

AGENDA

ROCKINGHAM COUNTY PLANNING BOARD

August 10, 2020 at 7:00 pm

County Commissioners Chambers

Rockingham County Governmental Center



- I. Call Planning Board to order**
- II. Invocation**
- III. Approval of Minutes:** July 14, 2020 | October 28th, 2019
- IV. Review of Procedures for Planning Board**
- V. Cases before the Planning Board:**
 - a. REZONING CASE # 2020-21: Teramore Development** – Request for rezoning from Residential Mixed to Highway Commercial – Conditional District. Parcel #s: 148594 & 148592. +/- 2.25 acres
- IX. Other Business:**
 - a. Old Business: None
 - b. New Business: Updates from Planning Director
-Training scheduled for August 24 Planning Board meeting
- X. Adjourn**



ROCKINGHAM COUNTY PLANNING BOARD

MINUTES

ROCKINGHAM COUNTY PLANNING BOARD AND BOARD OF ADJUSTMENT REGULAR MEETING – July 14, 2020 - 7:00 P.M.

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

1. Chairman Ksieniewicz called the meeting to order at 7:00 pm.
2. Invocation was given by James Harris.
3. Attendance:
Regular members present: Paul Ksieniewicz, Julie Talbert, Michael Lee, T. Matt Cardwell, James Fink, James Harris, and Phillip Stone.

Alternate members present for training: Cory Scott

Staff and others present: Carrie Spencer- Planning Director, John Morris – County Attorney, Emily Bacon - Planner, Roy Sawyers – A/V Technician, Benjamin Curry – Code Enforcement, and citizens.

Members Absent: Dylan Moore, T. Matt Cardwell, Ann Cunningham, Stacey Southern, and Timothy Wyatt.

4. **The June 22, 2020 minutes were approved with the following corrections.**
Paul K submitted a correction to the minutes to add James Harris to the attendance list. Julie Talbert motioned, Philip Stone seconded, 6-0 approved.

5. PROCEDURES

Chairman Ksieniewicz read the Rules of Procedure for public hearings.

6. PUBLIC HEARINGS BEFORE THE PLANNING BOARD

- a. **REZONING CASE # 2020-17: EVANS** – Request for rezoning from RA to HC-CD, 10971 US 220, Stoneville, Tax PIN #7030-00-07-6676

Carrie Spencer presented the case based on the staff report. Spencer noted that the property was used as a gas station and a grocer prior to the adoption of the Rockingham County UDO.

Clyde Evans III, of 240 Lester Rd – Stoneville, took the stand as the applicant.

Julie Talbert asked why outdoor amusements were marked off the list of uses for this conditional zoning request. Evans answered that his intention was to take off things on the permitted use list that may be controversial.

James Harris, asked the applicant about someone selling topsoil out of the building when it was not zoned for commercial uses. Evans answered that he had given permission to a relative to use the building for storage. He was not aware of any sales.

Ben Curry, approached the stand to comment that the property had a code enforcement case some years ago over commercial activity but that it has been resolved. Emily Bacon, approached the stand to comment that Farm Supply Sales, and Nursery Sales were permitted uses in the Residential Agricultural district. The individual many have not obtained a permit but the use was allowed.

A neighbor, came to the stand to say he got the postcard today. And his questions had been answered.

Michael Lee made the following motion for recommending approval to the Board of Commissioners. The request is consistent with Rockingham County's adopted Land Use Plan, it supports the Urban Transition Land Class, it is an appropriate use for the land considering its location between two highways and near to other commercial land. It will not cause significant harm to the neighbors and is compatible use with the surrounding area. Talbert seconded. Vote was 6-0 for recommending approval to the County Commissioners on the August 17, 2020 meeting.

10. OTHER BUSINESS

a) Old Business (none)

b) New Business

- a. Ontex will start breaking ground next month. Their goal is to be in operation during 2021.

10. ADJOURN

Michael Lee motioned, Stone seconded. The Board 5-0 voted to adjourn at 8:27pm.

