MEETING AGENDA

1. Call to Order.

2. Determination of a Quorum.

3. Approval of the Minutes of the Previous Meeting:
   May 16, 2022 Regular Meeting

   Delayed Meeting Minutes:
   November 15, 2021 Regular Meeting
   December 20, 2021 Regular Meeting

4. Review of Public Comment Policy.

   Made by Debbie V. Joyner, the property owner, to rezone 18.03 acres located on the south
   side of Cordiality Church Rd, Nashville, NC 27856 from R-40 (Single-Family Residential) to
   RA-20-CZ (Medium-Density Residential Conditional Zone) for the 28-lot Bulluck Farm
   Subdivision.

   Made by Ned B. Coleman on behalf of the property owner, Rebecca Coleman, to rezone
   17.5 acres located at 5424 Southern Nash High Rd, Spring Hope, NC 27882 at Stanhope
   Crossroad from A1 (Agricultural) & R-30 (Single & Two-Family Residential) to RC (Rural
   Commercial).

7. Whispering Hills Phase II Subdivision Sketch Plan.
   Resubmitted by the property owners, Anthony W. Brown Sr. & Betty P. Brown, for the
   development of 14 new residential lots along a new public road right-of-way on 20 acres
8. **UDO Text Amendment Request A-220601.**
   Made by Jerry R. Huff to amend Table 9-3-1 & Section 11-4.29 to permit the manufacture and storage of explosives in the GI (General Industrial) Zoning District with the issuance of a special use permit and subject to required development standards.

9. **Other Business.**

   a. **Update on the Board of Commissioners Planning Actions Taken June 6, 2022:**
      
      **UDO Text Amendment Request A-220401** to add **body art service (tattoos and piercings)** as a permitted land use in the GC (General Commercial) Zoning District was **APPROVED.**

   b. **Reappointment of Planning Board Members with Terms Expiring June 30, 2022:**
      
      **Vice-Chairman DeLeon Parker, Jr.** was reappointed to a second full three-year term expiring June 30, 2025.
      
      **Jimmy Glover** was reappointed to a second full three-year term expiring June 30, 2025.

   c. **Update on the Appeal of the Planning Board’s Approval of the Ridge Road Subdivision Sketch Plan to Superior Court.**
      
      The Court **DISMISSED** the appellants’ petition on June 14, 2022 based on the findings that:
      
      1) The Planning Board’s approval of the sketch plan was an administrative decision and not a quasi-judicial decision as alleged by the appellants; and
      
      2) An administrative decision must be appealed first to the Board of Adjustment before consideration by the Superior Court.

   d. **REMINDER:** Nash County Land Use Plan Steering Committee Meeting on Monday, June 27 at 4:00 p.m.

   e. **REMINDER:** Election of Board Officers (Chairman & Vice-Chairman) for 2022-2023 Year at the Board’s Next Regular Meeting.

10. **Adjournment.**
MINUTES OF THE
NASH COUNTY PLANNING BOARD REGULAR MEETING
HELD MONDAY, MAY 16, 2022 AT 6:30 P.M.
FREDERICK B. COOPER COMMISSIONERS ROOM
CLAUDE MAYO, JR. ADMINISTRATION BUILDING – THIRD FLOOR
120 WEST WASHINGTON STREET
NASHVILLE, NC 27856

BOARD MEMBERS PRESENT

Kevin Smith, Chairman
DeLeon Parker, Jr., Vice-Chairman
Phillip Brannan
Moses Brown, Jr.
Jimmy Glover
Kimberly Moore
Barbara Pulley
Ethan Vester

BOARD MEMBERS ABSENT

Chris Sandifer

STAFF MEMBERS PRESENT

Adam Tyson, Planning Director
Adam Culpepper, Senior Planner
Windy Braswell, Planning Technician

OTHERS PRESENT

Tim Huggins
Donna Moore
Ron Sutton
1. Call to Order.
   Chairman Smith called the meeting to order at 6:30 p.m.

2. Determination of a Quorum.
   Chairman Smith recognized the presence of a quorum.

3. Approval of the Minutes of the April 19, 2022 Regular Meeting.
   The minutes of the April 19, 2022 regular meeting were sent to each member of the Board for review. Chairman Smith asked for any revisions or corrections. None were offered.

   **BOARD ACTION:** Mr. Parker offered a motion, which was duly seconded by Mr. Glover, to approve the minutes of the April 19, 2022 regular meeting as submitted.

   The motion was unanimously carried.

4. Review of Public Comment Policy.
   With the Chairman’s permission, Mr. Tyson refrained from reading the Board’s public comment policy aloud because the only members of the public present at the meeting were the request applicants.

5. Castle Berry Section Three Subdivision Sketch Plan submitted by H & S Land, LLC for the cluster development of 36 new residential lots along three new public road rights-of-way on an approximately 36.9-acre tract of land owned by Michael A. Daniel and located at the southwest corner of Oak Level Rd and Barnes Hill Church Rd, Nashville, NC 27856 in the R-30 (Single & Two-Family Residential) Zoning District.

   Mr. Tyson presented the staff report and supplemental materials related to the Castle Berry Section Three Subdivision Sketch Plan as submitted to the Board in the May 16, 2022 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the plan on May 11, 2022 and recommended approval, subject to the sketch plan revisions listed in the staff report.

   Ron Sutton with Herring-Sutton & Associates addressed the Board on behalf of the developer in support of the subdivision sketch plan.

   **BOARD ACTION:** Mr. Parker offered a motion, which was duly seconded by Mr. Brown, to approve the Castle Berry Section Three Subdivision Sketch Plan, subject to the following sketch plan revisions.

   **Sketch Plan Revisions:**
   (1) The map title shall be revised from “Preliminary Plat” to “Sketch Plan”.
   (2) Under SITE DATA, the ZONING shall be revised from “R-30” to “R-30 (CLUSTERED TO R-20 DENSITY & DIMENSIONAL STANDARDS)”.
   (3) Under SITE DATA, the PROPERTY ADDRESS shall be removed, as it will likely be retired from use with the construction of the project.
   (4) Under SITE DATA, the PARIDs may be removed, as they are not required.
   (5) Under SITE DATA, all the PINs belonging to the subject properties shall be listed.
   (6) The CERTIFICATE OF PRELIMINARY PLAT APPROVAL shall be removed from the sketch plan.
   (7) Lots 37 & 38 shall be labeled as “SPECIAL PURPOSE LOT FOR CLUSTER DEVELOPMENT COMMON AREA & CONSERVATION LOT”.


(8) Lot 38 shall include an extension of the 5' NON-ACCESS EASEMENT along the Oak Level Rd right-of-way and shall be accessible from one of the interior road rights-of-way via an ACCESS EASEMENT with a minimum width of at least 10 feet.

(9) On Lot 36, the 5' NON-ACCESS EASEMENT already shown shall be extended around the corner of the lot for a minimum length of at least 100 feet along the Oak Level Rd right-of-way to provide separation between the intersection and the lot's future driveway.

(10) Any existing structures, wells, or septic systems located on the subject property at 1746 Barnes Hill Church Rd shall be noted as well as whether they are intended to remain or to be removed.

