

## **AGENDA**

### **ROCKINGHAM COUNTY PLANNING BOARD**

**January 11, 2021 at 7:00 pm**

County Commissioners Chambers

Rockingham County Governmental Center



#### **I. Call Planning Board to order**

#### **II. Invocation**

#### **III. Approval of Minutes:** December 14<sup>th</sup>, 2020

#### **IV. Review of Procedures for Planning Board**

#### **V. Public Hearings before the Planning Board**

1. Special Use Permit Case #2021-01, John & Angela Wright: Seeking SUP to allow for a Doublewide Manufactured Home in a Residential Protected District. Tax PIN: 706109274134, 163 Michele Lane – Eden
2. Special Use Permit Case #2021-02, Gene Blackburn: Seeking SUP to operate an Airsoft Facility in a Residential Agricultural District. Tax PIN: 891200600902, 1404 Mizpah Church Road – Williamsburg Township
3. Rezoning Case #2021-03, Jeff Biggs: Rezoning from Residential Agricultural to Highway Commercial – Conditional District. Tax PIN: 792400161586 (portion), Intersection of Williams Road & US 220 – Huntsville Township
4. Special Use Permit Case #2021-04, Oakwood Homes: Seeking SUP to allow for a Double Manufactured Home in a Residential Protected District. Tax PIN: 790400232226, 2163 Lindsey Bridge Road – Huntsville Township
5. Rezoning Case #2021-05, Carroll Industrial Development: Rezoning from Residential Agricultural to Light Industrial. Tax PIN: 792101477507, 496 Sylvania Road – New Bethel Township

#### **VI. Other Business:**

- a. Old Business: None
- b. New Business: Update on Land Use Plan and UDO contract

#### **VII. Adjourn**



## ROCKINGHAM COUNTY PLANNING BOARD

### MINUTES

#### ROCKINGHAM COUNTY PLANNING BOARD REGULAR MEETING – DECEMBER 14, 2020 - 7:00 P.M.

The Rockingham County Planning Board met in regular session on December 14, 2020, 7:00 PM, Governmental Center, Commissioner's Chambers, Wentworth, North Carolina.

1. Vice-Chairman Paul Ksieniewicz called the meeting to order at 7:00 pm.
2. Invocation was given by James Harris.
3. Attendance:  
Regular members present: Chairman Paul Ksieniewicz, Vice-Chairman Julie Talbert, James Harris, James Fink, Cory Scott, Philip Stone, and Matt Cardwell

Alternate members present: None.

Staff and others present: Carrie Spencer- Planning Director (via Zoom), Emily Bacon & Tim Mack- Planners, John Morris – County Attorney, Roy Sawyers – A/V Technician, Bricen Wall – Code Enforcement, and citizens

4. **The following Minutes were approved.**  
November 9, 2020. Julie Talbert motioned to approve the submitted minutes, Philip Stone. The Board approved the minutes 7-0.
5. **PROCEDURES**  
Chairman Paul Ksieniewicz read the Rules of Procedure for public hearings.
6. **PUBLIC HEARINGS BEFORE THE PLANNING BOARD**

#### Land-Use Plan: Review & Recommendation:

Carrie Spencer, Director of Community Development, opened the presentation by addressing comments and questions from the Planning Board members who were able to review the Land-Use Plan prior to the meeting.

Carrie spoke about the plan's focus on maintaining – and developing – the distinct Main Street feel of Rockingham County's cities, and noted that the plan has a new streetscape design to preserve that character. She also discussed the shared work with officials in Henry County, along US 220 on the Virginia border. Our Director of Economic Development has been in close

contact with those leaders, and they will continue to work together on projects in that corridor. She noted that they are also working to repurposed several trails and outdoor settings areas with the goal of boosting the County's outdoor recreation and tourism. The Piedmont Triad Council and Dan River Basin are also a part of this coordinative effort. Infrastructure projects along US 158 and US 220 are currently being assessed by developers and other parties to understand capacities and needs in those areas.

Carrie also addressed public k-12 schools in the county, and what steps were being taken to improve test scores and quality of education. She stated that both quality and balance are going to be evaluated, and that there have been interviews with members of the school board to better understand the issues they are facing. They are also working with the school board to determine if their facilities and personnel are able to handle the growth that Rockingham County is anticipating in the future.

Another question was raised about obstacles to new business. Carrie answered by saying that Rockingham County's Economic Development department is currently working on an East-West connector that would connect Eden directly to US 29, and that they are also looking at ways to support and development new business in that area.

A question was asked if there was a plan to retain graduates. Carrie answered by saying that, while there are no big action items, there is an awareness of that, and that local workforce programs are currently working with economic development to address and improve this.

Carrie talked about some Planning Board concerns over density average, and how it compares to lot size. The Planning Board made mention that they were concerned that it might create a pattern that could potentially upset or disrupt land use, or change the character of the county. She reiterated that the point of the new Land-Use Plan was to provide flexibility rather than a rigid guide to development. Carrie ended her presentation segment, and introduced Eric from Destination by Design.

Eric talked about the comments from the last time he presented to the Planning Board. He noted that the new map in the proposed Land-Use Plan is there only to increase organization and predictability. He added that developers would be able to use the map to address potential housing and development.

Eric referred exhibits 14.1 and 14.2 to show rural commercial node concepts – their parking and business layout. He said that the goal of those concepts were to provide distinct locations that signal to people that they have arrived at a specific place.

Eric followed-up on Carrie's remarks that density average does not change between the two concepts. What changes is the actual housing type and size of open space. He said that, right now, the way the ordinance is setup, there is no flexibility for new development, and that they are attempting to create a framework that would at least entertain the ideas around the concept of a commercial node. Again, he reiterated, the major difference with the nodes in the

new LUP is not the adding of houses, but rather, making lots smaller, which in turn would create more open space.

Paul Ksieniewicz: Questions from the Board? He commented that the overall objective of tonight is to get enough information to make a motion.

Philip Stone: Yellow and orange areas are in major corridors. Request for something like this – just outside of those areas – does that change anything?

Eric: The nodes are meant to be the general location. It's not so much about encouraging growth, but more about discouraging random growth.

Carrie said that this is really good criteria for us to review. It can be applied to our cases.

Cory Scott: Are you saying this doesn't have to be concrete. Carrie answered yes.

Eric then added that it doesn't have to be developed exactly as it is. He said that the goal is to move beyond the large single-family home in order to start accommodating something in the middle. He said they want water and sewer to be in place in these areas as well in order to maximize return on investment.

Carrie then went over urban sprawl with the Board. She used the example of farmland being sold to developers, and how the process works with the instillation of roads and neighborhoods – a typical example of land-use progression. In order to counter and combat urban sprawl, Carrie said that the aim is to be more market driven, and to let the market determine density.

Paul Ksieniewicz made the statement that he was initially opposed to changing the lot size requirement, but can see now that density has some advantages where water and sewer are concerned. He confirmed that he was dropping his opposition in favor of density average.

Julie Talbert asked if the new LUP will help drive sales.

Carrie answered that the goal isn't to develop everything, and that the market will determine the growth of business. That the new plan is a framework to guide the growth and provide flexible options for developers.

Eric followed Carrie's reply by saying that there are two primary objectives with the LUP: To identify and create target growth areas help developers go a step further with by giving them various types of housing flexibility. The variety in housing and diversity is where you see communities come alive.

Philip Stone asked if water and sewer are dependent on the plan. If the plan is adopted, how will Rockingham County address infrastructure that may not already be in the yellow and orange nodes?

Carrie answered that we will give the developer the opportunity to explain the gain of being outside the node area. If a property is far from that area and someone wants to build, we will

run it through the numbers to determine the return on investment, but more than likely we wouldn't agree to let it be done.

Eric: We are not assuming there is going to be water and sewer at the nodes. There are other possibilities, like that of a master well or shared septic system.

Paul Ksieniewicz: Are there any other questions for Eric or Carrie?

Julie Talbert asked if the plan is adopted, will it have any impact on the plans already in development, referring to Collybrooke.

Paul Ksieniewicz said that Collybrooke is currently in hands of TRC and will not be affected.

Julie Talbert: What does the plan do for people who want to sell their family farm?

Eric: This is where the density average comes into play. That family farm will be moved into a density average, where lots can be smaller and development clustered.

Carrie: And that may or may not be able to be done depending on soils, water, etc. Again, this is how we encourage you to develop.

Philip Stone: Some areas of lands may not be developable on certain lots, so clustering would work well.

Eric: Large lots and cluster lots. Flexibility allows for more.

Carrie: It turns out that clustering homes and leaving areas open does incur much lower development costs – less roads, smaller cleared areas, less environmental areas that have to be dealt with.

Paul Ksieniewicz: Questions? There were none. He asked if they would consider a motion. Julie Talbert motioned to recommend the LUP to the Board of Commissioners to adopt. Philip Stone seconded. The motion carries to recommended adoption to the BOC 7-0.

## **8. OTHER BUSINESS**

**a)** Old Business – None.

**b)** New Business – Carrie mentioned that the Board of Commissioners is going to be reviewing this for adoption on 1/19/20 while the Planning Board is simultaneously being introduced to the UDO. The Planning Staff is requesting a second Planning Board meeting on 1/25/20 to discuss the UDO. The Planning Board and Staff agreed on Planning Board meeting schedule of 1/11, 1/25, 2/8 and 2/22.

**9. ADJOURN**

Cory Scott moved to adjourn. Matt Cardwell seconded. The motion was approved 7-0, and the Planning Board adjourned at 8:19 PM.

Minutes Read and Approved,

Respectfully submitted,

\_\_\_\_\_  
Chairperson, Planning Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Staff

\_\_\_\_\_  
Date

**ROCKINGHAM COUNTY  
STAFF REPORT  
Case #2021-01, Special Use Permit**



<b>Request:</b>	Special Use Permit to allow a <b>Doublewide Manufactured Home in a Residential Protected District</b>
<b>Applicant, Owner:</b>	<u>John &amp; Angela Wright</u>
<b>Identification:</b>	The property is identified as <u>Tax PIN: 706109274134</u>
<b>Location:</b>	163 Michele Lane - Eden

**1. Acreage and Location of Proposal:**

+/- 2.39 acres approximately 200 feet west of NC 87 and borders the Virginia state line to the north.

**2. Character and Land Use of Neighborhood and Surrounding Community:**

The neighborhood is predominantly characterized by single-family and undeveloped residential lots.

**3. Relevant Unified Development Ordinance Section:**

*Chapter 2, Article IX, Section 9-11(o), pp. 120-121*

**4. Adopted Regulation and Plans:**

The property and surrounding properties are zoned Residential Protected (RP) with a list of permitted uses attached.

This property is located in the *Urban Transition Land Class* of the Rockingham County Land Use Plan. The Urban Transition class is intended to provide for future intensive urban and economic development on lands that are most likely to be scheduled for provision of necessary public utilities and services.

**5. Staff Findings and Recommendation:**

After reviewing the application, Staff concludes that sufficient information has been provided for the application to be processed for consideration by the Planning Board.

Based on Staff's analysis and the UDO requirements for a Special Use Permit to allow for a Doublewide Manufactured Home in a Residential Protected District, staff recommends approval of Case #2021-01, with the following conditions:

1. The applicant must comply with the site plan approved by, and any other conditions imposed by, the Board of Adjustment.
2. The applicant is responsible for obtaining and complying with all required permits and approvals.
3. The applicant must follow all of the requirements for the Manufactured Housing, Class AA Special Use Permit which are listed in the Rockingham County Unified Development Ordinance (pages 120-121).

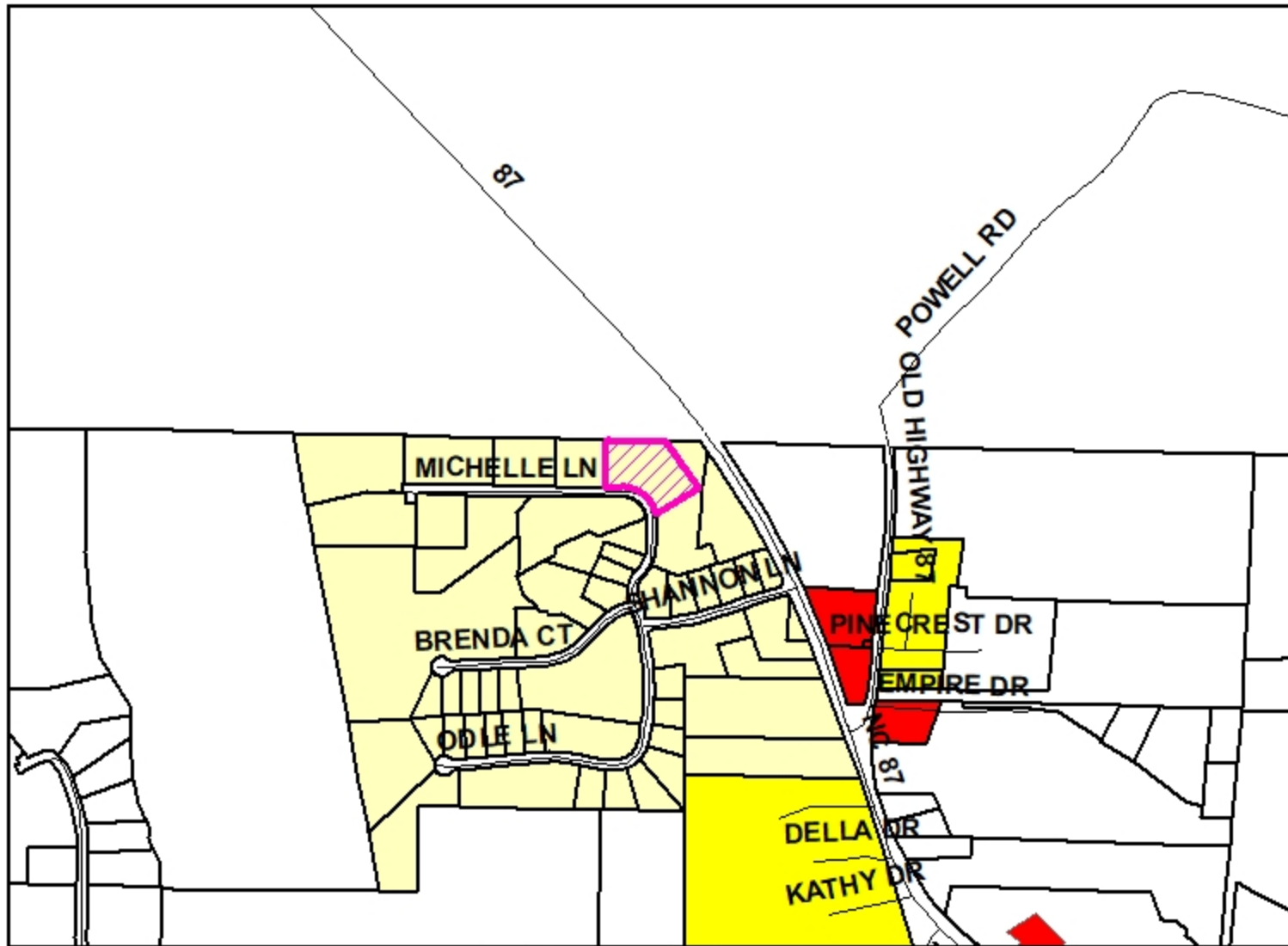
**6. Approval Process:**


No Special Use Permit shall be granted by the Planning Board unless each of the following findings is made concerning the proposed special use:

- (a) That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
- (b) That the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;
- (c) That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property or that the use or development is a public necessity; and
- (d) That the use or development conforms with the general plans for the land use and development of Rockingham County as embodied in this chapter and in the Rockingham County Development Guide.

There shall be competent, material and substantial evidence in the record to support these conclusions and the Planning Board must find that all of the above exist or the application will be denied.





