

**Catered Dinner from**  
**Debbie's of Stoneville**

***January 14<sup>th</sup>, 2018***  
**6:00 PM**

**Upstairs in the Kitchen**  
**Before the Planning Board Meeting**  
**Rockingham County Governmental Center**

**2019 Elections, Appointments and**  
**Recognitions**

**A. Lynn Cochran**  
**(336) 342-8117**



# 2019 ROCKINGHAM COUNTY PLANNING BOARD & BOARD OF ADJUSTMENT MEETING SCHEDULE

Governmental Center  
371 NC Highway 65  
Board of Commissioners Chambers, Second Floor  
Wentworth, NC 27375  
Time: 7:00 p.m.

All regularly scheduled meetings are convened on the second (2<sup>nd</sup>) Monday of each month, excluding County holidays. (T) If a meeting date falls on a holiday or conflicts with a Board of Commissioners meeting, the Planning Board meeting will be held the immediate following Tuesday. \*An additional special meeting on the fourth (4<sup>th</sup>) Monday of every other month may be convened as needed.

<b>January 14, 2019</b>	<b>July 9, 2019 (T)</b>
<b>February 11, 2019</b>	<b>August 12, 2019</b>
<b>*February 25, 2019</b>	<b>*August 26, 2019</b>
<b>March 11, 2019</b>	<b>September 9, 2019</b>
<b>April 8, 2019</b>	<b>October 14, 2019</b>
<b>*April 22, 2019</b>	<b>*October 28, 2019</b>
<b>May 13, 2019</b>	<b>November 13, 2019 (T)</b>
<b>June 10, 2019</b>	<b>December 9, 2019</b>
<b>*June 24, 2019</b>	

seconded by Mr. Isley. The Board voted unanimously to accept the minutes as written (7-0).

#### IV. PUBLIC HEARINGS

1. Text Amendment to the Unified Development Ordinance: revising language and development criteria pertaining to Special Use Permits for Rural Family Occupations.

Mr. Cochran presented the text amendment to the Board and recommended approval. The text amendment consisted of reducing the existing setbacks required to obtain a Special Use Permit for Rural Family Occupations of Nonagricultural/Commercial Nature. The new setbacks would match the setbacks required in the Residential Agricultural zone. The change would make it easier for applicants to meet development guidelines.

- Chairperson Wyatt asked Mr. Cochran about current setbacks. Mr. Cochran stated that the current setbacks for structures where business is conducted are 100ft from road right-of-ways.
- Mr. Cochran stated that additional language could be added to give the county discretion to increase the setbacks depending on the proposed business's nature. Vice-chairperson Cunningham stated she wanted that additional language to be added to the text amendment.

**CHAIRPERSON WYATT OPENED THE FLOOR FOR BOARD DISCUSSION. AS THERE WAS NONE, MR. WYATT OPENED THE FLOOR FOR MOTIONS. MR. ISLEY MOTIONED TO RECOMMEND APPROVAL OF THE TEXT AMENDMENT AS DISCUSSED AND MS. TALBERT SECONDED. THE MOTION TO RECOMMEND APPROVAL OF THE TEXT AMENDMENT CARRIED UNANIMOUSLY (7-0).**

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**CHAIRPERSON WYATT CALLED FOR MOTIONS TO CEASE FUNCTIONS OF THE PLANNING BOARD AND ASSUME FUCTIONS OF THE BOARD OF ADJUSTMENT IN ORDER TO HEAR THE EVENING'S REMAINING CASE. MR. LEE MADE A MOTION TO MOVE TO DO SO. VICE-CHAIRPERSON CUNNINGHAM SECONDED THE MOTION. THE BOARD VOTED UNANIMOUSLY TO ASSUME FUNCTION SO THE BOARD OF ADJUSTMENT (7-0).**

**CHAIRPERSON WYATT SWORE SPEAKERS FOR THE BOARD OF ADJUSTMENT'S HEARING.**

2. CASE #2018-028, 394 COOK FLORIST RD: An appeal has been filed for relief from notice of citation fees pertaining to a zoning violation – development without permit, UDO Chapter 2, Article XVI, Section 16-1(a).

