

April 2, 2024

1. Call to Order of the Randolph County Planning Board.

There was a meeting of the Randolph County Planning Board on April 2, 2024, at 6:30 pm in Meeting Room A, Randolph County Office Building, 725 McDowell Rd, Asheboro, NC. Chairman Pell called the meeting to order and welcomed those in attendance.

2. Roll call of the Board members. (Completed by staff)

The County Planning staff completed the roll call of the members of the Board as they arrived to the meeting. Reid Pell, Kemp Davis, Reggie Beeson, John Cable, Melinda Vaughan, Brandon Hedrick were present. Ken Austin was absent. County Planning Director Tonya Caddle and County Attorney Ben Morgan were also present, along with County Planning staff members Melissa Burkhart, David Harris, Cory Hartsoe, Kim Heinzer, Tim Mangum, and Eric Martin.

3. Consent Agenda:

- Approval of agenda for the April 2, 2024, Planning Board meeting.
- Approval of the minutes from the March 5, 2024, Planning Board meeting.

Hedrick asked if the Planning Board needed to adopt a resolution asking the North Carolina Department of Transportation (NCDOT) to investigate the speed limit issue as we discussed in the March Planning Board meeting. Caddle stated that there was nothing in the motion from the meeting about contacting NCDOT and asking them to check the speed limit. Caddle said that the Planning staff will reach out to NCDOT and let them know of the citizens concerns.

*On motion of Hedrick, seconded by Cable, the Board voted 6-0 to **approve** the Consent Agenda as presented.*

4. Conflict of Interest:

- Are there any Conflicts of Interest or *ex parte* communication that should be disclosed? *(If there is a Conflict of Interest, the Board must vote to allow the member with the Conflict of Interest to not participate in the hearing of the specific case where the Conflict of Interest has been identified.)*

There were no conflicts of interest identified by the Planning Board members.

5. Old Business.

There was no old business for the Planning Board meeting.

6. New Business.

SPECIAL USE PERMIT REQUEST #2024-00000575

The Randolph County Planning Board will hold a duly published and notified quasi-judicial hearing on the request by **STEPHEN THOMAS and MONICA GIBSON**, Troy, NC, and their request to obtain a Special Use Permit at 6220 Mt Lebanon Rd, Union Township, Tax ID #7625802059, 13.11 acres, RA - Residential Agricultural District. It is the desire of the applicant to obtain a Special Use Permit to specifically allow a second residence on the property for a family member as per the site plan.

Caddle presented the first case of the night to the Planning Board.

Pell opened the public hearing and staff called up Stephen Gibson and Monica Gibson, 6220 Mt Lebanon Rd, Troy, to address the Board. Morgan administered the oath to S. Gibson and M. Gibson.

Pell asked the Gibsons to give the Planning Board details of their request and plans for the property.

S. Gibson pointed to the orthophoto site plan and stated that the site plan as shown was accurate and that the family member was considering either building a site-built house or placing a modular home on the property.

Pell asked if there were any questions from the Planning Board.

Beeson asked if the new home would need a new drive or use a shared drive and M. Gibson stated that the family member would probably put in a new drive for their home.

Davis asked if the parcel would remain as one tract of land and Caddle said that the property would have to stay the same size and that the property owner has to live on the property for the Special Use Permit to be valid.

Pell asked if there were any other questions from the Planning Board. Hearing none, Pell closed the public hearing.

Davis said he did not see a reason to not grant this request.

*On the motion of Davis, seconded by Beeson, with a vote of 6-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

Caddle stated that the Special Use Permit request had been approved and the Planning staff would mail the Special Use Permit to the Gibsons.

REZONING REQUEST #2023-00003430

The Randolph County Planning Board will hold a duly published and notified legislative hearing on the request by **CLAYTON KINDLEY**, Trinity, NC, and their request to rezone 5.00-acres at 1508 Ross Wood Rd, Tabernacle Township, Tax ID #6792114129 and 6792017318, Secondary Growth Area, from *RA - Residential Agricultural District* to *CVOE-CD - Conventional Subdivision Overlay Exclusive - Conditional District*. The proposed Conditional Zoning District would specifically allow the recombination of property to make a five acre lots which would result in a fourth lot as per the site plan. Property Owner: Brenda A Kindley Life Estate

Caddle presented the second case of the night to the Planning Board.

