicated or maintained street/road.
 - Curb and gutter shall be required along all streets/roadways.
 - Final Site plan and design Approval by the Davie County Planning Board and the Davie County Board of County Commissioners.

Proposed Subdivision Changes

- ****All Major Subdivisions where Street Trees are required, the follow shall be met:**
- Locally-adapted/ Native Tree species shall be used for all required plantings shall be used. (Ex. But not limited to: **Flowering Dogwood, Eastern Redbud, Paperbark Maple, Serviceberry**)
- Trees with a minimum height of 30' at maturity, with a minimum height of 8' of planting, with a minimum Caliper of 6" measured at 6" above ground level shall be placed no more than 25' on center.
- The Zoning Administrator may approve revisions to an approved landscaping plan in order to accommodate seasonal planting problems or a lack of plant availability as long as:
 - a) There is no reduction in the quantity of plant material.
 - b) There is no significant change in the size or location of plant materials.
 - c) The new plants are of the same general category and have the same general design characteristics as the materials being replaced.

Proposed Subdivision Changes

-Buffers

All Major Subdivisions shall have a Type C buffer strip installed around the perimeter and between each home.

Type C.

(a) Buffer: Ten feet.

(b) Screening shall consist of:

1. A row of evergreen conifers or broadleaf evergreens placed not more than five feet apart which would grow to form a continuous hedge of at least six feet in height within two years of planting; and

2. Lawn, low-growing evergreen shrubs, evergreen ground cover, or rock mulch covering the balance of the buffer.

Major Subdivision Fees?

Questions?

SENT VIA EMAIL

Johnny Easter
Davie County Planning Director

Dear Mr. Easter:

I write on behalf of Duke Energy, the owner of that certain property located on Highway 801 (PIN 5766853034) with a County Parcel ID of L7-000-00-001 (the "Property") to request a formal determination that a Combined Cycle Power Plant is a permitted use on the Property under its current zoning.

As background, it is our understanding that the Property is located in the Residential-Agricultural (R-A) zoning district. To the extent possible, we request that you confirm the current zoning of the Property.

By this correspondence, we request that you make the requested use determination in your role as the County's Zoning Enforcement Officer. This determination is needed because the Table of Use Districts contained in Section 155.125 of the Davie County Zoning Ordinance (the "Ordinance") does not list "power plant" or "power generation" as a use. When a particular land use is not specifically listed in the Table of Use Districts contained at Section 155.125 of the Davie County Zoning Ordinance (the "Ordinance"), the Zoning Enforcement Officer "shall make a determination of whether or not the particular use is permitted in that district." (Section 155.124 of the Ordinance.)

My client has reviewed the Ordinance and has concluded that a Combined Cycle Power Plant is most similar to the "Public works and public utilities" use listed in the Table of Use Districts contained at Section 155.125 of the Ordinance. The term "public works facility" is defined by the Ordinance to mean "production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the State Utilities Commission." While the term "public utilities" is not expressly defined in the ordinance, the term is defined in state law. Under Section 62-3(23) of the North Carolina General Statutes, the term "public utility" includes any person or company that owns or operates equipment for "producing, generating, transmitting, delivering or furnishing electricity ... to or for the public for compensation." Duke Energy meets the state law's definition of a public utility and is subject to the jurisdiction of the State Utilities Commission. Duke Energy will operate the Combined Cycle Power Plant, which will produce and transmit electricity for use by residents of Davie County and the surrounding region.

Because the proposed Combined Cycle Power Plant use meets the UDO definition of a "public works facility" and the state statute definition of a "public utility" facility, a Combined Cycle Power Plant should be determined to be a Public works and public utilities use. Public works and public utilities uses are permitted by right in the R-A zoning district according to the Table of Use Districts contained at Section 155.125 of the Ordinance. As a result, we ask you to formally determine that a Combined Cycle Power Plant is permitted by right on the Property, which is located in the R-A zoning district.

Thank you in advance for your attention to this matter.

Best,

Toby