



REZONING PETITION: Z 06-20

Request: Rezone 21.07 AC
MHP portion to RA

Parcel ID: 055-007

Location: 5900 Block
Wildwood Rd

Lot size: 68.9 AC

Owner / Applicant:
Nengtou Vue

Watershed: None

Floodplain: Portion in AE
zone (Crane Creek)

Existing Improvements:
Vacant

BACKGROUND On January 26, 1990, property owner Raymond Everhardt registered the Oakview Trailer Court as an existing 64 space manufactured home park in response to the Mobile Home Park Ordinance requirements adopted on December 15, 1989. According to departmental records, on July 1, 1996, Mr. Everhardt was cited for an exhaustive list of violations with the Health Department (well, septic, animal services), Environmental Services (planning, building codes, solid waste), and the North Carolina Department of Environment and Natural Resources (now DEQ) due to water quality. Staff is uncertain of the event timeline thereafter but, according to aerial imagery, most of the manufactured homes were removed by March of 2002 and completely removed sometime in 2003 based on Tax Assessor records.

Section 21-137(a) of the Zoning Ordinance indicates an abandoned manufactured home park may only be re-established as a conforming use. Current property owner Nengtou Vue is not interested in establishing a park.

REQUEST Mr. Vue is requesting the rezoning of an approximate 21.07 acre portion of his 68.9 acre parcel located at the 5900 Block of Wildwood Rd., further referenced as tax parcel 055-007, from Manufactured Home Park (MHP) to Rural Agricultural (RA).

CONSISTENCY WITH THE DISTRICTS PURPOSE / INTENT **RA** – This district is developed to provide for a minimum level of land use regulations appropriate for outlying areas of the county. These outlying areas typically consist of rural single-family housing, larger tracts of land used for agriculture or in fields and forest land, with some nonresidential uses intermingled. Multifamily uses are discouraged in this district. This district would provide for protection from the most intensive land uses while containing provisions for a variety of less intensive land uses. It is the intent of this district to rely upon development standards to protect residences from potential adverse impacts of allowed nonresidential uses. The most intensive land uses would not be allowed in this district.

MHP – This district is established in order to provide for the proper location and planning of manufactured home parks, excluding family manufactured home parks. Special requirements shall be applied to these parks which shall specify improvements to the park to ensure the public health, safety and welfare of the park inhabitants as well as the surrounding area. Designation of an area as being in the MHP district provides design and appearance criteria which are more appropriate for rental manufactured housing and/or spaces, including vinyl or similar skirting, clustering of units and reduced road construction standards. These standards are not applicable to manufactured homes and/or lots located outside a MHP district. This district requires site plan review for development of manufactured home parks by the board of commissioners. This review is required because the use may have particular impacts on the surrounding area and the county as a whole. Approval of the site plan may include the addition of reasonable and appropriate standards to the site plan. No other uses allowed in the MHP district shall require site plan approval by the board of commissioner unless expressly required by this chapter.

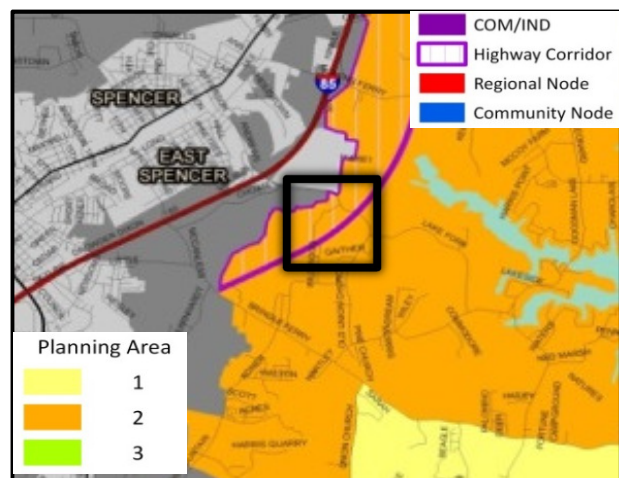
**CONFORMITY
WITH ADOPTED
PLANS / POLICIES**

Eastern Area LUP

- Located in Area 2 (land adjacent to municipalities and High Rock lake)
- Medium density residential development is encouraged.
- Located in Highway Corridor Overlay for I-85.

CONDITIONS IN THE VICINITY

See Enclosed
Map –



North

- Crane Creek and associated floodplain area.
- Residences along Old Union Church within an 85-ED-2 zoning district by East Spencer.
- Aldi distribution located approximately .28 miles north.

South

- Relatively large wooded tracts with a limited number of residences.

East

- Large wooded tracts.
- Dog kennel and related uses at 2230 Old Union Church Rd.

West

- Very large wooded tracts.

COMPATIBILITY OF USES

MAJOR GROUP	INDUSTRY GROUP	RA	MHP
Residential		Permitted	Permitted
Construction		Permitted with SR	Not Permitted
Manufacturing		Most Permitted with SR	Not Permitted
	Textile Mill Prod.	Not Permitted	Not Permitted
	Lumber Prod.	Permitted with SR	Not Permitted
	Paper & Allied Prod.	Not Permitted	Not Permitted
	Chemical & Allied Prod.	Not Permitted	Not Permitted
	Petroleum Prod.	Not Permitted	Not Permitted
	Stone, Glass, Concrete, etc.	Some Permitted with SR	Not Permitted
Transp., Com., Elec. / Gas, & Sanitary Svc.		Not Permitted	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
	Misc. Amusement & Rec.	Not Permitted	Not Permitted
Public Admin.		Not Permitted	Not Permitted

Generalized Groupings:

Permitted: 100-75% Most: 75-50% Many: 50-25% Not Permitted: 25-0%

Source: Section 21-113 Table of Uses

POTENTIAL IMPACT ON ROADS

Wildwood Rd. –

- Classified as a local road (SR 2204).
- No Annual Average Daily Traffic (AADT) count collected by NCDOT.
- No capacity information from the Comprehensive Transportation Plan (CTP).

POTENTIAL IMPACT ON UTILITIES

Any development would most likely rely on individual well and septic systems. Nearest public water and sewer is located at Aldi distribution at 1985 Old Union Church Road due north of the subject property.

POTENTIAL IMPACT ON SCHOOLS

The current MHP area could accommodate approximately thirty-six (36) lots if rezoned to RA based on staff's estimation subject to the soil suitability for septic systems, which appear questionable based on the soil map.

DECISION MAKING

In addition to the above criteria, sec. 21-362 (c) of the Zoning Ordinance indicates the primary question before the Planning Board 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 board “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 of Commissioners 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. A statement analyzing the reasonableness of the decision is also necessary. **Planning Board recommended statements will be provided in the staff report for the scheduled hearing.**

**NOVEMBER 23, 2020
PLANNING BOARD MEETING**

No one spoke at the courtesy hearing. The Planning Board voted 6-0 to recommend approval as requested.

STAFF COMMENTS While the MHP district is considered a general zoning district, it is specialized in that it is almost exclusively applied to manufactured home parks. Rural Agricultural provides the owner more flexibility, aligns with his intended uses, and matches the surrounding property designations south of Crane Creek.