

**ROCKINGHAM COUNTY COMMUNITY DEVELOPMENT
STAFF REPORT
CASE 2021-13: SPECIAL USE PERMIT**



Request:	Special Use Permit to operate a Travel Trailer Park.
Applicant:	<u>Angela & Keith Martin</u>
Identification:	The property is denoted by Tax PIN: 7992-01-16-7592
Location:	1317 McCoy Road – Simpsonville Township

1. Acreage and Location of Proposal:

(+/-) 15.9 Acres, (+/-) 5 Acres for the project area. This parcel is located approximately two miles outside of the main Reidsville ETJ and about 3.7 mile north of the Guilford County line.

2. Zoning Classification and Uses of Surrounding Parcels:

This parcel is zoned Residential Agricultural (RA). Nearby parcels are zoned Residential Agricultural (RA), and Residential Protected (RP). The subject parcel is located adjacent to Lake Reidsville. The area is characterized primarily by residential and associated uses.

3. Topographical and Environmental Characteristics:

This parcel is located in the Troublesome Creek WS-III Drinking Water Watershed Critical Overlay. In this area, nonresidential development is limited to 12% impervious surface area. The proposed campground boundary includes 5.1 acres (0.6 acre limit). The entire parcel is 15.9 acres (1.9 acre limit).

4. Unified Development Ordinance:

Chapter 2, Article IX, Section 9-11(x) pp. 142-143

5. Land Use Plan:

This project is located in O-2 land class according to the *Rockingham County Comprehensive Land Use Plan*. This class is designated Reserved Land and is characterized by low density rural residential and agricultural uses. This project is supported by Economic Development Goal 3: “Promote sustainable tourism development that improves quality of life for residents and preserves the natural and cultural resources of the county.”

6. Staff Findings and Recommendation:

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

Staff Findings:

- a. A Travel Trailer Park is allowed in the Residential Agricultural District with a Special Use Permit.

Staff Recommendation: based on Staff's analysis and the requirements of the Travel Trailer Park Special Use Permit of the Unified Development Ordinance, Staff recommends approval of Case #2021-13, with the following conditions:

- a. All development shall proceed in accordance with the site plan, including applicant submitted materials. Any changes may require a Site Plan Amendment.
- b. The applicant is responsible for obtaining and complying with all required permits and approvals.
- c. The applicant must follow all of the requirements for the Travel Trailer Park Special Use Permit which are listed in the Rockingham County Unified Development Ordinance (pp. 142-143).
- d. A fifty (50) foot riparian buffer shall be maintained on all property borders adjacent to Lake Reidsville.

7. Approval/Denial:

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. 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. The use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;
- c. 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. 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 to approve the permit.

CERTIFICATE OF OWNERSHIP AND DEDICATION:
 I HEREBY CERTIFY THAT I (WE) AM (ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF ROCKINGHAM COUNTY AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH MINIMUM BUILDING SETBACK LINES AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED.

I FURTHER CERTIFY THAT:
 a. I UNDERSTAND THAT SUBDIVISION APPROVAL DOES NOT REMOVE OR NEGATE ANY DEED RESTRICTIONS THAT MAY EXIST ON THE PROPERTY.
 b. I UNDERSTAND THAT ENFORCEMENT OF DEED RESTRICTIONS AND ANY OTHER CONTRACTUAL AGREEMENTS IS NOT THE RESPONSIBILITY OF ROCKINGHAM COUNTY, WILL NOT BE UNDERTAKEN BY ROCKINGHAM COUNTY, AND IS THE SOLE RESPONSIBILITY OF THE PARTIES AFFECTED BY VIOLATIONS OF SUCH DEED RESTRICTIONS AND CONTRACTUAL AGREEMENTS.

OWNER(S) _____ DATE _____
 OWNER(S) _____ DATE _____

CERTIFICATE OF APPROVAL FOR MINOR SUBDIVISIONS:
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR ROCKINGHAM COUNTY, NORTH CAROLINA, AND THAT SUCH PLAT HAS BEEN APPROVED ACCORDING TO THE PROCEDURES FOR APPROVAL OF MINOR SUBDIVISIONS. THIS PLAT SHALL BE RECORDED IN THE REGISTER OF DEEDS WITHIN 30 DAYS OF FINAL APPROVAL.

DEPT. OF PLANNING & BUILDING INSPECTIONS _____ DATE _____

I, OBIE M. CHAMBERS, PROFESSIONAL LAND SURVEYOR NO. L-1442, CERTIFY THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

OBIE M. CHAMBERS, PLS
 PROFESSIONAL LAND SURVEYOR L-1442

I, OBIE M. CHAMBERS CERTIFY THAT THIS PLAT WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION, DEED DESCRIPTION RECORDED IN BOOK _____ THAT THE RATIO OF PRECISION AS CALCULATED BY COORDINATES IS 1/_____, THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED BY DASHED LINES DRAWN FROM INFORMATION FOUND IN BOOK _____, PAGE _____, WITNESS MY HAND AND SEAL THIS _____th DAY OF _____, 2021 A.D.

OBIE M. CHAMBERS, PLS
 PROFESSIONAL LAND SURVEYOR, L-1442

NORTH CAROLINA
 ROCKINGHAM COUNTY

FILED FOR REGISTRATION AT _____ O' CLOCK _____ M. ON THE _____ DAY OF _____, 2021 AND RECORDED IN PLAT BOOK _____, PAGE _____
 BY _____ REGISTER OF DEEDS
 ASSISTANT/DEPUTY REGISTER OF DEEDS

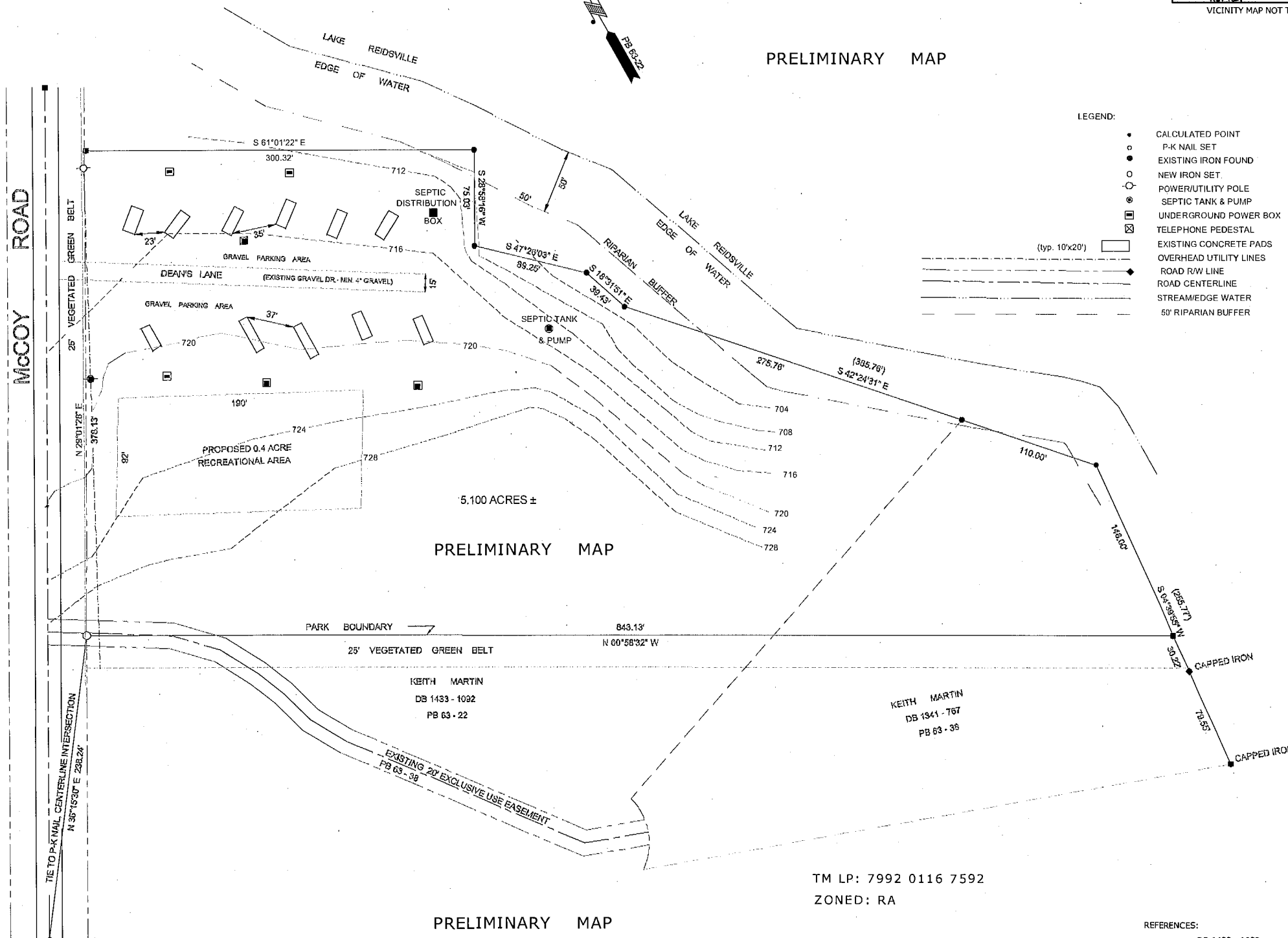
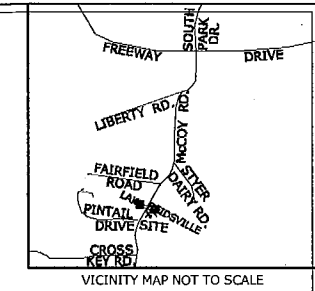
NOTES:
 THIS PLAT IS SUBJECT TO ANY EASEMENTS, AGREEMENTS OR RIGHTS-OF-WAY OF RECORD PRIOR TO THE DATE OF THIS PLAT WHICH ARE NOT SHOWN FROM A VISUAL INSPECTION OF THE PREMISES.
 THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL ENCUMBRANCES ON THE PROPERTY OR OTHER MATTERS THAT SUCH A REPORT MIGHT REVEAL.
 ACREAGE BY COORDINATE CALCULATION.
 TOPO CONTOURS ARE SCALED FROM COUNTY GIS

I, _____ REVIEW OFFICER OF ROCKINGHAM COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

WATERSHED CERTIFICATE:
 LOTS NUMBERED _____ OF THE _____ SUBDIVISION, TO THE BEST OF MY KNOWLEDGE, LIE WITHIN THE _____ (CRITICAL/PROTECTED) AREA OF THE _____ WATERSHED, AS DESIGNATED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION AS APPEARS ON THE WATERSHED PROTECTION MAP OF ROCKINGHAM COUNTY. LOTS NUMBERED _____ DO NOT LIE WITHIN A WATER SUPPLY WATERSHED.

DEPARTMENT OF PLANNING _____ DATE _____



- LEGEND:**
- CALCULATED POINT
 - P-K NAIL SET
 - EXISTING IRON FOUND
 - NEW IRON SET
 - POWER/UTILITY POLE
 - ⊙ SEPTIC TANK & PUMP
 - ⊠ UNDERGROUND POWER BOX
 - ⊞ TELEPHONE PEDESTAL
 - ▭ EXISTING CONCRETE PADS (typ. 10'x20')
 - OVERHEAD UTILITY LINES
 - ROAD R/W LINE
 - ROAD CENTERLINE
 - STREAM/EDGE WATER
 - 50' RIPARIAN BUFFER

SURVEY FOR
KEITH A. MARTIN
 SIMPSONVILLE TOWNSHIP
 ROCKINGHAM COUNTY, NORTH CAROLINA

MAY 12, 2021 - SCALE: 1" = 60'



TM LP: 7992 0116 7592
 ZONED: RA

PROPOSED RV PARK
 SPECIAL USE REQUEST

REFERENCES:
 DB 1433 - 1092
 DB 1341 - 767
 PB 63 - 22

OBIE M. CHAMBERS AND ASSOCIATES
 LAND SURVEYING AND MAPPING
 1213 S. WOODLEIGH CIRCLE, P. O. BOX 133
 REIDSVILLE, NORTH CAROLINA 27320
 PHONE: 336-349-8555

