



**NASH COUNTY PLANNING BOARD MEETING
FREDERICK B. COOPER COMMISSIONERS ROOM
CLAUDE MAYO, JR. ADMINISTRATION BUILDING - THIRD FLOOR
120 WEST WASHINGTON STREET
NASHVILLE, NC 27856**

MONDAY, JULY 20, 2020 - 6:30 P.M.

MEETING AGENDA

- 1. Call to Order.**
- 2. Determination of a Quorum.**
- 3. Introduction of New Planning Board Member – Kimberly D. Moore.**
- 4. Election of Board Officers (Chairman & Vice-Chairman) for 2020-2021.**
- 5. Approval of the Minutes of the June 15, 2020 Regular Meeting.**
- 6. Conditional Use Rezoning Request CU-200701 & Major Subdivision Sketch Plan with Subdivision Waiver Request for the Williams Grove Subdivision.**
Made by the C. T. Williams Corporation, the property owner, to rezone an approximately 68.88 acre tract of land located on the north side of Stoney Hill Church Road, Bailey, NC 27807 from R-40 (Single-Family Residential) to RA-30-CU (Single-Family Residential Conditional Use) for the development of the Williams Grove Subdivision.
- 7. Major Subdivision Final Plat with Subdivision Waiver Request for the North Halifax Acres Subdivision, Section 1.**
Made by Stocks Engineering, P.A. on behalf of the property owner, Berry R. Brown, and the developer, Timothy Matthews, to request a waiver of the additional lot width required along high traffic roads subject to the establishment of shared driveway access easements for the development of eleven (11) new residential lots totaling 23.606 acres located on the west side of N Halifax Road, Battleboro, NC 27809.
- 8. Request to Reapprove the Expired Sketch Plan for the River Stone Subdivision.**
Made by Herring-Sutton & Associates, P.A. on behalf of the property owner and developer, Williams Builders of Rocky Mount LLC, for the development of twelve (12) new residential lots and a new fifty (50) foot wide public road right-of-way on a 7.21 acre tract of land located on the east side of S NC Highway 58 in the RC (Rural Commercial) Zoning District.

9. Other Business.

Update on Board of Commissioners Planning Actions Taken on July 6, 2020:

Subdivision Waiver Request for the Major Subdivision Final Plat for Linda Foster Rich, S. J. Bartholemew Tract, Phase II made to develop four (4) new residential lots with two (2) shared driveway access easements on N NC Highway 58, Castalia, NC 27816 was **APPROVED.**

10. Adjournment.

**MINUTES OF THE
NASH COUNTY PLANNING BOARD MEETING
HELD MONDAY, JUNE 15, 2020 AT 6:30 P.M.
VIA CONFERENCE CALL DUE TO COVID-19**

BOARD MEMBERS PRESENT

Leonard Breedlove, Chairman
Jeffrey Tobias, Vice-Chairman
Moses Brown, Jr.
Jimmy Glover
Barbara Pulley
Kevin Smith

BOARD MEMBERS ABSENT

Sandra Edwards
DeLeon Parker, Jr.
Chris Sandifer

STAFF MEMBERS PRESENT

Adam Tyson, Planning Director
Adam Culpepper, Senior Planner

OTHERS PRESENT

None

1. Call to Order.

Chairman Breedlove called the meeting to order at 6:30 p.m., which was held via conference call instead of in person due to the COVID-19 pandemic and the fact that the one agenda item to be considered did not require public input.

2. Determination of a Quorum.

Chairman Breedlove recognized the presence of a quorum.

3. Approval of the Minutes of the May 18, 2020 Regular Meeting.

The minutes of the May 18, 2020 regular meeting were sent to each member of the Board for review. Chairman Breedlove asked for any revisions or corrections. None were offered.

BOARD ACTION: Mr. Glover offered a motion, which was duly seconded by Ms. Pulley, to approve the minutes of the May 18, 2020 regular meeting as submitted. The motion was unanimously carried.

4. Subdivision Waiver Request made by Stone Auction & Realty in relation to the Major Subdivision Final Plat for Linda Foster Rich, S. J. Bartholemew Tract, Phase II to request a waiver of the additional lot width required along high traffic roads by UDO Article X, Section 10-7, Subsection 10-7.2 (F) subject to the establishment of shared driveway access easements.

Mr. Tyson presented the staff report and supplemental materials related to the subdivision waiver request for the Major Subdivision Final Plat for Linda Foster Rich, S. J. Bartholemew Tract, Phase II as submitted to the Board in the June 15, 2020 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the subdivision waiver request on May 29, 2020 and recommended approval based on its determinations that the requested waiver will result in equal or better performance in the furtherance of the purposes of the ordinance and that the proposed subdivision design is otherwise consistent with the applicable standards of the UDO.

Mr. Tyson noted that Board member DeLeon Parker, Jr. had chosen to recuse himself from the decision on this agenda item due to the fact that his law office was currently handling the property closings for one or more of the subject subdivision lots.

Chairman Breedlove stated that he was familiar with the subject area due to some recent appraisal work that he had performed along Simmons Road. He noted that, in his opinion, the two proposed shared driveway access easements should be adequate to address the traffic concerns.

Mr. Glover asked how the developer was demonstrating a physical hardship in relation to the request.

Mr. Tyson replied that the developer was only required to meet one of the three circumstances established by the Ordinance in order to be eligible for a subdivision waiver and that, in this particular case, the developer was citing the "equal or better performance" circumstance.

Mr. Glover asked why the consideration of a subdivision waiver request did not require public input or notice to be provided to the adjacent and surrounding property owners.

Mr. Tyson answered that the Ordinance does not typically require public notice or input for the application of subdivision regulations as it does for rezoning, conditional use permit, or text amendment requests.

BOARD ACTION: Mr. Smith offered a motion, which was duly seconded by Mr. Brown, to recommend approval of the subdivision waiver request related to the Major Subdivision Final Plat for Linda Foster Rich, S. J. Bartholemew Tract, Phase II for consideration by the Nash County Board of Commissioners. The motion was unanimously carried.

5. Other Business.

Update on Board of Commissioners Planning Actions Taken on June 1, 2020:

Mr. Tyson provided an update to the Board on the planning actions taken by the Nash County Board of Commissioners at their June 1, 2020 regular meeting, including:

The unanimous approval of Conditional Use Permit CU-200101 Amendment Request made to authorize the expansion of the previously approved East Nash PV1 solar farm to include the approximately 33.6 acre East Nash PV3 solar farm to be located at 1050 Bass Rd, Nashville, NC 27856;

The denial (with a split vote of 5 to 2) of the General Rezoning Request Z-200501 to rezone approximately 81 acres located on both sides of Stoney Hill Church Road, both sides of Chapman Road, and the east side of Juniper Road from R-40 & RA-30 to RA-20; and

The unanimous denial of General Rezoning Request Z-200502 to rezone approximately 66 acres located on both sides of Jordan Road from R-20 & R-20-CU to R-10.

Mr. Tobias asked for what reason did the Board of Commissioners deny General Rezoning Request Z-200501 along Stoney Hill Church Road.

Mr. Tyson answered that it was his interpretation that several members of the Board would prefer to see the developer complete the subdivision of the tract of land previously rezoned to RA-30 first through the construction of an interior road before further expanding the rezoned area.

Mr. Tobias asked whether the Planning Board could recommend a conditional approval of the requested rezoning which would specify that the interior road must be constructed first prior to the development of any other additional areas.

Mr. Tyson replied that the applicant would first need to submit a conditional use rezoning request instead of a general rezoning request in order for the Board to be able to recommend the attachment of any approval conditions. He also recommended that the Board consult with the County Attorney before suggesting a condition that would establish a specific order in which the subject property must be developed.

Mr. Smith asked which two Commissioners voted in favor of General Rezoning Request Z-200501 along Stoney Hill Church Road.

Mr. Tyson replied that Board Chairman Robbie Davis and Commissioner Fred Belfield, Jr. had voted in favor of the rezoning request.

Mr. Tobias asked for what reason did the Board of Commissioners deny General Rezoning Request Z-200502 along Jordan Road.

Mr. Tyson answered that it was his interpretation that some members of the Board considered the increased residential density allowed by the requested R-10 (High Density Residential) Zoning District to be incompatible with the surrounding area, while other members of the Board were opposed to some of the permitted land uses that the subject property could potentially be developed for under the requested R-10 Zoning District, especially multi-family dwellings and/or townhouses.

Planning Board Member Changes:

Mr. Tyson also reported that on June 1, 2020 the Nash County Board of Commissioners voted to reappoint Mr. Kevin Smith to a third three-year term and Ms. Barbara Pulley to a second three-year term on the Nash County Planning Board with both terms scheduled to expire on June 30, 2023. He noted that although Ms. Sandra Edwards was also eligible for reappointment, she had declined to serve a third term on the Board and her current term would expire on June 30, 2020.

Mr. Tyson shared the following statement with the Board from Ms. Edwards at her request:

“Dear Planning Board Members and Nash County Planning Staff. Thank you for the opportunity to serve with you as a board member for two consecutive terms. It has been an honor and a privilege to serve with people that genuinely care about the growth, integrity, and general well-being of each neighborhood, community, township, and city that defines Nash County. I pray for each of you and for the continued success of Nash County. Sincerely, Sandra Whitaker Edwards.”

Mr. Tyson reported that on June 1, 2020 the Nash County Board of Commissioners also voted to appoint Ms. Kimberly D. Moore as a replacement Board member for Ms. Edwards. He noted that her first three-year term would begin on July 1, 2020 and expire on June 30, 2023. He stated that Ms. Moore is a resident of West Hilliardston Road northwest of the Town of Red Oak and is currently employed with the North Carolina Department of Transportation as the Division Utilities Engineer for Highway Division 4 that includes Edgecombe, Halifax, Johnston, Nash, Wayne, and Wilson Counties.

Next Meeting:

Mr. Tyson reminded the Board that they would be asked to elect Board officers (Chairman & Vice-Chairman) to serve for the upcoming 2020-2021 year at the next regular meeting.

6. Adjournment.

There being no further business, Chairman Breedlove adjourned the meeting at 6:59 p.m.