Pell opened the public hearing and staff called up Clayton Kindley, 1660 Ross Wood Rd, Trinity, to address the Board and to describe his plans.

Kindley told the Planning Board that he wants to build a house and wants to be off Ross Wood Rd.

Pell asked if there were any questions from the Planning Board members.

Beeson asked about the location of the proposed house and Kindley said the house would be at the rear of the property, away from the creek.

Davis asked if Kindley was going to use the established drive and Kindley responded that he is planning on using the existing drive and will extend it to his house.

Pell asked if there were any other questions from the Planning Board. Hearing none, Pell closed the public hearing.

Vaughan said that this is a nice neighborhood and thought it would add to the community by having a new site-built house.

*On the motion of Vaughan, seconded by Cable, with a vote of 6-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

Caddle stated that the Planning Board had approved the rezoning request but there is a fifteen-day waiting period for a possible appeal of the approval. Once the fifteen-day appeal period has ended and no appeals have been filed, Planning staff would mail the Conditional District Permit to Kindley.

REZONING REQUEST #2024-00000474

The Randolph County Planning Board will hold a duly published and notified

legislative hearing on the request by **J-MAC PROPERTIES, LLC**, Asheboro, NC, and their request to rezone 84.20-acres on Crestview Church Rd, Cedar Grove Township, Tax ID #7659858407, 7659842547 and 7659738846, Primary Growth Area, from *RM - Residential Mixed District* and *RR – Residential Restricted District* to *RM-CD - Residential Mixed - Conditional District*. The proposed Conditional Zoning District would specifically allow a campground as per the site plan.

Caddle presented the last case of the night to the Planning Board.

Pell opened the public hearing and staff called up Zach Gardner, P O Box 3048, Asheboro, to address the Board.

Gardner stated that he is the engineer for the project, and he has worked with the developers on this plan. Gardner stated that the site plan shows 261 camping sites for recreational vehicles (RV) and 15 cabin sites. Gardner stated that the cabins would be approximately 900 square feet in size. Gardner stated that the park would have a clubhouse with no food service and there would also be a swimming pool for the use of the tenants. Gardner stated that after working with NCDOT on the roads in the area, the developers have decided to have one main entrance for tenants on Crestview Church Rd and another entrance on the south of the property for maintenance vehicles only and that they would be required to install turn lanes on Crestview Church Rd to safely access the property.

Davis asked about the methods of ingress and egress and Gardner explained the plans of having one entrance for tenants and one entrance for maintenance purposes.

Cable asked if the roads in the project would be asphalt or concrete and Gardner stated that the roads would be mostly gravel with some asphalt roads around the clubhouse. Gardner stated that the camp sites will have gravel pads but there could also be concrete pads for the placement of RVs so they can be level on the site.

Beeson asked about the buffer as shown on the site plan being a Level III buffer using existing trees and vegetation. Gardner said that County Planning Staff would check the site to make sure that the buffers are correct and if more plantings are needed, the developer will do additional planting but they feel that the current trees and vegetation will be sufficient.

Cable asked if the park would be built out at once or in stages and Gardner stated that it would be developed in stages and they are hoping to start the project in six months.

Cable asked about the number of sites that will be developed in the first phase and Gardner said that approximately twenty-five percent of the project will be developed

in the first stage.

Gardner stated that due to various construction sites in the area, many of the tenants would be construction workers who could bring their RV to the site, set it up, and have a place more comfortable than having to live in a hotel or motel.

Pell asked about the water and sewer service and Gardner stated that they will be tying into Seagrove-Ulah Metropolitan Water District water lines and using the City of Asheboro for sewer services.

Beeson asked if there would be any time limits as to how long tenants could stay on the site and Gardner stated that the *Randolph County Unified Development Ordinance* (UDO) states that campsites have to be rented by the day and that there is no limit to the number of days but the developer does not anticipate anyone living in the park permanently.