*For the minutes and transcript of Case #2018-028, please refer to the attached court transcription.*

**THE BOARD DISCUSSED THAT THIS WAS THE ONLY MATTER THEY HAD THE JURISDICTION TO VOTE ON, NOT THE OVERAL VIOLATION. CHAIRPERSON WYATT CALLED FOR BOARD MOTIONS. MR. LEE MOTIONED TO GRANT THE APPEAL OF THE JULY 13<sup>TH</sup> NOTICE OF CITATION AND PENALTIES, ELMINATING THE \$200 FINE. MS. TALBERT SECONDED THE MOTION. THE BOARD VOTED TO ALLOW THE APPEAL (6-1). MR. ISLEY DISSENTED.**

**CHAIRPERSON WYATT ASKED IF THERE WAS ANY OTHER BUSINESS FOR THE BOARD OF ADJUSTMENT. AS THERE WAS NO OTHER BUSINESS, MS. TALBERT MADE A MOTION TO ADJOURN AS THE BOARD OF ADJUSTMENT AND CONVENE AS THE PLANNING BOARD. VICE-CHAIRPERSON CUNNINGHAM SECONDED THE MOTION. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF RETURNING TO FUNCTIONS OF THE PLANNING BOARD, (7-0).**

VI. OTHER BUSINESS

- i. Old Business:
  - Lynn Cochran has mailed out the suggested bylaw amendments. The board decided to wait till the December meeting to vote on the bylaw amendments.
  
- ii. New Business:
  - New Associate Planner Emily Bacon has joined our staff.
  - New Planning Director has accepted employment offer, it is still being finalized.
  - The December meeting will include dinner beforehand.

VII. ADJOURN

**AS THERE WAS NO FURTHER BUSINESS, CHAIRMAN WYATT MOTIONED TO ADJOURN AND MR. HARRIS SECONDED. THE BOARD VOTED UNANIMOUSLY TO ADJOURN (7-0).**

Minutes Read and Approved,

Respectfully submitted,

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

\_\_\_\_\_  
Planning Staff      Date

**AGENDA**

**ROCKINGHAM COUNTY PLANNING BOARD**

**January 14, 2019 at 7:00 pm**

County Commissioners Chambers

Rockingham County Governmental Center



- I. Call to Order**
- II. Invocation**
- III. Review & Approval of Minutes (11.13.2018)**
- III. Review of Procedures**
- IV. Public Hearings:**

**Planning Board**

- a. Text Amendment to the Rockingham County Unified Development Ordinance: to allow for implementation of permitting standards for stand-alone storage units in the Residential Agricultural (RA) district. *Chapter 2, Article VII, Section 8-6.*
- b. Case #2018-029: a request for a Special Use Permit for a Rural Family Occupation, Woodworking Shop. The parcel is denoted by Tax PIN: 8924-03-33-5667, located at 1551 Brooks Rd.
- c. Case #2018-030: a request for a Site Plan Amendment to an existing Special Use Permit for a Public Utilities switching station. The parcel is denoted by Tax PIN: 7954-00-40-6465, located on Ernest Dr.
- d. ~~Case #2018-031: a request for a Special Use Permit to allow for a Large Scale Solar Energy Facility. Multiple parcels noted on Tax Maps 8931 & 8932 are included in the project area. The major streets surrounding the project area include High Rock Rd, Citty Store Rd and NC Hwy 87. (CASE WITHDRAWN BY APPLICANT).~~
- e. Case #2019-001: a request for amendment to a Special Use Permit for a Rural Family Occupation. The parcel is denoted by Tax PIN: 7030-00-42-9792, located on Duggins Rd.

**V. Other Business:**

- a. Old Business:
  - 1. Consideration of Revisions to Planning Board Bylaws
  - 2. Final 2019 Planning Board Hearing Date Calendar
- b. New Business:
  - 1. Introduction of new Planning Director, Carrie Spencer

**VI. Adjourn**



**ROCKINGHAM COUNTY BOARD OF COMMISSIONERS  
RESOLUTION IN SUPPORT OF ADOPTING ZONING CHANGES TO THE  
ROCKINGHAM COUNTY UNIFIED DEVELOPMENT ORDINANCE**

**WHEREAS**, the purpose of this proposed ordinance amendment is to allow for establishment of zoning permit standards and fees for stand-alone storage units in the Residential Agricultural district in the Rockingham County Unified Development Ordinance; and

**WHEREAS**, to be effective , the Rockingham County Unified Development Ordinance is in need of periodic updates to reflect changing land uses and circumstances; and

