

**MINUTES OF THE
NASH COUNTY PLANNING BOARD REGULAR MEETING
HELD TUESDAY, JANUARY 18, 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
Moses Brown, Jr.
Jimmy Glover
Kim Moore
Chris Sandifer
Ethan Vester

BOARD MEMBERS ABSENT

DeLeon Parker Jr., Vice-Chairman
Philip Brannan
Barbara Pulley

STAFF MEMBERS PRESENT

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

OTHERS PRESENT

Justin Bissette	Louise Finch	Colin Leggett	Andrew Tyson
Mickey Bissette	Robert Glover	Ned Lofgren	Kevin Varnell
Mickey Lee Bissette, Jr.	Jimmy Jones III	Dale Glover Medlin	Charlotte Vick
Stephen A. Dunn	Cindy S. Joyner	Kayla Moore	Jennifer Voliva
Sharon V. Eatmon	Dennis Joyner	Charlette Murray	Donald Walston
Dean Edwards	Thomas Joyner	Phill Murray	Sarah Walston
Linda Edwards	Joseph M. Lamm	Bryce Pike	Cecil Williams, Jr.
Amber Stone Ferrell	Paula G. Lamm	Ken Sikes	David Williams
Heather Louise Finch	Brent Leggett	Michelle L. Sunday	

1. Call to Order.

Chairman Smith called the meeting to order at 6:33 p.m.

2. Determination of a Quorum.

Chairman Smith recognized the presence of a quorum.

3. Approval of the Minutes of the May 17, 2021 Regular Meeting.

The minutes of the May 17, 2021 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. Brown offered a motion, which was duly seconded by Mr. Glover, to approve the minutes of the May 17, 2021 regular meeting as submitted.

The motion was unanimously carried.

4. Review of Public Comment Policy.

Mr. Tyson reviewed the Board's public comment policy for everyone present at the meeting.

5. Conditional Rezoning Request CZ-220101 made by The East Group on behalf of the C. T. Williams Corporation to rezone an approximately 238-acre tract of land owned by L & F Farms, LLC and located on both sides of Green Pond Loop Rd, Bailey, NC 27807 from R-40 (Single-Family Residential) to RA-20-CZ (Medium Density Residential Conditional Zone) for the development of the revised 176-lot Green Pond Loop Road Subdivision.

Mr. Tyson presented the staff report and supplemental materials related to Conditional Rezoning Request CZ-220101 as submitted to the Board in the January 18, 2022 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered this request on January 12, 2022 and recommended approval of the request and the suggested statement of plan consistency and reasonableness, subject to the sketch plan revisions and development conditions listed in the staff report.

Mr. Glover asked to be recused from the discussion and vote on this matter due to his involvement with Green Pond Swine Farm, Inc. the owner of a parcel of land immediately adjacent to the subject property that would benefit from the fifty-foot (50') wide access and utility easement proposed by the developer as part of the subdivision project.

BOARD ACTION: Ms. Moore offered a motion, which was duly seconded by Mr. Vester, to recuse Mr. Glover from the discussion and vote on Conditional Rezoning Request CZ-220101 due to his involvement with Green Pond Swine Farm Inc., the owner of a parcel of land immediately adjacent to the subject property that would benefit from the fifty-foot (50') wide access and utility easement proposed by the developer as part of the subdivision project.

The motion was unanimously carried.

The Board discussed the access to be provided to the immediately adjacent parcel to the south of the subject property currently in the ownership of Ann R. Hobbs as well as the potential impact of the existing electrical transmission line easement on the subdivision project.

The following members of the public addressed the Board in opposition to the request, expressing concerns regarding the increased residential density and traffic as well as the potential impact of the development on the environment, local agricultural operations, local schools, law enforcement, and emergency response services:

Heather Louise Finch
Sharon V. Eatmon
Amber Stone Ferrell
Paula G. Lamm
Jimmy Jones III
Charlotte Vick
Jennifer Voliva
Michelle L. Sunday

Cecil Williams, Jr. of the C. T. Williams Corporation, the prospective developer, addressed the Board in support of the request.

The Board discussed the proposed residential density and its potential impacts.