DRAWN BY: OBIE M. CHAMBERS, PLS
 FILE NO.: 3346

ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

2021-13: MARTIN SPECIAL USE PERMIT, TRAVEL TRAILER PARK

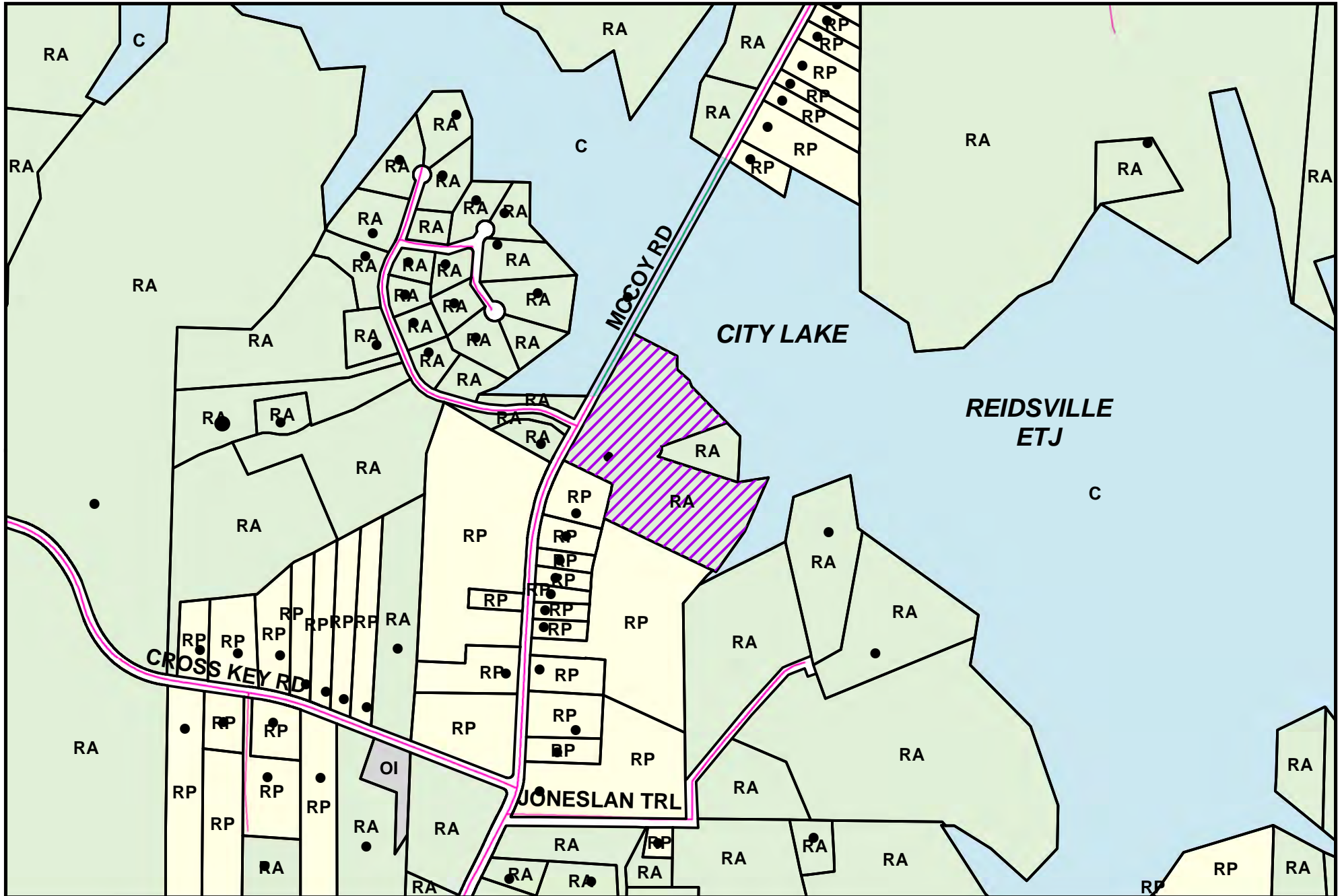


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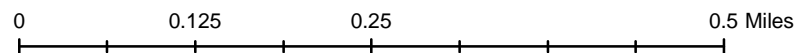
VICINITY MAP

ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE 2021-13: MARTIN SPECIAL USE PERMIT, TRAVEL TRAILER PARK

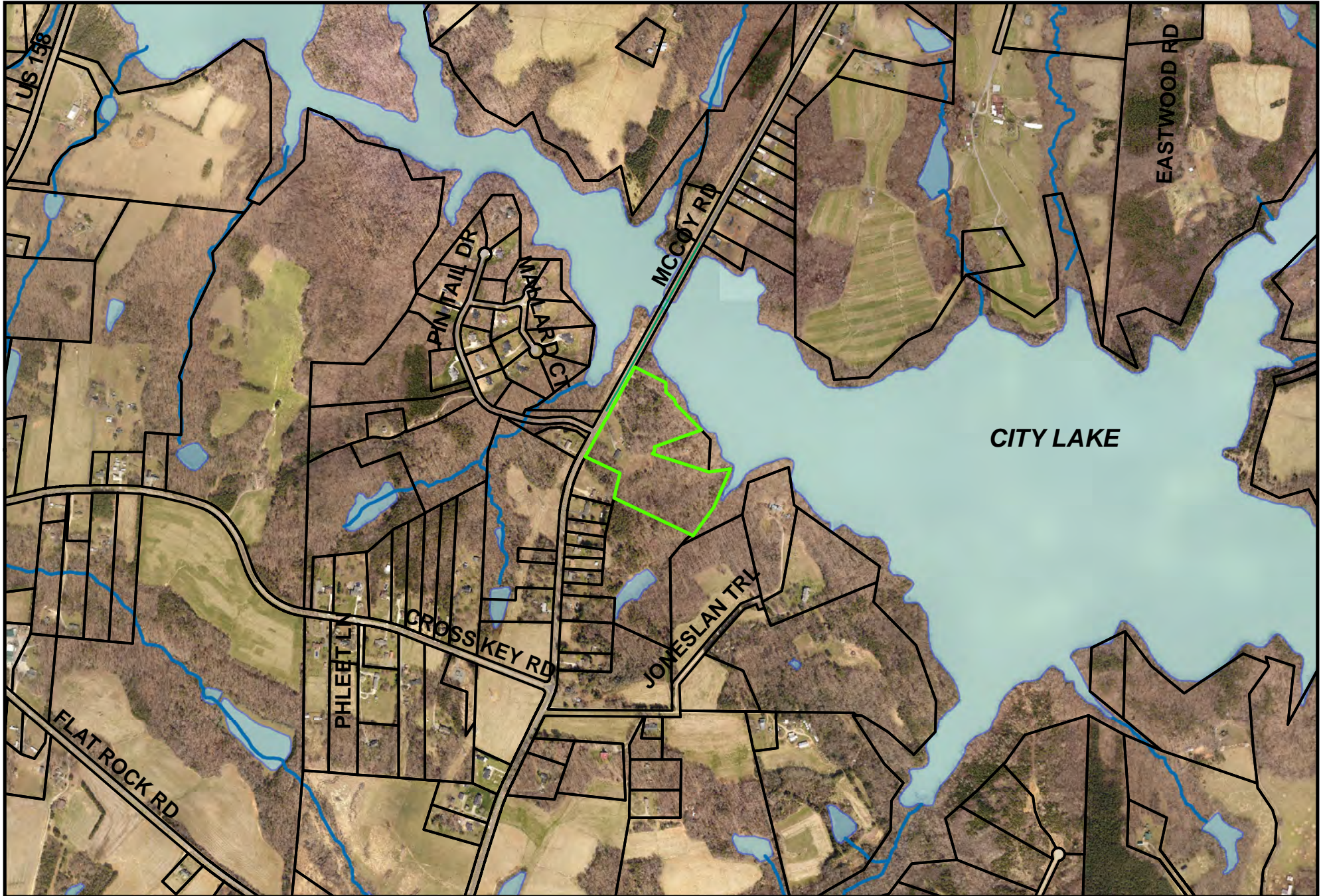


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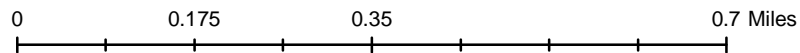


ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE 2021-13: MARTIN SPECIAL USE PERMIT, TRAVEL TRAILER PARK

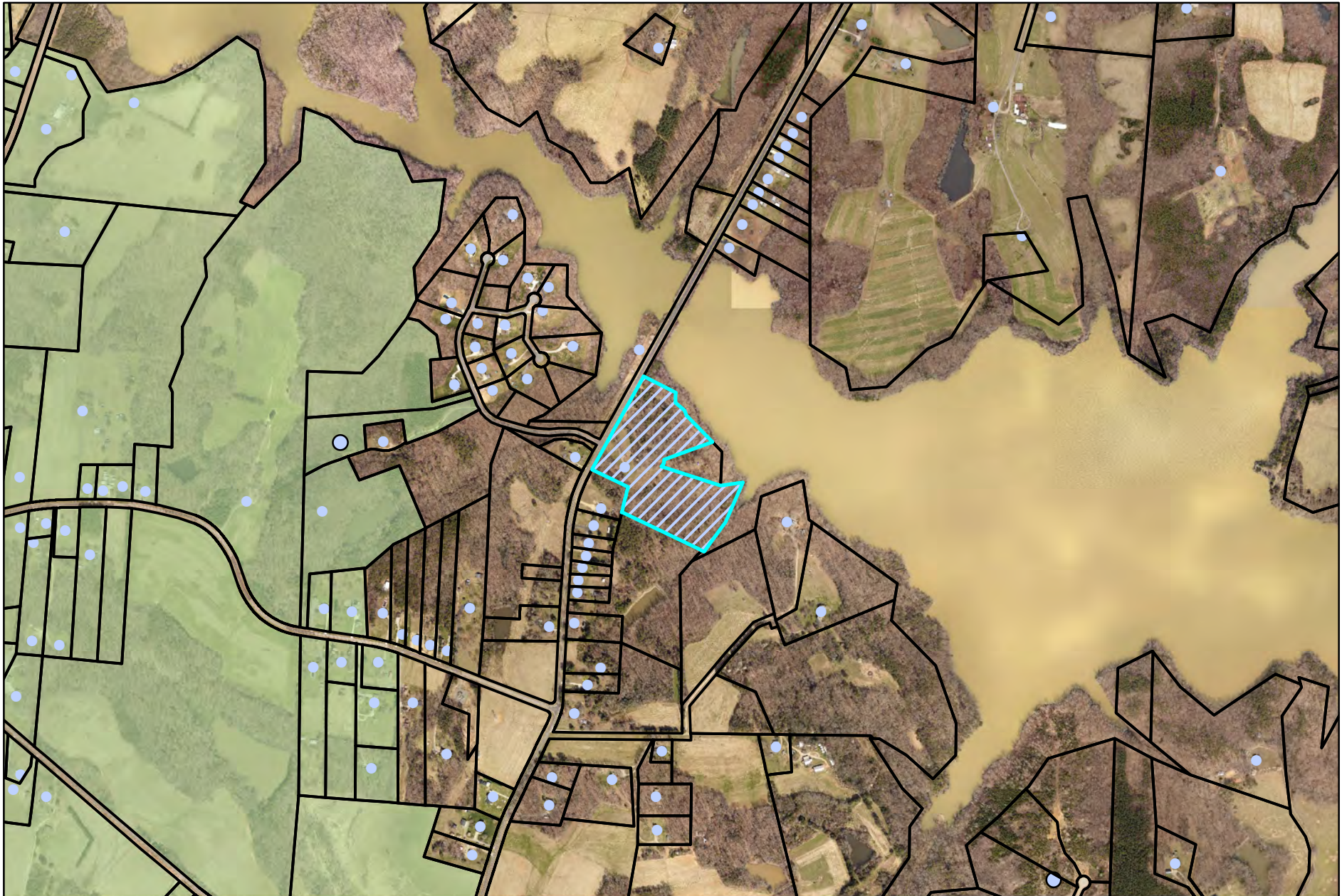


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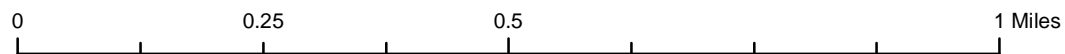


ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE #2021-13 MARTIN SUP FUTURE LAND USE PLAN MAP: O-2 RESERVED LAND



ROCKINGHAM COUNTY PLANNING DEPARTMENT: FOR ILLUSTRATION PURPOSES ONLY






















0-2 Rural Lands Policies

1. Support the further development and expansion of agriculture-related operations, including agri-tourism related businesses.
2. Promote institutional uses in rural areas that are compatible with the rural environment, such as churches, schools, community centers, job training centers, social service agencies, and post offices.
3. Work to expand the Rockingham County Voluntary Agricultural District program to ensure any new residential homeowners are aware of nearby agricultural activities.
4. Commercial land uses might be appropriate where former commercial, but vacant, buildings exist.
5. Appropriately manage “High-Impact” industrial land uses to support Rockingham County’s natural resource-based economic development strategy.
6. Update the zoning ordinance to reflect a density average rather than a minimum lot size to encourage dwelling clusters, reduce road infrastructure, and preserve sensitive environmental areas.
7. Update the zoning ordinance to allow flexible development standards within protected watershed areas when allowable.
8. Preserve the County’s character along roadways by recommending that developers create internal roads for new subdivisions if possible.
9. Allow rural subdivisions to be permitted with the Residential-Agriculture (RA) zoning district “by-right” provided dwellings are built to the NC Building Code.
10. Establish a new zoning district for manufactured homes (Manufactured Home Districts (MHD); remove manufactured homes as a permitted use within the Residential-Mixed (RM) zoning district.

Zoning Ordinance Implications

Areas located within the O-2 transect area are rural and should generally be zoned Residential-Agriculture (RA), the County’s most rural zoning jurisdiction. However, a Planned Unit Development (PUD) zoning may be appropriate to provide for land use types supporting eco-tourism, agri-tourism, or other types of development requiring a mix of uses, such as campgrounds, small stores, tasting rooms, housing, short-term lodging, etc.

Rather than require a minimum lot size, a general density average should be permitted. This approach will encourage dwelling clustering, reduce road infrastructure, and preserve sensitive environmental areas.