**WHEREAS**, the Rockingham County Board of Commissioners is committed to expanding, diversifying and improving the quality of life and general welfare of current and future Rockingham County citizens; and

**WHEREAS**, the Rockingham County Board of Commissioners deems it beneficial that creating zoning permit standards and fees for the development of stand-alone storage units in the Residential Agricultural district is of benefit to all Rockingham County citizens; and

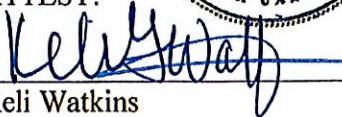
**WHEREAS**, the Rockingham County Board of Commissioners believes that the Rockingham County Unified Development Ordinance serves as an essential guide to the present and future development of Rockingham County and identifies the framework of community policies for achieving and implementing sound land practices;

**NOW, THEREFORE, BE IT RESOLVED** by the Rockingham County Board of Commissioners that the Rockingham County Planning Director and Staff, upon adoption of this resolution, are directed to formally initiate the processes necessary to amend the Unified Development Ordinance to develop and establish zoning permit standards and fees for stand-alone storage units in the Residential Agricultural district.

This the 7<sup>th</sup> day of January, 2019.



ATTEST:

  
\_\_\_\_\_

Keli Watkins  
Clerk to the Board

  
\_\_\_\_\_  
A. Reece Pyrtle Jr, Chairman  
Rockingham County Board of Commissioners

**UDO Chapter 1, Article II, "Definitions"**

**Stand-Alone Storage Unit**

A structure intended to be used for storage of equipment and materials that are incidental to the care and maintenance of the land and features of the parcel on which the storage structure is located. These structures are allowed only in the Residential Agricultural (RA) district.

**UDO Chapter 2, Article VII, Section 8-4, "Table of Permitted Uses"**

USE	RA	RP	RM	OI	RC	NC	HC	LI	HI
Stand-Alone Storage Unit	D								

**UDO Chapter 2, Article VII, Section 8-6(p)**

**(p) Residential Stand-Alone Storage Units**

**Intent:** Permitting of storage structures that do not otherwise qualify as accessory structures on rural residential/agricultural parcels of land.

*These structures are intended for the storage of equipment and materials that are incidental to the care and maintenance of the land and features of the parcel on which the storage structure is located.*

**Zoning Districts:** RA

**Minimum Lot Size:** Three (3) Acres

**Development Standards**

1. Stand-alone storage units may be constructed on-site or acquired as a pre-fabricated structure.
2. These structures shall maintain the standard residential structure setbacks for the Residential Agricultural (RA) district.
3. All such units shall be evaluated and permitted by the planning and zoning department.
4. Any storage unit measuring greater than twelve (12) feet on any horizontal dimension will require a building permit.
5. Stand-alone storage units may only be one story in height.
6. The maximum square footage of any stand-alone storage unit is 400 square feet.
7. Only one stand-alone storage unit is allowed on a parcel without the establishment of a primary residence or qualification as a bona fide farm.
8. These structures are eligible for electrical service with the necessary permit but are not eligible for other utilities and services, including: water, septic/sewer, mechanical and HVAC.

ROCKINGHAM COUNTY  
STAFF REPORT  
Case #2019-001, Special Use Permit



<b>Request:</b>	<b>Special Use Permit to allow for a Rural Family Occupation.</b>
<b>Applicant:</b>	<u>Mr. Ralph C. Hullings</u>
<b>Identification:</b>	The property is denoted by Tax PIN: 7030-00-42-9792
<b>Location:</b>	<u>423 Duggins Road, Stoneville NC</u>

1. **Acreeage / Square Footage of Proposal:**

(+/-) 43.78 acres

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

Nearby properties are zoned Residential Agricultural (RA).

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

The neighborhood is primarily being used for residential purposes.

4. **Topographical and Environmental Characteristics:**

*Soils* – May be referenced in the USDA Soil Survey of Rockingham County

*Watershed* - The property is located in the Dan River Eden WS-IV.

*Flood Plain* – No portion of this parcel lies within a flood plain, according to the Federal Emergency Management Agency’s National Flood Hazard map, area 3710892400J.

*Wetlands* – The *U.S. Department of the Interior* National Wetlands Inventory map for this area indicates that there are no wetlands present on the parcel. However, according to USGS data there is a perennial or intermittent stream of note that runs through the property.