BOARD ACTION: Mr. Sandifer offered a motion, which was duly seconded by Chairman Smith, to recommend approval of Conditional Rezoning Request CZ-220101 to rezone the specified property to RA-20-CZ for the development of the Green Pond Loop Road Subdivision and the statement of plan consistency and reasonableness below, subject to the following sketch plan revisions and development conditions for the consideration of the Nash County Board of Commissioners.

Statement of Plan Consistency and Reasonableness:

Conditional Rezoning Request CZ-220101 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 the end of an existing four-inch (4") waterline installed along the western segment of the Green Pond Loop Road public right-of-way that may be extended to serve the proposed development or the existing six-inch (6") waterline installed along the W Hornes Church Road public right-of-way to the south.
 - (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 ongoing transition of this general area to an RA-20 residential density as evidenced by the recently approved rezoning requests for the development of the Williams Ridge, Williams Grove, Whitley Crossing, and Strickland Road subdivisions.
 - (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.

Sketch Plan Revisions:

- (1) The unlabeled lot depicted immediately south of Lot 14 on the east side of Green Pond Loop Rd shall either be assigned a lot number or combined with the large remainder tract located directly behind it.
- (2) The sketch plan shall note the proposed lot width for each lot accessed directly from Green Pond Loop Rd as measured at the 35-foot front minimum building setback line for verification with the requirements of UDO 10-7.2 (F). (The dimensions of some lots as shown including Lots 20, 21, 39, & 142 require further verification.)
- (3) The total number of proposed new lots listed under the site data notes shall be revised if or as necessary per items 1 & 2 above.
- (4) Ten-foot (10') wide construction easements shall be depicted along either side of the fifty-foot (50') wide access and utility easement per the requirements of UDO 10-7.3 (C)(c)2.

Development Conditions:

- (1) The subject property shall be developed in accordance with the approved sketch plan for the Green Pond Loop Road 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) All new road names proposed on the subdivision sketch plan shall be reviewed and approved by Nash County Emergency Services prior to their official assignment.
- (5) The developer shall submit a stream buffer determination issued by the N.C. Department of Environmental Quality, Division of Water Resources for the subject property.
- (6) Lots 18, 19, 23, 25, 40, 139, 145, & 175 shall include a five-foot (5') wide non-access easement along Green Pond Loop Road and these lots shall not be eligible for NCDOT Driveway Permits along that public right-of-way.
- (7) The developer shall establish a minimum fifty-foot (50') wide access and utility easement with ten-foot (10') wide construction easements along either side from the public right-of-way of Green Pond Loop Road along the existing farm path across the subject property (between proposed Lots 1 & 176) to serve the immediately adjacent property to the north currently owned by Green Pond Swine Farm, Inc. and to allow for the potential construction of a public or private road by the current or future owner(s) of that parcel in accordance with UDO 10-7.3 (C).
- (8) The following signed and notarized documents shall be submitted and recorded concurrently along with the final subdivision plat:
 - (a) A declaration establishing a property owners' association to own and maintain the special purpose lots for recreational space and the shared mail kiosk;
 - (b) A deed transferring the ownership of the special purpose lots for recreational space and the shared mail kiosk to the property owners' association; and
 - (c) A deed of easement for the fifty-foot (50') wide access and utility easement.
- (9) 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.

The motion was carried with a split vote of 3 to 2 with Ms. Moore and Mr. Vester opposed and Mr. Glover recused.

6. Conditional Rezoning Request CZ-220102 made by Karl Friedrich Haberyan, the property owner, to rezone an approximately 20.53-acre tract of land located on the west side of Whitley Rd, Bailey, NC 27807 from R-40 (Single-Family Residential) to RA-20-CZ (Medium Density Residential Conditional Zone) for the development of the 23-lot Coolwater Phase Four Subdivision.

Mr. Tyson presented the staff report and supplemental materials related to Conditional Rezoning Request CZ-220102 as submitted to the Board in the January 18, 2022 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered this request on January 12, 2022 and recommended approval of the request and the suggested statement of plan consistency and reasonableness, subject to the sketch plan revisions and development conditions listed in the staff report.

The Board discussed the proposed open space lot, the NCDOT's input regarding the growth in this area of the County, and whether the Nash County Board of Education was represented on the Technical Review Committee.