 Tax PIN: 706109274134

**County Zoning**

 HC

 NC

 RC

 HI


 LI


 OI

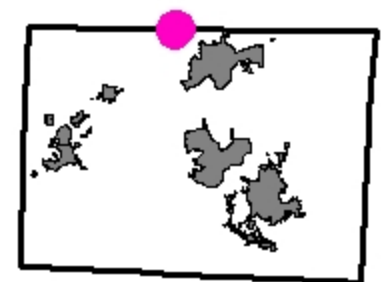
 RM

 RP

 RA

 Roads

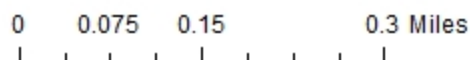
 Parcels

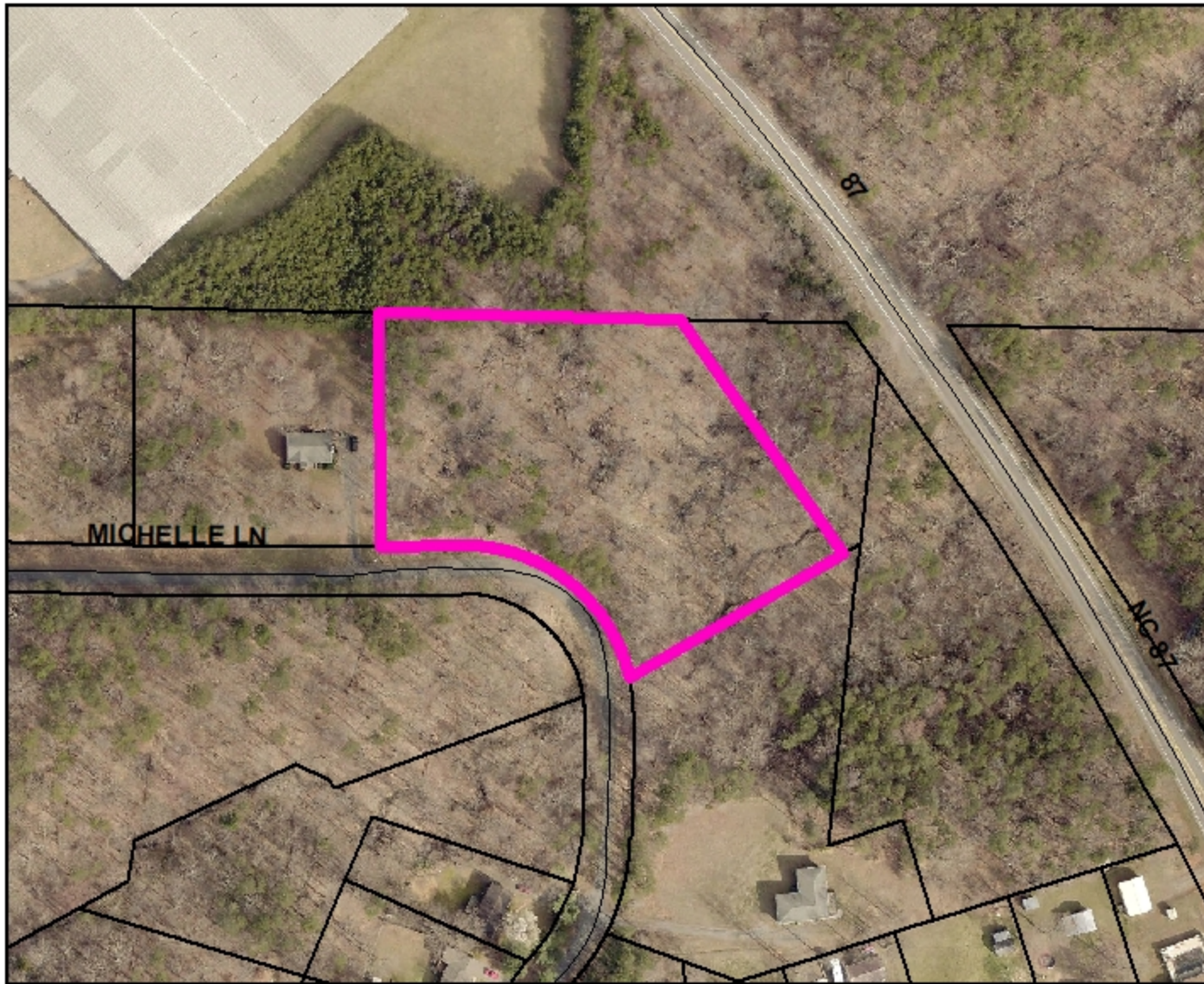


Existing Zoning of Surrounding Parcels

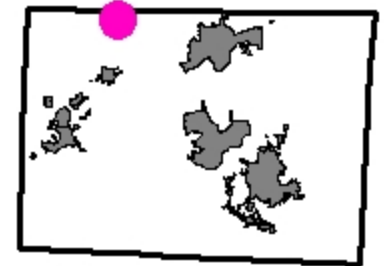


**Case #2021-01: Wright | SUP for Doublewide in a Residential Protected Zoning Map**






-  Tax PIN: 706109274134
-  Roads
-  Parcels



**Case #2021-01: Wright | SUP for a Doublewide in a Residential Protected  
Aerial Map**

0 0.0175 0.035 0.07 Miles



ROCKINGHAM COUNTY PLANNING DEPARTMENT, FOR ILLUSTRATION PURPOSES ONLY



# ROCKINGHAM COUNTY

Community Development

## APPLICATION FOR SPECIAL USE PERMIT:

Property Address: 163 Michelle Ln, Eden, NC, 27288  
 Parcel No / Tax Pins(s): 706109274134/ 103792 *Acw*  
 Zoning District including overlays: Residential Protected  
 Acreage requested for Special Use Permit: Whole Parcel  
 (attach legal description if acreage represents a portion of a parcel)

Date: 11/12/2020  
 Corrected date: 12/14/2020

Applicant/Owner: John & Angela Wright  
 Mailing Address: 203 N Hamilton St. Eden. NC 27288  
 Telephone: 336-520-0248 or 336-552-2481 email: .NA

Proposed Use: Double Wide Manufactured Home in the Residential Protected District

Description and plans for the use (attach additional sheets if needed):  
The use will be developed according to the attached site plan.

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### NOTARIZE SIGNATURES BELOW IF NOT WITNESSED BY STAFF N/A Witnessed by Staff

\_\_\_\_\_ County, North Carolina

I certify that \_\_\_\_\_ personally appeared before me this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and acknowledged the due execution of the foregoing instrument.

\_\_\_\_\_  
 Notary Signature    Notary Printed Name    My Commission Expires: \_\_\_\_\_

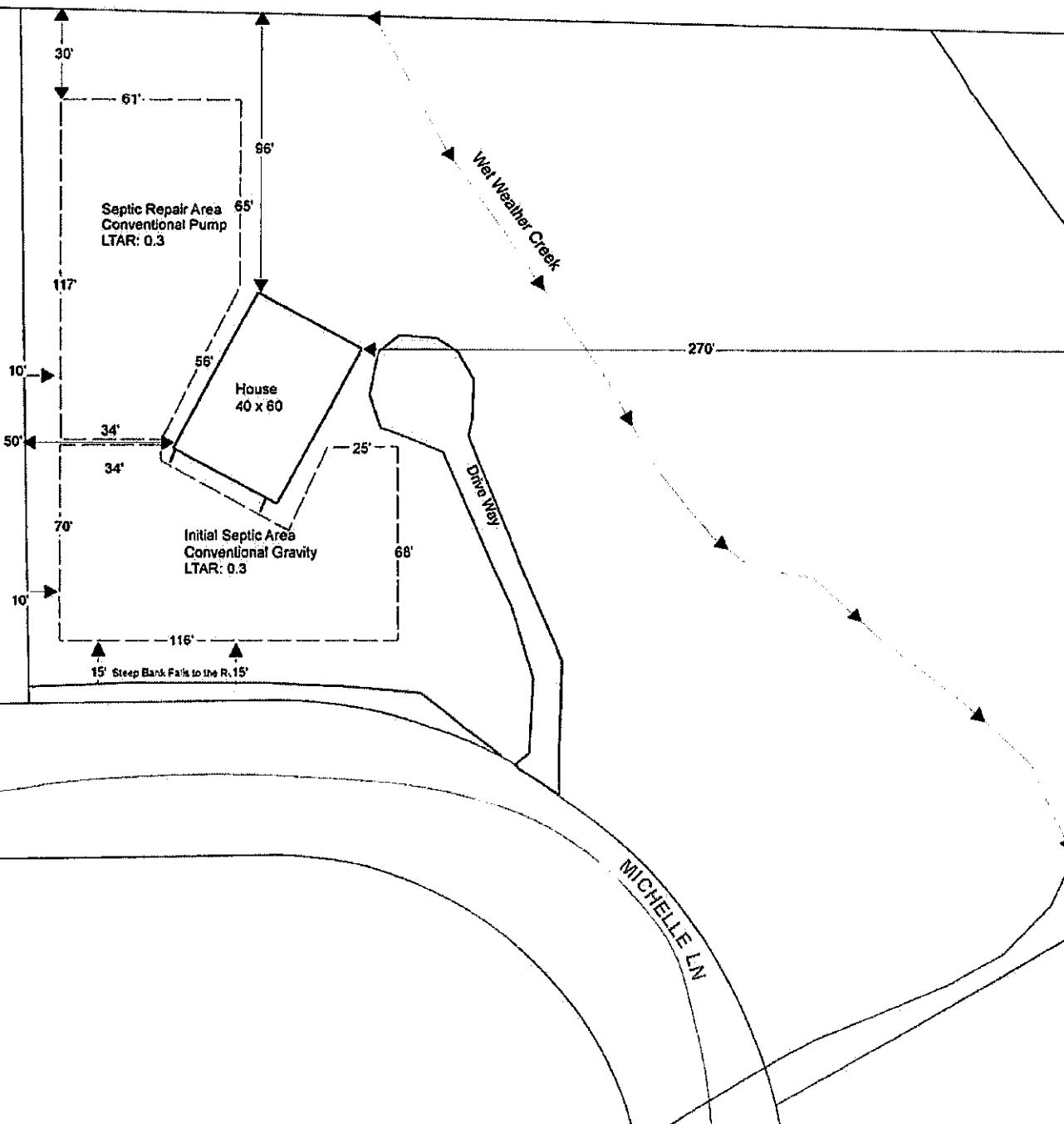
#### (Office Use Only)

<input checked="" type="checkbox"/> legal description of area <input checked="" type="checkbox"/> all owner signatures <input type="checkbox"/> fees <input checked="" type="checkbox"/> conditions <input checked="" type="checkbox"/> site plan	Case Number: <u>2021-01</u>	<u>7pm</u>
	Date of Planning Board Hearing	<u>Jan 11, 2021</u>
	Date of Board of Commissioners Hearing	_____
Planning Board Decision:	Approve ( ) Deny ( ) Vote: _____	
Board of Commissioners Decision:	Approve ( ) Deny ( ) Vote: _____	

*received  
by:*



*JW*  
Jul-12-20



**ROCKINGHAM COUNTY ENVIRONMENTAL HEALTH**

706109274134  
Pine Forest Sec 2 Lot 1  
Michelle Ln.  
Improvement Permit

Rockingham County shall not be liable for any errors in this data. This includes errors of omission, commission, errors in reporting the content of the data, and relative and positional accuracy of the data. Primary sources of this data must be consulted for verification of data.

1 inch = 50 feet

*JW*  
*11-12-20*

**(o) Manufactured Housing, Class AA  
 (Added by Amendment 3/1/1999)**

**Special Use District:** RP

**Approved By:** Planning Board

**Minimum Lot Area:** In accordance with district where located

**Appearance Criteria:**

- (a) Is occupied as a single family dwelling;
- (b) Has a minimum width of 18 feet; (Amended 1/6/2003)
- (c) Has a length not exceeding four times its width, with length measured along the longest axis and width measured perpendicular to the longest axis at the narrowest part; and towing apparatus not included in length and width measurements; (Amended 4/3/2006)
- (d) has removable towing apparatus, wheels, axles, and transporting lights removed after final placement on the site and before occupancy; has non-removable towing apparatus concealed by curtain wall or masonry foundation of same material as underpinning/skirting, or screened with shrubbery. Such shrubbery at time of planting shall be of a height to ensure a total visual barrier of the towing apparatus and maintained so as to continue their effectiveness; (Amended 4/3/2006)
- (e) Is set up in accordance with standards established by the N.C. Department of Insurance. In addition, a continuous, permanent masonry foundation or masonry curtain wall constructed in accordance with the standards of the N.C. Uniform Residential Building Code for One- and Two-Family Dwellings, unpierced except for required ventilation and access, shall be installed under the perimeter, with no visible exposed concrete block;
- (f) Has exterior siding, comparable to the exterior siding commonly used in standard residential construction, consisting of one or more of the following: 1) vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint); 2) cedar or other wood siding; 3) wood grain, weather resistant press board siding; 4) stucco siding; or 5) brick or stone siding;
- (g) Has a roof pitch minimum vertical rise of four feet (4) for each twelve (12) feet of horizontal run; (Amended 1/6/2003)



## **USES IN RESIDENTIAL PROTECTED ZONING DISTRICT**

### **Uses Permitted by right. Zoning Permit may be required.**

1. Accessory uses
2. Agricultural uses (not regulated)
3. Auction Sales, temporary one-time use
4. Beneficial Fill
5. Churches and their customary uses including child care on premises
6. Clubs and lodges, private, non-profit
7. Community center, public or private, non-profit for assembly and recreation
8. Day care—5 or fewer persons
9. Golf courses
10. Home occupations
11. Residence, single family detached
12. Sign, on premises
13. Temporary building, incidental to development
14. Major Subdivision

### **Uses Permitted with Design Standards or other standards. Zoning Permit may be required.**

1. Agritourism Activities - Design Guidelines
2. Athletic Fields, recreation buildings, playgrounds, swim and racquet clubs (for no commercial gain) – not lighted
3. Bed & Breakfast Home – Design Guidelines
4. Family care homes (must be at least ½ mile from any other family care home)
5. Outdoor Storage Area (residential)
6. Temporary Manufactured home for Custodial Care – Design Guidelines
7. Temporary Storage Unit

### **Uses requiring Special Use Permit**

1. Fire, sheriff, and emergency services
2. Manufactured housing, Class AA
3. Planned unit development
4. Public utility substations and public works (water/sewer) facilities
5. Schools, academic

### **Types of Subdivisions**

1. Major subdivisions—6 or more lots with new public or private street
2. Minor subdivisions—1-5 lots with access to public road or where not more than 3 lots are served by a private road

**PLANNING BOARD ANALYSIS AND STATEMENT**

**CASE # 2021-01: John & Angela Wright**

**Special Use Permit to allow for a Doublewide Manufactured Home in a Residential Protected District**

**FINDINGS**

The Planning Board has reviewed the **Special Use Permit** and adopts the following statements as required by the Rockingham County UDO and NCGS § 153A-341 and § 153A-342:

1. After considering Rockingham County adopted comprehensive plans and UDO, the Planning Board **approves/disapproves** (2021-01). This action is **consistent/not consistent** with the adopted Rockingham County Land Use Plan.
2. After review of competent, material and substantial evidence in the record, the Board makes the following findings for the 4 conclusions necessary to approve a Special Use Permit:

**yes no** (a) That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

The Board finds:

Would the approval of this permit impose significant harm on the neighbors and surrounding community?

**yes no** (b) That the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;

The Board finds:

That the proposed use is an allowed use in a Residential Protected zoning district if a Special Use Permit is approved, that the conditions of the Special Use Permit will ensure development meets or exceeds all requirements and goals of the existing UDO, and that the Rockingham County permitting and inspections department will ensure the structures and site meet or exceed all state and local standards for construction and design.

**yes no** (c) That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property or that the use or development is a public necessity; and

The Board finds:

Will the proposed business be compatible with or exceed the quality of existing developments in the neighborhood and have similar impacts as the surrounding building types?

**yes no** (d) That the use or development conforms with the general plans for the land use and development of Rockingham County as embodied in this chapter and in the Rockingham County UDO.

The Board finds:

Does this Special Use Permit support the policies and guidelines of the **Urban Transition Land Class** and the intended purpose of the Residential Protected zoning district?

3. Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLANNING BOARD ANALYSIS AND STATEMENT**  
**CASE # 2021-01: John & Angela Wright**  
**Special Use Permit to allow for a Doublewide Manufactured Home in a Residential**  
**Protected District**



ROCKINGHAM COUNTY  
STAFF REPORT  
Case #2021-02, Special Use Permit



<b>Request:</b>	Special Use Permit to allow operate an <b>Airsoft Facility in a Residential Agricultural Zoning District</b>
<b>Applicant, Owner:</b>	<u>Gene Blackburn</u>
<b>Identification:</b>	The property is identified as <u>Tax PIN: 891200600902</u>
<b>Location:</b>	1404 Mizpah Church Road – Williamsburg Township

**1. Acreeage and Location of Proposal:**

+/- 11.48 acres, and is located on Mizpah Church Rd, about 4300 feet east of Jones Lake Rd.

**2. Character and Land Use of Neighborhood and Surrounding Community:**

The neighborhood is predominantly characterized by residential and agricultural uses.

**3. Relevant Unified Development Ordinance Section:**

*Chapter 2, Article IX, Section 9-11(bb), pp. 158-160*

**4. Adopted Regulation and Plans:**

The property and surrounding properties are zoned Residential Agricultural (RA) with a list of permitted uses attached.

This property is located in the *Rural Transition Land Class* of the Rockingham County Land Use Plan.

The Rural Transition class is intended to accommodate existing residential neighborhoods and to balance the need to retain the area's rural character and beauty with the strong demand for continued residential development.

**5. Staff Findings and Recommendation:**

After reviewing the application, Staff concludes that sufficient information has been provided for the application to be processed for consideration by the Planning Board.

Based on Staff's analysis and the UDO requirements for a Special Use Permit to operate an Airsoft Facility in a Residential Agricultural District, staff recommends approval of Case #2021-02, with the following conditions:

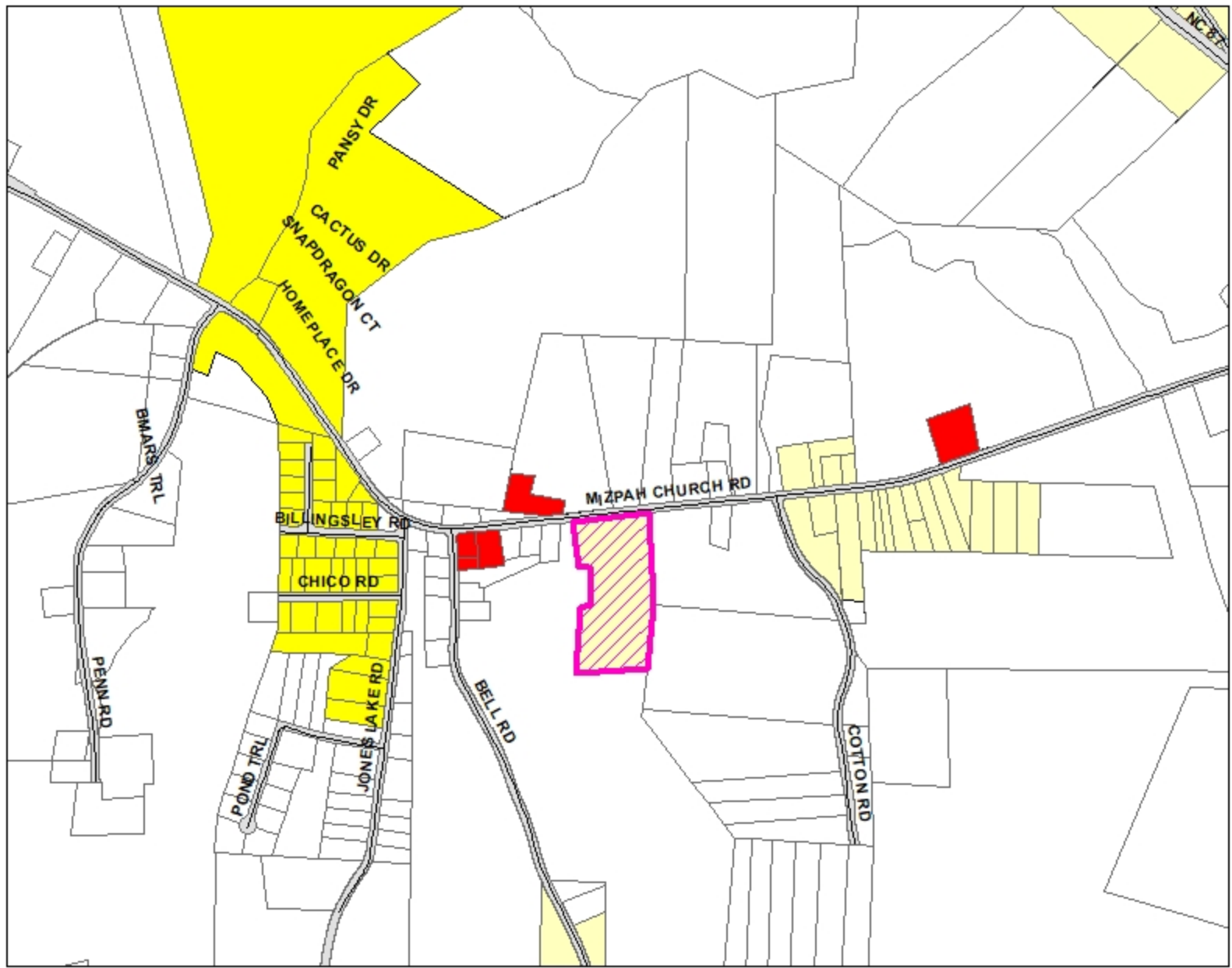
1. The applicant must comply with the site plan approved by, and any other conditions imposed by, the Board of Adjustment.
2. The applicant is responsible for obtaining and complying with all required permits and approvals.
3. The applicant must follow all requirements for the Paintball Facility (Outdoor) Special Use Permit which are listed in the Rockingham County Unified Development Ordinance (pages 158-160), as modified by the conditions in item 1.