Beeson said that he is concerned that some of this site could be used as permanent residences.

Cable reminded the Planning Board that many of the workers on the Toyota megasite have been working on the site for at least two years.

Hedrick asked about the cabins and if they would be constructed according to the North Carolina State Building Code and Gardner said that the cabins would be mobile units that can be moved around the site but the units will not be moved. Gardner said that the buildings will be on a frame and chassis but they still meet the requirements of a RV.

Caddle stated that the mobile units will not have to meet the residential building code.

Davis asked if there were any plans for an entertainment venue on the site and Gardner said that there were no plans for an entertainment venue and that the facility would have "quiet time" beginning at 8:00 pm and that the "quiet time" would not allow any loud music or anything that could disturb the tenants or adjoining residents.

Davis stated that there is another campground near this site and asked if the proposed camp would be similar and Gardner said it would use a similar concept with a swimming pool and a community building.

Pell asked if there were any other questions from the Planning Board.

Jeremy McNeill, 1213 S Cox St, Asheboro, addressed the Planning Board and stated that he is the current property owner and the site will be similar to Jellystone Campground.

Hedrick asked if the cabins are approved by the United States Department of Housing and Urban Development (HUD), and Taylor Callicutt, 206 Telephone Ave, Asheboro, said that the cabins are built to HUD standards and are HUD-approved.

Cable asked about the build-out plan for the project and Callicutt showed the phases as they are currently planned and he stated that the first phase will start with approximately twenty-five percent of the site being completed and that they planned to stop the first phase when they got to the stream that ran through the property.

Cable asked if the main drive would be on Oakhurst Rd and Callicutt said that the main drive would be on Crestview Church Rd and he showed the entrance on the site plan that was being displayed.

Callicutt stated that the project was designed so there would be no dead-end roads and everything would loop through the site to make it easy for tenants and emergency responders to navigate the site. There was discussion that the pond on the site could also be used as a water point in case of an emergency. Callicutt stated that the office and check-in area will be the first area completed along with the maintenance entrance.

Beeson asked if concrete pads would be poured for the RV sites and McNeill stated that most of the sites will have concrete pads for the RV and Callicutt said that the pads would be large enough for a RV or camper as it would allow the tenants to be able to sit outside and enjoy nature. Callicutt said that the pads would probably be around twelve feet wide and forty-five feet long but that this is his best guess at this time.

Vaughan asked if the site would contain fencing or gates so the site would have controlled access and Callicutt stated that all entrances will be gated and they are not planning to fence the entire property unless it's required by the Planning Board since the trees and brush currently on the site is very thick and will do a lot to control noise and light pollution.

Davis expressed concerns about the liability faced by the developers with tenants possibly wandering on to the adjoining commercial property. Callicutt stated that a fence would slow the tenants down but due to the amount of foliage currently present, the tenants would probably not be able to get through the vegetation.

Pell asked if the adjoining commercial properties were fenced and Callicutt stated that a majority of the adjoining commercial properties are fenced and they do not see a reason to put up fencing on their site when the adjacent property is also fenced.

Cable asked if the developers plan to keep as much of the existing vegetation as possible and Callicutt stated that they intend to retain as much vegetation as possible.

McNeill stated that they chose this site for the proposed development due to its proximity to the new Asheboro Sports Complex and that they had also looked at building a new hotel on US Hwy 64 in Asheboro but decided to pursue the campground option as there is a very high demand for this type of operation in the County.

Hedrick asked the developers if they had considered other housing options for the site since it has access to public water and sewer. McNeill stated that the topography of the site has multiple extremes and due to this issue, they feel that the highest and best use for the property is as an RV park. Callicutt described the property as "gently rolling" and the topography would not lend itself to be cleared for home sites and that the topography would allow the campsites to be larger.

Cable asked if there would be hydrants placed within the proposed park and Callicutt stated that in conversations with the water provider, there are concerns there might not be enough capacity at times in case of an emergency. Callicutt stated that they had discussed this issue with the Ulah Volunteer Fire Department and they are not concerned about water supply issues and this site is close to the proposed site for a new fire department for the City of Asheboro.