The following members of the public addressed the Board in opposition to the request, expressing concerns regarding the increased residential density, traffic, crime, and litter as well as the potential impact of the development on local school capacity, agricultural operations, law enforcement, and emergency response services:

Dean Edwards
Amber Stone Ferrell
Michelle L. Sunday
Ned Lofgren
Louise Finch
Jimmy Jones III
Donald Walston
Kayla Moore
Sharon V. Eatmon
Heather Louise Finch
Dale Glover Medlin

Ms. Medlin specifically requested that a barrier be required between the proposed new subdivision lots and the immediately adjacent properties to the south in order to deter trespassers.

Kevin Varnell with Stocks Engineering addressed the Board in support of the request on behalf of the applicant.

At the Board's request, Mr. Varnell agreed to provide the following measures as an additional condition of the rezoning request:

- (1) A 3-foot high and 5-foot wide earthen berm to be constructed along the southern boundaries of Lots 29 & 31-38.

- (2) A 6-foot high wooden screening fence to be installed at the southern end of the proposed new 60-foot wide public road right-of-way.
- (3) A 20-foot wide screening buffer to consist of preserved, existing natural vegetation along the southern boundaries of Lot 28 and the open space lot.

BOARD ACTION: Mr. Sandifer offered a motion, which was duly seconded by Mr. Brown, to recommend approval of Conditional Rezoning Request CZ-220102 to rezone the specified property to RA-20-CZ for the development of the Coolwater Phase Four Subdivision and the statement of plan consistency and reasonableness below, subject to the following sketch plan revisions and development conditions for the consideration of the Nash County Board of Commissioners.

Statement of Plan Consistency and Reasonableness:

Conditional Rezoning Request CZ-220102 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 four-inch (4") waterline installed along the Whitley Rd public right-of-way.
 - (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 would be an expansion of the existing RA-20-CZ Zoning District established directly across Whitley Rd from the subject property in May and October of 2021 for the development of Phases One & Two of the Whitley Crossing Subdivision (Case Files #CU-210404 & #CZ-210901.)
 - (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.

Sketch Plan Revisions:

- (1) Under the site information notes, the total number of lots shall be corrected from 28 to 23.
- (2) Under the site information notes, the statement beside the total linear footage of streets referencing a request for a variance from the standard block length requirement shall be removed as UDO 10-7.3 (I) & 10-7.5 (A) allow for modifications of this requirement when warranted by existing conditions upon the recommendation of the Planning Board and the approval of the Board of Commissioners without the need for a formal variance.
- (3) The Charlotte Rd right-of-way depicted on the north side of Needham Rd shall be removed, as it is not currently shown on the Nash County Tax Map.
- (4) Street "C" shall be labeled as a 60' PUBLIC R/W.
- (5) A note shall be added to the sketch plan stating that: "The existing nonresidential structure located at 9062 Whitley Rd shall be removed from the subject property."
- (6) The 25' rear minimum building setback line shown on Lot 30 shall be revised to a 12' side minimum building setback line due to the "wedge" shape of the lot.

- (7) The dashed minimum building setback lines depicted within the 50' Neuse Riparian Buffer on Lots 25-27 are unnecessary and shall be removed.
- (8) Lot 29 shall either be labeled as: "Special Purpose Lot for Open Space" and a property owners' association shall be established to own and maintain it or it shall be combined with the rear of Lots 27 and/or 28.
- (9) The designer shall specify the separation distance between the proposed entrance of Street "C" on Whitley Rd and the proposed entrance of the new road to the north providing access to the interior of the Whitley Crossing Phase One Subdivision for NCDOT review and approval.