**6. Approval Process:**

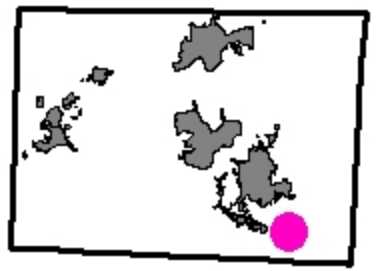
No Special Use Permit shall be granted by the Planning Board unless each of the following findings is made concerning the proposed special use:

- (a) That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
- (b) That the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;
- (c) That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property or that the use or development is a public necessity; and
- (d) That the use or development conforms with the general plans for the land use and development of Rockingham County as embodied in this chapter and in the Rockingham County Development Guide.

There shall be competent, material and substantial evidence in the record to support these conclusions and the Planning Board must find that all of the above exist or the application will be denied.

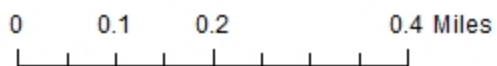


-  Tax PIN: 891200600902
-  HC
-  NC
-  RC
-  HI
-  LI
-  OI
-  RM
-  RP
-  RA
-  Parcels

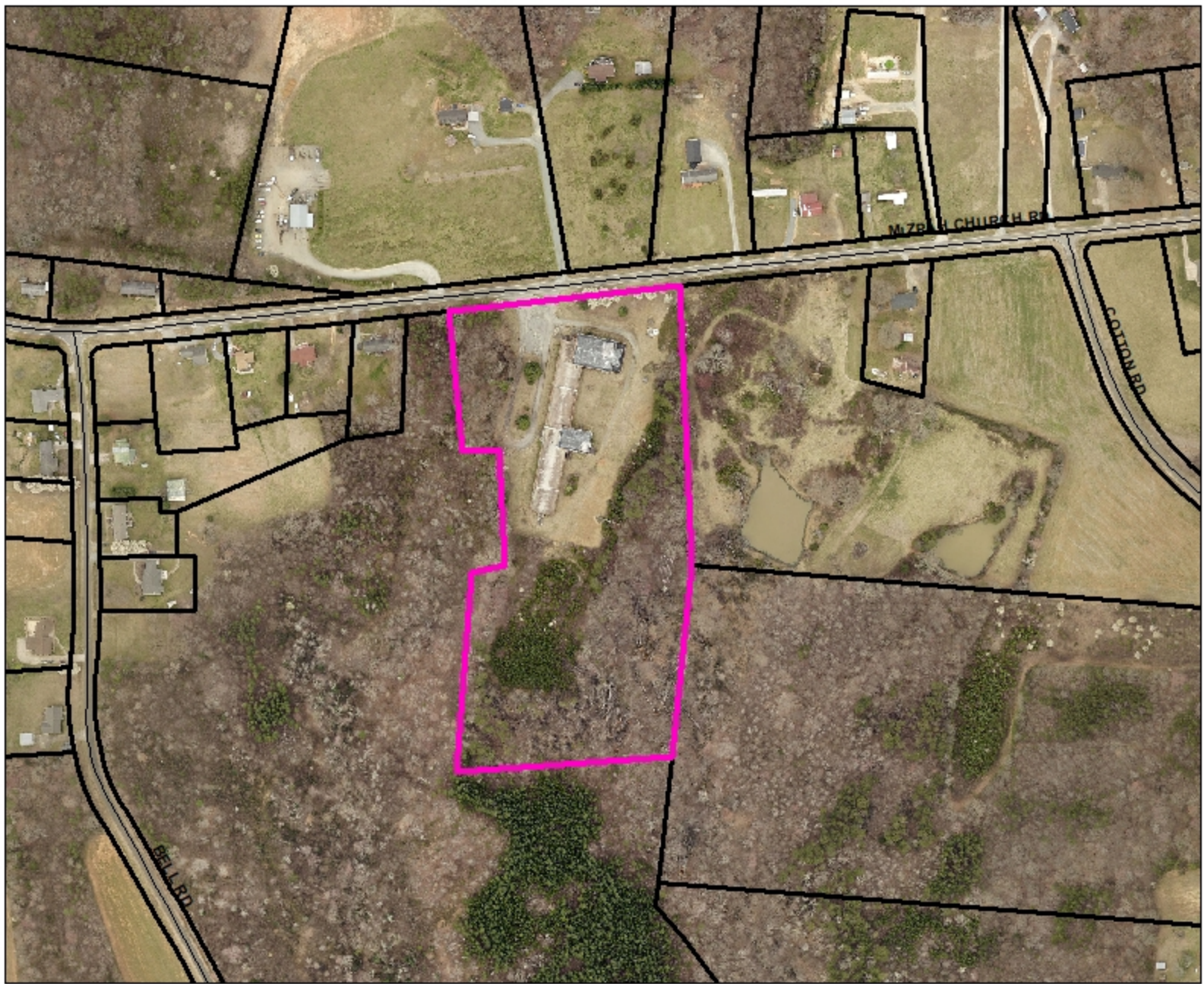




**Case #2021-02: Blackburn | SUP to Operate an Airsoft Facility**

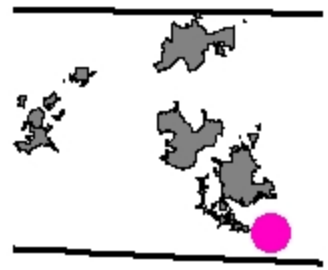
**Zoning  
Vicinity Map**





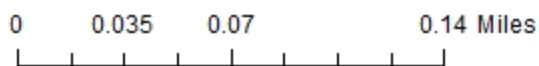


 Tax PIN: 890100600902  
 Parcels



### Case #2021-02: Blackburn | SUP to Operate an Airsoft Facility

### Aerial Map



ROCKINGHAM COUNTY PLANNING DEPARTMENT, FOR ILLUSTRATION PURPOSES ONLY



# ROCKINGHAM COUNTY

Community Development

## APPLICATION FOR SPECIAL USE PERMIT:

Property Address: 1404 Mizpah Church Rd.

Date: 11/23/2020

Parcel No / Tax Pins(s): 157122 / 891200600902

Zoning District including overlays: \_\_\_\_\_

Acreage requested for Special Use Permit: 11.48

(attach legal description if acreage represents a portion of a parcel)

Owner: Gene M. Blackburn

Mailing Address: 5937 Poley Rd. Brown Summit, M.C. 27214

Telephone: 336-352-9970 email: NEWSONG10@bellsouth.NET

Applicant: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone: \_\_\_\_\_ email: \_\_\_\_\_

Proposed Use: Recreational

Description and plans for the use (attach additional sheets if needed):

The use will be developed according to the attached site plan.

Site to be developed as an Airsoft field

*[Handwritten Signature]*

Signature of Applicant/Owner (circle)

Kellie Cliborne  
NOTARY PUBLIC  
Rockingham County, NC  
My Commission Expires November 29, 2025

Signature of Applicant/Owner (circle)

### NOTARIZE SIGNATURES BELOW IF NOT WITNESSED BY STAFF

Rockingham County, North Carolina

I certify that Gene M Blackburn personally appeared before me this the 8<sup>th</sup> day of December 2020 and acknowledged the due execution of the foregoing instrument.

Kellie Cliborne Notary Signature      Kellie Cliborne Notary Printed Name      My Commission Expires: 11/29/2025

### (Office Use Only)

<input type="radio"/> legal description of area <input type="radio"/> all owner signatures <input type="radio"/> fees <input type="radio"/> conditions <input type="radio"/> site plan	Case Number: _____
	Date of Planning Board Hearing _____
	Date of Board of Commissioners Hearing _____
	Planning Board Decision: Approve ( ) Deny ( ) Vote: _____ Board of Commissioners Decision: Approve ( ) Deny ( ) Vote: _____

## Plan of Operation for R.A.T.S

### 1) Days and Hours of Operation:

9am-6pm Saturdays only

- 2) Number of participants and employees on site at any one time: 50
- 3) Ratio of players to referees: 1 referee to 2 players
- 4) Types of equipment to be utilized by site users: AEG (airsoft electric gun)
- 5) Type of compressed air fuel to be utilized on site: None

## Parking

Current arrangement will provide 34 spaces for parking.

## Setback Variance

Paintball requirement is a 300 ft. setback from the property line. We are requesting a 100 ft. setback for the following reasons:

- 1) Precedent set by other airsoft fields in N.C.  
Black Ops and Cedar Creek: See map layouts to support.
- 2) The joules (power) required to propel an airsoft BB 300 ft. vs. that required to propel a paintball round is drastically different. This makes a BB round virtually impossible to pass through 100 ft. of wooded property.
- 3) Location: Our airsoft fields are adjacent to heavily wooded acres of woods between our property line and any residence or business.
- 4) Field play is to be enclosed by 20 ft. high mesh netting. As noted on the site plan, netting will be between the school building at the front and back. This, in addition to the school building itself, will prevent injuries or damage to property in the parking area, staging area, or along Mizpah Church Rd.
- 5) We would like to avoid enclosing the remainder of the field with a 20 ft. net for the following reasons:
  - a) Precedent for setback - other N.C. airsoft fields  
All other fields require that netting is only necessary to protect the spectator, parking, and staging areas.
  - b) A highly colored rope or tape is to be used to define the remainder of the playing fields. (See field printouts) In order to erect a fence around the entire area, a path would have to be made that would destroy part of the vegetation/wood barriers needed.
- 6) As noted on our setback variance, the joules to project an airsoft BB are drastically less than what is required for a paintball round. Therefore the wood/vegetation around the property would be sufficient to protect property or people outside the playing field.
- 7) The cost of installing an all-enclosing property barrier would be prohibitive to this project.



8- AIRSOFT RULES POSTED

1- REGISTRATION AREA (OPEN AIR)

2- PUMPHOUSE WATER SUPPLY

3- WATER TOWER

4- PORTABLE RESTROOM WITH PRIVACY FENCE

5- STORAGE BLDG.

6- 20' AIRSOFT FENCE

7- 20' AIRSOFT FENCE

10- AIRSOFT RULES POSTED

MIZPAH C.H. RD.

DRIVEWAY

PARKING 20 SPACES (50' OFF HWY)

PARKING 14 SPACES

120'± DRIVEWAY FROM PROPERTY LINE

CIRCLE DRIVE

PLAYING FIELDS 11.48A

2

3

4

5

6

9- AIRSOFT RULES POSTED

ALL WOODS

ALL WOODS

ALL WOODS

PROPERTY LINES

WOODS

20' Height Airsoft Netting

100' Landscape Buffer Line & Playing Field Boundaries

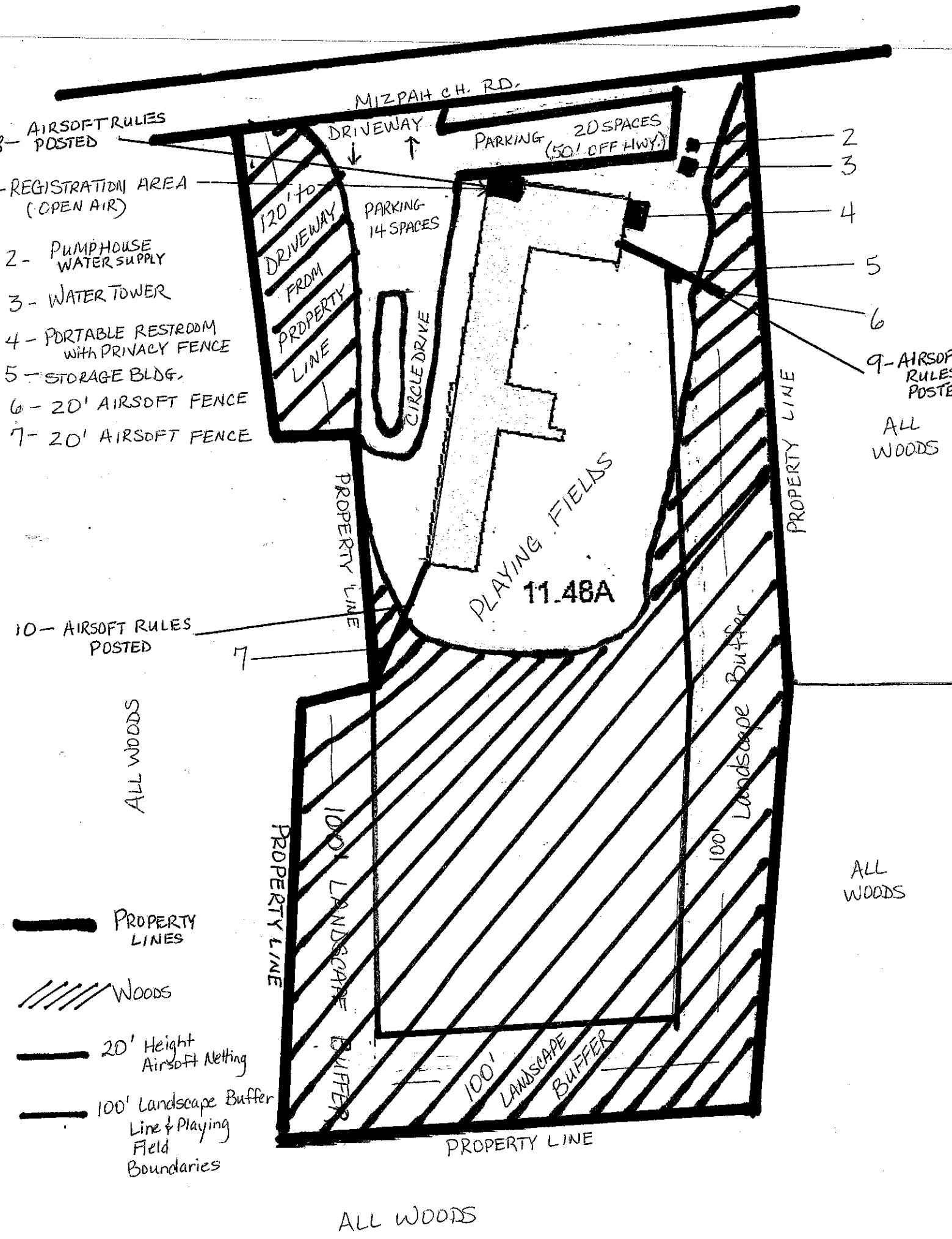
PROPERTY LINE

100' LANDSCAPE BUFFER

100' Landscape Buffer

PROPERTY LINE

ALL WOODS



Details [hide](#)

**Parcels**

Long PIN: 891200600902  
 Parcel Number: 157122  
 Owner: BLACKBURN GENE  
 5937 POLEY RD  
 BROWNS SUMMIT NC 27214-9540  
 Deed Book: 1583 Pg: 1086  
 Deed Acres: 11.48  
 Deed Year: 2020  
 Date Sold: 8/11/2020  
 Land Value: \$52,286  
 Improvement Value: \$200,101  
 Total Value: \$252,387  
 Year Built: 1950  
 Fire District: WILLIAMSBURG FD  
 Township: 11  
 Zoning: RP

Attributes at point: N: 920938, E: 1815961

Census Block Groups  
Block Group: 0413003

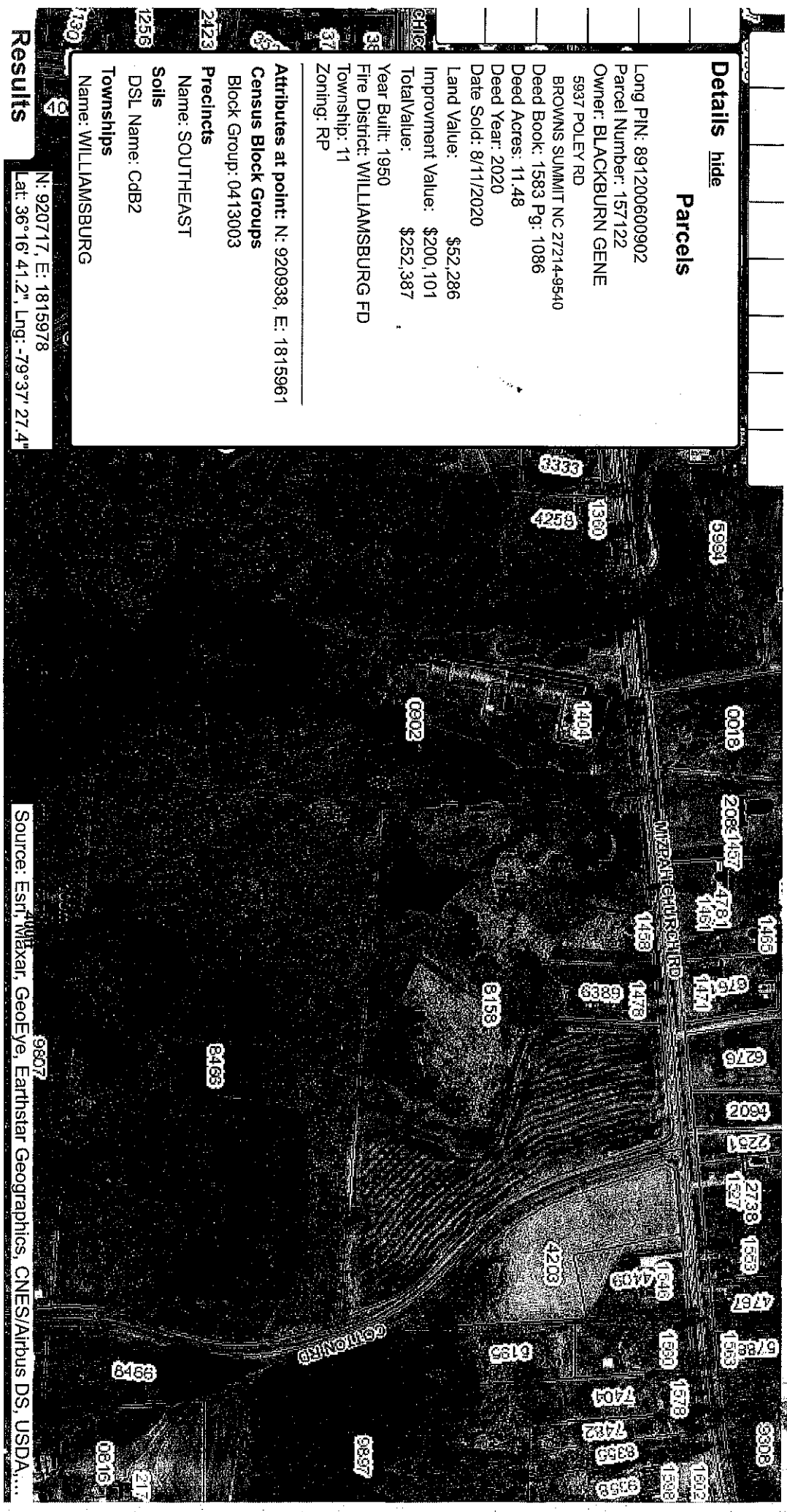
Precincts  
Name: SOUTHEAST

Soils  
DSL Name: CDB2

Townships  
Name: WILLIAMSBURG

N: 920717, E: 1815978  
 Lat: 36°16'41.2", Lng: -79°37'27.4"

Source: Esri, [Mapbox](#), [GeoEye](#), [Earthstar Geographics](#), [CNES/Airbus DS](#), [USDA](#), ...







acrevalue.com



Enter a county, township, city, or address



Filter

0 FIELDS

Get Full Report



Airsoft versus Paintball. Speedball versus Milsim. 6mm warfare versus vegetable oil valor.

