



RANDOLPH COUNTY PLANNING BOARD

MINUTES

June 14, 2022

There was a meeting of the Randolph County Planning Board on Tuesday, June 14, 2022, at 6:30 p.m. in the 1909 Historic Courthouse Meeting Room, 145-C Worth St, Asheboro, NC.

Chairman **Pell** called the meeting to order at 6:30 p.m. and welcomed those in attendance. Next, **Pell** called for a roll call of the members.

Jay Dale, Randolph County Planning and Zoning Director, called the roll of the members.

- Reid Pell, Chairman, *present*;
- Wayne Joyce, Vice Chairman, *present*;
- John Cable, *present*;
- Kemp Davis, *absent*;
- Melinda Vaughan, *present*;
- Reggie Beeson, *present*;
- Barry Bunting, Alternate, *present*, taking the place of Kemp Davis; and
- Brandon Hedrick, Alternate, *present*, taking the place of the vacant seat.

County Attorney, **Ben Morgan**, was not present for the meeting. Randolph County Associate Attorney **Aimee Scotton** was present for the meeting.

Dale informed the Chairman there was a quorum of the members present for the meeting.

Pell called for a motion to approve the consent agenda as presented.

Consent Agenda:

- Approval of minutes from May 3, 2022, Planning Board meeting and Zoning Board of Adjustment meetings.
- Approval of the agenda for the June 14, 2022, Planning Board meeting.

Joyce made the motion to approve the consent agenda as presented, with **Cable** making the second to the motion. The motion was adopted unanimously.

Pell asked the Board members if there are any conflicts in the following cases.

Hearing none, **Dale** stated that the old business cases for **Koger** and **Lineberry** from the May 3, 2022, meeting have been withdrawn. **Dale** stated that the **Koger** case was

withdrawn after the May Planning Board meeting and the **Lineberry** request was withdrawn the afternoon of tonight's Planning Board meeting. **Dale** apologized to anyone present that was in attendance for either of the cases.

Dale presented the first case of the night, along with the site plans, and pictures of the site and surrounding properties.

SPECIAL USE PERMIT REQUEST #2022-00001375

The Randolph County Planning Board will hold a Quasi-judicial Hearing on the request by **MARK POWERS**, Denton, NC, and his request to amend an existing Special Use Permit at 5989 Brantley Gordon Rd, Concord Township, Tax ID #6698675536, 3.96 acres, RA - Residential Agricultural District. It is the desire of the applicant to amend an existing Special Use Permit to specifically allow an automotive repair shop in an existing building as per the site plan.

Pell opened the public hearing and stated that anyone wanting to give testimony on this Special Use Permit request would need to come and take the following oath.

"Do you swear, or affirm, that the evidence you shall give to the Board in this action shall be the truth, the whole truth, and nothing but the truth, so help you God."

One person came forward and took the oath.

Mark Powers, 5989 Brantley Gordon Rd, took the oath regarding his request. **Powers** stated that he has started having health issues since 2014 and is now semi-retired but wants to continue to do auto repair if he can. **Powers** stated that he has been doing this work for 37 years and, due to his health, would like to be closer to home.

Pell asked if there was anyone else in favor of the Special Use Permit Request that wanted to address the Planning Board. Hearing none, **Pell** asked if there was anyone in opposition to the Special Use Permit Request that wanted to address the Planning Board.

Hearing no one, **Pell** closed the public hearing for discussion and a decision by the Planning Board.

Vaughan stated that business this in her area of the County. **Vaughan** stated that she has received many compliments from **Powers** clients and that he runs an efficient business and that based on the site plan the development should not upset anyone since the building is behind **Powers'** house. **Vaughan** also stated that **Powers'** neighbors are also family members and did not think that **Powers** would do anything to impact his family members.

Vaughan made the motion to **APPROVE** the Special Use Permit request on the specified parcel(s) on the Special Use Permit application, based upon the sworn witness testimony

that is included in the minutes, as well as the site plan(s) with any and all agreed-upon revisions, and that the use will not materially endanger the public health or safety, the use meets all required conditions and specifications, the use will not substantially injure the value of adjoining property, that the use is a public necessity and the location and character of the use if developed according to the plan(s) as submitted and approved, will be in harmony with the area and in general conformity with the *Randolph County Unified Development Ordinance*. **Bunting** made the second to the motion.

Pell called the question on the motion to approve the Special Use Permit request and the motion was adopted unanimously.