NASH COUNTY PLANNING BOARD
CONDITIONAL USE REZONING REQUEST &
MAJOR SUBDIVISION SKETCH PLAN WITH SUBDIVISION WAIVER REQUEST
STAFF REPORT

File Number:	CU-200701 (Conditional Use Rezoning Request)
Type of Plat:	Major Subdivision Sketch Plan with Subdivision Waiver Request
Subdivision Name:	Williams Grove Subdivision
Applicant / Property Owner:	C. T. Williams Corporation (Cecil T. Williams, Jr.)
Engineer:	Joyner Keeny, PLLC (Nicholas S. Rightmyer, PE)
Location:	North Side of Stoney Hill Church Road, Bailey, NC 27807
Tax ID #:	PIN # 277500819743 / PARID # 001342
Area to be Rezoned:	Approximately 68.88 Acres
Current Zoning District:	R-40 (Single-Family Residential)
Proposed Zoning District:	RA-30-CU (Single-Family Residential Conditional Use)
Proposed Land Use:	Residential Subdivision
LDP Classification:	Suburban Growth Area
Number of Lots:	78 New Residential Lots
Road Improvements:	Two New 50-Foot Wide Public Road Rights-of-Way
Water Supply:	Nash County Public Water System
Wastewater Disposal:	Individual Private Onsite Septic Systems
Waiver Justification:	Shared Driveway Access Easements
Notice of Public Meeting:	Mailed to Property Owners within 600 Feet on July 8, 2020

Description of the Subject Property:

The subject property is an approximately 68.88 acre tract of land owned by the C. T. Williams Corporation and located on the north side of Stoney Hill Church Road in the R-40 (Single-Family Residential) Zoning District.

The property is located northeast of the Town of Bailey in the area known as the Green Pond Community and is across Stoney Hill Church Road from the recently developed Phases I & II of the Williams Ridge Subdivision, which includes twenty (20) new residential lots.

The site is mostly undeveloped and has previously been used for agricultural crop production with the exception of one existing residential dwelling located at 3326 Stoney Hill Church Road.

The property is located within the Neuse River Basin and it is not located within a regulated floodplain, although the northern and eastern portions are impacted by Reedy Branch and its associated 50-foot wide riparian stream buffer. The site is also located in the WS-III-BW Watershed Protection Overlay District, meaning that no lots intended for single-family residential use may be subdivided with less than 20,000 square feet of area for water quality protection purposes, regardless of the zoning classification.

Description of the Rezoning Request:

The property owner has submitted Conditional Use Rezoning Request CU-200701 in order to rezone the subject property from R-40 (Single-Family Residential) to RA-30-CU (Single-Family Residential Conditional Use), specifically for the development of the Williams Grove Subdivision.

The RA-30 (Single-Family Residential) Zoning District is “*primarily intended to accommodate low density single-family detached dwellings on large lots*” (UDO Article IX, Section 9-1, Subsection 9-1.2 C.)

Approval of the requested rezoning would have five substantial impacts on the subject property:

- (1) The permitted residential density would increase by reducing the required minimum lot area from 40,000 square feet per lot to 30,000 square feet per lot, allowing for the potential development of up to 33% (or 1/3) more lots.**
- (2) The following nine land uses, which are permitted for development under some circumstances in the current R-40 Zoning District, would no longer be permitted for development under the proposed RA-30 Zoning District: double-wide (Class A) manufactured homes, rural family occupations, nursing and convalescent homes, solar farms, non-hazardous solid waste disposal collection sites, utility field offices, water treatment plants, horse shows, and/or turkey shoots. (See the included excerpt from UDO Article IX, Table 9-3-1.)**
- (3) The subject property may only be developed in accordance with the proposed site plan, which in this case would be the Major Subdivision Sketch Plan for the Williams Grove Subdivision.**
- (4) The subject property would no longer be eligible to be subdivided using the cluster development option because that option is not utilized on the proposed site plan.**
- (5) Due to the “conditional” nature of this rezoning, reasonable site-specific conditions addressing the development’s compatibility with the surrounding properties and its**

compliance with the applicable Ordinance requirements may be attached to the approval of the request with the consent of the applicant.

Review of Recent Rezoning Actions:

On December 2, 2019 the Board of Commissioners **DENIED** a request to rezone this tract (along with three additional tracts) to a general RA-30 (Single-Family Residential) Zoning District, due to the Board's determination that the request was premature at that time until the Williams Ridge Subdivision located across Stoney Hill Church Road was further developed in order to demonstrate the compatibility of that recently created RA-30 Zoning District with the surrounding area (**Case File #Z-191101.**)

On June 1, 2020 the Board of Commissioners **DENIED** a request to rezone this tract (along with two additional tracts) to a general RA-20 (Medium Density Residential) Zoning District, due to the Board's determination that the request would be unreasonable "spot zoning," finding that the reduced minimum lot area (20,000 square feet per lot) permitted by the requested RA-20 Zoning District would allow residential development that would be too dense to be compatible with the predominantly rural and low-density development conditions of the surrounding area (**Case File #Z-200501.**)

Land Development Plan Consistency:

Conditional Use Rezoning Request CU-200701 is consistent with the recommendations of the Nash County Land Development Plan (LDP) because:

- (1) The LDP designates the subject property as Suburban Growth Area.
- (2) The LDP supports the rezoning of property located within the Suburban Growth Area to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.
- (3) The subject property has access to Nash County public water service via an existing four-inch (4") waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.
- (4) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.

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

Spot Zoning Analysis:

Conditional Use Rezoning Request CU-200701 is not “spot zoning” because:

- (1) The request is an expansion of the adjacent, existing approximately 24 acre RA-30 Zoning District previously established on the south side of Stoney Hill Church Road between Juniper Road and Chapman Road for the development of the Williams Ridge Subdivision.
- (2) The large size of the subject property (approximately 68.88 acres) demonstrates that approval of the request will establish a new zoning district within which multiple residential lots may be subdivided, rather than creating a single, small, isolated area.
- (3) The subject property has unique access to existing public water service and its soil conditions are favorable for the installation of on-site septic systems.
- (4) The request is consistent with the recommendations of the Nash County Land Development Plan as established above.
- (5) The subject property already is and will continue to be zoned for residential use.
- (6) While the requested RA-30 Zoning District will allow smaller minimum lot areas and higher density residential development, it is also more restrictive in terms of permitted land uses than the current R-40 Zoning District.
- (7) Due to the “conditional” nature of this rezoning request, the subject property may only be developed in accordance with the proposed site plan, which is the Major Subdivision Sketch Plan for the Williams Grove Subdivision.

Description of the Proposed Site Plan / Major Subdivision Sketch Plan:

Joyner Keeny, PLLC has submitted the Major Subdivision Sketch Plan for the Williams Grove Subdivision to serve as the required site plan for the conditional use rezoning request. The sketch plan proposes the development of seventy-eight (78) new residential lots on the subject property along the existing Stoney Hill Church Road public right-of-way as well as along two proposed new 50-foot wide public road rights-of-way (labeled as Roads “A” & “B”).

All the proposed lots either meet or exceed the 30,000 square foot minimum lot area and 100 foot minimum lot width requirements of the requested RA-30 Zoning District.

The sketch plan proposes the creation of a special purpose lot served by a private access easement in the interior of the subject property in order to preserve an existing cemetery.

Several of the proposed lots located along the northern and eastern perimeter of the subject property will be impacted by the 50-foot wide riparian stream buffer associated with Reedy Branch.

The Bailey USPS Postmaster has determined that this development will require the installation of a shared cluster box unit (CBU) mailbox kiosk for centralized mail delivery. The sketch plan currently designates a special purpose lot for the mailbox kiosk located immediately adjacent to the eastern side of proposed Lot 1 with a 10-foot wide easement along the Stoney Hill Church Road public right-of-way to allow for pedestrian access. The final location of the mailbox kiosk will be subject to the approval of both the USPS Postmaster and the NCDOT District Engineer.

The sketch plan identifies Lots 1-18 as the first phase of the subdivision planned for development.

Description of the Subdivision Waiver Request:

The Nash County Unified Development Ordinance (UDO) Article X, Section 10-7, Subsection 10-7.2 (F) requires that residential lots subdivided with direct vehicular access to roads "*having significant traffic mobility concerns*" (meaning an estimated average daily traffic, or ADT, exceeding 1,000 vehicles per day) must include either 100 feet of extra lot width in addition to the standard required 100 feet per lot or at least 50 feet of extra lot width and up to 50,000 square feet of additional lot area. These regulations are intended to limit the proliferation of driveway access points located along these heavily traveled roadways in order to decrease the potential for traffic accidents.

The UDO specifies that "*ADT shall be calculated by using the latest NCDOT published data plus 3% for each year in which current information is not available and then adding 10 trips per lot proposed in the subdivision.*" According to the following figures, the proposed development of the Williams Grove Subdivision will classify Stoney Hill Church Road as a road "*having significant traffic mobility concerns*" with an ADT exceeding 1,000 vehicles per day.

Stoney Hill Church Road (State Road #1109)

Latest NCDOT Published Annual Average Daily Traffic for Year 2018:	500
Estimated Additional 3% for Year 2019:	+15
Estimated Additional 3% for Year 2020:	+15
<u>78 Proposed New Residential Subdivision Lots x 10 Additional Trips Each:</u>	<u>+780</u>
New Average Daily Traffic (ADT)	1,310

While proposed Lots 1-33 located directly along Stoney Hill Church Road all include sufficient lot width to satisfy the standard minimum dimensional requirements of the zoning district (100 feet), none of them is wide enough to meet the additional requirements for lots located along a high traffic road.

However, UDO Article X, Section 10-7, Subsection 10-7.2 (F) & Section 10-8 specifically authorize the Board of Commissioners to grant waivers of these additional lot width requirements, provided that the developer demonstrates either a “*physical hardship*” or “*equal or better performance in the furtherance of the purposes of the Ordinance.*”

Therefore, the developer has requested a waiver of the additional lot width required along high traffic roads for Lots 1-33 on the grounds that the waiver “will result in equal or better performance in the furtherance of the purposes of the Ordinance” subject to the establishment of fifteen 20-foot wide private access easements for joint driveways to be located along almost every other shared lot boundary instead of 33 separate individual driveways. (Lot 5 must be accessed by new Road “A” only and Lots 22 & 23 must be accessed by new Road “B” only.)

The access easements will serve to restrict the points of vehicular access allowed along the Stoney Hill Church Road public right-of-way in accordance with the intent of the Ordinance and the establishment of a 5-foot wide non-access easement along the remaining frontage will discourage the construction of additional driveways in the future.

