

Greg Edds, Chairman
Jim Greene, Vice-Chairman
Daniel Lancaster
Judy Klusman
Craig Pierce



Aaron Church, County Manager
Sarah Pack, Clerk to the Board
John W. Dees, II, County Attorney

Rowan County Board of Commissioners

130 West Innes Street • Salisbury, NC 28144
Telephone 704-216-8181 • Fax 704-216-8195

MINUTES OF THE MEETING OF THE ROWAN COUNTY BOARD OF COMMISSIONERS

September 2, 2025 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING

PRESENT:

Greg Edds, Chairman
Jim Greene, Vice-Chairman
Daniel Lancaster, Commissioner
Craig Pierce, Commissioner (Exited where noted)

ABSENT:

Judy Klusman, Commissioner

County Manager Aaron Church, County Attorney Jay Dees, Clerk to the Board Sarah Pack, and Finance Director Anna Bumgarner were also present.

Clerk's note: Commissioner Mike Caskey was also present and was sworn in, replacing Commissioner Lancaster. Commissioner Caskey's appointment is noted later in these minutes.

Call to Order

Chairman Edds called the meeting to order at 3:00 p.m. Chaplain Michael Taylor provided a solemnizing prayer. The Rowan Veteran's Honor Guard presented the colors and lead the Pledge of Allegiance.

Tom Duncan of the Rowan Veteran's Honor Guard presented Mike Caskey with an honorary membership.

Chairman Edds recognized Senator Carl Ford and his wife, Representative Harry Warren, Mayor Meredith Smith, Mayor Brittany Barnhardt, Planning Board Chair Karla Leonard, Regional Representative Lauren Kennedy (Senator Thom Tillis' Office), and new Representative Grant Campbell, MD, who were also in attendance.

Consider Additions to the Agenda

Chairman Edds asked to add Security Cameras for Rowan Community Center to the Consent Agenda as Item O.

Chairman Edds also noted that Mike Caskey would be sworn in as the first action item.

Consider Deletions From the Agenda

There were no deletions from the agenda.

Consider Approval of the Agenda

On motion of Lancaster, seconded by Greene, the Board voted 4-0 to approve the agenda as amended.

Consider Approval of the Consent Agenda

On motion of Lancaster, seconded by Greene, the Board voted 4-0 to approve the Consent Agenda as amended, as follows:

A. Consider Approval of the Minutes - 8/18/25 Regular Meeting

B. Budget Amendments, as follows:

5100- Health Department	Decrease expenditures due to reduced AA914 ARPA grant funding	\$10,000
5100- Health Department	To budget for Mckinsey funding in FY26	\$138,003
4125- Finance	Appropriate funds to roll over contract 23729	\$10,000
4125- Finance	Appropriate funds to roll over contract 25382 & 22394	\$19,926
4125- Finance	Appropriate funds to roll over contract 24589 & 25332 & 25532 & 25567	\$243,484
4125- Finance	Appropriate funds to roll over contract 25522	\$8,200
4125- Finance	Appropriate funds to roll over contract 25577	\$14,442
4125- Finance	Appropriate funds to roll over contracts 25241 & 25561	\$55,729
4125- Finance	Appropriate funds to roll over contract 25525	\$33,000
4125- Finance	Appropriate funds to roll over contract 25321	\$73,884
4125- Finance	Appropriate funds to roll over contract 24242	\$18,940
4125- Finance	Appropriate funds to roll over contracts 25516 & 24307	\$1,752,103
4125- Finance	Appropriate funds to roll over contract 24465	\$59,443
4125- Finance	Appropriate funds to roll over contract 24574 & 24658 & 25440 & 25459	\$175,832
4125- Finance	Appropriate funds to roll over contracts 24206 & 24530 & 25349 & 25377 & 25563	\$328,540
4125- Finance	Appropriate funds to roll over contract 24553 & 25342	\$36,400
4125- Finance	To reconginze reserved funds from FY25 fro VTC Grant	\$274,330

4125- Finance	To reconginze reserved funds from FY25 for Sheriff	\$116,109
4125- Finance	Appropriate funds to roll over contract 25353 & 25556 and project	\$4,006,591
4125- Finance	To budget remaining SCIF Localizer funds	\$927,681
5100- Health Department	To budget AA17 grant	\$185,284
5180- Register of Deeds	To recongnize reserves from FY25 for Register of Deeds	\$17,052
5100- Health Department	To adjust WIC AA403 Budget	\$38,761
4125- Finance	Appropriate funds to carry over 3 purchase orders for Risk Fund	\$10,907
4125- Finance	Appropriate funds to carry over PO 25000473 for landfill fund	\$124,429
4125- Finance	Appropriate funds to carry over PO 25000198, 25000204, 25000603 for 4371	\$2,179,918
4125- Finance	Appropriate funds to carry over PO 25000538 for Env health	\$26,367
4125- Finance	Appropriate funds to carry over PO 25000637 for park	\$10,797
4122- Internal Audit	Transfer funds to cover transmission replacement in Animal Services Unit 2118	\$2,500
6400- Animal Services	Transfer funds to cover transmission replacement in Animal Services Unit 2118	\$6,000
4125- Finance	Appropriate funds to roll over contracts 24607 & 25334 & 25552	\$85,876

- C. Approve a Proclamation Recognizing September as Library Card Sign-Up Month
- D. Policy Exemption - Carrier Corp
- E. State Forest Protection and Development Agreement
- F. Donation of Surplus Property to Town of China Grove
- G. Sole Source - Envisionware FY26-FY30
- H. Sole-Source - Carolina Recordings Systems LLC FY26
- I. Approval of the Purdue Pharma Bankruptcy Plan
- J. Authorize the County Attorney to sign the Settlement Participation Form
- K. Replacement Shade Tent Piedmont Skydiving
- L. Security & Fire Alarm Maintenance - Insight Low Voltage - FY26-27
- M. Reorganization of Parks and Recreation Department
- N. Amendment to County Manager's Contract
- O. Security Cameras for Rowan Community Center

Swearing in of Mike Caskey

Senator Carl Ford administered the Oath of Office for Mike Caskey Jr. as Rowan County Commissioner.

Clerk's note: Commissioner Lancaster filled Commissioner Caskey's seat temporarily while Commissioner Caskey served overseas. As of this swearing in, Commissioner Lancaster has vacated his seat on the Rowan County Board of Commissioners.

Special Recognitions

Chairman Edds recognized Commissioner Lancaster for his willing service during Commissioner Caskey's absence. He, along with Commissioners Greene and Caskey, presented Commissioner Lancaster with a Rowan County flag and a Proclamation.

On motion of Edds, seconded by Greene, the Board voted 4-0 to approve a Proclamation Recognizing Commissioner Daniel Lancaster for His Service to the Rowan County Board of Commissioners, as follows:

Proclamation Recognizing Commissioner Daniel Lancaster for His Service to the Rowan County Board of Commissioners

Whereas, Commissioner Daniel Lancaster graciously accepted the responsibility of serving temporarily on the Rowan County Board of Commissioners from March 3, 2025, to September 2, 2025; and

Whereas, during his tenure, Commissioner Lancaster demonstrated unwavering dedication, professionalism, and commitment to the citizens of Rowan County; and

Whereas, his thoughtful leadership and service have contributed significantly to the effective governance and well-being of our community; and

Whereas, the Board of Commissioners wishes to formally acknowledge and express sincere gratitude for his efforts and contributions.

Now, therefore, be it proclaimed that the Rowan County Board of Commissioners hereby recognizes and thanks Commissioner Daniel Lancaster for his service, dedication, and commitment to the citizens of Rowan County.

Senator Carl Ford, and Representatives Harry Warren and Grant Campbell thanked Commissioner Casked for his service and presented him with an American flag that was flown over the N.C. Capitol in Raleigh.

Lauren Kennedy, Representative for Senator Thom Tillis, presented Commissioner Caskey with an American flag that was flown over the U.S. Capitol in Washington D.C. along with a note from the Senator.

Commissioner Caskey thanked everyone for the warm welcome and expressed his gratitude at being back in his home community.

Public Comment Period

Chairman Edds opened the floor for Public Comment and closed it after everyone wishing to speak had done so.

Cynthia Moore Stanfield, 314 Grim St., described a small local cemetery and shared the history she had learned about it. Through her work, this cemetery has been registered as a State Historic Cemetery. She is working to obtain a historical marker for the site. She asked if Rowan

County would act as applicant for grant funding for a historical marker for this cemetery. The cost estimate is \$15,166 for the marker and installation.

Bobby Kemp, 250 Chalk Maple Rd., advocated for seniors, veterans, the disabled, and youth in Rowan County. The property revaluation has caused financial struggles for many people. He appealed to Senator Carl Ford and Representative Harry Warren to provide assistance for these marginalized populations.

Blood and Blood Product Usage Presentation

EMS Chief Allen Cress said Rowan County Emergency Medical Services has the opportunity to carry Blood and Blood Products as a part of its treatment protocols as approved by the NC Office of EMS and the NC State Medical Director.

Division Chief Bryan Edwards said if approved, Rowan EMS will be the 18th county in NC to carry blood as a resource. This will allow EMS to deliver cutting-edge patient care which is considered to be ahead of what has been offered in the past. The blood will be supplied by Novant Health and resupplied on a one-for-one basis. It will be kept on supervisor vehicles as they will be responding to these accidents. Division Chief Edwards said blood given will be from universal donors, so typing isn't needed. There will be a small cost for the county, but the cost will be minimal. The main supply will come from Novant Main in downtown Charlotte.

On motion of Pierce, seconded by Caskey, the Board voted 4-0 to approve approve the MOU agreement and authorize County Manager to sign a contract with Novant Health Presbyterian Medical Center.

RSS Surplus Property

Chairman Edds said this item will be tabled until the October 6, 2025 meeting.

Public Hearing: C-PACE Program

Assistant County Attorney Eli Hardin explained the C-PACE program. This is an economic program from the state that allows business owners to access incentives. There is no financial liability for the County.

At 3:49 p.m. Chairman Edds opened the Public Hearing and closed it after no one wished to speak.

On motion of Pierce, seconded by Greene, the Board voted 4-0 to approve a Resolution Authorizing the County of Rowan, North Carolina, to Participate in the Commercial Property Assessed Capital Expenditure (C-PACE) Program, as follows:

**RESOLUTION AUTHORIZING THE COUNTY OF ROWAN,
NORTH CAROLINA TO PARTICIPATE IN THE
COMMERCIAL PROPERTY ASSESSED CAPITAL
EXPENDITURE (C-PACE) PROGRAM**

WHEREAS, as Required by N.C. Gen. Stat § 160A-239.14(a)(1), the County of Rowan, North Carolina (the "County") previously adopted a resolution of intent on August 18, 2025 ("Resolution of Intent"), declaring the intent of the County to participate in the Commercial Property Assessed Capital Expenditure (C-PACE

Program) established under Article 10B of Chapter 160A of the General Statutes of North Carolina, as amended (the “C-PACE Act”); and

WHEREAS, as required by N.C. Gen. Stat. § 160A-239.14(b), on September 2, 2025 the County held a public hearing on its intent to participate in the C-PACE Program; and

WHEREAS, as required by N.C. Gen. Stat. § 160A-239.14(a)(2), the County now desires to adopt a resolution to join the C-PACE Program;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Rowan, North Carolina as follows:

Section 1. The County hereby joins the C-PACE Program, and declares that its participation in the C-PACE Program shall be subject to and consistent with the provisions of the C-PACE Act, the terms of the C-PACE Program as established by the Economic Development Partnership of North Carolina as the Statewide Administrator of the C-PACE Program, and the Resolution of Intent.

Section 2. Nothing in this resolution shall be interpreted as authorizing the County to pledge, offer, or encumber its full faith and credit, and the County shall not pledge, offer, or encumber its full faith and credit in connection with any C-PACE Financing.

Section 3. Should any provision or provisions of this Resolution be declared invalid or unenforceable in any respect by final decree of any court of competent jurisdiction, the invalidity or unenforceability of any such provisions shall not affect the remaining provisions of such Resolution.

Section 4. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. This Resolution shall take effect upon its adoption.

Public Hearing: Rowan Transit FY27 Grant Applications

Valerie Steele, Airport and Transit Director, said the North Carolina Public Transportation Division is accepting grant applications for FY27. The Board of Commissioners (BOC) is the official applicant for these funds. Applications are due October 3, 2025. This public hearing is to allow residents an opportunity to comment on community transportation needs and the Rowan Transit System (RTS) grant applications.

Ms. Steele reviewed the following grant opportunities:

5311 CTP

- Community Transportation Program
 - Covers administrative costs including salaries, travel, communications, utilities & advertising.
- Requesting \$277,257
 - \$235,668 (85% grant)
 - \$41,589 (15% County match)

5310 State/Rural

- Enhanced Mobility of Seniors and Individuals with Disabilities
 - Rowan Vocational Opportunities
 - Trinity Living Center
 - Dialysis (rural)
- Requesting \$300,000

- \$150,000 (50% grant)
- \$150,000 (50% match from contract revenue)
- Dialysis-Rural (50% match from ROAP funding)

Combined Capital

- Funding to replace three lift equipped raised roof vans
 - No guarantee NCDOT approval
 - No guarantee when to receive vehicles
- Requesting \$332,100
 - \$298,890 (90% grant)
 - \$33,210 (10% County match)

The total request is for \$909,357, with \$684,558 in grant funding and \$74,799 in County matching funds. \$150,000 would come from contact revenue. Grant agreements are brought back in front of the BOC for official acceptance, certification that funding is available and approval for signature by the County Manger.

At 3:52 p.m. Chairman Edds opened the Public Hearing and closed it after no one wished to speak.

On motion of Pierce, seconded by Greene, the Board voted 4-0 to authorize Rowan Transit System to complete and submit applications for the FY27 grants as presented.

On motion of Pierce, seconded by Caskey, the Board voted 4-0 to adopt the CTP Public Transportation Program Resolution, as follows:

FY 27 Resolution

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for

"purchase-of-service" projects under the Capital Purchase of Service budget, Section 5310 program.

WHEREAS, Rowan County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the County Manager of Rowan County is hereby authorized to submit grant application (s) for federal and state funding in response to NCDOT's calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

Legislative Hearing: Z 11-24 – Jeremy Good

Aaron Poplin, Planning Technician, briefly reviewed the request for Z 11-24 that was presented on August 18, 2025, and said the hearing was recessed and the item was tabled as the applicant was not present. The applicant is present at this meeting.

Mr. Poplin described the history of the property and how it evolved over time without any kind of applicable permitting.

Commissioner Caskey asked about a fire on the property and Mr. Poplin explained that a tree caught on fire.

At 4:04 p.m. Chairman Edds re-opened the Public Hearing that was recessed at the August 18, 2025, meeting.

Property owner Jeremy Good presented a packet of information (Attachment A).

Commissioner Caskey asked if there have been fires on the property before and Mr. Good said a tree had caught on fire.

Mr. Good said he bought the property thinking it was permitted for this use. There are 18 employees working from/with this site. There is another tow company locally (on the same road) who has been operating since the 1980s but isn't zoned correctly. The vehicles on Mr. Good's property are not viewable from the road.

Commissioner Pierce asked how often vehicles remain on the property past sixty days. Mr. Good said if there is a fatality or investigation the vehicles may sit longer, but most are gone in

six months. Commissioner Pierce said junked vehicles have to be somewhere and he doesn't see an issue since this property is back off the road.

Mr. Good said neighbors across from his property have no issues with the business or with the vehicle traffic coming in and out.