(11) The width of Lot 12 shall be increased to the minimum required 100 feet.

(12) The sketch plan shall reflect the zoning boundary between the R-40 Zoning District (on PARID 020470) and the R-30 Zoning District (on the rest of the subject property) and the portions of Lots 35 & 36 that are zoned R-40 shall reflect the following minimum building setback lines: FRONT – 50′, CORNER SIDE – 25′, SIDE – 15′, & REAR – 30′.

(13) The side and rear minimum building setbacks shall be depicted as dashed lines on all the proposed lots.

(14) The sketch plan shall depict temporary turnarounds (with accompanying temporary easements as necessary) at both of the barricaded ends of the stub roads.

(15) The sketch plan shall address the 15′ DRAINAGE EASEMENT along the existing ditch as well as the 5′ MAINTENANCE EASEMENT around the existing pond that were previously established on Plat Book 31 Page 45 of the Nash County Registry.

(16) All proposed DRAINAGE EASEMENTS depicted on the sketch plan shall be labeled as “PRIVATE DRAINAGE EASEMENT”.

(17) All proposed new interior road rights-of-way shall be labeled as “PROPOSED 50′ PUBLIC R/W”.

(18) BALSAM DR – SR 2409 shall be labeled across the intersection from Barnes Hill Church Rd.

(19) The following road name labels shall be revised to include their state road numbers: SHERROD RD – SR 1702 & ELMWOOD RD – SR 2410.

(20) The proposed design for the CBU Mailbox Kiosk location shall be verified to conform with the NCDOT Policy for Placement of Mail Cluster Box Units in Subdivisions because it does not appear to include a paved turnout.

The motion was unanimously carried.

6. UDO Text Amendment Request A-220401 made by Donna Moore to amend the Nash County Unified Development Ordinance Article IX, Table 9-3-1 to add tattoo parlor as a permitted land use in the GC (General Commercial) Zoning District. (Referred back to the Planning Board for further consideration by the Board of Commissioners on May 2, 2022.)

Mr. Tyson presented the staff report and supplemental materials related to UDO Text Amendment Request A-220401 as submitted to the Board in the May 16, 2022 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered this request on April 11, 2022 and recommended approval. He also shared the development requirements for tattoo parlors enforced by other nearby, comparable county jurisdictions.

Donna Moore, the applicant, and Tim Huggins were present at the meeting in support of the request.

Mr. Glover asked if tattoo parlors were regulated by the Nash County Health Department.

Mr. Huggins responded that the Health Department does regulate tattoo parlors.
Mr. Glover suggested that perhaps tattoo parlors should be approved on a case-by-case basis.

Mr. Parker responded that the special use permit process would likely be required for case-by-case approvals.

Mr. Tyson reviewed the requirements of the special use permit public hearing process.

Mr. Parker stated that the key consideration of that process would likely be whether the proposed tattoo parlor would be “in harmony with the area in which it is to be located.”

Chairman Smith stated his preference to make tattoo parlors a land use permitted by right in the GC Zoning District, as opposed to requiring a special use permit process.

Ms. Moore questioned whether tattoo parlors should also be permitted in the RC Zoning District in addition to the GC Zoning District.

Mr. Tyson discussed the differences between the RC and GC Zoning Districts.

Mr. Parker asked the applicant whether public water would be necessary for the operation of a tattoo parlor.

Mr. Huggins responded that the business could be adequately served by the existing well located on the property.

Ms. Moore noted that permitting tattoo parlors in the GC Zoning District only at this time would meet the needs of this particular applicant.

**BOARD ACTION:** Mr. Brannan offered a motion, which was duly seconded by Mr. Brown, to recommend approval of UDO Text Amendment Request A-220401 to add body art service (tattoos & piercings) as a land use permitted by right in the GC (General Commercial) Zoning District and the adoption of the following statement of plan consistency for the consideration of the Nash County Board of Commissioners.

**Statement of Plan Consistency:**
UDO Text Amendment Request A-220401 is neither consistent nor inconsistent with the recommendations of the Nash County Land Development Plan, because the plan does not address body art service as a specific commercial land use.

The motion was unanimously carried.

7. **Other Business.**

Mr. Tyson provided the following updates on the planning actions taken by the Nash County Board of Commissioners at its regular meeting on May 2, 2022:

Conditional Rezoning Request CZ-220401 to rezone 165.67 acres at the intersection of S NC Highway 58 & E NC Highway 97 to RA-30-CZ for the cluster development of the Newton's Grove Subdivision was withdrawn by the applicant prior to the meeting.
Conditional Rezoning Request CZ-220402 to rezone 1.91 acres at 1313 N NC Highway 58 from RC-CU to RC-CZ to add contractor with no outdoor storage and beauty shop to the list of commercial land uses already permitted on the subject property was approved.

8. Adjournment.
   There being no further business, Chairman Smith adjourned the meeting at 7:02 p.m.
Nash County Planning Board
Public Comment Policy
Adopted: March 15, 2021
Last Amended: February 21, 2022

1. The Board Chairman will recognize the Planning Director or Senior Planner to present the staff report for each agenda item.

2. For agenda items requiring public input (rezoning requests and ordinance amendments), the Board Chairman will then recognize individual members of the public, one at a time, who wish to address the Board with regard to that specific agenda item.

3. Each individual will be permitted to speak once per agenda item for a maximum of three (3) minutes. No time may be yielded or transferred from one speaker to another.

4. To avoid repetition, groups of individuals supporting the same position are encouraged to designate a spokesperson to address the Board on their behalf.

5. The three-minute timer may beep to indicate when one minute and then when thirty seconds of the speaker’s time is remaining or when the speaker’s time has expired.

6. At the conclusion of the speaker’s comments, the Board Chairman will provide an opportunity for the Board members to ask the speaker any clarifying questions regarding their previous comments.

7. After all interested members of the public have spoken, the Board Chairman will recognize the applicant for the agenda item to address the Board and to answer any questions or comments raised by the previous speakers. The applicant is not subject to a specific time limit.

8. The Board Chairman reserves the right to call upon anyone present during the Board’s discussion of the agenda item if he or she determines that additional information is relevant to the Board’s decision.
NASH COUNTY PLANNING BOARD
STAFF REPORT: CONDITIONAL REZONING REQUEST

File Number: CZ-220601 (Conditional Rezoning Request)
Type of Plat: Major Subdivision Sketch Plan
Subdivision Name: Bulluck Farm Subdivision
Property Owner: Debbie V. Joyner
Engineer: Joyner-Keeny
Location: South Side of Cordiality Church Rd, Nashville, NC 27856
Tax ID #: PIN # 372900256573 / Parcel ID # 345072
           PIN # 372900257480 / Parcel ID # 345073
           PIN # 372900258383 / Parcel ID # 345074
           PIN # 372900259286 / Parcel ID # 345075
           PIN # 372900350199 / Parcel ID # 345076
           PIN # 372900352028 / Parcel ID # 345077
           PIN # 372900340713 / Parcel ID # 345078

Total Area to be Rezoned: 18.03 Acres
Current Zoning District: R-40 (Single-Family Residential)
Proposed Zoning District: RA-20-CZ (Medium-Density Residential Conditional Zone)
LDP Classification: Suburban Growth Area
Proposed Land Use: 28 New Residential Lots
Water Supply: Nash County Public Water System (Proposed Extension)
Wastewater Disposal: Individual Private Onsite Septic Systems
Notice of Public Meeting: Mailed to Property Owners within 600 Feet on June 9, 2022

Description of the Subject Property:

The subject property consists of seven tracts of land totaling 18.03 acres owned by Debbie V. Joyner and located on the south side of Cordiality Church Rd at Beckwith Rd southeast of the Town of Nashville and just west of Interstate 95 in the R-40 (Single-Family Residential) Zoning District.