TRC Recommendation:

The Nash County Technical Review Committee (TRC) considered Conditional Use Rezoning Request CU-200701 and the Major Subdivision Sketch Plan with Subdivision Waiver Request for the Williams Grove Subdivision on July 2, 2020 and recommended **APPROVAL** based on its determination that the rezoning request is reasonable, in the public interest, consistent with the recommendations of the Nash County Land Development Plan, and not “spot zoning” as well as its determination that the requested waiver will result in equal or better performance in the furtherance of the purposes of the ordinance and that the proposed subdivision design is otherwise consistent with the applicable standards of the UDO, subject to the suggested development **CONDITIONS** listed below.

Suggested Motions:

MOTION #1 – RECOMMEND A CONSISTENCY STATEMENT:

I move that the Nash County Planning Board recommends Consistency Statement ‘A’ or ‘B’ (choose one from below) related to Conditional Use Rezoning Request CU-200701 for consideration by the Nash County Board of Commissioners.

Consistency Statement 'A' (For APPROVAL):

Conditional Use Rezoning Request CU-200701 is:

- (1) Reasonable and in the public interest.
- (2) 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 to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.
 - (c) The subject property has access to Nash County public water service via an existing four-inch (4") waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.
 - (d) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.
 - (e) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.
- (3) Not "spot zoning" because:
 - (a) The request is an expansion of the adjacent, existing approximately 24 acre RA-30 Zoning District previously established on the south side of Stoney Hill Church Road between Juniper Road and Chapman Road for the development of the Williams Ridge Subdivision.
 - (b) The large size of the subject property (approximately 68.88 acres) demonstrates that approval of the request will establish a new zoning district within which multiple residential lots may be subdivided, rather than creating a single, small, isolated area.
 - (c) The subject property has unique access to existing public water service and its soil conditions are favorable for the installation of on-site septic systems.
 - (d) The request is consistent with the recommendations of the Nash County Land Development Plan as established above.
 - (e) The subject property already is and will continue to be zoned for residential use.
 - (f) While the requested RA-30 Zoning District will allow smaller minimum lot areas and higher density residential development, it is also more restrictive in terms of permitted land uses than the current R-40 Zoning District.
 - (g) Due to the "conditional" nature of this rezoning request, the subject property may only be developed in accordance with the proposed site plan, which is the Major Subdivision Sketch Plan for the Williams Grove Subdivision.

--- OR ---

Consistency Statement 'B' (For DENIAL):

Conditional Use Rezoning Request CU-200701 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 to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.
 - (c) The subject property has access to Nash County public water service via an existing four-inch (4") waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.
 - (d) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.
 - (e) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.
 - (2) Not "spot zoning" because:
 - (a) The request is an expansion of the adjacent, existing approximately 24 acre RA-30 Zoning District previously established on the south side of Stoney Hill Church Road between Juniper Road and Chapman Road for the development of the Williams Ridge Subdivision.
 - (b) The large size of the subject property (approximately 68.88 acres) demonstrates that approval of the request will establish a new zoning district within which multiple residential lots may be subdivided, rather than creating a single, small, isolated area.
 - (c) The subject property has unique access to existing public water service and its soil conditions are favorable for the installation of on-site septic systems.
 - (d) The request is consistent with the recommendations of the Nash County Land Development Plan as established above.
 - (e) The subject property already is and will continue to be zoned for residential use.
 - (f) While the requested RA-30 Zoning District will allow smaller minimum lot areas and higher density residential development, it is also more restrictive in terms of permitted land uses than the current R-40 Zoning District.
 - (g) Due to the "conditional" nature of this rezoning request, the subject property may only be developed in accordance with the proposed site plan, which is the Major Subdivision Sketch Plan for the Williams Grove Subdivision.
 - (3) However, the rezoning request is not reasonable, not in the public interest, and premature at this time until the Williams Ridge Subdivision located across Stoney Hill Church Road is further developed in order to demonstrate the compatibility of that recently created RA-30 Zoning District with the surrounding area.
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MOTION #2 – RECOMMEND APPROVAL OR DENIAL OF THE ZONING MAP AMENDMENT:

*I move that the Nash County Planning Board recommends **APPROVAL** or **DENIAL** (choose **one**) of Conditional Use Rezoning Request CU-200701 to rezone approximately 68.88 acres located on the north side of Stoney Hill Church Road, Bailey, NC 27807 from R-40 (Single-Family Residential) to RA-30-CU (Single-Family Residential Conditional Use) for consideration by the Nash County Board of Commissioners.*

MOTION #3 – RECOMMEND APPROVAL OR DENIAL OF THE CONDITIONAL USE PERMIT & SUBDIVISION WAIVER REQUEST:

*I move that the Nash County Planning Board recommends **APPROVAL** or **DENIAL** (choose **one**) of Conditional Use Permit CU-200701 to authorize the development of the Williams Grove Subdivision on the subject property based on the following conclusions with supporting findings of fact and subject to the following development conditions for consideration by the Nash County Board of Commissioners.*

Conclusions with Supporting Findings of Fact:

- (1) The proposed development will not materially endanger the public health or safety because the Williams Grove Subdivision will be designed and developed in accordance with all the applicable standards of the Nash County Unified Development Ordinance.**
- (2) The proposed development will not substantially injure the value of adjoining or abutting property because the conditional use nature of the request will require the subject property to be developed in accordance with the approved Major Subdivision Sketch Plan for the Williams Grove Subdivision.**
- (3) The proposed development will be in harmony with the area in which it is to be located because the Williams Grove Subdivision will be similar to other existing residential developments in the surrounding area.**
- (4) The proposed development will be in general conformity with 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 to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.**

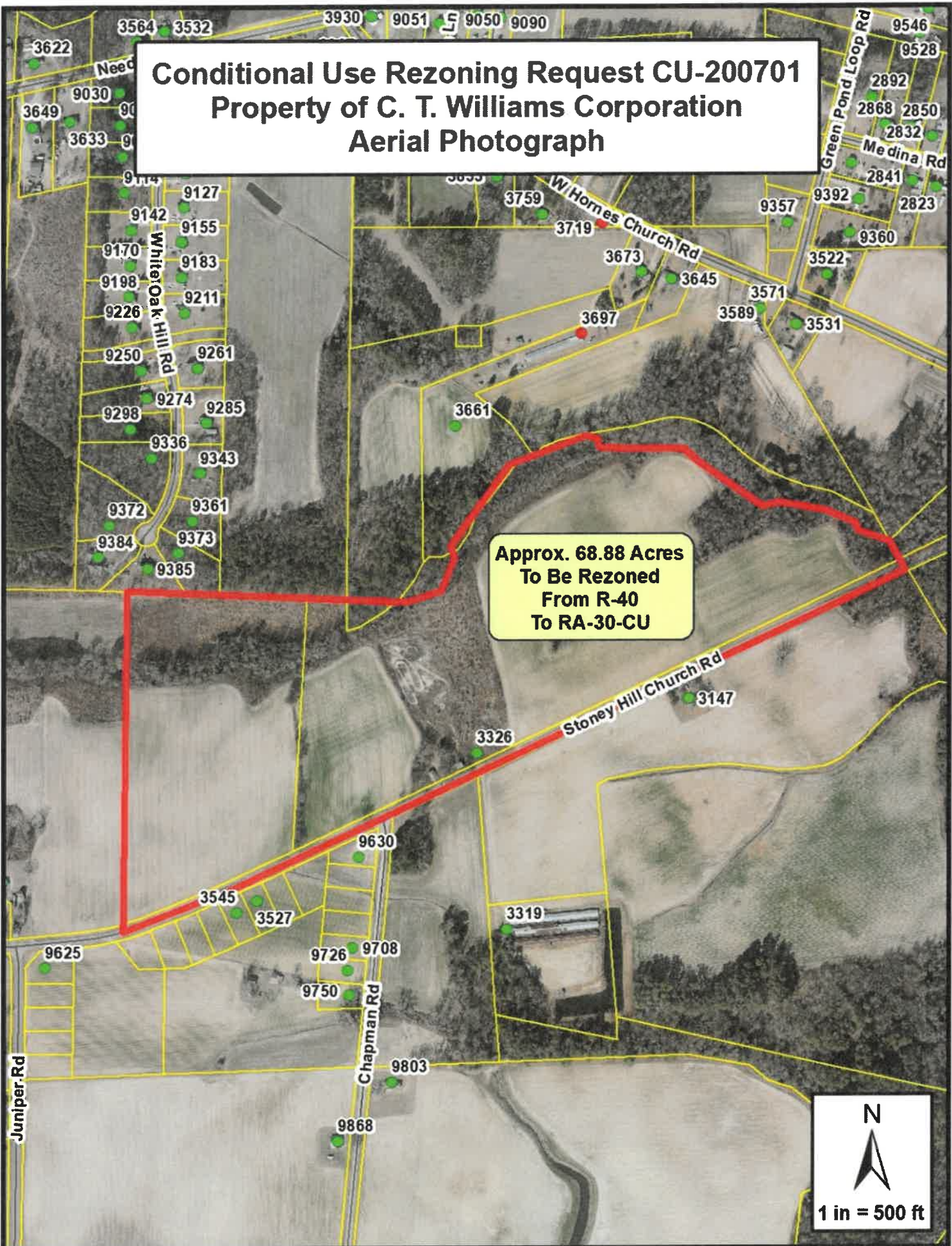
- (c) The subject property has access to Nash County public water service via an existing four-inch (4") waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.**
- (d) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.**
- (e) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.**

Development Conditions:

- (1) The subject property shall only be developed in accordance with the approved Major Subdivision Sketch Plan for the Williams Grove Subdivision.**
- (2) The subject property may be developed for any of the land uses as permitted in the RA-30 (Single-Family 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.**
- (4) The development of the Williams Grove Subdivision is subject to the waiver of the standards of the Nash County Unified Development Ordinance (UDO) Article X, Section 10-7, Subsection 10-7.2 (F) "Lots on Roads with Capacity Deficiencies" granted by the Nash County Board of Commissioners on August 3, 2020 on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the Ordinance in accordance with UDO Article X, Section 10-8 "Waivers." No additional driveways or points of vehicular access other than those designated on the approved Major Subdivision Sketch Plan shall be permitted or constructed on the subject property along the Stoney Hill Church Road public right-of-way.**
- (5) The final location of the shared cluster box unit (CBU) mailbox kiosk required for centralized mail delivery shall be subject to the approval of both the Bailey USPS Postmaster and the NCDOT District Engineer.**
- (6) Substantial design modifications or revisions to the approved sketch plan may require additional review by the Nash County Planning Board and re-approval by the Nash County Board of Commissioners at the discretion of the Zoning Administrator.**