5. **Utilities / Services:**

The property is served by individual well and septic system.

6. **Unified Development Ordinance:**

*Chapter 2, Article IX, Section 9-11(t), p. 136*

7. **Land Use Plan:**

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

8. **Previous Zoning History:**

1988: Zoned as Residential Agricultural (RA).

9. **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.

*Staff Findings:*

1. A Rural Family Occupation is permitted in a Residential Agricultural zoning district with a Special Use Permit.

*Based on Staff’s analysis and the requirements of the Rural Family Occupation Special Use Permit of the Unified Development Ordinance, Staff recommends approval of Case #2018-029, with the following conditions:*

1. The Special Use Permit allows only for a change of use to a Reception Facility as described by the applicant. Any future change in use will require a request for amendment of the Special Use Permit.
2. All development shall proceed in accordance with the site plan, including applicant submitted materials. Any changes may require a Site Plan Amendment.
3. The applicant is responsible for obtaining and complying with all other required permits and approvals.
4. The applicant must follow all of the requirements for the Rural Family Occupation Special Use Permit which are listed in the Rockingham County Unified Development Ordinance.

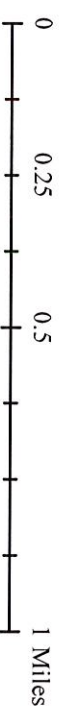
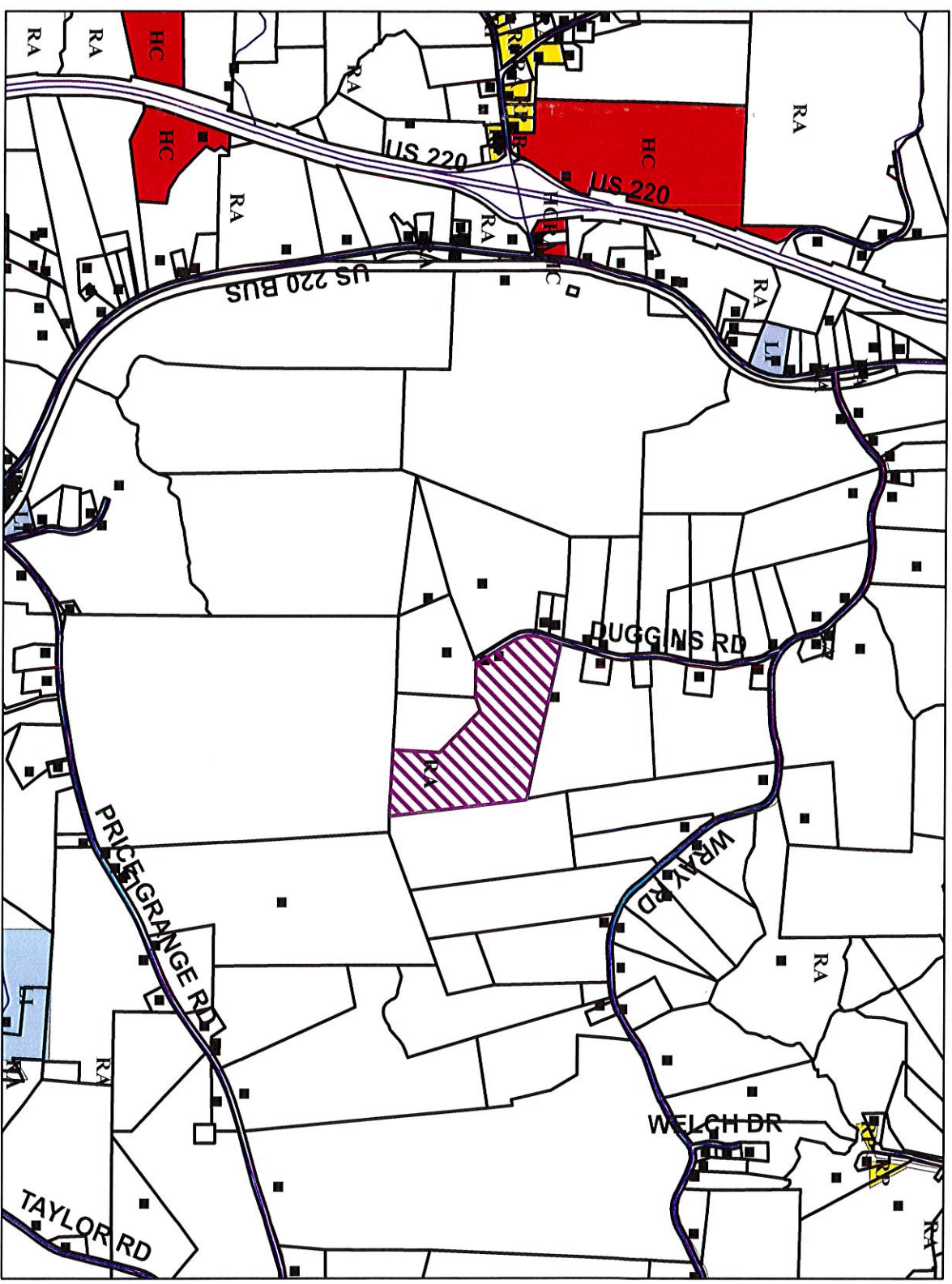