ECONOMIC DEVELOPMENT (CONT.)	Goal Type		Project Lead	Timeframe	Guiding Principles
	Policy	Capital Improvement			
Goal 3. Promote sustainable tourism development that improves quality of life for residents and preserves the natural and cultural resources of the County.					
3.1 Consider increasing the County's occupancy tax rate by 1% to fully capture the 6% allowed by the NC General Assembly.	●		EDC, Admin	<3 Years	 
3.2 Develop an interlocal governmental sports committee that focuses on 1) utilizing existing sports complexes to maximize tournament play throughout the year; and 2) expanding sports-related infrastructure to continue growing this economic opportunity.	●		EDC, Planning, Public Works	Ongoing	
3.3 Provide leadership to the Recreation Advisory Committee to continue planning and developing new recreation opportunities.	●		EDC	Ongoing	  
3.4 Create a county-wide parks and recreation master plan, or consider focusing solely on an outdoor recreation master plan that emphasizes trails, greenways, and paddle trails.	●		Planning, EDC	Ongoing	  
3.5 Encourage the development of short-term lodging establishments (such as Airbnb and VRBO) surrounding public lands.	●		EDC, Planning	Ongoing	  
3.6 Encourage investment in new outdoor recreation amenities, visitor attractions, destinations, eco-tourism opportunities, and outdoor recreation infrastructure.	●		EDC	Ongoing	  
3.7 Work with historic Main Street communities throughout the County to encourage streetscape improvements and revitalization efforts.	●		EDC	Ongoing	
3.8 Develop a county-wide vehicular wayfinding system that directs visitors to natural and cultural resource destinations.		●	EDC	<3 Years	  

**Travel Trailer Parks or Recreational, Nonpermanent Vehicles
(including tenting and other forms of weather protected, covered camping)**

Approved By: Planning Board

Special Use Districts: RA, RM

Minimum Area: Five (5) acres with a front yard depth of fifty (50) feet.

Site Considerations:

Trailers shall be separated from each other and from other structures by at least fifteen (15) feet. Any accessory structure such as attached awnings, carports, or storage facilities shall be considered to be part of the trailer.

Minimum size of space shall be as required by the Rockingham County Health Department.

There shall be at least one (1) recreation area that shall be accessible from all trailer spaces. The size of such recreation area shall not be less than eight percent (8%) of the gross site area.

Roadways shall be 4" stabilized gravel or crushed rock and of adequate width to accommodate anticipated traffic and in any case, shall meet the following minimum requirements:

One-way, no parking - twelve (12) feet.

Two-way, no parking - twenty (20) feet. (Amended 9/16/1991; Effective 9/17/1991)

No roadway parking shall be permitted.

The water supply, the sewerage system, service buildings, sanitation requirements and solid waste disposal shall be reasonably accommodated and shall meet the requirements of the appropriate State and County regulatory agency.

A 25-foot wide natural foliage greenbelt shall be planted along the street side(s) of the property and along interior lot lines adjacent to a residential district. The plantings shall be of sufficient opacity to screen the use from view along interior lot lines.

Parking:

Off-street parking and loading space shall be provided in sufficient quantity to accommodate all parking and loading on the site. For this purpose, there shall be 1 1/2 automobile parking spaces per trailer space.

Signs:

Signs on premises shall be regulated as follows:

Type of sign: Identification.

Permitted number of signs: One (1) ground sign per entrance to park.

Maximum area of ground sign: Ten (10) square feet.

Permitted illumination: Indirect lighting, non-flashing illumination, motionless.

Permitted location: Within the bounds of the property.

Required Plans:

Topography of the site, at contour interval no greater than five (5) feet.

Location and approximate size of all existing and proposed buildings and structures within the site and existing buildings and structures within five hundred (500) feet adjacent thereto.

Proposed points of ingress and egress together with the proposed pattern of internal circulation.

Proposed parking areas.

Proposed provision for storm and sanitary sewerage, including both natural and man-made features, and the proposed treatment of ground cover, slopes, banks and ditches.

Space Rental: Trailer spaces shall be rented by the day.

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. . . _____
_____. **(Identify the evidence that supports this factor – reasons related to location, site plan, design, uses and operations.)**

2. The use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations. . . _____
_____. **(Describe how, i.e. “this special use permit and its conditions are allowed by the county zoning ordinance”)**

(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. . . _____
_____. **(Identify the evidence that supports this factor – reasons related to location, site plan, design, uses and operations.)**

OR

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

AND

4. The use or development will be in harmony with the structures and uses in the area by conforming 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.

IN ADDITION (if applicable), “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.)**

**ROCKINGHAM COUNTY COMMUNITY DEVELOPMENT
STAFF REPORT
CASE 2021-14: SPECIAL USE PERMIT**



Request:	Special Use Permit to allow a Doublewide Manufactured Home in the Residential Protected (RP) District.
Applicant:	<u>Jeremy Whitt</u>
Identification:	The property is denoted by Tax PIN: 8901-00-94-2616
Location:	8570 Friendship Church Road – Williamsburg Township

1. Acreage and Location of Proposal:

- a. (+/-) 0.62 Acres located approximately one-quarter of a mile east of US 29, northeast of Cornelius Road, and just over a mile north of the Guilford County line.
- b. This is a Nonconforming Lot of Record and is therefore exempt from the current UDO dimensional requirements for residential lot size.

2. Zoning Classification and Uses of Surrounding Parcels:

This parcel is zoned Residential Protected (RP). Nearby parcels are zoned Residential Agricultural (RA), Residential Protected (RP), and Residential Mixed (RM). The area is characterized primarily by residential and associated uses.

3. Topographical and Environmental Characteristics:

This parcel is located in the Jordan Lake Protected Drinking Water Watershed Overlay.

4. Unified Development Ordinance:

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

5. Land Use Plan:

This project is located in G-1 land class according to the *Rockingham County Comprehensive Land Use Plan*. This class is designated Low Density Growth and is characterized by low density residential and associated uses. Low Density Growth Policy G-1(1): “Encourage residential development to be located in areas surrounding existing rural crossroads as identified on the Future Land Use Map.”

6. Staff Findings and Recommendation:

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

Staff Findings:

- a. A doublewide manufactured home is permitted in the Residential District with a Special Use Permit.

Staff Recommendation: based on Staff’s analysis and the requirements of the DWMH in RP Special Use Permit of the Unified Development Ordinance, Staff recommends approval of Case #2021-14, with the following conditions:

- a. All development shall proceed in accordance with the site plan, including applicant submitted materials. Any changes may require a Site Plan Amendment.
- b. The applicant is responsible for obtaining and complying with all required permits and approvals.
- c. The applicant must follow all of the requirements for the Travel Trailer Park Special Use Permit which are listed in the Rockingham County Unified Development Ordinance (pp. 142-143).
- d. A fifty (50) foot riparian buffer shall be maintained on all property borders adjacent to all intermittent and perennial waterways.

7. Approval/Denial:

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. 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. The use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;
- c. 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. 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 to approve the permit.

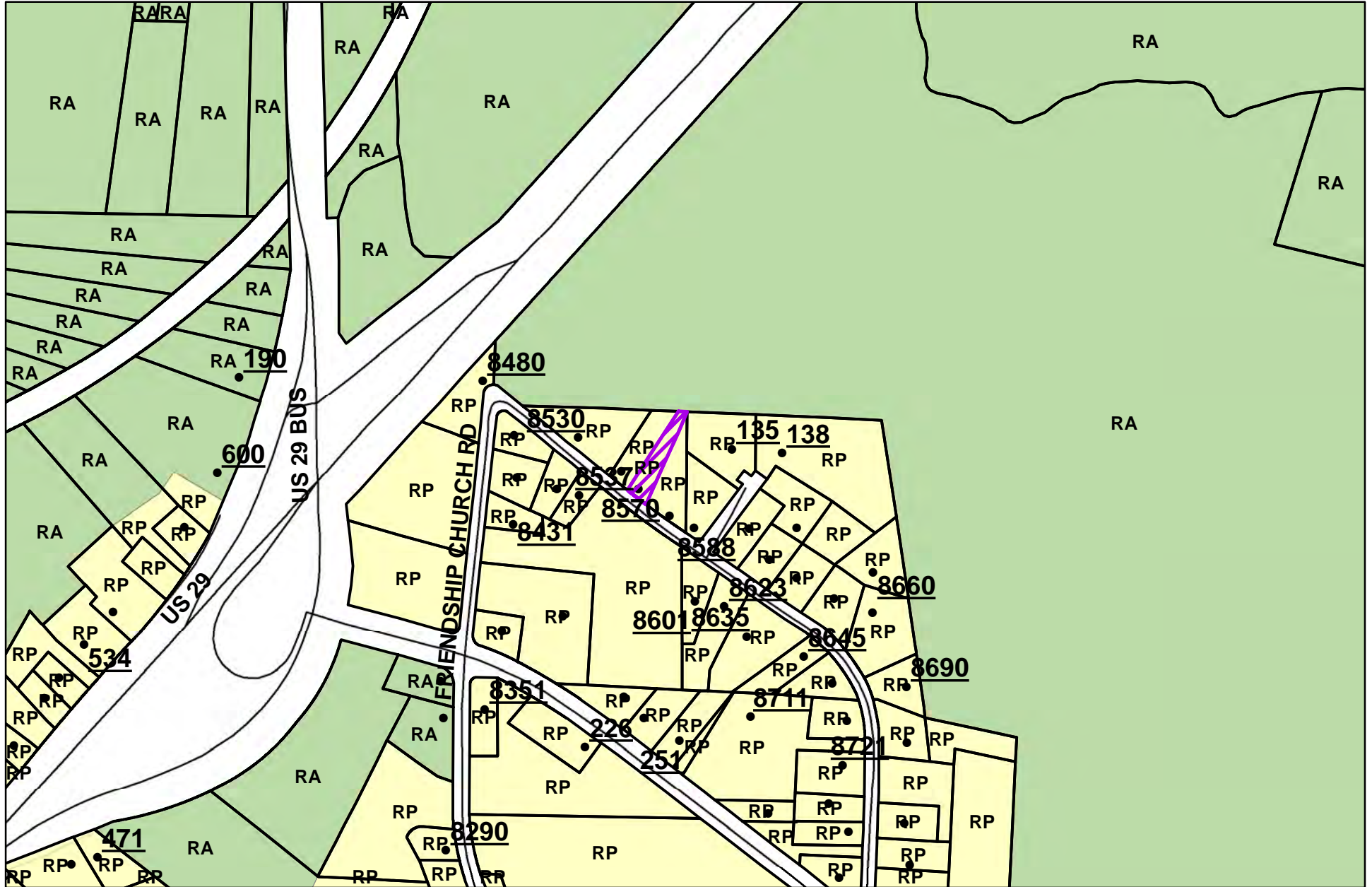
ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

**CASE #2021-14 WHITT SUP
VICINITY MAP**

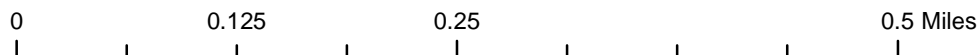


ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE #2021-14 WHITT SUP ZONING MAP

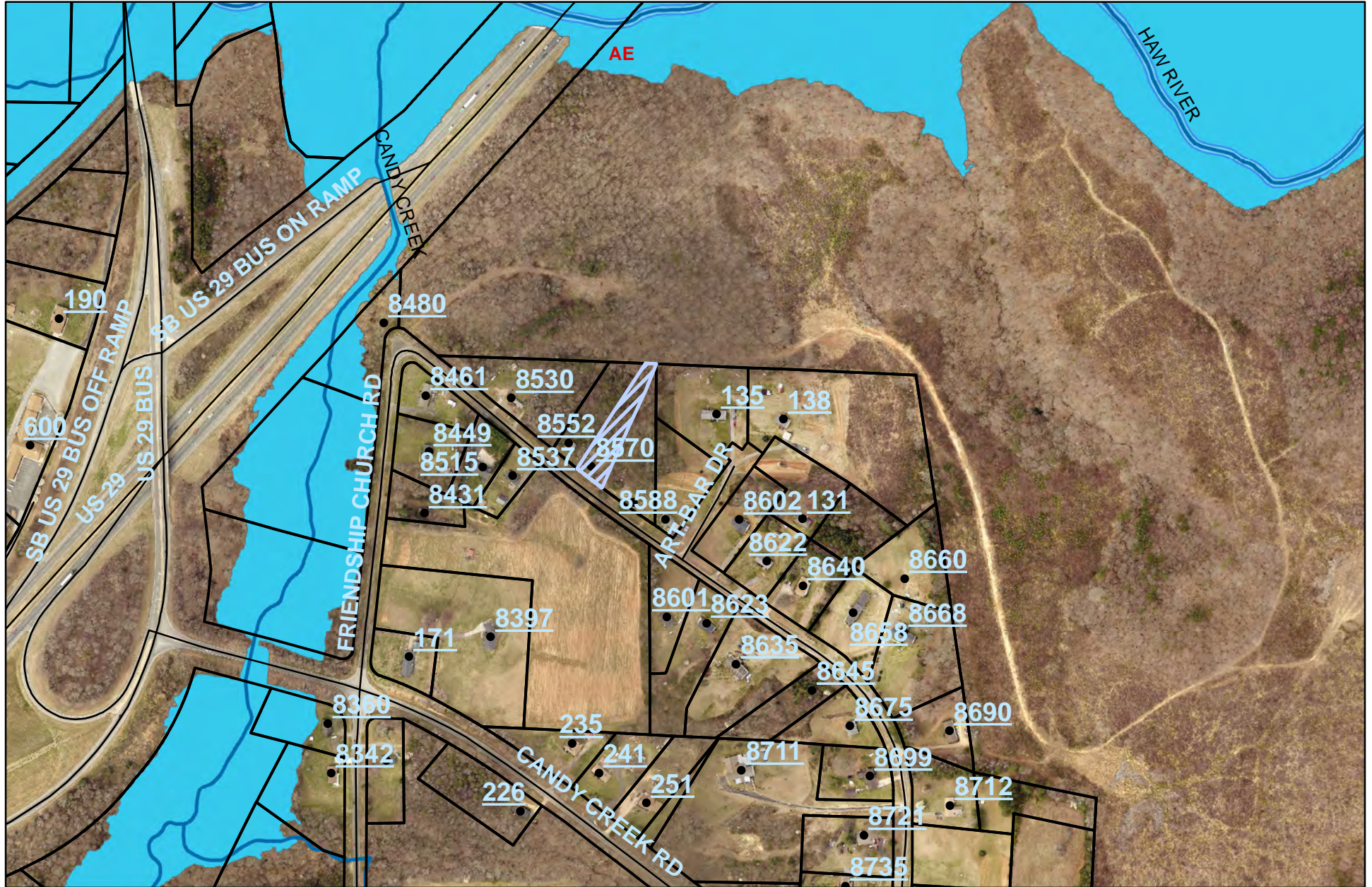


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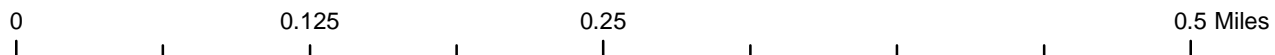


ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE #2021-14 WHITT SUP AERIAL & WATER FEATURES MAP



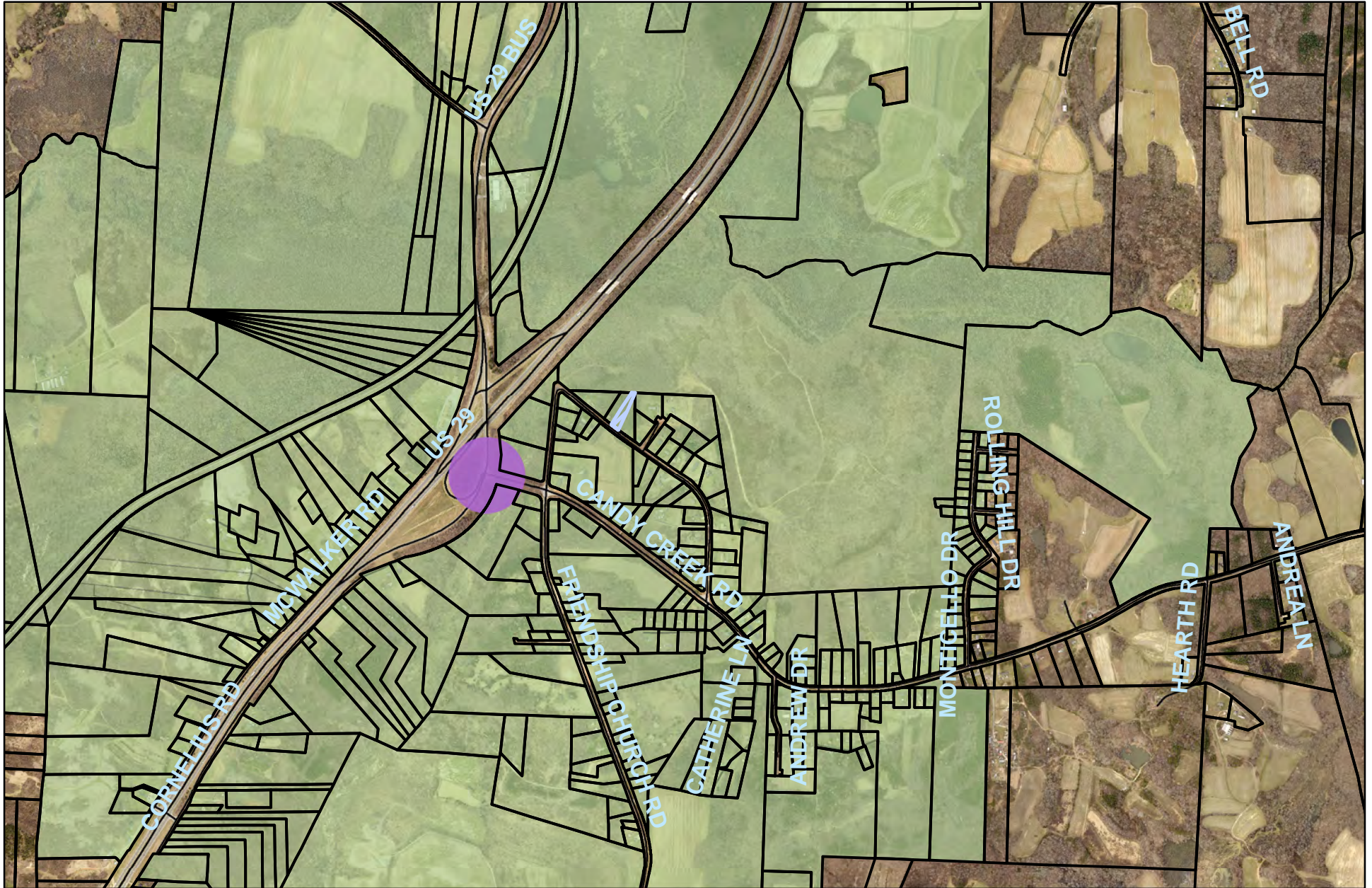
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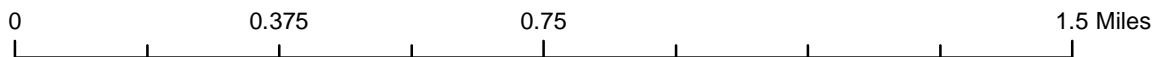
ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE #2021-14 WHITT SUP

FUTURE LAND USE CLASSIFICATION: G1 LOW DENSITY



ROCKINGHAM COUNTY PLANNING DEPARTMENT: FOR ILLUSTRATION PURPOSES ONLY



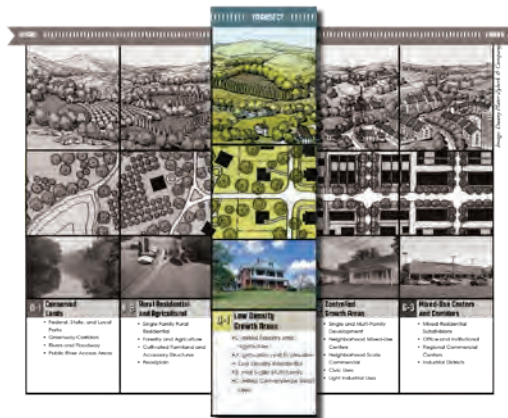
G-1 Low Density Growth

The G-1 transect, indicated by yellow on the Future Land Use Map, is intended for low-density residential growth and includes areas with limited access to water. Generally, sewer infrastructure is not available in these areas. These areas are adjacent to existing and planned rural neighborhood commercial nodes; residential land uses, including a mix of single-family attached and detached housing, are appropriate within these areas.

This transect provides primarily for low density single family residential. However, density may increase depending on the availability of public water.

G-1 Low Density Growth Policies

1. Encourage residential development to be located in areas surrounding existing rural crossroads as identified on the Future Land Use Map.
2. Make provisions for dwelling unit and watershed density averaging to allow developers to take advantage of areas most suitable for development, while preserving riparian areas, poor soils, and steep slopes for open space.
3. Encourage the development of paths and walking trails, where appropriate, within residential communities that can ultimately connect to rural neighborhood commercial centers.
4. Preserve the County's character along roadways by recommending that developers create internal roads for new subdivisions if possible.



Zoning Ordinance Implications

Areas located within the G-1 transect area are rural, but are located near strategic intersections where neighborhood commercial could be appropriate. These areas should generally be zoned Residential-Agriculture (RA) although a Planned Unit Development (PUD) or Residential Mixed (RM) may be appropriate to provide for a mix of housing types and other appropriate uses.

LAND USE (CONT.)

	Goal Type		Project Lead	Timeframe	Guiding Principles
	Policy	Capital Improvement			
O2-7. Update the zoning ordinance to allow flexible development standards within protected watershed areas when allowable.	●		Planning	Ongoing	
O2-8. Preserve the County’s character along roadways by recommending that developers create internal roads for new subdivisions if possible.	●		Planning	Ongoing	
O2-9. Allow rural subdivisions to be permitted with the Residential-Agriculture (RA) zoning district “by-right” provided dwellings are built to the NC Building Code.	●		Planning	<3 Years	
O2-11. Establish a new zoning district for manufactured homes (Manufactured Home Districts (MHD); remove manufactured homes as a permitted use within the Residential-Mixed (RM) zoning district.	●		Planning	<3 Years	
G-1 Low Density Growth Policies					
G1-1. Encourage residential development to be located in areas surrounding existing rural crossroads as identified on the Future Land Use Map.	●		Planning	Ongoing	
G1-2. Make provisions for dwelling unit and watershed density averaging to allow developers to take advantage of areas most suitable for development, while preserving riparian areas, poor soils, and steep slopes for open space.	●		Planning	Ongoing	
G1-3. Encourage the development of paths and walking trails, where appropriate, within residential communities that can ultimately connect to rural neighborhood commercial centers.	●		Planning	Ongoing	
G1-4. Preserve the County’s character along roadways by recommending that developers create internal roads for new subdivisions if possible.	●		Planning	Ongoing	
G-2 Controlled Growth Policies					
G2-1. Provide for neighborhood commercial uses (retail and office) appropriately scaled to serve nearby residential areas.	●		Planning	Ongoing	
G2-2. Encourage a range of housing opportunities including single-family and small-scale multi-family to meet the needs of all ages and income levels.	●		Planning	Ongoing	

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

Special Use District: RP

Approved By: Planning Board

Minimum Lot Area: In accordance with district where located

Appearance Criteria:

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

(i) Has an eave projection of no less than six inches which may include gutters and downspouts; (Amended 1/6/2003)

(j) Has stairs, porches, entrance platforms, ramps, decks, and other means of entrance and exit installed or constructed in accordance with the standards set by the North Carolina State Building Code, anchored securely to the ground. Wood stairs shall only be used in conjunction with a porch or entrance platform with a minimum of 24 square feet. Wooden porches or entrance platforms must be covered with Class C roof. The use of wood stairs alone is prohibited at any entrance. A brick porch with a minimum of 24 square feet may be used in lieu of a wooden porch or entrance platform with a roof. (Amended 1/6/2003)

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. . . _____
_____. **(Identify the evidence that supports this factor – reasons related to location, site plan, design, uses and operations.)**

2. The use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations. . . _____
_____. **(Describe how, i.e. “this special use permit and its conditions are allowed by the county zoning ordinance”)**

(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. . . _____
_____. **(Identify the evidence that supports this factor – reasons related to location, site plan, design, uses and operations.)**

OR

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

AND

4. The use or development will be in harmony with the structures and uses in the area by conforming 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.

IN ADDITION (if applicable), “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.)**

**ROCKINGHAM COUNTY COMMUNITY DEVELOPMENT
STAFF REPORT
CASE 2021-15: ZONING MAP AMENDMENT (REZONING)**



Request:	A request for a Rezoning from Residential Protected (RP) to Residential Agricultural (RA) . <i>Downzoning</i>
Applicant:	<u>Ledante Boler</u>
Identification:	The property is denoted by Tax PIN: 8901-00-72-9326
Location:	8210 Friendship Church Rd – Williamsburg Township

1. Acreege and Location of Parcel:

(+/-) 6.5 acres located about one-quarter of a mile east of US 29 Business/Cornelius Rd and a little less than a mile north of the Guilford County line. This parcel meets the minimum lot size requirements for residential development according to current UDO dimensional requirements.

2. Zoning Classification of Uses of Surrounding Parcels:

Surrounding parcels are zoned Residential Protected (RP), Residential Agricultural (RA), and Residential Mixed (RM). The area is characterized primarily by residential and associated uses. The subject parcel abuts both RP and RA zoned parcels.

3. Topographical and Environmental Characteristics:

Watershed - this parcel is located in the Jordan Lake Watershed protected overlay.

4. Land Use Plan:

- This parcel is located in the G-1 land class of Rockingham County. Properties in this area are targeted for low density residential and associated uses, clustered around rural crossroad nodes.
- Policy G-1(1) encourages "...residential development to be located in areas surrounding existing rural crossroads as identified on the Future Land Use Map.
- The Rockingham County Land Use Plan* suggests that these areas should generally be zoned Residential Agricultural (RA), p48. Housing variety is targeted as a major goal of the land use plan, p88.

5. Previous Zoning History:

1988: This property was zoned Residential Protected (RP).

6. Staff Notes and Analysis:

The following factors were considered by the staff before making a recommendation:

- The size of the tract in question*** (+/-) 6.5 acres. This exceeds the required minimum lot size of 43,580 square feet (one acre) for a residential lot with private well and septic system.
- The compatibility of the zoning action with the comprehensive plan.*** As noted, this zoning request is well-supported by *The Rockingham County Land Use Plan*.
- The benefits and detriments resulting from the zoning action for the owner of the Rezoning, the neighbors, and the surrounding community.*** This rezoning request will allow all permitted uses in the Residential Agricultural zoning district, which would have similar impacts as the residential and associated uses currently present in the area.
- The relationship between the uses envisioned under the rezoning and the uses currently present in adjacent tracts.*** The uses allowed in the Residential Agricultural district are harmonious with uses currently in place in the area.