John Scarbrough of Scarbrough & Scarbrough PLLC, who is representing Oakland Meadows manufactured home community, referenced his prior presentation (August 18, 2025) on spot zoning and the photographs and petition he provided to the Board. He showed a video of the March 8, 2025, fire. He also showed multiple photographs (Attachment B) of the aftermath of the fire and how close it came to the mobile home park. This property has been in violation of zoning for over a year and half. He referenced the Staff Report (Attachment C) and said Mr. Good did not go through the permitting needed to allow for hundreds of cars. He again questioned spot zoning and said there is not benefit to this salvage yard/towing operation for the community. He asked the Board to deny the rezoning application.

Chairman Edds asked how the Land Use Plan is affected by this area. Mr. Poplin said this site doesn't currently fall under the Land Use Plan. Chairman Edds questioned the statement of reasonableness and consistently and clarified how it would apply to both spot zoning and the site. Spot zoning would benefit the surrounding community though they may not fit the area zoning map.

Assistant County Attorney Eli Hardin shared research he had done regarding spot zoning. This site is precluded from spot zoning based on a technicality. There is a question of single ownership and tenants by entirety. The courts have not addressed this issue. Chairman Edds asked if spot zoning is not applied, would the standards still apply and Mr. Hardin said it would then be standard rezoning.

Mr. Scarbrough showed several photographs (Attachment D) taken from the mobile home park showing vehicles on the site over an extended period of time.

John Autry, manager for the site, said Mr. Richard Flowe had been hired as a consultant in reference to spot zoning. Mr. Flowe indicated spot zoning was legal if there was a benefit to the surrounding community. Mr. Autry said many of the people in the neighboring community had used their services. He said the previously mentioned fire started on the mobile home side due to "wildlife" and cost the business \$20,000. There is no benefit to having vehicles sit for longer times on the site. He said the business is here to serve the community; they are answering a need. He referenced the petition and said some people said they were coerced into signed because the site is contaminating the water supply and said the site has no impact on the water supply. There is no danger of contamination.

Chairman Edds asked Mr. Poplin to explain the timeline on the property again. Mr. Poplin reviewed the background information. (Attachment E, pages 3-7)

Commissioner Caskey asked if limiting the number of cars can be added as a condition and Mr. Poplin said yes, or the useable area could be adjusted to fit fewer cars.

Vice-Chairman Greene said he doesn't want to shut anyone's business down, but he understands the concerns of the neighboring community.

Chairman Edds said a business has existed here for 25 years and asked if an agreement could be reached between the business and neighbors. He is for private property rights, but is concerned about the effect on the neighbors. He'd like to give the property owner and neighbors an opportunity to come to a mutual agreement.

Attorney Jay Dees said this type of mutual agreement has been used before. The public hearing could be closed and a decision could be tabled to a future meeting where both parties would report back to staff, who would report to the Board.

Mr. Scarbrough said he does not know what a workable compromise would look like. He will confer with clients.

Mr. Good said he is amenable to trying to find a compromise.

Vice-Chairman Greene stepped away from the meeting at 4:49 p.m.

Chairman Edds said neighbors have the right to not have property devalued. Ideally, there will be a mutually agreed upon scenario. If a compromise can't be reached, a decision will be made.

At 4:50 p.m. Chairman Edds closed the public hearing. He tabled Z 11-24 until the September 15, 2025 regular meeting.

Vice-Chairman Greene returned to the meeting at 4:51 p.m.

Legislative Hearing: TA 01-25 – Planning Staff Proposed Ordinance Changes

Shane Stewart, Assistant Planning and Development Director, said Planning Staff propose multiple miscellaneous text changes to Chapter 9 (Flood Damage Prevention Ordinance), Chapter 21 (Zoning Ordinance), and Chapter 22 (Subdivision Ordinance) of the Rowan County Code of Ordinances. Proposed changes based on amendments to the North Carolina General Statutes (G.S.) should be considered mandatory while those initiated by staff are intended to enhance ordinance consistency and clarity in the administration. He briefly reviewed the proposed changes (Attachment F).

At 5:14 p.m. Chairman Edds opened the public hearing and closed it after no one wished to speak.

Commissioner Pierce exited the meeting at 5:15 p.m.

On motion of Edds, seconded by Greene, the Board voted 3-0 that TA 01-25 is reasonable, appropriate, and necessary to meet the development needs of Rowan County not previously envisioned by the East or West Land Use Plans based on the following:

1. *It cleans up the current Land Use Plans (replace with “Development Ordinances”).*
2. *It incorporates recently passed NC General Statutes, to better align the county ordinance with the state statutes.*

Furthermore, this adoption is deemed an amendment to the East and West Land Use Plans.

On motion of Caskey, seconded by Greene, the Board voted 3-0 to approve TA 01-25.

Legislative Hearing: ZTA 01-25 – Accessory Dwelling Units (ADU)

Aaron Poplin, Planning Technician, said over the past few years, it has been increasingly popular for property owners to request permits to build a structure separate from their home with living quarters in it. These structures are typically called Accessory Dwelling Units (ADU) and vary from things like apartments over garages, bedrooms added to storage buildings, smaller stickbuilt houses, or other similar structures. People use ADUs for a variety of reasons such as housing for ageing parents, housing for adult children, and rental income.

Currently the Zoning Ordinance does not have a provision to allow for ADUs. Consequentially, without an ADU provision the only way to permit such a structure is as a house. This is problematic as there are many instances where an ADU may be appropriate, but the lot can't be approved for a second house. There are also issues where meeting the standards to permit a house, such as subdividing the lot or meeting setback standards from the main house from the ADU, can run counterintuitive from the purpose of building an ADU.

There have been bills filed in the last two legislative sessions (HB 409 in 2023 and SB 495 in 2025) seeking to require local governments to permit ADUs in any zoning district that allows for single-family detached dwellings. While these bills have not become law many other communities, including four neighboring counties, have already taken the initiative to create provisions to permit ADUs.

This text amendment creates a provision in the Rowan County Zoning Ordinance to allow for ADUs and gives them specific standards for approval. When drafting the proposed standards for ADUs in Rowan, County staff used the standards of the surrounding counties along with the requirements set forth in HB 409 as a guideline. Mr. Poplin explained the proposed changes.

The Planning Board conducted a courtesy hearing for ZTA 01-25 at the July 2025 meeting. The Board had questions on how the ADUs would be addressed. Staff informed the Board that they would likely be given an address separate from the principal dwelling unit. The Board asked for clarification on what is necessary to split an ADU off on its own lot. Staff clarified that an ADU can be subdivided off of the lot if both the ADU and Principal Dwelling Unit can meet all subdivision standards such as minimum lot size and setback requirements. ADUs and Principal Dwelling Units also need to meet environmental health standards such as having their own septic systems to be split onto separate lots.

No one spoke during the courtesy hearing for ZTA 01-25. The Planning Board approved the request and adopted the following statement:

“ZTA 01-25 is reasonable, appropriate, and necessary to meet the development needs of Rowan County not previously envisioned by the East or West Land Use Plans based on the following:

1. The text amendment addresses a housing need.
2. It meets the expected forthcoming guidelines from the state of North Carolina.
3. It provides clarity, direction and guidelines for the citizen seeking the use of ADU’s.

Furthermore, this adoption is deemed an amendment to the East and West Land Use Plans.”

Mr. Poplin said ADUs have been one of the most requested uses from property owners. Staff has been able to use other provisions of the ordinances to try and accommodate in some situations, but those provisions do not work for the majority of situations. The proposed standards for ADUs are a little more lenient than most of our adjoining counties. Allowing for slightly larger ADUs and allowing them outside of rear yards on larger lots.

Commissioner Caskey questioned the number of accessory dwellings needed. Mr. Poplin said staff receive multiple calls per week.

At 5:30 p.m. Chairman Edds opened the public hearing and closed it after no one wished to speak.

On motion of Edds, seconded by Caskey, the Board voted 3-0 that ZTA 01-25 is reasonable, appropriate, and necessary to meet the development needs of Rowan County not previously envisioned by the East or West Land Use Plans based on the following:

- 1. The text amendment addresses a housing need.*
 - 2. It meets the expected forthcoming guidelines from the state of North Carolina.*
 - 3. It provides clarity, direction and guidelines for the citizen seeking the use of ADU’s.*
- Furthermore, this adoption is deemed an amendment to the East and West Land Use Plans.*

On motion of Greene, seconded by Caskey, the Board voted 3-0 to approve ZTA 01-25.

Board Appointments

On motion of Greene, seconded by Caskey, the Board voted 3-0 to make the following board appointments:

- *Angie McClain – ETJ Seat – City of Kannapolis Board of Adjustment*
- *Ronnie Abernathy – County Seat – Enochville Volunteer Fire Department Fire Commissioners*
- *Tatia Steward – At Large Seat – Housing Authority*
- *Tina Hobart – East Spencer Seat – Housing Authority*
- *Dr. Eric Troyer – Substance Abuse Professional Seat – Juvenile Crime Prevention Council*
- *Jacqueline Crabb – General Public Seat – Juvenile Crime Prevention Council*
- *Alex Bruce – At Large Seat – Region F Aging Advisory Committee*
- *Andrew King – ETJ Seat – Town of Rockwell Planning and Zoning Board-ETJ*

Closed Session

On motion of Edds, seconded by Greene, the Board voted 4-0 to enter into closed session pursuant to NCGS 143-318.11(a)(1) to consider approval of the minutes of the Closed Session held on August 18, 2025, as described by NCGS 143-318.10(e), and pursuant to NCGS 143-318.11(a)(6), for personnel.

Resume Open Session

At 5:51 p.m. Open Session resumed.

On motion of Edds, seconded by Caskey, the Board voted 3-0 to approve a the Employment Agreement between the County of Rowan and John W. Dees, II (Attachment G).

On motion of Edds, seconded by Greene, the Board voted 3-0 to approve a one time bonus for the County Attorney as of June 18, 2025, in the amount of \$8000.

Adjournment

At 5:55 p.m., on motion of Greene, seconded by Edds, the Board voted 3-0 to adjourn.

Sarah Pack, CMC, NCCCC
Clerk to the Board

Le Bleus Towing

Jeremy & Angela Good

Zoning Map Amendment
Rowan County parcel 451 058
1124 Majolica Road

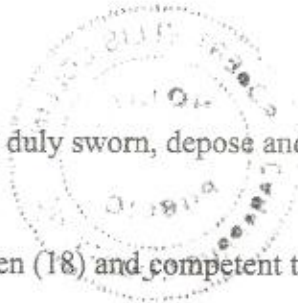
Affidavit of Past Property Ownership and Use

Attachment A
Z 11-24
Jeremy Good
09/02/2025
Page 2 of 26

STATE OF NORTH CAROLINA

COUNTY OF ROWAN

I, Mark Allen Childers, being duly sworn, depose and state as follows:



1. I am over the age of eighteen (18) and competent to make this affidavit.

2. I was the legal owner of the properties located at 1124 Majolica Road, Salisbury, North Carolina and 1126 Majolica Road, Salisbury, North Carolina, from June 13, 2008 until December 18, 2023.

3. During my period of ownership, the properties were used as follows:

- 1124 Majolica Road: Business property utilized for industrial fleet maintenance, service, and repair facilities, situated on approximately 8 acres of land. This site supported up to 75 units at any given time.

- 1126 Majolica Road: Rental property, situated on approximately 1 acre of land.

- Additional acreage (approximately 11 acres): Used for recreational purposes, including a motocross track, wooded trails, and a fishing pond. The motocross track included approximately 2 miles of trails, beginning at the barn at the top of the hill and circling back, designed as a playground area for motorcycles, dirt bikes, and four-wheelers, including use by my children. This area was also known as Fort Willis.

4. To the best of my knowledge and belief, the foregoing statements are true, accurate, and complete.

Affiant:

A handwritten signature in black ink that reads "Mark Allen Childers".

Mark Allen Childers

Date: 8/29/2025

20+ Years Usage of Subject Property

2002 Image on Rowan County GIS



20+ Years Usage of Subject Property 2006 Image on Rowan County GIS



20+ Years Usage of Subject Property

2009 Image on Rowan County GIS



20+ Years Usage of Subject Property 2010 Image on Rowan County GIS



20+ Years Usage of Subject Property

2014 Image on Rowan County GIS



20+ Years Usage of Subject Property 2018 Image on Rowan County GIS



20+ Years Usage of Subject Property 2021 Image on Rowan County GIS



20+ Years Usage of Subject Property 2022 Image on Rowan County GIS



Concerns Previously Stated by Public

- Concerns:

1. 31 Acre new residential community proposed on northern side of subject property in the City of Salisbury
2. Groundwater said to be compromised by run-off from the storage yard

- Responses:

1. Due-diligence reveals existing land use of surrounding properties prior to decision to purchase
2. Former *automotive repair* produced higher risk of leaking contaminants than *automotive towing with storage* since most compromised fluid systems leak on-scene of accidents rather than in storage

Mail body: Jeremy









Mail body: Jeremy





[Yahoo Mail: Search, Organize, Conquer](#)

Affidavit in Support of LeBleu's Towing

Property Address: 1124 Majolica Rd, Salisbury, NC 28147

State of North Carolina
County of Rowan

I, the undersigned, being duly sworn, depose and say under oath and penalty of perjury that:

1. LeBleu's Towing has been operating its business at 1124 Majolica Rd, Salisbury, NC 28147 under the existing conditions.
2. The continued operation of this business at the above address is beneficial to the local community and does not create a nuisance or unreasonable hardship.
3. I fully support and petition for LeBleu's Towing to maintain its business on said property under the current operating conditions, without unnecessary disruption or relocation.

Printed Name:	Gary Martinez Arzate
Address:	1260 Majolica Rd
Phone Number:	980-455-8098
Date:	08/27/25
Signature:	Gary Martinez A.

Verification

I, the undersigned affiant, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 27 day of Aug, 2025.

My Commission Expires
12-19-26
Robert E. Jenkins
CABARRUS COUNTY PUBLIC JUDGE NC
C 11.25

Neighbor At entrance
to mobile Home
park who's mother
was tricked into
signing petition


Affidavit in Support of LeBleu's Towing

Property Address: 1124 Majolica Rd, Salisbury, NC 28147

State of North Carolina
County of Rowan

I, the undersigned, being duly sworn, depose and say under oath and penalty of perjury that:

1. LeBleu's Towing has been operating its business at 1124 Majolica Rd, Salisbury, NC 28147 under the existing conditions.
2. The continued operation of this business at the above address is beneficial to the local community and does not create a nuisance or unreasonable hardship.
3. I fully support and petition for LeBleu's Towing to maintain its business on said property under the current operating conditions, without unnecessary disruption or relocation.

Printed Name:	Pamun Garcia
Address:	1124 960 Majolica Rd
Phone Number:	980-319-6088
Date:	8/27/2025
Signature:	

Verification

I, the undersigned affiant, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 27 day of Aug, 2025.

My Commission Expires



Ellis Collins

Neighbor Across
Street we have
towed For

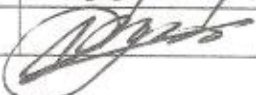
Afidávit en Apoyo de LeBleu's Towing

Dirección de la Propiedad: 1124 Majolica Rd, Salisbury, NC 28147

Estado de Carolina del Norte
Condado de Rowan

Yo, el abajo firmante, debidamente juramentado, declaro bajo juramento y pena de perjurio que:

1. LeBleu's Towing ha estado operando su negocio en **1124 Majolica Rd, Salisbury, NC 28147** bajo las condiciones existentes.
2. La operación continua de este negocio en la dirección mencionada es beneficiosa para la comunidad local y no crea una molestia ni una dificultad irrazonable.
3. Yo apoyo plenamente y solicito que LeBleu's Towing mantenga su negocio en dicha propiedad bajo las condiciones actuales, sin interrupción o reubicación Innecesaria.