The Airsoft versus Paintball rivalry goes way back to their inception; there has been endless debate between the fans of each, with each side considering theirs the superior sport.

You would think that the two could coexist peacefully, as in reality, they serve different markets and different kinds of players – with airsoft geared more towards objective-based, realistic MilSim and Paintball usually more towards fast-paced, close-quarters speedball tournaments. But what fun would it be without a little rivalry, right?

Players love to debate everything from which is cheaper, which is more fun, and of course the biggest issue of all – which one hurts more.

### Airsoft

The pain of being hit may seem like a deterrent, but many players (strangely enough) see it as a badge of honor; if your sport hurts more, you must be the tougher players, right?

Which hurts more could be considered personal opinion, as many people consider it a different kind of pain – and one can hurt a lot more depending on where you get hit – being hit in the face, neck or groin is going to be a lot more painful than being hit in the back.

Science, and a quick bit of math, can help us out. While a direct hit in both sports can inflict quite a bit of pain, an airsoft pellet delivers significantly less power and impact than a paintball. Airsoft guns shoot small, 6mm plastic pellets that weigh anywhere from .20g to .28g at about 400 FPS.

A direct hit at that speed will put out somewhere between 1.48 and 2.07 joules of energy on impact – though it will be significantly less at further distances, as the BB's will have lost so much energy.

While a direct hit will hurt on bare skin or through thin clothing, you may not even feel it at larger distances or if it bounces off your gear.

### Paintball

Paintballs on the other hand are much larger than airsoft pellets, measuring about .68" in diameter and weighing about 3.5grams – that's about 17 times the weight of a .20g airsoft pellet. Because of this larger size and heftier weight, paintball guns usually fire at about 290-300 FPS.

This is significantly slower than the velocity of an airsoft pellet, but because of the much larger size, has much more inertia and delivers much more force on impact. A 3.5g paintball fired at 290 FPS would deliver over 13 joules of energy on impact – almost 13 times that of an airsoft pellet!

It thus appears that getting hit by a paintball should hurt more than getting hit by an airsoft gun. Significantly more. Close to 13 times more.

Being hit at close range or on bare skin in either welt will probably leave at least a welt, but paintball is much more likely to give you large, painful welts – and is much more likely to break skin. A good analogy might be that paintball is more of a strong impact, breaking and splattering all over your and possibly leaving bruises – while airsoft is more a sting and leaves small welts.

And if you want to get technical, you can remember that a paintball has a larger diameter, which will, in turn, actually spread the impact across the wider surface area; this is why paintball often results in bruises as opposed to welts.

This is why proper face protection and safety gear is so important in both sports. Being hit in the face is likely to break the skin and cause some bleeding, and – as everyone knows – being hit in the eye is asking for permanent damage. This may just be the one place where paintball may actually be safer and hurt less than airsoft.

While full-face masks are mandatory in paintball, most airsoft fields do not require them – and many airsoft players prefer to wear only eye-goggles or safety glasses. This leaves their face and mouth exposed to incoming plastic. You are thus much more likely to see chipped and missing teeth among the ranks of airsoft players than you might in paintball. It is not uncommon for some players to have BB's lodge in their skin when shot at extremely close range, either.

For someone who isn't familiar with the two sports, airsoft and paintball may seem impressively similar in nature. With several people dressed in military-style clothing shooting at each other, it's easy to believe they are the same sport. However, there are several areas of which the two are extremely different.

Down to their very beginnings, airsoft and paintball can be as different as night and day. We've compared some of their similarities and differences, allowing you to judge which you feel best suits you.

#### Definition

##### Airsoft

Airsoft began in Japan for two reasons; target shooting was remarkably cheaper, and the plastic bbs didn't hurt humans, thus making it perfect for military-style training. Airsoft guns tend to be manufactured to the exact specifications of actual, real-steel firearms. In fact, the weapons look so realistic that federal law now mandates that airsoft guns have a bright-orange tip on the end of the barrel so that anyone can identify it as an airsoft gun.

Airsoft guns fire little plastic bbs at upwards of 300 feet per second using either spring, gas, or electric power. How the gun shoots the ammo is a determining factor to how expensive the guns are. Cheaper airsoft guns tend to be spring-powered while the more expensive guns tend to use a combination of gas and electric power.

##### Paintball

Though now considered a military-style sport, paintball had many different purposes when first invented. Charles Nelson created the paintball as a way to easily mark livestock without having to get close to the animal. While the paintball might sting a little, it allowed the farmer to mark livestock quickly and at a distance.

The first game of paintball wasn't played until around 1981. Paintball guns either use a gas (CO2 or nitrogen are most common), compressed air, or electric power. Additionally, since paintballs are considerably larger than airsoft bbs, paintball participants tend to dress in thicker clothing and wear many pieces of protective gear.

#### Cost

##### Airsoft

As far as the price of the guns is concerned, you can get a cheap spring-powered airsoft gun from any big-box retailer for \$20-30. However, for the guns that are built to resemble the real guns in both looks and feel, you can spend anywhere from \$100-500, depending on the weapon. Simply put, the more features and better quality guns do tend to run considerably more.

The ammunition for airsoft, 6mm plastic bbs, tends to be cheaper than paint balls as well. You can get a box of 5,000 bbs for as little as \$4, while the higher-quality rounds tend to run between \$20-40. The higher quality ammo tends to be consistently more accurate than the cheaper rounds.

Requirements for gear to play airsoft, other than the gun and ammunition, tend only to be a pair of safety glasses, though you want to check with your range to see what they require. For extra protection, you can purchase a full mask. However, a player doesn't need as much protective clothing as the more clothes you have on, the less likely you are to feel the shot.

##### Paintball

Paintball guns are comparable in price to that of airsoft guns. Big-box retailers such as Walmart and Dick's Sporting Goods will usually have package deals that include a cheap paintball gun and everything needed to play. These combo packages may range from \$50-60 for a cheap gun. However, for increased playing ability and features, you can spend anywhere from \$100-500 or more for a high-quality gun.

Ammunition for paintball tends to be more expensive, with a case of 2000 rounds costing at least \$30 for the low-quality paint. However, the high-quality ammo tends to be very expensive, averaging \$50-60 for 2000 rounds.

What tends to make paintball more expensive than airsoft, however, is the fact that you will need increased protective gear since the ammo tends to hurt more. While you can get away with a simple pair of safety glasses in airsoft, paintball requires a full mask. Additionally, we recommend thick protective clothing as a paintball hitting exposed skin tends to be extremely painful.

How much do they hurt?

When deciding on which sport to participate in, some make the decision based on the pain in which one feels when getting

plastic bb flying through the air at roughly 300 feet per second hits you, you barely feel a thing. In fact, most arenas will prohibit thick clothing for airsoft play for that reason; if you can't feel the shot, you can't call the hit.

Paintball, however, can hurt. The paintball is a little bigger than a half-inch in diameter coming towards you at roughly 300 feet per second. The size alone makes getting shot in paintball hurt much worse. How much pain you feel, though, is entirely dependent on you.

Most paintballers compare getting shot to the feeling of having a rubber band snapped on your skin. The level of thickness of your clothing will greatly help in the area of pain. Just be careful not to wear so much clothing that you began to get hydrated. Additionally, be sure to wear every piece of protective gear as required by your range.



Black Dps (N.C.)

No barriers

Perimeter of playing area is highway



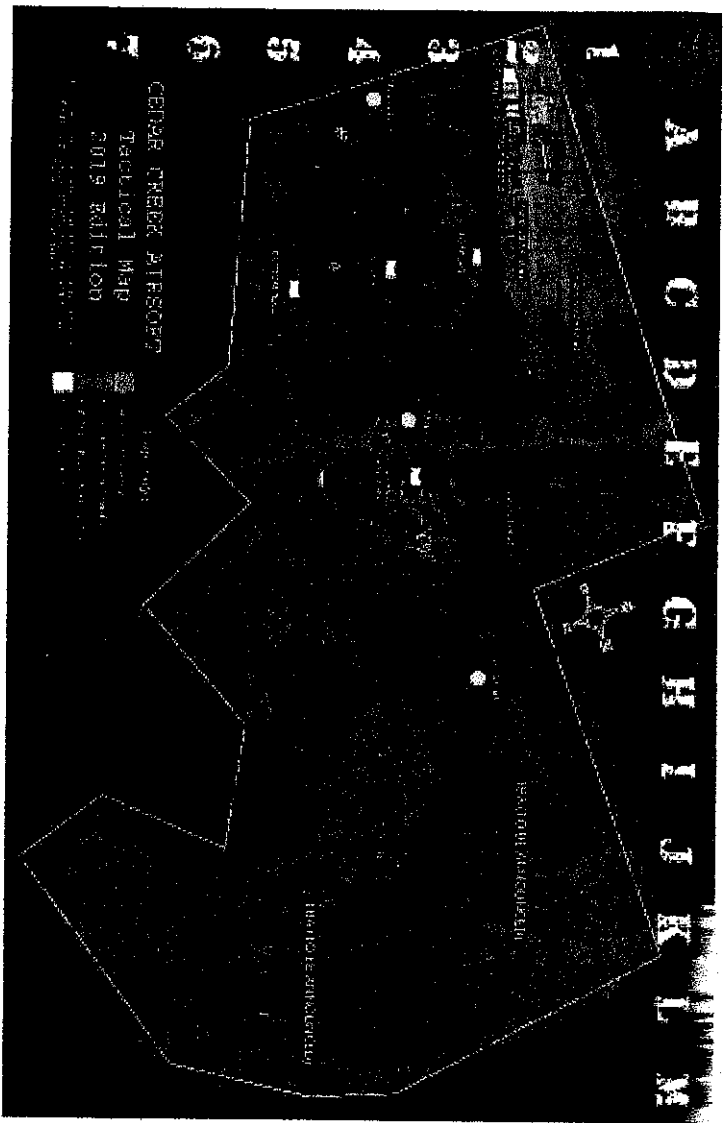
Black Ops Airsoft (N.C.)

← Main Road

No net

Less than 100'

No property nets



Cedar Creek

Green line is a barrier.

Play area is including 100% to property lines.



# A B C D E F G H I J K L M

1

(BA TO BE ANNOUNCED)

(BA TO BE ANNOUNCED)



CEDAR CREEK AIRSOFT  
Tactical Map  
2019 Edition

Map Scale: 1:50,000  
Map Date: 2019  
Map Author: Cedar Creek Airsoft



Legend

Map Scale: 1:50,000  
Map Date: 2019  
Map Author: Cedar Creek Airsoft

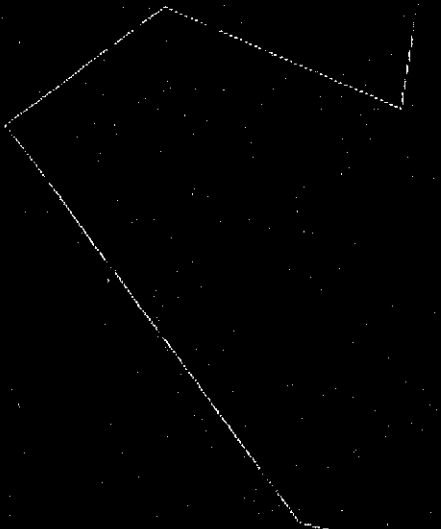
6

5

4

3

2



# AIRSOFT FIELD OPERATOR SAFETY REQUIREMENTS

1. **FIELD OPERATION:** Strict control must be exercised over all areas, including:
  - A) Field Entrance (B) Parking Areas (C) Staging Areas (D) Sales and Service Areas (E) Spectator Areas (F) Playing Fields
2. **PERSONNEL:** All field staff must be fully and properly trained. Referees and fill station attendants must be sixteen (16) years of age or older. Head referees must be eighteen (18) years of age or older.
3. **EMERGENCY PROCEDURE:** All field staff must be trained to properly respond in the event of an accident or emergency, and instructed to respond immediately. Field staff must know the exact location of the field telephone, readily accessible first aid kit and incident report forms. Management must fill out and return an incident form immediately following all injuries.
4. **FIELD ORIENTATION:** Prior to the first game, each player must undergo a formal orientation session including: a detailed explanation of the player safety rules; game rules; the geographical diagram of the field; and emergency procedures. Referees are assigned to each group at this time.
5. **ALL AIRSOFT GUNS MUST BE MAGAZINE FREE IN NEUTRAL (NON-PLAY) AREAS AND A BARRELL BLOCKING DEVICE MUST BE USED. SAFETIES MUST BE ENGAGED WHEN NOT PLAYING.**
6. **SAFETY GOGGLES:** Full face protection must be worn by anyone in the playing field, staging area and chronograph station at all times. **NO EXCEPTIONS.** Acceptable full face protection is as follows: Any Airsoft or Paintball goggle mask that meets or exceeds ASTM STANDARDS and is manufactured for the sport of Airsoft or Paintball. These masks cannot be altered from their original manufactured form. Eyes, Face, Ears, Nose, Mouth and Cheeks must be fully covered and protected. Half Balaclavas are allowed with industry approved Airsoft goggles. Shemaghs are allowed with industry approved Airsoft goggles.
7. **MINIMUM AGE:** Players must be ten (10) years of age or older to play Airsoft, unless in a private party or accompanied by a playing adult, then the minimum age is eight (8) years of age or older.
8. **CHRONOGRAPHING PROCEDURES:** Maintain at least one (1) chronograph (preferably two) with a back-up battery at the field at all times. All Airsoft markers must be chronographed before players enter the field and before each new set of games. A chronograph referee must be available at all times to strictly enforce velocity guidelines.
9. **MAXIMUM VELOCITIES:**  
 (MED) = Minimum Engagement Distance
 

0.20 BB	0.25 BB	<u>Outdoor Field MED</u>	<u>Indoor Field MED</u>	<u>Recommended Fire Mode</u>
300 FPS	270 FPS	5 feet	5 feet	All
350 FPS	310 FPS	10 feet	5 feet	All Outdoor / Semi-Auto Indoor
400 FPS	350 FPS	20 feet	10 feet	All Outdoor / Semi-Auto Indoor
500 FPS	450 FPS	100 feet	100 feet	Semi-Auto or Bolt Action Only
550 FPS	500 FPS	100 feet	100 feet	Bolt Action Only
500 FPS	500 FPS	100 feet (Sniper)	100 feet	Semi-Auto or Bolt Action Only

**FULL AUTO IS PROHIBITED.**
10. **FIELD MAINTENANCE:** Boundaries of all outdoor playing fields must be clearly and continuously marked with rope, tape, or other highly visible material. The field must be inspected frequently for natural or man-made hazards. Airsoft guns must be cleaned and inspected weekly. A designated staff member must inspect the chronograph, first aid kit, mobile telephone, and all field equipment (including safety signs) daily.
11. **PLAYER SAFETY RULES:** Each player/participant must read the Player Safety Rules prior to signing the Waiver of Liability. The Player Safety Rules must be posted at the field entrance and counter/sales office. Mandatory ejection (without warning!) of any player that knowingly violates the required safety rules is required.
12. **SAFETY SIGNS:** "Goggles On" signs must be posted at every entrance to active play areas. "Magazine Free" signs must be posted at every exit of active play areas. "Caution Airsoft Game Area" signs must be posted at any location where the operator/field manager might expect unauthorized direct access to the active playing field by non-participants.
13. **NO PHYSICAL CONTACT:** No physical contact such as holding, grappling, simulated knife or bayonet contact is allowed.
14. **SPECTATORS:** Any spectators within any conceivable distance of being shot should have appropriate eye protection.

Full seal ASTM Eye pro stays on at all times while on the field. No mesh goggles.

Under 18 must wear full face mask. Over 18 may wear full seal goggles/safety glasses. Full face pro is highly recommended for all players!

All guns must be magazine free and clear (no round in chamber) off the field and in designated safe zone and parking area. Everyone must have and use a red "kill/dead rag."

No unauthorized equipment. (riot shields, sharp or hard plastic knives etc) When in doubt ask an admin.

No verbal abuse or physical contact.

No alcohol or illegal drugs allowed on the field

No blind firing.

Everyone must sign a waiver, Have a wrist band, and Crono before playing.

Call your hits or leave. When in doubt call it out.

Friendly fire, gun hits, mask hits, helmet hits, toe hits, all count as a hit.

No real firearms or knives allowed on the field.

Absolutely no firing in the staging areas or parking lots.

No full auto fire within 30 feet (10 full paces).

Everyone must be at game brief to play. (no talking)

Absolutely no over shooting or shooting after calling hit. No talking after being hit.

Follow all directions from /combat controllers'

Tag rounds may NOT be shot directly at players. Anyone that hits a player will be ejected from the field. Tag round hitting the side of a bunker "kills" all players inside.

