

Greg Edds, Chairman
Jim Greene, Vice-Chairman
Mike Caskey
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

December 1, 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
Craig Pierce, Commissioner
Judy Klusman, Commissioner
Mike Caskey, Commissioner

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

Call to Order

Chairman Edds called the meeting to order at 3:00 p.m. Chaplain Michael Taylor provided a solemnizing prayer. Chairman Edds lead the Pledge of Allegiance.

Selection of Chair and Vice-Chair

Attorney Jay Dees opened the floor for nominations for Board Chairman.

Commissioner Klusman nominated Commissioner Greg Edds for Board Chairman.

On motion of Pierce, seconded by Greene, the Board voted 5-0 to close nominations and select Greg Edds as Board Chairman.

Commissioner Pierce nominated Commissioner Jim Greene for Vice-Chairman.

On motion of Pierce, seconded by Klusman, the Board voted 5-0 to close nominations and select Jim Greene as Vice-Chairman.

Consider Additions to the Agenda

Chairman Edds said the following documents will be added/updated to existing agenda items:

- Amended contract for Consent Item U (Audit Contract Amendment)
- Performance and Payout Bonds for Consent Item D (Award/Approve Contract – Recycling Roof Replacement - Lafave's Construction Co.)

Consider Deletions From the Agenda

There were no deletions from the agenda.

Consider Approval of the Agenda

On motion of Pierce, seconded by Greene, the Board voted 5-0 to approve the agenda as presented.

Consider Approval of the Consent Agenda

On motion of Pierce, seconded by Greene, the Board voted 5-0 to approve the Consent Agenda as presented, as follows:

- A. Consider Approval of the Minutes - 11/17/25 Regular Meeting*
- B. Budget Amendments, as follows:*

<i>4112-General Government</i>	<i>Appropriate funds to cover contract change order for 24607 Edifice LLC</i>	<i>\$280,000</i>
<i>4125-Finance</i>	<i>Appropriate funds to cover FD grant FY26</i>	<i>\$300,000</i>

- C. Change Order # 9 - Holden Building Co. - RCC-Health Department Project*
- D. Award/Approve Contract - Recycling Roof Replacement - Lafave's Construction Co.*
- E. Award One (1) Ambulance Remounts - Elite Manufacturing*
- F. Amendment 3: Contract Renewal with Strategics Consulting - Federal Lobbying Services*
- G. Rounding Policy for Cash Payments*
- H. NC DAC Leases & Sub-Lease*
- I. JCPC Unallocated Funds awarded/Revised Funding Plan*
- J. Appointment of Animal Cruelty Investigator*
- K. Annual Bond Report*
- L. Reclassification of one Part-Time Veterinary Assistant to Temporary Full-Time*
- M. Sole-Source - NewsBank FY26*
- N. New Annual Hangar Lease Agreement*
- O. Amendment #5 - Federal Engineering*
- P. Adopt Statement of Consistency for Rowan County Land Use Plan*
- Q. Adopt Rowan County Land Use Plan*
- R. Update of Policy - Asset Policy*
- S. GRANTS: Approve Accepting 3-Year Grant Award from Robertson Foundation to DSS/One Church One Child*
- T. Brick Donation for Dan Nicholas Park Bathhouse*
- U. Audit Contract Amendment*

Public Comment Period

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

Bobby Kemp, 250 Chalk Maple Road, shared concerns surrounding veterans, seniors, young people, and the disabled.

Public Hearing: Road Name Change – Neely Road

Planning Technician Pamela Ealey said the following road name change has been submitted to the Rowan County Planning Department:

1. Currently Known As: No name driveway
Proposed Name: Neely Road
Location: 400 block of Mountain Rd, Cleveland, NC 27013 (SR 1741)
Property Owners: Ozie & Mary Hogue, Milton & Olympia Neely, Charles & Dianne Neely
Reason for Change: drive has two (2) addressed structures with plans for at least one (1) more structure sharing the same drive.

At 3:13 p.m. Chairman Edds opened the public hearing and closed it after no one wished to speak.

On motion of Pierce, seconded by Caskey, the Board voted 5-0 to approve the Road Name Change for Neely Road as presented.

Legislative Hearing: Z 10-25 – Uriel Hernandez

Aaron Poplin, Planning Technician, said Uriel Hernandez is petitioning to rezone an 8.145 acre portion of his property from Rural Agricultural (RA) to Commercial Business Industrial (CBI). This property is located at 175 High Rock Rd. further referenced as county tax parcel 540-006. Mr. Poplin shared the Staff Report and explained the request.

At 3:17 p.m. Chairman Edds opened the public hearing and closed it after no one wished to speak.

On motion of Greene, seconded by Pierce, the Board voted 5-0 that Z 10-25 is consistent with the East Area Land Use Plan and reasonable/appropriate based on the following:

1. *US 52 Highway is identified as a corridor appropriate for commercial and industrial development*
2. *The request expands an already existing CBI zone and is a logical extension of this zone.*
3. *The rezoning is compatible with existing uses.*

On motion of Pierce, seconded by Greene, the Board voted 5-0 to approve Z 10-25.

Legislative Hearing: ZTA 03-25 – Motorsports Complex Text

Ed Muire, Planning and Development Director, said the Paddock Property Group, LLC, represented by Attorney Lisa Valdez has submitted a text amendment request to modify Section 21-4 and Section 21-64(f) of the Rowan County Zoning Ordinance. Specifically, the request proposes to amend the definition of a “motorsports racing complex” and specific conditional standards for the same contained in Section 21-64(f). Mr. Muire explained the request and described the proposed changes.