Nombre Completo:	Edison Osorio-Fourier
Dirección:	225 Ferrell Ln Salisbury NC 28147
Número de Teléfono:	1(347) 792.1955
Fecha:	08/27/2025
Firma:	

Verificación

Yo, el abajo firmante, declaro bajo pena de perjurio que lo anterior es verdadero y correcto a mi leal saber y entender.

Firmado en este 27 día de Agosto, 2025.

My Commission Expires



Neighbor inside
trailer PARK
At back corner
Near US


Affidavit in Support of LeBleu's Towing

Property Address: 1124 Majolica Rd, Salisbury, NC 28147

State of North Carolina
County of Rowan

I, the undersigned, being duly sworn, depose and say under oath and penalty of perjury that:

1. LeBleu's Towing has been operating its business at 1124 Majolica Rd, Salisbury, NC 28147 under the existing conditions.
2. The continued operation of this business at the above address is beneficial to the local community and does not create a nuisance or unreasonable hardship.
3. I fully support and petition for LeBleu's Towing to maintain its business on said property under the current operating conditions, without unnecessary disruption or relocation.

Printed Name:	Ramon Garcia
Address:	1265 Majolica Rd Salisbury NC
Phone Number:	980-319-5914
Date:	8/27/2025
Signature:	

Verification

I, the undersigned affiant, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 27 day of AUG., 2025.

My Commission Expires
12-19-26
Robert E. Collins
PUBLIC
ROWAN COUNTY, NC
C 1625



Neighbors Across
Street who we
have towed
FOR

Affidavit in Support of LeBleu's Towing

Property Address: 1124 Majolica Rd, Salisbury, NC 28147

State of North Carolina
County of Rowan

I, the undersigned, being duly sworn, depose and say under oath and penalty of perjury that:

1. LeBleu's Towing has been operating its business at 1124 Majolica Rd, Salisbury, NC 28147 under the existing conditions.
2. The continued operation of this business at the above address is beneficial to the local community and does not create a nuisance or unreasonable hardship.
3. I fully support and petition for LeBleu's Towing to maintain its business on said property under the current operating conditions, without unnecessary disruption or relocation.

Printed Name:	Jesse Herring
Address:	150 Redman Dr.
Phone Number:	704-314-7252
Date:	8-27-25
Signature:	Jesse Herring

Verification

I, the undersigned affiant, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 27 day of Aug, 2025.

My Commission Expires
12-31-2025
ROBERT ELLIS COLLINS
CLERK
PUBLIC
ROWAN COUNTY, NC
Robert Ellis Collins

Neighbor Across
Street From
Our property

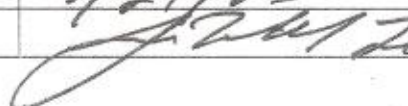
Affidavit in Support of LeBleu's Towing

Property Address: 1124 Majolica Rd, Salisbury, NC 28147

State of North Carolina
County of Rowan

I, the undersigned, being duly sworn, depose and say under oath and penalty of perjury that:

1. LeBleu's Towing has been operating its business at 1124 Majolica Rd, Salisbury, NC 28147 under the existing conditions.
2. The continued operation of this business at the above address is beneficial to the local community and does not create a nuisance or unreasonable hardship.
3. I fully support and petition for LeBleu's Towing to maintain its business on said property under the current operating conditions, without unnecessary disruption or relocation.

Printed Name:	Gregorio Villalobos JR
Address:	1120 Majolica Rd Salisbury, NC, 28147
Phone Number:	704-743-3645
Date:	8/27/25
Signature:	

Verification

I, the undersigned affiant, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 27 day of Aug, 2025.

My Commission Expires
12/31/2025

Robert ELLIS Collins

Neighbor of
Advancing
property
at
Driveway

Affidavit in Support of LeBleu's Towing

Property Address: 1124 Majolica Rd, Salisbury, NC 28147

State of North Carolina
County of Rowan

I, the undersigned, being duly sworn, depose and say under oath and penalty of perjury that:

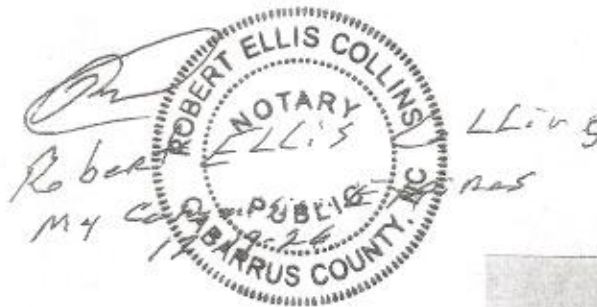
1. LeBleu's Towing has been operating its business at **1124 Majolica Rd, Salisbury, NC 28147** under the existing conditions.
2. The continued operation of this business at the above address is beneficial to the local community and does not create a nuisance or unreasonable hardship.
3. I fully support and petition for LeBleu's Towing to maintain its business on said property under the current operating conditions, without unnecessary disruption or relocation.

Printed Name:	<i>Durata, Callillo</i>
Address:	<i>115 Redman DR</i>
Phone Number:	<i>(904) 431-0490</i>
Date:	<i>8/27/25</i>
Signature:	<i>[Handwritten Signature]</i>

Verification

I, the undersigned affiant, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 27 day of Aug., 2025.



Neighbor Across
Street who
has been a tow
Customer & purchased
A replacement
Vehicle From us.

Afidávit en Apoyo de LeBleu's Towing

Dirección de la Propiedad: 1124 Majolica Rd, Salisbury, NC 28147

Estado de Carolina del Norte
Condado de Rowan

Yo, el abajo firmante, debidamente juramentado, declaro bajo juramento y pena de perjurio que:

1. LeBleu's Towing ha estado operando su negocio en 1124 Majolica Rd, Salisbury, NC 28147 bajo las condiciones existentes.
2. La operación continua de este negocio en la dirección mencionada es beneficiosa para la comunidad local y no crea una molestia ni una dificultad irrazonable.
3. Yo apoyo plenamente y solicito que LeBleu's Towing mantenga su negocio en dicha propiedad bajo las condiciones actuales, sin interrupción o reubicación innecesaria.

Nombre Completo:	David Martinez
Dirección:	1260 Majolica Rd
Número de Teléfono:	704-640 5108
Fecha:	08/27/25
Firma:	David Martinez

Verificación

Yo, el abajo firmante, declaro bajo pena de perjurio que lo anterior es verdadero y correcto a mi leal saber y entender.

Firmado en este 27 día de Aug, 2025.

My Commis
12-19
ROBERT ELLIS
NOTARY PUBLIC
ROBERT ELLIS
SABARRUS COUNTY, NC
Collins

Neighbor At
Entrance of Mobile
Home PARK who
brings us vehicles
For Repair / inspections
Signed their petition Forced

● Jackson, Philip R
From: philip.jackson@ncagr.gov
To: lebleus33@gmail.com

Mon, Aug 25 at 2:02 PM ☆

Good afternoon,

Thank you for your email. N.C. Forest Service District 10 personnel made me aware of your request for the fire report relative to the 1126 Majolica Road burned in Rowan County. Per N.C.G.S. 132-1.4, **fire reports are not public records**. However, I can provide the following information relative to the incident

Time: 4:38 p.m.

Date: March 8, 2025

Latitude: 35 41.099640 **Longitude:** -80 32.445420

Nature of incident: Wildfire – Powerline

TO THE BEST OF MY KNOWLEDGE, ALL NON-CONFIDENTIAL, REQUESTED INFORMATION IN MY CUSTODY OR POSSESSION HAS BEEN PROVIDED PURSUANT TO THE PUBLIC RECORDS REQUEST MADE ON THE 18TH DAY OF AUGUST, 2025.

Thank you,

Philip Jackson, public information officer
Information & Education Branch | N.C. Forest Service
N.C. Department of Agriculture and Consumer Services
1616 Mail Service Center | 512 Salisbury St. | Raleigh, NC 27699-1600
Office: 919-857-4828 | Mobile: 984-233-9897 | Fax: 919-857-4803 | philip.jackson@ncagr.gov
[Website](#) | [Blog](#) | [Facebook](#) | [Twitter](#) | [Video](#)

Stay connected. [Sign up](#) to receive the latest news and updates from the N.C. Forest Service.

Correspondence to and from this email address may be subject to North Carolina Public Records Law and may be disclosed to third parties.

Fire Report















DEPARTMENT OF PLANNING & DEVELOPMENT
DATE: 08/06/2025
STAFF CONTACT: AARON POPLIN



REZONING PETITION: Z 11-24

REQUEST: RA to CBI-CD

PARCEL ID: 451 058

LOCATION: 1124 Majolica Rd

ACERAGE: 7 acres requested out of 21 acre parcel.

CURRENT LAND USE: Towing, Dead Storage of Automobiles, and Used Auto Parts.

OWNER: Jeremy Good

APPLICANT: Jeremy Good

Request

Jeremy Good is petitioning to rezone a seven (7) acre portion of county tax parcel 451-058 from Rural Agricultural (RA) to Commercial Business Industrial with a Conditional District (CBI-CD) to allow for automobile towing with storage. This property is located at 1124 Majolica Rd.

Background before the first courtesy hearing of Z 11-24

Parcel 451-058 is a 21 acre tract with a double wide manufactured home, an approximately 7,500 Sq Ft commercial building, and six (6) smaller storage buildings. The property was within the city of Salisbury's Extra Territorial Jurisdiction (ETJ) until 1999 when it was relinquished from the ETJ and the County zoned it RA.

In 2001 a permit for a 3,700 Sq Ft metal fabrication shop was issued for a home occupation to former owner Lee Bame. The property was sold in 2008 to Mark Childers who moved his auto repair business into the shop. Sometime between 2014 and 2018 an addition was built onto the shop without permits. This addition brought the shop to its current size of approximately 7,500 Sq Ft. In December of 2023 Mark Childers sold the property to the current owner Jeremy Good.

After Jeremy Good purchased the property, he worked with Planning Staff to permit a Rural Home Occupation (RHO) for an auto mechanic shop, used car sales, and towing operation. Site

plan review for the RHO was never completed and permits were never issued to operate the business. In late January 2024 Planning Staff received a complaint that multiple junked cars had been moved onto the property.

A site inspection ensued and Planning Staff observed well over one hundred (100) cars had been moved onto the property, many of which appeared to be junked motor vehicles. A sign on the property at Majolica Rd had been updated for two new businesses, “LeBlues Towing and Recovery” and “Salisbury Discount Auto Parts.” After investigation Planning staff determined that a business had begun operation without receiving zoning approval and issued a subsequent Notice of Violation.

Planning staff met with Jeremy Good in February of 2024 to discuss Zoning Ordinance compliance. Based on descriptions given at the meeting, the business operations include Automobile Repair (SIC 753), Automobile Retail Sales (SIC 5511), Automobile Wrecker Service (SIC 7549), Automobile Dead Storage (SIC 4226), and Motor Vehicle Parts, Used – outdoor [salvage yard] (SIC 5015). While auto repair, sales, and wrecker services may be permitted in the RA district as an RHO, Automobile Dead Storage and Motor Vehicle Parts, Used – outdoor, require IND district designation in addition to Special Use Permit (SUP). Regardless to achieve zoning compliance, all uses need to receive zoning approval.

Jeremy Good opted to petition for a rezoning of the seven (7) acre business operational area on parcel 451-058 from RA to IND as the first step in getting the zoning approval for the uses on site.

Background after the first courtesy hearing of Z 11-24

At the July 2024 Planning Board Meeting, the board voted to deny request Z 11-24 to rezone a seven (7) acre portion of county tax parcel 451-058 from Rural Agricultural (RA) to Industrial (IND). During deliberations, there was discussion among board members suggesting the IND district is inappropriate for the subject property, but the proposed use - automobile towing with dead storage - may be appropriate. Some members expressed interest in having a process to evaluate the merits of a specific requested use(s) without having to consider the other uses allowed in the IND district – hence a conditional district rezoning.

The Z 11-24 rezoning request was placed on the Board of Commissioners’ consent agenda to schedule the legislative hearing for their August 19th meeting, but the Commission elected not to schedule a hearing due in part to the aforementioned Planning Board concern. Their action delayed a decision regarding Z 11-24 until a zoning text amendment can be considered.

Staff drafted text amendment ZTA 03-24 which defined Automobile Towing with Storage and give the option for it to be considered through a Conditional District Rezoning process or with a Special Use Permit in the IND district. ZTA 03-24 was approved by the Planning Board at their September 2024 meeting. The Board of Commissioners approved ZTA 03-24 at their second November 2024 meeting and ratified it with a second reading at their December 2024 meeting.

After ZTA 03-24 was adopted, staff informed Jeremy Good that he could amend his rezoning request Z 11-24 to request a CBI-CD district for automobile towing with storage. Request Z 11-24 has now been amended to a CD rezoning request for automotive towing with storage. Used auto parts is not an allowed use with this rezoning request and cannot be requested in this rezoning.

The property has continued to be in violation of the zoning ordinance since February of 2024. A stay on enforcement action has been in effect since the applicant started the initial rezoning request. The business has been in operation the entire time during the stay on enforcement.

Relationship with any plans and policies

This property is located in area two of the Western Area Land Use Plan. The plan encourages medium density residential development in the area. Traditional and conservation subdivisions are both encouraged.

The Rowan-Cabarrus MPO Thoroughfare map identifies Majolica Road as a minor thoroughfare. Rural Business located inside a Neighborhood Business Zoning District are generally considered appropriate along minor thoroughfares. This request is not for a Rural Business or requesting Neighborhood Business zoning.

The Western Area Land Use Plan identifies the US 29 and US 70 industrial corridors as areas that may be appropriate for heavy impact uses. This property is not located in either of these corridors.

Consistency with the requested zoning district's purpose and intent

Commercial, Business, Industrial, CBI. This zone allows for a wide range of commercial, business and light to medium industrial activities which support both the local and/or regional economies. The CBI district is generally appropriate in areas identified by an adopted land use plan that recommend "highway business" along identified NC and US highways; community/regional/potential development nodes; commercial corridors; and existing commercial areas. Areas served by public water/sewer represent significant public investment

to foster tax base growth and employment opportunities for the citizens, which could be served through CBI designation. The CBI 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.

Compatibility of Uses:

MAJOR GROUP	RA	CBI-CD
Residential	Permitted	Not Permitted
Construction	Permitted with SR	Not Permitted
Manufacturing	Some Permitted with SR	Not Permitted
Transp., Com., Elec. / Gas, & Sanitary Svc.	Some Permitted with SR	Not Permitted
Wholesale Trade	Most Permitted with SR	Not Permitted
Retail Trade	Permitted with SR	Not Permitted
Finance, Ins., & Real Est.	Permitted with SR	Not Permitted
Services	Most Permitted with SR	Not Permitted
Pt. Automobile towing with storage	Not Permitted	Permitted
Public Admin.	Not Permitted	Not Permitted

Generalized Groupings: Permitted: 100-75% Most: 75-50% Some: 50-25% Not Permitted: 25-0%
 Source: Section 21-113 Table of Uses

The requested CBI-CD district only allows for one use, Automobile towing with storage. Automobile towing with storage is defined as a facility which provides both automotive towing service and accessory outdoor storage of towed vehicles kept within an operational area until either being returned to the owner or moved to another site to be sold, repaired, or scrapped.

Automobile towing with storage has the following conditional district standards.

1. Screening. The Operational area must be in accordance with section 21-215(1), consisting of an opaque fence required by section 21-215(1)(b)(2) and, unless an alternative screening measure is approved as part of a conditional district, section 21-215(1)(b)(1).
2. Operational Area. All towed vehicles and any defined as junked motor vehicles shall be kept within the fenced operational area. Such vehicles may be stored for a maximum of six (6) months.

