

**AGENDA**

**ROCKINGHAM COUNTY PLANNING BOARD**

**March 9th, 2020 at 7:00 pm**

County Commissioners Chambers

Rockingham County Governmental Center



- I. Call Planning Board to order**
- II. Invocation**
- III. Approval of Minutes**
- IV. Review of Procedures for Planning Board**
- V. Public Hearings:**
  - a. REZONING CASE # 2020-07: Seguire**
    - **OI to NC-CD,**
    - **3370 NC 158 in Reidsville Township**
  - b. SPECIAL USE PERMIT CASE # 2020-003: Williamsburg Solar**
    - **Large Scale – Solar Energy System**
    - **High Rock Rd – Citty Store Rd – NC 87 in Williamsburg Township**
- VI. Other Business:**
  - a. Old Business: None
  - b. New Business:
    - Updates from Planning Director
    - New Planning Board Members
    - Discussion of Planning Board Training
- VII. Adjourn**



# ROCKINGHAM COUNTY PLANNING BOARD

## MINUTES

### ROCKINGHAM COUNTY PLANNING BOARD AND BOARD OF ADJUSTMENT REGULAR MEETING – February 10, 2020 - 7:00 P.M.

The Rockingham County Planning Board met in regular session on February 10, 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. Membership Present:  
Regular members: James Fink, James Harris, Paul Ksieniewicz, Julie Talbert, Philip Stone.  
Members Absent: Mike Lee, Timothy Wyatt, & Ann Cunningham.  
Staff and others Present: Carrie Spencer- Planning Director, Emily Bacon - Planner, Roy Sawyers – A/V Technician, Benjamin Curry – Code Enforcement, citizens, and members of the news media
4. Julie Talbert motioned, Philip Stone seconded, and the vote was unanimous (5-0) to approve the agenda for tonight's meeting and the minutes for January 13, 2020.
5. **PUBLIC HEARINGS**
  - a) Chairman Ksieniewicz read the Rules of Procedure for public hearings.  
Julie Talbert motioned, Philip Stone seconded, and the Board voted unanimously to amend the agenda to withdraw Case# 2020-02.
  - b) **Rezoning Case # 2020-001:** Rezoning from RP to LI-CD, Calvary Road, applicant Steven Kidd, Tax PIN 7959-03-42-6045.

Carrie Spencer, Director, Community Development, presented the case based on the Staff Report. Steven Kidd was available for questions.

Paul Ksieniewicz asked if Calvary Rd dead ended to a property zoned Light Industrial. It does. No more questions for Staff.

The applicant, Steven Kidd of 221 Acorn Dr, took the stand. He described his plans for a 30 x 40 building that he wants to use for his commercial painting business which has outgrown its current

location. His plan is to clean up the property prior to using it. There will be no noxious fumes or excessive noise created from his use of the property.

The Board asked Kidd questions pertaining to his business operations. He has two employees, he will be storing equipment on the property, he will not reside on the property. He will access property via two driveways off of Calvary Rd and would get a commercial driveway permit from NC DOT. He has been contacted by another light industrial business owner about leasing part of the property to them. The property would be served by individual well and septic. There will be no business conducted after business

#### Chair of Planning Board:-

The Board asked Kidd about barrels present on the property. Kidd is in contact with NC DEQ regarding proper disposal, this was verified by Carrie Spencer.

Chairperson Ksieniewicz opened the floor for public comment.

Rocky Darnell, Penny Darnell, Lynn Baldwin & her Husband, spoke in opposition.

They cited concerns regarding potentially contaminated well water, the effect of Light Industrial uses on rural character, health hazards from potential pollution, and potential harm to a nearby horse farm.

Steven Kidd, retook the stand to present his rebuttal. Environmental health has cleared the water to surrounding parcels as potable.

Chairperson Ksieniewicz closed the public comment period. Julie Talbert motioned to recommend denial. James Fink seconded. The motion was defeated 3-2.

Paul Ksieniewicz motioned, Philip Stone seconded the motion, the vote was 3-2 to recommend approval the Board of Commissioners due to the Board determining that: the zoning amendment is consistent with land use plan, it is appropriate for proposed land use, is consistent with officially adopted plans, and as a whole this zoning amendment supports the intent and description of the urban transition land class.

This case will have a final decision voted on by the Board of Commissioners at March 16, 2020 at 6:30pm.

## 6. OTHER BUSINESS

### a) Old Business

### b) New Business

- Three applications for Planning Board, from Citizen's Academy, will be considered by the Board of Commissioners at their next meeting. Training will be held after they are voted onto the board

- Land Use Plan – The consultant has made maps and finished interviews. They have started on the Development Ordinance. They are having a committee meeting this month.

**7. ADJOURN**

Julie moved, Phillip Seconded. The Board Voted 5-0 to adjourn.

Chair of Planning Board: \_\_\_\_\_  
Date: \_\_\_\_\_

**ROCKINGHAM COUNTY PLANNING  
STAFF REPORT  
Case #2020-07**



<b>Request:</b>	<b>Office Institutional to Neighborhood Commercial – Conditional District</b>
<b>Applicant:</b>	<u>Steven Seguire</u>
<b>Identification:</b>	The property is denoted by Tax PIN: 891500824016 & 891500814883
<b>Location:</b>	<u>3370 US 158, Reidsville Township</u>

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

Two parcels with a combined acreage of (+/-) 2.68 acres. The parcels are located approximately ½ mile east of US 29 which closely represents the boundary of Reidsville's ETJ.