Commissioner Pierce shared his concerns regarding noise.

Attorney Lisa Valdez responded to Commissioner Pierce’s concerns.

At 3:32 p.m. Chairman Edds opened the public hearing and closed it after no one wished to speak.

On motion of Edds, seconded by Pierce, the Board voted 5-0 that ZTA 03-25 is reasonable, appropriate, and necessary to meet the development needs of North Carolina not previously envisioned by the Rowan County Zoning Ordinance. Furthermore, the adoption of ZTA 03-25 is deemed appropriate based on the reasonable needs of a Motorsports Complex with the amendment that residential properties will be buffered by a minimum of eighty (80) feet and a noise wall a minimum of twelve (12) feet will be no closer than 80' to the property line.

On motion of Pierce, seconded by Greene, the Board voted 5-0 to approve ZTA 03-25.

Quasi-Judicial Hearing: SUP 02-25 (Amendment of CUP 14-99)

Chairman Edds called the hearing for consideration of SUP 02-25 into session at 3:33 p.m. and said it will focus on an application submitted by Rowan Power, LLC for the addition of three accessory structures located at the facility on Tax Parcel 822-007 addressed as 5755 NC 801 HWY. He asked that if any member of the Board may have a conflict of interest in hearing the case, please address the Board prior to any testimony or information being presented. When the Board enters into deliberations to decide the case, no further testimony may be presented. The Board will render one of the following three decisions:

1. Approve the permit as requested or with additional conditions;
2. Continue the request; or
3. Deny the request.

Chairman Edds said all parties who planned to testify in this case would be sworn in by Clerk to the Board Sarah Pack. Those who testify must state their name and address at the podium for the benefit of the Board's Clerk. All material presented must be given to the Clerk and will become part of the record. This Board can only accept sworn testimony. No hearsay evidence is admissible.

Ed Muire, Planning and Development Director, presented the application for consideration by the Commission. Mr. Muire presented the Staff Report (Attachment A) and discussed the request. In August 1999, the Board of Commissioners approved issuance of CUP 14-99 to Carolina Power & Light (CP&L) authorizing an electric power generating facility to be constructed on almost four hundred (400) acres located in the quadrant formed north of Statesville Boulevard (US 70 Hwy), between Parks Rd and NC 801 Hwy; and south of Godbey Rd. Subsequent amendments to the original conditional use permit (CUP) carried that file identifier, but statutory changes to zoning nomenclature in 2021 eliminated the CUP in favor of the term, special use permit (SUP). Previous CUP amendments at the Southern Power facility occurred in 2001, 2014, and twice in 2021.

Mr. Muire discussed the request in detail (Attachment B). Rowan County Power, LLC has submitted an SUP request for the addition of three (3) accessory structures at the facility, which include: a new guard shack (replacement of current), a 30' x 50' oil building, and a 30' x 120' open storage (pole) building. Each of these proposed improvements are within the current operational area of the facility. Mr. Muire showed various site plans displaying approximate locations of the proposed improvements (Attachment B).

SPECIAL USE REQUIREMENTS

Section 21-60(5)(a) of the Rowan County Zoning Ordinance contains standards specific to development of Electric Services (SIC 491).

1. Setbacks. All operational areas, including disposal areas, shall be at least two hundred (200) feet from a zone lot line.
 - The proposed guard shack is located over seven hundred fifty (750) from the nearest property line (west); the proposed open storage building is over one thousand (1,000) feet from adjoining property lines to the north, east and west; and the proposed oil building is more than fourteen hundred (1400) feet from any adjoining property line.
 - ⇒ The application satisfies this standard. YEAR OWNER REQUEST 2001 Progress Energy Addition of 2 steam Turbine Units 2014 Southern Power Addition of 15,000 square foot warehouse 2021 Southern Power 3200 square foot pole barn 2021 Southern Power Minor change for an addition of roof over boiler room (Administrative)
2. Separation. Operational areas shall be at least three hundred (300) feet from any residence, church, or school.
 - The nearest residential uses are located on Parks Rd and each are separated from the facility's operational by more than twelve hundred (1200) feet.
 - ⇒ The application satisfies this standard.
3. Dust, odor, glare. All access roads and storage areas shall be at least twenty (20) feet from any property line constructed with a paved, gravel, or crushed stone surface; and maintained in a dust-free manner.
 - The access road from NC 801 Hwy and majority of the operational area has an asphalt surface with the remainder as a gravel surface. Staff records do not suggest there have been complaints related to this standard since the facility began operation in 2000.
 - ⇒ The application satisfies this standard.
4. Operation. An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator, types of material accepted, and hours of operation.
 - Relevant information is provided at the security gate entrance.
 - ⇒ The application satisfies this standard.
5. Security restrictions. Access shall be controlled through the use of gates, fences, etc. to prevent unregulated dumping of materials.
 - The operational area of the facility is fenced and gated to prevent unauthorized access. Dumping of unregulated materials is not typically associated with this particular use.
 - ⇒ The application satisfies this standard.
6. Other special conditions. Proof of a permit issued by the state in accordance with applicable provisions of the General Statutes.

- CP&L was issued a Certificate of Public Convenience and Necessity by the NC Utilities Commission on November 2, 1999 to construct and operate a combustion turbine generating facility. Southern Power assumed transfer of this permit from Progress Energy on June 23, 2006.
⇒ The application satisfies this standard.