Tag and EG 67 etc Grenades have a 10' Kill radius. If a grenade goes off in your bunker you are out.

Referees decisions are final.

**EVERYONE IS A SAFETY OFFICER, IF YOU SEE EYEPRO OFF A PLAYER OR A SERIOUS INJURY, CALL OUT "BLIND MAN!" OR "CEASE FIRE" WHICH ARE TO BE REPEATED BY ALL PLAYERS, GUNS MUST BE PUT ON SAFE AND MAGS REMOVED UNTILL ADMIN CALLS "GAME ON"**

Standard Operating Procedure for CQB/Indoor Field

1.5 Joules Max for all guns

Semi Auto Fire only

No climbing Bunkers

No moving bunkers

No blind firing

No moving into the opposing teams spawn (Marked by Red or Blue Lines)

All guns on safe and mags out outside of building

Eye Pro on at all times in building and spawn areas. No mesh goggles

Helmets highly recommended (concrete floors)

Low light! Tac lights strongly suggested!

No Lasers allowed (Red dot sights are fine).

Under 18 must wear full face mask. Over 18 may wear full seal goggles/safety glasses.

Call your hits or leave. When in doubt call it out.

Everyone must have and use a "kill rag."

No unauthorized equipment.

Referees decisions are final.

No verbal abuse or physical contact.

No alcohol or illegal drugs allowed on the property.

No blind firing. Full facemask required for all players under 18 years of age.

Everyone must sign a waiver, Have a wrist band, and Crono before playing.

Friendly fire, gun hits, mask hits, helmet hits, toe hits, all count as a hit.

No real firearms or knives allowed on the field.

Absolutely no firing in the staging areas or parking lots. Even blank fire

Everyone must be at game brief to play. (no talking)

Ask for permission to use special weapons, IE pyro or smoke of any kind must be purchased at proshop.

Absolutely no over shooting or shooting after calling hit

Follow all directions from /combat controllers.

Tag rounds are NOT allowed indoors.

**EVERYONE IS A SAFETY OFFICER, IF YOU SEE EYEPRO OFF A PLAYER OR A SERIOUS INJURY, CALL OUT "BLIND MAN!" OR "CEASE FIRE" WHICH ARE TO BE REPEATED BY ALL PLAYERS, GUNS MUST BE PUT ON SAFE AND MAGS REMOVED UNTILL ADMIN CALLS "GAME ON"**

ANY VIOLATION OF THE ABOVE RULES AT ANYTIME IS CAUSE TO BE ASKED TO LEAVE

## **Plan of Operation for R.A.T.S**

### 1) Days and Hours of Operation:

9am-6pm Saturdays only

- 2) Number of participants and employees on site at any one time: 50
- 3) Ratio of players to referees: 1 referee to 2 players
- 4) Types of equipment to be utilized by site users: AEG (airsoft electric gun)
- 5) Type of compressed air fuel to be utilized on site: None

## **Parking**

Current arrangement will provide 50 spaces for parking.

## **Setback Variance**

Paintball requirement is a 300 ft. setback from the property line. We are requesting a 100 ft. setback for the following reasons:

- 1) Precedent set by other airsoft fields in N.C.

Black Ops and Cedar Creek: See map layouts to support.

- 2) The jules (power) required to propel an airsoft BB 300 ft. vs. that required to propel a paintball round is drastically different. This makes a BB round virtually impossible to pass through 100 ft. of wooded property.
- 3) Location: Our airsoft fields are adjacent to heavily wooded acres of woods between our property line and any residence or business.
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#### a) Precedent for setback - other N.C. airsoft fields

All other fields require that netting is only necessary to protect the spectator, parking, and staging areas.

- b) A highly colored rope or tape is to be used to define the remainder of the playing fields. (See field printouts) In order to erect a fence around the entire area, a path would have to be made that would destroy part of the vegetation/wood barriers needed.

6) As noted on our setback variance, the jules to project an airsoft BB are drastically less than what is required for a paintball round. Therefore the wood/vegetation around the property would be sufficient to protect property or people outside the playing field.

7) The cost of installing an all-enclosing property barrier would be prohibitive to this project.

### **Public Restroom Facilities**

In our discussion with the planning board, we understand a permanent restroom is required in Rockingham County. We are requesting a 12-24 month grace period to get the business up and running before we are required to have a permanent facility on site.

In the interim we would like to use portable restroom facilities to service our staff and customers. Our reason for this request is that we are only operating 8-9 hours per day, one day per week.

## USES IN RESIDENTIAL AGRICULTURAL ZONING DISTRICT

### Uses Permitted by right. Zoning Permit may be required.

1. Accessory uses
2. Agricultural use (not regulated)
3. Athletic fields, recreation buildings, playgrounds, swim and racquet clubs (no commercial gain) – may be lighted
4. Auction Sales, temporary, one-time use
5. Beneficial Fill
6. Cemetery
7. Churches and their customary uses including child care on premises
8. Clubs and lodges, private, non-profit
9. Community centers, public or private non-profit for assembly and recreation
10. Day care – 5 persons or less
11. Farm supplies sales (feed, seed, fertilizer, etc.)
12. Fire, sheriff and emergency services
13. Golf courses
14. Home occupations
15. Nursery and plant cultivation and sales
16. Pottery crafting and sales
17. Rooming house
18. Residence, duplex
19. Residence, single family detached
20. Riding academy, commercial stables
21. Sawmills, planing mills-temporary
22. Sign, on premises
23. Studios for artists, designers, musician, photographers, sculptors (not as home occupation)
24. Temporary buildings, incidental to development

### Uses Permitted with Design Standards or other standards. Zoning Permit may be required.

1. Agritourism Activities
2. Bed & Breakfast Home
3. Family care homes (must be at least ½ mile from any other family care home)
4. Guest House
5. Kennel (8 or less domesticated animals)
5. LCID Landfill, Minor (off-site)
6. Lumber yard – outdoor storage yard screening requirements
7. Manufactured housing on individual lot - Class AA or A (foundation and screening requirements for towing apparatus)
8. Manufactured housing on individual lot - Class B (permitted in certain instances, foundation and screening requirements for towing apparatus)
9. Manufactured housing on lot during construction of new dwelling
10. Outdoor Storage Area (residential)
11. Poultry Breeding Facility
12. Special Events
13. Turkey Shoots – Non-Profit
14. Temporary Manufactured Home for Custodial Care
15. Temporary Storage Unit

### **Uses requiring a Special Use Permit**

1. Commercial feeder operation
2. Day care – 6 or more persons
3. Group homes
4. Kennel (more than 8 domesticated animals)
5. LCID Landfill, Major (off-site)
6. Nursing and rest homes
7. Paintball Facility (outdoor)
8. Planned unit development
9. Public utility substations (including public water/sewer plants)
10. Reception/Banquet Facility
11. Rural family occupation of commercial/industrial nature
12. Rural Guest Establishment
13. Rural Tourism Activity
14. Schools, academic
15. Schools, business/trade
16. Skeet, trap, and sporting clay ranges
17. Solar Energy System, Large Scale
18. Travel trailer parks
19. Turkey Shoots, For Profit – year around
20. Wireless Telecommunications Facilities – new tower

### **High Impact Use – Conditional Zoning**

1. Air Strips

### **Types of Subdivisions**

1. Minor subdivisions (1-5 lots with access to public road or where nor more than 3 lots are served by a private road)



**PLANNING BOARD ANALYSIS AND STATEMENT**

**CASE # 2021-02: Gene Blackburn**

**Special Use Permit to Operate an Airsoft Facility in a Residential Agricultural District**

**FINDINGS**

The Planning Board has reviewed the **Special Use Permit** and adopts the following statements as required by the Rockingham County UDO and NCGS § 153A-341 and § 153A-342:

- 1. After considering Rockingham County adopted comprehensive plans and UDO, the Planning Board **approves/disapproves** (2021-02). This action is **consistent/not consistent** with the adopted Rockingham County Land Use Plan.
- 2. After review of competent, material and substantial evidence in the record, the Board makes the following findings for the 4 conclusions necessary to approve a Special Use Permit:

**yes no** (a) That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

The Board finds:

Would the approval of this permit impose significant harm on the neighbors and surrounding community?

**yes no** (b) That the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;

The Board finds:

That the proposed use is an allowed use in a Residential Agricultural zoning district if a Special Use Permit is approved, that the conditions of the Special Use Permit will ensure development meets or exceeds all requirements and goals of the existing UDO, and that the Rockingham County permitting and inspections department will ensure the structures and site meet or exceed all state and local standards for construction and design.

**yes no** (c) That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property or that the use or development is a public necessity; and

The Board finds:

Will the proposed business be compatible with or exceed the quality of existing developments in the neighborhood and have similar impacts as the surrounding building types?

**yes no** (d) That the use or development conforms with the general plans for the land use and development of Rockingham County as embodied in this chapter and in the Rockingham County UDO.

The Board finds:

Does this Special Use Permit support the policies and guidelines of the **Rural Transition Land Class** and the intended purpose of the Residential Agricultural zoning district?

3. Additional comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PLANNING BOARD ANALYSIS AND STATEMENT**  
**CASE # 2021-02: Gene Blackburn**  
**Special Use Permit to Operate an Airsoft Facility in a Residential Agricultural District**

**ROCKINGHAM COUNTY PLANNING  
STAFF REPORT  
Case #2021-03**



<b>Request:</b>	<b>Residential Agricultural to Highway Commercial – Conditional District</b>
<b>Applicant:</b>	<u>Jeff Biggs</u>
<b>Identification:</b>	The property is denoted by Tax PIN: 792400161586 (portion)
<b>Location:</b>	Intersection of Williams Road & <u>US 220 – Huntsville Township</u>

**1. Acreage and Location of Proposal:**

(+/-) 4.0 acres. It is located on the south side of Williams Road and just west of the intersection at US 220.

**2. Zoning Classification of Adjacent and Surrounding Parcels:**

The adjacent properties are zoned Residential Agricultural and Residential Protected. Properties nearby and across the roadways are zoned Residential Agricultural, Light Industrial, Residential, and Residential Agricultural/Residential Protected.

**3. Character and Land Use of Neighborhood and Surrounding Community:**

The neighborhood is primarily characterized by commercial, residential and agricultural uses. The property is located about 400 feet west of Hwy 220.

**4. Topographical and Environmental Characteristics:**

Watershed – The requested parcel does not appear to be located in a designated watershed.

Flood Plain – The requested parcel is not located in a floodplain according to the *Federal Emergency Management Agency* flood plain map 3710792200J.

Wetlands and streams – There are no known wetlands or streams on the requested parcel.

**5. Utilities / Services:**

The requested parcel is currently served by Rockingham County water and sewer.

**6. Previous Zoning and Property History:**

1988: Zoned Residential Agricultural

**7. Adopted Regulation and Plans:**

The parcel meets the lot size requirements of the HC-CD district.

This property is located in the *Economic Development* land class of the Rockingham County Land Use Plan, described by Section 5.3.1 as follows:

<b>Land Classes</b>	<b>Purposes</b>	<b>Characteristics</b>	<b>Services</b>	<b>Residential Density</b>
Economic Development Land Class	To accommodate and encourage new industrial and commercial uses in areas where local government supports substantial investments in water, sewer and transportation systems.	Lands outside of Developed and Urban Transition areas where substantial capital investments are strongly encouraged to create new jobs and build the County tax base.	Access to major transportation facilities and supported by public water and sewer.	Moderate to high density land uses. 2-3 units/acre.

**8. Staff Findings and Recommendation:**

After reviewing the application, Staff concludes that sufficient information has been provided for the application to be processed for consideration by the Planning Board and Board of Commissioners.

The request is for a conditional district, meaning the only uses under consideration are those requested by the applicant.

The property is currently undeveloped, and its location on US 220 and makes it more appropriate for commercial use than residential.

### **Growth Management Strategies:**

Strategy 4) Identify key growth corridors and interchanges that require non-residential development sites be prioritized and planned.

The location of the property – its proximity to US 220 – meets this strategy.

Strategy 5) Strengthen the municipal commercial centers to provide more in-County retail opportunities.

*“...commercial development within the unincorporated sections of the County should take place in a more compact, well-organized fashion than is currently the case. Commercial sites should be subject to detailed design standards, which promote a positive community appearance, a safe and logical flow of traffic, support of overall economic development and quality of life goals, and compatibility with surrounding uses.”*

The conditional nature of this rezoning request allows for the opportunity to organize the development site with conditions related to the Land Use Plan.

Strategy 6) Promote growth in and around municipalities and other targeted growth areas.

This proposal is located less than three (3) miles from the municipal limits of Madison.

Strategy 7) Develop and refine detailed design guidelines and standards for non-residential development to be applied countywide.

The development of this property will be subject to UDO Site Design and Landscape Requirements for Non-Residential Zoning Districts, Article XVII of the Rockingham County Unified Development Ordinance (UDO).

### **Growth Management Policies:**

#### 5.2.1 Economic Development

This proposed new business will provide jobs to the area.

#### 5.2.2 Transportation

The intensity and size of the proposed request do not represent high traffic generating uses and could help to distribute traffic flow over a network.

#### 5.2.5 Commercial Development

This request for Neighborhood Commercial zoning would create a neighborhood center with a local convenience store at an intersection. Landscaping must be effective for buffering existing residential uses. This is not a major intersection, therefore the size of the parcel proposed for rezoning is appropriate.

#### 5.2.7 Residential Development

This request would provide a place of shopping near to residential areas and reduce vehicular trip lengths. The applicant has proposed conditions that address impacts of the proposed district on existing neighborhoods.

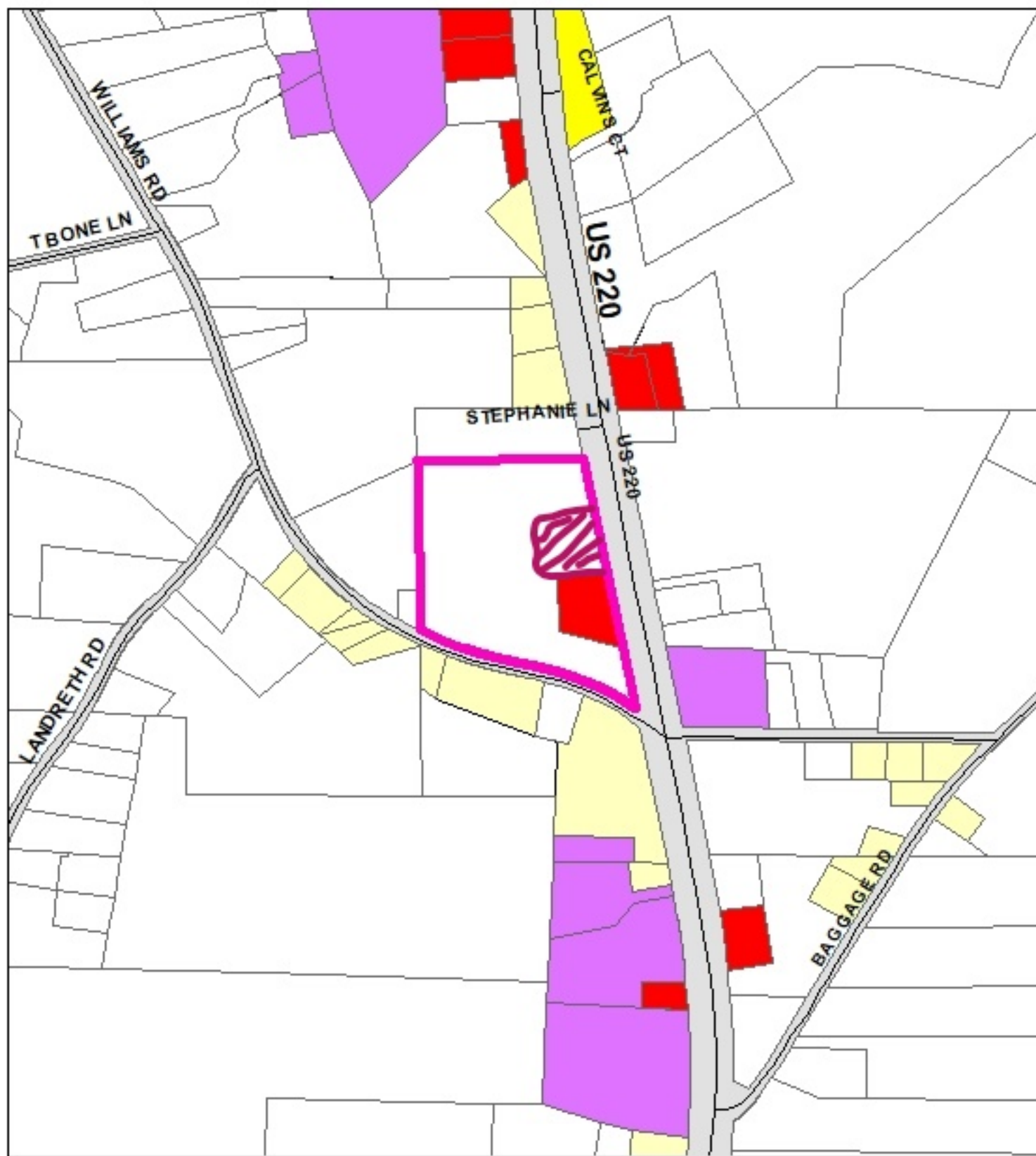
#### 5.2.11 Community Appearance

The conditional nature of this rezoning request allows for the opportunity to include conditions related to the Land Use Plan. The applicant has proposed conditions that include standards for development. The development of this property will be subject to Site Design and Landscape Requirements for Non-Residential Zoning Districts, Article XVII of the Rockingham County Unified Development Ordinance (UDO).

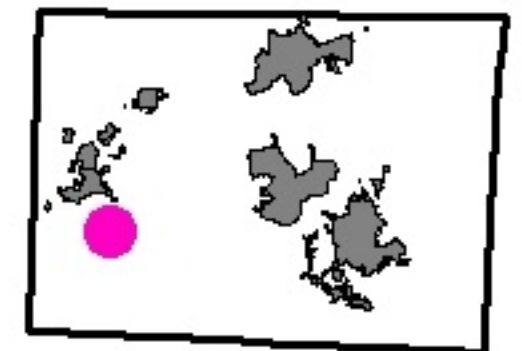
No development or occupancy will be permitted before the approval of a NCDOT driveway permit and appropriate building and environmental health permits. A Site Plan will also be required to show compliance, with Site Design & Landscaping Requirements for Non-Residential Zoning Districts.

It is Staff's recommendation that the rezoning request meets the intent of the Land Use Plan with the conditions offered by the applicant, and will fit well within the context of current uses in the local community.