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

Adjacent properties are zoned Office Institutional, Residential Agricultural, and Highway Commercial.

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

The neighborhood is primarily characterized by residential and commercial uses. The properties are directly across the street from a Volunteer Fire Department and a Dollar General store.

There are powerlines and a cellphone tower in the vicinity of this rezoning.

**4. Topographical and Environmental Characteristics:**

Watershed – These parcels are not located in a protected Watershed Overlay.

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

Wetlands and streams – There are no wetlands or streams located on these parcels.

**5. Utilities / Services:**

These parcels will be served by a private well and onsite wastewater systems.

**6. Previous Zoning History:**

1988: Zoned Community Shopping

1998: Special Use Permit approved for a Private School

2005: Rezoned to Office/Institutional- Conditional Use for a Planned Business Development to allow for a Church

**7. Adopted Regulation and Plans:**

The parcels meet the lot size requirements of the NC district and the existing structure will meet other dimensional requirements such as setbacks.

The applicant wishes to be permitted retail uses such as a restaurant, which is not allowed within the current OI zoning district.

This property is located in the *Rural Land Class* of the Rockingham County Land Use Plan, within 1000' of the Urban Transition Land Class surrounding the developed area of the city of Reidsville. The Rural and Urban Transition Land Classes are described by Section 1.3.1 as follows:

Land Classes	Purposes	Characteristics	Services	Residential Density
Rural	To provide for farm and forest management, and various other low intensity uses including residences where urban services are not required and natural resources will not be unduly impaired.	Lands with high potential for agriculture and forestry uses, and commercial uses associated with natural resources, agri-business and agri-tourism.	Limited public services such as police and fire protection and private septic tanks and wells.	Very low to low density single-family residences. 1 unit/2 acres
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.

Please remember that this request is for a conditional rezoning and proposed conditions are attached to this report.

The property is currently unoccupied but developed with a commercial structure and parking area. 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, or legal nonconformance, 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 Staff's analysis, Staff recommends approval of Case #2020-007, a request for Rezoning from Office Institutional to Neighborhood Commercial-Conditional District.**

## USES IN NEIGHBORHOOD 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 coaster, fairgrounds)
5. Apparel and accessory sales
6. Auction sales, temporary, one-time use
- ~~7~~ 7. Automobile car-wash, drive through, requiring vehicle stacking
- ~~8~~ 8. Automobile parts sales
- ~~9~~ 9. Automobile sales
10. Automobile service stations
11. Automobile, truck and trailer (hauling) rental
- ~~12~~ 12. Banks & Savings and Loans
13. Barber & Beauty service
14. Cabinet making
- ~~15~~ 15. Car wash
16. Churches and their customary uses including child care
- ~~17~~ 17. Clinics, medical, dental
- ~~18~~ 18. Clubs and lodges, private, non-profit
- ~~19~~ 19. Clubs and places of entertainment (commercial)
20. Community centers, public or private non-profit for assembly and recreation
- ~~21~~ 21. Condominiums – commercial
22. Convenience food stores
- ~~23~~ 23. Day care 6 or more persons
24. Drive-in window services (banks, laundries, fast-food, etc.) where use is permitted in district
- ~~25~~ 25. Dry cleaning and laundry
- ~~26~~ 26. Exterminating services
27. Fire, sheriff and emergency services
28. Fleamarkets (indoors)
29. Fleamarkets (out-of-doors)
- ~~30~~ 30. Florists
- ~~31~~ 31. Funeral homes
32. Gift shops
33. Golf, miniature
- ~~34~~ 34. Governmental offices
35. Grocery stores
36. Hardware, paint and garden supplies
37. Home occupations
38. Hotels and motels
39. Home furnishings and appliance sales
- ~~40~~ 40. Health and social services centers
- ~~41~~ 41. Laboratory, medical and dental
- ~~42~~ 42. Laundry or dry cleaning, self-service
43. Library, public
- ~~44~~ 44. Locksmith, gunsmith
45. Mixed commercial and residential use where commercial use is primary and both occupy same structure or lot
46. Mobile home, temporary use for construction projects (Class A or B)
47. Nursery, plant cultivation and sales
- ~~48~~ 48. Office supplies sales
- ~~49~~ 49. Pharmacy and drug store
- ~~50~~ 50. Post office
51. Printing and reproduction
52. Professional and business offices
53. Radio or television studio
54. Retail sales, not listed elsewhere
55. Repair, rental and service of products sold at retail in same district
56. Restaurant

uses offered  
as above

Steven J. Sepulveda 2-27-2020

- |   |   |
|---|---|
| 57. Retail stores and shops (excluding vehicle sales) not otherwise listed herein                             | <del>61.</del> Studios for artists, designers, musicians, photographers, sculptors (not as home occupation) |
| <del>58.</del> Service stations   | 62. Tailor shop   |
| 59. Service establishments including but not limited to barber and beauty shops, small item repair and rental | <del>63.</del> Taxi stand   |
| 60. Sign, on premises   | 64. Temporary buildings, incidental to development  |
|   | <del>65.</del> Townhouses – Commercial  |
|   | <del>66.</del> Upholstering and furniture refinishing   |