EVALUATION CRITERIA

Section 21-59 of the Rowan County Zoning Ordinance contains general evaluation criteria that must be considered prior to issuance a SUP. Subject to challenge, if the applicant can satisfy this criteria, the SUP must be granted.

1. Adequate transportation access to the site exists;

Applicant Response: Yes, there is adequate transportation access to the Proposed Oil Building, Proposed Open Storage Building, and Proposed Guard Shack.

Staff Commentary: The facility is accessed by NC 801 Hwy which is classified as a major collector and has a design capacity of 15,100 vehicles per day. 2023 traffic counts indicate 3400 vehicles per day on NC 801 just south of the facility entrance.

2. The use will not significantly detract from the character of the surrounding area;

Applicant Response: The Proposed Oil Building, Proposed Open Storage Building, and Proposed Guard Shack will be located in a central area surrounded by trees. The trees will buffer the proposed development from nearby properties and roads. The proposed development will not detract from the character of the surrounding area.

Staff Commentary: Two (2) of the proposed accessory structures will be within the fenced operational area and the guard shack will be relocated to a position closer to the facility entrance. None of the structures should be visible from NC 801 or other vantage points.

3. Hazardous safety conditions will not result;

Applicant Response: The Proposed Open Storage Building is for storage only. The Proposed Oil Storage Building will be primarily used for storing oil. The Proposed Guard Shack will accommodate one person at a time and will be used for security purposes. Hazardous safety conditions will not result from the proposed development.

Staff Commentary: Based on the proposed uses, hazardous safety conditions should not be created.

4. The use will not generate significant noise, odor, glare, or dust;

Applicant Response: The Proposed Open Storage Building is for storage only. The Proposed Oil Storage Building will be primarily used for oil storage. The Proposed Guard Shack will accommodate one person at a time and will be used for security purposes. The proposed development will not generate significant noise, odor, glare, or dust.

Staff Commentary: Based on the proposed uses, noise, odor, dust or glare are not concerns.

5. Excessive traffic or parking problems will not result; and

Applicant Response: No excessive traffic or parking will result from the Proposed Oil Building, Proposed Open Storage Building, or Proposed Guard Shack.

Staff Commentary: Based on the proposed uses, an increase in traffic should not occur.

6. **Use will not create significant visual impacts for adjoining properties or passersby.**

Applicant Response: The Proposed Oil Building, Proposed Open Storage Building, and Proposed Guard Shack will be located in a central area surrounded by trees. The trees will buffer the proposed development from nearby properties and roads. The proposed development will not create significant visual impacts for adjoining properties or passerby.

Staff Commentary: As noted in criteria 2, none of the structures should be visible from NC 801 or other vantage points.

REQUIRED FINDINGS

Section 21-58(e) of the Rowan County Zoning Ordinance specifies that all decisions regarding a special use permit application shall not be approved or denied unless each of the following findings has been made:

- (1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety;
- (2) That the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity; and
- (3) That the location and character of the development in accordance with the proposed conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans.

Adjoining property owners were notified on November 17, 2025 and a sign was posted at the site on November 18, 2025.

At 3:43 p.m. Chairman Edds opened the floor for public comment and closed it after no one wished to speak.

Vice-Chairman Greene asked if access would be obstructed into or out of the plant for emergency vehicles.

Chris Pierce, Plant Manager, said access will not be affected.

On motion of Caskey, seconded by Pierce, the Board voted 5-0 to approve the following Finding of Fact:

- ***The request will not materially endanger the public health or safety.***

The request exceeds all specific conditional use criteria for Electric Services contained in Section 21-60(5)(a) of the Rowan County Zoning Ordinance including those intended to protect public health and safety regarding setbacks from property lines; separation from residences, churches and schools; and controlled access to the site.

On motion of Caskey, seconded by Pierce, the Board voted 5-0 to approve the following Finding of Fact:

- ***The Request will not substantially injure the value of adjoining property or is a public necessity.***

The facility has a Certificate of Public Convenience and Necessity to operate the power generating facility issued by the North Carolina Utilities Commission.

On motion of Caskey, seconded by Pierce, the Board voted 5-0 to approve the following Finding of Fact:

- ***The location and character will be in general harmony with the area and in general conformity with adopted county plans.***

The proposed structures are within the operational area of the facility and are not viewable from adjoining properties. The proposed structures are necessary to support facility operation. The site is in Area 1 of the West Rowan Land Use Plan and consistent with the Commerce / Industrial recommendations for the area.

On motion of Pierce, seconded by Greene, the Board voted 5-0 to approve SUP 02-25.

Volunteer Fire Department Grants

Commissioner Caskey said last year, staffing grants up to \$10,000 were provided to the non-municipal Fire Departments and Rowan County Rescue Squad. This was supposed to be included in the budget, but was overlooked.

Chairman Edds said he would like to include municipalities as well. Municipal citizens are Rowan County citizens as well.

On motion of Edds, seconded by Caskey, the Board voted 5-0 to table this motion until after Financial Reports.

Board Appointments

On motion of Klusman, seconded by Greene, the Board voted 5-0 to accept Carroll Cody's resignation from the Adult Home Care Committee.