The property is undeveloped and immediately adjacent to the 35-lot Baybrook Farms Subdivision, which was created in 2007 in accordance with the dimensional standards for this R-40 Zoning District.
The subject property is located in the Tar-Pamlico River Basin, meaning that its development will be subject to the applicable stormwater management requirements. It is also located in the WS-IV-PA Watershed Protection Overlay District, which limits the potential density for single-family residential developments without curb and gutter road systems to no more than three dwelling units per acre with no individual lots containing less than 14,500 square feet.

There is a potential 50-foot wide riparian stream buffer located along the southern boundary of the subject property. The property also includes a 30-foot wide easement for an existing natural gas line.

The property was previously subdivided in February of this year into six residential lots directly along Cordiality Church Rd with a larger lot remaining in the rear.

---

**Description of the Rezoning Request:**

The property owner has submitted Conditional Rezoning Request CZ-220601 to rezone the subject property to RA-20-CZ (Medium-Density Residential Conditional Zone), specifically for the development of the 28-lot Bulluck Farm Subdivision.

**Approval of the rezoning request would have three substantial impacts on the subject property:**

1. The required minimum lot area would be reduced by half from 40,000 square feet to 20,000 square feet, doubling the potential residential density.

2. The following nine (9) land uses, which are permitted for development under some circumstances in the current R-40 Zoning District, would no longer be permitted for development under the proposed RA-20-CZ Zoning District: double-wide manufactured homes, rural family occupations, radio or communication towers over 60 feet in height, solar farms, non-hazardous solid waste disposal collection sites, utility field offices, water treatment plants, horse shows, and/or turkey shoots.

3. The subject property could only be developed in accordance with the proposed sketch plan for the Bulluck Farm Subdivision.

The “conditional” nature of this rezoning request allows for the attachment of reasonable, site-specific development conditions with the consent of the applicant.

---

**Description of the Subdivision Sketch Plan:**
Joyner-Keeny has submitted a sketch plan for the Bulluck Farm Subdivision to serve as the required site plan for this conditional rezoning request. It proposes the development of twenty-eight (28) new residential lots.

Six (6) of the lots would be accessed directly from Cordiality Church Rd and the remaining twenty-two (22) lots would be accessed from two proposed new interiors roads, which also provide a stub road connection to the adjacent, undeveloped property to the east for potential interconnectivity in the future. All of the proposed lots either meet or exceed the standard 20,000 square foot minimum lot area and 100 foot minimum lot width dimensional requirements of the proposed RA-20 Zoning District.

The developer would be required to construct new waterlines within the subdivision to connect each new lot to the existing Nash County Public Water System.

---

**Land Development Plan Consistency:**

Conditional Rezoning Request CZ-220601 is consistent with the recommendations of the Nash County Land Development Plan (LDP) because:

1. The LDP designates the subject property as Suburban Growth Area.

2. The LDP supports the rezoning of property located within the Suburban Growth Area where public water service is available to either the RA-30 or RA-20 Zoning Districts at the Board’s discretion.

3. The subject property has access to Nash County public water service via an existing six-inch (6") waterline installed along Cordiality Church Rd.

4. Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.

**NOTE:** The current draft version of the revised Nash County Land Use Plan would NOT support the subdivision of lots with less than 30,000 square feet of area without access to BOTH public water and public sewer service.

---

**Analysis of Reasonableness and “Spot Zoning”:**

Conditional Rezoning Request CZ-220601 may be considered reasonable and in the public interest because:

1. The request is not unreasonable “spot zoning” because it is consistent with the recent rezoning of almost 45 acres located only about a quarter mile northwest of the subject
property on Barnes Hill Church Rd to the same RA-20-CZ Zoning District for the development of the Baker Farm Subdivision in January 2022 (File #CZ-211204.)

(2) The subject property already is and will continue to be zoned for residential use, similar to the adjacent and surrounding properties.

(3) Approval of the request will permit smaller minimum lot areas and increased residential density, but the new zoning district is also more restrictive in terms of permitted land uses than the current zoning district, specifically by prohibiting the development of manufactured homes.

TRC Recommendation:

The Nash County Technical Review Committee (TRC) considered Conditional Rezoning Request CZ-220601 on June 3, 2022 and recommended APPROVAL of the request, subject to the recommended SKETCH PLAN REVISIONS and DEVELOPMENT CONDITIONS listed below.

Suggested Motions:

MOTION TO RECOMMEND APPROVAL OF THE ZONING MAP AMENDMENT:

I move that the Nash County Planning Board recommends APPROVAL of Conditional Rezoning Request CZ-220601 to rezone the specified property to RA-20-CZ for the development of the Bullock Farm Subdivision and the statement of plan consistency and reasonableness below, subject to the following sketch plan revisions and development conditions recommended for the consideration of the Nash County Board of Commissioners.

Statement of Plan Consistency and Reasonableness:

Conditional Rezoning Request CZ-220601 is:

(1) Consistent with the recommendations of the Nash County Land Development Plan (LDP) because:
   (a) The LDP designates the subject property as Suburban Growth Area.
   (b) The LDP supports the rezoning of property located within the Suburban Growth Area where public water service is available to either the RA-30 or RA-20 Zoning Districts at the Board's discretion.
   (c) The subject property has access to Nash County public water service via an existing six-inch (6") waterline installed along Cordially Church Rd.
   (d) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.

(2) Reasonable and in the public interest because:
(a) The request is not unreasonable “spot zoning” because it is consistent with the recent rezoning of almost 45 acres located only about a quarter mile northwest of the subject property on Barnes Hill Church Rd to the same RA-20-CZ Zoning District for the development of the Baker Farm Subdivision in January 2022 (File #CZ-211204.)

(b) The subject property already is and will continue to be zoned for residential use, similar to the adjacent and surrounding properties.

(c) Approval of the request will permit smaller minimum lot areas and increased residential density, but the new zoning district is also more restrictive in terms of permitted land uses than the current zoning district, specifically by prohibiting the development of manufactured homes.

Sketch Plan Revisions:

(1) The eastern end of the Slay Ct public right-of-way shall be extended to the immediately adjacent property and only the “bulb” area of the cul-de-sac shall be depicted with a dashed line as a temporary turnaround easement.

(2) On Lot 9, the 35-foot front minimum building setback line shall be measured from the permanently dedicated public right-of-way and not from the temporary turnaround easement.