The submitted site plan shows the entire operational area enclosed with both a 6' wooden fence and rows of Leland Cypress planted at 5' on center to comply with the screening requirements. The board may request alternate screening; however, all screening must include a 6' opaque fence and a 20' vegetative buffer. Some sections of the buffer area have the fence in front of the screening trees. This is due in part to the applicant building a fence near the property line, without consulting planning staff, prior to the development of the CD standards. The Board may want to consider requiring all screening trees be located on the outside of the fence.

Conditions within the vicinity (see enclosed map): The predominant land use fronting Majolica Road is single family residential, many of which are manufactured homes. The eastern road side is inside the city limits of Salisbury and the western side in the County's jurisdiction. There are a few non-residential uses on Majolica Road including the Rowan County Wildlife Shooting Range (650 Majolica Rd. approximately 1,400' north of the request) and the Old Carolina Brick Company brick manufacturing (475 Majolica Rd approximately 2,600' north of the request). The Colonial pipeline crosses diagonally through many of the properties from the southwest, including the one in this rezoning. The properties adjacent to the request are as follows:

North: 31.09 Acre parcel inside the city limits of Salisbury with a 94 home subdivision planned. This property is zoned General Residential 3 (GR3). GR3 is one of Salisbury's residential zoning districts that allow for single family dwellings at 3 units per acre.

South: Oakland Meadows a 79 lot manufactured home park.

East: 10 lot mobile home subdivision in the city limits of Salisbury zoned GR3.

West: Large wooded lots.

Potential impact on facilities such as roads, utilities and schools

Roads: Majolica Rd has a capacity of 11,300 AADT. As of 2022 AADT is 2,000 on Majolica Rd.

Utilities: Without a specific use the impact on utilities cannot be determined. SRU has a water line going down Majolica Road.

The Colonial Pipeline crosses diagonally through the rezoning area. Planning Staff contacted Colonial Pipeline about the cars parked in their right of way. Colonial Pipeline indicated that cars parked in the right of way would not be an issue, but heavy equipment such as an excavator would be.

Schools: N/A

June Planning Board Meeting

The Planning Board conducted a courtesy hearing for Z 11-24 at their June 2025 meeting. The Planning Board asked the applicant questions about the general operations of the business from how long the cars would be on site, what kind of licensing requirements there are, and approximately how many cars would be on site at one time. The applicant informed the Board that there are no specific license requirements to run a towing operation. He said that there would typically be between 200-250 cars on site at any given time, and that cars remain on site around 5-6 months before he can get the title and remove them. The Board also asked if the applicant would be willing to move the screening trees to the outside of the required fence and the applicant said he would be willing to do that.

One person spoke in opposition during the courtesy hearing. Daniel Pieris, the manager of the adjoining manufactured home park Oakland Meadows, spoke to the cars being on site longer than 6 months. He also mentions that there was a fire on the applicant's property that spread over to the manufactured home park. He also shared photos with the Board of the fire damage.

The Board talked about how they would like to ensure that the towing operation could be a good neighbor for the adjoining property owners.

The Planning Board approved the rezoning and adopted the following statement

Z 11-24 is not consistent with the West Area 2 Land Use Plan, but reasonable/appropriate based on the following:

- **The existing business is compatible with the surrounding area and the overall public good is being served.**
- **The applicant agrees to follow all buffer standards.**
- **The use complies with the CBI - Conditional District overlay requirements.**
- **The applicant agrees there will be a remediation plan should he go out of business in the future to remove any remaining junk motor vehicles.**

Decision making and procedures

Decision Making: In addition to the above criteria, sec. 21-362 (c) of the Zoning Ordinance indicates the primary question before the Planning Board / Board of Commissioners in a rezoning decision is "whether the proposed change advances the public health, safety, or welfare as well as the intent and spirit of the ordinance." Additionally, the boards "shall not regard as controlling any advantages or disadvantages to the individual requesting the change but shall consider the impact of the proposed zoning change on the public at large."

Procedures: The Board must develop a statement of consistency describing whether its action is consistent with any adopted comprehensive plans and indicate why their action is reasonable and in the public interest [sec. 21-362 (j)]. A statement analyzing the reasonableness of the decision is also necessary. See enclosed checklist as a guide in developing these statements.

GS 160D-605(b) requires a statement of reasonableness in all rezonings. While spot zoning in North Carolina is considered legal, it must be determined as reasonable based on a number of factors including the following established GS 160D-605(b):

1. the size, physical conditions, and other attributes of the area proposed to be rezoned;
 - *In general the smaller the lot the more likely the rezoning will be invalid. The size of the lot should be contextualized by the development in the vicinity. What is considered large in an urban setting may be considered small in a rural setting.*
 - *Spot zonings are generally considered reasonable when they fit into an existing land use plan.*
2. the benefits and detriments to the landowners, the neighbors, and the surrounding community;
 - Spot zoning that is beneficial to the community may be considered reasonable. Benefits should be substantial for the surrounding community and not just generally beneficial.
3. the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;
 - Spot zoning may be considered reasonable when the allowed uses in the new zoning district are not radically different from the current allowed uses.
 - Conditions required in a conditional district rezoning that mitigate harm to neighbors may be used as justification for the rezoning.
4. why the action taken is in the public interest; and
5. any changed conditions warranting the amendment.
 - Significant changes in an area such as expansion of infrastructure may be used as justification that a request is reasonable.

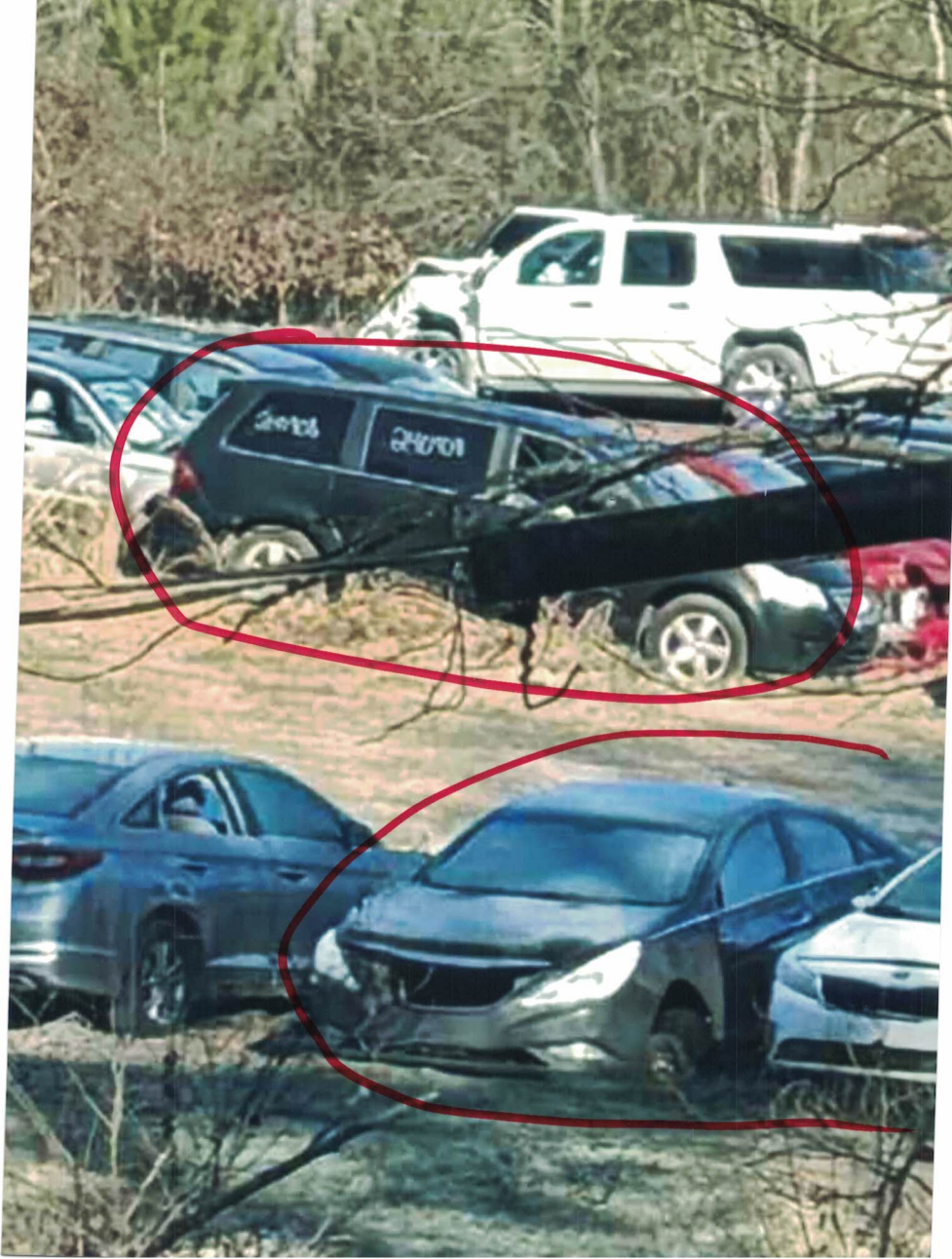
Staff Comments

- If the Board finds this use to be appropriate extra scrutiny should be applied to the statement to justify the location of this use against the recommendations of the land use plan.
- The Board will want to get assurances from the applicant on how they will be able to guarantee vehicles are stored on site no longer than six (6) months.

- The Board may want to consider the difficulty of enforcement of the six (6) month vehicle storage maximum when making a decision to approve/deny the application or when developing conditions.
- This is a conditional district rezoning request. The Board may require mutually agreed upon conditions with the applicant to mitigate adverse impacts on adjoining properties.
- The property is still in violation of the Zoning Ordinance. Enforcement action on the violation is suspended while the rezoning request is being processed.

Attachments

- GIS Map
- Site plan
- Statement worksheet
- Application









Z 11-24 RA to CBI-CD

August 18, 2025

Owner: Jeremy Good
Applicant: Jeremy Good
1124 Majolica Rd
Tax Parcel: 451 058



Property Information



- Tax Parcel 451 058
- 21 Acres
- Zoned RA
- Double Wide Manufactured home.
- Approximate 7,500 Sq Ft shop.

Background Information

- Within Salisbury ETJ until 1999
- Existing Shop was originally constructed in 2001 as a 3,700 Sq Ft metal fabrication shop home occupation.
- Shop was expanded without permits between 2014 and 2018 to approximately 7,500 Sq Ft.
- Jeremy Good purchased the property in December 2023
- Current owner worked with Planning Staff to permit a Rural Home Occupation (RHO) for an auto mechanic shop, used car sales, and towing operation. Site plan review was never completed, and permits were never issued.
- Late January 2024 Planning Staff received a complaint on the property for multiple junked cars.

Background Information

- After site inspection staff placed the property in zoning violation.
- Staff met with Jeremy Good in February to discuss compliance.
- Business operations include Automobile Repair, Automobile Retail Sales, Automobile Wrecker Service Automobile Dead Storage, and Motor Vehicle Parts, Used – outdoor [salvage yard]
- Automobile dead storage and motor vehicle parts, used outdoor require IND district designation in addition to Special Use Permit (SUP).
- Jeremy Good opted to petition for a rezoning of the seven (7) acre business operational area on parcel 451-058 from RA to IND as the first step in getting the zoning approval for the uses on site.

Background Information Post Courtesy Hearing

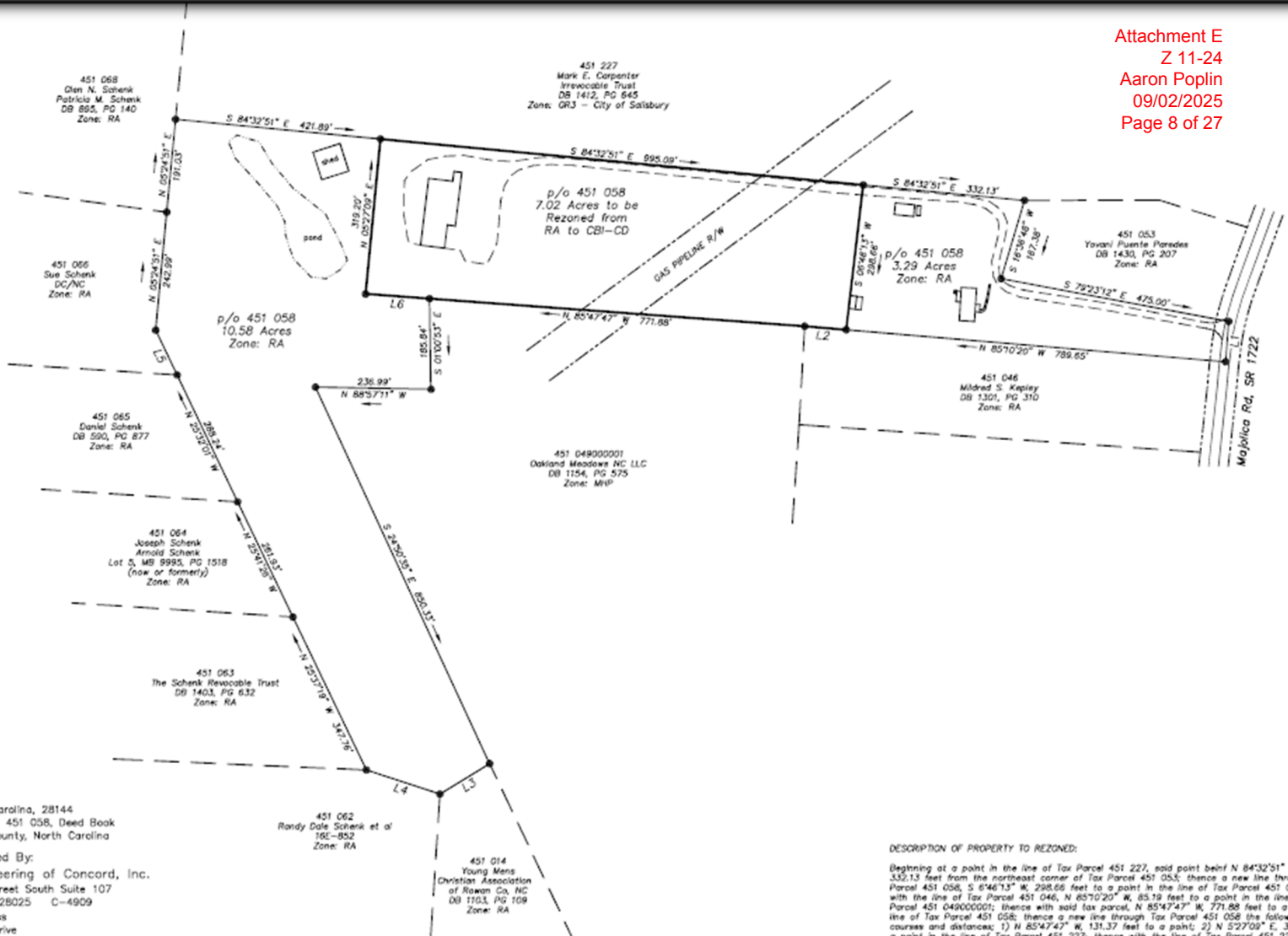
- At the July 2024 Planning Board Meeting, the board voted to deny request Z 11-24 to rezone a seven (7) acre portion of county tax parcel 451-058 from Rural Agricultural (RA) to Industrial (IND). During deliberations, there was discussion among board members suggesting the IND district is inappropriate for the subject property, but the proposed use - automobile towing with dead storage - may be appropriate. Some members expressed interest in having a process to evaluate the merits of a specific requested use(s) without having to consider the other uses allowed in the IND district – hence a conditional district rezoning.

Background Information Post Courtesy Hearing

- The Z 11-24 rezoning request was placed on the Board of Commissioners' consent agenda to schedule the legislative hearing for their August 19th meeting, but the Commission elected not to schedule a hearing due in part to the aforementioned Planning Board concern. Their action delayed a decision regarding Z 11-24 until a zoning text amendment can be considered.
- Staff drafted text amendment ZTA 03-24 which defined Automobile Towing with Storage and give the option for it to be considered through a Conditional District Rezoning process or with a Special Use Permit in the IND district. ZTA 03-24 was approved by the Planning Board at their September 2024 meeting. The Board of Commissioners approved ZTA 03-24 at their second November 2024 meeting and ratified it with a second reading at their December 2024 meeting.