On motion of Klusman, seconded by Pierce, the Board voted 5-0 to make the following appointments:

- *Dr. Amy Wilson to a Physician Seat on the Health Board*
- *John Lewis to an At Large Seat on the Health Board*
- *Michael Agee to a Region F Advisory Committee Seat on the Home and Community Care Block Grant Advisory Committee*
- *Alex Bruce to a Region F Advisory Committee Seat on the Home and Community Care Block Grant Advisory Committee*
- *Crystal Clement to a Region F Advisory Committee Seat on the Home and Community Care Block Grant Advisory Committee*
- *Ryan Stowe to an At Large Seat on the Library Board*
- *Michael Alligood to a County Seat on the Miller Ferry Volunteer Fire Commission*
- *David Oakley to a County Seat on the Miller Ferry Volunteer Fire Commission*
- *Sylvia Fosha to an At Large Seat on the Nursing Home Advisory Committee*

On motion of Edds, seconded by Klusman, the Board voted 5-0 to make the following appointments to the Planning Board and Board of Adjustment:

- *Sean Reid to an At Large Seat*
- *Corrie Connolly to an At Large Seat*

On motion of Edds, seconded by Pierce, the Board voted 5-0 to appoint Ian Shepherd to an At Large Seat on the Planning Board and Board of Adjustment.

On motion of Klusman, seconded by Pierce, the Board voted 5-0 to appoint Jasmine Medlin to an At Large Seat on the Planning Board and Board of Adjustment.

On motion of Pierce, seconded by Greene, the Board voted 5-0 to appoint Alex Bruce to an Alternate Seat on the Region F Advisory Committee.

On motion of Greene, seconded by Pierce, the Board voted 5-0 to make the following appointments:

- *Vinita Fitzgibbon to an At Large Seat on the Therapeutic Recreation Board*
- *Connie Johnson-Asero to an At Large Seat on the Therapeutic Recreation Board*
- *Nicholas Bader to an At Large Seat on the Therapeutic Recreation Board*
- *Stephen Kidd to the County Tourism Development Interest Seat on the Tourism Development Authority*
- *Andrew Maben to the Rowan County Chamber of Commerce Seat on the Tourism Development Authority*

Financial Report

Finance Director Anna Bumgarner presented the Financial Report. There was general discussion about fluctuations in property tax revenues. She also shared the Investment Report and explained funds in various accounts.

Volunteer Fire Department Grants

Clerk's Note: this item was tabled earlier in the meeting and discussion was resumed following the presentation of the Financial Report.

On motion of Caskey, seconded by Greene, the Board voted 5-0 to authorize the County Manager to sign agreements for staffing grants with fire departments and Rowan County Rescue Squad, and approve the associated budget amendment.

Closed Session

On motion of Edds, seconded by Pierce, the Board voted 5-0 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 November 17, 2025, as described by NCGS 143- 318.10(e), and pursuant to NCGS 143-318.11(a)(3), to consult with an attorney.

Resume Open Session

At 4:42 p.m. Open Session resumed.

On motion of Edds, seconded by Pierce, the Board voted 5-0 to authorize the Department of the Army to access Airport property and closed Landfill property, and approve the associated Right of Entry agreement.

Adjournment

At 4:44 p.m., on motion of Pierce, seconded by Klusman, the Board voted 5-0 to adjourn.

Sarah Pack, CMC, NCCCC
Clerk to the Board



Rowan County Planning & Development
402 N. Main Street Room 204 Salisbury, NC 28144

SUP 02-25 Staff Report

APPLICANT: Rowan County Power, LLC
REQUEST: Proposed Accessory Structures at Power Plant
LOCATION: 5755 NC 801 Hwy
TAX PARCEL: 822-007

BACKGROUND

In August 1999, the Board of Commissioners approved issuance of CUP 14-99 to Carolina Power & Light (CP&L) authorizing an electric power generating facility to be constructed on almost four hundred (400) acres located in the quadrant formed north of Statesville Boulevard (US 70 Hwy), between Parks Rd and NC 801 Hwy; and south of Godbey Rd.

Subsequent amendments to the original conditional use permit (CUP) carried that file identifier, but statutory changes to zoning nomenclature in 2021 eliminated the CUP in favor of the term, special use permit (SUP). Previous CUP amendments at the Southern Power facility are summarized in the table below.

YEAR	OWNER	REQUEST
2001	Progress Energy	Addition of 2 steam Turbine Units
2014	Southern Power	Addition of 15,000 square foot warehouse
2021	Southern Power	3200 square foot pole barn
2021	Southern Power	Minor change for an addition of roof over boiler room (Administrative)

REQUEST

Rowan County Power, LLC has submitted an SUP request for the addition of three (3) accessory structures at the facility, which include: a new guard shack (replacement of current), a 30' x 50' oil building, and a 30' x 120' open storage (pole) building. Each of these proposed improvements are within the current operational area of the facility.

SPECIAL USE REQUIREMENTS

Section 21-60(5)(a) of the Rowan County Zoning Ordinance contains standards specific to development of Electric Services (SIC 491).

- 1. Setbacks. All operational areas, including disposal areas, shall be at least two hundred (200) feet from a zone lot line.**
 - The proposed guard shack is located over seven hundred fifty (750) from the nearest property line (west); the proposed open storage building is over one thousand (1,000) feet from adjoining property lines to the north, east and west; and the proposed oil building is more than fourteen hundred (1400) feet from any adjoining property line.
 - ✓ The application satisfies this standard.

2. Separation. Operational areas shall be at least three hundred (300) feet from any residence, church, or school.

- The nearest residential uses are located on Parks Rd and each are separated from the facility's operational by more than twelve hundred (1200) feet.
- ✓ The application satisfies this standard.

3. Dust, odor, glare. All access roads and storage areas shall be at least twenty (20) feet from any property line constructed with a paved, gravel, or crushed stone surface; and maintained in a dust-free manner.