# Rockingham County Planning Board, 1.14.2019

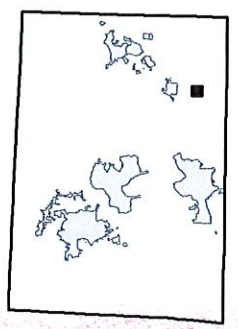
SUP RFO Case #2019-001

Tax PIN: 7030-00-42-9792



ROCKINGHAM COUNTY PLANNING DEPARTMENT. FOR ILLUSTRATION PURPOSE ONLY

County Zoning	ZONE_CODE
	Parcels selection
	HC
	HI
	LI
	NC
	OI
	RA
	RC
	RM
	RP







DUGGINS RD

House

Great room

Garage

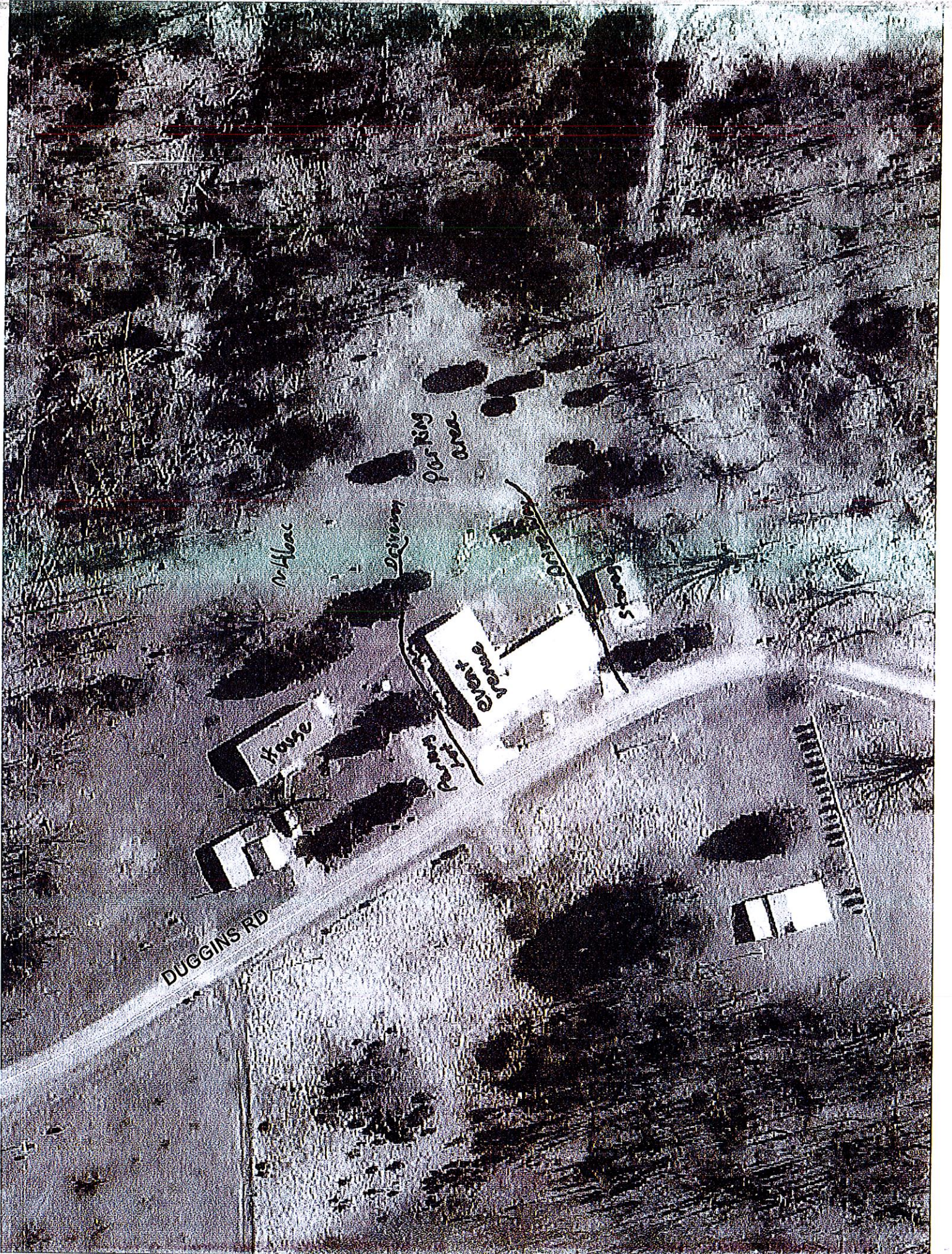
Parking area

Driveway

Driveway

Garage







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

**PLANNING BOARD ANALYSIS AND STATEMENT**

The Planning Board approves the requested Special Use Permit 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 Agricultural 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: \_\_\_\_\_

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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: \_\_\_\_\_

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# 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 school 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## APPROVAL OF REQUEST FOR A SPECIAL USE PERMIT

\*You must find **all four of the listed factors exist** to grant the special use permit.

“Based on the evidence presented, I move to **GRANT** the request and specifically find that:

1. 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 BECAUSE . . . \_\_\_\_\_  
\_\_\_\_\_. **(Identify the evidence that supports this factor.)**
  
2. The use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations BECAUSE . . . \_\_\_\_\_  
\_\_\_\_\_. **(Identify the evidence that supports this factor.)**

**(The applicant must only show that competent, material, and substantial evidence exists to support either 3a or 3b.**

- 3a. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property BECAUSE . . . \_\_\_\_\_  
\_\_\_\_\_. **(Identify the evidence that supports this factor.)**

**OR**

- 3b. The use or development is a public necessity BECAUSE . . . \_\_\_\_\_  
\_\_\_\_\_. **(Identify the evidence that supports this factor.)**

