



## Z 07-22 Staff Report

**PROPERTY OWNER:** Rowan County, NC  
**APPLICANT:** Rowan County, NC  
**REQUEST:** Airport Industrial (AI) District; Airport Industrial Conditional District (AI-CD) and Rural Residential (RR) for County-owned parcels to be relinquished from Salisbury's ETJ

### PROPERTY INFORMATION

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**Site Address:** 3670 Airport Loop Rd

**Tax Parcels:** 460-184; 461-077; 461-185; 461-187; 462-012; 469-024 (portion); 469-063; 469-064; 470-001000001 (portion); 470-037; and 471-043 for Airport Industrial (AI) 469-020; 469-024 (portion); 469-039; 469-049; 469-055; 461-077; and 470-001000001 (portion) for Airport Industrial Conditional District 460-063 and 460-165 for Rural Residential (RR)

**Acreage:** 578.9 Total Calculated Acreage

- 295.19 in Airport Industrial
- 281.1 approximate acres in AI-CD
- 2.61 acres in Rural Residential

### BACKGROUND

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In 2013 the NC legislature approved a local bill requesting the Rowan County Airport be de-annexed from Salisbury City Limits, but the action did not remove the land area from Salisbury's extraterritorial zoning jurisdiction (ETJ). A recent conflict between the City's land development ordinance and an airport-related building project prompted the County to request the City consider relinquishing its ETJ applicable to the airport. The City was receptive and has scheduled a public hearing on the ETJ recension for September 20, 2022.

NCGS 160D-202(h) provides that when a city relinquishes zoning jurisdiction over an area to a county, the city's regulations remain in effect until the county has adopted jurisdiction over the area or for sixty (60) days from the date of action by the city, whichever is sooner.

### PROPERTIES

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The rezoning request consists of eighteen (18) Rowan County owned parcels currently located in Salisbury's extraterritorial zoning jurisdiction (ETJ). All affected parcels are currently zoned Light Industrial (LI) with exception of TP: 460-063 and 460-165 which are GR-6. All parcels have some tangible use or benefit associated with MidCarolina Regional Airport.

## **ZONING ANALYSIS**

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**Current Zone:** Light Industrial (LI) and General Residential (GR-6)

**Requested:** Airport Industrial (AI) & AI Conditional District (AI-CD) and Rural Residential (RR)  
The majority of affected properties are requested to be zoned the newly created Airport Industrial (AI) district and the airport proper is proposed for AI-CD to coincide with the Airport Layout Plan adopted by the County Commission in October 2016. The parcels located on the north side of Rowan Mill Rd are proposed for the RR category.

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**Plan** The site is located in the Western Area Land Use Plan

**Conformity**

As the Western Area Plan was adopted April 2009, no recommendations for the airport were included in the document. Geographically, this site lies west of I-85, but commercial and industrial recommendations for I-85 and US 29 are found in the Eastern Land Use Plan.

Future land use recommendations for this one-mile-wide corridor between Salisbury and China Grove generally suggest commercial, industrial and mixed uses are appropriate in the corridor. Adaptive re-use and aggregating smaller tracts and infill projects; heavy impact uses that utilize the rail corridor; and uses such as light manufacturing, distribution, bio-tech and motorsports are encouraged.

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**Purpose & Intent** The primary reason for this request is for the County to establish zoning jurisdiction over the area and to promote continued airport operations and encourage new aviation-related business at MidCarolina.

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**Compatibility Of Uses** The AI district is more “airport specific” than the current Light Industrial (LI) and focuses on manufacturing and transportation related businesses as opposed to the general nature of LI. The AI district was drafted with the intent to promote uses associated with MidCarolina subject to special requirements in keeping with Federal Aviation Administration (FAA) guidelines.

Application of the Rural Residential (RR) zoning is consistent with current GR-6.

## **STAFF COMMENTARY**

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The Airport Industrial Conditional District (AI-CD) portion of the request is effectively the Airport Layout Plan (ALP) adopted by the County Commission October 2016. The 2016 ALP was a map update to the overall Airport Master Plan (AMP) adopted by the Commission in 2008. Much like a land use plan, the AMP provides guidelines for future development of the airport and is relied upon by FAA and NCDOT when considering funding and expansion requests. The 2016 ALP was prepared as a supplement to the AMP when it became apparent that due to environmental and financial constraints, the proposed one-thousand-foot (1000') extension to the southern end of the runway would no longer be pursued.

The accompanying .pdf is an excerpt from the 2016 ALP and is proposed for consideration as the AI-CD site plan for future development on MidCarolina proper.

#### **PLANNING BOARD RECOMMENDATION**

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As required by Section 21-362(j) the Planning Board adopted a Statement of Reasonableness analyzing the request. The factors for consideration included:

- (a) The size, physical conditions, and other attributes of the area proposed to be rezoned;
- (b) The benefits and detriments to the landowners, the neighbors, and the surrounding community;
- (c) 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;
- (d) Why the action taken is in the public interest; and
- (e) Any changed conditions warranting the amendment.

The Planning Board's statement, for consideration or adoption by the Board is:

***Z 07-22 is reasonable, appropriate and necessary to meet the development and aviation needs of Rowan County not previously envisioned by the Western and Eastern Area Land Use Plans based on the fact MidCarolina Regional Airport was within the City of Salisbury's zoning jurisdiction at the time both plans were adopted. The Z 07-22 application is consistent with the Airport Layout Plan adopted by the County Commission in 2016 and the overall request comprises 578.9 contiguous acres. The proposed locations of the AI, AI-CD and RR districts are reasonably positioned based on current use of all properties involved and are compatible with adjoining properties in the City's jurisdiction. The recommendation for approving the Z 07-22 amendment is reasonable and in the public interest given the City's intent to relinquish its zoning jurisdiction over the affected area.***

***Furthermore, this adoption is deemed an amendment to the Western and Eastern Area Land Use Plans.***