- The access road from NC 801 Hwy and majority of the operational area has an asphalt surface with the remainder as a gravel surface. Staff records do not suggest there have been complaints related to this standard since the facility began operation in 2000.
- ✓ The application satisfies this standard.

4. Operation. An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator, types of material accepted, and hours of operation.

- Relevant information is provided at the security gate entrance.
- ✓ The application satisfies this standard.

5. Security restrictions. Access shall be controlled through the use of gates, fences, etc. to prevent unregulated dumping of materials.

- The operational area of the facility is fenced and gated to prevent unauthorized access. Dumping of unregulated materials is not typically associated with this particular use.
- ✓ The application satisfies this standard.

6. Other special conditions. Proof of a permit issued by the state in accordance with applicable provisions of the General Statutes.

- CP&L was issued a Certificate of Public Convenience and Necessity by the NC Utilities Commission on November 2, 1999 to construct and operate a combustion turbine generating facility. Southern Power assumed transfer of this permit from Progress Energy on June 23, 2006.
- ✓ The application satisfies this standard.

EVALUATION CRITERIA

Section 21-59 of the Rowan County Zoning Ordinance contains general evaluation criteria that must be considered prior to issuance a SUP. Subject to challenge, if the applicant can satisfy this criteria, the SUP must be granted.

1. Adequate transportation access to the site exists;

Applicant Response: Yes, there is adequate transportation access to the Proposed Oil Building, Proposed Open Storage Building, and Proposed Guard Shack.

Staff Commentary: The facility is accessed by NC 801 Hwy which is classified as a major collector and has a design capacity of 15,100 vehicles per day. 2023 traffic counts indicate 3400 vehicles per day on NC 801 just south of the facility entrance.

2. The use will not significantly detract from the character of the surrounding area;

Applicant Response: The Proposed Oil Building, Proposed Open Storage Building, and Proposed Guard Shack will be located in a central area surrounded by trees. The trees will buffer the proposed development from nearby properties and roads. The proposed development will not detract from the character of the surrounding area.

Staff Commentary: Two (2) of the proposed accessory structures will be within the fenced operational area and the guard shack will be relocated to a position closer to the facility entrance. None of the structures should be visible from NC 801 or other vantage points.

3. Hazardous safety conditions will not result;

Applicant Response: The Proposed Open Storage Building is for storage only. The Proposed Oil Storage Building will be primarily used for storing oil. The Proposed Guard Shack will accommodate one person at a time and will be used for security purposes. Hazardous safety conditions will not result from the proposed development.

Staff Commentary: Based on the proposed uses, hazardous safety conditions should not be created.

4. The use will not generate significant noise, odor, glare, or dust;

Applicant Response: The Proposed Open Storage Building is for storage only. The Proposed Oil Storage Building will be primarily used for oil storage. The Proposed Guard Shack will accommodate one person at a time and will be used for security purposes. The proposed development will not generate significant noise, odor, glare, or dust.

Staff Commentary: Based on the proposed uses, noise, odor, dust or glare are not concerns.

5. Excessive traffic or parking problems will not result; and

Applicant Response: No excessive traffic or parking will result from the Proposed Oil Building, Proposed Open Storage Building, or Proposed Guard Shack.

Staff Commentary: Based on the proposed uses, an increase in traffic should not occur.

6. Use will not create significant visual impacts for adjoining properties or passersby.

Applicant Response: The Proposed Oil Building, Proposed Open Storage Building, and Proposed Guard Shack will be located in a central area surrounded by trees. The trees will buffer the proposed development from nearby properties and roads. The proposed development will not create significant visual impacts for adjoining properties or passerby.

Staff Commentary: As noted in criteria 2, none of the structures should be visible from NC 801 or other vantage points.

REQUIRED FINDINGS

Section 21-58(e) of the Rowan County Zoning Ordinance specifies that all decisions regarding a special use permit application shall not be approved or denied unless each of the following findings has been made:

- (1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety;
- (2) That the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity; and
- (3) That the location and character of the development in accordance with the proposed conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans.

SUP 02-25 Quasi-Judicial Hearing

Applicant: Southern Power Company
Owner: Rowan County Power, LLC
Location: 5755 NC 801 Hwy
Tax Parcel: 822-007
Request : Addition of 3 accessory structures