(3) Lot 20 shall be labeled with the missing lot number.

(4) The sketch plan shall designate a location for a centralized mailbox kiosk.

Development Conditions:

(1) The subject property shall be developed in accordance with the approved sketch plan for the Bulluck Farm Subdivision.

(2) The subject property may be developed for the land uses permitted in the RA-20 (Medium-Density Residential) Zoning District in accordance with the standard requirements and procedures established for that district by the Nash County Unified Development Ordinance.

(3) All residential lots subdivided from the subject property shall be served by the Nash County Public Water System, which shall be extended by the developer as necessary.

(4) Nash County Emergency Services shall review and approve both new road names proposed on the subdivision sketch plan prior to their official assignment.

(5) Significant or substantial modifications or revisions to the approved design of the subdivision sketch plan may require additional review by the Nash County Technical...
Review Committee and the Nash County Planning Board as well as re-approval by the
Nash County Board of Commissioners at the discretion of the Zoning Administrator.

--- OR ---

MOTION TO RECOMMEND **DENIAL** OF THE ZONING MAP AMENDMENT:

I move that the Nash County Planning Board recommends **DENIAL** of Conditional Rezoning
Request CZ-220601 to rezone the specified property to RA-20-CZ for the development of the
Bulluck Farm Subdivision and the adoption of the statement of plan consistency and
reasonableness below for the consideration of the Nash County Board of Commissioners.

**Statement of Plan Consistency and Reasonableness:**

Conditional Rezoning Request CZ-220601 is:

1. Consistent with the recommendations of the Nash County Land Development Plan (LDP)
   because:
   
   a. The LDP designates the subject property as Suburban Growth Area.
   
   b. The LDP supports the rezoning of property located within the Suburban Growth Area
      where public water service is available to either the RA-30 or RA-20 Zoning Districts at
      the Board's discretion.
   
   c. The subject property has access to Nash County public water service via an existing
      six-inch (6") waterline installed along Cordiality Church Rd.
   
   d. Permitting higher density residential development will help to accommodate the
      significant residential growth anticipated by the LDP for the Suburban Growth Area.;
      **BUT**
   
2. **Unreasonable and not in the public interest** because: (List specific reasons related to
   the proposal's requested residential density, subdivision design, and/or its
   incompatibility with the adjacent and surrounding area.)
Conditional Rezoning Request CZ-220601
Property of Debbie V. Joyner
Aerial Photograph

18.03 Acres To Be Rezoned From R-40 To RA-20-CZ For 28 New Residential Lots
Conditional Rezoning Request CZ-220601
Property of Debbie V. Joyner
Zoning Map

18.03 Acres
To Be Rezoned
From R-40
To RA-20-CZ
For 28 New
Residential Lots

R-40 - SU
(Special Use)
Conditional Rezoning Request CZ-220601
Property of Debbie V. Joyner
Land Development Plan Map

18.03 Acres To Be Rezoned From R-40 To RA-20-CZ For 28 New Residential Lots
**NASH COUNTY PLANNING BOARD**

**STAFF REPORT: GENERAL REZONING REQUEST**

<table>
<thead>
<tr>
<th><strong>File Number:</strong></th>
<th>Z-220601 (General Rezoning Request)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Owner:</strong></td>
<td>Rebecca Coleman</td>
</tr>
<tr>
<td><strong>Applicant:</strong></td>
<td>Ned B. Coleman (on behalf of Rebecca Coleman)</td>
</tr>
<tr>
<td><strong>Location:</strong></td>
<td>5424 Southern Nash High Rd, Spring Hope, NC 27882; Northwest Corner of Stanhope Crossroads (W NC Highway 97 &amp; Southern Nash High Rd)</td>
</tr>
<tr>
<td><strong>Tax ID #:</strong></td>
<td>PIN # 276700915314 / Parcel ID # 023895 (Portion)</td>
</tr>
<tr>
<td><strong>Area to be Rezoned:</strong></td>
<td>Approx. 17.5 Acres</td>
</tr>
<tr>
<td><strong>Current Zoning Districts:</strong></td>
<td>A1 (Agricultural) &amp; R-30 (Single &amp; Two-Family Residential)</td>
</tr>
<tr>
<td><strong>Proposed Zoning District:</strong></td>
<td>RC (Rural Commercial)</td>
</tr>
<tr>
<td><strong>LDP Classification:</strong></td>
<td>Suburban Growth Area</td>
</tr>
<tr>
<td><strong>Notice of Public Meeting:</strong></td>
<td>Mailed to Property Owners within 600 Feet on June 9, 2022</td>
</tr>
</tbody>
</table>

**Description of the Subject Property:**

The subject property is an approximately 17.5-acre portion of a tract of land owned by Rebecca Coleman and located at 5424 Southern Nash High Rd, Spring Hope, NC 27882 on the northwest corner of the Stanhope Crossroads at the intersection of W NC Highway 97 & Southern Nash High Rd.

The property is currently split between the A1 (Agricultural) Zoning District and the R-30 (Single & Two-Family Residential) Zoning District. There is an existing home located on the property at 5424 Southern Nash High Rd on the corner of the adjacent intersection.

The property is located on the only corner of the crossroads that is not already zoned RC (Rural Commercial). The northeast corner (also owned by Rebecca Coleman) adjacent to the Stanhope Community Volunteer Fire Department was rezoned to RC (Rural Commercial) on July 10, 2017 (File #Z-170601.) The former Jones Grocery & Café building is located on the southwest corner and Stanhope Mini Storage is located on the southeast corner of the intersection.

The subject property is mostly located in the Tar-Pamlico River Basin, meaning that stormwater management regulations would apply to the site’s future development and there is a potential riparian stream buffer located in the wooded portion of the site.

The site has potential access to the existing twelve-inch (12") Nash County public water main installed along W NC Highway 97.
Description of the Rezoning Request:

The property owner has submitted General Rezoning Request Z-220601 to rezone the subject property to RC (Rural Commercial.)

The RC (Rural Commercial) Zoning District is "primarily intended to accommodate limited retail, office, and service uses" and these zones are "typically located in the intersection area of rural roads" and are "intended to provide moderate intensity shopping and services" (UDO 9-1.4 A.)

The attached excerpt from the Table of Permitted Uses (UDO Table 9-3-1) lists the full range of land uses permitted for development in the proposed RC Zoning District.

Land Development Plan Consistency:

General Rezoning Request Z-220601 is consistent with the recommendations of the Nash County Land Development Plan (LDP) for the establishment of an RC (Rural Commercial) Zoning District in this Suburban Growth Area because:

(1) The subject property has frontage along and direct access to both W NC Highway 97, a major state highway, and Southern Nash High Rd, a state-maintained secondary road.

(2) The subject property is located at the Stanhope Crossroads, a major intersection with more than an estimated 2,100 vehicle trips per day.

(3) The subject property is located in proximity to other similar commercial and nonresidential land uses including the Stanhope Community Volunteer Fire Department (4416 W NC Highway 97), the former Jones Grocery & Café (4447 W NC Highway 97), and the Stanhope Mini Storage (5534 Southern Nash High Rd.)