**Based on an analysis, of Case #2021-03, a request for Rezoning from Residential Agricultural to Highway Commercial-Conditional, staff recommends approval with careful consideration of conditions necessary to ensure conformance to the Land Use Plan and adequately address expected development impacts to the existing residents of the area.**

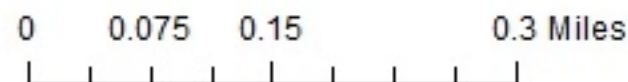


-  Tax PIN: 792400161586 | Requested Area in Crosshatches
-  HC
-  NC
-  RC
-  HI
-  LI
-  OI
-  RM
-  RP
-  RA
-  Parcels

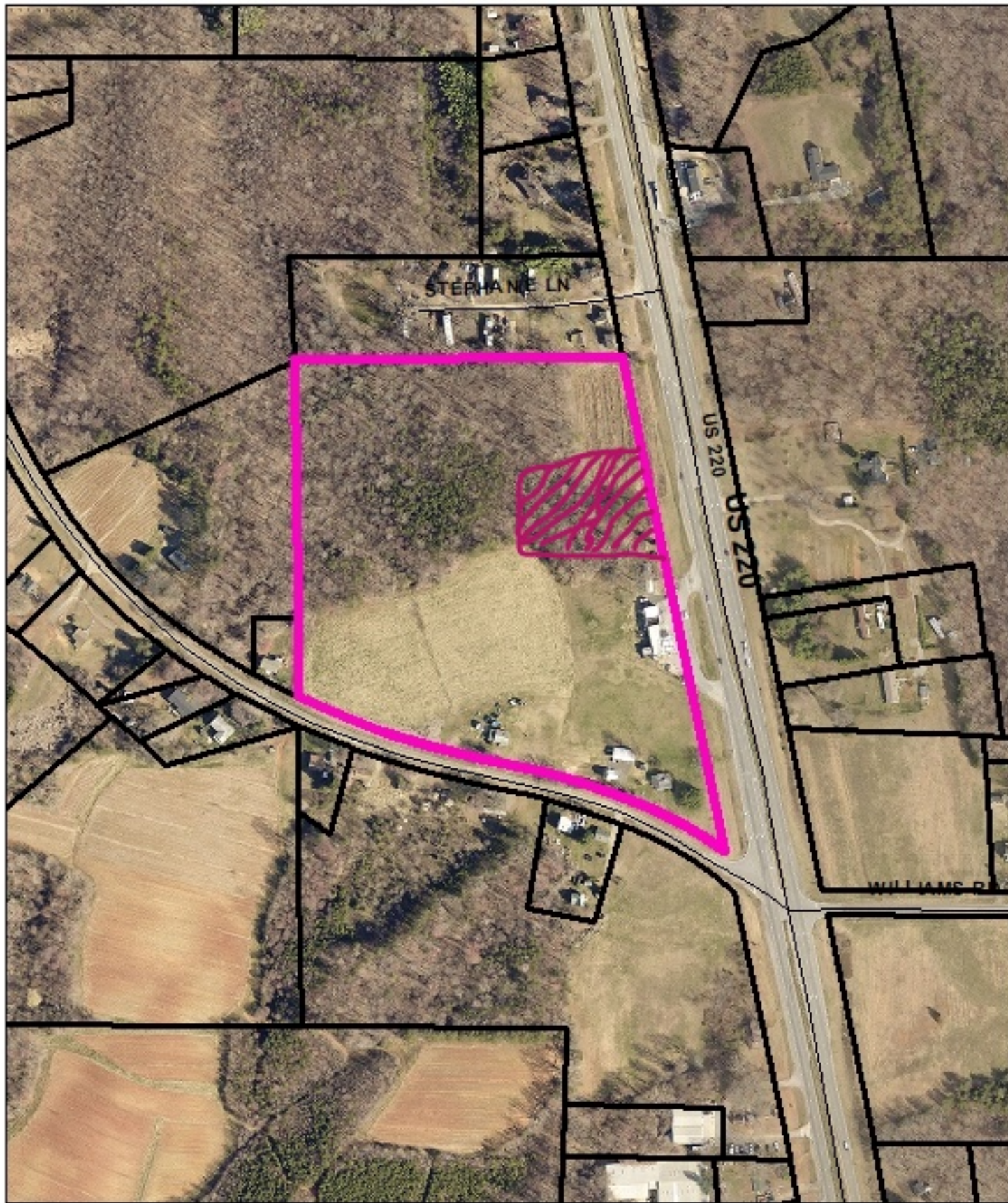


**Case #2021-03: Biggs | Rezoning from RA to HC-CD**

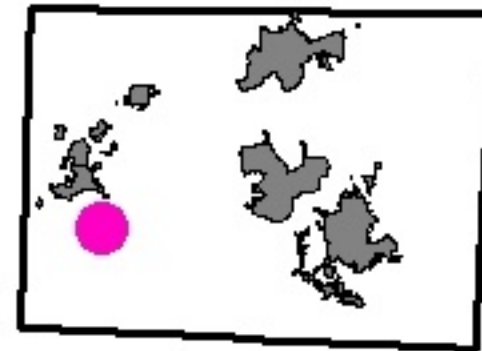
**Zoning  
Vicinity Map**







 Tax PIN: 792400161586 | Requested Area in Crosshatches  
 Parcels



**Case #2021-03: Biggs | Rezoning from RA to HC-CD**  
**Aerial Map**

0 0.0425 0.085 0.17 Miles



ROCKINGHAM COUNTY PLANNING DEPARTMENT, FOR ILLUSTRATION PURPOSES ONLY





# ROCKINGHAM COUNTY

Community Development

ZAMEND 2020-0027

## APPLICATION FOR ZONING MAP AMENDMENT

Case Number: 2021-03

Property Address: US 220  
Parcel No / Tax Pins(s): P# 121970, Pin# 7924-00-16-1586  
Current District including overlays: Residential Agriculture  
Acreage requested for rezoning: 4 AC (attach legal description if acreage represents a portion of a parcel)

Owner: Charles Williams  
Mailing Address: 242 Baggage Rd, Madison, NC 27025  
Telephone: 336 402 3725 Email: \_\_\_\_\_

Applicant: Jeff Biggs  
Mailing address: P.O. Box 364, Madison, NC 27025  
Telephone: 336 344 1616 email: JEFFBIGGS8@EMBARQMAIL.COM

Proposed District including overlays: \_\_\_\_\_

Charles D Williams Daniel J Williams  
Signature of Applicant/Owner (circle) Signature of Applicant/Owner (circle)

NOTARIZE SIGNATURES BELOW IF NOT WITNESSED BY STAFF

OR

Proposed Conditional District including overlays: (list conditions and attach site plan if appropriate)

HC-CD Use Conditions attached.

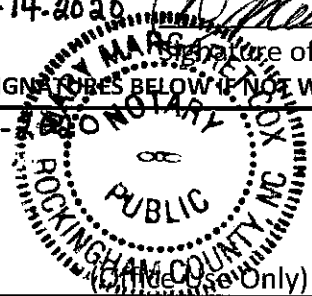
(attach additional pages if needed)

An application has been duly filed requesting that the property involved in the application be rezoned as above. It is understood and acknowledged that if the property is rezoned as requested and the Conditional District authorized, the property involved in this request will be perpetually bound to the uses and conditions as imposed unless subsequently changed or amended by the Rockingham County Board of Commissioners. It is further understood and acknowledged that any development plans to be submitted pursuant to any such Conditional District so authorized shall be submitted to the Board of Commissioners for review and approval.

Charles D Williams Daniel J Williams 10-14-2020 10-14-2020  
Signature of Applicant/Owner (circle) Signature of Applicant/Owner (circle)

NOTARIZE SIGNATURES BELOW IF NOT WITNESSED BY STAFF

Mary Margaret Col 10-14-2020  
Notary Public  
10-5-2022  
My Commission Expires



[Signature]  
Authorized County Official

- legal description of area
- all owner signatures
- fees received \$350
- conditions 11/18/20
- site plan

Date of Planning Board Hearing Jan 11, 2021  
 Date of Board of Commissioners Hearing Feb 15, 2021  
 Planning Board Recommendation: Approve ( ) Deny ( ) Vote: \_\_\_\_\_  
 Board of Commissioners Decision: Approve ( ) Deny ( ) Vote: \_\_\_\_\_



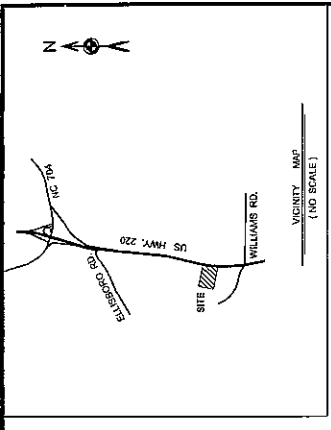
**Certificate of Purpose of Plat:**  
 This survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land. N.C.G.S. 47-29 (f) (1) c. 1.

**CERTIFICATE OF SURVEY ACCURACY**

I, David Vaughn, certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed Professional Surveyor in the State of North Carolina. My registration number is 1-2810. I have personally examined the field notes and calculations and find that the plat was prepared in accordance with G.S. 47-39 as amended and that the same are correct. My registration number and seal this day of \_\_\_\_\_ 20\_\_\_\_.



Surveyor \_\_\_\_\_  
 Registration Number \_\_\_\_\_  
 SEAL OR STAMP



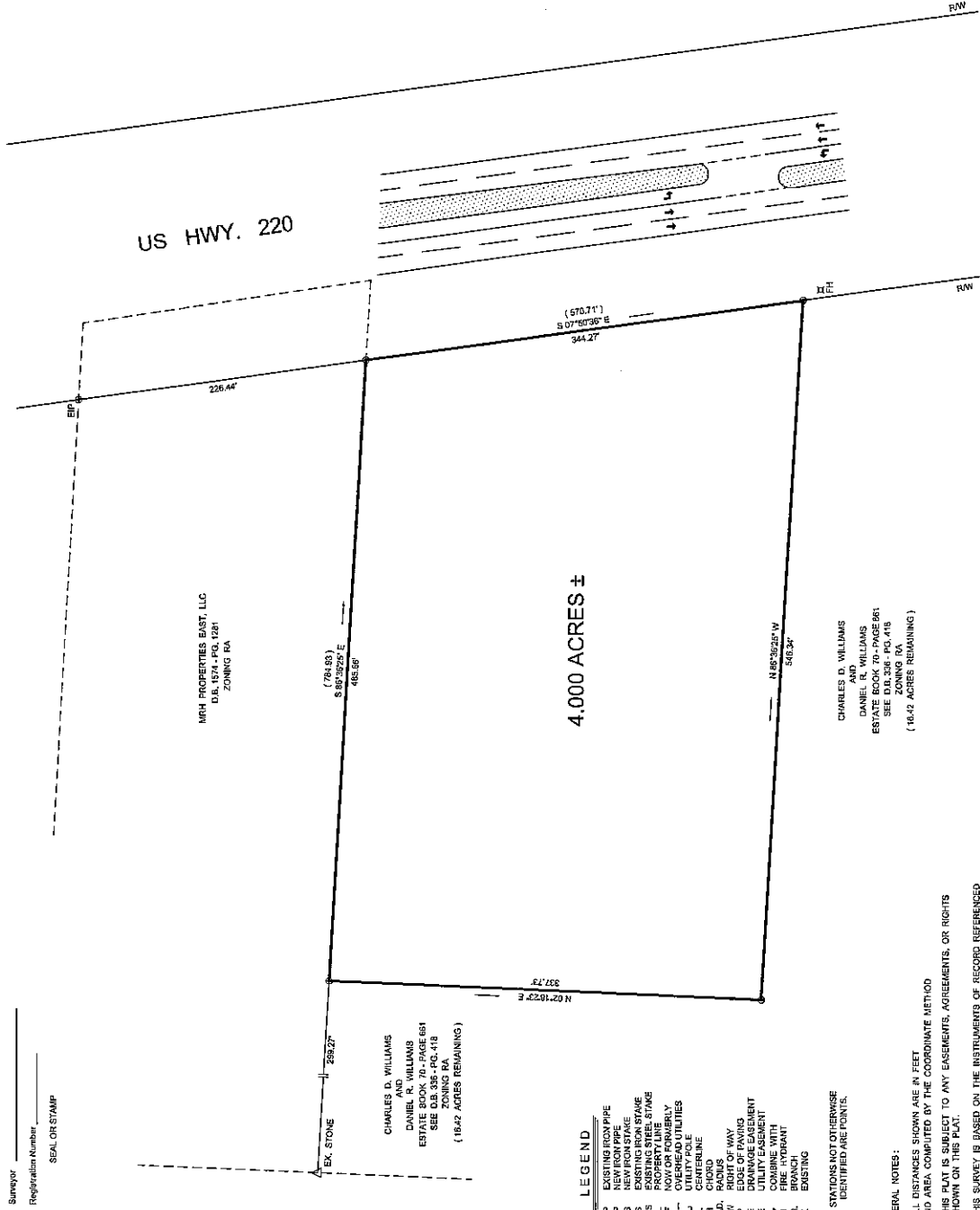
SITE DATA	
TAX PIN: 7524-04-16-1987	PARCEL NUMBER: 141970
PRES. ZONING: RA	PROPOSED ZONING: HC

MAP FOR REZONING

**CHARLES D. WILLIAMS**  
 AND  
**DANIEL R. WILLIAMS**  
 (OWNERS)

NEW BETHEL TOWNSHIP  
 ROCKINGHAM CO., NC  
 NOVEMBER 13, 2020  
 SCALE 1" = 80'

VAUGHN SURVEYING CO., INC.  
 115 S. MARKET ST.  
 MARRION, NC 27024  
 335-427-0512  
 info@vaughnsurveying.com  
 License No. C-9585



**LEGEND**

- EIP EXISTING IRON PIPE
- NIP NEW IRON PIPE
- EIS EXISTING IRON STAKE
- ESS EXISTING STEEL STAKE
- NIP NEW IRON PIPE
- OP OVERHEAD UTILITY
- CU CURB
- CH CHORD
- RD ROAD
- RA RADIUS
- HW HIGHWAY
- EP EDGE OF PAVING
- DE DRAINAGE EASEMENT
- UE UTILITY EASEMENT
- FR FIRE HYDRANT
- BR BRANCH
- EX EXISTING

STATIONS AND TURNING POINTS IDENTIFIED ARE POINTS.

**GENERAL NOTES:**

1. ALL DISTANCES SHOWN ARE IN FEET
2. THIS PLAT IS SUBJECT TO ANY EASEMENTS, AGREEMENTS, OR RIGHTS SHOWN ON THIS PLAT.
3. THIS SURVEY IS BASED ON THE INSTRUMENTS OF RECORD REFERENCED HEREIN. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE OPINION AND MAY NOT INDICATE ALL ENCUMBRANCES ON THE PROPERTY, OR OTHER MATTERS THAT SUCH A REPORT MIGHT REVEAL.

CHARLES D. WILLIAMS  
 AND  
 DANIEL R. WILLIAMS  
 ESTATE BOOK 70-PAGE 681  
 SEE D.B. 338-PG. 415  
 ZONING RA  
 (16.42 ACRES REMAINING)

REFERENCE: ESTATE BOOK 70-PAGE 681  
 SEE D.B. 338-PG. 415

## USES IN HIGHWAY COMMERCIAL ZONING DISTRICT

Uses Permitted by right. Zoning Permit may be required.

1. Accessory uses
2. Agricultural use (not regulated)
3. Amusements, indoor commercial (e.g. bowling alleys, skating rinks)
4. Amusements, out-of-doors commercial (e.g. roller coasters, fairgrounds)
5. Apparel and accessory sales
6. Auction sales, temporary, one-time use
7. Automobile body shops (excluding open storage of wrecked vehicles)
8. Automobile car-wash, drive through, requiring vehicle stacking
9. Automobile parts sales
10. Automobile sales
11. Automobile service stations
12. Automobile storage (excluding wrecked & junked vehicles)
13. Automobile, truck and trailer (hauling) rental
14. Banks, and Savings and loans
15. Barber and beauty service
16. Beneficial Fill
17. Boats, recreational vehicles sales and service
18. Bottling plants
19. Bus station
20. Cabinet making
21. Car wash
22. Churches and their customary uses including child care
23. Clinics, medical, dental
24. Clubs and lodges, private, non-profit
25. Clubs and places of entertainment (commercial)
26. Community centers, public or private non-profit for assembly and recreation
27. Compartmentalized storage for individual storage of residential and commercial goods
28. Condominiums- Commercial
29. Convenience food stores
30. Day care – 6 or more persons
31. Drive – in window services (banks, laundries, fast-food, etc., where permitted in district)
32. ~~Dry cleaning and laundry~~
33. Exterminating services
34. Farm machinery sales
35. Farm supplies sales (feed, seed, fertilizer, etc.)
36. Fire, sheriff and emergency services
37. Fleamarkets (indoors)
38. Fleamarkets (out-of-doors)
39. Florists
40. Food freezer operations
41. Funeral Homes
42. Gift shops
43. Golf, miniature
44. Governmental offices
45. Grocery stores
46. Hardware, paint and garden supplies
47. Home furnishings and appliance sales
48. Home Occupations
49. Hotels and motels
50. Health and social services centers
51. Industrial equipment sales and service
52. ~~Kennels~~ ODB
53. Laboratory, medical and dental
54. Laboratory, research
55. ~~Laundry or dry cleaning, self-~~ ODB service
56. ~~Library, public~~ ODB
57. Locksmith, gunsmith
58. Machine shop, welding shop
59. Mixed commercial and residential – commercial primary
60. Mobile home, temporary use for construction projects (Class A or B)

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>61. Mobile home, travel trailer, camper, marine, recreational vehicle sales</li> <li>62. Monument and cut stone manufacture and sales</li> <li>63. Nursery, Plant Cultivation, &amp; Sales</li> <li>64. Office supplies, sales</li> <li>65. Pharmacy and drug store</li> <li>66. Post office</li> <li>67. Pottery crafting and sales</li> <li>68. Printing and reproduction</li> <li>69. Professional and business offices</li> <li>70. Radio or television studio</li> <li>71. Reception/Banquet Facility</li> <li>72. Retail sales, not listed elsewhere</li> <li>73. Repair, rental and service of products sold at retail in same district</li> <li>74. Restaurant</li> <li>75. Retail stores and shops (excluding vehicle sales) not otherwise listed herein</li> <li>76. Service stations</li> </ul> | <ul style="list-style-type: none"> <li>77. Service establishments including but not limited to barber and beauty shops, small item repair and rental</li> <li>78. Sign, outdoor advertising (off-premises)</li> <li>79. Sign, on premises</li> <li>80. Studios for artists, designers, musician, photographers, sculptors (not as home occupation)</li> <li>81. Tailor shop</li> <li>82. Taxi stand</li> <li>83. Temporary buildings, incidental to development</li> <li>84. Temporary carnivals, rides, ferris wheels</li> <li>85. Theatre, drive-in</li> <li>86. Townhouses - commercial</li> <li>87. Upholstering and furniture refinishing</li> <li>88. Veterinary clinics</li> <li>89. Warehouses, sales or service</li> <li>90. Wholesale sales, not otherwise listed</li> </ul> |
|---|--|