Dale presented the next case of the night along with site plans and pictures of the site and surrounding properties.

REZONING REQUEST 2022-00001378

The Randolph County Planning Board will hold a Legislative Hearing on the request by **ANITA BOBO**, Asheboro, NC, and her request to rezone 0.92 acres at 180 Sawyersville Rd, Back Creek Township, James Bobo and Karen Gibson Subdivision, lot five, Tax ID #7721960380, Secondary Growth Area, from *RR - Residential Restricted* to *HC-CD - Highway Commercial - Conditional District*. The proposed Conditional Zoning District would specifically allow a beauty shop as per the site plan.

Pell opened the public hearing and asked for anyone in favor of the request to come forward and address the Planning Board.

Anita Bobo, property owner and the owner of Nita's Boutique at 514 E Dorsett Ave, Asheboro, stated that her business has been at the same location for 45 years. **Bobo** related to the Board that she wanted to purchase a salon upon graduation from beauty school and she started renting a space then grew into a larger business and she was able to purchase the building where her shop is currently located. The property owners have died, and the heirs notified her in February 2022, that the existing shop would have to move from the property. **Bobo** stated that the existing shop is 1,000 sq. ft. and has two chairs and most of the sites she looked at were around 600 to 800 sq. ft. and the rent would be over \$1,000.00 per month and she continued to look in the City of Asheboro for a location but could not find anything. **Bobo** said she remembered her late husband's property and how he wanted her to move to this location at some point and now would be a good time to move to the property that she owns. **Bobo** stated that she wants to move her shop to this land to help customers and keep the prices low for her customers and return something to the community.

Heather Joyce, 214 Sawyersville Rd, rose to address the Board. **H. Joyce** states that she is the daughter of **Bobo** and it is a large open lot. **H. Joyce** said that several people had asked why she and her mother would want the beauty shop at this location. **H. Joyce** stated that many customers get off work between 7:00 pm and 8:00 pm and many of the

locations that they have looked at are not handicapped accessible and it is important to **Bobo** for customers with wheelchairs or other special needs to be able to access the beauty shop and if it is closer to home it allows her to keep an eye on her mother and the beauty shop. **H. Joyce** said that the neighbors are welcoming, and they have heard nothing negative from the community and the local church Board is also backing **Bobo** in her request. **H. Joyce** said that she is in favor of the request even though she will be able to see the beauty shop and all the traffic.

Richard Cooper, II, rose to address the Planning Board and stated that he is the renter of the mobile home at 180 Sawyersville Rd and he wants to see the beauty shop move to this location and he sees no problem with the request.

Pell asked if there was anyone else in favor of the Rezoning Request that wanted to address the Planning Board. Hearing none, **Pell** asked if there was anyone in opposition to the Rezoning Request that wanted to address the Planning Board.

Hearing no one, **Pell** closed the public hearing for discussion and a decision by the Planning Board.

Cable said that is hard to go against the church especially since they are supporting this request. **Pell** and **W. Joyce** said that both of their mothers had gone to Nita's Boutique. **W. Joyce** stated that this business would be a low impact and a good business for this area. **Cable** stated that he likes the fact that she cannot be kicked off her land and this is another success story for a Randolph County citizen having a business needing to move to a different location to allow the business to continue.

Vaughan said that this request is a "win-win" for this side of the County. The Planning Board earlier approved an automotive repair shop close to this location and moving the existing beauty shop to this location, the property owner cannot go wrong.

Bunting stated that he is aware of this family and knew **Bobo's** husband and that **Bobo** has run a good business for a long time.

Bunting made the motion to **APPROVE** the rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the **Determination of Consistency and Findings of Reasonableness and Public Interest** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with all agreed-upon revisions, also incorporated into the motion and that the request is consistent with the *Randolph County Growth Management Plan*. **Joyce** made a second to the motion to approve the rezoning request described with conditions.

Pell called the question on the motion to approve the rezoning request, and the motion was adopted unanimously.

Dale presented the next case of the night along with site plans and pictures of the site and surrounding properties.

REZONING REQUEST #2020-00001389

The Randolph County Planning Board will hold a Legislative Hearing on the request by **DAVIS INVESTMENT PROPERTIES, LLC**, Randleman, NC, and their request to rezone 3.61 acres at US 220 Bus N, Level Cross Township, Hazel B Hayes Subdivision lot number three, Randleman Lake Protected Area Watershed, Tax ID #7757779761, Primary Growth Area, from *RA - Residential Agricultural District* to *CVOM-CD - Conventional Subdivision Overlay Mixed - Conditional District*. The proposed Conditional Zoning District would specifically allow the creation of three new lots as per the site plan.