Rowan County Board of Commissioners

J. Newton Cohen, Sr. Administration Building

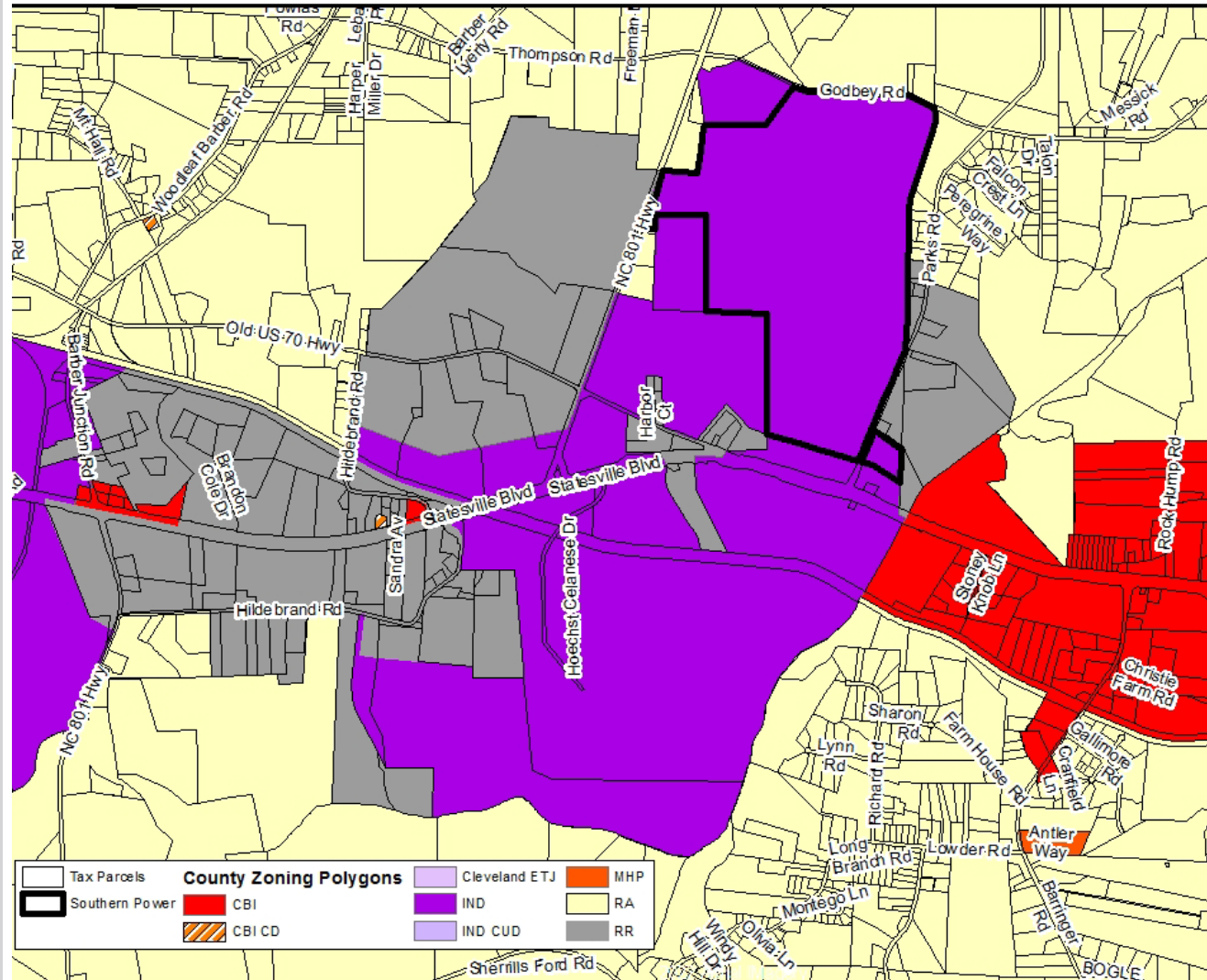
J. Newton Cohen, Sr. Meeting Room

130 W. Innes Street ■ Salisbury, N.C. ■ 28144

SUP 02-25 Request

- Tax Parcel 822-007
- Zoned Industrial since 1998
- Site Plan modifications in 2001, 2014, and 2021
- Located in Yadkin River Watershed (WS-IV-PA)
- Power Facility site is 397.7 acres
- Total Property holdings is 469.3 acres