**Conditional Use Rezoning Request CU-200701
Property of C. T. Williams Corporation
Aerial Photograph**

**Approx. 68.88 Acres
To Be Rezoned
From R-40
To RA-30-CU**



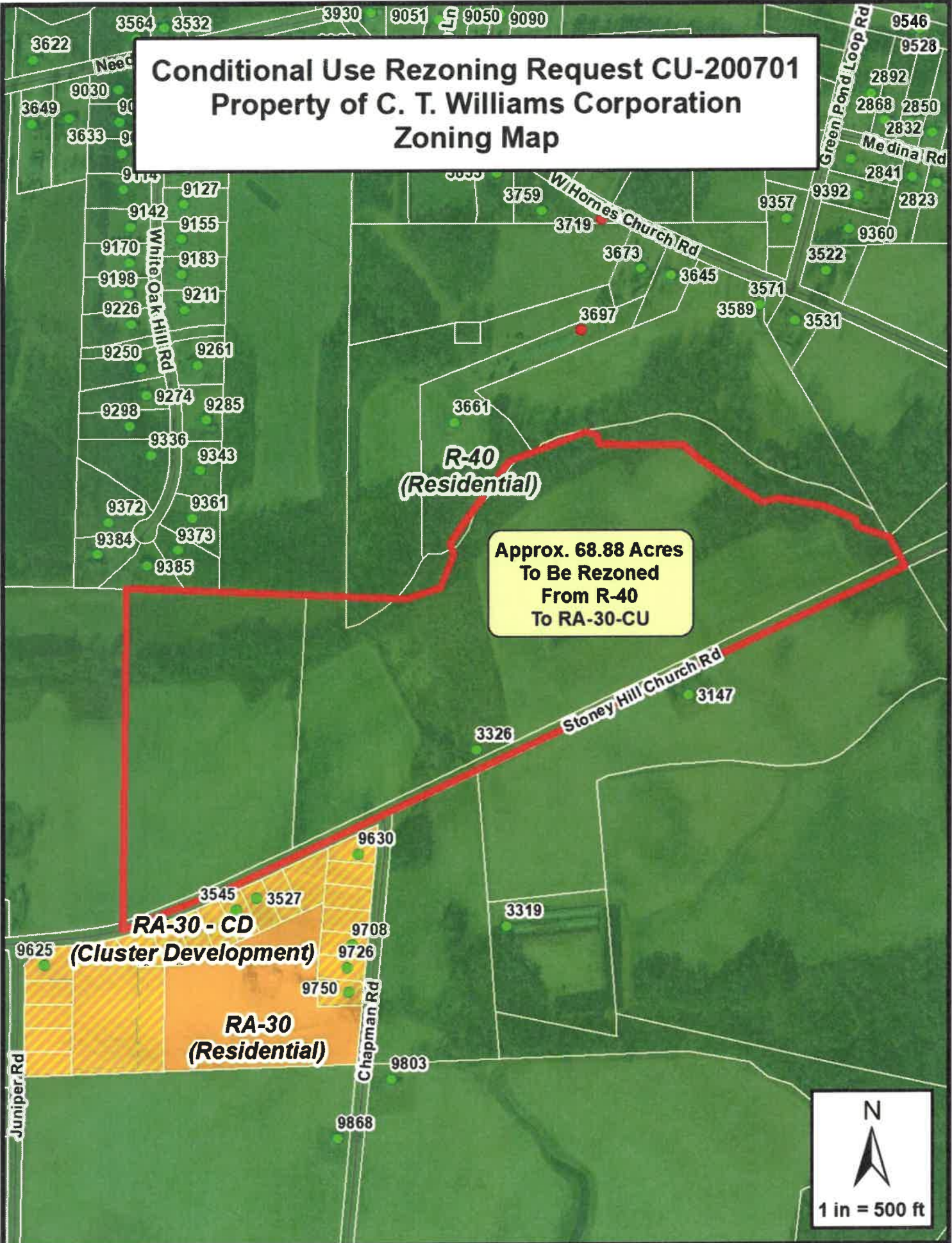
**Conditional Use Rezoning Request CU-200701
Property of C. T. Williams Corporation
Zoning Map**

**R-40
(Residential)**

**Approx. 68.88 Acres
To Be Rezoned
From R-40
To RA-30-CU**

**RA-30 - CD
(Cluster Development)**

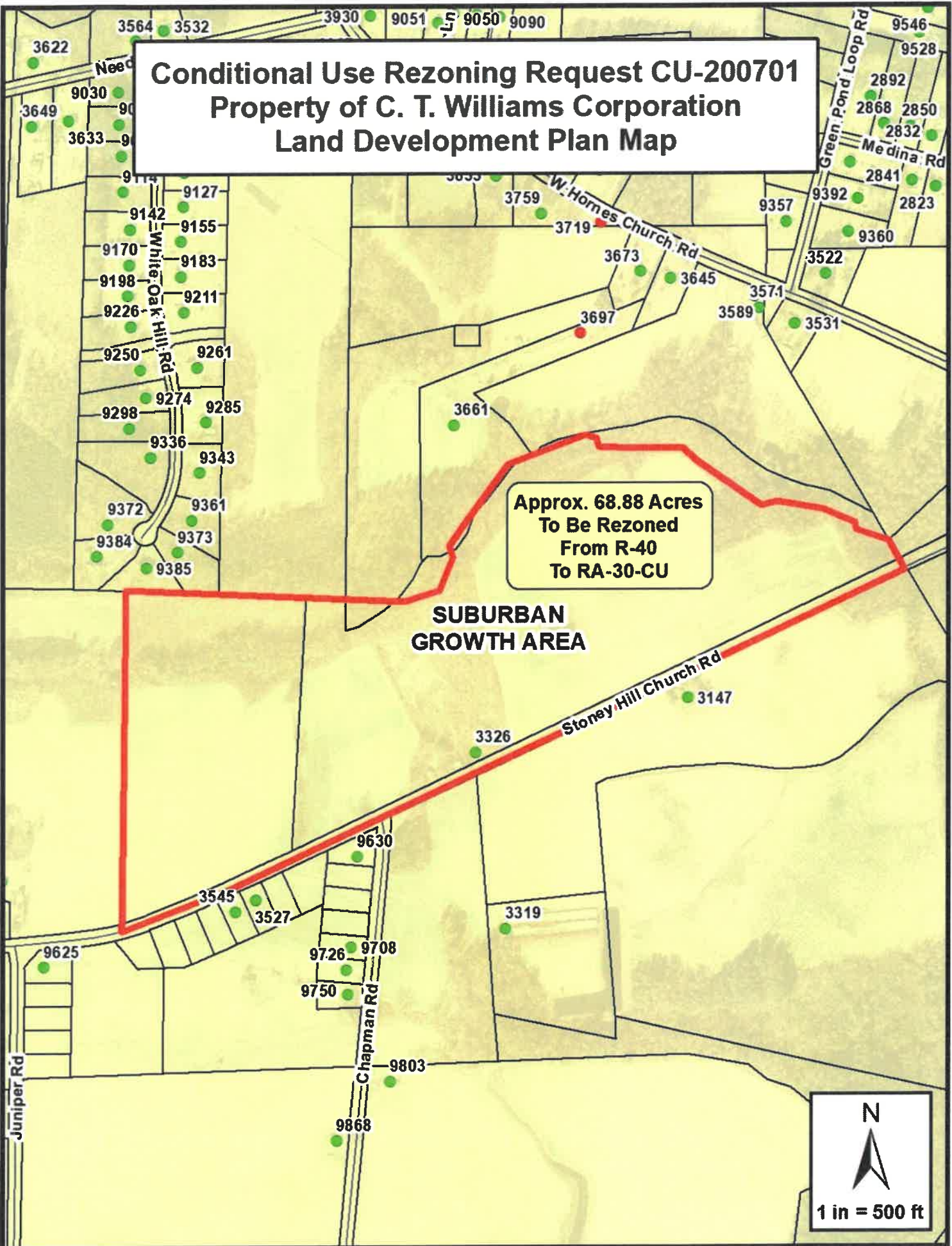
**RA-30
(Residential)**



**Conditional Use Rezoning Request CU-200701
Property of C. T. Williams Corporation
Land Development Plan Map**

**Approx. 68.88 Acres
To Be Rezoned
From R-40
To RA-30-CU**

**SUBURBAN
GROWTH AREA**



UDO Article IX, Table 9-3-1: Table of Permitted Uses (Excerpt)