Development Conditions:

- (1) The subject property shall be developed in accordance with the approved sketch plan for the Coolwater Phase Four 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) The following signed and notarized documents shall be submitted and recorded concurrently along with the final subdivision plat:
 - (a) A declaration establishing a property owners' association to own and maintain Lot 29;
 - (b) A deed transferring the ownership of Lot 29 to the property owners' association; and
 - (c) A deed of easement for the twenty-foot (20') wide access easement located on Lot 28 to serve Lot 29.
- (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.
- (6) The following measures shall be required, maintained, and depicted on the approved subdivision sketch plan:
 - (a) A 3-foot high and 5-foot wide earthen berm to be constructed along the southern boundaries of Lots 29 & 31-38.
 - (b) A 6-foot high wooden screening fence to be installed at the southern end of the proposed new 60-foot wide public road right-of-way.
 - (c) A 20-foot wide screening buffer to consist of preserved, existing natural vegetation along the southern boundaries of Lot 28 and the open space lot.

The motion failed with a split vote of 3 to 3 with Chairman Smith, Mr. Sandifer, and Mr. Brown in favor and Ms. Moore, Mr. Glover, and Mr. Vester opposed.

BOARD ACTION: Mr. Sandifer offered a motion, which was duly seconded by Ms. Moore, to table Conditional Rezoning Request CZ-220102 for further consideration at the Board's next regular meeting on February 21, 2022.

The motion was unanimously carried.

7. **Ridge Road Subdivision Sketch Plan submitted by Thomas P. White, the prospective developer, for the cluster development of 112 new residential lots on an approximately 122.67-acre tract of land owned by the Choplin Family and located on the south side of Ridge Rd, Spring Hope, NC 27882 in the A1 (Agricultural) Zoning District.**

Mr. Culpepper presented the staff report and supplemental materials related to the Ridge Road Subdivision Sketch Plan as submitted to the Board in the January 18, 2022 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered this plan on January 12, 2022 and recommended approval, subject to the sketch plan revisions listed in the staff report.

He further noted that a subdivision request requires an administrative review by the Planning Board, meaning that the Board's decision should be based solely upon the specific regulations and standards set forth in the Unified Development Ordinance. Therefore, the County is not required to provide public notice of a subdivision request and the Board is not required to receive public input prior to deciding a subdivision request.

However, he explained that, in this particular case, Chairman Smith had granted a request to permit two attorneys, Bryce Pike with The Pike Law Firm and Stephen Dunn with Emanuel & Dunn, to address the Board on behalf of the adjacent landowners.

Attorney Bryce Pike addressed the Board on behalf of his clients, Strickland Land LLC and the heirs of Clay T. & Dianne G. Strickland, the owners of properties located immediately adjacent to the subject property on its southern and western boundaries. He described his clients' properties as a "treasure" containing various plant and animal life, the family's generational hunting property, and a licensed shooting preserve. He stated that the development of the proposed subdivision and the addition of its future residents "does not conform with the community." He stated that as "one of the biggest farmers in Nash County," his client would be forced to interface with the residents entering and leaving the proposed subdivision when moving their farm equipment.

Mr. Pike identified two easements, to which he stated that his clients have rights, that were not depicted on the proposed subdivision sketch plan presented to the Board. He explained that one was a prescriptive easement marked on his exhibit map as a red line that has been mowed and used by his clients and their predecessors for generations and the second was a recorded sixty-foot wide easement depicted on a plat filed in the Nash County Registry in the 1990's.

Mr. Pike stated that the Nash County Unified Development Ordinance defines a sketch plan as "*a rough sketch of a proposed subdivision or site, showing roads, lots, and any other information of sufficient accuracy to be used for discussion of the road system and the proposed development pattern*" (UDO 2-4.169.) He argued that the presented subdivision sketch plan lacked sufficient information to allow for discussion of the road system and that a wetlands delineation plan should be required for the property.

Attorney Stephen Dunn presented a letter for the Board's review and addressed the Board regarding the proposed subdivision sketch plan. He explained that the Nash County Unified Development Ordinance states that this A1 (Agricultural) Zoning District was established for five specific, enumerated purposes (UDO 9-1.1 A) that provide guidance for land use decisions, but he argued that these purposes also provide enumerated rights for owners of agricultural land within an agricultural community to oppose this subdivision development. He stated that the development of the proposed residential subdivision would be inconsistent with the forestry lands that currently surround the subject property.

Mr. Dunn reminded the Board that its previous decision to recommend denial of the request to rezone the subject property to the RA-30-CZ Zoning District (Case File #CZ-211205) was based on the property's lack of access to public water service, which is a condition that still exists.