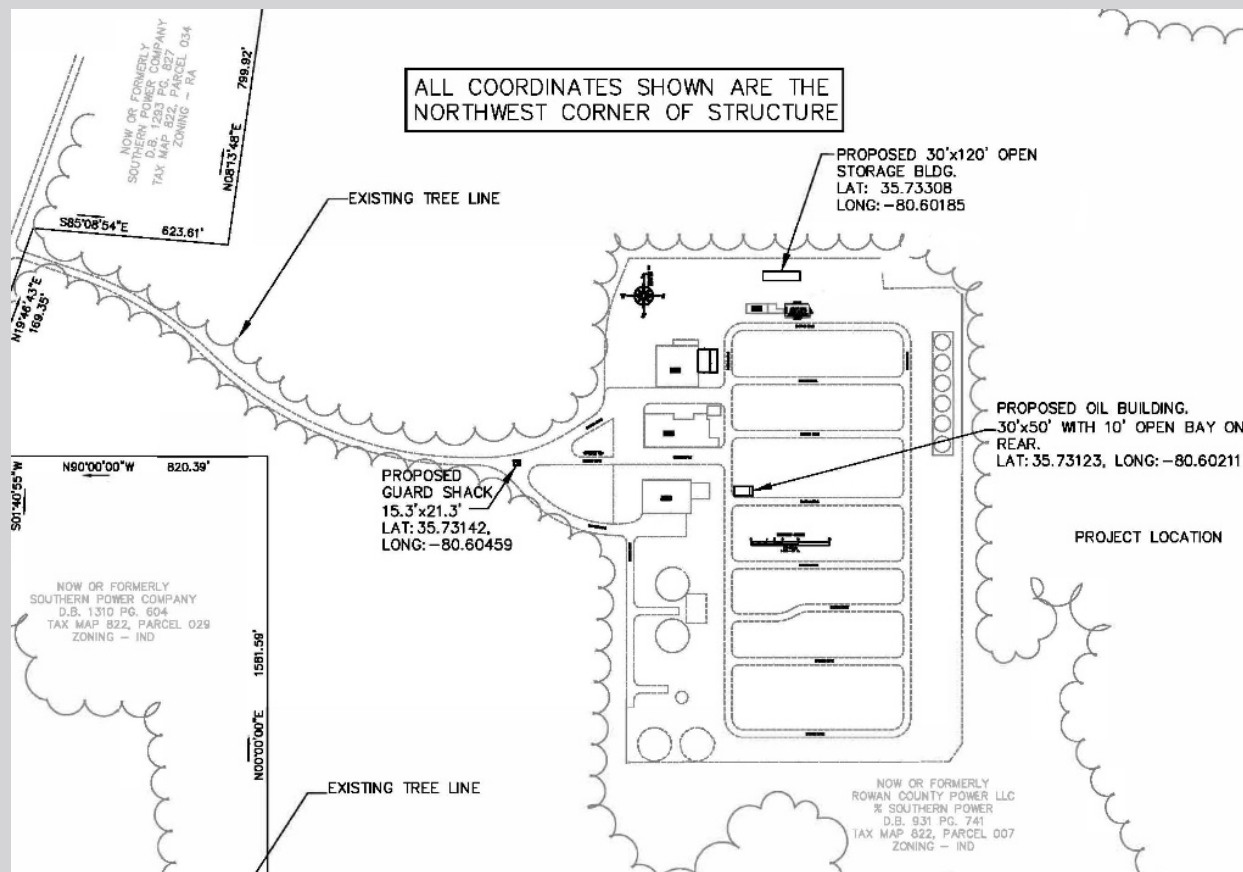
General Site Information



SUP 02-25 Request

Site Plan Detail

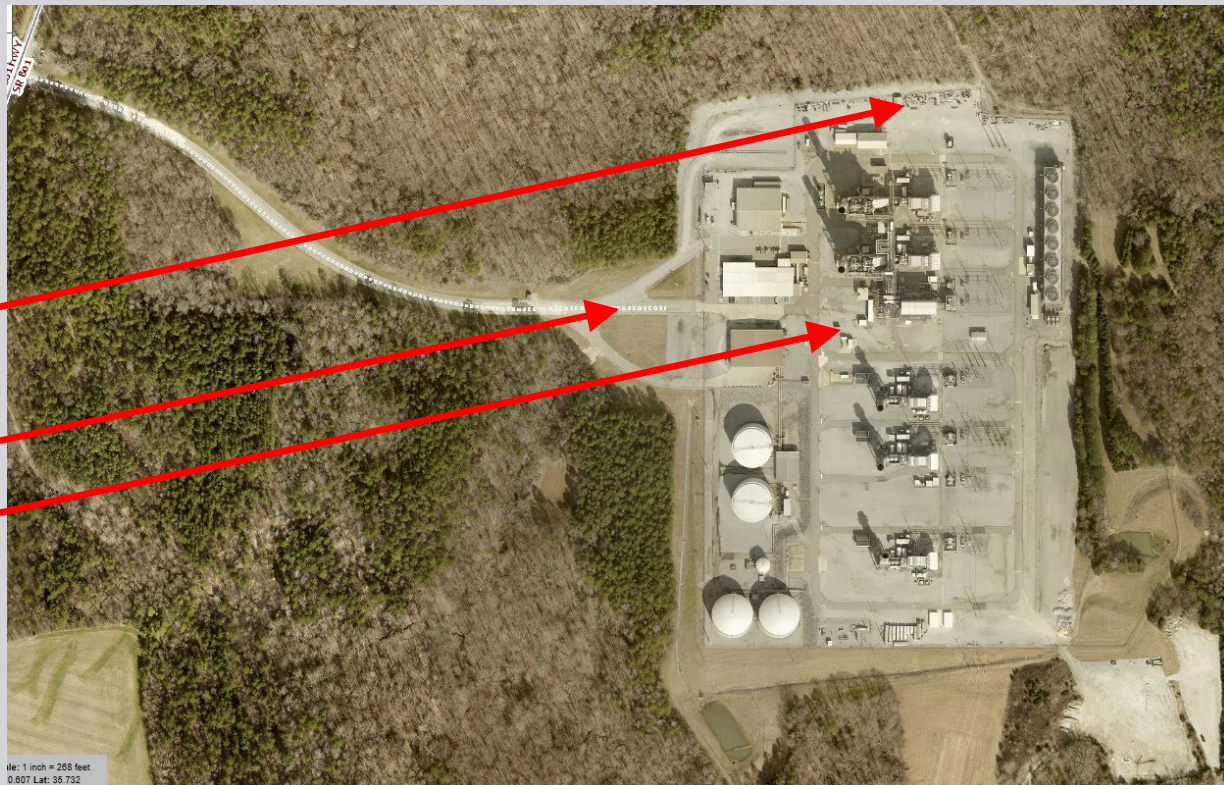
- Tax Parcel 822-007
- Proposes addition of 3 structures w/in current operational area
 - 30' x 120' pole building
 - New guard shack
 - 30' x 50' oil building



SUP 02-25 Request

Site Plan Detail Comparison with 2025 Aerial Imagery

- Tax Parcel 822-007
- Proposes addition of 3 structures w/in current operational area
 - 30' x 120' pole building
 - New guard shack
 - 30' x 50' oil building



SUP 02-25 Request

Specific Conditional Use Criteria from Section 21-60(5)(a)

1. **Setbacks.** All operational areas, including disposal areas, shall be at least two hundred (200) feet from a zone lot line.

- The proposed guard shack is located over seven hundred fifty (750) from the nearest property line (west); the proposed open storage building is over one thousand (1,000) feet from adjoining property lines to the north, east and west; and the proposed oil building is more than fourteen hundred (1400) feet from any adjoining property line.
- ✓ The application satisfies this standard.

2. **Separation.** Operational areas shall be at least three hundred (300) feet from any residence, church, or school.