**Uses Permitted with Design Standards or other standards. Zoning Permit may be required.**

- 1. Agritourism Activities
- 2. Outdoor Display Area (non-residential)
- 3. Outdoor Storage Area (non-residential)
- 4. Special Events

**Uses with Special Use Permit**

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>1. Adult uses</li> <li>2. Electronic Gaming Operations</li> <li>3. Paintball Facility (outdoor)</li> <li>4. Planned business development</li> <li>5. Public utility substations</li> </ul> | <ul style="list-style-type: none"> <li>6. Schools, academic</li> <li>7. Schools, business/trade</li> <li>8. Turkey Shoots (for profit, year round)</li> <li>9. Wireless Telecommunications Facilities – new tower</li> </ul> |
|---|--|

**Uses Permitted with Conditional Zoning. Rezoning and Zoning Permits may be required.**

- 1. Airstrips

**PLANNING BOARD ANALYSIS AND STATEMENT**  
**CASE #2021-03, Jeff Biggs**  
**Residential Agricultural to Highway Commercial - Conditional District**

**APPROVAL, CONSISTENT WITH LAND USE PLAN**

The Planning Board has reviewed the **Highway Commercial – Conditional District** zoning amendment and adopts the following statements as required by NCGS § 153A-341 and § 153A-342:

1. After considering Rockingham County adopted comprehensive plans, the Planning Board recommends **approval** of (**Case #2021-03**). This action is **consistent** with the adopted Rockingham County Land Use Plan. This zoning amendment supports the intent and descriptions of the **Economic Development Land Class**.
2. The Board considers its action in adopting the proposed zoning amendment to be reasonable because:
  - A. The proposed use is an appropriate use for the land, considering its effect upon the entire community as a social, economic and political unit;
  - B. The size of the parcel is appropriate for the district requested;
  - C. The property for the request abuts properties that are currently zoned **Highway Commercial and Residential Agricultural**.
3. The Board considers its action in adopting this zoning amendment to be in the public interest because:
  - A. The proposed development has sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
  - B. The uses permitted in **Highway Commercial – Conditional District** would have similar impacts as the surrounding residentially zoned properties. This would not impose significant harm on the neighbors and surrounding community
  - C. The proposed rezoning is designed to meet or exceed all requirements and goals of the existing UDO and the comprehensive plan; and,
4. On balance the following factors: (1) the size of the tract in question, (2) the compatibility of the zoning action with the comprehensive plan, (3) the benefits and detriments resulting from the zoning action for the owner of the newly permitted property, the neighbors, and the surrounding community, and (4) the relationship between the envisioned permitted use and the uses currently present in adjacent tracts weigh in favor of approving the proposed zoning amendment.
5. Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicable Statutory Language:

“The planning board shall advise and comment on whether the proposed amendment is consistent with any Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan shall not preclude consideration or approval of the proposed amendment by the governing board.” NCGS § 153A-341

**PLANNING BOARD ANALYSIS AND STATEMENT**  
**CASE #2021-03, Jeff Biggs**  
**Residential Agricultural to Highway Commercial - Conditional District**

**APPROVAL, INCONSISTENT WITH LAND USE PLAN**

The Planning Board has reviewed the **Highway Commercial – Conditional District** zoning amendment and adopts the following statements as required by NCGS § 153A-341 and § 153A-342:

1. After considering Rockingham County adopted comprehensive plans, the Planning Board recommends **approval** of (**Case #2021-03**). This action is **not consistent** with the adopted Rockingham County Land Use Plan. This zoning amendment does not support the intent and descriptions of the **Economic Development Land Class**.
2. The Board considers its action in adopting the proposed zoning amendment to be reasonable because:
  - A. The proposed use is an appropriate use for the land, considering its effect upon the entire community as a social, economic and political unit;
  - B. The size of the parcel is appropriate for the district requested;
  - C. The property for the request abuts properties that are currently zoned **Highway Commercial and Residential Agricultural**.
3. The Board considers its action in adopting this zoning amendment to be in the public interest because:
  - A. The proposed development has sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
  - B. The uses permitted in **Highway Commercial – Conditional District** would have similar impacts as the surrounding residentially zoned properties. This would not impose significant harm on the neighbors and surrounding community
  - C. The proposed rezoning is designed to meet or exceed all requirements and goals of the existing UDO and the comprehensive plan; and,
4. On balance the following factors: (1) the size of the tract in question, (2) the compatibility of the zoning action with the comprehensive plan, (3) the benefits and detriments resulting from the zoning action for the owner of the newly permitted property, the neighbors, and the surrounding community, and (4) the relationship between the envisioned permitted use and the uses currently present in adjacent tracts weigh in favor of approving the proposed zoning amendment; and,

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicable Statutory Language:

“The planning board shall advise and comment on whether the proposed amendment is consistent with any Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan shall not preclude consideration or approval of the proposed amendment by the governing board.” NCGS § 153A-341

**PLANNING BOARD ANALYSIS AND STATEMENT**  
**CASE #2021-03, Jeff Biggs**  
**Residential Agricultural to Highway Commercial - Conditional District**

**DENIAL**

The Planning Board has reviewed the **Highway Commercial – Conditional District** zoning amendment and adopts the following statements as required by NCGS § 153A-341 and § 153A-342:

1. After considering Rockingham County adopted comprehensive plans, the Planning Board recommends **denial** of (**Case #2021-03**). This action is **not consistent** with the adopted Rockingham County Land Use Plan. This zoning amendment does not support the intent and descriptions of the **Economic Development Land Class**.
2. The Board does not consider the adoption of the proposed zoning amendment to be reasonable because:
  - A. The proposed use is not an appropriate use for the land, considering its effect upon the entire community as a social, economic and political unit;
  - B. The size of the parcel is not appropriate for the district requested;
  - C. The property for the request abuts properties that are currently zoned **Highway Commercial and Residential Agricultural**.
3. The Board does not consider the adoption of the proposed zoning amendment to be in the public interest because:
  - A. The proposed development does not have sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
  - B. The uses permitted in **Highway Commercial – Conditional District** would not have similar impacts as the surrounding residentially zoned properties. This would potentially impose significant harm on the neighbors and surrounding community
  - C. The proposed rezoning is not designed to meet or exceed all requirements and goals of the existing UDO and the comprehensive plan; and,
4. On balance the following factors: (1) the size of the tract in question, (2) the compatibility of the zoning action with the comprehensive plan, (3) the benefits and detriments resulting from the zoning action for the owner of the newly permitted property, the neighbors, and the surrounding community, and (4) the relationship between the envisioned permitted use and the uses currently present in adjacent tracts weigh in favor of approving the proposed zoning amendment; and,

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicable Statutory Language:

“The planning board shall advise and comment on whether the proposed amendment is consistent with any Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan shall not preclude consideration or approval of the proposed amendment by the governing board.” NCGS § 153A-341

**ROCKINGHAM COUNTY**  
**STAFF REPORT**  
**Case #2021-04, Special Use Permit**



<b>Request:</b>	Special Use Permit to allow a <b>Doublewide Manufactured Home in a Residential Protected District</b>
<b>Applicant, Owner:</b>	<u>Oakwood Homes</u>
<b>Identification:</b>	The property is identified as <u>Tax PIN: 790400232226</u>
<b>Location:</b>	2163 Lindsey Bridge Road – Huntsville Township

**1. Acreeage and Location of Proposal:**

+/- 2.91 acres near the intersection of Lindsey Bridge Road and Eden Church Road, approximately 2.5 miles from the Rockingham County and Stokes County line.

**2. Character and Land Use of Neighborhood and Surrounding Community:**

The neighborhood is predominantly characterized by single-family and undeveloped residential lots.

**3. Relevant Unified Development Ordinance Section:**

*Chapter 2, Article IX, Section 9-11(o), pp. 120-121*

**4. Adopted Regulation and Plans:**

The property and surrounding properties are zoned Residential Protected (RP) with a list of permitted uses attached.

This property is located in the *Rural Transition Land Class* of the Rockingham County Land Use Plan. The Rural Transition class is intended to accommodate existing residential neighborhoods and to balance the need to retain the area's rural character and beauty with the strong demand for continued residential development.

**5. Staff Findings and Recommendation:**

After reviewing the application, Staff concludes that sufficient information has been provided for the application to be processed for consideration by the Planning Board.

Based on Staff's analysis and the UDO requirements for a Special Use Permit to allow for a Doublewide Manufactured Home in a Residential Protected District, staff recommends approval of Case #2021-04, with the following conditions:

1. The applicant must comply with the site plan approved by, and any other conditions imposed by, the Board of Adjustment.
2. The applicant is responsible for obtaining and complying with all required permits and approvals.
3. The applicant must follow all of the requirements for the Manufactured Housing, Class AA Special Use Permit which are listed in the Rockingham County Unified Development Ordinance (pages 120-121).

**6. Approval Process:**

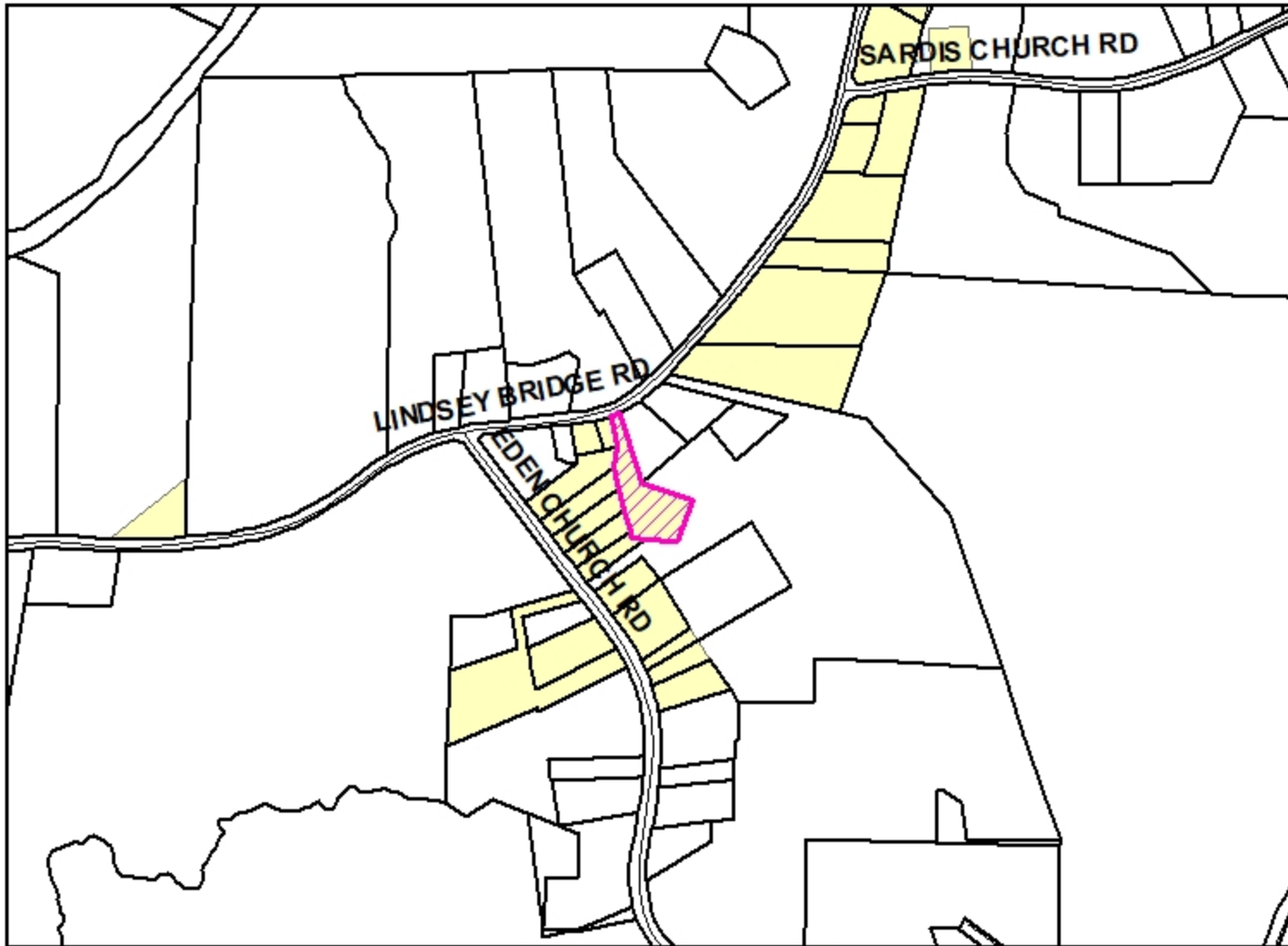
No Special Use Permit shall be granted by the Planning Board unless each of the following findings is made concerning the proposed special use:













- (a) That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
- (b) That the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;
- (c) That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property or that the use or development is a public necessity; and

- (d) That the use or development conforms with the general plans for the land use and development of Rockingham County as embodied in this chapter and in the Rockingham County Development Guide.

There shall be competent, material and substantial evidence in the record to support these conclusions and the Planning Board must find that all of the above exist or the application will be denied.





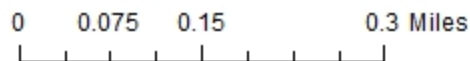
-  Tax PIN: 790400232226
- County Zoning**
-  HC
-  NC
-  RC
-  HI
-  LI
-  OI
-  RM
-  RP
-  RA
-  Roads
-  Parcels



Existing Zoning of Surrounding Parcels

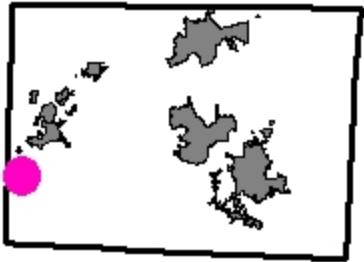


## Case #2021-04: Oakwood Homes | SUP for Doublewide in a Residential Protected Zoning Map





-  Tax PIN: 790400232226
-  Roads
-  Parcels



**Case #2021-04: Oakwood Homes | SUP for a Doublewide in a Residential Protected Aerial Map**

0 0.02 0.04 0.08 Miles

ROCKINGHAM COUNTY PLANNING DEPARTMENT, FOR ILLUSTRATION PURPOSES ONLY



# ROCKINGHAM COUNTY

Community Development

## APPLICATION FOR SPECIAL USE PERMIT

Property Address: 2163 Lindsey Bridge Rd, Madison, NC 27025  
 Parcel No / Tax Pins(s): 790400232226/ 113838 *Gina Barnes*  
 Zoning District including overlays: Residential Protected  
 Acreage requested for Special Use Permit: 2.91 ac - whole parcel  
 (attach legal description if acreage represents a portion of a parcel)

Date: 12/16/20

**Owner:** Thomas Hand  
 Mailing Address: 2163 Lindsey Bridge Rd, Madison, NC 27025  
 Telephone: \_\_\_\_\_ email: \_\_\_\_\_

**Applicant:** Oak Wood Homes Point of Contact: Gina Barnes  
 Mailing address: 916 S. Van Buren Rd, Eden NC  
 Telephone: 3367101588 email: gina.barnes@claytonhomes.com

**Proposed Use:** Double Wide Manufactured Home in Residential Protected District.

**Description and plans for the use (attach additional sheets if needed):**  
The use will be developed according to the attached site plan.

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\_\_\_\_\_  
Signature of Applicant/Owner (circle)

\_\_\_\_\_  
Signature of Applicant/Owner (circle)

### NOTARIZE SIGNATURES BELOW IF NOT WITNESSED BY STAFF

\_\_\_\_\_  
County, North Carolina

I certify that \_\_\_\_\_ personally appeared before me this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
 and acknowledged the due execution of the foregoing instrument.

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Notary Printed Name

My Commission Expires: \_\_\_\_\_

### (Office Use Only)

<input type="checkbox"/> legal description of area <input type="checkbox"/> all owner signatures <input type="checkbox"/> fees <input type="checkbox"/> conditions <input type="checkbox"/> site plan	Case Number: <u>2021-04</u>
	Date of Planning Board Hearing <u>Jan 11, 2020</u>
	Date of Board of Commissioners Hearing _____
	Planning Board Decision: Approve ( ) Deny ( ) Vote: _____ Board of Commissioners Decision: Approve ( ) Deny ( ) Vote: _____

**PLANNING BOARD ANALYSIS AND STATEMENT**

**CASE # 2021-04: Oakwood Homes**

**Special Use Permit to allow for a Doublewide Manufactured Home in a Residential Protected District**

**FINDINGS**

The Planning Board has reviewed the **Special Use Permit** and adopts the following statements as required by the Rockingham County UDO and NCGS § 153A-341 and § 153A-342:

1. After considering Rockingham County adopted comprehensive plans and UDO, the Planning Board **approves/disapproves** (2021-04). This action is **consistent/not consistent** with the adopted Rockingham County Land Use Plan.
2. After review of competent, material and substantial evidence in the record, the Board makes the following findings for the 4 conclusions necessary to approve a Special Use Permit:

**yes no** (a) That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;  
 The Board finds:  
 Would the approval of this permit impose significant harm on the neighbors and surrounding community?

**yes no** (b) That the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;  
 The Board finds:  
 That the proposed use is an allowed use in a Residential Protected zoning district if a Special Use Permit is approved, that the conditions of the Special Use Permit will ensure development meets or exceeds all requirements and goals of the existing UDO, and that the Rockingham County permitting and inspections department will ensure the structures and site meet or exceed all state and local standards for construction and design.

**yes no** (c) That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property or that the use or development is a public necessity; and  
 The Board finds:  
 Will the proposed business be compatible with or exceed the quality of existing developments in the neighborhood and have similar impacts as the surrounding building types?

**yes no** (d) That the use or development conforms with the general plans for the land use and development of Rockingham County as embodied in this chapter and in the Rockingham County UDO.  
 The Board finds:  
 Does this Special Use Permit support the policies and guidelines of the **Rural Transition Land Class** and the intended purpose of the Residential Protected zoning district?

