

Minutes

RANDOLPH COUNTY PLANNING BOARD

August 7, 2012

The Randolph County Planning Board met at 6:30 pm, on Tuesday, August 7, 2012, in the Board of Commissioners Meeting Room, Historic County Courthouse, 145 Worth Street, Asheboro, North Carolina.

1. **Chairman Reid Pell** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: **Reid Pell**, Chairman, present; **Wayne Joyce**, Vice-Chairman, present; **Chris McCleod**, absent; **Phil Ridge**, present; **Jim Rains**, present; **Kemp Davis**, present; and **Larry Brown**, present. County Attorney **Ben Morgan** was also present.
3. **Joyce** made the motion, seconded by **Brown**, to approve the minutes of the July 10, 2012, Randolph County Planning Board meeting. This motion passed unanimously.
4. **SPECIAL USE PERMIT REQUEST:**

FRANCIS TOOMES, Franklinville, N.C. is requesting a Special Use Permit for a Rural Family Occupation to construct a 30' x 52' building to be used for grading equipment maintenance at 3458 Tom Brown Road, on a 3.13 acre lot, Franklinville Township, Rural Growth Area, Zoning District RA, Tax# 7775819943.

Swearing in of the Witnesses – “Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God.”

Frances Toomes and her husband were in attendance but did not desire to speak in public and were not sworn. County Attorney **Ben Morgan** advised them that the Board needed to hear testimony from a representative prior to making a final decision on the application.

Mike Toomes, son of **Frances Toomes**, took the oath and answered questions from the Board. **Mr. Toomes** stated that the building would be used to bring under shelter some of the grading equipment currently located on the property. Minor repair work would be done to the equipment at this location. No employees would be involved and work would involve repair and serving of family owned equipment.

No persons spoke in opposition to this request.

A motion was made by **Wayne Joyce** and seconded by **Phil Ridge** to approve the Special Use Permit as requested. The board noted that the new building was to service existing family equipment and that no persons spoke in opposition to the request. The motion passed unanimously.

5. **PROPOSED AMENDMENT TO COUNTY ZONING ORDINANCE – SPECIAL USE PERMITS – LANDFILLS: Hal Johnson, Planning Director**

Johnson reviewed with the Board the specific amendments. **Johnson** noted that the existing Special Use Permit standards relative to landfills have not been updated since 1979. The new standards will include the latest provisions of rules adopted by state and federal agencies applicable to landfills.

Johnson stated that although the County is currently considering making application for the proper permits that would be necessary in operating a Regional Landfill, the Board of County Commissioners have not made a final decision on whether to apply for a Regional Landfill. These amendments would insure that the County Zoning Ordinance is updated to the latest environmental and development standards in the event that the Randolph County Board of Commissioners apply for the Special Use Permit that is required prior to state application and permits.

Recommendations from the Planning Board will be forwarded to the Board of Commissioners who will consider this matter at public hearing on Tuesday, September 4, 2012.

Chairman **Pell** noted that although this was not a public hearing he wanted to give anyone in the audience the opportunity to comment. Three citizens were in attendance along with County Public Works Director **David Townsend**. No persons spoke in opposition to the proposed amendments. Citizen **Al Morton** commented that the proposed amendments underscored the current landfill requirements mandated by state and federal laws. County Public Works Director **David Townsend** commented that the amendments highlight the intense environmental and development regulations that are required by current state regulations.

Johnson reviewed with those in attendance the rules of testimony and evidence that the Planning Board is required to follow in order to issue or deny a Special Use Permit, including the four (4) specific “findings” the Planning Board must consider during the public hearing process.

Jim Rains made the motion, seconded by **Kemp Davis**, that the following amendments to the County Zoning Ordinance be approved and forwarded to the Board of County Commissioners for public hearing and final decision:

1.) **Amend Unified Development Ordinance, Chapter 2, Zoning Regulations, Article VII, District Regulation, Section 5, Special Uses, Section 5.3 Special Use Regulation, Landfills, to read:**

Use: Landfill

Special Use District: RA

Screening: ~~Screening is required which completely screens the landfill from view along road frontages and property boundaries which border residential uses. Screening shall be thickly planted evergreens in a border at least 10 feet wide. Trees shall be of such height when planted that they shall reach a height of 10 feet in 2 years.~~ A 35 ft. (Level 1) screening buffer shall be maintained along landfill property boundaries consisting of natural vegetation. Existing vegetation should be used where possible. Where vegetation is nonexistent screening shall consist of thickly planted evergreens planted in staggered rows. Trees shall be of such height when planted that they shall reach a height of 10 feet in 2 years and maintained by the property owner.

Activities Permitted in Buffer Area:

Buffers may be used to satisfy minimum landfill setback requirements; Installation of utilities and road access; Security Fencing

Plans:

All landfill plans and ~~environmental clearances shall be approved by the N. C. Department of Human Resources, the N.C. Department of Natural Resources and Community Development and the Randolph County Health Department.~~ designs shall strictly follow:

- 1) The requirements and provisions of the Solid Waste Act of 2007 and any subsequent modifications or amendments to the Act;
- 2) Rules governing sanitary landfills established in North Carolina Administrative Code Title 15A, Chapter 13B and any subsequent modifications or amendments to applicable Rules;
- 3) Any other rules applicable to landfills which have been adopted by state agencies with oversight of the activity in question;

4) the terms and requirements Permits to Construct and Permits to Operate issued by the N.C. Department of Environment and Natural Resources, and any modifications or amendments to such permits

5) The terms of a driveway permit issued by the N.C. Department of Transportation and any other traffic improvements required by NCDOT;

6) Conditions and requirements of a franchise ordinance adopted by Randolph County and any subsequent modifications or amendments to the ordinance; and

7) Conditions and requirements adopted pursuant to a Special Use Permit issued to the owner or operator which respond to and address specific local matters

Signs:

Type of sign: Ground Sign: Identification / Informational

~~Permitted number: 1 ground sign per entrance~~

~~Maximum area of sign: 9 sq ft~~

Permitted illumination: ~~None~~ Indirect Lighting

2.) Amend Unified Development Ordinance, Chapter 2, Zoning Regulations, Article VII, Section 5, Special Uses, Subsection 5.2, Procedures, Finding Number 4, to read:

4) that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the ~~Land Development~~ Growth Management Plan for Randolph County.

3.) Amend Unified Development Ordinance, Zoning Regulations, Chapter 1, Article 1, Definitions, Landfills, to read:

~~Landfill, Sanitary: A place where trash and garbage are disposed of by compacting and covering with earth at the end of each day of operation.~~

Landfill: A facility and location designed for the disposal of solid waste using approved methods outlined in North Carolina Administrative Code Title 15A, Chapter 13B as Approved Disposal Methods.

This motion passed unanimously.

6. Being no further business the meeting adjourned at 7:10 pm.

**NORTH CAROLINA
RANDOLPH COUNTY**

HAL JOHNSON

Planning Director

Date