Minutes Read and Approved,

Respectfully submitted,

Chairperson, Planning Board

Date

Planning Staff

Date

**MINUTES OF THE REGULARLY SCHEDULED MEETING OF:
THE ROCKINGHAM COUNTY PLANNING BOARD**



**BOARD OF COMMISSIONERS CHAMBERS
ROCKINGHAM COUNTY GOVERNMENTAL CENTER
371 NC HIGHWAY 65, REIDSVILLE (WENTWORTH), NC
OCTOBER 28, 2019 AT 7:00 PM**

MEMBERS PRESENT: T. Matt Cardwell
James Fink
James Harris
Paul Ksieniewicz
Mike Lee
Julie Talbert
Timothy Wyatt

MEMBERS ABSENT: Ann Cunningham

STAFF PRESENT: Carrie Spencer, Planning Director
Emily Bacon, Planner
Roy Sawyers, A/V Tech
Bricen Wall, Code Enforcement Officer

I. CALL TO ORDER

**PAUL K CALLED TO ORDER THE REGULARLY SCHEDULED MEETING OF THE
ROCKINGHAM COUNTY PLANNING BOARD AT 7:01 PM.**

II. INVOCATION

Mr. Harris conducted the invocation.

III. REVIEW OF PROCEDURES

Vice Chairperson Cunningham reviewed procedures. There were no minutes to review.

Speakers were sworn in by Paul K.

IV. PLANNING BOARD PUBLIC MEETINGS

1. Case # 2019-021: Rezoning Request for Tax Pin: 7913-00-50-8532 to rezone from RA to RP-CD. The applicant requests the condition that a major subdivision on this parcel be limited to 10.

Mrs. Spencer presented the case. She noted that this is an applicant who has reapplied with different conditions but that had a similar case heard earlier this year.

The board asked Mrs. Spencer some questions.

Speakers signed up to speak were invited to take the stand.

Bill Craney, of 8311 Patricia Drive, who is the land owner Diane Priddy's brother in-law. He spoke about this rezoning expressing family support. They can no longer care for the land and wish to sell it.

Several members of the board asked questions about how the land has been previously used. The land has been previously farmed and timbered.

Bonnie Mills, of 8312 Patricia Drive in Stokesdale, one of the landowners, stated that the land has not made enough money to pay its taxes and they would really like to sell the land.

John Gentry Jr., of 1117 Gideon Grove Church Rd, a farmer is concerned about water levels. Runoff and light pollution will be created by a major subdivision on Gideon Grove Church Rd. There is a high volume of heavy-duty trucks that use the road for construction projects.

Board members asked him questions. He has lived on this road his whole life, it is one of the last of his family's farms left in this area. He has not spoken to the Sheriff, NC DOT, or the Commissioners about his complaints. In his opinion this road is in a rural area and farmers should still be able to safely use this road to access different fields with farm equipment etc.

Robert Griffin Jr., of 1138 Gideon Grove Church Rd, took the stand to express opposition for this rezoning. He believes this area should stay rural.

PAUL K OPENED THE FLOOR FOR MOTIONS. MRS. CUNNINGHAM MOTIONED FOR APPROVAL. IT FITS WITHIN THE LANDUSE PLAN, AND FITS WELL WITH THE CONTEXT OF THE COMMUNITY. JULIE TALBERT SECONDED. VOTE WAS (4-2). MATT CARDWELL AND JAMES HARRIS VOTED AGAINST APPROVAL.

2. Text amendment Case# T2019- 003. Mailing Notices.

The case was presented Carrie Spencer. It was requested by Board of Commissioners to change the required mailing radius from adjacent parcel owners to residences within 1000 ft.

Mrs. Cunningham asked if that was from the edge of the property or the center.

PAUL KSIENIEWICZ ASKED FOR MOTIONS. JULIE TALBERT MOTIONED FOR APPROVAL. ANN CUNNINGHAM SECONDED. THE BOARD VOTED UNANIMOUSLY (7-0) TO APPROVE THE TEXT AMENDMENT AS PROPOSED.

~* PAUL KSIENIEWICZ CALLED FOR A MOTION TO ADJOURN AS PLANNING BOARD AND RECONVENE AS BOARD OF ADJUSTMENT. MRS. TALBERT MOTIONED TO DO SO, JIM HARRIS SECONDED. *~

MATT CARDWELL MADE A CONFLICT OF INTEREST FOR THE VARIANCE CASE KNOWN TO THE BOARD. JULIE TALBERT MOTIONED TO RECUSE MR. CARDWELL FROM THE MEETING. JIM HARRIS SECONDED THAT MOTION. THE BOARD VOTED (7-0) TO RECUSE HIM OF VOTING.

PAUL KSIENIEWICZ WENT OVER BOARD OF ADJUSTMENT PROCEDURES.

BOARD OF ADJUSTMENT PUBLIC HEARING

- 1. VARIANCE CASE# 2019-019:** 270 Woodsong drive. A request for the applicant to build 30 ft from their front property line.