(4) The subject property is spatially separated from any relatively dense, suburban-type residential development that would be incompatible with commercial activity.

Analysis of Reasonableness and "Spot Zoning":

General Rezoning Request Z-220601 may be considered reasonable, in the public interest, and not "spot zoning" because it is an expansion of the already existing RC (Rural Commercial) Zoning District previously established on the other three corners of the Stanhope Crossroads intersection.
TRC Recommendation:

The Nash County Technical Review Committee (TRC) considered General Rezoning Request Z-220601 on June 3, 2022 and recommended APPROVAL based on its determination that the request is consistent with the recommendations of the Nash County Land Development Plan, reasonable, in the public interest, and not “spot zoning.”

Suggested Motions:

MOTION TO RECOMMEND APPROVAL OF THE ZONING MAP AMENDMENT:

I move that the Nash County Planning Board recommends APPROVAL of General Rezoning Request Z-220601 to rezone the subject property to RC (Rural Commercial) and the statement of plan consistency and reasonableness below for the consideration of the Nash County Board of Commissioners.

Statement of Plan Consistency and Reasonableness:

General Rezoning Request Z-220601 is:

(1) Consistent with the recommendations of the Nash County Land Development Plan (LDP) for the establishment of an RC (Rural Commercial) Zoning District in this Suburban Growth Area because:
   
   (a) The subject property has frontage along and direct access to both W NC Highway 97, a major state highway, and Southern Nash High Rd, a state-maintained secondary road.
   
   (b) The subject property is located at the Stanhope Crossroads, a major intersection with more than an estimated 2,100 vehicle trips per day.
   
   (c) The subject property is located in proximity to other similar commercial and nonresidential land uses including the Stanhope Community Volunteer Fire Department (4416 W NC Highway 97), the former Jones Grocery & Café (4447 W NC Highway 97), and the Stanhope Mini Storage (5534 Southern Nash High Rd.)
   
   (d) The subject property is spatially separated from any relatively dense, suburban-type residential development that would be incompatible with commercial activity.

(2) Reasonable, in the public interest, and not “spot zoning” because it is an expansion of the already existing RC (Rural Commercial) Zoning District previously established on the other three corners of the Stanhope Crossroads intersection.

--- OR ---

MOTION TO RECOMMEND DENIAL OF THE ZONING MAP AMENDMENT:

I move that the Nash County Planning Board recommends DENIAL of General Rezoning Request Z-220601 to rezone the subject property to RC (Rural Commercial) and the adoption of
the statement of plan consistency and reasonableness below for the consideration of the Nash County Board of Commissioners.

**Statement of Plan Consistency and Reasonableness:**

General Rezoning Request Z-220601 is:

1. Consistent with the recommendations of the Nash County Land Development Plan (LDP) for the establishment of an RC (Rural Commercial) Zoning District in this Suburban Growth Area because:
   a. The subject property has frontage along and direct access to both W NC Highway 97, a major state highway, and Southern Nash High Rd, a state-maintained secondary road.
   b. The subject property is located at the Stanhope Crossroads, a major intersection with more than an estimated 2,100 vehicle trips per day.
   c. The subject property is located in proximity to other similar commercial and nonresidential land uses including the Stanhope Community Volunteer Fire Department (4416 W NC Highway 97), the former Jones Grocery & Café (4447 W NC Highway 97), and the Stanhope Mini Storage (5534 Southern Nash High Rd.)
   d. The subject property is spatially separated from any relatively dense, suburban-type residential development that would be incompatible with commercial activity.; **BUT**

2. **Unreasonable and not in the public interest because:** (List specific reasons.)
General Rezoning Request Z-220601
Property of Rebecca Coleman
Aerial Photograph

17.5 Acres
To Be Rezoned
From A1 & R-30
To RC
General Rezoning Request Z-220601
Property of Rebecca Coleman
Zoning Map

A1
(Agricultural)

R-30
(Residential)

W NC 97
Southern Nash High Rd

RC
(Commercial)

R-40
(Residential)

RC - CU
(Conditional Use)

17.5 Acres To Be Rezoned From A1 & R-30 To RC
General Rezoning Request Z-220601
Property of Rebecca Coleman
Land Development Plan Map

17.5 Acres
To Be Rezoned
From A1 & R-30
To RC
<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Ref. SIC</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AGRICULTURAL USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agricultural Production (Crops)</td>
<td>0100</td>
<td>P</td>
</tr>
<tr>
<td>Agricultural Production (Livestock)</td>
<td>0200</td>
<td>P</td>
</tr>
<tr>
<td>Animal Specialty Services</td>
<td>0752</td>
<td>D</td>
</tr>
<tr>
<td>Forestry</td>
<td>0810</td>
<td>P</td>
</tr>
<tr>
<td>Veterinary Service (Other)</td>
<td>0742</td>
<td>P</td>
</tr>
<tr>
<td><strong>RESIDENTIAL USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>7011</td>
<td>P</td>
</tr>
<tr>
<td>Congregate Care Facility</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Family Care Home</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td><strong>ACCESSORY USES &amp; STRUCTURES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessory Solar Panel Array (Photovoltaic)</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Accessory Uses and Structures (Customary)</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Caretaker Dwelling</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Emergency Shelter</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Satellite Dish Antenna</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Swimming Pool</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td><strong>RECREATIONAL USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Athletic Fields</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Batting Cages</td>
<td>7999</td>
<td>D</td>
</tr>
<tr>
<td>Billiard Parlor</td>
<td>7999</td>
<td>P</td>
</tr>
<tr>
<td>Bingo Games</td>
<td>7999</td>
<td>P</td>
</tr>
<tr>
<td>Club</td>
<td>8640</td>
<td>P</td>
</tr>
<tr>
<td>Coin Operated Amusement</td>
<td>7993</td>
<td>P</td>
</tr>
<tr>
<td>Dance School</td>
<td>7911</td>
<td>P</td>
</tr>
<tr>
<td>Event and Conference Venue</td>
<td>0000</td>
<td>C</td>
</tr>
<tr>
<td>Go-Cart Raceway</td>
<td>7999</td>
<td>D</td>
</tr>
<tr>
<td>Golf Course, Miniature</td>
<td>7999</td>
<td>P</td>
</tr>
<tr>
<td>Golf Driving Range</td>
<td>7999</td>
<td>D</td>
</tr>
</tbody>
</table>