7. Staff Recommendations:

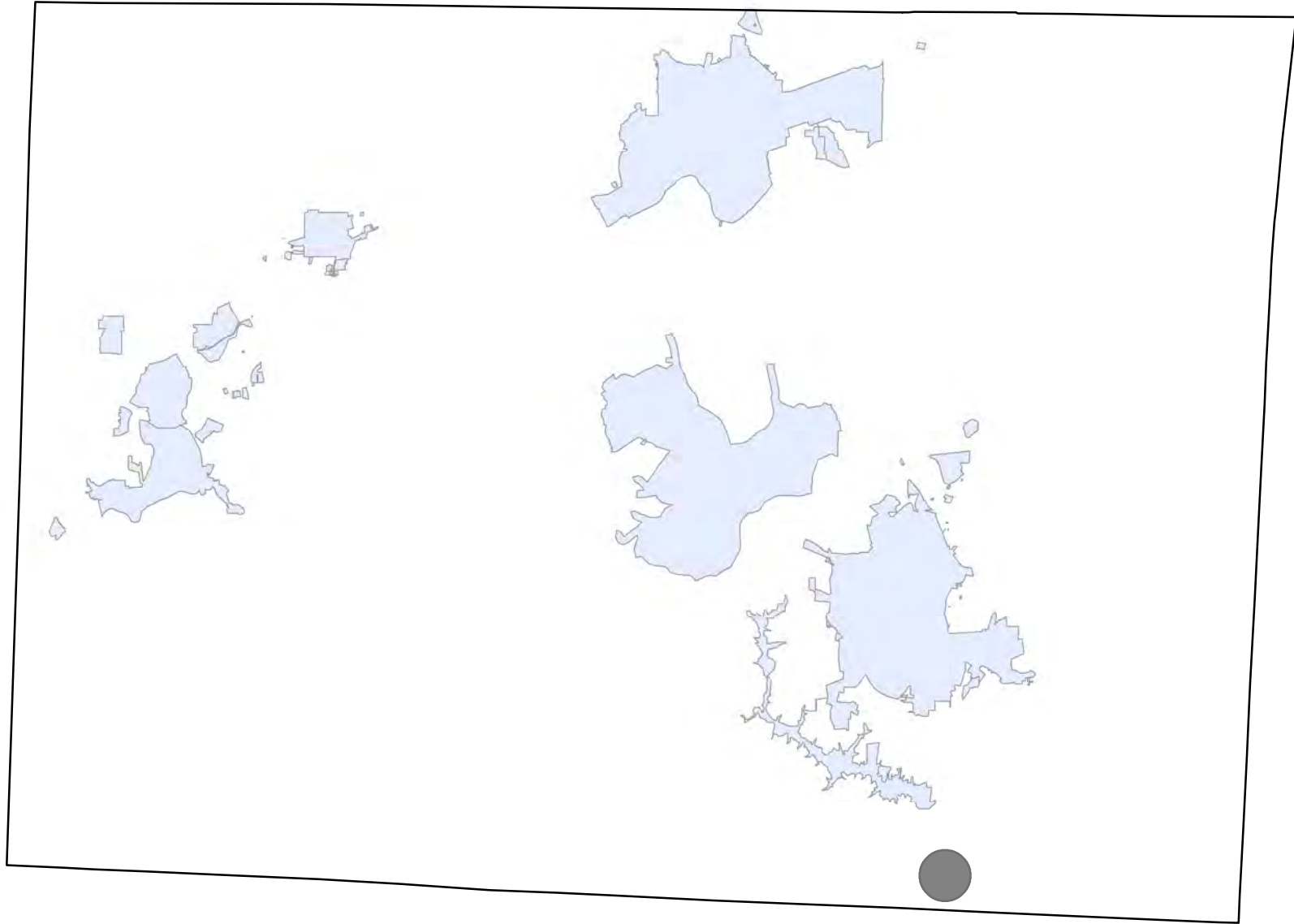
After reviewing the application, Staff concludes that sufficient information has been provided for the Planning Board and Board of Commissioners to consider the request. As a whole, this zoning amendment is in keeping with the intent and descriptions of the G-1 Land Class of the Rockingham County Future Land Use Plan.

When making the decision for an unconditional rezoning from the Residential Protected to the Residential Agricultural zoning district, the Board must consider all allowed uses in each district. No testimony regarding current, intended or future uses may be considered in making the decision to approve or deny the rezoning request. Additionally, no conditions may be imposed upon this rezoning request.

Based on analysis, Staff recommends approval of Case #2021-15, a request for a Rezoning from Residential Protected (RP) to Residential Agricultural (RA).

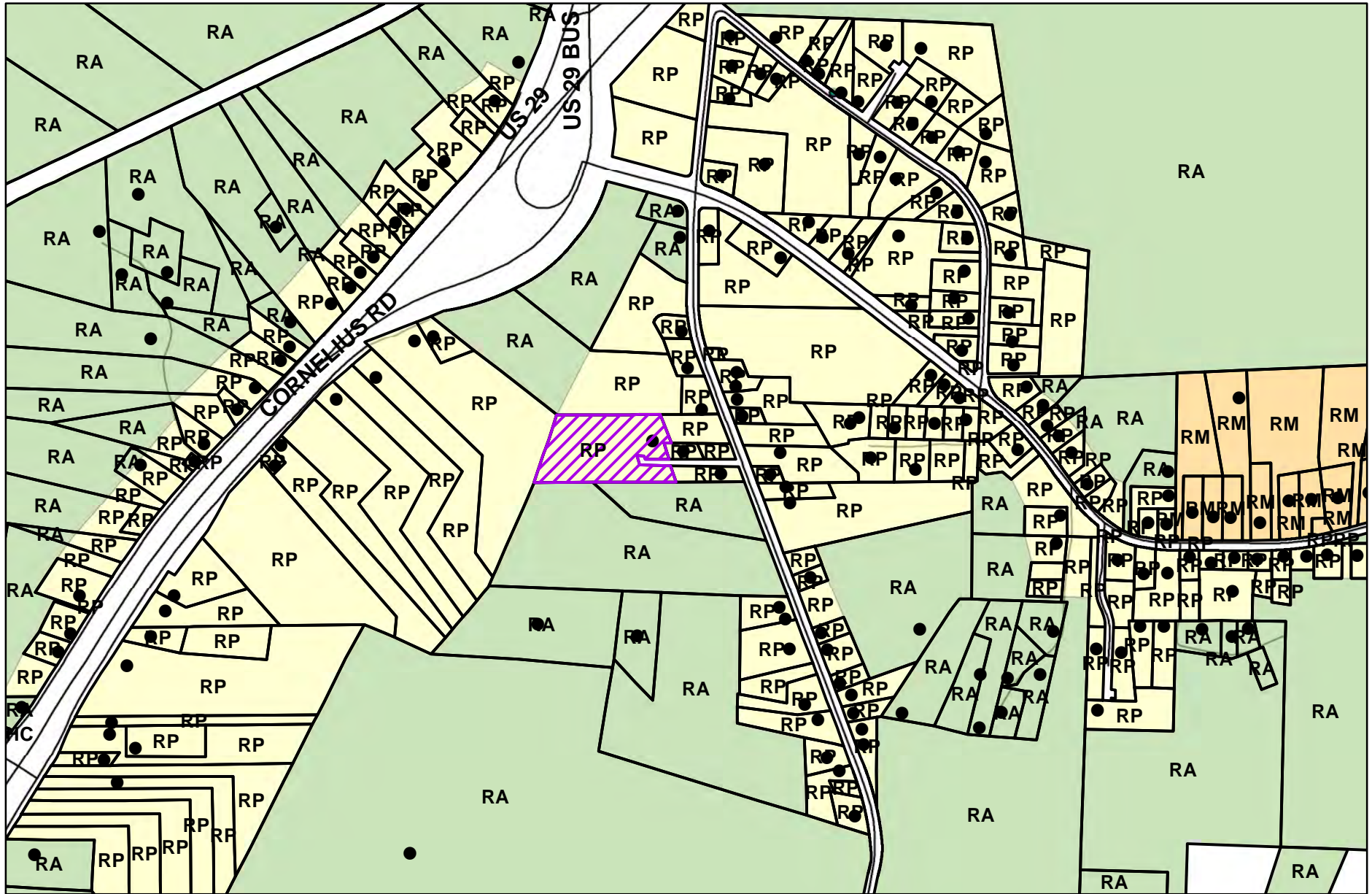
ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE #2021-15 BOLER REZONE RP TO RA VICINITY MAP

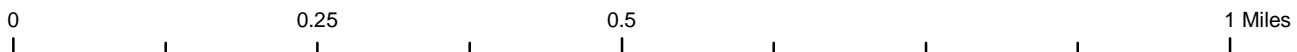


ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE #2021-15 BOLER REZONE RP TO RA ZONING MAP

