



## Rowan County Planning and Development Department

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### MEMORANDUM

TO: Chairman Jones and Rowan County Planning Board  
FROM: Franklin Gover, Planner  
DATE: February 10, 2016  
RE: **Z 03-16**

#### **SUGGESTED PLANNING BOARD ACTION**

1. Receive staff report
2. Petitioner comments
3. Conduct courtesy hearing
4. Close hearing and discuss
5. Develop statements
6. Recommend Approval / Denial / Table **Z 03-16**

#### **REQUEST**

James Carter is requesting, on behalf of Ver Len Acres, LLC., that the zoning districts affecting Rowan County tax parcels 423 302 and 423 304, located at 7000 block of Old Concord Road, be realigned to reflect recent changes in parcel configuration. Currently these parcels are affected by multiple zoning districts, including Rural Agricultural, Manufactured Home Park, and Commercial, Business, Industrial. (See attachment 3)

#### **ZONING CRITERIA**

#### **1. Relationship and conformity with any plans and policies.**

Plans - According to the Eastern Rowan Land Use Plan, this property is located within Area Two, and along a recognized thoroughfare, Old Concord Road. The land use plan recommends a mixture of commercial and residential development and recognizes instances of existing rural commercial uses along thoroughfares.

Note: This parcel is not located within a watershed area.

Policies – N/A

## **2. Consistency with the requested zoning district’s purpose and intent.**

***Rural Agricultural, RA.*** This district is developed to provide for a minimum level of land use regulations appropriate for outlying areas of the county. These outlying areas typically consist of rural single-family housing, larger tracts of land used for agriculture or in fields and forest land, with some nonresidential uses intermingled. Multifamily uses are discouraged in this district. This district would provide for protection from the most intensive land uses while containing provisions for a variety of less intensive land uses. It is the intent of this district to rely upon development standards to protect residences from potential adverse impacts of allowed nonresidential uses. The most intensive land uses would not be allowed in this district.

***Commercial, Business, Industrial, CBI.*** This zone allows for a wide range of commercial, business and light industrial activities which provide goods and services. This district is typically for more densely developed suburban areas, major transportation corridors, and major cross-roads communities. However this district may also exist or be created in an area other than listed in this subsection if the existing or proposed development is compatible with the surrounding area and the overall public good is served.

***Manufactured Home Park, MHP.*** This district is established in order to provide for the proper location and planning of manufactured home parks, excluding family manufactured home parks. Special requirements shall be applied to these parks which shall specify improvements to the park to ensure the public health, safety and welfare of the park inhabitants as well as the surrounding area. Designation of an area as being in the MHP district provides design and appearance criteria which are more appropriate for rental manufactured housing and/or spaces, including vinyl or similar skirting, clustering of units and reduced road construction standards.

Currently multiple zoning districts exist on these and neighboring parcels including *Rural Agricultural (RA)*, *Manufactured Home Park (MHP)*, and *Commercial, Business, and Industrial (CBI)*. This request will “clean up” the zoning districts, ensuring the zoning district align with compatible parcels.

Parcel 423 302 includes Ver Len Acres Manufactured Home Park, an existing park with 14 spaces. The existing MHP zoning district will be expanded to meet the 6 acre minimum required lot size and density requirements. The same MHP District will be removed from Tax Parcel 423 043, expanding the existing RA district. The existing uses are compatible with the respective zoning changes.

Planning Board may recommend rezoning parcels 423 303, and 423 248. Parcels 303 and 304 currently have multiple zoning districts, these parcels are most compatible with the CBI zoning district.

Similar to Z 01-16 on Bradshaw Road, the Planning Board may consider rezoning the neighboring property. Staff recommends including Tax Parcel 423 248. This parcel is mostly RA with a small amount of CBI, the CBI zoning should be removed from this parcel. Staff will reach out to the property owner in an attempt to have them join the request. Per the Rowan County Zoning Ordinance, Section 21-362 (d), the rezoning of property may be the Planning Board.

### **3. Compatibility of all uses within the proposed district classification with other properties and conditions in the vicinity.**

#### Compatibility of uses –

The requested rezoning will align zoning districts with compatible parcels based on existing development. (See attachment 2)

#### Conditions in the vicinity (see map) –

The rezoning area includes an existing manufactured home park, single family residences, and commercial uses fronting Old Concord Road. The surrounding area is largely single family residences, and manufactured homes on individual lots.

### **4. Potential impact on facilities such as roads, utilities and schools.**

Roads – Traffic count information provided by NCDOT’s Comprehensive Transportation Plan (CTP) estimates a carrying capacity of 11,400 average vehicles per day. The most recent traffic count estimates from 2012 tallied 4800 average daily trips along Old Concord Road, .2 miles north of NC 152, under the estimated capacity. Realigning the zoning districts will not expanded allowable uses and should not result in increased traffic.

Utilities – Uses on this site will utilize private water and sewer, subject to verification from the Rowan County Environmental Health Office.

Schools – N/A

## **PROCEDURES**

Staff recommends that the Planning Board develop a statement of reasonableness before approving or denying this request to address any claims of spot zoning. This statement should provide the basis for the board's decision and determine whether the request is reasonable and in the public interest. A statement of consistency is also necessary to address the relationship between this request and any applicable county adopted plans prior to making a decision to approve or deny the request. (See attachment 4. statement form)

## **STAFF COMMENTS**

1. The requested changes to the MHP zoning district will reduce nonconformities by meeting the 6 acre minimum required lot size and density requirements.
2. MHP District will be removed from Tax Parcel 423 043, expanding the existing RA district.
3. Parcels 423 303 and 304 are most compatible with the CBI district
4. This request will realign existing zoning districts and will reduce nonconformities.

## **ACTION OF THE PLANNING BOARD**

1. Motion to adopt a statement of consistency
2. Motion to adopt a statement of reasonableness
3. Motion to recommend approval or denial of the request to rezone Tax Parcels 423 302 and 423 304 including (not including) Tax Parcels 423 043, 303, and 248

## **Attachments**

1. Application
2. Existing Zoning Map
3. Proposed Zoning Map
4. Statements Form