Pell opened the public hearing and asked for anyone in favor of the request to come forward and address the Planning Board.

Eric Davis, President of Davis Investment Properties, LLC, rose to address the Planning Board. **Davis** said that this parcel used to be part of a bigger track that was divided several years ago. **Davis** said that they plan to place Class A mobile homes on the property that would also have brick foundations. **Davis** said that in the Level Cross area there is not much available for sale or rent for mobile homes. **Davis** stated that he already has one permit for a mobile home to be put on the property and he informed the Planning Board that there is an intersection of US Hwy 220 Bus N and Holder Inman Rd to the left and an approved site for a Duke Energy substation to right. **Davis** said he hoped to help the community by providing affordable housing and that he would be willing to answer any questions.

Cable asked if the property would be served by public utilities and **Davis** said that the property will be served by septic systems and wells.

Bunting asked if each home would have its own separate septic system and well or would there be one septic system and well to service the property. **Davis** said that each mobile home would have its own septic system and well.

Cable asked about the site plan since it appears that the property was using off-site septic systems and **Davis** said that all the septic systems will drain to one field but there is enough space and line for the proposed three homes. **Davis** said that two of the mobile homes will be facing US Hwy 220 Bus N and the other home will be facing Holder Inman Road.

Cable asked how large the mobile homes would be and **Davis** answered that the homes would be around 1,400 square feet.

Hedrick asked who would be responsible for maintaining the septic fields and **Davis** responded that it will be the responsibility of the property owner as shown on the site plan.

Beeson asked a question about the location of the septic field for lot three and **Davis** showed the Planning Board where the septic area will be located.

Pell asked if there was anyone else in favor of the Rezoning Request that wanted to address the Planning Board.

Hearing none, **Pell** asked if there was anyone in opposition to the Rezoning Request that wanted to address the Planning Board.

Keith Presnell, 6155 Old Walker Mill Rd told the Planning Board that he lives in the area and that there are already mobile home parks in the area and the mobile home parks have bad reputations and that he sees no reason to have more mobile home parks in the Level Cross area. **Presnell** stated that mobile homes bring down the property values and destroy other properties in the area and that he did not want to see another mobile home park in the area.

Dale told **Presnell** these homes are not for rental purposes and that the people that live on the property will own the property.

Cable asked **Presnell** if he was against the rezoning request because of empty spaces in mobile home parks in the Level Cross area and **Presnell** answered, "Yes."

Beeson stated that he could understand **Presnell's** concern, but this is not a mobile home park but a planned subdivision. **Presnell** said that if the lots are for personal use he would not be opposed if the people are not moving in and out of the homes.

Joyce asked **Presnell** if he understand that these mobile homes will be sold with brick foundations and **Presnell** said he did not understand that requirement.

Pell asked if there was anyone else wishing to speak in opposition to the rezoning request. Hearing no one, **Pell** closed the public hearing for discussion and a decision by the Planning Board.

Brian Lewis, 617 Holder Inman Rd, stood to address the Planning Board and stated that he lives across the street from the request location, and he wanted to know what it would do to his property values.

Pell reclosed the public hearing after **Lewis** spoke to the Planning Board.

Cable stated that it was clear that **Presnell** did not have all the facts, so it is the job of the Planning Board to set the record straight. **Cable** further stated that just because something is being proposed as a mobile home park is not a reason to deny rezoning and **Lewis'** question of value is a good question but that it is not a question for this Board.

Cable stated that this is a good concept that encourages home ownership, that it appears to be well planned out, and that he does not see the request as decreasing property value.

Hedrick stated that right now the property is currently zoned *RA – Residential Agricultural* and it currently allows a single wide and the question is more about density, but it helps that **Davis** had already done the septic system and well evaluations.

Joyce made the motion to **APPROVE** the rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the **Determination of Consistency and Findings of Reasonableness and Public Interest** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with all agreed-upon revisions, also incorporated into the motion and that the request is consistent with the *Randolph County Growth Management Plan*. **Cable** made a second to the motion to approve the rezoning request described with conditions.

Pell called the question on the motion to approve the rezoning request, and the motion was adopted unanimously.

Dale presented the next case of the night along with site plans and pictures of the site and surrounding properties.