Background Information Post Courtesy Hearing

- After ZTA 03-24 was adopted, staff informed Jeremy Good that he could amend his rezoning request Z 11-24 to request a CBI-CD district for automobile towing with storage. Request Z 11-24 has now been amended to a CD rezoning request for automobile towing with storage. Used auto parts is not an allowed use with this rezoning request and cannot be requested in this rezoning.
- The property has continued to be in violation of the zoning ordinance since February of 2024. A stay on enforcement action has been in effect since the applicant started the initial rezoning request. The business has been in operation the entire time during the stay on enforcement.



LINE DATA:
 L1: S 04°32'14" W, 83.13'
 L2: S 85°10'20" W, 85.19'
 L3: S 58°35'53" W, 119.50'
 L4: N 71°53'08" W, 101.78'
 L5: N 25°41'43" W, 101.78'
 L6: N 85°47'47" W, 131.37'

Rezone Exhibit Map Sheet 1 of 2 for:
Jeremy Good
 1124 Majolica Road, Salisbury, North Carolina, 28144
 7.02 Acre Tract, Part of Tax Parcel ID 451 058, Deed Book
 1434, Page 644, Locke Tsp., Rowan County, North Carolina



Map Prepared By:
 King Engineering of Concord, Inc.
 35 Church Street South Suite 107
 Concord, NC 28025 C-4909
 Mailing Address
 401 Potat Drive
 Morganton, NC 28655
 Phone (828) 403 - 5586

July 1, 2024
 Job Number 2024-020
 Scale: 1" = 200'



DESCRIPTION OF PROPERTY TO REZONED:
 Beginning at a point in the line of Tax Parcel 451 227, said point being N 84°32'51" W, 332.13 feet from the northeast corner of Tax Parcel 451 053; thence a new line through Tax Parcel 451 058; S 84°13'1" W, 298.66 feet to a point in the line of Tax Parcel 451 046; thence with the line of Tax Parcel 451 046, N 85°10'20" W, 85.19 feet to a point in the line of Tax Parcel 451 049000001; thence with said tax parcel, N 85°47'47" W, 771.88 feet to a point in the line of Tax Parcel 451 058; thence a new line through Tax Parcel 451 058 the following two (2) courses and distances: 1) N 85°47'47" W, 131.37 feet to a point; 2) N 52°00' E, 319.20 feet to a point in the line of Tax Parcel 451 227; thence with the line of Tax Parcel 451 227, S 84°32'51" E, 995.09 feet to the Point and Place of Beginning and containing 7.00 acres more or less.

NOTE:
 BOUNDARY INFORMATION PREDICATED FROM INFORMATION IN DEED BOOK 1434, PAGE 644 AND MAP BOOK 9995, PAGE 10193.







Plans and Policies



- This property is located in Area 2 of the Western Area Land Use Plan. Medium density residential development in the area. Traditional and conservation subdivisions are both encouraged.
- The Rowan-Cabarrus MPO Thoroughfare map identifies Majolica Road as a minor thoroughfare. Rural Business located inside a Neighborhood Business Zoning District are generally considered appropriate along minor thoroughfares. This request is not for a Rural Business or requesting Neighborhood Business zoning.

Plans and Policies



- The Western Area Land Use Plan identifies the US 29 and US 70 industrial corridors as areas that may be appropriate for heavy impact uses. This property is not located in either of these corridors.

Consistency with the requested zoning district

Commercial, Business, Industrial, CBI. This zone allows for a wide range of commercial, business and light to medium industrial activities which support both the local and/or regional economies. The CBI district is generally appropriate in areas identified by an adopted land use plan that recommend "highway business" along identified NC and US highways; community/regional/potential development nodes; commercial corridors; and existing commercial areas. Areas served by public water/sewer represent significant public investment to foster tax base growth and employment opportunities for the citizens, which could be served through CBI designation. The CBI 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.

Compatibility of Uses

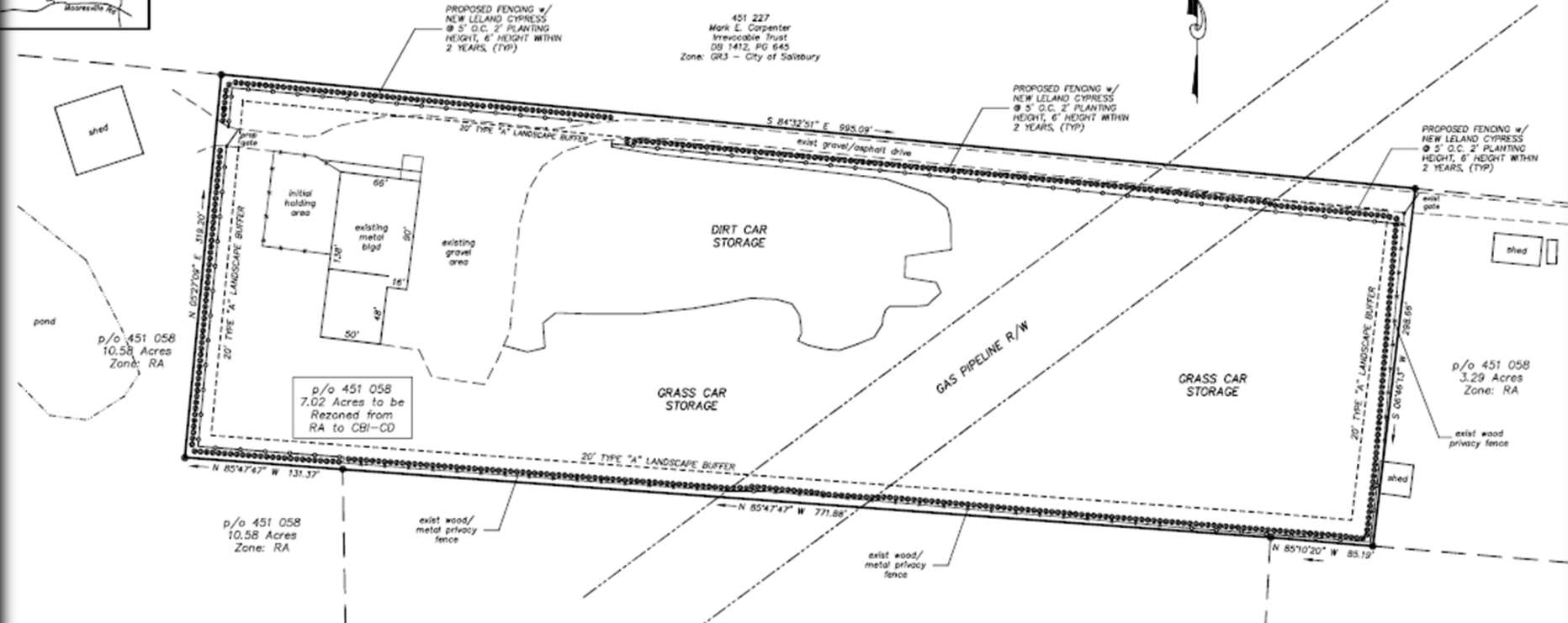
MAJOR GROUP	RA	CBI-CD
Residential	Permitted	Not Permitted
Construction	Permitted with SR	Not Permitted
Manufacturing	Permitted with SR	Not Permitted
Wholesale Trade	Most Permitted with SR	Not Permitted
Retail Trade	Permitted with SR	Not Permitted
Finance, Ins., & Real Est.	Permitted with SR	Not Permitted
Services	Most Permitted with SR	Not Permitted
Pt. Automobile towing with storage	Not Permitted	Permitted
Public Admin.	Not Permitted	Not Permitted

Generalized Groupings:
Permitted: 100-75% Most: 75-50% Some: 50-25% Not Permitted 25-

Source: Section 21-113 Table of Uses

Compatibility of Uses

- The requested CBI-CD district only allows for one use, Automobile towing with storage. Automobile towing with storage is defined as a facility which provides both automotive towing service and accessory outdoor storage of towed vehicles kept within an operational area until either being returned to the owner or moved to another site to be sold, repaired, or scrapped.
- Automobile towing with storage has the following conditional district standards.
 1. Screening. The Operational area must be in accordance with section 21-215(1), consisting of an opaque fence required by section 21-215(1)(b)(2) and, unless an alternative screening measure is approved as part of a conditional district, section 21-215(1)(b)(1).Operational Area.
 2. All towed vehicles and any defined as junked motor vehicles shall be kept within the fenced operational area. Such vehicles may be stored for a maximum of six (6) months.



Rezone Exhibit Map Sheet 2 of 2 for:
Jeremy Good
1124 Majolica Road, Salisbury, North Carolina, 28144
7.02 Acre Tract, Part of Tax Parcel ID 451 058, Deed Book 1434, Page 644, Locke Twp., Rowan County, North Carolina

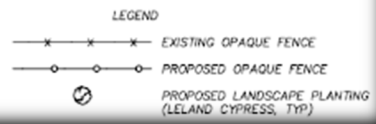
Map Prepared By:
King Engineering of Concord, Inc.
35 Church Street South Suite 107
Concord, NC 28025 C-4909
Mailing Address
401 Pototat Drive
Morganton, NC 28655
Phone (828) 403 - 5586

May 1, 2024
Job Number 2024-020
Scale: 1" = 80'
0 40' 80' 160' 240'

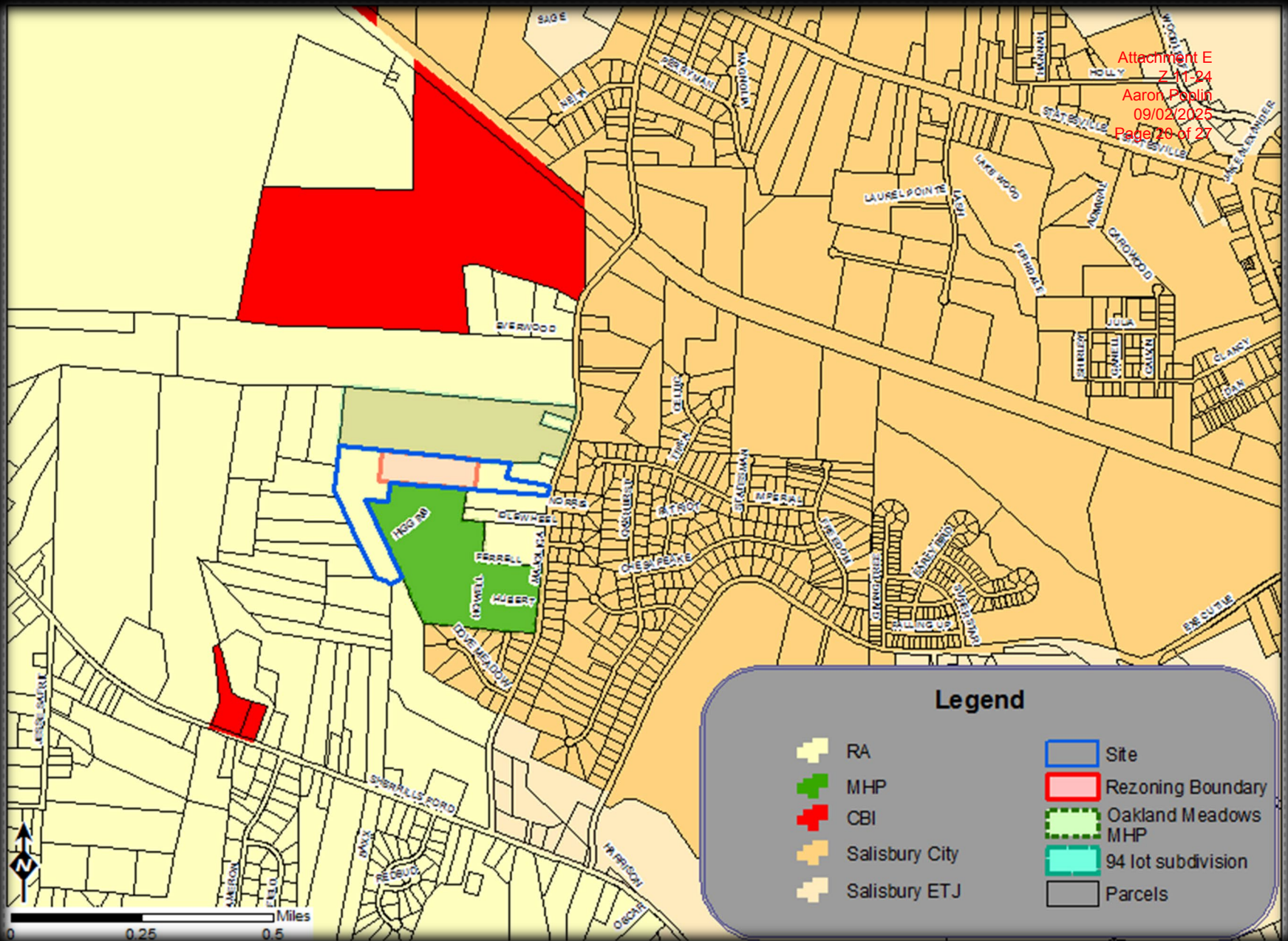
- NOTES:
1. OWNER:
JEREMY GOOD
215 DOGWOOD ESTATES DR.
CHINA GROVE, NC 28023
 2. SITE IS 7.02 ACRES PART OF PARCEL 451 - 058 TO BE REZONED CBI-CD FOR AUTOMOBILE TOWING WITH STORAGE.
 3. SUBJECT PROPERTY LIES WITHIN FLOOD ZONE X, MINIMUM RISK, PER FEMA PANEL 37105740 004, EFFECTIVE DATE: JUNE 16, 2008.
 4. SUBJECT PROPERTY DOES NOT LIE WITHIN A PUBLIC WATER SUPPLY WATERSHED AREA.
 5. BOUNDARY INFORMATION PREDICATED FROM INFORMATION IN DEED BOOK 1434, PAGE 644 AND MAP BOOK 9995, PAGE 10193.
 6. NO BUSINESS ACTIVITY ALLOWED WITHIN THE 20' TYPE "A" LANDSCAPE BUFFER.

451 049000001
Oakland Meadows NC LLC
DB 1154, PG 575
Zone: MHP

451 046
Mildred S. Kopley
DB 1301, PG 310
Zone: RA







Potential Impacts on Facilities

- Majolica Rd has a capacity of 11,300 AADT. As of 2022 AADT is 2,000 on Majolica Rd.
- SRU has a water line going down Majolica Road.
- The Colonial Pipeline crosses diagonally through the rezoning area. Planning Staff contacted Colonial Pipeline about the cars parked in their right of way. Colonial Pipeline indicated that cars parked in the right of way would not be an issue, but heavy equipment such as an excavator would be.

June Planning Board

- The Planning Board asked the applicant questions about the general operations of the business.
- The applicant informed the Board that:
 - There are no specific license requirements.
 - There are typically be between 200-250 cars on site at any given time
 - Cars remain on site around 5-6 months
- The applicant indicate they would be willing to move the screening trees to the outside of the required fence

June Planning Board

- One person spoke in opposition during the courtesy hearing. Daniel Pieris, the manager of the adjoining manufactured home park Oakland Meadows, spoke to the cars being on site longer than 6 months. He also mentions that there was a fire on the applicant's property that spread over to the manufactured home park. He also shared photos with the Board of the fire damage.

June Planning Board

- The Planning Board approved the rezoning and adopted the following statement.