**AND**

4. The use or development conforms to the general plans for the land use and development of Rockingham County as embodied in the zoning ordinance and in the Rockingham County Land Use Plan BECAUSE . . . \_\_\_\_\_  
\_\_\_\_\_. **(Identify the evidence that supports this factor.)**

**IN ADDITION**, I recommend that the conditions recommended by the Planning Staff be placed on the Special Use Permit.”



## DENIAL OF REQUEST FOR A SPECIAL USE PERMIT

\*You must find that at least one of the listed factors does not exist to deny the request for a special use permit.

“Based on the evidence presented, I move to **DENY** the request for a special use permit and specifically find that:

1. The use or development **is not** located, designed and proposed to be operated so as to maintain or promote the public health, safety and general welfare BECAUSE . . . \_\_\_\_\_.  
(Identify the evidence that supports this factor.)

**OR**

2. The use or development **does not** comply with all required regulations and standards of this ordinance and with all other applicable regulations BECAUSE . . . \_\_\_\_\_ . (Identify the evidence that supports this factor.)

**OR** (The applicant must show that competent, material, and substantial evidence exists to support either 3a or 3b. If the applicant provides evidence to support 3a, you can't deny the special use permit based on no support for 3b.)

- 3a. The use or development **is not** located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property BECAUSE . . . \_\_\_\_\_  
\_\_\_\_\_. (Identify the evidence that supports this factor.)

- 3b. The use or development **is not** a public necessity BECAUSE . . . \_\_\_\_\_  
\_\_\_\_\_. (Identify the evidence that supports this factor.)

**OR**

4. The use or development **does not** conform to the general plans for the land use and development of Rockingham County as embodied in the zoning ordinance and in the Rockingham County Land Use Plan BECAUSE . . . \_\_\_\_\_  
\_\_\_\_\_. (Identify the evidence that supports this factor.)