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

1. Agritourism Activities – Design Guidelines
2. Special Events – Design Guidelines

**Uses with Special Use Permit**

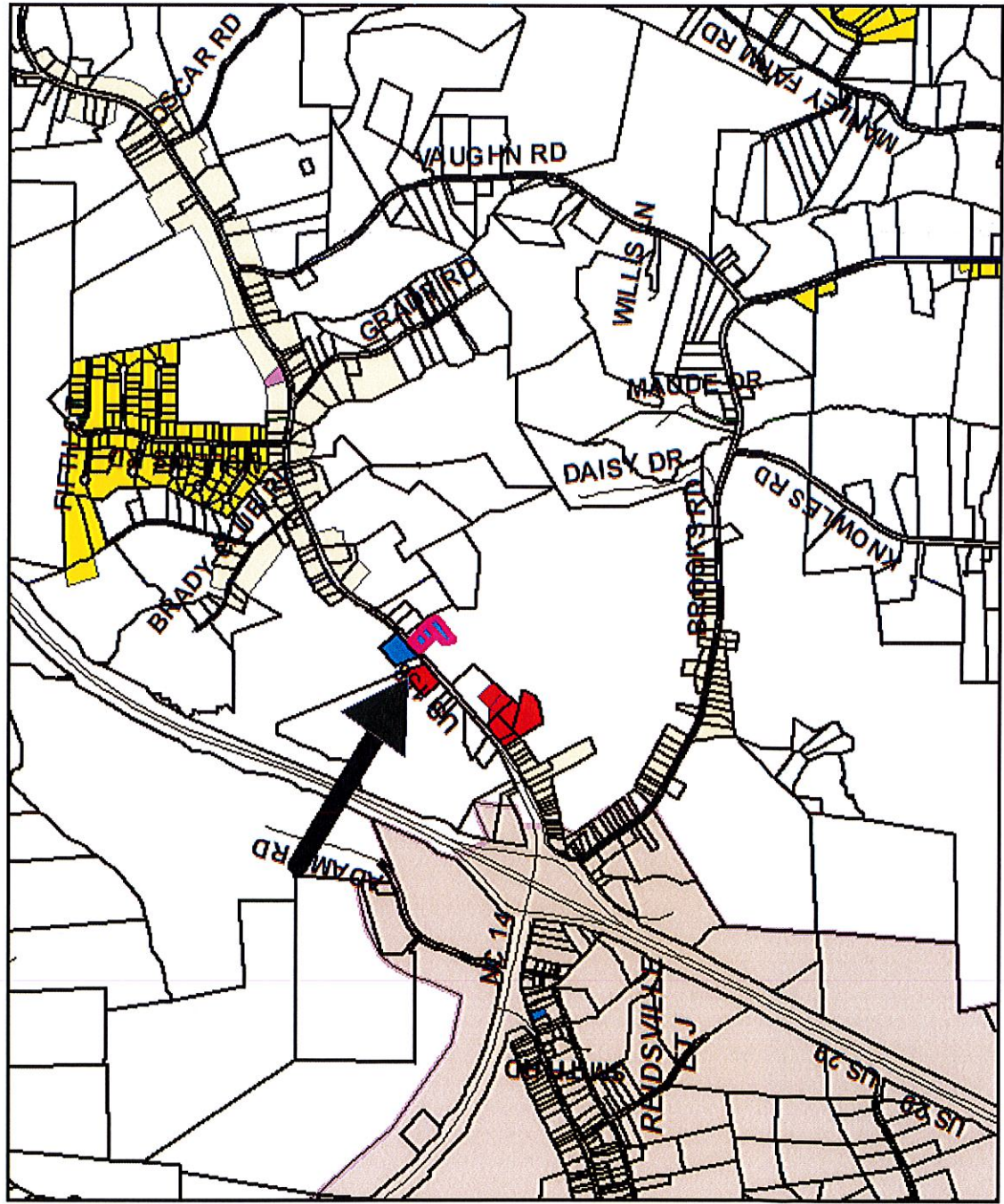
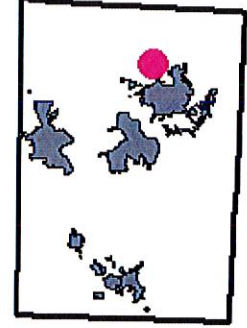
1. Planned business development – no outdoor storage
2. Public utility substations (including public water/sewer plants)
3. Schools, academic
4. Schools, business/trade