REZONING REQUEST 2022-00001383

The Randolph County Planning Board will hold a Legislative Hearing on the request by **ERIC L SMITH**, Sophia, NC, and his request to rezone 4.58 acres at 3321 Jess Smith Rd, Tabernacle Township, Garland Lee Hawkins Estate Subdivision lot number three, Tax ID #7724295330, Secondary Growth Area, from *RA - Residential Agricultural District* to *CVOM-CD - Conventional Subdivision Overlay Mixed - Conditional District*. The proposed Conditional Zoning District would specifically allow the creation of a new lot as per the site plan.

Pell opened the public hearing and asked for anyone in favor of the request to come forward and address the Planning Board.

Eric Martin, Deputy Zoning Administrator, stated that he had talked with **Smith** earlier in the day and **Smith** had to take someone to the hospital and he hoped to be at the Planning Board meeting.

Cable made the motion to table this request until **Smith** can attend the Planning Board meeting. **Joyce** gave the second to the motion.

Pell called the question on the motion to table this rezoning request until **Smith** was available to address the Planning Board, and the motion was adopted unanimously.

Dale presented the last rezoning case of the night along with site plans and pictures of the site and surrounding properties.

REZONING REQUEST 2022-00001411

The Randolph County Planning Board will hold a Legislative Hearing on the request by **TMR HOLDINGS, LLC**, Thomasville, NC, and their request to rezone 2.15 acres at 7139 Wright Rd, Trinity Township, Lake Reese Balance Watershed, Tax ID #6796018058, Primary Growth Area, from *RA – Residential Agricultural District and LI – Light Industrial – Conditional District* to *RA - Residential Agricultural District*.

Pell opened the public hearing and asked for anyone in favor of the request to come forward and address the Planning Board.

Tina Robinson, 2316 Heritage View Ln, rose to address the Planning Board and stated that the subdivision where she lives has added thirty homes and she wants to move from her current residence to build a house on the property.

Cable asked if the house would be site built and **Robinson** responded, “Yes.” **Cable** asked if the house would access Wright Rd and **Robinson** answered, “Yes.”

Pell asked if there was anyone else in favor of the Rezoning Request that wanted to address the Planning Board. Hearing none, **Pell** asked if there was anyone in opposition to the Rezoning Request that wanted to address the Planning Board.

Hearing none, **Pell** closed the public hearing for discussion and a decision by the Planning Board.

Cable made the motion to **APPROVE** the rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the **Determination of Consistency and Findings of Reasonableness and Public Interest** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with all agreed-upon revisions including the hours of operation to be from 8 am until 6 pm Monday through Friday and from 8 am until 5 pm on Saturday, also incorporated into the motion and that the request is consistent with the *Randolph County Growth Management Plan*. **Joyce** made a second to the motion to approve the rezoning request described with conditions.

Pell called the question on the motion to approve the rezoning request, and the motion was adopted unanimously.

PROPOSED AMENDMENTS TO THE RANDOLPH COUNTY UNIFIED DEVELOPMENT ORDINANCE

Dale presented information regarding the proposed amendments to the *Randolph County Unified Development Ordinance*. (See Exhibit # 1)

Dale related to the Planning Board how rapid development in the County caused the County to look at different options for subdivisions and one of the options that were adopted is the *Cluster Overlay Subdivision*. **Dale** said that the option was only used a few times and the developers that did pursue the option have expressed they wish they had never tried to use the option as it has not proven to be worth the time and additional expenses.

Dale stated that he had talked with some developers to see what could be done about the *Cluster Overlay Subdivision* to make it a more viable option when it comes to new development. Most of the developers said that the current 50% required open space is what is causing the most issues when looking at surrounding jurisdictions that allow for as little as 30% open space that allows the developer to decrease the lot size and, in return, they could get more building lots from the same amount of property. **Dale** also stated that in *Rural Growth Areas*, the 50% open space requirement and three-acre minimum lot size requirement does not make a lot of sense.

Dale said that the updated regulations will create a situation of a well-designed subdivision that has open space, internal roads serving the houses, and preserving land while also allowing amenities such as playgrounds, walking trails, and other options that will allow developers to develop more house sites while developing the same amount of land in a normal subdivision. **Dale** said he did not know if the proposed amendments would result in the changes recommended by developers, but it is a start to be responsive to the housing needs.

Beeson said that water supply should be the first question when considering this type of subdivision and he thinks that these types of developments should be on public water and sewer but did also realize that developers could run into issues such as cost and the location of the closest public water and sewer.