Caddle stated that the Fire Marshal did ask about hydrants on the site but he understood that water pressure at the site could be a problem.

Pell asked if there were any other questions from the Board members.

Beeson asked the developers if they anticipate building all 261 sites and they replied that the site plan shows the best-case scenario and it will take them years to completely build out the site if it ever gets completely built out and they need a certain density on the site for it to be financially feasible.

Pell asked if there were any other questions. Hearing none, Pell closed the public hearing.

Beeson said he thought that the plan was well developed with a lot of details and that the topography limits the amount and type of development on the site.

Davis said that the proximity to the North Carolina Zoological Park along with the number of people who like to stay at parks like this, there is a need and this is a well-planned proposal.

Cable stated that the developers are taking a rough piece of property and finding a niche and taking a chance on developing the property. Cable said that he felt that the Board would see an increase in this type of use and this could be a good project for this area.

*On the motion of Cable, seconded by Beeson, with a vote of 5-1, Hedrick voting no, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

Caddle stated that the Planning Board had approved the rezoning request but there is a fifteen-day waiting period for a possible appeal of the approval. Once the fifteen-day appeal period has ended and no appeals have been filed, Planning staff would mail the Conditional District Permit to J-MAC Properties, LLC.

7. Updates from the Planning Director.

- *Proposed Rules of Procedure for the Randolph County Planning Board.*

Caddle presented the proposed *Rules of Procedure for the Randolph County Planning Board*.

Hedrick asked if the Board needed different standards depending on the case being legislative or quasi-judicial.

Cable said his issue with some of the meetings is when information gets repetitive and Pell stated that he asks if anyone has anything new to say and the citizens will come up to address the Board, and they will repeat what has already been said, and he wants to avoid getting into a lawsuit over limiting citizens.

Caddle stated that the rules are about allowing the Board to be more deliberate in using their time and trying to find a good balance. Caddle stated that having citizens sign up before the meeting also allows the staff time to determine if the speaker has standing for quasi-judicial hearings and prevents people from addressing the Board who should not be speaking based on court cases.

Hedrick asked about the cut-off for citizen comments in the *Randolph County Unified Development Ordinance* and Caddle stated that written comments must be received at least forty-eight hours before the meeting and those comments are sent to the Planning Board if they are received before the forty-eight-hour window closes, the comments are sent to the board.

Cable stated that he likes the rules and it follows the directions that the Board of Commissioners use and that Morgan manages the time for the Board of Commissioners. Cable said that the Board should use discretion to allow people to finish their statements before cutting the citizen off mid-sentence. Cable concluded by saying that the Planning Board tried to do everything to be fair and ethical but citizens can get passionate in the cases.

Pell stated that he tries to give everyone a chance to speak but sometimes citizens get off the topic and he feels that he needs to stop the comments and refer the issues to Code Enforcement.

Beeson asked if there were any provisions for organized groups such as sharing time and that there needs to be some flexibility in the rules.

The members agreed that having citizens sign in to speak before the meeting did seem to make the meeting run smoother and make an efficient use of the time.

Cable said again that he likes the proposal and it is about common courtesy for everyone-applicants, citizens, Board members, and staff.

Pell said that sometimes it is easy for citizens and the Board to lose their train of thought and get off the subject before the Board.

Caddle said that in some meetings, a lot of the time is not productive.

Beeson stated that he felt the Board should go ahead and adopt the proposed rules.

Pell asked if the Board should allow more time for the citizens to speak and Cable and Beeson both said they thought three minutes should be enough to say what needs to be said about a case.

Morgan said that the sign-in sheet will be helpful in the future as it would allow the Board to know how much time it will take for various cases to be considered.

Caddle told the Planning Board that if people call the Planning office, they are told that if they have a group of people coming to the meeting to select one or two people to speak and the Board will allow them to ask people to raise their hand in support or opposition to the request.