891500824016 & 891500814883

**County Zoning**

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

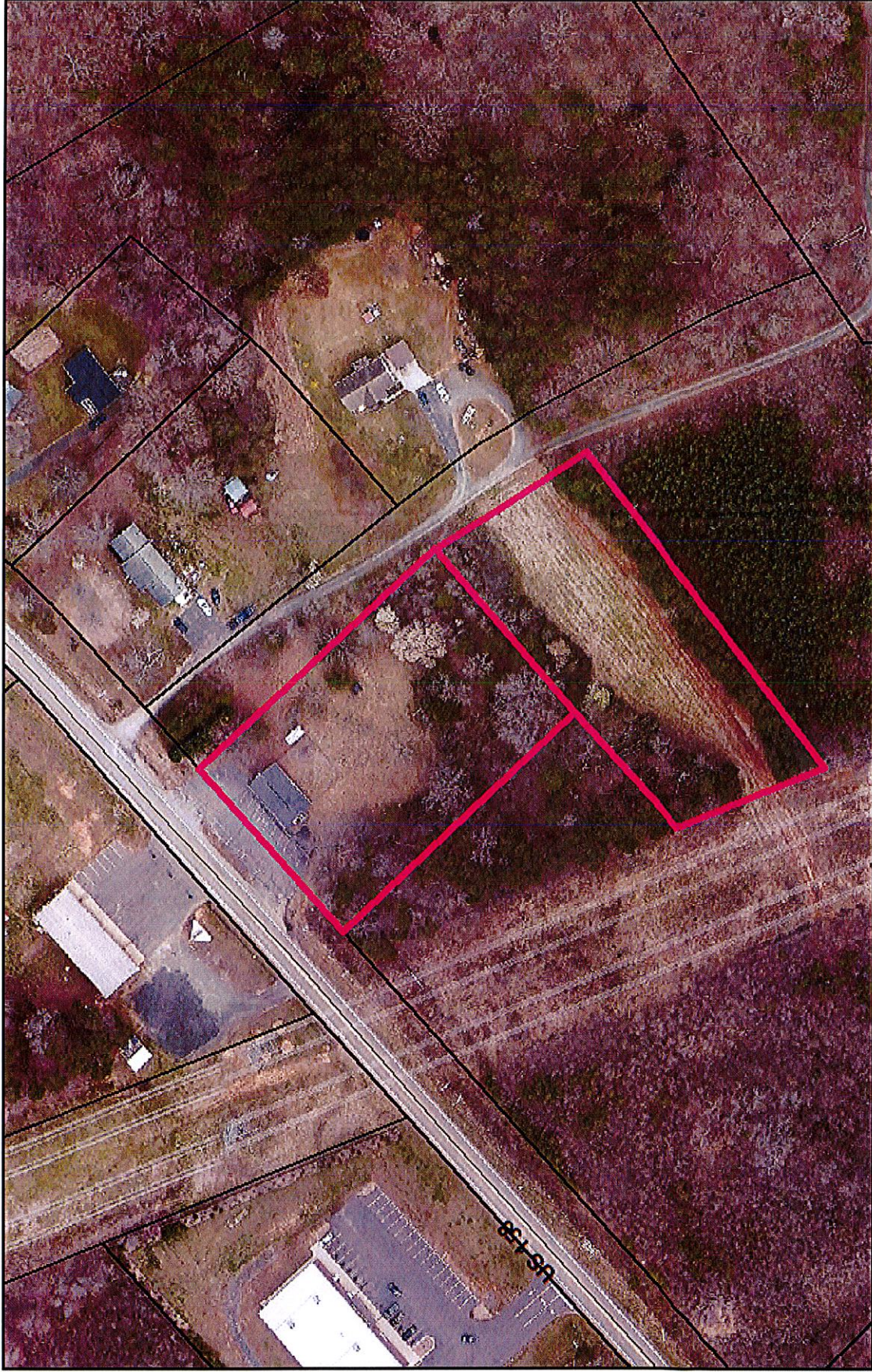


**Case #2020-07, REZ, OI to NC-CD**



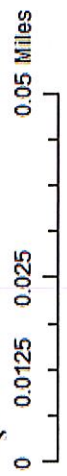
**Aerial**

ROCKINGHAM COUNTY PLANNING DEPARTMENT, FOR ILLUSTRATION PURPOSES ONLY



**Case #2020-07, REZ, OI to NC-CD**

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ROCKINGHAM COUNTY PLANNING DEPARTMENT, FOR ILLUSTRATION PURPOSES ONLY

**PLANNING BOARD RECOMMENDATION AND COMMENT**  
**CASE #2020-07, Steven Seguire,**  
**Office Institutional to Neighborhood Commercial - Conditional District**

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

**APPROVAL, CONSISTENT WITH LAND USE PLAN**

The Board hereby adopts the following statement as required by NCGS § 153A-341:

The Board has determined that the zoning amendment is consistent with the Rockingham County Land Use Plan. As a whole, this zoning amendment supports the intent and descriptions of the *Rural Land Class*.

The area is appropriate for the proposed land use; and the proposed zoning amendment is consistent with all other maps and plans officially adopted by the Board of Commissioners.

Additional matters: \_\_\_\_\_  
\_\_\_\_\_

**DENIAL**

The Board hereby adopts the following statement as required by NCGS § 153A-341:

The Board has determined that the zoning amendment is not consistent with the Rockingham County Land Use Plan. As a whole, this zoning amendment does not support the intent and descriptions of the *Rural Land Class*.

The area is not appropriate for the proposed land use; and the proposed zoning amendment is not consistent with all other relevant maps or plans officially adopted by the Board of Commissioners.

Additional matters: \_\_\_\_\_  
\_\_\_\_\_

ROCKINGHAM COUNTY  
STAFF REPORT  
Case #2020-003, Special Use Permit



<b>Request:</b>	<b>Special Use Permit to allow for a Large Scale Solar Energy System.</b>
<b>Applicant:</b>	<u>Williamsburg Solar LLC, Community Energy Solar LLC</u>
<b>Identification:</b>	The properties are denoted by multiple Tax PINS, map prefixes 8931 & 8932
<b>Location:</b>	<u>High Rock Rd, Citty Store Rd, NC 87</u>

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

The total parcel area is +/- 570 acres. +/- 302 acres of this is requested for the Special Use Permit.

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

The neighborhood is predominantly characterized by large lot residential and agricultural land uses.

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

*Chapter 2, Article IX, Section 9-11(gg), pp. 171-173.*

**4. Adopted Regulation and Plans:**

The property and surrounding properties are zoned Residential Agricultural (RA), Residential Mixed (RM), Residential Protected (RP) and Light Industrial (LI).