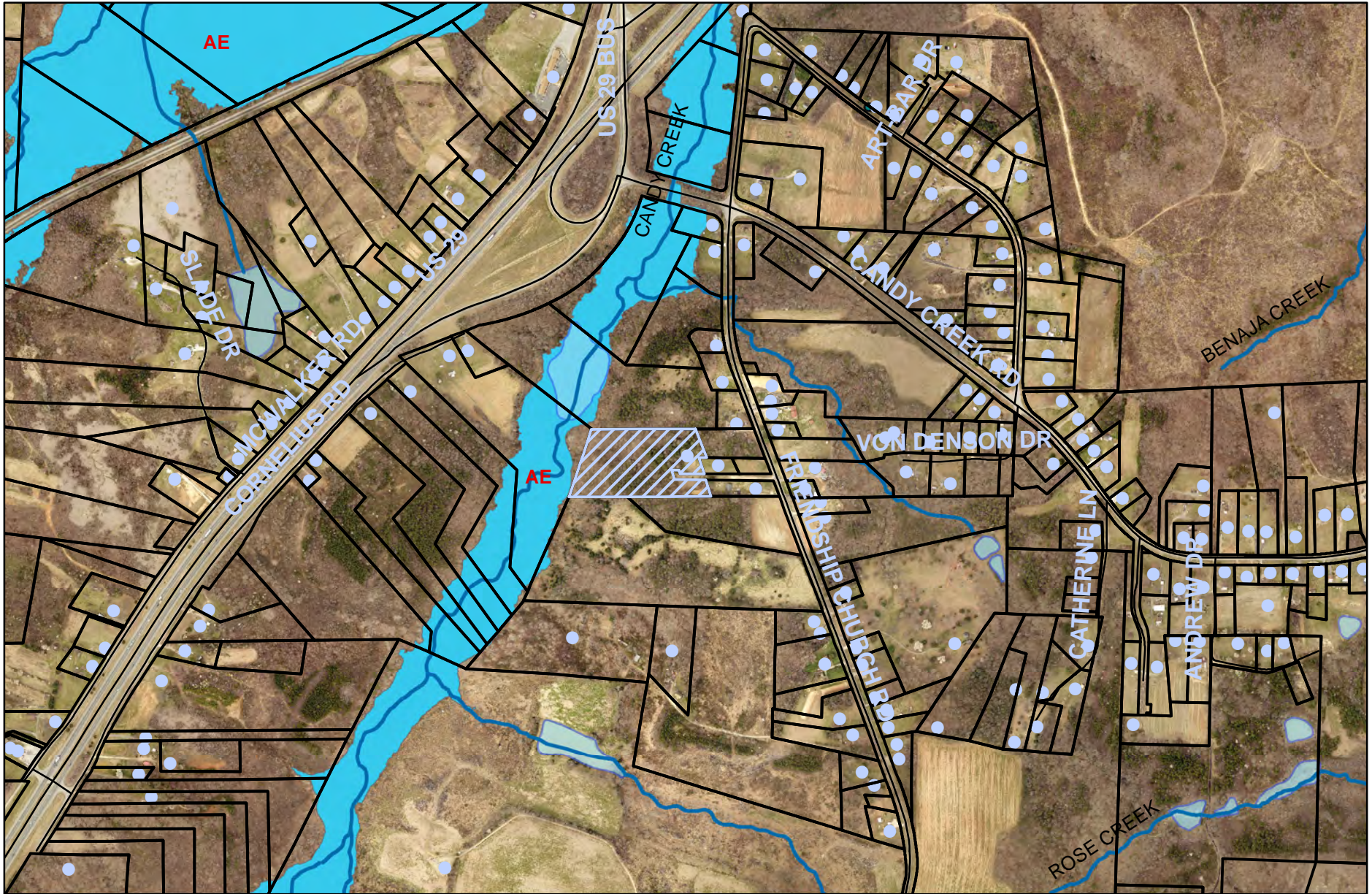


ROCKINGHAM COUNTY PLANNING DEPARTMENT: FOR ILLUSTRATION PURPOSES ONLY

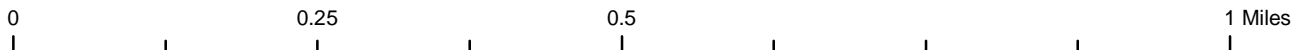


ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE #2021-15 BOLER REZONE RP TO RA AERIAL & WATER FEATURES MAP



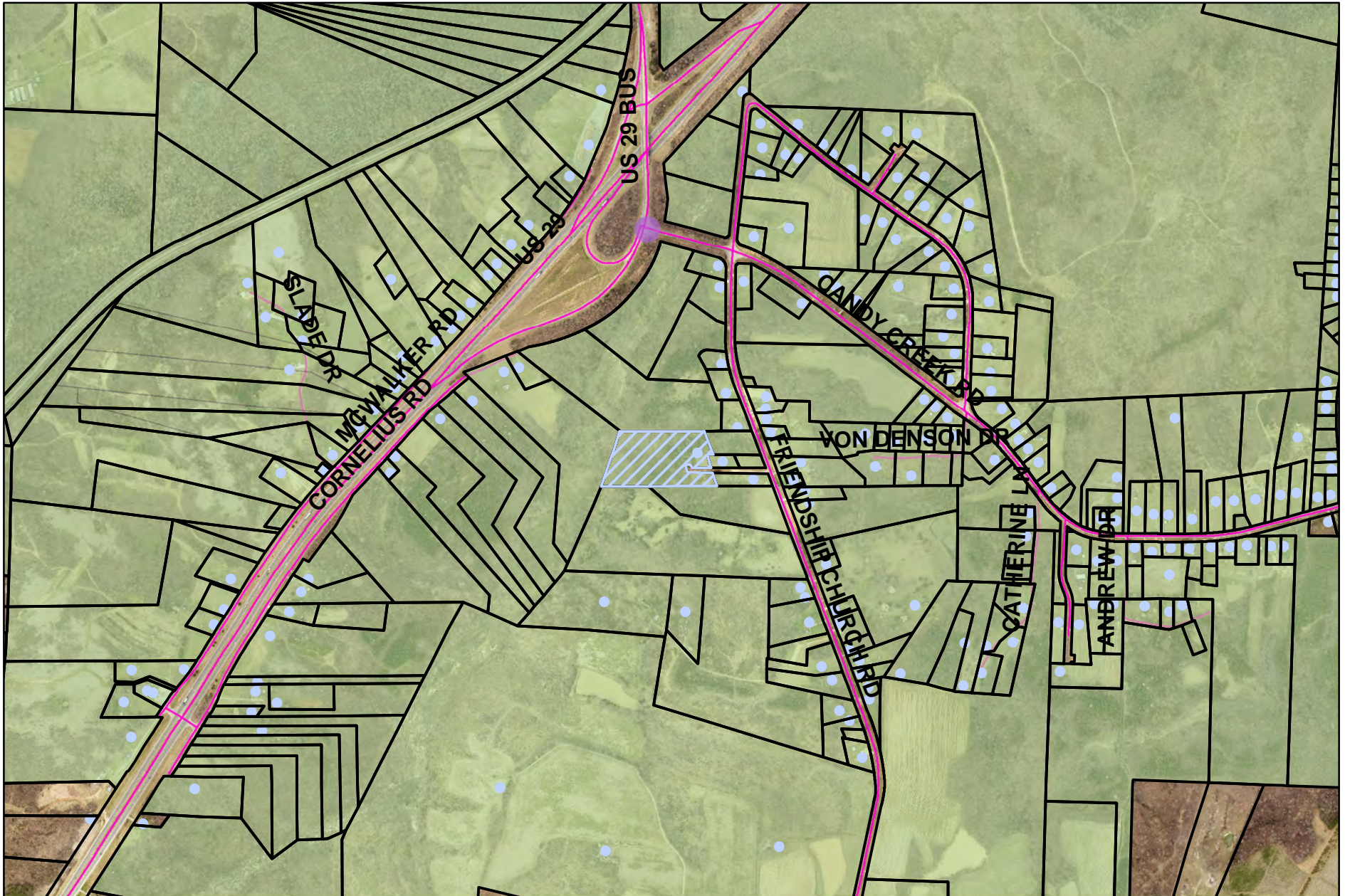
ROCKINGHAM COUNTY PLANNING DEPARTMENT: FOR ILLUSTRATION PURPOSES ONLY



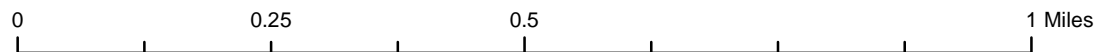
ROCKINGHAM COUNTY PLANNING BOARD JULY 12, 2021

CASE #2021-15 BOLER REZONE RP TO RA (DOWNZONING)

FUTURE LAND USE PLAN MAP: G1 LOW DENSITY



ROCKINGHAM COUNTY PLANNING DEPARTMENT: FOR ILLUSTRATION PURPOSES ONLY



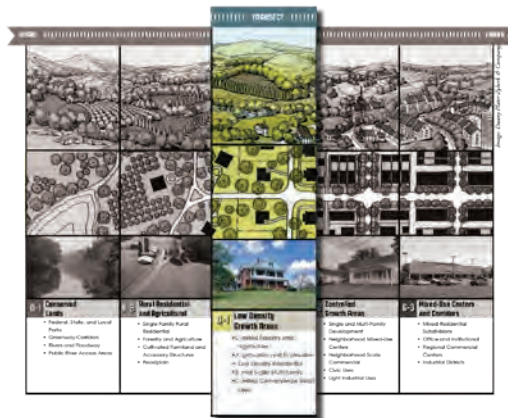
G-1 Low Density Growth

The G-1 transect, indicated by yellow on the Future Land Use Map, is intended for low-density residential growth and includes areas with limited access to water. Generally, sewer infrastructure is not available in these areas. These areas are adjacent to existing and planned rural neighborhood commercial nodes; residential land uses, including a mix of single-family attached and detached housing, are appropriate within these areas.

This transect provides primarily for low density single family residential. However, density may increase depending on the availability of public water.

G-1 Low Density Growth Policies

1. Encourage residential development to be located in areas surrounding existing rural crossroads as identified on the Future Land Use Map.
2. Make provisions for dwelling unit and watershed density averaging to allow developers to take advantage of areas most suitable for development, while preserving riparian areas, poor soils, and steep slopes for open space.
3. Encourage the development of paths and walking trails, where appropriate, within residential communities that can ultimately connect to rural neighborhood commercial centers.
4. Preserve the County's character along roadways by recommending that developers create internal roads for new subdivisions if possible.



Zoning Ordinance Implications

Areas located within the G-1 transect area are rural, but are located near strategic intersections where neighborhood commercial could be appropriate. These areas should generally be zoned Residential-Agriculture (RA) although a Planned Unit Development (PUD) or Residential Mixed (RM) may be appropriate to provide for a mix of housing types and other appropriate uses.

LAND USE (CONT.)

	Goal Type		Project Lead	Timeframe	Guiding Principles
	Policy	Capital Improvement			
O2-7. Update the zoning ordinance to allow flexible development standards within protected watershed areas when allowable.	●		Planning	Ongoing	
O2-8. Preserve the County’s character along roadways by recommending that developers create internal roads for new subdivisions if possible.	●		Planning	Ongoing	
O2-9. Allow rural subdivisions to be permitted with the Residential-Agriculture (RA) zoning district “by-right” provided dwellings are built to the NC Building Code.	●		Planning	<3 Years	
O2-11. Establish a new zoning district for manufactured homes (Manufactured Home Districts (MHD); remove manufactured homes as a permitted use within the Residential-Mixed (RM) zoning district.	●		Planning	<3 Years	
G-1 Low Density Growth Policies					
G1-1. Encourage residential development to be located in areas surrounding existing rural crossroads as identified on the Future Land Use Map.	●		Planning	Ongoing	
G1-2. Make provisions for dwelling unit and watershed density averaging to allow developers to take advantage of areas most suitable for development, while preserving riparian areas, poor soils, and steep slopes for open space.	●		Planning	Ongoing	
G1-3. Encourage the development of paths and walking trails, where appropriate, within residential communities that can ultimately connect to rural neighborhood commercial centers.	●		Planning	Ongoing	
G1-4. Preserve the County’s character along roadways by recommending that developers create internal roads for new subdivisions if possible.	●		Planning	Ongoing	
G-2 Controlled Growth Policies					
G2-1. Provide for neighborhood commercial uses (retail and office) appropriately scaled to serve nearby residential areas.	●		Planning	Ongoing	
G2-2. Encourage a range of housing opportunities including single-family and small-scale multi-family to meet the needs of all ages and income levels.	●		Planning	Ongoing	

USES IN RESIDENTIAL PROTECTED ZONING DISTRICT

Uses Permitted by right. Zoning Permit may be required.

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

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

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

Uses requiring Special Use Permit

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

Types of Subdivisions

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

USES IN RESIDENTIAL AGRICULTURAL ZONING DISTRICT

Uses Permitted by right. Zoning Permit may be required.

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Accessory uses 2. Agricultural use (not regulated) 3. Athletic fields, recreation buildings, playgrounds, swim and racquet clubs (no commercial gain) – may be lighted 4. Auction Sales, temporary, one-time use 5. Beneficial Fill 6. Cemetery 7. Churches and their customary uses including child care on premises 8. Clubs and lodges, private, non-profit 9. Community centers, public or private non-profit for assembly and recreation 10. Day care – 5 persons or less 11. Farm supplies sales (feed, seed, fertilizer, etc.) | <ol style="list-style-type: none"> 12. Fire, sheriff and emergency services 13. Golf courses 14. Home occupations 15. Nursery and plant cultivation and sales 16. Pottery crafting and sales 17. Rooming house 18. Residence, duplex 19. Residence, single family detached 20. Riding academy, commercial stables 21. Sawmills, planing mills-temporary 22. Sign, on premises 23. Studios for artists, designers, musician, photographers, sculptors (not as home occupation) 24. Temporary buildings, incidental to development |
|--|---|

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

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Agritourism Activities 2. Bed & Breakfast Home 3. Family care homes (must be at least ½ mile from any other family care home) 4. Guest House 5. Kennel (8 or less domesticated animals) 5. LCID Landfill, Minor (off-site) 6. Lumber yard – outdoor storage yard screening requirements 7. Manufactured housing on individual lot - Class AA or A (foundation and screening requirements for towing apparatus) | <ol style="list-style-type: none"> 8. Manufactured housing on individual lot - Class B (permitted in certain instances, foundation and screening requirements for towing apparatus) 9. Manufactured housing on lot during construction of new dwelling 10. Outdoor Storage Area (residential) 11. Poultry Breeding Facility 12. Special Events 13. Turkey Shoots – Non-Profit 14. Temporary Manufactured Home for Custodial Care 15. Temporary Storage Unit |
|--|---|

Uses requiring a Special Use Permit

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

High Impact Use – Conditional Zoning

1. Air Strips

Types of Subdivisions

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

**PLANNING BOARD ANALYSIS AND STATEMENT
CASE 2021-15: WHITT REZONING
RESIDENTIAL PROTECTED TO RESIDENTIAL AGRICULTURAL**

APPROVAL, CONSISTENT WITH LAND USE PLAN

The Planning Board has reviewed the **Residential Agricultural** zoning amendment and adopts the following statements as required by NCGS § 160D:

1. After considering Rockingham County adopted comprehensive plans, the Planning Board recommends **approval** of (**Case #2021-15**). This action is **consistent** with the adopted Rockingham County Land Use Plan. This zoning amendment supports the intent and descriptions of the **G-1 Low Density Growth 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 and Residential Protected**.
3. The Board considers its action in adopting this zoning amendment to be in the public interest because:
 - A. The proposed development has sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
 - B. The uses permitted in the **Residential Agricultural** 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:

Plan Consistency. - When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive 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 comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. NCGS § 160D-604(d)

**PLANNING BOARD ANALYSIS AND STATEMENT
CASE 2021-15: WHITT REZONING
RESIDENTIAL PROTECTED TO RESIDENTIAL AGRICULTURAL**

APPROVAL, INCONSISTENT WITH LAND USE PLAN

The Planning Board has reviewed the **Residential Agricultural** zoning amendment and adopts the following statements as required by NCGS § 160D:

1. After considering Rockingham County adopted comprehensive plans, the Planning Board recommends **approval** of (**Case #2021-15**). 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 **G-1 Low Density Growth 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 and Residential Protected**.
3. The Board considers its action in adopting this zoning amendment to be in the public interest because:
 - A. The proposed development has sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
 - B. The uses permitted in the **Residential Agricultural** 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:

Plan Consistency. - When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive 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 comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. NCGS § 160D-604(d)

**PLANNING BOARD ANALYSIS AND STATEMENT
CASE 2021-15: WHITT REZONING
RESIDENTIAL PROTECTED TO RESIDENTIAL AGRICULTURAL**

DENIAL

The Planning Board has reviewed the **Residential Agricultural** zoning amendment and adopts the following statements as required by NCGS § 160D:

1. After considering Rockingham County adopted comprehensive plans, the Planning Board recommends **denial** of (Case #2021-15). 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 **G-1 Low Density Growth 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 and Residential Protected**.
3. The Board does not consider the adoption of the proposed zoning amendment to be in the public interest because:
 - A. The proposed development does not have sufficient design features so as to be compatible with or exceed the quality of existing developments in the neighborhood;
 - B. The uses permitted in the **Residential Agricultural** 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:

Plan Consistency. - When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive 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 comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. NCGS § 160D-604(d)

**ROCKINGHAM COUNTY COMMUNITY DEVELOPMENT
STAFF REPORT
CASE 2021-17: SPECIAL USE PERMIT**



Request:	Special Use Permit to operate a Travel Trailer Park & Campground
Applicant:	<u>Richard L. Ferguson & Andrea Fiorillo</u>
Identification:	The property is denoted by Tax PIN: 7902-00-78-2255
Location:	450 Stanley Road – Huntsville Township

1. Acres / Square Footage of Proposal:

(+/-) 68 Acres, just east of Ellisboro Rd, approximately two miles east of Belews lake, and just under three miles north of the Guilford County Line.