Cable said that the concept of a cluster subdivision would be good to help with the dilemma of drives and bus stops being along a road every one-hundred-foot. **Cable** stated that he thinks this Board has done a good job of seeing the various issues and trying to correct them to lessen the impact. **Cable** did say that he did not know if the County could get public water to every proposal, and he would hate to see this requirement slow development in the County.

Joyce said that the Board of County Commissioners has talked for years about developing a public water and sewer system, but the cost is now too high for the County to consider, and it should be left to the developer to worry about providing water to their developments.

Beeson mentioned a concern about septic systems being so close to well and **Dale** stated that the State has rules that control how close a well can be to a septic system.

Pell mentioned how some subdivision proposals have designated areas for off-site septic systems.

Hedrick related to the Board members that he has been looking at open space requirements from other counties like Chatham and Wake County and that the *Randolph County Unified Development Ordinance* makes the rules clearer than other counties as some offer point systems based on various scenarios, but most have a required 40% open space and stated that the 40% open space allows septic systems and wells layouts and home sites. **Hedrick** said that the open space requirements allow the County to grow but also help to preserve the rural character of the County. **Hedrick** further stated that he would encourage buffers to avoid the appearance of one lot after another lot along the road. **Hedrick** stated that several journals he had reviewed showed that open space adds to the County tax base long-term more than developed property and that he is for development but would prefer to see the amendments require a 40% open space and he would like to see more use of the cluster subdivision concept used in the County.

Vaughan said that she is glad that the Planning Board is addressing this situation now because if the County does not get control of development, we would eventually be seeing plans for developments that are not allowed in other counties. **Vaughan** said that the citizens will be able to better afford homes and that people love Randolph County for its rural character and neighborhoods. **Vaughan** stated that many people are buying larger parcels of land and it is very important that we have neighborhoods to make the development look like Randolph County.

Cable told the Board that it will especially important that the County has adequate controls to address issues around the US Hwy 421 Corridor and the Greensboro-Randolph County Megasite area. **Cable** stated that people want to be in Randolph County and the County wants the megasite to flourish. **Cable** said that many want to live and work in Randolph County and that the small businesses keep coming back to the Planning Board to expand their businesses. **Cable** stated that is a good problem to be having to face these issues and it is a testament to the County supporting the small businesses and he would like to strengthen this and keep the public “face” of Randolph County. **Cable** said getting new citizens to Randolph County can cause the family to remain in the County. **Cable** said that he prefers the street concept as found in cluster subdivisions as the streets are shorter and there is usually only one drive on the main State roads which makes them safer for the traveling public.

Dale said that roads in cluster subdivisions are usually not as long and therefore, it reduces the cost to the developer.

Hedrick related various peer-review articles that show neighborhoods with cluster or conservation design allow walking access, which has shown benefits for long-term community health.

Vaughan said that all you must do is go to Cary or Pittsboro to see examples of uncontrolled growth. **Vaughan** related an article that stated if a jurisdiction was close to an Interstate highway, the area would transition to be an urban area in twenty years.

Cable asked what the next move should be.

Dale said that the Planning Board could recommend that the Board of County Commissioners approve the amendments as presented to the Planning Board and make the changes to the proposed amendments as recommend by the Board of County Commissioners.

Hedrick said that if the County lowers the open space requirements to 30% it would be harder to raise that amount later.

Vaughn stated that she agreed with **Hedrick's** statement.

Pell opened the public hearing and asked for anyone in favor of the proposed amendments to come forward and address the Planning Board.

Philippe White rose to address the Planning Board and told them about a subdivision he has seen off Mount Hope Church Rd. The subdivision is approximately 50 acres in size and all the development is on one side of the property with the remainder in open space and which helps to keep the "country" aspect.

Dale Beane addressed the Planning Board that the rural part of the County has rural roads and large tracks of land, that 40% open space is still high density, and that he would not want to see individual drives along the road. **Beane** said the best option would be to require public water and sewer in place so it will not impact the water table. **Beane** said the biggest challenge is the need to expand the infrastructure.

Pell asked if there was anyone else in favor of the proposed amendments that wanted to address the Planning Board. Hearing none, **Pell** asked if there was anyone in opposition to the proposed amendments that wanted to address the Planning Board.

Hearing none, **Pell** closed the public hearing for discussion and a decision by the Planning Board.