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

The Rural Transitional 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."

The Class is described as: "Lands where residential development is grouped in existing neighborhoods and cross-road community settlements and where it will occur in similar neighborhoods and settlements during the following 20 year period, lands with limited commercial development with an emphasis on mixed-use. "

**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 ~~for Kennels with more than 8 domesticated animals, staff recommends approval of Case #2019-024, with the following conditions:~~ to operate a Solar Energy System, Large Scale. Staff recommends approval of case #2020-03, with the following conditions:

1. The applicant must comply with the site plan approved by, and any other conditions imposed by, the Planning Board.
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 a Large Scale Solar Energy System Special Use Permit which are listed in the Rockingham County Unified Development Ordinance (pages 171-173).

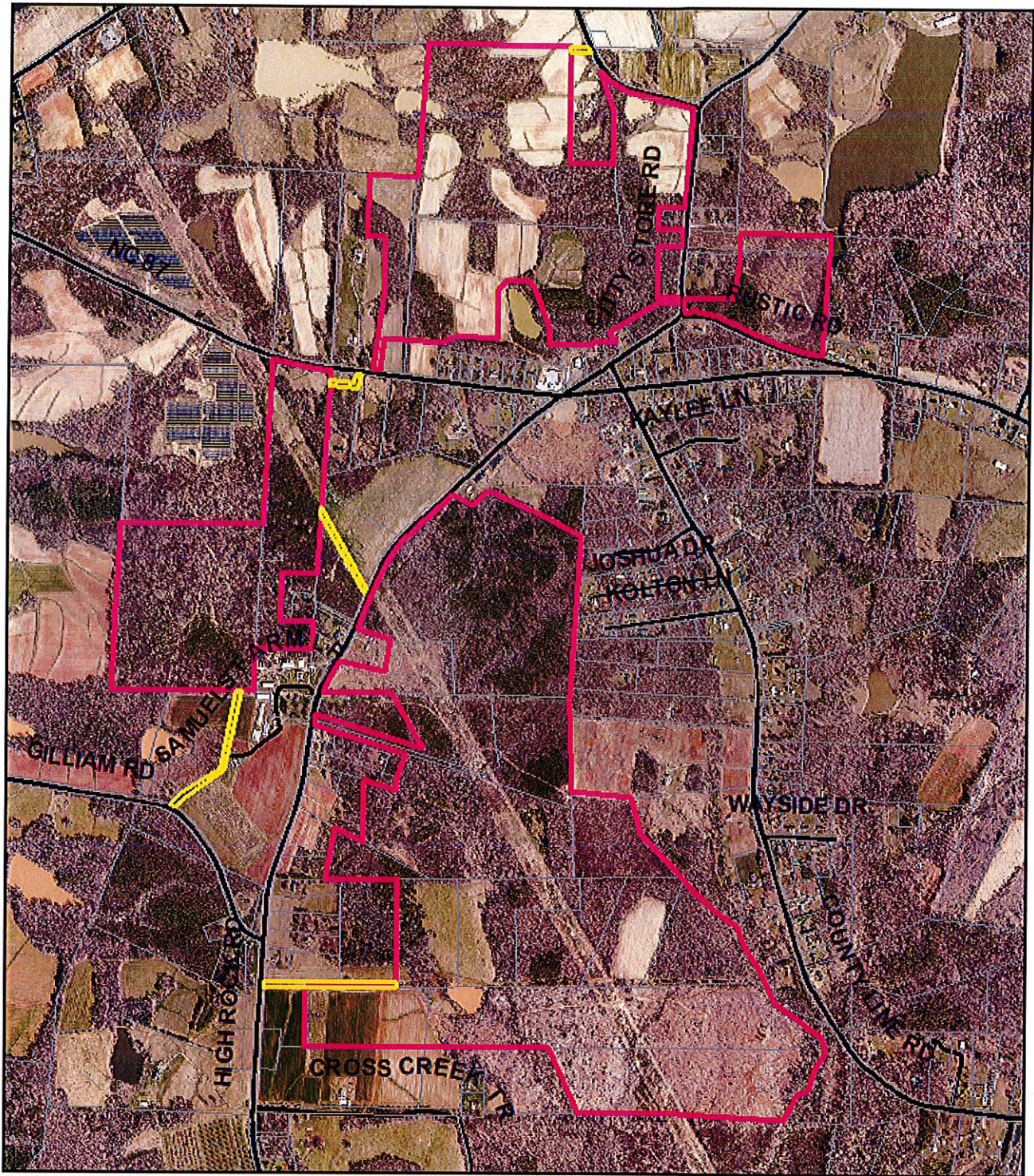
**6. Approval Process:**

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.