Mrs. Spencer presented the case based on the Staff Report, and recommended approval. She highlighted what is needed to grant a variance.

Paul Ksieniewicz, swore in the applicant Patrick Williams.

Patrick Williams, of 270 Woodsong Drive, took the stand as the applicant. This variance is requested because of a permitted residential construction project that is already underway. In May of 2019 he applied for permits to enclose his home's garage so that he could homeschool his children. He wanted to add a porch so that closing in the garage did not look funny. Currently they have French doors that are off of the ground and no steps. When he went to get the garage inspected it was brought to his attention by a building inspector that he was not meeting setbacks. He got all of the required permits. Setbacks were not noted on a site plan with the permit. He was not aware that the setbacks were an issue, and had obtained all of the required permits.

Mrs. Spencer was sworn-in to testify about permitting protocol. That site plans are now required as part of issuing of a zoning permit. That protocol was added in June of 2019. His permit was issued in May of 2019 prior to that protocol.

Williams was recalled and he submitted his permits as evidence. Mrs. Spencer was recalled to corroborate the permits and insure that this is all of the documents that he was given were real.

Paul Ksieniewicz asked for a motion. Julie Talbert motioned to approve it this variance with the following motion. Due to the fact that Williams had not created this hardship himself, since he bought a home that was already built, and that he had obtained all of the correct permits, his variance should granted. James Fink seconded. The Board voted (5-0).

The Board motioned to adjourn and reopen the Planning Board meeting. Ann Cunningham seconded, the Board voted (6-0).

No old business

New business

1. Planning Board recommendations:

- a. Paul Ksieniewicz has been nominated by Julie Talbert to be Chairperson. James Fink seconded. The Board voted 5-0 to recommend Ksieniewicz as Planning Board Chairperson to the Board of Commissioners.
- b. Julie Talbert was nominated to be Vice Chairperson by Paul Ksieniewicz. Ann Cunningham seconded. The Board voted 5-0 to recommend Talbert as Planning Board Vice-Chairperson to the Board of Commissioners.

2. Land use plan: A design consultant has put in a proposal to do the land use plan.

James Harris asked if applicant has to be present. The applicant does not need to be there but maybe if they need to hear to get proper evidence.

Vote to adjourn. James Harris motioned. Julie Talbert seconded. The Board voted 5-0 to adjourn.

VI. ADJOURN

AS THERE WAS NO FURTHER BUSINESS, MR. WYATT OPENED THE FLOOR FOR MOTIONS TO ADJOURN. MRS. TALBERT MOTIONED TO ADJOURN AND MR. LEE SECONDED. THE BOARD VOTED UNANIMOUSLY TO ADJOURN (7-0) at 7:32 PM.

Minutes Read and Approved,

Respectfully submitted,

Chairperson, Planning Board Date

Planning Staff Date

**ROCKINGHAM COUNTY PLANNING
STAFF REPORT
Case #2020-21**



Request:	Residential Mixed to Highway Commercial – Conditional District
Applicant:	<u>Teramore Development</u>
Identification:	The property is denoted by Parcel No. 148594 & 148592
Location:	<u>1401 US 29 BUS, Reidsville Township</u>

1. Acreege and Location of Proposal:

(+/-) 2.25 acres. It is located inside the southern intersection of US 29 Business and Mizpah Church Rd, approximately a half mile South of Reidsville’s ETJ.

2. Zoning Classification of Adjacent and Surrounding Parcels:

The adjacent property is zoned Residential Agricultural. Properties nearby and across the roadways are zoned Highway Commercial, Heavy Industrial, Residential Agricultural, Residential Protected, and Residential Mixed.

3. Character and Land Uses of Neighborhood and Surrounding Community:

The neighborhood is primarily characterized by agricultural, industrial, and commercial uses.

4. Topographical and Environmental Characteristics:

Watershed – These parcels are located in the Jordan Lake watershed overlay with a very small portion in the Troublesome Creek Watershed - III WS-III watershed. Staff will ensure watershed rules are met through Site Plan review.

Flood Plain – These parcels are 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 these parcels.

5. Utilities / Services:

The parcels are currently served by a private well and onsite wastewater system.