On the motion of Cable, seconded by Beeson, the Board voted 6-0 to accept the Randolph County Planning Board Rules of Procedure and for the rules to be effective at the next Planning Board meeting.

- Proposed changes to the *Randolph County Unified Development Ordinance* as it pertains to the *HC - Highway Commercial* zoning district.

The Planning Board turned to the proposed changes to the *Randolph County Unified Development Ordinance* as it pertains to the *HC - Highway Commercial* zoning district.

Caddle gave a brief overview as was included in the agenda packet.

Davis asked how the proposed amendments impact requests for straight rezonings and Caddle said that staff hoped to make the list of allowed uses smaller. Davis said that the proposed amendments will not make the process easier and he would rather see categories created that would have specific uses allowed in zone A, allowed uses in zone B, etc., and let the applicant choose from the various options. Caddle stated that the staff discussed multiple options and researched various options being used all over

the State but that staff could take it back and do more work. Davis stated that he would like to make the process easier for applicants and easier for the Planning Board. Caddle said that staff desired to get away from the list of eighty-five uses that are currently allowed by right in the *HC - Highway Commercial District* and to use the Growth Management Areas from the *Randolph County Growth Management Plan* and its objectives and policies to direct uses more appropriate to the established growth areas.

Beeson said that he was concerned that some operations would be allowed in the *Secondary Growth Area* or the *Rural Growth Area* but not being allowed in the *Primary Growth Area*.

Cable said that he agreed with Davis and would like to see the uses categorized.

Pell suggested giving the staff time to work on these changes and see what can be accomplished.

Beeson stated that he wanted to get these updates done and done correctly before the Board gets more straight rezoning requests.

Hedrick talked about a couple of the uses being allowed by right in certain districts but requiring a Special Use Permit in other areas and Caddle replied that part of the decisions made by staff was due to information in the North Carolina State Building Code which was used as a reference to try to categorize uses.

The Board discussed the uses between public uses and for-profit uses and it was their opinion that either is still a business whether there money is made from the operation or not.

Pell stated that at the recent Board of Commissioners meeting, a Commissioner talked about buffers and the need to look at those requirements. Pell asked Vaughan and Beeson to work on some suggestions for the Planning Board to consider but he wanted them to consider the use of shrubs, canopy trees, and other ways to improve buffers and landscaping. Vaughan and Beeson both said that they would be willing to work on suggestions for the Planning Board.

Hedrick stated that he felt that the proposed amendments do help as they try to incorporate input that was received during the *Growth Management Plan* updated process last year.

Caddle stated that staff can take these comments and do more research to find methods to accomplish the goals of the Planning Board.

- Training on CivicClerk Board Portal

The County Planning Staff presented a brief training session to the Planning Board on

the new Board Portal that was purchased by the County as part of the agenda and minutes management software.

After the Board Portal training, Hedrick asked if the *Randolph County Planning Board Rules of Procedure* should be amended to allow the Chair to grant more time to speakers at the Planning Board meetings at his discretion. After discussion, the Planning Board agreed to allow the Chair to grant more time to the speaker at his discretion.

On the motion of Cable, seconded by Hedrick, the Board votes 6-0 to amend the Randolph County Planning Board Rules of Procedure to allow the Chair to grant more time to speakers at the Planning Board meeting at his discretion.

After the training, Caddle mentioned that the Planning Board meeting in May needed to be moved. The County Planning Staff suggested moving the meeting back one week to Tuesday, May 14, 2024. Several Planning Board members had scheduling conflicts for that day.

*On the motion of Hedrick, seconded by Beeson, the Board voted 6-0 to **approve** moving the Planning Board meeting **from May 7, 2024, to Thursday, May 16, 2024**, at 6:30 pm in Meeting Room A, Randolph County Office Building, 725 McDowell Rd, Asheboro, NC.*

8. Adjournment.

At 8:15 pm on motion of Beeson, seconded by Hedrick, the Board voted 6-0 to adjourn. There were eighteen citizens present for the meeting.

Chairman

Clerk to the Planning Board

**Approved by Randolph County Planning Board
May 16, 2024**