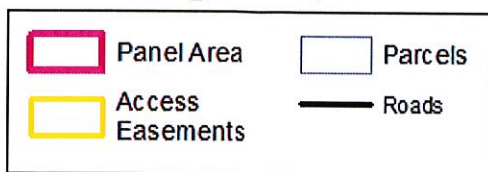
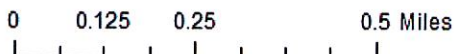
7. **Based on Staff's analysis, Staff recommends approval of Case #2020-003, a request for a Special Use Permit to allow the requested Large Scale Solar Energy System.**



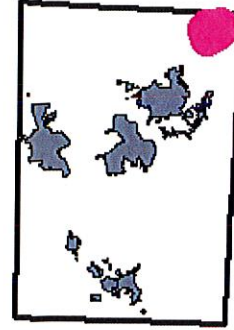
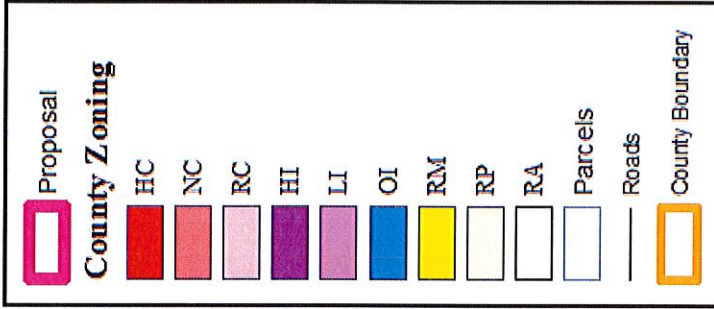
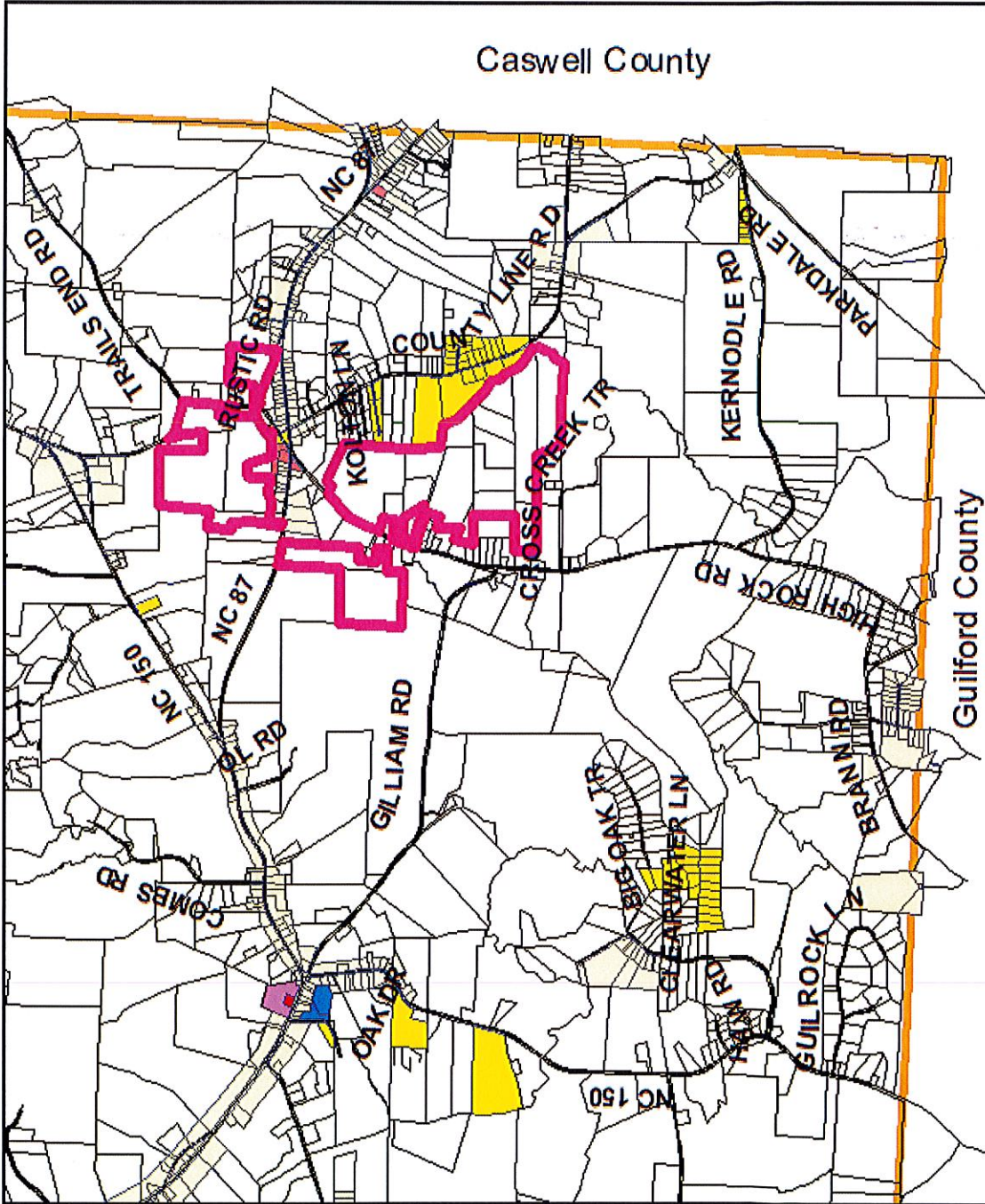
**Case #2020-03, Williamsburg Solar, SUP for Large Scale, Solar Energy System**



**Aerial**

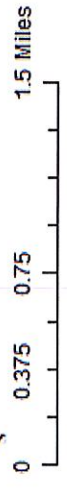


ROCKINGHAM COUNTY PLANNING, FOR ILLUSTRATION PURPOSES ONLY



**Area Zoning**

**Case #2020-03, Williamsburg Solar, SUP for Large Scale, Solar Energy System**



ROCKINGHAM COUNTY PLANNING DEPARTMENT, FOR ILLUSTRATION PURPOSES ONLY

**(gg) Use:** Solar Energy System, Large Scale

**Special Use District:** Residential Agricultural, Light Industrial and Heavy Industrial

**Approved By:** Planning Board

**Minimum Lot Size:** 10 acres

**Purpose:**

The purpose of this Special Use Permit is to allow larger-scale ground mounted solar systems as a principal use.