Z 11-24 is not consistent with the West Area 2 Land Use Plan, but reasonable/appropriate based on the following:

- The existing business is compatible with the surrounding area and the overall public good is being served.
- The applicant agrees to follow all buffer standards.
- The use complies with the CBI - Conditional District overlay requirements.
- The applicant agrees there will be a remediation plan should he go out of business in the future to remove any remaining junk motor vehicles.

Staff Comments

- If the Board finds this use to be appropriate extra scrutiny should be applied to the statement to justify the location of this use against the recommendations of the land use plan.
- The Board should consider the merits of the request the same as they would have if the request was made prior to operation of the business.

Staff Comments

- This is a conditional district rezoning request. The Board may require mutually agreed upon conditions with the applicant to mitigate adverse impacts on adjoining properties. Things such as decreased operational area, increased setbacks, or increased screening can be considered.
- The property is still in violation of the Zoning Ordinance. Enforcement action on the violation is suspended while the rezoning request is being processed

Procedures

- Conduct a legislative hearing
- Adopt statements
- Approve/Deny/Table Z 11-24



Rowan County Department of Planning & Development
402 North Main Street – Suite 204 – Salisbury, NC 28144
Main (704) 216-8588 rowancountync.gov/planning

MEMORANDUM

TO: Rowan County Board of Commissioners
FROM: Shane Stewart, Assistant Planning Director
DATE: August 20, 2025
RE: **TA 01-25: Planning Staff Proposed Text Changes**

SUGGESTED BOARD OF COMMISSIONER'S ACTION

Receive staff report Conduct legislative hearing Close hearing & discuss
 Motion to adopt statement of consistency Motion to Approve / Deny / Table **TA 01-25**

REQUEST

Planning Staff propose multiple miscellaneous text changes to Chapter 9 (Flood Damage Prevention Ordinance), Chapter 21 (Zoning Ordinance), and Chapter 22 (Subdivision Ordinance) of the Rowan County Code of Ordinances. Proposed changes based on amendments to the North Carolina General Statutes (G.S.) should be considered mandatory while those initiated by staff are intended to enhance ordinance consistency and clarity in the administration.

PROPOSED TEXT CHANGES

Existing text proposed for deletion appear **highlighted with strikethroughs** while new text appear as **bold red text**. Due to the number of pages involved, the below include excerpts from the ordinance rather than in whole. Statute based changes contain a **footnote highlighted in green**.

Chapter 9: Flood Damage Prevention Ordinance

Sec. 9-32. Floodplain development application, permit and certification requirements.

(3) *Certification requirements.*

(f) As a condition of permit approval for proposed development adjacent to a special flood hazard area, the floodplain administrator may require an as-built survey to verify the project under construction was built in compliance with this chapter.

Chapter 21: Zoning Ordinance

(Table of Contents)

Sec. 21-272. Issuance of building permits.

Sec. 21-336. ~~Judicial review of BOA decisions.~~ **Reserved.**

Sec. 21-4. Definitions

Built-upon area means that portion of a development project that is covered by impervious or partially impervious cover, including buildings, pavement, gravel areas (e.g. roads, parking lots, and paths), recreation facilities (e.g. tennis courts), etc. This does not include:

1. Slatted decks.
2. The water area of a swimming pool.
3. A surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric.
4. and Trails defined in G.S. ~~143B-135.94~~ **113A-85** that are either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour).
5. **Landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the areas between sections of pavement that support the weight of a vehicle.**
6. **Artificial turf, manufactured to allow water to drain through the backing of the turf, and installed according to the manufacturer's specifications over a pervious surface.**

Senate Bill (SB) 166: Effective September 11, 2024

***Child care* means a program or arrangement, unless otherwise excluded by G.S. 110-86, where three (3) or more children less than thirteen (13) years old, who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than four (4) hours but less than twenty-four (24) hours per day from persons other than their guardians or full-time custodians, or from persons not related to them by birth, marriage, or adoption.**

***Child care center* means any child care arrangement where, at any one time, there are three (3) or more preschool-age children or nine (9) or more school-age children**

receiving child care which provides child care for between three (3) and twelve (12) preschool-age children in a residence or three (3) or more children in a building other than a residence on a regular basis of at least once per week for more than four (4) hours but less than twenty-four (24) hours per day, regardless of the time of day and regardless of whether the same or different children attend as defined by G.S. 110-86. The following are not included: public schools; non-public schools whether or not accredited by the state department of public instruction, which regularly and exclusively provide a course of grade school instruction to children who are school age; specialized activities such as athletics, dance, music lessons, or Boy Scouts; summer day camps that operate less than four (4) consecutive months and do not participate in the child care subsidy program; summer camps having children in full-time residence; bible schools conducted during vacation periods; facilities licensed under G.S. Ch. 122C, Art. 2; and cooperative arrangements among parents to provide care for their own children as a convenience rather than for employment.

Family child care home means any child care program or child care arrangement **located in a residence where, at any one time, more than two (2) but less than eleven (11) children, receive child care, provided the arrangement is in accordance with G.S. 110-91(7)(b)** wherein any person provides child care on a regular basis at least once per week for more than four (4) hours per day for five (5) or fewer preschool-age children and / or three (3) or fewer school-age children under thirteen (13) years of age, wherever operated, and whether or not operated for profit as defined by G.S. 110-86. The provider's own preschool-age children are included in the capacity totals but their school-age children are not. The four-hour limit applies regardless of the time of day and regardless of whether the same or different children attend. Cooperative arrangements among parents to provide care for their own children as a convenience rather than for employment are not included.

Various G.S. changes to definitions.

Home occupation, customary means a business, profession, occupation, or trade for the economic gain or support of a resident of the dwelling which is completely contained within the dwelling. The use is operated by the resident of the dwelling, incidental and secondary to the residential use of the lot, and which does not adversely affect the character of the lot or surrounding area.

Home occupation, rural (RHO) means a non-residential use owned and operated by the resident of the dwelling, which is located on the same or an adjacent parcel of land. In general, RHOs are more intensive land uses than **customary** home occupations and are therefore subject to the requirements of Article III. Based on the use and occupancy classification, a RHO is subject to the North Carolina Building Code for non-residential use unless otherwise determined by the Rowan County Building Inspection Department.

Residential development means buildings for residence such as attached and detached single-family dwellings, apartment complexes, condominiums, townhouses, cottages, etc. and their associated outbuildings such as garages, storage buildings, gazebos, etc. and customary home occupations **but not including Rural Home Occupations.**

Road means a dedicated public rights-of-way for vehicular traffic (or a private road when permitted by this chapter). The word "road" includes, but is not limited to, "street, freeway,

highway, expressway, drive, avenue, court, way, place, circle, lane, boulevard, and thoroughfare."

(2) *Specific types of roads:*

- d. *Cul-de-sac.* A **permanent dead-end** short street having but **which has** one (1) end open to traffic and **terminates in a** the other end being permanently terminated and a **vehicular circular** turnaround provided.

***Survey, as-built* means a procedure performed by a North Carolina Professional Land Surveyor to measure and document the location and dimensions of property improvements (e.g. buildings, built-upon area) as they exist during or following construction. Results are depicted to scale on a sealed map for visual representation of existing site conditions.**

***Survey, boundary* means, for the purposes of this chapter, a procedure performed by a North Carolina Professional Land Surveyor to establish or retrace property boundary lines based on land records and field evidence. Results are depicted to scale on a sealed map for visual representation and / or use in preparation of a site plan.**

Sec. 21-12. Fees.

Reasonable fees to cover the administration, inspection, publication of notice and similar matters may be charged to applicants for zoning permits, **site plans**, special use permits, zoning amendments, variances, and **appeals, or request listed in the fee schedule** other administrative relief. The amount of fees charged shall be established by the board of commissioners. Fees shall be paid upon submission of a signed application, **permit request**, or notice of appeal.

Sec. 21-13. Enforcement.

(b) *Zoning administrator procedures.*

(2) *Stop work orders.* Whenever any work or activity subject to the standards of this Chapter is undertaken in substantial violation or in a manner that endangers life or property, staff may order the specific part of the work or activity that is in violation or presents such a hazard to be immediately stopped. The order shall be in writing, directed to the person doing the work or activity, and shall state the specific work or activity to be stopped, the reasons therefore, and the conditions under which the work or activity may be resumed. A copy of the order shall be delivered to the holder of the development approval, if applicable, and owner of the subject parcel in by personal delivery, electronic delivery, or first-class mail. The administrator or staff member delivering the stop work order shall certify that the order was delivered and maintain documentation provided with specific dates. No further work or activity shall take place in violation of a stop work order pending a ruling on the appeal. **Violation of a stop work order shall constitute a Class 1 misdemeanor.**

SB 300: Effective August 25, 2021

Sec. 21-14. Violations and penalties.

(a) *Civil penalties.*

- (1) ~~In addition to other remedies cited in this chapter for the enforcement of these provisions, this chapter may be enforced through the issuance of citations by the county.~~ **Violations of this ordinance may be enforced through the issuance of** These citations ~~shall be~~ in the form of a civil penalty **authorized by G.S. 153A-123 and identified in subsection (a)(2) of this section.** The county may recover this penalty within seventy-two (72) hours after issuing a citation for a violation. In addition, failure to pay the civil penalty may subject the owner to civil action in the nature ~~if of debt~~ **if** the penalty is not paid in the prescribed period of time.
- (2) The following civil penalties are established for violations under this chapter:
 - a. Warning citation . . . No penalties
 - b. First citation . . . \$ 25.00
 - c. Second citation for the same offense . . . **\$50.00**
 - d. Third and subsequent violations for the same offense . . . **\$100.00**

Upon issuance of a warning citation, first citation or second citation, the owner or developer shall have seven (7) days to correct the violation or make satisfactory progress to correct the violation before additional penalties are assessed. Upon issuance of the third citation, each additional day's violation is a separate and distinct offense and shall incur an additional one-hundred-dollar **(\$100)** fine.

- (b) ~~Misdemeanor citations. Any person who knowingly or willfully violates this chapter, or who knowingly or willfully initiates unapproved actions shall be guilty of a misdemeanor punishable by imprisonment not to exceed thirty (30) days, or by a fine not to exceed fifty dollars (\$50.00).~~

(e) *Injunctive relief.* Whenever the county attorney has reasonable cause to believe that any person is violating or threatening to violate this article or any term, condition, or provision of approval, the county attorney may, either before or after the institution of any other action or proceeding authorized by this chapter, institute a civil action in the name of the county for injunctive relief to restrain the violation or threatened violation. The action shall be brought in the superior court of the county. Upon determination by a court that an alleged violation is occurring or is threatened, it shall enter such orders or judgments as are necessary to abate the violation or to prevent the threatened violation. The institution of an action for injunctive relief under this section shall not relieve any party to such proceedings from ~~any~~ civil ~~or criminal~~ penalty prescribed for violations of this chapter.

Sec. 21-33. Overlay districts.

(2) *Water Supply Watershed Overlays, WSO*

- c. *Calculating built-upon area.* For the purpose of calculating built-upon area, total project area shall include total acreage in the lot on which the project is to be developed less acreage with any public road right of way. Built-upon area

for a non-residential use existing prior to January 1, 1994 (effective date of the initial WSO district designation and ordinance) as determined by planning staff will be subtracted from the overall lot acreage. All built-upon area proposed or existing after January 1, 1994 shall be subject to standards of this chapter. **Customary home occupations** ~~Home Occupations~~ defined by section 21-4 shall be considered single family development. Built-upon area calculations for a Rural Home Occupation shall only include new built-upon area proposed and use of any existing structure(s) for the operation but not existing residential structures.

- d. *Density and built-upon limits.* Maximum allowable density and built-upon limits on a project by project basis is subject to one of the following options:

Water Supply Classification	Location in Watershed	Maximum Allowable Built-upon Area % (Non-residential / Multi-family) and Minimum Lot Size in sq.ft. [sf] (Single Family)					
		Low Density Development		Density Averaging ¹	High Density Development ²		SNIA
		Single Family Residential Development	Non-residential and Multi-family Development	Non-residential Development	Single Family Residential Development	Non-residential and Multi-family Development	Non-residential Development
WS-II	Critical Area	80,000 sf or 6% built upon area	6% built-upon area	6% built-upon area	N/A	N/A	N/A
	Balance of Watershed	40,000 sf	12% built-upon area	12% built-upon area	N/A	N/A	70% built-upon area
WS-III	Critical Area	40,000 sf	12% built-upon area	12% built-upon area	N/A	N/A	N/A
	Balance of Watershed	20,000 sf	24% built-upon area	24% built-upon area	N/A	N/A	70% built-upon area
WS-IV ³	Critical Area	20,000 sf	24% built-upon area	24% built-upon area	50% built-upon area	50% built-upon area	N/A
	Protected Area	20,000 sf or 15,000 sf without curb and gutter	24% built-upon area or 36% without curb and gutter	24% built-upon area or 36% without curb and gutter	70% built-upon area	70% built-upon area	70% built-upon area

- f. *Options in Density Compliance.*

To verify a completed project conformed to the proposed plan, planning staff may require ~~a site plan~~ **an as-built survey** from a professional land surveyor verifying the built-upon area limits and calculations in conformity with this chapter.

(3) *Agricultural Overlay, AO.* The purpose of the Agricultural Overlay District is to enhance the underlying Rural Agricultural (RA) district with options that encourage the continued vitality of active farming operations and preservation of viable agricultural areas. The district may be applied to all or portions of property consisting of working farmland used extensively for agricultural and livestock production. The district is intended to supplement bona fide farming and agritourism activities defined in **NCCS G.S. 160D-903(a)** with ancillary retail trade and services to support the overall farm operation.

- e. *Change in bona fide farming status.* Should the bona fide farm no longer qualify as such pursuant to **NCGS G.S. 160D-903(a)**, the expansion, repair and replacement of Ancillary and Special Requirement uses permitted by subsections (b) and (c) will be subject to the Non-conforming situations of Article VI of this Chapter.

Sec. 21-52. Site plan required.

A site plan is necessary to demonstrate the proposed use of land and / or structure(s) will comply with the specifications set forth in this chapter prior to the issuance of a zoning permit. A site plan shall be provided for all non-residential uses, special use permit, conditional district, and any other use / application type specifically noted in this chapter.

The site plan shall be presented by the applicant and contain, at a minimum, the following:

~~All non-residential uses shall submit a site plan containing the following information in addition to other standards required by this chapter:~~

- ~~(1) Zone lot with dimensions and development setbacks;~~
- ~~(2) Tax parcel number;~~
- ~~(3) Property address;~~
- ~~(4) Adjoining deeded properties and their uses;~~
- ~~(5) Existing structures;~~
- ~~(6) Proposed structure with size;~~
- ~~(7) Proposed use;~~
- ~~(8) Number of employees, if applicable;~~
- ~~(9) Hours of operation, if applicable;~~
- ~~(10) Off-street parking, loading and unloading, access to existing streets;~~
- ~~(11) Easements and rights-of-way;~~
- ~~(12) All pertinent development requirements of this chapter;~~
- ~~(13) Any additional information required by the zoning administrator to assess the merits of the application, including but not limited to a commercial driveway permit, traffic impact analysis, environmental impact statements;~~
- ~~(14) Floodplains;~~
- ~~(15) Name, location and dimension of any proposed streets, drainage facilities, parking areas, recreation areas, required yards, required turnarounds as applicable;~~
- ~~(16) Screening & Buffering, if applicable;~~
- ~~(17) Zoning District;~~

~~(18) Proposed phasing, if applicable;~~

~~(19) This required site plan shall be in sufficient detail to allow the zoning administrator to reasonably understand the proposed development. The scale shall be one (1) inch equals one hundred (100) feet or greater for zone lots three (3) acres or less in size, or one (1) inch equals two hundred (200) feet for zone lots more than three (3) acres in size.~~

- (1) Property lines with dimensions;**
- (2) Tax parcel number;**
- (3) Property address, if assigned;**
- (4) Zoning district;**
- (5) Easements and rights-of-way;**
- (6) Adjacent roads and existing or proposed driveways;**
- (7) Proposed structure, dimensions, and distance from property lines;**
- (8) Proposed use (reference SIC from 21-113);**
- (9) Existing structures and use;**
- (10) Required setbacks;**
- (11) Floodplains, if applicable;**
- (12) Name, location and dimension of any, drainage facilities, parking areas, recreation areas, required turnarounds as applicable;**
- (13) Off-street parking, loading and unloading;**
- (14) Any other operational area use;**
- (15) Water supply watershed district and built-upon area calculations, if applicable;**
- (16) Number of employees, if applicable;**
- (17) Hours of operation, if applicable;**
- (18) Adjoining parcel owner name and land use;**
- (19) Screening & buffering location and details, if applicable;**
- (20) All pertinent development requirements of this chapter;**
- (21) Proposed phasing, if applicable;**
- (22) Any additional information required by the zoning administrator to assess the merits of the application, including but not limited to a commercial driveway permit, traffic impact analysis, environmental impact statements.**

- (23) Unless otherwise allowed by the Zoning Administrator, the scale shall be one (1) inch equals one hundred (100) feet or greater for zone lots three (3) acres or less in size, or one (1) inch equals two hundred (200) feet or greater for zone lots more than three (3) acres in size.