3. Additional comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**PLANNING BOARD ANALYSIS AND STATEMENT**  
**CASE # 2021-04: Oakwood Homes**  
**Special Use Permit to allow for a Doublewide Manufactured Home in a Residential**  
**Protected District**



**ROCKINGHAM COUNTY PLANNING  
STAFF REPORT  
Case #2021-05**



<b>Request:</b>	<b>Residential Agricultural to Light Industrial</b>
<b>Applicant:</b>	<u>Carroll Industrial Development</u>
<b>Identification:</b>	The property is denoted by Parcel Number 121038
<b>Location:</b>	496 Sylvania Road – New Bethel Township

**1. Acreage and Location of Proposal:**

(+/-) 0.65 acres. The parcel is located on the south of Sylvania Rd and just north of its intersection with NC 65.

**2. Zoning Classification of Adjacent and Surrounding Parcels:**

Adjacent properties are zoned Light Industrial to the north, south and west, and Residential Agricultural to the west. Across NC 65 of the parcels is an area of Light Industrial and Highway Commercial zoning.

**3. Character and Land Use of Neighborhood and Surrounding Community:**

The neighborhood is characterized by industrial, residential, and agricultural uses. The requested parcels and surrounding properties are located within an area bounded by highways US 220, NC 68, and NC 65.

**4. Topographical and Environmental Characteristics:**

Watershed – The requested parcel is located in a watershed designated as Troublesome Creek III

Flood Plain – The requested parcel is not located in a floodplain according to the *Federal Emergency Management Agency* flood plain map 3710792200J.

Wetlands and streams – There are no known wetlands or streams on the requested parcel.

**5. Utilities / Services:**

The parcel will be served by Rockingham County public water and sewer.

**6. Previous Zoning and Property History:**

1988: The area was designated Residential Agricultural zoning with the adoption of the UDO.

**7. Adopted Regulation and Plans:**

The parcel will be combined with adjacent parcels to meet the lot size requirements of the LI-Light Industrial district. Any proposed uses that require a Special Use Permit or Development Standards will be subject to the requirements of those sections of the UDO.

These properties are located in the *Economic Development Land Class* of the Rockingham County Land Use Plan. The proposed rezoning meets the purposes and characteristics of that Land Class, summarized below.

<b>Land Classes</b>	<b>Purposes</b>	<b>Characteristics</b>	<b>Services</b>	<b>Residential Density</b>
Economic Development Land Class	To accommodate and encourage new industrial and commercial uses in	Lands outside of Developed and Urban Transition areas where substantial capital investments are	Access to major transportation facilities and supported by	Moderate to high density land uses. 2-3 units/acre.

	areas where local government supports substantial investments in water, sewer and transportation systems.	strongly encouraged to create new jobs and build the County tax base.	public water and sewer.	
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### **8. Staff Findings and Recommendation:**

After reviewing the application, Staff concludes that sufficient information has been provided for the application to be processed for consideration by the Planning Board and Board of Commissioners.

Property in close proximity to the subject parcels were recently rezoned from Residential to Light Industrial. The proposed zoning fits well into the context and adopted plans for the area. The rezoning of this area encourages new and expanding industries to diversify and boost the local economy. Industrial and manufacturing uses that would be permitted within the proposed district include the highest job producing business sectors.

Please remember that this request is for a straight rezoning with no conditions. When making the decision for a straight rezoning, the Board must consider all allowed uses in each zoning district. *No testimony referencing current or future uses should be discussed; nor may any testimony of this nature be considered in making the decision to grant or deny the rezoning.* Uses permitted in the Light Industrial district include 50 uses by right, 9 with a Special Use Permit, 6 with Design Criteria, and 3 allowed only as part of a conditional zoning district. A full list is attached.

It is Staff's recommendation that the rezoning request meets the intent of the Land Use Plan and will fit well within the context of current zoning and land use in the local community and the region.

### **Growth Management Strategies:**

Strategy 4) Identify key growth corridors and interchanges that require non-residential development sites be prioritized and planned.

The parcels proposed for rezoning are located in an area identified by the county's Land Use Plan as a key growth interchange along US 220/ Interstate 73.

Strategy 6) Promote growth in and around municipalities and other targeted growth areas. This proposal is located within an area targeted for growth.

Strategy 7) Develop and refine detailed design guidelines and standards for non-residential development to be applied countywide.

The development of this property will be subject to UDO Site Design and Landscape Requirements for Non-Residential Zoning Districts, Article XVII of the Rockingham County Unified Development Ordinance (UDO).

### **Growth Management Policies:**

#### 5.2.1 Economic Development

This property is planned to be a part of a corporate park that will provide jobs for the area.

#### 5.2.2 Transportation

The property will become part of a larger development with access to Hwy 220/Future I73.

#### 5.2.3 Water and Sewer Services

The parcel is located within an area intended for water and sewer services.

#### 5.2.4 Industrial Development

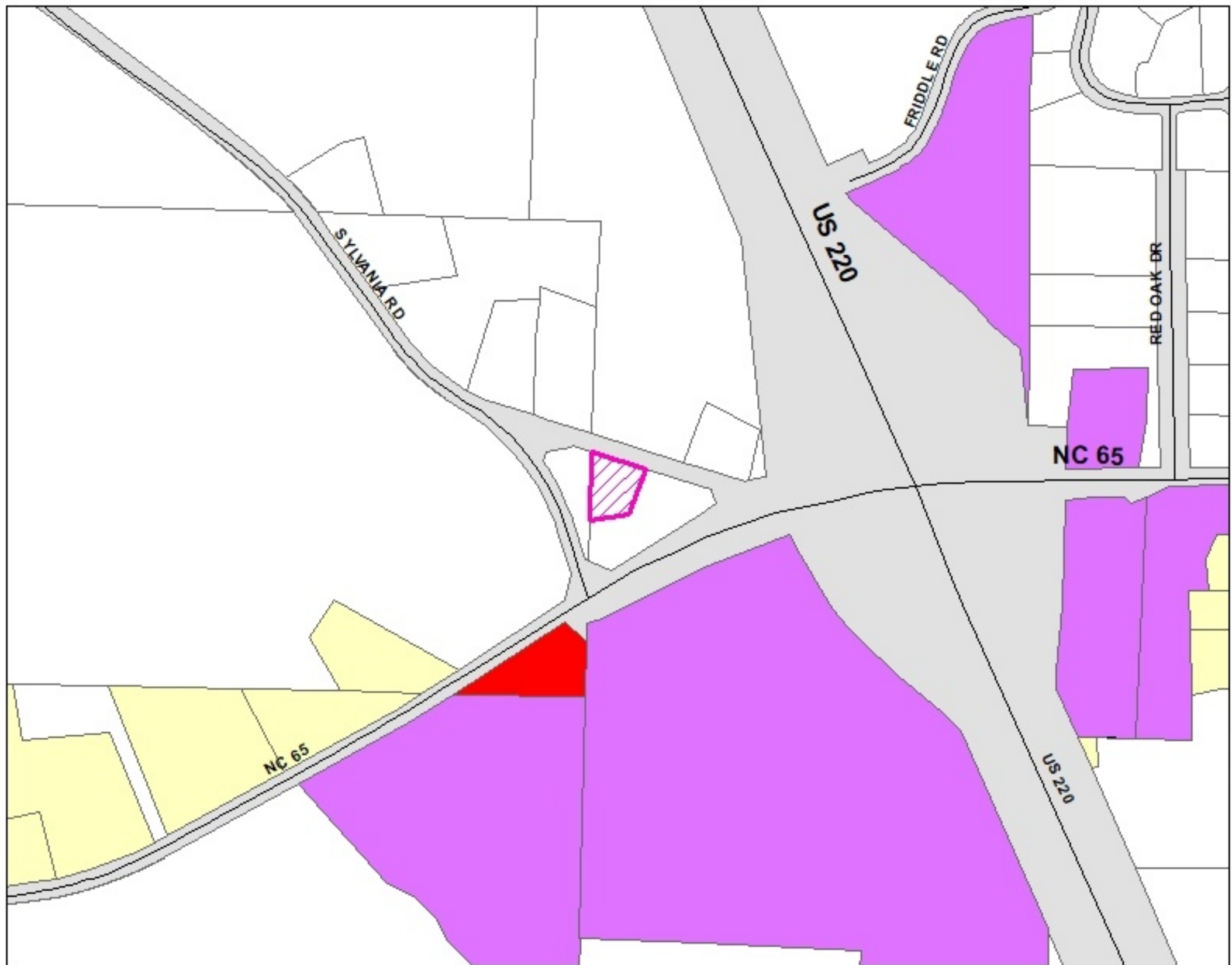
This property is located within an area planned for light industrial development.



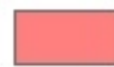




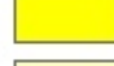
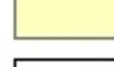


No development or occupancy will be permitted before the approval of a NCDOT driveway permit and appropriate building and environmental health permits. A Site Plan will also be required to show compliance, with Site Design & Landscaping Requirements for Non-Residential Zoning Districts.

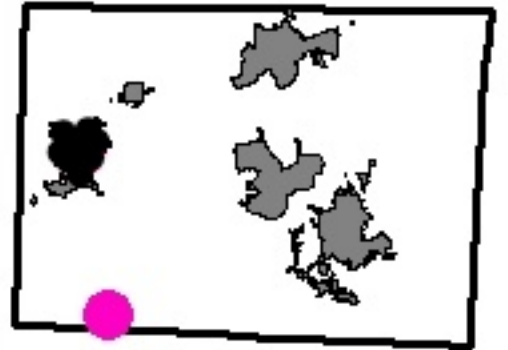
It is Staff's recommendation that the rezoning request meets the intent of the Land Use Plan with the conditions offered by the applicant, and will fit well within the context of current uses in the local community.

**Based on an analysis, of Case #2021-05, a request for Rezoning from Residential Agricultural to Light Industrial, staff recommends approval.**





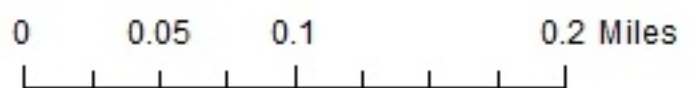
-  Tax PIN: 792101477507
-  HC
-  NC
-  RC
-  HI
-  LI
-  OI
-  RM
-  RP
-  RA
-  Parcels



**Zoning  
Vicinity Map**



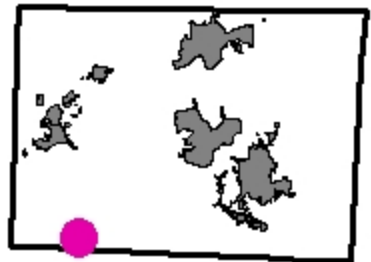
**Case #2021-05: Carroll Industrial Development | Rezoning from RA to LI**







 Tax PIN: 792101477507  
 Parcels



0 0.025 0.05 0.1 Miles

### Case #2021-05: Carroll Industrial Properties | Rezoning from RA to LI

### Aerial Map

ROCKINGHAM COUNTY PLANNING DEPARTMENT, FOR ILLUSTRATION PURPOSES ONLY



**ROCKINGHAM COUNTY**  
**GOVERNMENTAL CENTER**  
**Departments of Planning, Inspection and Central Permitting**

**APPLICATION FOR ZONING MAP AMENDMENT**

\*ALL SIGNATURES ON ALL PAGES MUST BE WITNESSED BY STAFF OR NOTARY\*

Date: 11/24/2020

Applicant: Carroll Industrial Development (for owner)

Mailing Address: 201 N. Elm Street  
Greensboro, NC 27401

Telephone: 336.814.3218

\_\_\_\_\_  
 Notary Public

\_\_\_\_\_  
 My Commission Expires

Owner: Daisy Priddy  
 Mailing Address: 496 Sylvania Rd.

Stokesdale, NC 27357  
 Telephone: 336.814.3218

Tax PIN: 792101477507  
 Road Name: Sylvania and NC65

Size of parcel for rezoning: .65 AC

Current Zoning District: RA - Residential Ag

Proposed Zoning District: LI - Light Industrial

Daisy Priddy  
 Signature of Applicant/Owner (1)

[Signature]  
 Signature of Applicant/Owner (2)

(Office Use Only)

Date Fee Paid: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

Planning Board Recommendation: Approve ( ) Deny ( ) Vote: \_\_\_\_\_  
 Date of Hearing \_\_\_\_\_ Date of rehearing \_\_\_\_\_

Board of Commissioners Decision: Approve ( ) Deny ( ) Vote: \_\_\_\_\_  
 Date of Hearing \_\_\_\_\_ Date of rehearing \_\_\_\_\_

\_\_\_\_\_  
 Authorized County Official

371 NC 65, Reidsville, NC 27320 | PO Box 105, Wentworth, NC 27375

TELEPHONE: (336) 342-8130 | FAX: (336) 342-8362

**PLANNING BOARD ANALYSIS AND STATEMENT  
CASE #2021-05, Carroll Industrial Development  
Residential Agricultural to Light Industrial**

**APPROVAL, CONSISTENT WITH LAND USE PLAN**

The Planning Board has reviewed the **Light Industrial** zoning amendment and adopts the following statements as required by NCGS § 153A-341 and § 153A-342:

1. After considering Rockingham County adopted comprehensive plans, the Planning Board recommends **approval** of (Case #2021-05). This action is **consistent** with the adopted Rockingham County Land Use Plan. This zoning amendment supports the intent and descriptions of the **Economic Development Land Class**.
2. The Board considers its action in adopting the proposed zoning amendment to be reasonable because:
  - A. The proposed use is an appropriate use for the land, considering its effect upon the entire community as a social, economic and political unit;
  - B. The size of the parcel is appropriate for the district requested;
  - C. The property for the request abuts properties that are currently zoned **Residential Agricultural**.
3. The Board considers its action in adopting this zoning amendment to be in the public interest because:
  - A. The proposed development has sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
  - B. The uses permitted in the **Light Industrial District** would have similar impacts as the surrounding residentially zoned properties. This would not impose significant harm on the neighbors and surrounding community
  - C. The proposed rezoning is designed to meet or exceed all requirements and goals of the existing UDO and the comprehensive plan; and,
4. On balance the following factors: (1) the size of the tract in question, (2) the compatibility of the zoning action with the comprehensive plan, (3) the benefits and detriments resulting from the zoning action for the owner of the newly permitted property, the neighbors, and the surrounding community, and (4) the relationship between the envisioned permitted use and the uses currently present in adjacent tracts weigh in favor of approving the proposed zoning amendment.
5. Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicable Statutory Language:

“The planning board shall advise and comment on whether the proposed amendment is consistent with any Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan shall not preclude consideration or approval of the proposed amendment by the governing board.” NCGS § 153A-341



**PLANNING BOARD ANALYSIS AND STATEMENT  
CASE #2021-05, Carroll Industrial Development  
Residential Agricultural to Light Industrial**

**APPROVAL, INCONSISTENT WITH LAND USE PLAN**

The Planning Board has reviewed the **Light Industrial** zoning amendment and adopts the following statements as required by NCGS § 153A-341 and § 153A-342:

1. After considering Rockingham County adopted comprehensive plans, the Planning Board recommends **approval** of (Case #2021-05). This action is **not consistent** with the adopted Rockingham County Land Use Plan. This zoning amendment does not support the intent and descriptions of the **Economic Development Land Class**.
2. The Board considers its action in adopting the proposed zoning amendment to be reasonable because:
  - A. The proposed use is an appropriate use for the land, considering its effect upon the entire community as a social, economic and political unit;
  - B. The size of the parcel is appropriate for the district requested;
  - C. The property for the request abuts properties that are currently zoned **Residential Agricultural**.
3. The Board considers its action in adopting this zoning amendment to be in the public interest because:
  - A. The proposed development has sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
  - B. The uses permitted in the **Light Industrial District** would have similar impacts as the surrounding residentially zoned properties. This would not impose significant harm on the neighbors and surrounding community
  - C. The proposed rezoning is designed to meet or exceed all requirements and goals of the existing UDO and the comprehensive plan; and,
4. On balance the following factors: (1) the size of the tract in question, (2) the compatibility of the zoning action with the comprehensive plan, (3) the benefits and detriments resulting from the zoning action for the owner of the newly permitted property, the neighbors, and the surrounding community, and (4) the relationship between the envisioned permitted use and the uses currently present in adjacent tracts weigh in favor of approving the proposed zoning amendment; and,

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicable Statutory Language:

“The planning board shall advise and comment on whether the proposed amendment is consistent with any Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan shall not preclude consideration or approval of the proposed amendment by the governing board.” NCGS § 153A-341

**PLANNING BOARD ANALYSIS AND STATEMENT  
CASE #2021-05, Carroll Industrial Development  
Residential Agricultural to Light Industrial**

**DENIAL**

The Planning Board has reviewed the **Light Industrial** zoning amendment and adopts the following statements as required by NCGS § 153A-341 and § 153A-342:

1. After considering Rockingham County adopted comprehensive plans, the Planning Board recommends **denial** of (Case #2021-05). This action is **not consistent** with the adopted Rockingham County Land Use Plan. This zoning amendment does not support the intent and descriptions of the **Economic Development Land Class**.
2. The Board does not consider the adoption of the proposed zoning amendment to be reasonable because:
  - A. The proposed use is not an appropriate use for the land, considering its effect upon the entire community as a social, economic and political unit;
  - B. The size of the parcel is not appropriate for the district requested;
  - C. The property for the request abuts properties that are currently zoned **Residential Agricultural**.
3. The Board does not consider the adoption of the proposed zoning amendment to be in the public interest because:
  - A. The proposed development does not have sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
  - B. The uses permitted in the **Light Industrial District** would not have similar impacts as the surrounding residentially zoned properties. This would potentially impose significant harm on the neighbors and surrounding community
  - C. The proposed rezoning is not designed to meet or exceed all requirements and goals of the existing UDO and the comprehensive plan; and,
4. On balance the following factors: (1) the size of the tract in question, (2) the compatibility of the zoning action with the comprehensive plan, (3) the benefits and detriments resulting from the zoning action for the owner of the newly permitted property, the neighbors, and the surrounding community, and (4) the relationship between the envisioned permitted use and the uses currently present in adjacent tracts weigh in favor of approving the proposed zoning amendment; and,

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicable Statutory Language:

“The planning board shall advise and comment on whether the proposed amendment is consistent with any Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan shall not preclude consideration or approval of the proposed amendment by the governing board.” NCGS § 153A-341