6. Previous Zoning and Property History:

1988: Zoned Residential Mixed

7. Adopted Regulation and Plans:

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

This property is located in the *Urban Transition* land class of the Rockingham County Land Use Plan, described by Section 1.3.1 as follows:

Land Classes	Purposes	Characteristics	Services	Residential Density
Urban Transition	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.	Lands being developed for urban purposes but which do not yet have usual urban services, lands necessary to accommodate population growth over the next 20-year period, lands which can be readily serviced with usual urban services, lands generally free from severe physical limitations for development.	Typical municipal or public services currently available or to be made available at the time of development or soon thereafter.	Moderate to high density land uses. 3-5 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 developed with an unoccupied mobile home park. The property's location between US 29 BUS and Mizpah Church Rd 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 at an intersection of US 29 Business meets this strategy.

The NCDOT AADT (Annual Average Daily Traffic) for US 20 Business north of this location has declined in recent years to 7,200 vehicle trips per day while traffic counts on US 29 have risen. Development along US 29 Business should help dissipate some of the traffic demand from Hwy 29 along with the widening project planned for that corridor.

The AADT for Mizpah Church Rd has also declined in recent years.

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).

The conditional nature of this rezoning request allows for the opportunity to plan development with conditions related to the Land Use Plan. The applicant has proposed conditions that include standards for development.

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. The applicant has proposed conditions that include standards for development

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

This proposal is located a mile outside the municipal limits of the City of Reidsville.

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).

Strategy 10) Establish access management standards to facilitate the safe flow of traffic and the efficient use of major transportation investments.

This proposal will help promote a smoother flow of traffic by providing alternatives to services along US 29. It also provides local residents with shopping opportunities within shorter trips.

Growth Management Policies:

5.2.1 Economic Development

This proposed new business will provide jobs to the area. 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).

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 impact of the proposed district and conditions of this property 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 #2020-21, 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.

**EXHIBIT "A" to APPLICATION FOR ZONING MAP AMENDMENT
TERAMORE DEVELOPMENT, LLC
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~~
53. Laboratory, medical and dental
54. Laboratory, research
55. Laundry or dry cleaning, self-service
56. Library, public
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)

- | | |
|--|---|
| 61. Mobile home, travel trailer, camper, marine, recreational vehicle sales | 77. Service establishments including but not limited to barber and beauty shops, small item repair and rental |
| 62. Monument and cut stone manufacture and sales | 78. Sign, outdoor advertising (off-premises) |
| 63. Nursery, Plant Cultivation, & Sales | 79. Sign, on premises |
| 64. Office supplies, sales | 80. Studios for artists, designers, musician, photographers, sculptors (not as home occupation) |
| 65. Pharmacy and drug store | 81. Tailor shop |
| 66. Post office | 82. Taxi stand |
| 67. Pottery crafting and sales | 83. Temporary buildings, incidental to development |
| 68. Printing and reproduction | 84. Temporary carnivals, rides, ferris wheels |
| 69. Professional and business offices | 85. Theatre, drive in |
| 70. Radio or television studio | 86. Townhouses - commercial |
| 71. Reception/Banquet Facility | 87. Upholstering and furniture refinishing |
| 72. Retail sales, not listed elsewhere | 88. Veterinary clinics |
| 73. Repair, rental and service of products sold at retail in same district | 89. Warehouses, sales or service |
| 74. Restaurant | 90. Wholesale sales, not otherwise listed |
| 75. Retail stores and shops (excluding vehicle sales) not otherwise listed herein | |
| 76. Service stations | |

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

- | | |
|--|--|
| 1. Adult uses | 6. Schools, academic |
| 2. Electronic Gaming Operations | 7. Schools, business/trade |
| 3. Paintball Facility (outdoor) | 8. Turkey Shoots (for profit, year round) |
| 4. Planned business development | 9. Wireless Telecommunications Facilities - new tower |
| 5. Public utility substations | |

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

1. Airstrips

PLANNING BOARD ANALYSIS AND STATEMENT
CASE #2020-21, EVANS
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 #2020-21**). This action is **consistent** with the adopted Rockingham County Land Use Plan. This zoning amendment supports the intent and descriptions of the **Urban Transition 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 is located between 2 highways and near other commercially zoned properties.
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 #2020-21, EVANS
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 #2020-21)**. 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 **Urban Transition 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 **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 #2020-21, EVANS
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 #2020-21**). 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 **Urban Transition 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 **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