Hedrick said that the proposed amendments could potentially help build the infrastructure down the road but that expanding water and sewer will help expand density, but the Planning Board is limited in what it can do.

Dale stated that the County is not in the public water and sewer business.

Pell said that installing public sewer lines is so expensive due to construction costs and the requirements of the systems.

Hedrick said that when looking at landscapes around the world, the most visually appealing are the “village concept” where you will see high densities in the villages, and low densities outside of the village providing the rural area, and the Planning Board should do what it can to help to accomplish this look for Randolph County and that the Planning Board needs to look at requiring buffers around subdivisions.

Cable stated that he did not want to require public utilities but that he would love to have Davidson Water everywhere. **Cable** said that the Planning Board is trying to create something good, but it could potentially slow down growth if it is not handled correctly. **Cable** suggested that maybe cluster subdivisions near municipalities should look at public water and sewer and use that as a feature for marketing these developments.

Joyce said it would be nice to have public water and sewer utilities, but it is very expensive to developers, and it is usually not cost-effective to do the engineering work and the costs associated with getting easements across other properties to get it to the proposed subdivision. **Joyce** said that public water and sewer are good to have but it is too hard to do in the more rural areas of the County. **Joyce** related how some developers have told him the most expensive things in development are the road construction costs and these increases are passed along to the future owners.

Dale stated that the cluster subdivision concept would result in shorter roads for developers. **Joyce** said that **Dale’s** statement is true, but the developers still must see this as a positive concept.

Cable relayed to the Planning Board that when he purchased his house, he tried to connect to Davidson Water and, at that time, it was going to cost \$10,000.00 to connect but Davidson Water is now in the area due to Wheatmore High School and that the County should not require public water and sewer but recommend connecting to existing public water and sewer.

Hedrick asked about the cost of drilling wells as opposed to running public water lines. **Hedrick** said that other jurisdictions that he had looked at called this type of development a *Planned United Development* or a *Conservation Subdivision*. **Hedrick** asked the Planning Board if the County should call it a *Conservation Subdivision* instead of a *Cluster Subdivision*. **Dale** said he thought the name change is a good idea and could be pursued.

Cable said that everything is all about the marketing of the development and the County and what it has to offer.

There was discussion among the Board members on how to proceed at the point. **Pell** asked **Scotton** to recap what she heard from the Board members.

Scotton recapped what the Planning Board was saying as follows:

- The Planning Board is in favor of the concept as proposed in the amendments but wants the Board of County Commissioners to consider

changing the open space requirement to between thirty or forty percent;

- The Planning Board would like to require or recommend the future cluster subdivisions have access to public water and sewer but the concept may be more than the County or developers can tackle at the time; and
- The Planning Board is in favor of the concepts as outlined in the proposed amendments but let the Board of County Commissioners make the final decision on all the issues raised during the discussion.

Beeson said that what **Scotton** relayed to the Planning Board is correct and is the feeling of the Planning Board.

Scotton asked about the name change from *Cluster* to *Conservation* subdivision and asked what the Planning Board wanted to do regarding a name change. **Hedrick** said the name change could happen now or later as he did not see it as a big issue. **Scotton** advised the Planning Board that it is better to make all the changes at one time instead of taking a small amount to the Board of Commissioners every couple of months to make more changes.

Cable stated that this is what he is wanting to do.

Hedrick make the motion to **RECOMMEND APPROVAL** to the Randolph County Board of County Commissioners that the amendments to the *Randolph County Unified Development Ordinance* that are included in the Planning Board agenda, submitted during the *Randolph County Unified Development Ordinance* amendment presentation, incorporated into the motion, along with the change of the name from *Cluster Subdivision Overlay* to be *Conservation Subdivision Overlay* and for the Board of County Commissioners to set the open-space requirement to forty percent. **Bunting** seconded the motion.

Pell called the question on the motion to recommend approval of the proposed amendments to the *Randolph County Unified Development Ordinance* as specified in the motion, and the motion was adopted unanimously.

Having no further business, **Pell** called for a motion to adjourn the meeting. **Cable** made the motion to adjourn, with **Joyce** making the second to the motion and the motion was adopted unanimously.

The meeting adjourned at 7:34 p.m., with 21 citizens present.