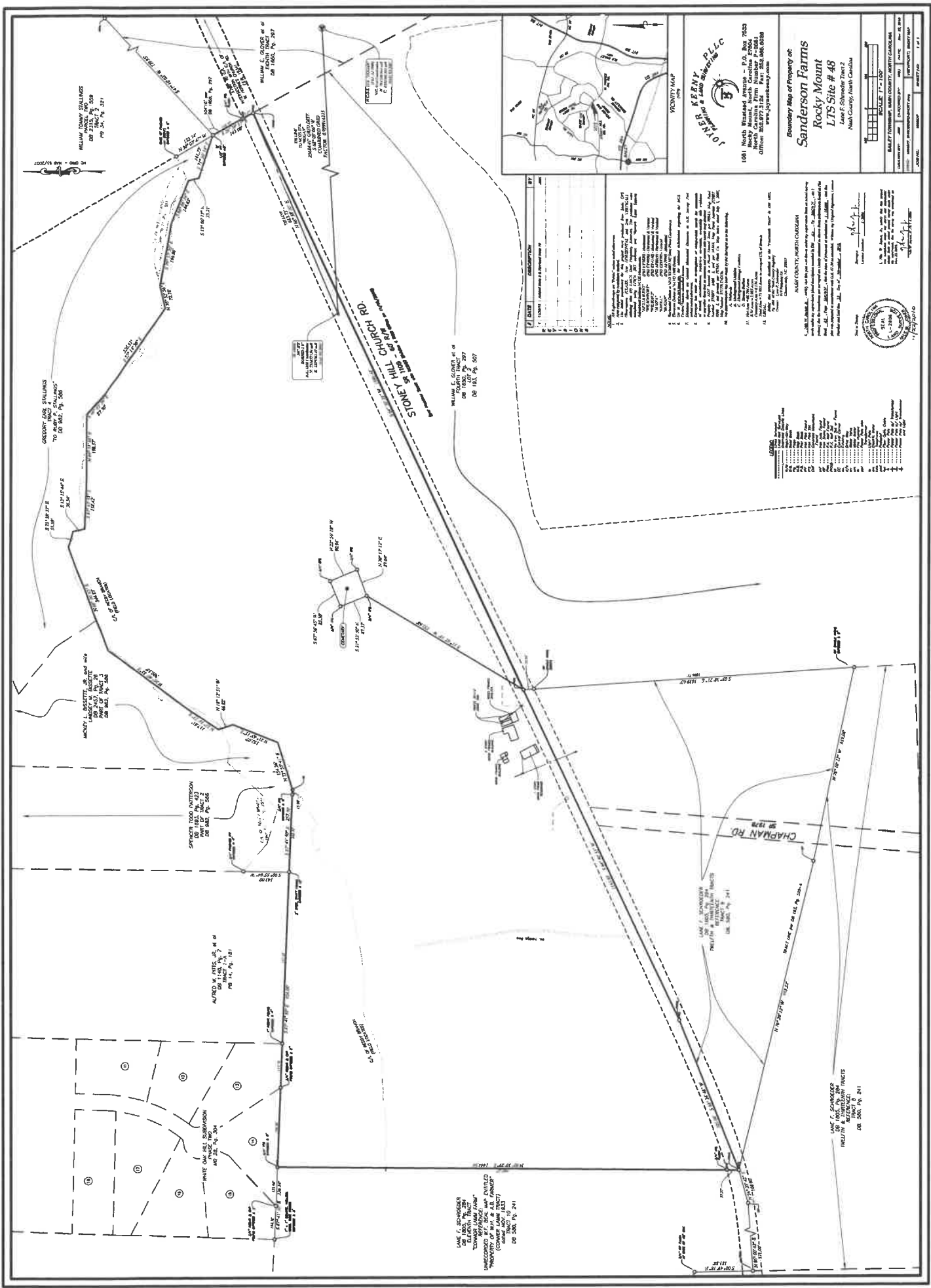
Land Use Type	Ref. SIC	Zoning Districts	
		R-40	RA-30
AGRICULTURAL USES			
Agricultural Production (Crops)	0100	P	P
Agricultural Production (Livestock)	0200	P	P
Forestry	0810	P	P
RESIDENTIAL USES			
Bed and Breakfast	7011	S	S
Family Care Home	0000	P	P
Modular Home	0000	P	P
Manufactured Home, Class A	0000	P	
Patio Homes	0000	D	D
Single-Family Detached Dwelling	0000	P	P
ACCESSORY USES AND STRUCTURES			
Accessory Uses and Structures (Customary)	0000	P	P
Emergency Shelter	0000	P	P
Home Occupation	0000	D	D
Rural Family Occupation	0000	S	
Satellite Dish Antenna	0000	D	D
Swimming Pool	0000	D	D
RECREATIONAL USES			
Athletic Fields	0000	S	S
Club	8640	S	S
Country Club with Golf Course	7997	S	S
Golf Course	7992	S	S
Public Park or Recreational Facility, Other	7990	D	D
Swim and Tennis Club	7997	S	S
EDUCATIONAL AND INSTITUTIONAL USES			
Cemetery or Mausoleum	0000	P	P
Church	8661	D	D
Day Care Center, Adult and Child	8320	S	S
Elementary or Secondary School	8211	P	P
Fire Station	9224	P	P
Library	8231	S	S
Nursing and Convalescent Home	8050	S	
Law Enforcement Station	9221	P	P
TRANSPORTATION, WAREHOUSING, AND UTILITIES			
Radio or Communication Tower Under 60' in Height	0000	P	P

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

UDO Article IX, Table 9-3-1: Table of Permitted Uses (Excerpt)

Land Use Type	Ref. SIC	Zoning Districts	
		R-40	RA-30
Radio or Communication Tower Over 60' in Height	0000	S	S
Solar Farm	0000	C	
Solid Waste Disposal (Non-Hazardous), Collection Sites, Convenience Centers, and Transfer Sites	4953	C	
Utility Field Office (Government Owned)	0000	S	
Utility Lines	0000	P	P
Utility Related Appurtenances, Substation	0000	D	D
Water Treatment Plant, Government Owned or Operated	0000	D	
OTHER USES			
Automobile Parking On Same Lot As Principal Use	0000	P	P
Horse Shows	7999	D	
Temporary Construction, Storage or Office; Real Estate Sales or Rental Office (With Concurrent Building Permit for Permanent Building)	0000	P	P
Temporary Hardship Manufactured Home	0000	S	S
Temporary Commercial Construction Office	0000	D	D
Temporary Construction/Repair Residence	0000	S	S
Temporary Emergency Repair Residence	0000	D	D
Turkey Shoots	0000	D	

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



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JOHN BERRY & LAND SERVICES, PLLC

1081 North Bluffside Avenue - P.O. Box 7033
 North Carolina, Firm Number P-5041
 Office: Charlotte, NC 28202-7033
 www.johnberry.com

Boundary Map of Property of:
Sanderson Farms
Rocky Mount
LTS Site # 48
 Lane F. Schreiber, Trust
 Nash County, North Carolina

SCALE: 1" = 100'

DATE: 11/15/2017
 DRAWN BY: JTB
 CHECKED BY: JTB
 APPROVED BY: JTB

VICINITY MAP

NO.	DESCRIPTION	ACRES
1	TRACT 1	1.00
2	TRACT 2	1.00
3	TRACT 3	1.00
4	TRACT 4	1.00
5	TRACT 5	1.00
6	TRACT 6	1.00
7	TRACT 7	1.00
8	TRACT 8	1.00
9	TRACT 9	1.00
10	TRACT 10	1.00
11	TRACT 11	1.00
12	TRACT 12	1.00
13	TRACT 13	1.00
14	TRACT 14	1.00
15	TRACT 15	1.00
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95	TRACT 95	1.00
96	TRACT 96	1.00
97	TRACT 97	1.00
98	TRACT 98	1.00
99	TRACT 99	1.00
100	TRACT 100	1.00

STATE OF NORTH CAROLINA
 COUNTY OF NASH
 I, JAMES F. SCHREIBER, Surveyor, do hereby certify that the foregoing is a true and correct copy of the original plat on file in my office, and that the same is a true and correct copy of the original plat on file in my office.

WITNESSED my hand and the seal of my office this 15th day of November, 2017.

JAMES F. SCHREIBER
 Surveyor

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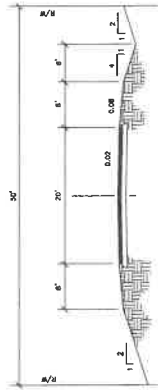
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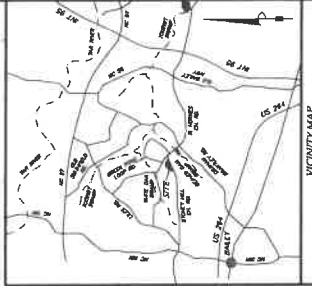
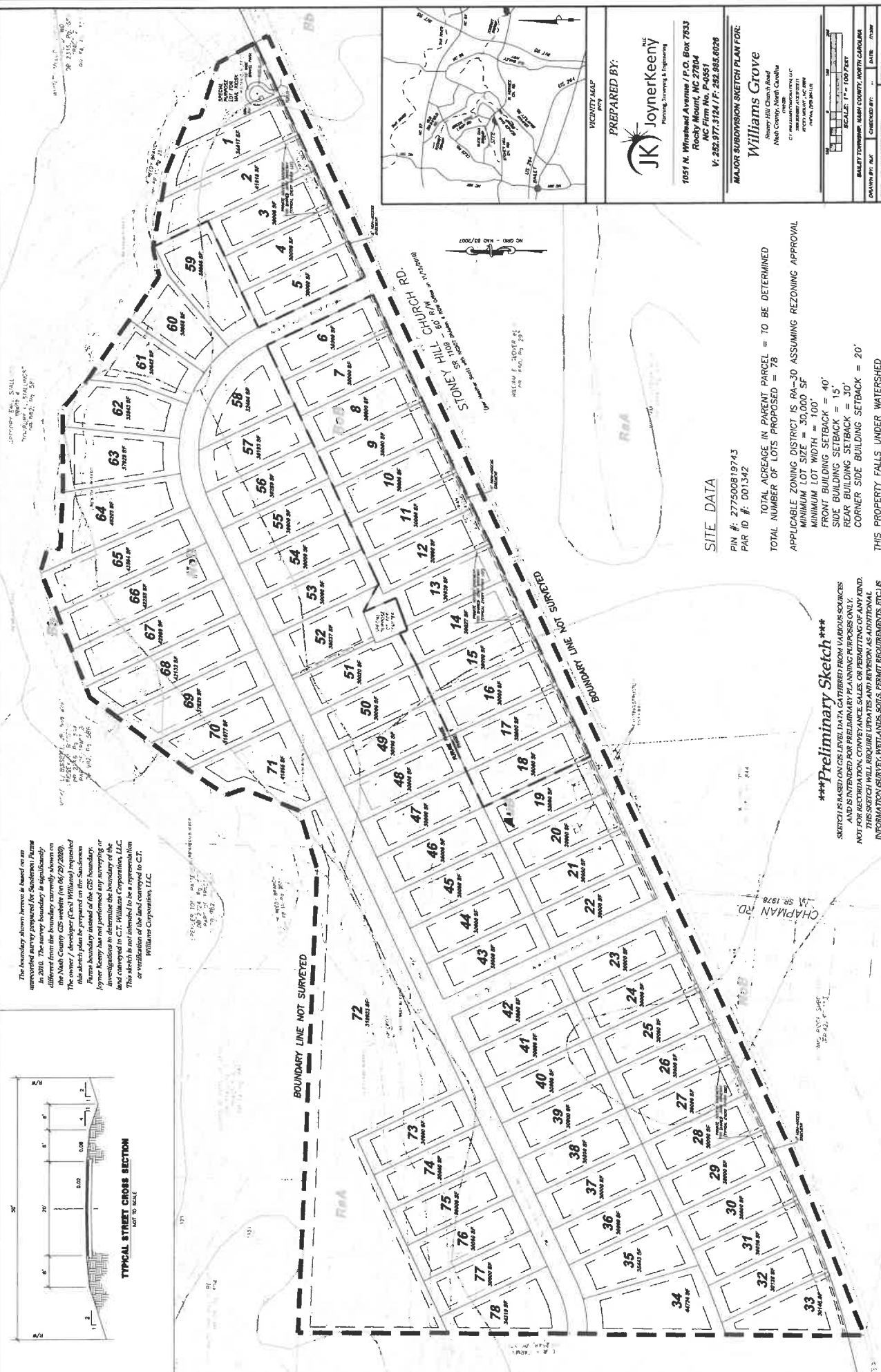
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TYPICAL STREET CROSS SECTION
NOT TO SCALE

The boundary shown herein is based on an current survey of the property shown on the map in 2010. The survey boundary is significantly different from the boundary currently shown on the Nash County GIS website (as of 06/29/2009). The owner / developer (Carl Williams) requested this sketch plan be prepared on the Sturdevant Farms boundary instead of the GIS boundary. Joyner Keeny has not performed any surveying or boundary verification of the Sturdevant Farms land conveyed to C.T. Williams Corporation, LLC. This sketch is not intended to be a representation or verification of the land conveyed to C.T. Williams Corporation, LLC.