Case #2020-21 Teramore Development, RM to HC-CD



Parcel No. 148592 & 148594

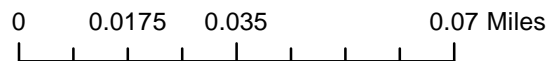


Parcels

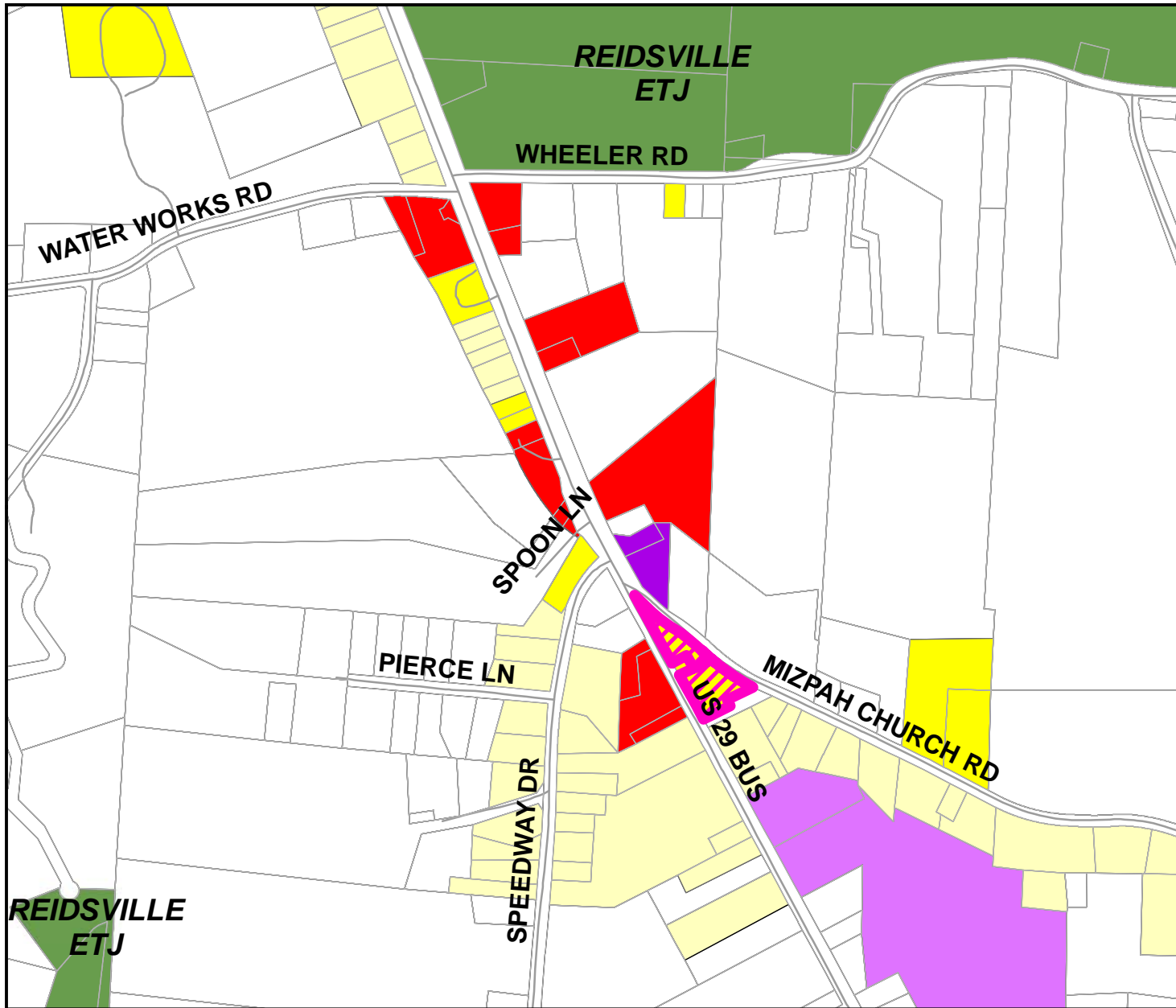



Roads

Aerial















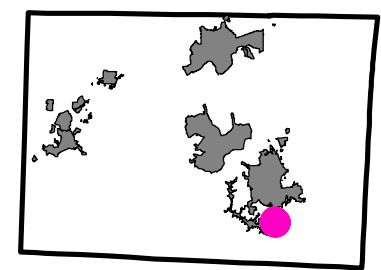
ROCKINGHAM COUNTY PLANNING DEPARTMENT, FOR ILLUSTRATION PURPOSES ONLY



 Parcel No. 148592 & 148594

County Zoning

-  HC
-  NC
-  RC
-  HI
-  LI
-  OI
-  RM
-  RP
-  RA
-  Parcels
-  Roads
-  REIDSVILLE ETJ



Case #2020-21 Teramore Development, RM to HC-CD

Zoning