Kevin Varnell with Stocks Engineering addressed the Board on behalf of the developer and described the proposed subdivision as a use by right permitted in this A1 Zoning District that fully meets the applicable requirements of the Nash County Unified Development Ordinance. He noted that the wetlands on the subject property had been evaluated and were depicted on the proposed subdivision sketch plan.

Mr. Varnell explained that while "there was still a lot of design that needs to be done throughout the property," he believed that the current layout of the subdivision was consistent with the information that was currently available.

Mr. Vester asked Mr. Varnell to address the two easements on the subject property as described by Mr. Pike.

Mr. Varnell stated that he was previously unaware of the prescriptive easement, but that the developer would be more than happy to work with the adjacent landowner to reach a resolution for access to the property. He also noted that the current design provides a paved stub road connection to that adjacent property. He further stated that if there was also a recorded easement, then that would be addressed in future designs of the subdivision as well.

Phill Murray addressed the Board to correct the location of the easement relative to the property.

Mr. Sandifer asked Mr. Varnell about the location and purpose of the prescriptive easement.

Mr. Varnell restated that he was previously unaware of the prescriptive easement, but that it was something that could be worked out with the adjacent landowner and County staff.

Ms. Moore asked what was the structure located on the adjacent property at the address 4235 Ridge Rd.

Mr. Murray, the property owner, answered that it was a chicken house.

Mr. Sandifer asked Mr. Murray if he knew where the easement goes.

Mr. Murray answered that he did not know.

Mr. Pike clarified that an easement referred to as the "old road easement" was mentioned in several property deeds and his clients' prescriptive easement comes from the south and provides access into the subject property.

Mr. Vester stated that it sounded like the developer and the adjacent property owners had some things that they needed to work out.

Mr. Varnell reiterated that the easement issues should be able to be negotiated between the developer, the adjacent property owners, and the County staff.

Chairman Smith noted the possibility that the Board could table the consideration of the sketch plan while the easement issues were addressed.

Mr. Varnell stated that tabling the project would create an issue for the developer and that he would prefer to be allowed to address the easement issue with the adjacent property owner and the County staff after the sketch plan's approval by the Board.

Mr. Sandifer noted that the Board's administrative review and approval of the sketch plan was really just the beginning of the design process and that many of the issues raised by the project's opponents, including the easements and wetlands, would be addressed during later stages of that process.

Ms. Moore asked if this request could be considered "spot zoning."

Mr. Tyson answered that this request for a subdivision sketch plan would not change the current A1 (Agricultural) zoning classification of the subject property. He noted that the developer is proposing to use the cluster development option provided by the Unified Development Ordinance and that they were allowed to do so as long as the applicable Ordinance requirements were met.

Mr. Dunn stated that he begged to differ.

Mr. Dennis Joyner, an owner of land adjacent to the subject property, addressed the Board and displayed a soils map of the subject property that depicted areas that were unsuitable, potentially suitable, or likely suitable for development. Then he displayed the proposed subdivision sketch plan superimposed over the soils map. He asked the Board to consider whether technical evaluations by the U.S. Army Corps of Engineers and the North Carolina Division of Water Resources should be required prior to an approval of the subdivision sketch plan.

Mr. Sandifer stated that would be a problem for the developer.

Ms. Moore stated that there were a lot of questions still remaining about the project, but that they would be a matter for the developer to resolve.

Mr. Sandifer stated that the developer had met the required administrative standard for approval of the subdivision sketch plan and that if the design does not work as proposed, then that would be on the developer.

Mr. Tyson clarified that there would be further steps required in the subdivision development process beyond just the approval of the sketch plan.

BOARD ACTION: Mr. Brown offered a motion, which was duly seconded by Mr. Sandifer, to approve the major subdivision sketch plan for the Ridge Road Subdivision, subject to the following revisions.

Sketch Plan Revisions:

- (1) One of the two lots currently labeled as Lot 81 shall be relabeled as Lot 82.
- (2) Lots 1 & 108-112 shall include a 5' NON-ACCESS EASEMENT along Ridge Rd.
- (3) On Lot 87, the 30' rear minimum building setback line shall be corrected.
- (4) In the vicinity map, the road name MACEDONIA CHURCH RD shall be corrected to MACEDONIA RD.