P = Use permitted by Zoning Permit
D = Use permitted by Zoning Permit with development standards
S = Special Use Permit required
C = Conditional Use Permit required
<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Ref. SIC</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Fitness Center</td>
<td>7991</td>
<td>P</td>
</tr>
<tr>
<td>Private Campground / RV Park</td>
<td>7033</td>
<td>D</td>
</tr>
<tr>
<td>Private Club or Recreation Facility, Other</td>
<td>7997</td>
<td>C</td>
</tr>
<tr>
<td>Public Park or Recreational Facility, Other</td>
<td>7990</td>
<td>P</td>
</tr>
<tr>
<td>Sports and Recreation Club, Indoor</td>
<td>7997</td>
<td>P</td>
</tr>
<tr>
<td>Swim and Tennis Club</td>
<td>7997</td>
<td>D</td>
</tr>
<tr>
<td><strong>EDUCATIONAL &amp; INSTITUTIONAL USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ambulance Service</td>
<td>4119</td>
<td>P</td>
</tr>
<tr>
<td>Cemetery or Mausoleum</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Church</td>
<td>8661</td>
<td>P</td>
</tr>
<tr>
<td>Day Care Center, Adult and Child</td>
<td>8320</td>
<td>P</td>
</tr>
<tr>
<td>Elementary or Secondary School</td>
<td>8211</td>
<td>P</td>
</tr>
<tr>
<td>Fire Station</td>
<td>9224</td>
<td>P</td>
</tr>
<tr>
<td>Government Office</td>
<td>9000</td>
<td>P</td>
</tr>
<tr>
<td>Library</td>
<td>8231</td>
<td>P</td>
</tr>
<tr>
<td>Nursing and Convalescent Home</td>
<td>8050</td>
<td>P</td>
</tr>
<tr>
<td>Law Enforcement Station</td>
<td>9221</td>
<td>P</td>
</tr>
<tr>
<td>Post Office</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td><strong>BUSINESS, PROFESSIONAL, &amp; PERSONAL SERVICES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounting, Auditing, or Bookkeeping</td>
<td>8721</td>
<td>P</td>
</tr>
<tr>
<td>Administrative or Management Services</td>
<td>8740</td>
<td>P</td>
</tr>
<tr>
<td>Automobile Repair Services</td>
<td>0000</td>
<td>S</td>
</tr>
<tr>
<td>Automobile Towing Services</td>
<td>7549</td>
<td>P</td>
</tr>
<tr>
<td>Bank, Savings and Loan, or Credit Union</td>
<td>6000</td>
<td>P</td>
</tr>
<tr>
<td>Barber Shop</td>
<td>7241</td>
<td>P</td>
</tr>
<tr>
<td>Beauty Shop</td>
<td>7231</td>
<td>P</td>
</tr>
<tr>
<td>Blacksmith</td>
<td>7699</td>
<td>P</td>
</tr>
<tr>
<td>Boat Repair</td>
<td>3730</td>
<td>P</td>
</tr>
<tr>
<td>Building Maintenance Services, No Outside Storage</td>
<td>7349</td>
<td>P</td>
</tr>
<tr>
<td>Car Wash</td>
<td>7542</td>
<td>P</td>
</tr>
<tr>
<td>Clothing Alteration or Repair</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Computer Maintenance and Repair</td>
<td>7378</td>
<td>P</td>
</tr>
<tr>
<td>Computer Services</td>
<td>7370</td>
<td>P</td>
</tr>
</tbody>
</table>

P = Use permitted by Zoning Permit
D = Use permitted by Zoning Permit with development standards
S = Special Use Permit required
C = Conditional Use Permit required
<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Ref. SIC</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Agency, Personnel Agency</td>
<td>7360</td>
<td>P</td>
</tr>
<tr>
<td>Engineering, Architect or Survey Service</td>
<td>8710</td>
<td>P</td>
</tr>
<tr>
<td>Equipment Rental and Leasing (No Outside Storage)</td>
<td>7350</td>
<td>P</td>
</tr>
<tr>
<td>Equipment Repair, Light</td>
<td>7690</td>
<td>P</td>
</tr>
<tr>
<td>Finance or Loan Office</td>
<td>6100</td>
<td>P</td>
</tr>
<tr>
<td>Furniture Repair Shop</td>
<td>7641</td>
<td>P</td>
</tr>
<tr>
<td>Insurance Agency</td>
<td>6411</td>
<td>P</td>
</tr>
<tr>
<td>Kennels or Pet Grooming</td>
<td>0752</td>
<td>D</td>
</tr>
<tr>
<td>Landscape and Horticultural Services</td>
<td>0780</td>
<td>P</td>
</tr>
<tr>
<td>Laundromat, Coin-Operated</td>
<td>7215</td>
<td>P</td>
</tr>
<tr>
<td>Law Office</td>
<td>8111</td>
<td>P</td>
</tr>
<tr>
<td>Medical, Dental, or Related Office</td>
<td>8000</td>
<td>P</td>
</tr>
<tr>
<td>Office Uses Not Otherwise Classified</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Photocopying and Duplicating Services</td>
<td>7334</td>
<td>P</td>
</tr>
<tr>
<td>Real Estate Office</td>
<td>6500</td>
<td>P</td>
</tr>
<tr>
<td>Shoe Repair or Shoeshine Shop</td>
<td>7251</td>
<td>P</td>
</tr>
<tr>
<td>Taxidermist</td>
<td>7699</td>
<td>P</td>
</tr>
<tr>
<td>Television, Radio, or Electronics Repair</td>
<td>7620</td>
<td>P</td>
</tr>
<tr>
<td><strong>RETAIL TRADE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antique Store</td>
<td>5932</td>
<td>P</td>
</tr>
<tr>
<td>Arts and Crafts</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Auto Supply Sales</td>
<td>5531</td>
<td>P</td>
</tr>
<tr>
<td>Bar, Night Club, Tavern</td>
<td>5813</td>
<td>D</td>
</tr>
<tr>
<td>Boat Sales</td>
<td>5551</td>
<td>P</td>
</tr>
<tr>
<td>Building Supply Sales</td>
<td>5211</td>
<td>D</td>
</tr>
<tr>
<td>Computer Sales</td>
<td>5734</td>
<td>P</td>
</tr>
<tr>
<td>Convenience Store</td>
<td>5411</td>
<td>P</td>
</tr>
<tr>
<td>Drugstore</td>
<td>5912</td>
<td>P</td>
</tr>
<tr>
<td>Farm Supplies and Equipment</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Floor Covering, Drapery, or Upholstery</td>
<td>5710</td>
<td>P</td>
</tr>
<tr>
<td>Florist</td>
<td>5992</td>
<td>P</td>
</tr>
<tr>
<td>Food Store</td>
<td>5400</td>
<td>P</td>
</tr>
<tr>
<td>Garden Center or Retail Nursery</td>
<td>5261</td>
<td>P</td>
</tr>
</tbody>
</table>