**Setbacks:**

Large scale solar energy systems shall be setback a minimum of 100 feet from any property line.

**Height Requirements:**

Large scale solar energy systems shall be a maximum of 15 feet in height as measured from the grade at the base of the structure to the apex of the structure. The Planning Board may approve a waiver of up to 25 feet.

**Required Parking:**

The minimum number of parking spaces shall be 1 (one) space for every 2 (two) employees on shift of greatest employment plus 1 (one) space for every vehicle used in conduct of such use.

**Site Plan:**

A site plan shall be submitted showing the following:

- 1) The location and dimensions of all proposed areas for the placement of solar panels, screening/fencing and related improvements;
- 2) Any preexisting structures on the same lot, and principal structures on other properties that would affect the placement of solar panels;
- 3) Parking and access areas;
- 4) Location of any proposed solar access easements;
- 5) Location where wiring is brought together for inter-connection to system components and/or the local utility power grid;
- 5) Any proposed new structures; and
- 6) Any other relevant elements as requested by the Planning Staff.



**Other Requirements:**

1. Development of a large scale solar energy system will be subject to other overlay district regulations including watershed impervious surface limits.
2. Any system shall be fully screened from adjoining properties and adjacent roads by a buffer yard. The location of this buffer yard must take shading into account so it does not affect the system's efficiency.
3. Any glare generated by the system must be mitigated or directed away from an adjoining property or adjacent road when it creates a nuisance or safety hazard. Glare resistant solar panels shall be used if the system is adjacent to an airport.
4. All outdoor lighting shall be shielded to direct light and glare onto the system's premises and may be of sufficient intensity to ensure security.
5. Any electrical wiring used in the system shall be underground (trenched) except where wiring is brought together for inter-connection to system components and/or the local utility power grid.
6. Solar panels shall be mounted onto a pole, rack or suitable foundation, in accordance with manufacturer specifications, in order to ensure the safe operation and stability of the system. The mounting structure (fixed or tracking capable) shall be comprised of materials approved by the manufacturer, which are able to fully support the system components and withstand adverse weather conditions.
7. Multiple mounting structures shall be spaced apart at the distance recommended by the manufacturer to ensure safety and maximum efficiency.
8. No ground-mounted large solar energy systems shall be affixed to a block wall or fence.
9. The large solar energy system shall remain painted or finished the color or finish that was originally applied by the manufacturer.
10. All signs, other than the manufacturer's, or installer's identification, appropriate warning signs, or owner identification on a large solar energy system shall be prohibited. Not more than one (1) manufacturer label bonded to or painted upon the solar energy system shall be permitted.

11. It is the responsibility of the owner to remove all obsolete or unused systems within twelve (12) months of cessation of operations. Reusable components are to be recycled whenever possible.
12. The Planning Administrator shall be provided copies of any lease agreement, solar access easement, and plan for removal of system/equipment. If the system is to be interconnected to the local utility power grid, a copy of the conditional approval from the local utility must also be provided.
13. All active large scale solar energy systems shall meet all requirements of the North Carolina State Building Code.
14. All large scale solar energy systems shall comply with the National Electrical Code, current edition.
15. The owner or future owner of a property onto which a large scale solar energy system is installed assumes all risk associated with diminished performance of said system caused by any present or future adjacent structure or landscaping that may interfere with the system's ability to produce power at its rated capacity, regardless of when that adjacent structure or landscaping is constructed or installed.
16. Other conditions, including, but not limited to, buffering and noise controls that provide adequate protection for adjacent residential properties as may be deemed reasonable and appropriate for the type of system, may be added by the Planning Board.



COMMUNITY  
ENERGY®

February 14, 2020

Rockingham County Planning Department  
c/o Carrie Spencer, Planner  
P.O. Box 105  
Wentworth, NC 27375

Re: Special Use Permit application by Williamsburg Solar LLC

Ms. Spencer,

The Rockingham County Solar Ordinance includes the following requirement:

If the system is to be interconnected to the local utility power grid, a copy of the conditional approval from the local utility must also be provided.

The 75MW solar farm proposed by Williamsburg Solar LLC is being developed in response to a Request For Proposals (RFP) issued by Duke Energy Carolinas (DEC) under its multi-year Competitive Procurement of Renewable Energy initiative (CPRE), approved by the NC Utilities Commission (NCUC).

The process for evaluation/selection in the 2020 round of the CPRE is as follows:

1. RFP proposals due by March 9, 2020
2. A 'Short List' of finalists will be announced on April 17, 2020
3. 'Bid Bonds' to be posted by Short List projects by May 1, 2020
4. Short List proposals will undergo engineering studies conducted by DEC to determine the viability of their proposed connection to the local power grid
5. 'Final Selections' will be announced on June 30, 2020

Under the NCUC-approved CPRE process, DEC will not issue a "conditional approval" of the interconnection of our proposed solar farm to the local power grid. We will only receive a final approval in the form of a 'Final Selection' on June 30, 2020. We ask that the Planning Board accept the RFP itself as a form of "conditional approval"; it establishes a defined process for the final approval of proposed projects - a process reviewed and approved by the NC Utilities Commission - with final approval of any project "conditional" on the submission of a competitive and viable proposal that will be evaluated by DEC (the local utility).