- (5) Under SITE INFORMATION, the ZONE shall be corrected from "A-1 PROPOSED ZONING to RA-30" to "A-1 CLUSTERED TO DIMENSIONAL REQUIREMENTS OF R-30".
- (6) The proposed road located between Lots 10 & 11 shall be labeled as STREET "E".
- (7) All proposed new roads shall be labeled as 50' PUBLIC R/W.
- (8) The TEMPORARY CUL-DE-SAC EASEMENTS shall be labeled on STREETS "B", "C", "D", & "E".
- (9) The 50' TAR-PAMLICO RIPARIAN BUFFER depicted on the plan shall be labeled as such.
- (10) The SPECIAL COMMON AREA LOT (OPEN SPACE) shall be relabeled as SPECIAL PURPOSE LOT FOR COMMON AREA / OPEN SPACE & STORMWATER MANAGEMENT.
- (11) The proposed location of the MAIL KIOSK shall be designated as either an easement or a special purpose lot to allow for its ownership and maintenance by a property owners' association.
- (12) The proposed location and design of the MAIL KIOSK shall be submitted to the NCDOT District Engineer for review and approval because it requires exiting vehicles to back directly into the public right-of-way.

The motion was carried with a split vote of 4 to 2 with Mr. Glover and Mr. Vester opposed.

8. UDO Text Amendment Request A-220101 made to amend the Nash County Unified Development Ordinance Article IX, Table 9-3-1 & Table 9-4-3 to prohibit the development of residential land uses within nonresidential zoning districts.

Mr. Culpepper presented the staff report and supplemental materials related to UDO Text Amendment Request A-220101 as submitted to the Board in the January 18, 2022 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered this request on January 12, 2022 and recommended approval.

The Board discussed with Mr. Tyson that the purpose of the proposed text amendment was to prevent the inadvertent approval of high density residential land uses as an unintended result of a commercial rezoning request and that a future request for high density residential development would likely take the form of a conditional rezoning request with a proposed site plan.

BOARD ACTION: Ms. Moore offered a motion, which was duly seconded by Mr. Glover, to recommend approval of UDO Text Amendment Request A-220101 to prohibit the development of residential land uses within nonresidential zoning districts and the adoption of the following statement of plan consistency for the consideration of the Nash County Board of Commissioners.

Statement of Plan Consistency:

Text Amendment Request A-220101 is neither consistent nor inconsistent with the specific recommendations of the Nash County Land Development Plan.

The motion was unanimously carried.

9. 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 January 3, 2022:

General Rezoning Request Z-211101 to rezone 6.06 acres at Joyners Crossroad to GC (General Commercial) was approved.

General Rezoning Request Z-211201 to rezone 2 acres on S Halifax Rd, Rocky Mount around Ashley's Hardware & Supplies and Ashley's Plumbing, Heating & Cooling, Inc. to GC (General Commercial) was approved.

Conditional Rezoning Request CZ-211102 to rezone 38.73 acres on Bull Head Rd, Bailey to RA-20-CZ for the 45-lot Seamster Phase 2 Subdivision was approved with the reduction of one lot and the addition of a vegetative screening buffer.

Conditional Rezoning Request CZ-211201 to rezone 6.92 acres at the corner of US Highway 64A & NC Highway 231, Spring Hope to GI-CZ for a heavy construction contractor operation was approved.

Conditional Rezoning Request CZ-211202 to rezone 470.75 acres on Taylors Gin Rd, Castalia to A1-CZ for the expansion of the previously approved Gideon Solar Farm was approved.

Conditional Rezoning Request CZ-211204 to rezone 44.91 acres on Barnes Hill Church Rd, Nashville to RA-20-CZ for the 55-lot Baker Farm Subdivision was approved, but with only three of the four stub road connections previously recommended by the Planning Board.

Mr. Tyson also noted that the third meeting of the Nash County Land Use Plan Steering Committee would be held on Thursday, January 20, 2022 from 4:00 p.m. to 6:00 p.m.

10. Adjournment.

There being no further business, Chairman Smith adjourned the meeting at 9:25 p.m.