**P** = Use permitted by Zoning Permit  
**D** = Use permitted by Zoning Permit with development standards  
**S** = Special Use Permit required  
**C** = Conditional Use Permit required
<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Ref. SIC</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardware Store</td>
<td>5251</td>
<td>P</td>
</tr>
<tr>
<td>Internet Sweepstakes Café</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Manufactured Home Sales</td>
<td>5271</td>
<td>D</td>
</tr>
<tr>
<td>Miscellaneous Retail Sales</td>
<td>5999</td>
<td>P</td>
</tr>
<tr>
<td>Motor Vehicle Sales (New and Used)</td>
<td>5511</td>
<td>P</td>
</tr>
<tr>
<td>Motorcycle Sales</td>
<td>5571</td>
<td>P</td>
</tr>
<tr>
<td>Newsstand</td>
<td>5994</td>
<td>P</td>
</tr>
<tr>
<td>Paint and Wallpaper Sales</td>
<td>5231</td>
<td>P</td>
</tr>
<tr>
<td>Pawnshop or Used Merchandise Store</td>
<td>5932</td>
<td>P</td>
</tr>
<tr>
<td>Recreational Vehicle Sales</td>
<td>5561</td>
<td>P</td>
</tr>
<tr>
<td>Restaurant (with Drive-Thru)</td>
<td>5812</td>
<td>P</td>
</tr>
<tr>
<td>Restaurant (without Drive-Thru)</td>
<td>5812</td>
<td>P</td>
</tr>
<tr>
<td>Service Station, Gasoline Sales</td>
<td>5541</td>
<td>P</td>
</tr>
<tr>
<td>Sporting Goods Store, Bicycle Shop</td>
<td>5941</td>
<td>P</td>
</tr>
<tr>
<td>Tire Sales</td>
<td>5531</td>
<td>P</td>
</tr>
<tr>
<td>Video Tape Rental and Sales</td>
<td>7841</td>
<td>P</td>
</tr>
<tr>
<td><strong>TRANSPORTATION, WAREHOUSING, &amp; UTILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farm Product Warehousing and Storage</td>
<td>4221</td>
<td>S</td>
</tr>
<tr>
<td>Marina</td>
<td>4493</td>
<td>S</td>
</tr>
<tr>
<td>Radio or Communication Tower Under 60' in Height</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Radio or Communication Tower Over 60' in Height</td>
<td>0000</td>
<td>S</td>
</tr>
<tr>
<td>Sewage Treatment Plant</td>
<td>4952</td>
<td>S</td>
</tr>
<tr>
<td>Solar Farm</td>
<td>0000</td>
<td>C</td>
</tr>
<tr>
<td>Utility Field Office (Government Owned)</td>
<td>0000</td>
<td>S</td>
</tr>
<tr>
<td>Utility Lines</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Utility Related Appurtenances, Substation</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Warehouse (General Storage, Enclosed)</td>
<td>4220</td>
<td>P</td>
</tr>
<tr>
<td>Warehouse (Self-Storage)</td>
<td>4225</td>
<td>P</td>
</tr>
<tr>
<td>Water Treatment Plant, Government Owned or Operated</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td><strong>MANUFACTURING &amp; INDUSTRIAL USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractors (No Outside Storage)</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td><strong>OTHER USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arts and Crafts Shows</td>
<td>0000</td>
<td>P</td>
</tr>
</tbody>
</table>

P = Use permitted by Zoning Permit  
D = Use permitted by Zoning Permit with development standards  
S = Special Use Permit required  
C = Conditional Use Permit required  

Nash County UDO—Article 9  
9-11
<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Ref. SIC</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automobile Parking On Same Lot As Principal Use</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Billboards, Advertising Signs</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Christmas Tree Sales</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Horse Shows</td>
<td>7999</td>
<td>D</td>
</tr>
<tr>
<td>Outdoor Flea Markets</td>
<td>5932</td>
<td>P</td>
</tr>
<tr>
<td>Outdoor Fruit and Vegetable Markets</td>
<td>5431</td>
<td>P</td>
</tr>
<tr>
<td>Outdoor Religious Events</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Temporary Construction, Storage or Office, Real Estate Sales, or Rental Office (with Concurrent Building Permit for Permanent Building)</td>
<td>0000</td>
<td>P</td>
</tr>
<tr>
<td>Temporary Hardship Manufactured Home</td>
<td>0000</td>
<td>S</td>
</tr>
<tr>
<td>Temporary Commercial Construction Office</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Temporary Construction / Repair Residence</td>
<td>0000</td>
<td>S</td>
</tr>
<tr>
<td>Temporary Emergency Repair Residence</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Temporary Major Construction Campground / RV Park</td>
<td>0000</td>
<td>D</td>
</tr>
<tr>
<td>Turkey Shoots</td>
<td>0000</td>
<td>D</td>
</tr>
</tbody>
</table>

P = Use permitted by Zoning Permit  
D = Use permitted by Zoning Permit with development standards  
S = Special Use Permit required  
C = Conditional Use Permit required
NASH COUNTY PLANNING BOARD
STAFF REPORT: MAJOR SUBDIVISION SKETCH PLAN

Type of Plat: Major Subdivision Sketch Plan
Name of Plat: Whispering Hills Phase II Subdivision
Owner / Developer: Anthony W. Brown, Sr. & Betty P. Brown
Land Surveyor: Civiltek East (Ted S. Hopkins)
Location: East Side of Lancaster Store Rd at Grey Horse Ct, Spring Hope, NC 27882
Tax ID #: PIN # 286200238372 / Parcel ID # 310369
Total Area of Development: Approx. 20 Acres
Number of Lots: 14 New Residential Lots
Road Improvements: New 50' Wide Public Right-of-Way (Grey Horse Ct)
Water Supply: Individual Private Onsite Wells
Wastewater Disposal: Individual Private Onsite Septic Systems
Zoning District: A1 (Agricultural)
LDP Classification: Rural Growth Area

Project Timeline for Whispering Hills Subdivision:

Oct. 20, 2014: Planning Board approved the initial 16-lot sketch plan.

July 24, 2015: Owner recorded Phase I. (Lots 1 & 16 plus 50-foot access easement for the future construction of Grey Horse Ct)

Oct. 20, 2015: Initial sketch plan expired 12 months after approval due to the lack of road construction authorization.

Feb. 18, 2019: Planning Board reapproved the Phase II sketch plan. (Lots 2-15 and the Grey Horse Ct public right-of-way)

Feb. 18, 2020: Phase II sketch plan expired 12 months after approval due to the lack of road construction authorization.

Description of the Subject Property:

The subject property is an approximately 20-acre portion of a larger tract of land owned by Anthony W. Brown, Sr. & Betty P. Brown and located on the east side of Lancaster Store Rd at
Grey Horse Ct, Spring Hope, NC 27882 in the A1 (Agricultural) Zoning District. The undeveloped property is located in western Nash County north of the Town of Spring Hope.

The site is located in the Tar-Pamlico River Basin, meaning that its development will be subject to stormwater management requirements related to impervious/built-upon area and related nutrient run-off. It appears that the developer may potentially satisfy these requirements by either making a nutrient buy-down payment to a private mitigation bank or by establishing a conservation easement on an adjacent portion of the remaining tract of land.

Description of the Subdivision Sketch Plan:

Civiltek East has submitted a sketch plan for the Whispering Hills Phase II Subdivision on behalf of the property owner, which proposes the development of fourteen (14) additional residential lots along Grey Horse Ct, a new fifty foot (50') wide public road right-of-way.

All the proposed lots would be accessed from the new interior road and they all either meet or exceed the 40,000 square foot minimum lot area and 100 foot minimum lot width dimensional requirements of this A1 (Agricultural) Zoning District.

The construction of the new public road will impact an approximately 0.05-acre area of existing wetlands and the installation of a culvert crossing must be permitted by both the N.C. Department of Environmental Quality, Division of Water Resources and the U.S. Army Corps of Engineers.

No public water or sewer service is currently available in this area, so the proposed lots would be served by individual private onsite wells and septic systems.