Critical to the viability of our proposal in the RFP is our ability to secure a Special Use Permit from Rockingham County by May 1<sup>st</sup>. If our proposal is Short-Listed on April 17<sup>th</sup>, we will be required to post a \$1.5M Bid Bond by May 1<sup>st</sup>. If we post the Bid Bond and our proposal is ultimately named a 'Final Selection' on June 30<sup>th</sup>, but we are thereafter unable to construct and operate the project, we lose this deposit. In order to have confidence in our ability to ultimately construct and operate the project, and in order to put \$1.5M at risk by posting the Bid Bond, we need to secure our Special Use Permit before the Bid Bond due date of May 1<sup>st</sup>. For this reason,

we are seeking our Special Use Permit at the March 9, 2020 meeting of the Planning Board. We cannot wait until later in the RFP process to secure this permit.

Attached please find a copy of the 2020 CPRE RFP for your review. Please call me if you have any questions. Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Amsbary", written in a cursive style.

**Chris Amsbary** | Project Developer  
Community Energy Solar, LLC  
151 E. Rosemary Street, Suite 202  
Chapel Hill, North Carolina 27514  
O: 919.967.7063 | M: 919.710.9167  
[chris.amsbary@communityenergyinc.com](mailto:chris.amsbary@communityenergyinc.com)

**APPROVAL**  
**SPECIAL USE PERMIT**

**PLANNING BOARD ANALYSIS AND STATEMENT**

The Planning Board approves the Special Use Permit before the Board and adopts the following statements as required by NCGS § 153A-341 and § 153A-342:

1. The Board's action in adopting this Special Use Permit is consistent with the adopted comprehensive plan because:
  - A. The proposed use is allowed in a Residential Agriculture zoning district if a Special Use Permit is granted;
  - B. The proposed use with a Special Use Permit, is consistent with all other relevant maps or plans officially adopted by the Rockingham County Board of Commissioners, Rockingham County Land Use Plan and small area plans;
  - C. Additional comments concerning consistency with comprehensive plan:  

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2. The Board (in addressing spot zoning concerns) considers its action in adopting the proposed Special Use Permit to be reasonable because:
  - A. The proposed use is a public necessity and will benefit the community as a whole;
  - B. The proposed Special Use Permit imposes development conditions specific to this site (set backs, landscape buffers, sign limitations, etc.) which minimize detriments to adjoining properties and the surrounding community;
  - C. The size of the tract is appropriate for the Special Use Permit requested;
  - D. The effects of the Special Use Permit within the larger community context are positive because it would provide a vital service to the county;
  - E. The proposed amendment is an appropriate use for the land, considering its effect upon the entire community as a social, economic and political unit;
  - F. On balance the following factors: (1) the size of the tract in question, (2) the compatibility of the permitting action with the comprehensive plan, (3) the benefits and detriments resulting from the permitting 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 Special Use Permit; and,

G. Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. The Board considers its action in adopting this Special Use Permit to be in the public interest because:

- A. The Special Use Permit, as proposed, would not negatively impact property values and the quality of life in this area of the county;
- B. The proposed Special Use Permit has sufficient design features that would not negatively impact the existing housing in the neighborhood;
- C. The proposed Special Use Permit is designed to meet or exceed all requirements and goals of the existing UDO and the comprehensive plan; and,

D. Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# DENIAL

## SPECIAL USE PERMIT

### PLANNING BOARD ANALYSIS AND STATEMENT

The Planning Board denies the Special Use Permit before the Board and adopts the following statements as required by NCGS § 153A-341 and § 153A-342:

1. The Board's action in rejecting this Permit is consistent with the adopted comprehensive plan because:
  1. The Board's action in rejecting this Special Use Permit is consistent with the adopted comprehensive plan because:
    - A. The proposed use is not allowed in a Residential Agricultural zoning district if a Special Use Permit is not granted;
    - B. The proposed Special Use Permit, is not consistent with all other relevant maps or plans officially adopted by the Board of County Commissioners, including the comprehensive plan and small area plans; and,
    - C. Additional comments concerning inconsistency with the comprehensive plan:  

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2. The Board (in addressing spot zoning concerns) considers its action in rejecting the proposed Special Use Permit to be reasonable because:
  - A. The proposed use is complimentary to the existing uses in this area; however, this would not limit the negative impacts to adjacent properties;
  - B. The proposed Special Use Permit and site plan imposes development conditions specific to this site (set backs, appearance criteria, etc.) which would not minimize detriments to adjoining properties and the surrounding community;
  - C. The size of the tract is not appropriate for the zoning district.
  - D. On balance the following factors: (1) the size of the tract in question, (2) the compatibility of the permitting action with the comprehensive plan, (3) the benefits and detriments resulting from the permitting action for the owner of the newly permitted property, the neighbors, and the surrounding community, and (4) the relationship between the uses envisioned under the new permitting and the uses currently present in adjacent tracts weigh against approving the proposed Special Use Permit; and,
  - E. Additional comments: \_\_\_\_\_

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3. The Board considers its action in rejecting this Special Use Permit to be in the public interest because:

- A. The Special Use Permit, as proposed, does not overcome negative impacts on property values and the quality of life in this area of the County;
- B. The proposed Special Use Permit does not have sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
- C. The proposed Special Use Permit is not designed to meet or exceed all requirements and goals of the existing UDO and the comprehensive plan; and,

D. Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_