PREPARED BY:
JK JoynerKeeny
Planning, Surveying & Engineering
1057 N. Winstead Avenue / P.O. Box 7533
Roxboro, North Carolina 27574
V: 252.977.3124 / F: 252.986.6026

MAJOR SUBDIVISION SKETCH PLAN FOR Williams Grove
Stoney Hill Church Road
Nash County, North Carolina
C.T. WILLIAMS CORPORATION
1057 N. WINSTEAD AVENUE
ROXBORO, NC 27574

DATE: 06/29/2009	CHECKED BY: [Signature]	DATE: 06/29/2009
DATE: 06/29/2009	DESIGNED BY: [Signature]	DATE: 06/29/2009
DATE: 06/29/2009	DRAWN BY: [Signature]	DATE: 06/29/2009
DATE: 06/29/2009	PROJECT NO: 09-001	SCALE: 1" = 100 FEET

SITE DATA

- PIN #: 277500819743
- PAR ID #: D01342
- TOTAL ACREAGE IN PARENT PARCEL = TO BE DETERMINED
- TOTAL NUMBER OF LOTS PROPOSED = 78
- APPLICABLE ZONING DISTRICT IS RA-30 ASSUMING REZONING APPROVAL
- MINIMUM LOT SIZE = 30,000 SF
- MINIMUM LOT WIDTH = 100'
- FRONT BUILDING SETBACK = 40'
- REAR BUILDING SETBACK = 15'
- CORNER SIDE BUILDING SETBACK = 20'
- THIS PROPERTY FALLS UNDER WATERSHED PROTECTION OVERLAY DISTRICT (WS11-NSW)

*****Preliminary Sketch*****

SKETCH IS BASED ON GIS DATA OBTAINED FROM VARIOUS SOURCES AND IS NOT A GUARANTEE OF ACCURACY. THIS SKETCH WILL REQUIRE UPDATES AND REVISION AS ADDITIONAL INFORMATION (SURVEY, WETLANDS, SOILS, PERMIT REQUIREMENTS, ETC.) IS ACQUIRED.

NASH COUNTY PLANNING BOARD
MAJOR SUBDIVISION FINAL PLAT & SUBDIVISION WAIVER REQUEST
STAFF REPORT

Type of Plat: Major Subdivision Final Plat with Subdivision Waiver Request
Subdivision Name: North Halifax Acres, Section 1
Property Owner: Berry R. Brown
Developer: Timothy Matthews
Applicant: Stocks Engineering, P.A. (Kevin Varnell)
Land Surveyor: Donald S. Hilhorst
Location: West Side of N Halifax Road, Battleboro, NC 27809
Tax ID #: PIN # 383300965137 / PARID # 019311
PIN # 383300966545 / PARID # 326144
Total Development Area: 23.606 Acres
Number of Lots: 11 New Residential Lots
Water Supply: Individual Private Onsite Wells
Wastewater Disposal: Individual Private Onsite Septic Systems
Zoning District: R-30 (Single & Two-Family Residential)
LDP Classification: Suburban Growth Area
Waiver Justification: Shared Driveway Access Easements

Description of the Subject Property:

The subject property consists of two adjacent tracts of land owned by Berry R. Brown that total 23.606 acres in area and are located on the west side of North Halifax Road, north of the Town of Dortches and east of the Town of Red Oak, in the R-30 (Single & Two-Family Residential) Zoning District.

The property is currently undeveloped and is not located within a regulated floodplain or a designated watershed protection overlay district. The property is located within the Tar-Pamlico River Basin, meaning that its development is subject to the Nash County stormwater management regulations.

The property does not currently have access to public water or sewer service, therefore, any future residential development would utilize individual private onsite wells and septic systems.

Description of the Proposed Subdivision:

Stocks Engineering, P.A. has submitted a major subdivision final plat for the subject property on behalf of the developer, Timothy Matthews, for Section 1 of the North Halifax Acres Subdivision, which proposes the development of eleven (11) new residential lots along the existing N Halifax Road.

This R-30 Zoning District requires a minimum lot area of 30,000 square feet and a minimum lot width of 100 feet. All the proposed lots meet or exceed these minimum dimensional requirements. All the proposed lots also have frontage directly along the N Halifax Road public right-of-way with the exception of Lot 11, which is larger than 10 acres in size and, therefore, exempt from the typical subdivision lot requirements.

There is an existing swale located on Lots 1-5 that may potentially be subject to a 50-foot wide riparian stream buffer, so the applicant has requested an official determination from the N.C. Department of Environmental Quality, Division of Water Resources.

The Battleboro USPS Postmaster has determined that the installation of a shared cluster box unit (CBU) mailbox will not be required for this subdivision.

Description of the Subdivision Waiver Request:

The Nash County Unified Development Ordinance (UDO) identifies this portion of N Halifax Road as a road "*having significant traffic mobility concerns*" due to its high volume of daily vehicle traffic exceeding 1,000 vehicles per day.

While the standard minimum lot width required in the R-30 Zoning District is 100 feet per lot; UDO Article X, Section 10-7, Subsection 10-7.2 (F) requires that residential lots subdivided with direct vehicular access to these roads must include either 100 feet of additional lot width or at least 50 feet of additional lot width and up to 50,000 square feet of additional lot area. These regulations are intended to limit the proliferation of driveways and vehicular access points located along these heavily traveled roadways in order to decrease the potential for traffic accidents.

While proposed Lots 1-10 all include sufficient lot width to satisfy the standard minimum dimensional requirements of the zoning district (100 feet), none of them is wide enough to meet the additional requirements for lots located along a high traffic road.

However, UDO Article X, Section 10-7, Subsection 10-7.2 (F) & Section 10-8 authorize the Board of Commissioners to grant waivers of these additional lot width requirements, provided that the developer demonstrates either a "*physical hardship*" or "*equal or better performance in the furtherance of the purposes of the Ordinance.*"

Therefore, the developer has requested a waiver of the additional lot width required along high traffic roads for Lots 1-10 on the grounds that the waiver “will result in equal or better performance in the furtherance of the purposes of the ordinance” subject to the establishment of four 40-foot wide private access easements for shared joint driveways to be located along the common lot boundaries instead of ten separate individual driveways.

The access easements will restrict the lots to just five points of vehicular access on the subject property and the establishment of a 5-foot wide non-access easement on the remaining frontage of all ten lots along the N Halifax Road public right-of-way will discourage the construction of additional driveways in the future.

Subdivision Review Procedure:

The proposed final plat and requested subdivision waiver shall remain valid for one year (12 months) from the date of its approval by the Board of Commissioners unless the overall proposed design of the subdivision deviates substantially enough from the previously approved version to require reconsideration and re-approval by the Board.

TRC Recommendation:

The Nash County Technical Review Committee (TRC) considered the Major Subdivision Final Plat with Subdivision Waiver Request for the North Halifax Acres Subdivision, Section 1 on July 2, 2020 and recommended **APPROVAL** based on its determinations that the requested waiver will result in equal or better performance in the furtherance of the purposes of the ordinance and that the proposed subdivision design is otherwise consistent with the applicable standards of the UDO, subject to the suggested **CONDITIONS** listed below.

Suggested Motion:

*I move that the Nash County Planning Board recommends **APPROVAL** or **DENIAL** (choose one) of the Major Subdivision Final Plat with Subdivision Waiver Request for the North Halifax Acres Subdivision, Section 1 for consideration by the Nash County Board of Commissioners, subject to the following **CONDITIONS**.*

Conditions for Final Plat Approval:

- (1) The developer shall submit a Stream Buffer Determination issued by the N.C. Department of Environmental Quality, Division of Water Resources for the existing swale located on Lots 1-5 and shall revise the subdivision design to accommodate a 50' wide riparian stream buffer on the final plat, if applicable.**

- (2) The 40' wide access and utility easement serving Lots 3, 4, 10, & 11 shall be assigned a new road name (preferably ending in "Lane") that has been reviewed and approved by both the Nash County Addressing Administrator and Nash County Emergency Services. The developer shall submit the required \$60.00 fee for the new road sign installation.**
- (3) Prior to the recording of the final plat, a Nash County Stormwater Management Permit for the subdivision shall be issued and recorded in the Nash County Register of Deeds. The developer shall submit the required \$26.00 recording fee.**
- (4) The following certificates from UDO Appendix 2, Section A-2-2 shall be added to the plat, as appropriate:**
- (A) Certificate of Ownership (For Use With Minor Plats Only)**
 - (C) Certificate of Minor Plat Approval**
 - (F) Certificate of Survey and Accuracy**
 - (H)(2) Private Roads Disclosure Statement (Easements)**
 - (I)(1) Certification of Subdivision and Soils Report Review By The Nash County Health Department**
 - (L)(a) Certificate of Purpose of Plat**
 - (O) Review Officer Certification**
 - (P) Riparian Buffer Note (If required by the Stream Buffer Determination.)**
-

**Subdivision Waiver Request
Major Subdivision - North Halifax Acres, Section 1
Aerial Photograph**

**11 Proposed New Lots
(23.606 Total Acres)
With 4 Shared Driveway
Access Easements**



N

1 in = 300 ft

NASH COUNTY PLANNING BOARD
REQUEST TO REAPPROVE EXPIRED MAJOR SUBDIVISION SKETCH PLAN
STAFF REPORT

Type of Plat: Major Subdivision Sketch Plan
Subdivision Name: River Stone Subdivision
Property Owner / Developer: Williams Builders of Rocky Mount, LLC
Surveyor / Engineer: Herring-Sutton & Associates, P.A. (Ron Sutton)
Location: East Side of S NC Highway 58 & North of E NC Highway 97
Tax ID #: PIN # 371600743014 / Parcel ID # 107171
Total Development Area: 7.21 Acres
Number of Lots: 12 New Residential Lots
Street Improvements: Proposed New 50' Wide Public Right-of-Way (River Stone Ct)
Water Supply: Nash County Public Water System
Wastewater Disposal: Individual Private Onsite Septic Systems
Zoning District: RC (Rural Commercial)
LDP Classification: General Commercial Area / Suburban Growth Area

NOTE:

Herring-Sutton & Associates, P.A. has requested the re-approval of the Major Subdivision Sketch Plan for the River Stone Subdivision on behalf of the property owner and developer, Williams Builders of Rocky Mount, LLC.