In cases where the applicant's site plan illustration of compliance with setbacks and / or other development standards appears inconsistent with perceived information from a Geographic Information System or when plainly inadequate for the purposes of evaluating compliance, the Zoning Administrator may require the site plan to be prepared with a full or partial boundary and / or as-built survey or by a North Carolina Professional Engineer or Architect.

To verify completed development conformed to approved plan, the Zoning Administrator may require the applicant to provide an as-built survey to substantiate compliance.

Sec. 21-60. Special use requirements for specific uses.

(5) *Electric, Gas, and Sanitary Services.*

a. *Electric services (SIC 491) all except Solar Energy Systems, Gas Production and Distribution (SIC 492), Combination electric and gas and other utility (SIC 493), sewerage systems (SIC 4952), refuse systems (SIC 4953 (pt)), and Land Clearing and Inert Debris Landfill [LCID] (SIC 4953 (pt)).*

1. *Setbacks.* All improved **operational** areas, including disposal areas, shall be at least two hundred (200) feet from a zone lot line.
2. *Separation.* Improved **Operational** areas shall be at least three hundred (300) feet from any residence, church, or school.

(10) *Racetracks (SIC 7948 (pt)).*

b. *Location.* The racetrack facility shall be located on a lot which has direct access to; or is contained in a commercial or industrial park which has direct access to a major thoroughfare, major collector, minor thoroughfare, minor collector, principle arterial, **or** interstate, **or** service road.

Sec. 21-84. Table of dimensional requirements.

DISTRICTS	RA	RR	RS	MHP	MFR	AI	CBI	NB	INST	IND
Minimum zone lot size ⁽¹⁾⁽⁸⁾⁽⁷⁾⁽⁸⁾										
Septic tank and individual or multi-connection well	20,000 sq ft	20,000 sq ft	20,000 sq ft	6 acres ⁽³⁾	2 acre with 3 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	20,000 sq ft	N/A	N/A
Minimum zone lot size ⁽¹⁾⁽⁸⁾⁽⁷⁾⁽⁸⁾										
Public water or community water or Public sewer or approved package treatment plant	15,000 sq ft	15,000 sq ft	15,000 sq ft	6 acres ⁽³⁾	2 acre with 8 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	15,000 sq ft	N/A	N/A
Minimum zone lot size ⁽¹⁾⁽⁸⁾⁽⁷⁾⁽⁸⁾										
Public water and sewer	10,000 sq ft	10,000 sq ft	10,000 sq ft	6 acres ⁽³⁾	2 acre with 12 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	10,000 sq ft	N/A	N/A
Minimum lot width at right-of-way	35 ft	35 ft	35 ft	35 ft	35 ft ⁽⁶⁾	35 ft	35 ft	35 ft	35 ft	35 ft
Minimum lot width at Building setback line	70 ft	70 ft	70 ft	70 ft	70 ft ⁽⁶⁾	70 ft	70 ft	50 ft	70 ft	70 ft
Minimum lot depth ⁽⁷⁾⁽⁸⁾										
Without public water & sewer	150 ft	150 ft	150 ft	150 ft	150 ft ⁽⁶⁾	100 ft	100 ft ⁽²⁾	100 ft ⁽²⁾	150 ft	150 ft
Public water and sewer	125 ft	125 ft	125 ft	125 ft	125 ft ⁽⁶⁾	100 ft	100 ft	100 ft	125 ft	150 ft
Principal structure setback ⁽⁷⁾⁽⁸⁾⁽¹⁰⁾										
Front Yard ⁽⁴⁾	30 ft	30 ft	50 ft	50 ft ⁽⁴⁾	50 ft ⁽⁶⁾	50 ft	50 ft ⁽²⁾	30 ft	30 ft	50 ft
Side street	20 ft	20 ft	25 ft	50 ft ⁽⁴⁾	50 ft ⁽⁶⁾	25 ft	30 ft ⁽²⁾	20 ft	20 ft	30 ft
Side yard ⁽⁴⁾	10 ft	10 ft	10 ft	50 ft ⁽⁴⁾	50 ft ⁽⁶⁾	10 ft	10 ft or 0 ft ⁽²⁾	10 ft or 0 ft ⁽²⁾	10 ft	10 ft or 0 ft
Rear yard ⁽⁴⁾	10 ft	10 ft	20 ft	50 ft ⁽⁴⁾	50 ft ⁽⁶⁾	20 ft	10 ft or 0 ft ⁽²⁾	10 ft or 0 ft ⁽²⁾⁽⁷⁾	10 ft	10 ft or 0 ft
Accessory structure setback ⁽⁷⁾⁽⁸⁾⁽⁹⁾⁽¹⁰⁾										
Front	30 ft	30 ft	50 ft	50 ft ⁽⁵⁾	50 ft ⁽⁶⁾	50 ft	10 ft	10 ft	10 ft	10 ft
Any right-of-way	10 ft	10 ft	10 ft	30 ft ⁽⁵⁾	50 ft ⁽⁶⁾	10 ft	10 ft	10 ft	10 ft	10 ft
Side and rear yard	10 ft	10 ft	10 ft	10 ft ⁽⁵⁾	10 ft ⁽⁶⁾	10 ft	10 ft	10 ft	10 ft	10 ft

- (1) May be increased based on location in regulated watershed.
- (2) For single family use standards for RA district.
- (3) For individual lot size/space standards in an MHP district refer to section 21-60(11)n.
- (4) For individual space setbacks in an MHP district refer to section 21-60(11)d.
- (5) From exterior property lines.
- (6) Requirements may be modified or exempted as provided by section 21-60(16). Dimensional criteria for subdivided lots shall be as provided for in the RA district, excluding external boundaries of the development.
- (7) See "special requirements" for NB district for setbacks from residential zoning districts. **May be modified by section 21-60(15) [Residential Clustering].**
- (8) Refer to section 21-285 for additional standards.
- (8) **May be modified by section 22-58 [Planned Development Subdivision].**
- (9) Refer to section 21-285 for additional standards.
- (10) **May be increased based on use as identified in this chapter.**

Sec. 21-113. Table of uses.

P- Permitted by Right P(A) - Permitted as Accessory Use SR - Permitted with Special Requirements SR (A) – Permitted with Special Requirements as Accessory Use S - Special Use CD - Conditional District		Zoning Districts									
		Residential					Nonresidential				
SIC	Use	RA	RR	RS	MHP	MFR	AI	CBI	N B	INS T	IN D
Residential											
	Customary home Home occupations	P	P	P	P	P		P	P		
Services											
8351 (pt)	Family child care home	P	P	P	P	P		P	P		
8351 (pt)	Child care center in residence	P	P					P	P		
8351 (pt)	Child care center	SR	SR					P	SR	P	P

Sec. 21-163. Parking areas.

Parking areas shall conform to the general criteria listed below unless expressly provided otherwise in this chapter.

- (3) *Surfacing.* Notwithstanding the other requirements of this chapter, required parking areas shall be properly graded, and improved, and maintained with an all-weather surface, which may be gravel.

Sec. 21-164. Parking space requirements.

(a) *Calculation of minimum spaces required.* The number of standard off-street parking spaces required by this section shall be determined in accordance with section 21-166. Any fraction resulting from the calculation of required parking spaces shall be rounded up to the nearest whole number.

(b) *Minimum space dimensions.*

- (1) *Standard spaces.* Each standard parking space shall be twenty (20) feet long and nine (9) feet wide. Parallel parking spaces shall be at least twenty-two (22) feet long and nine (9) feet wide. **Paved spaces must be appropriately painted while gravel spaces must be denoted by an individual parking block, marker sign, or similar feature to identify each parking space.**
- (2) *Handicapped spaces.* Handicapped spaces shall be as required by the North Carolina Building Code and the Americans With Disabilities Act, **which are not included in the required number of spaces.**

Sec. 21-166. Table of parking requirements.

SIC	MINIMUM PARKING SPACES	DU = Dwelling Unit	SF = Square Feet	ELS = Employee on Largest Shift
Residential				
	Customary home Home occupations			N/A

Sec. 21-241. Noise

(d) *Maximum permitted sound levels.* The maximum permitted sound levels for the

uses prescribed in subsection (b), shall be obtained at the apparent property line of the noise producer/source. **Alternatively, measurements may be taken at the external boundary of a conditional zoning district or planned development subdivision, rather than at each individual lot within the subdivision. Sound levels may and not be in excess of exceed** the following decibels during the given time periods:

- (1) 7:00 a.m.--11:00 p.m. not to exceed seventy (70) decibels.
- (2) 11:00 p.m.--7:00 a.m. not to exceed sixty-five (65) decibels.

Sec. 21-272. Issuance of building permits.

(A) Zoning Permits. A zoning permit is required prior to the use or occupancy of land and / or the prior to the placement, replacement, structural alteration, or change in use of a structure unless otherwise exempt from the Zoning Ordinance. Sufficient information shall accompany the permit request illustrating proposed compliance with dimensional and other requirements of this chapter. Non-residential use permit requests shall submit a site plan subject to section 21-52.

In cases where the applicant's plan illustration of compliance with setbacks and / or other development standards appears inconsistent with perceived information from a Geographic Information System or when plainly inadequate for the purposes of evaluating compliance, the Zoning Administrator may require the plan to be prepared with a full or partial boundary and / or as-built survey.

To verify completed development conformed to approved plan, the Zoning Administrator may require the applicant to provide an as-built survey to substantiate compliance.

(B) Building Permits. It is illegal for any person to begin construction, reconstruction, or to make any structural repairs, alterations, or additions to any structure without obtaining required building permits from the Building Inspections Department.

Sec. 21-276. Skirting of manufactured homes.

(a) *Generally.* All manufactured housing for which building permits are obtained after the effective date of this chapter shall be skirted. ~~Manufactured homes requiring brick or finished masonry skirting as provided in subsection (c) below, issued building permits within one (1) year of the effective date of this chapter, shall complete the required masonry skirting within ninety (90) days of issuance of the certificate of occupancy by the building inspections department. Manufactured homes requiring brick or finished masonry underpinning, issued a building permit more than one (1) year after the effective date of this chapter shall complete the required underpinning prior to issuance of a certificate of occupancy. All skirting required by subsection (b) below shall be completed~~ **in accordance with subsection (b), (c), or (d), as appropriate,** prior to issuance of a certificate of occupancy.

(d) Skirting of manufactured homes on land leased to the homeowner.

Skirting shall comply with section 21-276 (a) and (b) when the manufactured home is located on land leased to the homeowner.

House Bill (HB) 366: effective August 23, 2021

Sec. 21-336. ~~Judicial review of BOA decisions.~~ Reserved

~~Each decision of the BOA is subject to review by the superior court by proceedings in the nature of certiorari identified in G.S. 160D-1402. Any petition for review by superior court shall be filed within thirty (30) days after the decision of the BOA is filed with the clerk to the Board of Adjustment.~~

Chapter 22: Subdivision Ordinance

(Table of Contents)

Sec. 22-31. Permit choice, vested rights, ~~and~~ site-specific vesting plan, **and development agreements.**

Section 22-11. Other Definitions.

Fire Marshal. Fire Division Manager of the Rowan County Department of Emergency Services or ~~his~~ **their** designee.

Section 22-27. Statement of Owner.

The owner of land shown on a subdivision plat submitted for recording, or ~~his~~ **their** authorized power of attorney, shall sign a statement on the plat stating whether or not any land shown thereon is within the jurisdiction of Rowan County referenced in section 22-4 or any municipality's jurisdiction within Rowan County.

Section 22-29. Administration and Enforcement.

(b) Enforcement.

(2) *Stop work orders.* Whenever any work or activity subject to the standards of this Chapter is undertaken in substantial violation or in a manner that endangers life or property, staff may order the specific part of the work or activity that is in violation or presents such a hazard to be immediately stopped. The order shall be in writing, directed to the person doing the work or activity, and shall state the specific work or activity to be stopped, the reasons therefore, and the conditions under which the work or activity may be resumed. A copy of the order shall be delivered to the holder of the development approval, if applicable, and the owner of the property involved by personal delivery, electronic delivery, or first-class mail. The administrator or staff member delivering the stop work order shall certify that the order was delivered and maintain documentation provided with specific dates. No further work or activity shall take place in violation of a stop work order pending a ruling on the appeal. ~~Violation of a stop work order shall constitute a Class 1 misdemeanor.~~

Section 22-31. Permit Choice, Vested Rights, and Site-Specific Vesting Plans, and Development Agreements.

Pursuant to G.S. 143-755, 160D-108, and 160D-108.1, and Article 10 of 160D, provisions to secure a permit choice, vested right, or site-specific vesting plan may be established subject to chapter 21 section 11 of the Zoning Ordinance.

Section 22-57. Final Subdivision Requirements.

(c) Major Subdivisions; Performance Guarantees.

(3) Inspection.

Within thirty (30) days of a developer's request, the Subdivision Administrator shall conduct an inspection of the required improvements subject to the guarantee and inform the developer whether the improvements were completed to the specifications of this chapter. If the developer disagrees with the Subdivision Administrator, a certification prepared by a North Carolina registered professional engineer may be presented in lieu of the Subdivision Administrator's decision.

(4) Release of Guarantee Security.

The performance guarantee shall be returned or released, as appropriate, in a timely manner upon acknowledgement by the Planning and Development Department that the subject improvements ~~are complete~~ **have been completed to the specifications of this chapter**. As an alternative, the County Manager may authorize the release of a portion of the security that coincides with improvements documented as complete. The developer must provide a revised performance guarantee and engineer's estimate of 1.25 times the cost of installing all remaining improvements required.

SB 166: Effective September 11, 2024

(d) Major Subdivision; Final Plat Submission and Approval.

Final plat applications shall be submitted to the Subdivision Administrator and contain:

2. For private roads, certification from a North Carolina registered professional engineer that all applicable aspects of road construction or other improvements have been completed **to the standards of this chapter**;
7. Two (2) copies of the finalized restrictive covenants for maintenance of any proposed open space **and / or private road(s)** in compliance with the provisions of sections 22-58(f) **and 22-80(b) respectively** ~~of this article~~. **Covenants must be recorded with the Rowan County Register of Deeds office once the final plat has been approved and recorded**;

Section 22-58. Planned Development Subdivision (PDS).