**RANDOLPH COUNTY
NORTH CAROLINA**

Planning Director

Deputy Clerk to the Board

Date



**Adopted by the Randolph County Planning Board
July 12, 2022**



- (d) Service areas, off-street loading facilities, service drives, and dimensions of such areas;
- (e) A title giving the names of the developers, the date, the scale of the plan, and the person or firm preparing the plan;
- (f) Proposed landscaping with property buffers between other uses;
- (g) Location of flood hazard areas and other lands not suitable for development;
- (h) Size and location of signs;
- (i) Location and type of security lighting;
- (j) Water resource and stormwater management provisions;
- (k) Site plans shall be submitted to reduce stormwater impact by designing new development in a manner that minimizes concentrated stormwater flows using a minimum vegetated buffer area.

B. CLO: CLUSTER SUBDIVISION OVERLAY DISTRICT

The *Cluster Subdivision Overlay District* is established to accommodate major residential subdivision developments designed to preserve rural character by the preservation of open space and significant environmentally sensitive areas. The district permits open space, recreational, residential, and limited rural neighborhood business uses that are part of a unified design. The cluster subdivision development provides for the grouping of lots and buildings to conserve open space land resources and promotes innovation in the design of the development to minimize stormwater runoff impacts and other adverse rural environmental impacts. Housing characteristics with the CLO district will be designated *Exclusive (CLOE)*, *Restricted (CLOR)*, or *Mixed (CLOM)*, in conformance with other major subdivision zoning districts. Cluster subdivisions are **not** allowed in the Birkhead Wilderness/Uwharrie Forest Small Area Plan area.

The *Cluster Subdivision Overlay District* is designed for those areas of Randolph County where the requirement of such an Overlay District can help achieve the policies and objectives of the *Randolph County Growth Management Plan*. This district is specifically designed for *Secondary*



Growth Areas and Rural Growth Areas as reflected in the *Randolph County Growth Management Plan*.

(1) PURPOSE AND USES PERMITTED

The *Cluster Subdivision Overlay District* shall be considered as an overlay district to the existing zoning districts. Uses permitted within the underlying district shall be permitted provided they meet the requirements within the overlay zone subject to the restrictions provided by this section.

(2) CLUSTER SUBDIVISION DEVELOPMENT STANDARDS AND INTENSITY

The number of housing units, which may be built in a cluster subdivision development, varies according to the amount of open space, as defined herein, which is to be preserved and additional amenities that are to be included.

The total number of building lots or dwelling units in a cluster subdivision development shall be calculated based on the total land area in the tract minus the required ~~fifty-thirty~~ percent open space and any proposed rights-of-ways. Fifty percent of the total area located within a federally designated Class A Flood Zones may be utilized when calculating required Open Space. In a Secondary Growth Area, lot frontage widths may be reduced to ninety feet.

PROJECT AREA	BASE DENSITY	MINIMUM OPEN SPACE REQUIRED
Secondary Growth Area	1 residence per 340,000 sq. ft.	350 %
Rural Growth Area	1 residence per 1.53 acres	350 %

Table 13: Cluster Subdivision Development Standards

(3) DENSITY BONUS

A developer may be granted density bonuses to increase the density within a cluster subdivision development. These bonuses may be granted within a cluster subdivision development only if the developer meets the required standards described below.

One additional residential lot may be given for each of the following:

- (a) Each additional five percent open space;



- (b) Preservation of County Designated Natural Heritage Site;
- (c) Five hundred feet of existing road frontage maintained as open space with a minimum depth of two hundred feet as measured from the road right-of-way;
- (d) Maintain forestation and natural thirty-five feet buffer along existing parcel lines; or
- (e) An approved forestry management plan for open space.

When granting density bonuses, lot sizes may be flexible with a minimum of 20,000 square feet in size within a *Secondary Growth Area* and a ~~one-acre~~ 40,000 square feet minimum within a *Rural Growth Area*. Density within cluster subdivision developments located in designated Watershed Balance or Water Quality Protected Areas shall not exceed mandated requirements.

(4) USES OR ACTIVITIES PERMITTED IN OPEN SPACE AREAS

- (a) Conservation of land in its natural state (e.g., woodland, fallow field, or managed meadow);
- (b) Agricultural uses including raising of crops or livestock;
- (c) Passive recreation including, but not limited to, trails, picnic areas, and community gardens;
- (d) Easements for drainage, access, sewer or water lines or other public purposes;
- (e) Stormwater management facilities for the proposed development or a larger area in compliance with a watershed management plan; or
- (f) Other uses consistent with open space preservation and as approved through the appropriate development approval process.