The sketch plan was previously approved by the Planning Board on June 17, 2019 but recently expired on June 17, 2020 after no road construction plans were submitted within one year of the approval date. If re-approved by the Board, the sketch plan would remain valid for an additional year to July 20, 2021.

According to the applicant, the only change to the subdivision design involves a revision to the stormwater drainage system to replace the previously proposed level spreader on Lot 7 with a scour hole.

Description of the Subject Property:

The subject property is a 7.21 acre tract of land owned by Williams Builders of Rocky Mount, LLC and located on the east side of S NC Highway 58 and the north side of E NC Highway 97 near Winstead Crossroads and the Nash-Wilson County Line within the RC (Rural Commercial)

Zoning District. The tract is located between the River Bend Landing Subdivision (developed in 2004) to the north and the Winstead Crossing Commercial Park (developed in 2009) to the south.

The subject property is currently undeveloped (with the minor exception of the existing telephone equipment pad located in the northwest corner at 9951 S NC Highway 58) and is not located in a regulated floodplain. The southern property boundary of the tract is defined by a branch that is subject to a 50 foot wide riparian stream buffer. The site is located in the Tar Pamlico River Basin as well as the WS-IV-CA Watershed Protection Overlay District, meaning that its development is subject to both stormwater management requirements and a maximum density requirement of no more than two dwelling units per acre with no individual lots being less than 20,000 square feet in area.

The subject property has access to the Nash County Public Water System via an existing twelve inch (12") water line located along the S NC Highway 58 right-of-way, however, there is no public sewer service currently available in this area so any proposed residential development in the near future would continue to utilize individual private on-site septic systems.

Description of the Proposed Subdivision:

Herring-Sutton & Associates, P.A. has submitted a major subdivision sketch plan for the River Stone Subdivision on behalf of the property owner which proposes the development of the subject property to include twelve (12) new residential lots to be accessed by the proposed River Stone Court public right-of-way.

In addition to limited retail, office, and service commercial land uses, the RC (Rural Commercial) Zoning District also permits the development of medium-density residential land uses. In this particular case, the required minimum lot size is 20,000 square feet (due to the watershed protection overlay district requirements) and the minimum lot width is 60 feet. All the proposed lots meet or exceed the applicable dimensional requirements.

It should be noted that subdividing the tract does not necessarily preclude its commercial development in the future.

Each lot will be served by a proposed extension of the Nash County Public Water System and a preliminary soils report prepared by a licensed soil scientist indicates that the soil conditions are generally favorable for the installation of on-site septic systems.

The sketch plan designates a location for the shared cluster box unit (CBU) mailbox within the cul-de-sac between Lots 5 and 6 as required by the United States Postal Service to accommodate centralized mail delivery for new development. The mailbox location has been designed in accordance with the applicable N.C. Department of Transportation requirements.

Subdivision Review Procedure:

A sketch plan remains valid for one year (12 months) from the date of its approval by the Planning Board and may remain valid for a second year if a preliminary plat depicting the construction of a minimum of 400 feet of new road right-of-way is submitted during the initial one year period. The Technical Review Committee and the Planning Staff may then review and approve the preliminary plat (authorizing the construction of the new road right-of-way) and a final plat (post-construction) unless the overall proposed design of the subdivision deviates substantially enough from the previously approved sketch plan to require reconsideration and re-approval by the Planning Board. A preliminary plat for the construction of any remaining proposed new road right-of-way must then be submitted, reviewed, and approved within the second year or the subdivision design will require reconsideration and re-approval by the Planning Board.

TRC Recommendation:

The Nash County Technical Review Committee (TRC) considered the Major Subdivision Sketch Plan for the River Stone Subdivision on May 31, 2019 and recommended **APPROVAL** subject to the **CONDITIONS** listed below.

Suggested Motion:

*I move that the Nash County Planning Board **APPROVE** or **DENY (choose one)** the Major Subdivision Sketch Plan for the River Stone Subdivision subject to the following **CONDITIONS**:*

Conditions for Future Preliminary Plat Approval and Construction Authorization:

- (1) The developer shall submit a Driveway Permit and Subdivision Review Approval issued by the N.C. Department of Transportation District Engineer based on a review of the proposed road construction plans and the proposed location of the cluster box unit (CBU) mailbox prior to construction.
- (2) The developer's engineer shall submit the construction plans for the proposed public water utility system expansion along with all the required state permit applications and permits issued by the N.C. Department of Environmental Quality to Nash County Public Utilities for review and approval prior to construction.
- (3) The developer's engineer shall submit the required Tar-Pamlico River Basin Overlay District stormwater management plan along with the necessary documents and fees required for the issuance and recording of a Nash County Stormwater Permit (including

documentation of any necessary nutrient buy-down payments made to a private mitigation bank.)

- (4) The developer shall submit a final soils report prepared by a licensed soil scientist for review and approval by the Nash County Environmental Health Division verifying that each proposed new lot will be suitable for the installation of an individual private on-site septic system.
- (5) The developer shall submit an Erosion and Sedimentation Control Plan Approval issued by the N.C. Department of Environmental Quality, Division of Land Resources.

Conditions for Future Final Plat Approval:

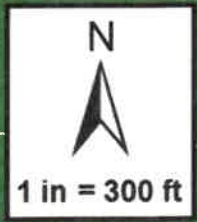
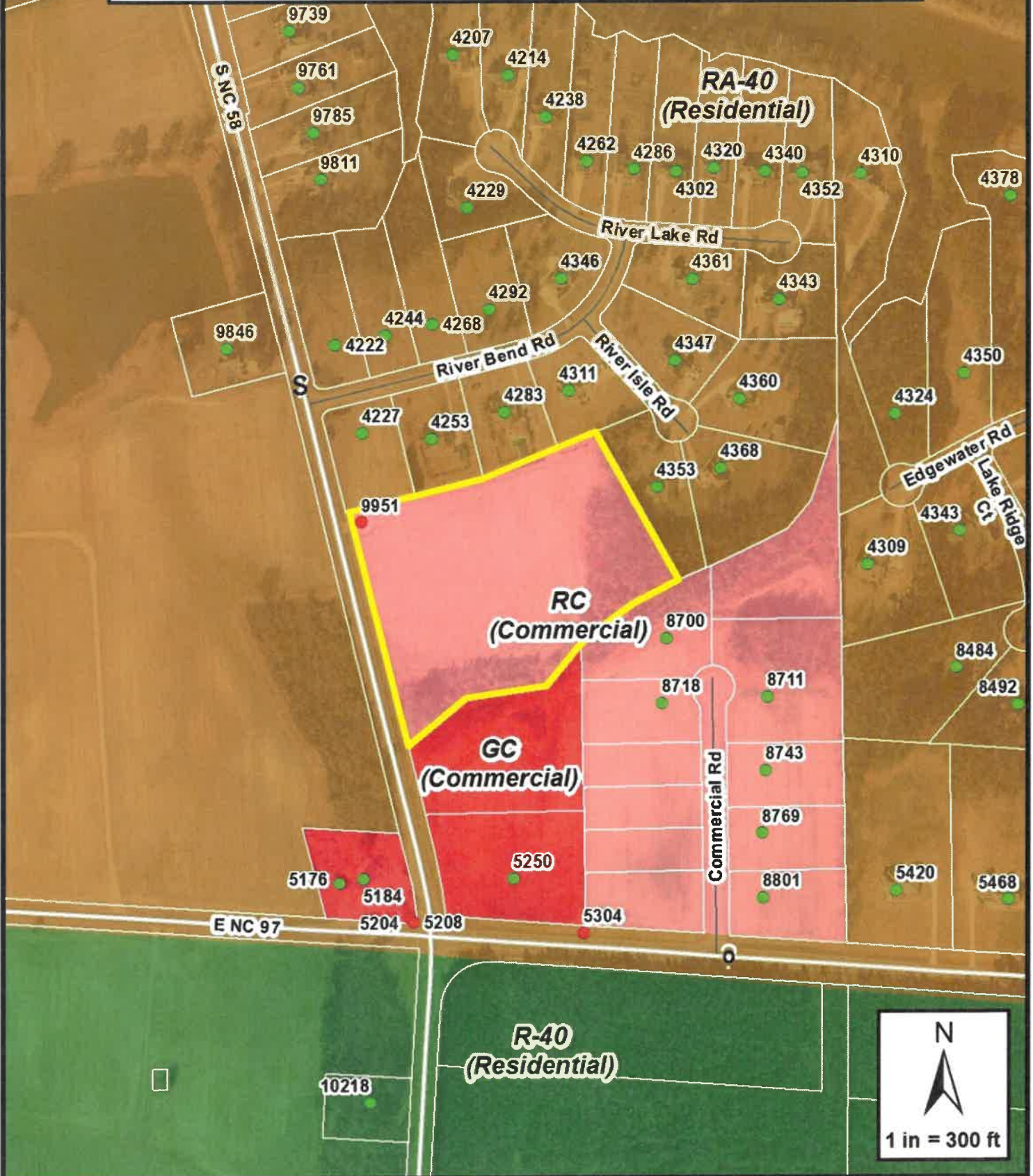
- (1) Post-construction inspection and approval of the new public road right-of-way by the N.C. Department of Transportation District Engineer.
 - (2) The developer's engineer shall submit a utility construction certification approved by the N.C. Department of Environmental Quality and record drawings related to the completed public water utility system expansion to Nash County Public Utilities and shall also establish the required one (1) year warranty period for the utility related improvements.
 - (3) The developer shall identify the responsible party and make the necessary accommodations for the future maintenance of the proposed stormwater discharge drainage system.
 - (4) A one-time fee in the amount of \$75.00 for the purchase and installation of the new River Stone Court street name sign shall be paid at the submittal of the final plat.
-