Nash County Environmental Health has already reviewed and approved a soils report prepared by a licensed soil scientist, which verified that each proposed new lot will be suitable for the installation of a septic system.

Subdivision Review Procedure:

The proposed sketch plan shall remain valid for one year (12 months) from the date of its approval by the Planning Board.

The Planning Staff may review and approve a preliminary plat (authorizing the construction of the new road) and a final plat (post-construction) unless the overall proposed design of the subdivision deviates substantially enough from the previously approved version to require reconsideration and re-approval by the Board.
TRC Recommendation:

The Nash County Technical Review Committee (TRC) considered the Whispering Hills Phase II Subdivision sketch plan on June 3, 2022 and recommended APPROVAL, subject to the CONDITIONS listed below.

Suggested Motion:

I move that the Nash County Planning Board APPROVE or DENY (choose one) the Whispering Hills Phase II Subdivision sketch plan, subject to the following conditions.

Conditions for Preliminary Plat Approval & Construction Authorization:

(1) The location and design of the shared mailbox kiosk currently depicted on the sketch plan shall be revised to conform to the N.C. Department of Transportation’s “Policy for the Placement of Mail Cluster Box Units in Subdivisions.”

(2) The developer shall submit the necessary documents, fees, and/or buy-down payments required for the issuance and recording of a Nash County Tar-Pamlico River Basin Overlay District Stormwater Permit for both Phases I & II of the subdivision.

(3) The developer shall submit the following required documents issued by other agencies:

(a) Subdivision Road Design Approval from the N.C. Department of Transportation

(b) Driveway Permit from the N.C. Department of Transportation

(c) Erosion & Sedimentation Control Plan Approval from the N.C. Department of Environmental Quality, Division of Land Resources

(d) Stream Buffer Determination from the N.C. Department of Environmental Quality, Division of Water Resources (The previously submitted determination expired on 10/27/2019.)

(e) Section 401 Water Quality Certification Permit for Wetlands Impact from the N.C. Department of Environmental Quality, Division of Water Resources (The previously submitted permit has expired.)

(f) Section 404 General Permit for Wetlands Impact from the U.S. Army Corps of Engineers (The previously submitted permit expired on 3/18/2022.)
Whispering Hills Phase II Subdivision
Property of Anthony W. Brown Sr. & Betty P. Brown
Aerial Photograph

Approx. 20 Acres
For 14 New Lots

1 in = 250 ft
File Number: A-220601 (UDO Text Amendment Request)
Applicant: Jerry R. Huff
Affected UDO Section: Article IX, Table 9-3-1 & Article XI, Section 11-4.29
Purpose: To permit the manufacture and storage of explosives in the GI (General Industrial) Zoning District with the issuance of a special use permit and subject to required development standards.

Description of the Proposed Text Amendment:

The Nash County Unified Development Ordinance currently permits the manufacturing of explosives in the A1 (Agricultural) Zoning District only with the issuance of a special use permit by the Board of Adjustment and subject to various development standards that include minimum required separation distances and building setbacks.

The issuance of a special use permit requires the Board of Adjustment to hold a quasi-judicial evidentiary public hearing on an application for a specific site and to conclude, based on findings of fact, that the proposal will not only satisfy all the specifically applicable development standards, but that it also:

(1) Will not materially endanger the public health or safety;
(2) Will not substantially injure the value of adjoining or abutting property;
(3) Will be in harmony with the area in which it is to be located; and
(4) Will be in general conformity with the land development plan.

Mr. J. R. Huff is interested in locating a site within Nash County that would be appropriate for supplying explosives to law enforcement agencies and for training explosive detection dogs. Such a facility would require the onsite storage of explosives for training purposes.

In anticipation of locating such a site, Mr. Huff has submitted UDO Text Amendment Request A-220601 in order to:

(1) Explicitly recognize the onsite storage of explosives as a permitted land use (which could already be reasonably implied as being necessary for the manufacturing of explosives); and

(2) Permit the manufacturing and storage of explosives in the GI (General Industrial) Zoning District as well – where the County already permits the most intensive land
uses – subject to the same special use permit process and development standards that currently apply in the A1 (Agricultural) Zoning District.

The adoption of this text amendment would allow the applicant to consider potential sites for the facility that are either already zoned or could potentially be rezoned to an A1 or GI classification.

Additional explosives storage safety regulations enforced by the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) would also apply to this type of facility.

The canine training activity itself would be classified as an "animal specialty service," which is a land use already permitted by right in both the A1 and GI Zoning Districts.

---

**Proposed Text Amendment (Changes Highlighted):**

NASH COUNTY UNIFIED DEVELOPMENT ORDINANCE

ARTICLE IX – ZONING

Table 9-3-1: Table of Permitted Uses (Excerpt):

<table>
<thead>
<tr>
<th>LAND USE TYPE</th>
<th>REF. SIC</th>
<th>ZONING DISTRICTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>MANUFACTURING AND INDUSTRIAL USES</td>
<td></td>
<td>A1</td>
</tr>
<tr>
<td>Explosives <strong>Manufacture and Storage</strong></td>
<td>2892</td>
<td>S</td>
</tr>
<tr>
<td></td>
<td></td>
<td>S</td>
</tr>
</tbody>
</table>

P = Use Permitted by Zoning Permit  
D = Use Permitted by Zoning Permit with Development Standards  
S = Special Use Permit Required  
C = Conditional Zone Required

ARTICLE XI – DEVELOPMENT STANDARDS

11-4.29 Explosives Manufacture and Storage

(A) Where Required  
A-1 and GI districts.
(B) **Property Separation**  
No facility shall locate within 500 feet of any residentially or office and institutionally zoned property.

(C) **Setbacks**  
Buildings, including any accessory buildings for storage of explosive raw materials and/or final products, shall be not less than 150 feet from all property lines.

(D) **Security Fencing**  
Security fencing, a minimum of 8 feet in height, shall be provided along the entire boundary of the facility.

(E) **Operation**  
Building(s) shall meet the requirements for Hazardous Occupancy under the NC Building Code.

---

**Land Development Plan Consistency:**

UDO Text Amendment Request A-220601 is neither consistent nor inconsistent with the recommendations of the Nash County Land Development Plan, because the plan does not specifically address explosives manufacturing and storage as a potential land use.

---

**TRC Recommendation:**

The Nash County Technical Review Committee (TRC) considered UDO Text Amendment Request A-220601 on June 3, 2022 and recommended **APPROVAL**.

---

**Suggested Motion:**

*I move that the Nash County Planning Board recommends **APPROVAL** or **DENIAL** (choose one) of UDO Text Amendment Request A-220601 to permit the manufacture and storage of explosives in the GI (General Industrial) Zoning District with the issuance of a special use permit and subject to required development standards as well as the adoption of the following statement of plan consistency for the consideration of the Nash County Board of Commissioners.***

**Statement of Plan Consistency:**

UDO Text Amendment Request A-220601 is neither consistent nor inconsistent with the recommendations of the Nash County Land Development Plan, because the plan does not specifically address explosives manufacturing and storage as a potential land use.