(5) USES OR ACTIVITIES PROHIBITED IN OPEN SPACE AREAS

- (a) Cutting of healthy trees; re-grading; topsoil removal; altering, diverting, or modifying watercourses or bodies except in compliance with a land management plan or watershed management plan for the property



conforming to the customary standards of forestry, erosion control or engineering; or

- (b) Private driveway connections within the open space area.

(6) OWNERSHIP AND MAINTENANCE OF OPEN SPACE

- (a) Ownership of open space may be handled through one or more of the following and shall be permanently restricted from future development through deed restrictions:

- (i) Homeowner's Association;
- (ii) Transfer to a private conservation organization; or
- (iii) Ownership retained by the developer.

- (b) Natural features shall be maintained in their natural condition but may be modified to improve their appearance, function, or overall condition. Permitted modifications may include, but are not limited to:

- (i) Reforestation;
- (ii) Woodland management;
- (iii) Meadow management;
- (iv) Buffer area landscaping;
- (v) Stream-bank protection; or
- (vi) Wetlands management.

In no event will a radical change in open space be permitted that would destroy what may have been an initial sales feature for surrounding homeowners, for example, the removal of all timber. The cost and responsibility of maintaining open space and any facilities located thereon shall be borne by the developer, property owner, and/or homeowners association as required by the private deed restrictions.

(7) SITING ON PUBLIC ROADWAYS AND ADJACENT RURAL ZONING DISTRICTS



Cluster neighborhoods shall be placed in such a way as to not be fully visible from the primary thoroughfare. Natural features, such as tree stands and slight rises in topography, shall be retained to allow a rural landscape to adjoin residential zoning districts and existing roads.

(8) DEVELOPMENT CONSIDERATIONS

- (a) Preserve scenic view and elements of Randolph County's rural character by minimizing perceived density by minimizing views of new development for the existing road by use of natural buffers and open space.
- (b) Preserve open land, including those areas that contain unique and sensitive features such as natural areas, streams, wetlands, and flood plains.
- (c) Minimize site disturbance and erosion through the retention of existing vegetation.
- (d) Encourage creativity in the design of residential subdivisions by allowing for greater flexibility and creativity in the design if the development is not greater than that normally allowed in the district.
- (e) Create compact neighborhoods accessible to open space amenities and with strong community identity.
- (f) Open space subdivision design shall be encouraged to maintain the special features that contribute to the rural character such as woodland preservation, preservation of scenic views, and farmland preservation.
- (g) New driveway connections shall be designed in a way to minimize new locations on existing public roads.
- (h) Site plans shall be submitted to reduce stormwater impact by designing new development in a manner that minimizes concentrated stormwater flows using a minimum vegetated buffer area.
- (i) The development shall be designed to limit disturbance in the following areas:
 - (i) Land with a floodway;



- (ii) Wetlands;
- (iii) Groundwater recharge areas; and
- (iv) Critical ecological areas.

C. CVO: CONVENTIONAL SUBDIVISION OVERLAY DISTRICT

The *Conventional Subdivision Overlay District* has been established to accommodate single-family residential subdivisions with four or more owner-occupied lots created for sale or building development. This district is predominantly residential and suburban where current water and sewer needs are met primarily by individual wells and septic systems. Some public infrastructure may be available in the future. Housing characteristics with the CVO district will be designated *Exclusive (CVOE)*, *Restricted (CVOR)*, or *Mixed (CVOM)*, in conformance with other major subdivision zoning districts.

The *Conventional Subdivision Overlay District* is designed for those areas of Randolph County where the requirement of such an Overlay District can help achieve the policies and objectives of the *Randolph County Growth Management Plan*. This district is specifically designed for *Primary Growth Areas* and *Secondary Growth Areas* as reflected in the *Randolph County Growth Management Plan*.

(1) PURPOSE AND USES PERMITTED

The *Conventional Subdivision Overlay District* shall be considered as an overlay district to the existing zoning districts. Uses permitted within the underlying district shall be permitted provided they meet the requirements within the overlay zone subject to the restrictions provided by this section.

(2) CONVENTIONAL SUBDIVISION STANDARDS

- (a) All standards as required by the land development regulations contained within this Ordinance.
- (b) Minimum lot sizes as specified by this Ordinance. Lot sizes may be increased as required by soils and other factors particular to the location.
- (c) Designed under the policies and guidelines outlined in the comprehensive land-use plan.
- (d) Subdivision layout and use of land will assure safe and convenient circulation patterns while minimizing the impacts on the established residential areas.