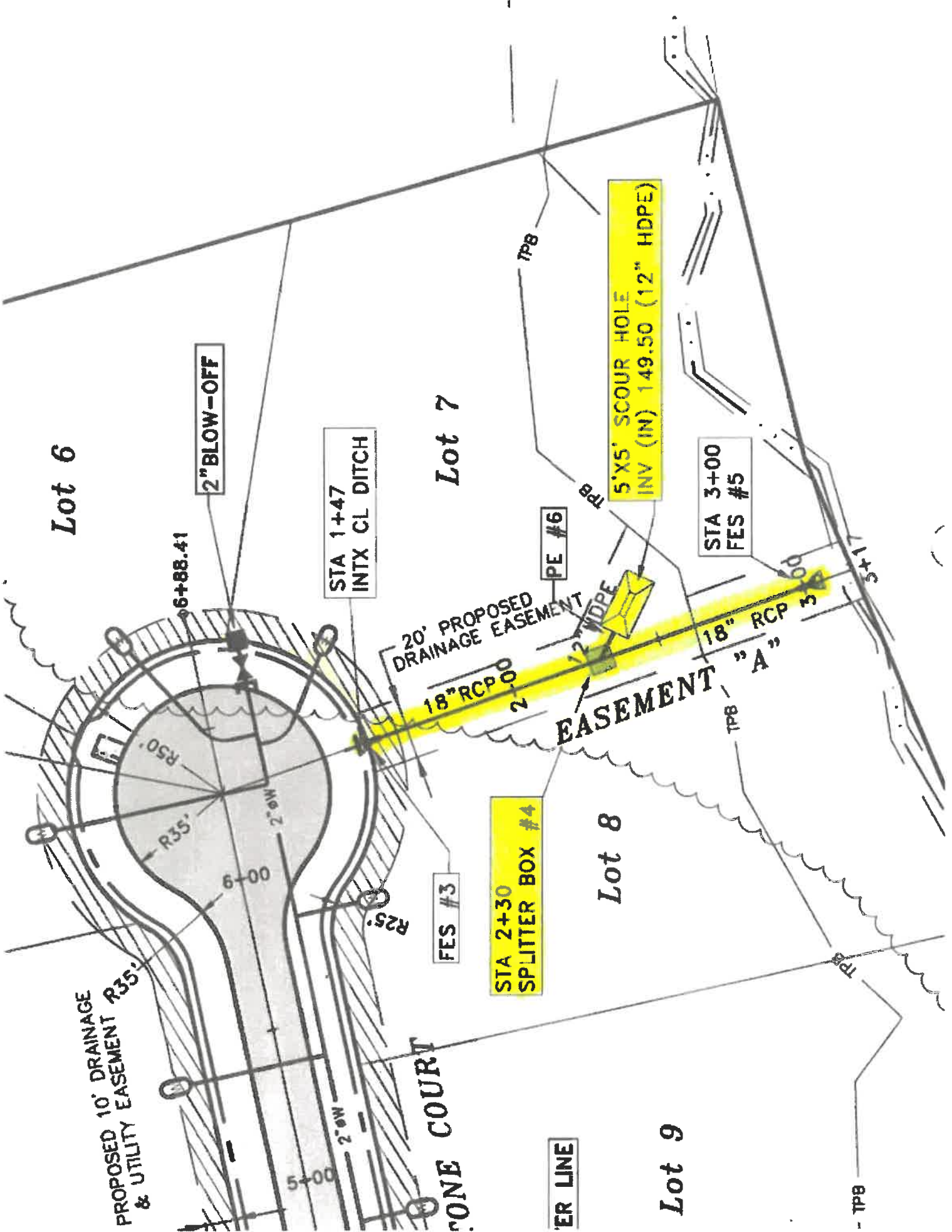
River Stone Subdivision
Property of Williams Builders of Rocky Mount, LLC
Aerial Photograph

12 New Residential Lots (7.21 Acres)



River Stone Subdivision Property of Williams Builders of Rocky Mount, LLC Zoning Map





Lot 6

Lot 7

Lot 8

Lot 9

2" BLOW-OFF

STA 1+47
INTX CL DITCH

5'X5' SCOUR HOLE
INV (IN) 149.50 (12" HDPE)

STA 3+00
FES #5

20' PROPOSED
DRAINAGE EASEMENT

18" RCP 00

EASEMENT "A"

18" RCP 30

STA 2+30
SPLITTER BOX #4

FES #3

PROPOSED 10' DRAINAGE
& UTILITY EASEMENT R35'

ONE COURT

ER LINE

- TP8

6+88.41

R50'

R35'

6-00

2" W

5-00

R25'

PE #6

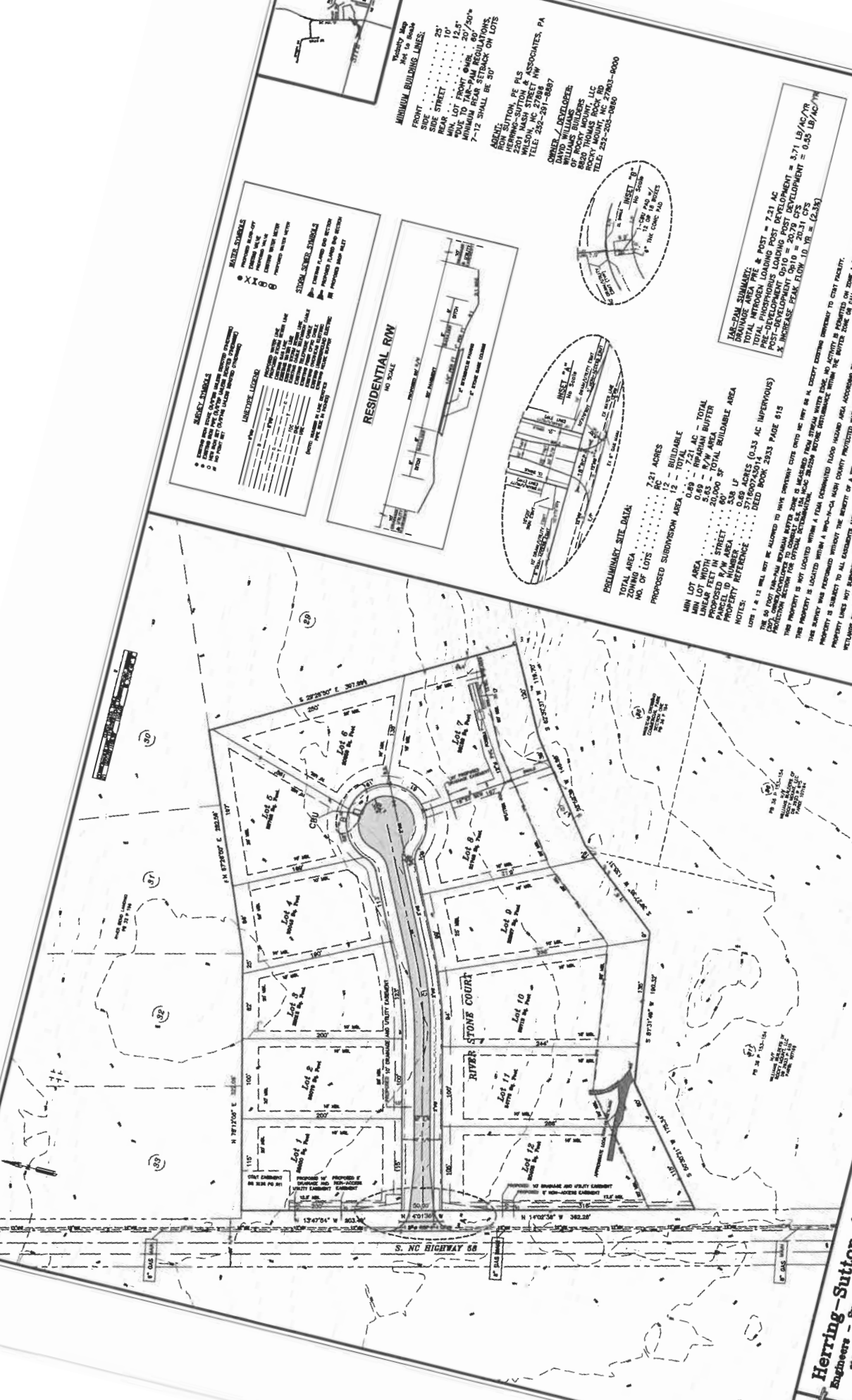
TPB

TPB

TPB

TPB

11+5



MINIMUM BUILDING LINES:

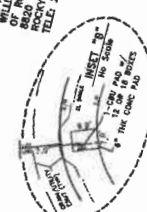
FRONT 20'
 SIDE 10'
 REAR 12.5'
 YARD SETBACK 12.5'
 MINIMUM TYPICAL REGULATIONS:
 7-12 SHALL BE 30'

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PRELIMINARY SITE DATA:

TOTAL AREA 7.21 ACRES
 NO. OF LOTS 12
 PROPOSED SUBDIVISION AREA 12 - BUILDABLE

MIN LOT AREA 0.69 - AC
 LINEAR WIDTH 21 - FT
 PROPOSED LOT AREA 5.83 - AC
 PROJECT ID NUMBER 20,000 - 87
 TOTAL BUILDABLE AREA 539 - UP

NOTES:

1. LOTS 1 & 12 SHALL NOT BE ALLOWED TO HAVE DRAINAGE CUTS INTO THE CITY OF ROCKY MOUNT.
 2. THE 50 FOOT TYPICAL BUFFER ZONE IS REQUIRED FROM STREAM WATER BODIES IN ANY ACTIVITY PERMITTED IN ZONE 1.
 3. THE PROPERTY IS NOT LOCATED WITHIN A FIRM DESIGNATED FLOOD HAZARD AREA ACCORDING TO THE FIRM NUMBER 570000000E DATED JUNE 16, 2011.
 4. THE PROPERTY IS NOT LOCATED WITHIN A FIRM DESIGNATED FLOOD HAZARD AREA ACCORDING TO THE FIRM NUMBER 570000000E DATED JUNE 16, 2011.
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 12. THE PROPERTY IS NOT LOCATED WITHIN A FIRM DESIGNATED FLOOD HAZARD AREA ACCORDING TO THE FIRM NUMBER 570000000E DATED JUNE 16, 2011.

TOTAL NE AREA 3.71 LB/AC/PT
 POST-DEVELOPMENT 0.610 = 20.79 CFS
 X INCREASE FEAR FROM 10 YR = (2.38)

TAR-PAN SUMMARY:

TOTAL NE AREA 3.71 AC
 POST-DEVELOPMENT 0.610 = 20.79 CFS
 X INCREASE FEAR FROM 10 YR = (2.38)

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Herring-Sutton & Associates, P.A.
 Engineers - Surveyors - Planners / Firm License JC-2810
 2208 South Street 3R • Wilkes, North Carolina 28680 • (704) 581-1897

Rocky Mount Outside Twp., Nash County, NC

Sketch Plan

Scale: 1" = 50'
 Date: 08/20/11
 Map No. 16-1-000