(f) *Maintenance Requirements For Common Open Space.*

Other methods may be acceptable if the same positively provide for the proper and continuous payment of taxes and maintenance of the common open space. The instruments incorporating such provisions shall be submitted at the time of final plat submittal, ~~and shall be approved by the county attorney as to form and legal sufficiency, before submission to the Board of Commissioners~~ and shall be **subsequently** recorded at the office of Register of Deeds of Rowan County ~~at the time of~~ **following** recordation of the final plat.

Section 22-59. Certifications and Notations Required on Plats.

(2) The following notation shall appear and be signed, as appropriate, on all final plats.

**STATE OF NORTH CAROLINA
COUNTY OF ROWAN**

I, _____, Review Officer of Rowan County, certify the map to which this certification is affixed meets all statutory requirements for recording.

Review Officer _____ Date _____

Section 22-62. Recombination of Land.

Recombination of ~~Plated~~ **Platted** Subdivision may be done as follows:

Section 22-80. Road Standards.

Every lot shall have access to it that is sufficient to provide a means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. In situations where an original lot is provided access via a non-state standard right-of-way or easement (public or private) and is proposed to be subdivided, the subdivider shall be responsible for obtaining the necessary right-of-way and for all aspects of road construction for upgrading said access to the proposed subdivision. Road construction and right-of-way standards shall meet the requirements of Section 22-80(a) or (b) of this ordinance.

(a) *Public Roads.*

All subdivision lots shall abut on a public road except as provided in section 22-80(b) and (d) of this ordinance. All public roads shall be paved and built to all applicable standards of this ordinance and all other applicable standards of the North Carolina Department of Transportation (NCDOT). ~~Roads which are not eligible to be put on the NCDOT system because there are too few residences shall~~

~~nevertheless be dedicated for public use and shall be built in accordance with the standard necessary to be put on the NCDOT System.~~ A final plat shall contain the road maintenance disclosure statement from section 22-59 (2) notifying prospective buyers that either the subdivider or property owners shall be responsible for the maintenance of all proposed public streets until the responsibility has been transferred to either a homeowner's association established for the owners of properties in the subdivision or has been accepted for public road maintenance by NCDOT.

Roads which are not eligible for inclusion into the NCDOT secondary road maintenance system due to having too few residences or being below the minimum percent owner occupied residences shall nevertheless be dedicated for public use and shall be built in accordance with NCDOT standards. In these instances, a homeowner's association or similar legal entity shall be established and responsible for road maintenance.

(b) *Private Roads.*

(1) Private Roads in Major Subdivisions.

~~Private roads shall be permitted only when the roads proposed within a subdivision will not be eligible for inclusion into the NCDOT state maintained system or by a municipality in Rowan County because of their standards for acceptance.~~ **A developer may propose a private road(s) subdivision when the development would feature a gated entrance or aesthetic design element which preclude eligibility for inclusion into the NCDOT secondary road maintenance system.** Such roads shall meet all ~~right-of-ways~~ **driveway permit** and construction standards of NCDOT **with respect to base and surface course pavement specifications and section 22-80(e)** ~~unless specifically provided otherwise.~~

A concept site plan shall be submitted containing the following:

- (i) Preliminary plat containing information from section 22-61(a);**
- (ii) Identification of proposed road construction elements that deviate from NCDOT minimum construction standards; and**
- (iii) Draft road**

~~The subdivider shall provide certification from a registered professional engineer that the subject roads were built to these standards. All private roads shall be marked as such on the preliminary and final plat, include the road maintenance disclosure statement from section 22-59 (2) on the final plat, and record a maintenance agreement at the Rowan County Register of Deeds office once the final plat has been approved.~~

~~Said~~ maintenance agreement ~~shall~~ **that** includes, but **is** not ~~be~~ limited to, the following ~~items~~:

- ~~(1)~~ **(a)** That a homeowner's association shall be established as a legal entity for the

property owners within the entire subdivision.

- ~~(2)~~ **(b)** That all property owners within the subdivision shall be members of the homeowner's association.
- ~~(3)~~ **(c)** That the subdivider shall convey all private streets in fee simple ownerships within the subdivision to the homeowner's association.
- ~~(4)~~ **(d)** That the responsibility for maintenance of private streets from the developer to the homeowners association shall be noted in the deed of each purchaser of property within the subdivision.

Proposed plans will be evaluated in accordance with the process in section 22-58(b) and (c).

At the time of the preparation of the sales agreement, the developer shall include a disclosure statement to the prospective buyer as ~~herein~~ outlined **in G.S. 136-102.6(f)**. ~~The developer and seller shall include in the disclosure statement an explanation of~~ **explaining** the consequences and responsibility ~~about the~~ **with** maintenance of a private street, ~~and shall fully and accurately disclose to the party or parties upon whom responsibility for construction and maintenance of such street or streets shall rest.~~

(2) Private Roads in Family Subdivisions.

Private roads for a family subdivision, as defined in section 22-10, shall not be required to meet construction standards of NCDOT, instead the lot(s) created shall be provided ingress and egress via a twenty-foot easement or right-of-way (new or existing) in continuity to a publicly maintained road, which shall be shown on the final plat.

(f) *Other Requirements.*

(6) Secondary Access.

In addition to the primary access required in section 22-80 (a), a residential subdivision creating more than ~~thirty (30)~~ **one hundred (100)** lots shall also construct a separate and approved access road twenty (20) feet in width for emergency service vehicles, which meet or exceed the construction standards of section 22-80 (g). ~~The Board of Commissioners may waive the secondary access road requirement for developments with limited public road frontage, environmental constraints, including topography, or similar circumstances, which prevent or significantly inhibit construction.~~ **A required secondary access shall be subject to the exceptions noted in Section D 107 of Appendix D of the North Carolina Fire Code.**

G.S. change referencing 2018 NC Fire Code change effective June 17, 2024

Section 22-109. Stormwater: Drainage System, Control Measures and Maintenance Plans.

(b) *Stormwater Control Measures (SCM).*

Minimum design requirements for all stormwater control measures shall include

the following:

- (1) Designed for specific pollutant removal according to modeling techniques approved by the North Carolina Division of Environmental Quality found in the Stormwater Design Manual at <https://deq.nc.gov/sw-bmp-manual> and relevant minimum design criteria set forth in 15A NCAC 02H .1050 through .1062.

Section 22-151. Penalties for Transferring Lots in Unapproved Subdivisions.

After the effective date of this ordinance, any person who, being the owner or agent of the owner of any land located within the jurisdiction referenced in section 22-4, thereafter subdivides ~~his~~ **their** land in violation of this ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of land before the plat has been properly approved under the terms of this ordinance and recorded in the office of the Rowan County Register of Deeds, shall be ~~guilty of a misdemeanor~~ **subject to civil penalties and remedies provided in Article VII.**

The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The County through its attorney or other official designated by the Board of Commissioners may enjoin an illegal subdivision, transfer or sale of land by action for injunction. ~~Further, violators of this ordinance shall be subject, upon conviction, to fine and/or imprisonment as provided by G.S. 14-4.~~ Building permits required pursuant to G.S. 160D-1110 may be denied for lots that have been illegally subdivided.

In addition to the penalty ~~as established above~~ **by section 22-152,** ~~and the remedies provided by other provisions of this ordinance,~~ this ordinance may be enforced by an appropriate equitable remedy provided in G.S. 153A-123, including, but not limited to, all appropriate equitable remedies issued from a court of competent jurisdiction as provided in G.S. 153A-123(d) and the remedy of injunction and order of abatement as allowed by G.S. 153A-123(e).

Section 22-152. Civil Penalties.

~~In addition to other remedies cited in this ordinance for the enforcement of these provisions, this ordinance may be enforced through the issuance of citations by Rowan County.~~ **Violations of this ordinance may be enforced through the issuance of** These citations ~~shall be~~ in the form of a civil penalty **authorized by G.S. 153A-123 and identified in this section.** The county may recover this penalty ~~within seventy-two (72) hours after issuing a citation for a violation. In addition, failure to pay the civil penalty may subject the owner to~~ **in a** civil action in the nature ~~of debt~~ **of** if the penalty is not paid in the prescribed period of time **after the first, second, or third citation.**

The following civil penalties are established for violations under this ordinance. Upon issuance of a warning citation, first citation or second citation, the owner or developer shall have seven (7) days to correct the violation or make satisfactory progress to correct the violation before additional penalties are assessed. Upon issuance of the third citation each additional day's violation is a separate and distinct offense and shall incur an

additional one-hundred-dollar (**\$100**) fine.

Warning Citation

No Penalties

First Citation	\$25.00
Second Citation for the same offense	\$50.00
Third and Subsequent violations for the same offense	\$100.00

SB 300: Effective August 25, 2021

PROCEDURES

The BOC must develop a statement of consistency regarding the proposed zoning ordinance amendment describing whether its action is consistent with any adopted comprehensive plans [sec. 21-361 (b)]. See below Planning Board recommended statement.

**JULY 28th
PLANNING
BOARD MEETING**

No public comment was received during the courtesy hearing. The board voted 8-0 to recommend approval of the text as presented based on the following statement of consistency:

“TA 01-25 is reasonable, appropriate, and necessary to meet the development needs of Rowan County not previously envisioned by the East or West Land Use Plans based on the following:

- 1. It cleans up the current Land Use Plans (replace with “Development Ordinances”).**
- 2. It incorporates recently passed NC General Statutes, to better align the county ordinance with the state statutes.**

Furthermore, this adoption is deemed an amendment to the East and West Land Use Plans.”

PUBLIC NOTICE

August 21st & 28th – Notice published in the *Salisbury Post*.

STAFF COMMENT

In staff’s opinion, the proposed text changes are necessary to comply with changes to the G.S. and for more effective administration of the associated ordinances.

NORTH CAROLINA

ROWAN COUNTY

EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into effective the 2nd day of September, 2025 by and between ROWAN COUNTY, a body politic, hereinafter "Employer", and JOHN W. DEES, II hereinafter "Employee".

WITNESSETH:

WHEREAS, Employer originally appointed Employee as privately retained County Attorney on September 19, 2005, and thereafter hired Employee as in-house County Attorney for Rowan County, North Carolina, on June 18, 2017 without an employment agreement but now wishes to memorialize Employee's employment by this Employment Agreement to be effective the 14th day of September, 2025; and

WHEREAS, the parties have mutually agreed to the terms and conditions that shall govern the employment of Employee; and

WHEREAS, the parties have further agreed at the time of Employee's hiring, as one of said terms and conditions, to reduce their agreement to writing and provide Employee with an Employment Agreement; and

WHEREAS, the parties desire to reduce said agreement to writing in order to reflect all of the terms and conditions thereof.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the receipt and sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

Section 1. Duties. Employer hereby agrees to employ the Employee as County Attorney for Rowan County, North Carolina. Employee shall perform the functions and duties for said position as set forth in the North Carolina General Statutes and the approved formal job description for said position, together with such other functions and duties as may be prescribed from time to time by the Board.

Section 2. Salary and Fringe Benefits. Employee's salary shall be the sum of \$195,000 per year, subject to future annual cost of living increases approved for county employees in the annual budget including cost-of-living increases and other adjustments as may be approved by the Board. Fringe benefits shall include those available to all full-time employees of the Employer with the exception of the Merit/Longevity Program.

Section 3. Retention Bonus. In addition to annual salary and fringe benefits included in Section 2 of this agreement, Employee shall receive the following Retention Bonus:

- A. If still employed as of 06/18/2026, Employee shall receive a retention bonus of \$9,000 dollars for nine (9) years of service, to be paid during the next scheduled pay period, subject to all required taxes and withholdings.
- B. If still employed as of 06/18/27, Employee shall receive a retention bonus of \$10,000 dollars for ten (10) years of service to be paid during the next scheduled pay period, subject to all required taxes and withholdings.
- C. If still employed as of 06/18/28, Employee shall receive a retention bonus of \$11,000 dollars for eleven (11) years of service to be paid during the next scheduled pay period, subject to all required taxes and withholdings.
- D. If still employed as of 06/18/29, Employee shall receive a retention bonus of \$12,000 dollars for twelve (12) years of service. to be paid during the next scheduled pay period, subject to all required taxes and withholdings.
- E. If still employed as of 06/18/30, Employee shall receive a retention bonus of \$13,000 dollars for thirteen (13) years of service. to be paid during the next scheduled pay period, subject to all required taxes and withholdings.

Retention Bonus shall also include the 401(k) and retirement contributions paid by the County. These contributions are subject to change if updated by the County or the State. The current 401(K) contribution is 3% set by the County. The current retirement Contribution, set by the State, is 14.35%: plus the County elected to participate in the State provided death benefit that currently adds 0.04% to the retirement contribution. (Example: If the Retention Bonus is \$11,000 the current 401(K) contribution is 3% or \$330; and the current retirement contribution is 14.39% or \$1,582.90. Thus, making the total retention bonus paid by the County \$12,912.90, subject to taxes and withholdings.)

Section 4. Exempt Status. Employee's position as County Attorney shall be considered as an exempt position under the Fair labor Standards Act.

Section 5. Professional Development. Employee is encouraged to attend appropriate workshops and conferences for continuing legal education. The county will agree to pay for membership to one (1) local civic organization in Rowan County via (Rotary or other like organization) not to exceed \$1,500 a year.

Section 6. Travel Allowance. Employee shall receive a travel allowance of FIVE HUNDRED AND NO/100 DOLLARS (\$500) per month for in-county travel. All out-of-county travel shall be reimbursed in accordance with the Employer's policy for the same.

Section 7. Performance Evaluation. Employee's job performance shall be reviewed in January of each year.

Section 8. Termination of Employment. Either party may terminate this Agreement, with or without cause, upon THIRTY (30) DAYS notice to the other party.

Employee may be terminated at any time after conviction of any felony charge with no Separation Pay due under this type of termination.

If Employee is terminated within FIVE (5) YEARS of September 2, 2025, and for any cause other than a felony conviction, Employer will provide Separation Pay to Employee for a period of ONE HUNDRED AND EIGHTY (180) DAYS following the effective date of termination.

If Employee is terminated after September 2, 2030 from employment, and for any cause other than a felony conviction, Employer will provide Separation Pay to Employee for a period of NINETY (90) DAYS following the effective date of termination.

In the event the Employee is terminated by employer during the six months immediately following the seating and swearing-in of one or more new governing body members, and during such time that Employee is willing and able to perform his duties under the agreement, then, Employer agrees to pay Separation Pay in accordance with this section and the following schedule:

EXAMPLE CHART OF SEVERANCE FOLLOWING THE SEATING AND SWEARING-IN OF ONE OR MORE NEW GOVERNING BODY MEMBERS IN DECEMBER.

<u>TERMINATION MONTH</u>	<u>SEVERANCE</u>
December	360 Days
January	330 Days
February	300 Days
March	270 Days
April	240 Days
May	210 Days
June	180 Days
July through November	180 Days

“Separation Pay” as used in this Section 8 shall include all of the Employee’s salary and fringe benefits as provided in Section 2 above.

Section 9. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina.

Section 10. Severability. If any Section, or portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall be deemed severable and not affected thereby and shall remain in full force and effect.

Section 11. Entire Agreement. This Agreement constitutes the entire understanding of the parties. It may not be changed or modified orally but only by an Agreement in writing signed by each party.

{SIGNATURE PAGE FOLLOWS}

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals effective the day and year first above written.

ROWAN COUNTY, EMPLOYER
BY:



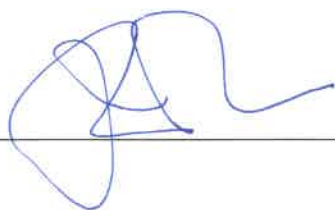
Greg Edds, Chairman

ATTESTED TO:




Sarah Pack, Clerk to the Board

JOHN W. DEES, II EMPLOYEE



(SEAL)

This instrument has been preaudited in the
Manner required by the Local Government
Budget and Fiscal Control Act.



Anna Bumgarner, Finance Director