2. Zoning Classification and Uses of Surrounding Parcels:

This parcel is zoned Residential Agricultural (RA). Nearby parcels are zoned Residential Agricultural (RA), and Residential Protected (RP). The area is characterized primarily by residential and associated uses.

3. Topographical and Environmental Characteristics:

The parcel is located adjacent to Little Hogan’s Creek.

4. Unified Development Ordinance:

Chapter 2, Article IX, Section 9-11(x) pp. 142-143

5. Land Use Plan:

This project is located in G-1 land class according to the *Rockingham County Comprehensive Land Use Plan*. This class is designated Low Density Growth and is characterized primarily by residential and associated uses. This project is supported by Economic Development Goal 3: “Promote sustainable tourism development that improves quality of life for residents and preserves the natural and cultural resources of the county.”

6. Staff Findings and Recommendation:

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

Staff Findings:

- a. A Travel Trailer Park is allowed in the Residential Agricultural District with a Special Use Permit.

Staff Recommendation: based on Staff’s analysis and the requirements of the Travel Trailer Park Special Use Permit of the Unified Development Ordinance, Staff recommends approval of Case #2021-13, with the following conditions:

- a. All development shall proceed in accordance with the site plan, including applicant submitted materials. Any changes may require a Site Plan Amendment.
- b. The applicant is responsible for obtaining and complying with all required permits and approvals.
- c. The applicant must follow all of the requirements for the Travel Trailer Park Special Use Permit which are listed in the Rockingham County Unified Development Ordinance (pp. 142-143).
- d. A fifty (50) foot riparian buffer shall be maintained on all property borders adjacent to all intermittent and perennial waterways.

7. Approval/Denial:

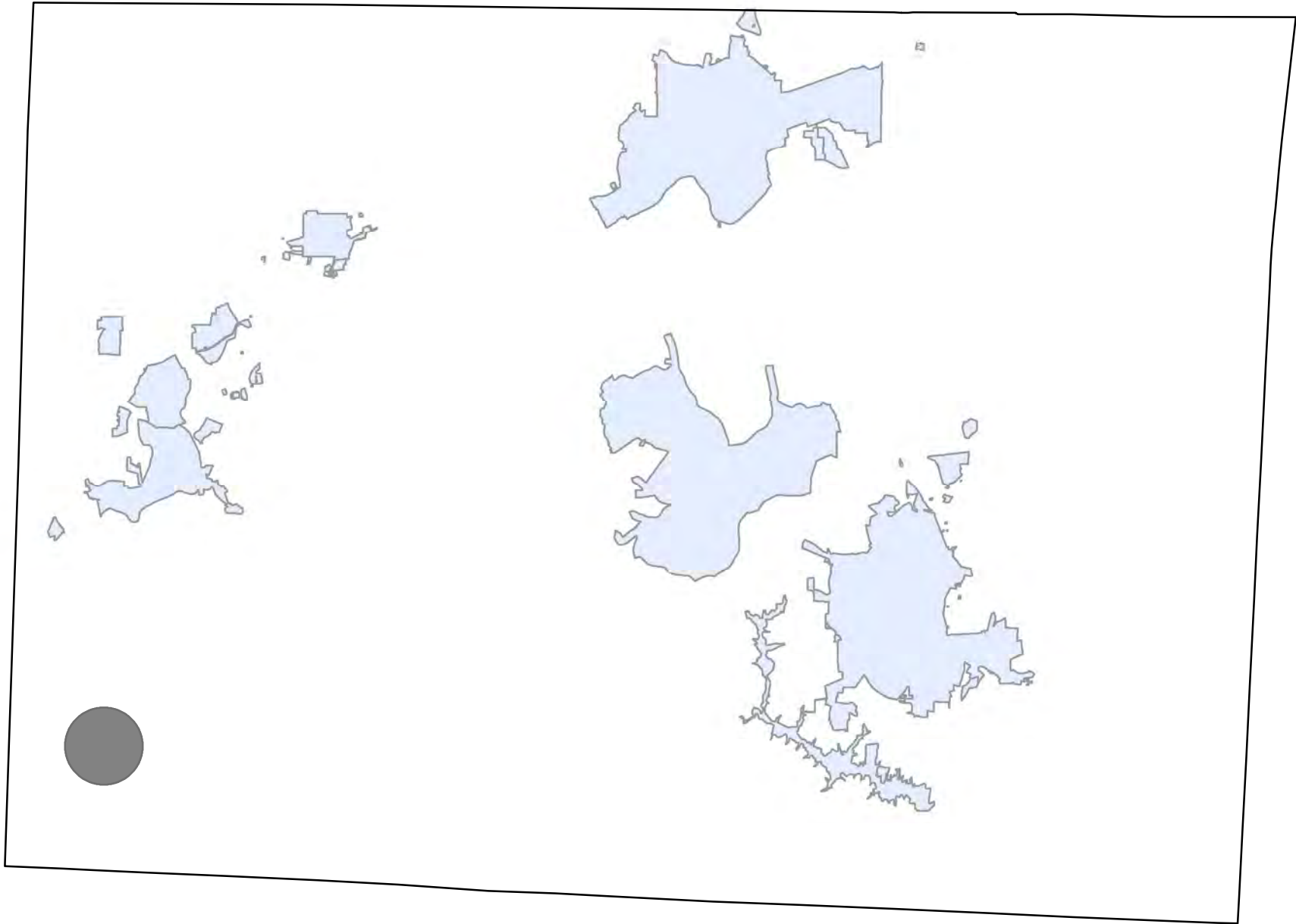
No Special Use Permit shall be granted by the Planning Board unless each of the following findings is made concerning the proposed special use:

- a. 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. The use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations;
- c. 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. 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 to approve the permit.