- The nearest residential uses are located on Parks Rd and each are separated from the facility's operational by more than twelve hundred (1200) feet.
- ✓ The application satisfies this standard.

3. **Dust, odor, glare.** All access roads and storage areas shall be at least twenty (20) feet from any property line constructed with a paved, gravel, or crushed stone surface; and maintained in a dust-free manner.

- The access road from NC 801 Hwy and majority of the operational area has an asphalt surface with the remainder as a gravel surface. Staff records do not suggest there have been complaints related to this standard since the facility began operation in 2000.
- ✓ The application satisfies this standard.

SUP 02-25 Request

Specific Conditional Use Criteria from Section 21-60(5)(a)

4. *Operation.* An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator, types of material accepted, and hours of operation.

➤ Relevant information is provided at the security gate entrance.

✓ **The application satisfies this standard.**

5. *Security restrictions.* Access shall be controlled through the use of gates, fences, etc. to prevent unregulated dumping of materials.

➤ The operational area of the facility is fenced and gated to prevent unauthorized access. Dumping of unregulated materials is not typically associated with this particular use.

✓ **The application satisfies this standard.**

6. *Other special conditions.* Proof of a permit issued by the state in accordance with applicable provisions of the General Statutes.

➤ CP&L was issued a Certificate of Public Convenience and Necessity by the NC Utilities Commission on November 2, 1999 to construct and operate a combustion turbine generating facility. Southern Power assumed transfer of this permit from Progress Energy on June 23, 2006.

✓ **The application satisfies this standard.**

SUP 02-25 Request

General Conditional Use Criteria from Section 21-59



Adequate transportation access to the site exists.

Applicant Response: Yes, there is adequate transportation access to the Proposed Oil Building, Proposed Open Storage Building, and Proposed Guard Shack.

Staff Commentary: The facility is accessed by NC 801 Hwy which is classified as a major collector and has a design capacity of 15,100 vehicles per day. 2023 traffic counts indicate 3400 vehicles per day on NC 801 just south of the facility entrance.



The use will not significantly detract from the character of the surrounding area.

Applicant Response: The Proposed Oil Building, Proposed Open Storage Building, and Proposed Guard Shack will be located in a central area surrounded by trees. The trees will buffer the proposed development from nearby properties and roads. The proposed development will not detract from the character of the surrounding area.

Staff Commentary: Two (2) of the proposed accessory structures will be within the fenced operational area and the guard shack will be relocated to a position closer to the facility entrance. None of the structures should be visible from NC 801 or other vantage points.




Hazardous safety conditions will not result.

Applicant Response: The Proposed Open Storage Building is for storage only. The Proposed Oil Storage Building will be primarily used for storing oil. The Proposed Guard Shack will accommodate one person at a time and will be used for security purposes. Hazardous safety conditions will not result from the proposed development.

Staff Commentary: Based on the proposed uses, hazardous safety conditions should not be created.

SUP 02-25 Request


General Conditional Use Criteria from Section 21-59



The use will not generate significant noise, odor, glare, or dust.

Applicant Response: The Proposed Open Storage Building is for storage only. The Proposed Oil Storage Building will be primarily used for oil storage. The Proposed Guard Shack will accommodate one person at a time and will be used for security purposes. The proposed development will not generate significant noise, odor, glare, or dust.


Staff Commentary: Based on the proposed uses, noise, odor, dust or glare are not concerns



Excessive traffic or parking problems will not result.

Applicant Response: No excessive traffic or parking will result from the Proposed Oil Building, Proposed Open Storage Building, or Proposed Guard Shack.

Staff Commentary: Based on the proposed uses, an increase in traffic should not occur.



The use will not create significant visual impacts for adjoining properties or passersby.

Applicant Response: The Proposed Oil Building, Proposed Open Storage Building, and Proposed Guard Shack will be located in a central area surrounded by trees. The trees will buffer the proposed development from nearby properties and roads. The proposed development will not create significant visual impacts for adjoining properties or passerby.

Staff Commentary: As noted in criteria 2, none of the structures should be visible from NC 801 or other vantage points.

SUP 02-25 Request

Procedural Considerations

- **Public Notice**
 - **Adjoining Owners notified 11.17.25**
 - **Sign Posted 11.18.25**

- **Conduct Quasi-Judicial Hearing**
 - **Applicant Testimony / Evidence**
 - **Public Comments**
 - **Staff Questions**

- **Close Hearing**



SUP 02-25 Request

Procedural Considerations Conditional Use Suggested Findings

1. **Will not materially endanger the public health or safety**

The request exceeds all specific conditional use criteria for Electric Services contained in Section 21-60(5)(a) of the Rowan County Zoning Ordinance including those intended to protect public health and safety regarding setbacks from property lines; separation from residences, churches and schools; and controlled access to the site.

2. **Will not substantially injure the value of adjoining property or is a public necessity**

The facility has a Certificate of Public Convenience and Necessity to operate the power generating facility issued by the North Carolina Utilities Commission.

3. **Location and character will be in general harmony with the area and in general conformity with adopted county plans**

The proposed structures are within the operational area of the facility and are not viewable from adjoining properties. The proposed structures are necessary to support facility operation.

The site is in Area 1 of the West Rowan Land Use Plan and consistent with the Commerce / Industrial recommendations for the area.

SUP 02-25 Request

Procedural Considerations

Suggested Motion to Approve

In the absence of any evidence presented to the contrary, the Board approves issuance of SUP 02-25 based on the request's compliance with the Rowan County Zoning Ordinance and Findings of Fact as determined by the Board.