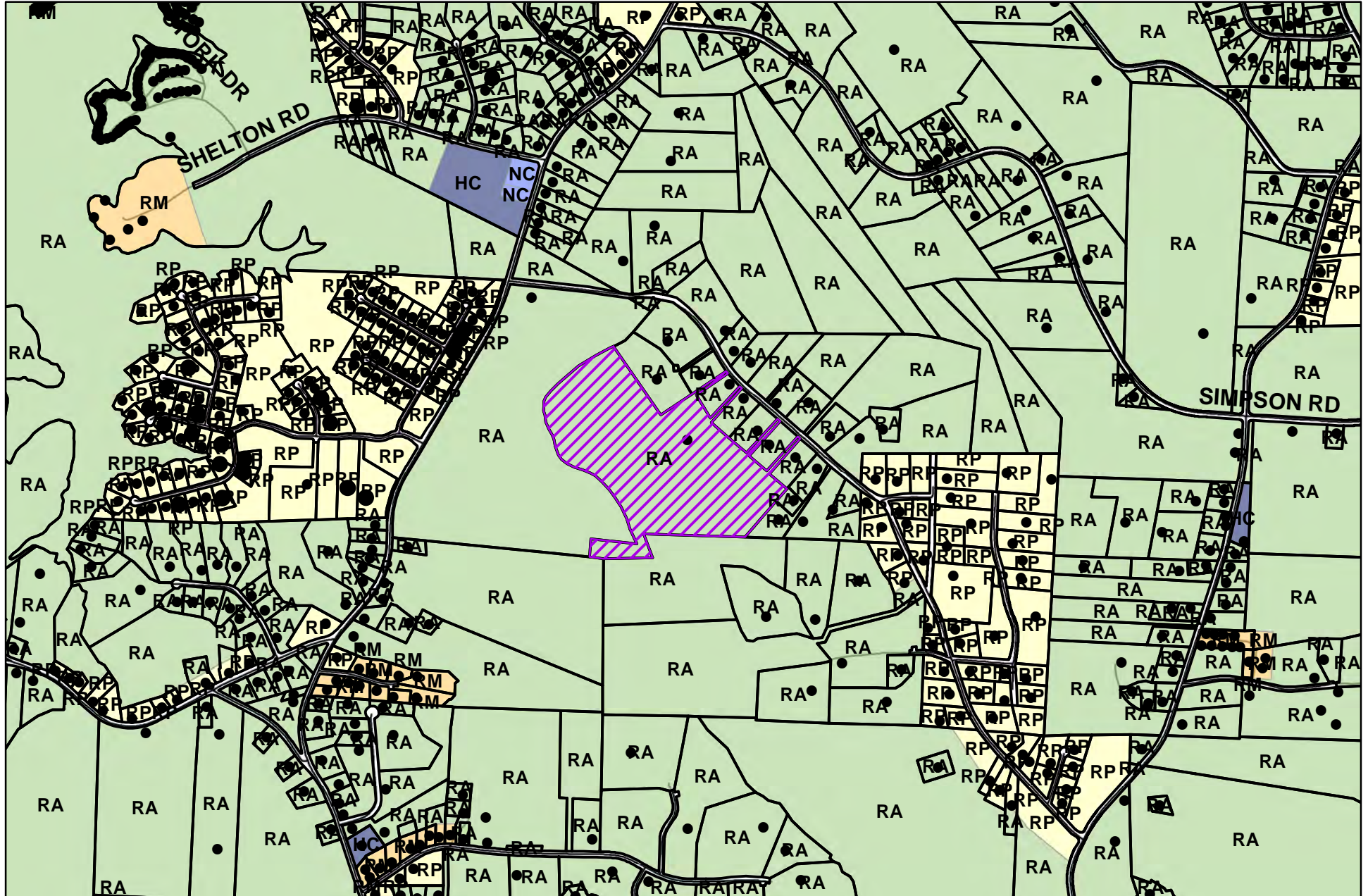


**CASE #2021-17 FERGUSON & FIORILLO SUP
VICINITY MAP**

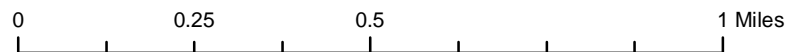


ROCKINGHAM COUNTY PLANNING BOARD JULY 12 2021

CASE #2021-17 FERGUSON & FIORILLO SUP ZONING MAP

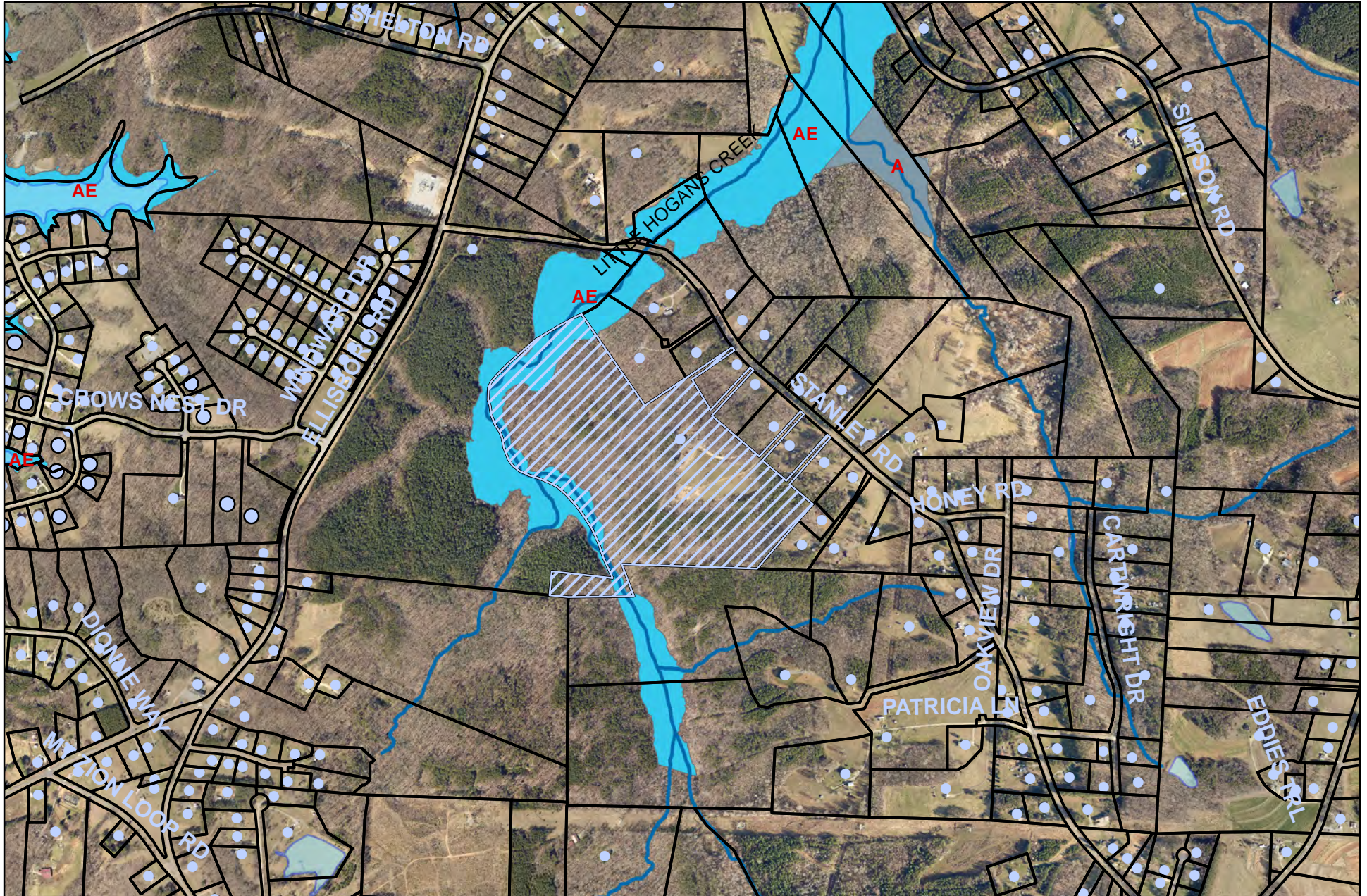


ROCKINGHAM COUNTY PLANNING DEPARTMENT: FOR ILLUSTRATION PURPOSES ONLY

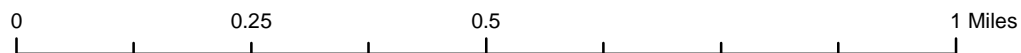


ROCKINGHAM COUNTY PLANNING BOARD JULY 12 2021

CASE #2021-17 FERGUSON & FIORILLO SUP AERIAL & WATER FEATURES MAP

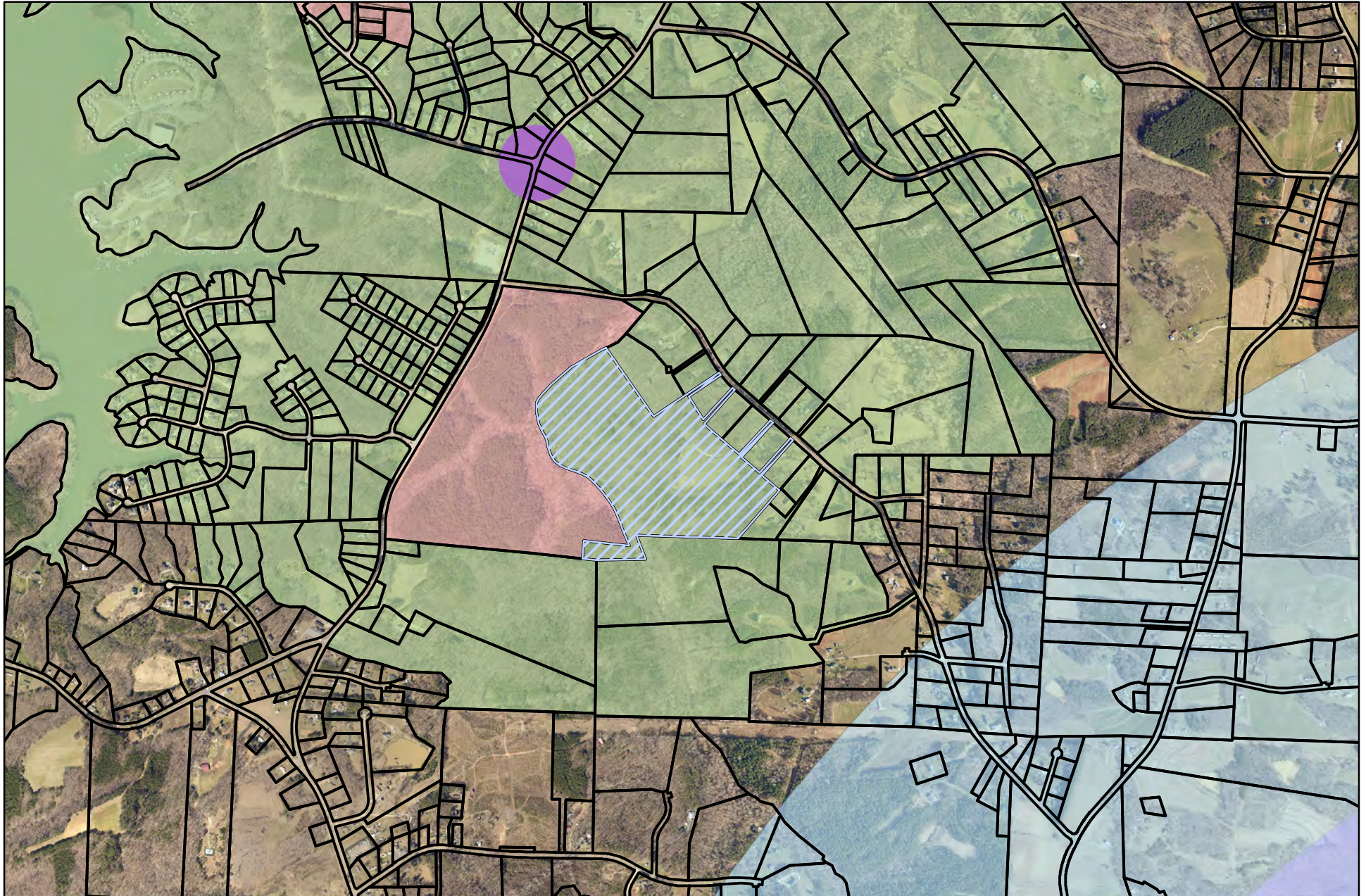


ROCKINGHAM COUNTY PLANNING DEPARTMENT: FOR ILLUSTRATION PURPOSES ONLY



ROCKINGHAM COUNTY PLANNING BOARD JULY 12 2021

CASE #2021-17 FERGUSON & FIORILLO SUP FUTURE LAND USE PLAN: G1 LOW DENSITY AND O1 CONSERVED



ROCKINGHAM COUNTY PLANNING DEPARTMENT: FOR ILLUSTRATION PURPOSES ONLY



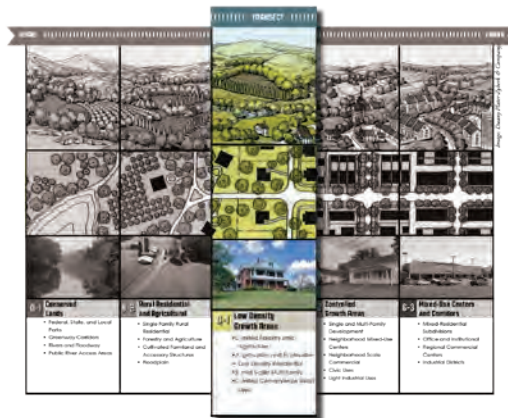
G-1 Low Density Growth

The G-1 transect, indicated by yellow on the Future Land Use Map, is intended for low-density residential growth and includes areas with limited access to water. Generally, sewer infrastructure is not available in these areas. These areas are adjacent to existing and planned rural neighborhood commercial nodes; residential land uses, including a mix of single-family attached and detached housing, are appropriate within these areas.

This transect provides primarily for low density single family residential. However, density may increase depending on the availability of public water.

G-1 Low Density Growth Policies

1. Encourage residential development to be located in areas surrounding existing rural crossroads as identified on the Future Land Use Map.
2. Make provisions for dwelling unit and watershed density averaging to allow developers to take advantage of areas most suitable for development, while preserving riparian areas, poor soils, and steep slopes for open space.
3. Encourage the development of paths and walking trails, where appropriate, within residential communities that can ultimately connect to rural neighborhood commercial centers.
4. Preserve the County's character along roadways by recommending that developers create internal roads for new subdivisions if possible.











Zoning Ordinance Implications

Areas located within the G-1 transect area are rural, but are located near strategic intersections where neighborhood commercial could be appropriate. These areas should generally be zoned Residential-Agriculture (RA) although a Planned Unit Development (PUD) or Residential Mixed (RM) may be appropriate to provide for a mix of housing types and other appropriate uses.

LAND USE (CONT.)

	Goal Type		Project Lead	Timeframe	Guiding Principles
	Policy	Capital Improvement			
O2-7. Update the zoning ordinance to allow flexible development standards within protected watershed areas when allowable.	●		Planning	Ongoing	
O2-8. Preserve the County’s character along roadways by recommending that developers create internal roads for new subdivisions if possible.	●		Planning	Ongoing	
O2-9. Allow rural subdivisions to be permitted with the Residential-Agriculture (RA) zoning district “by-right” provided dwellings are built to the NC Building Code.	●		Planning	<3 Years	
O2-11. Establish a new zoning district for manufactured homes (Manufactured Home Districts (MHD); remove manufactured homes as a permitted use within the Residential-Mixed (RM) zoning district.	●		Planning	<3 Years	
G-1 Low Density Growth Policies					
G1-1. Encourage residential development to be located in areas surrounding existing rural crossroads as identified on the Future Land Use Map.	●		Planning	Ongoing	
G1-2. Make provisions for dwelling unit and watershed density averaging to allow developers to take advantage of areas most suitable for development, while preserving riparian areas, poor soils, and steep slopes for open space.	●		Planning	Ongoing	
G1-3. Encourage the development of paths and walking trails, where appropriate, within residential communities that can ultimately connect to rural neighborhood commercial centers.	●		Planning	Ongoing	
G1-4. Preserve the County’s character along roadways by recommending that developers create internal roads for new subdivisions if possible.	●		Planning	Ongoing	
G-2 Controlled Growth Policies					
G2-1. Provide for neighborhood commercial uses (retail and office) appropriately scaled to serve nearby residential areas.	●		Planning	Ongoing	
G2-2. Encourage a range of housing opportunities including single-family and small-scale multi-family to meet the needs of all ages and income levels.	●		Planning	Ongoing	

ECONOMIC DEVELOPMENT (CONT.)	Goal Type		Project Lead	Timeframe	Guiding Principles
	Policy	Capital Improvement			
Goal 3. Promote sustainable tourism development that improves quality of life for residents and preserves the natural and cultural resources of the County.					
3.1 Consider increasing the County's occupancy tax rate by 1% to fully capture the 6% allowed by the NC General Assembly.	●		EDC, Admin	<3 Years	
3.2 Develop an interlocal governmental sports committee that focuses on 1) utilizing existing sports complexes to maximize tournament play throughout the year; and 2) expanding sports-related infrastructure to continue growing this economic opportunity.	●		EDC, Planning, Public Works	Ongoing	
3.3 Provide leadership to the Recreation Advisory Committee to continue planning and developing new recreation opportunities.	●		EDC	Ongoing	
3.4 Create a county-wide parks and recreation master plan, or consider focusing solely on an outdoor recreation master plan that emphasizes trails, greenways, and paddle trails.	●		Planning, EDC	Ongoing	
3.5 Encourage the development of short-term lodging establishments (such as Airbnb and VRBO) surrounding public lands.	●		EDC, Planning	Ongoing	
3.6 Encourage investment in new outdoor recreation amenities, visitor attractions, destinations, eco-tourism opportunities, and outdoor recreation infrastructure.	●		EDC	Ongoing	
3.7 Work with historic Main Street communities throughout the County to encourage streetscape improvements and revitalization efforts.	●		EDC	Ongoing	
3.8 Develop a county-wide vehicular wayfinding system that directs visitors to natural and cultural resource destinations.		●	EDC	<3 Years	

**Travel Trailer Parks or Recreational, Nonpermanent Vehicles
(including tenting and other forms of weather protected, covered camping)**

Approved By: Planning Board

Special Use Districts: RA, RM

Minimum Area: Five (5) acres with a front yard depth of fifty (50) feet.

Site Considerations:

Trailers shall be separated from each other and from other structures by at least fifteen (15) feet. Any accessory structure such as attached awnings, carports, or storage facilities shall be considered to be part of the trailer.

Minimum size of space shall be as required by the Rockingham County Health Department.

There shall be at least one (1) recreation area that shall be accessible from all trailer spaces. The size of such recreation area shall not be less than eight percent (8%) of the gross site area.

Roadways shall be 4" stabilized gravel or crushed rock and of adequate width to accommodate anticipated traffic and in any case, shall meet the following minimum requirements:

One-way, no parking - twelve (12) feet.

Two-way, no parking - twenty (20) feet. (Amended 9/16/1991; Effective 9/17/1991)

No roadway parking shall be permitted.

The water supply, the sewerage system, service buildings, sanitation requirements and solid waste disposal shall be reasonably accommodated and shall meet the requirements of the appropriate State and County regulatory agency.

A 25-foot wide natural foliage greenbelt shall be planted along the street side(s) of the property and along interior lot lines adjacent to a residential district. The plantings shall be of sufficient opacity to screen the use from view along interior lot lines.

Parking:

Off-street parking and loading space shall be provided in sufficient quantity to accommodate all parking and loading on the site. For this purpose, there shall be 1 1/2 automobile parking spaces per trailer space.

Signs:

Signs on premises shall be regulated as follows:

Type of sign: Identification.

Permitted number of signs: One (1) ground sign per entrance to park.

Maximum area of ground sign: Ten (10) square feet.

Permitted illumination: Indirect lighting, non-flashing illumination, motionless.

Permitted location: Within the bounds of the property.

Required Plans:

Topography of the site, at contour interval no greater than five (5) feet.

Location and approximate size of all existing and proposed buildings and structures within the site and existing buildings and structures within five hundred (500) feet adjacent thereto.

Proposed points of ingress and egress together with the proposed pattern of internal circulation.

Proposed parking areas.

Proposed provision for storm and sanitary sewerage, including both natural and man-made features, and the proposed treatment of ground cover, slopes, banks and ditches.

Space Rental: Trailer spaces shall be rented by the day.

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. . . _____
_____. **(Identify the evidence that supports this factor – reasons related to location, site plan, design, uses and operations.)**

2. The use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations. . . _____
_____. **(Describe how, i.e. “this special use permit and its conditions are allowed by the county zoning ordinance”)**

(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. . . _____
_____. **(Identify the evidence that supports this factor – reasons related to location, site plan, design, uses and operations.)**

OR

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

AND

4. The use or development will be in harmony with the structures and uses in the area by conforming 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.

IN ADDITION (if applicable), “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.)**