

Commissioner Booth seconded and the motion carried unanimously.

PUBLIC COMMENTS

Chairman Mendenhall opened the floor for public comments.

There were no public comments.

Chairman Mendenhall closed the time for public comments.

PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS

Chairman Mendenhall turned the floor over to Planning Director David Sudderth.

Planning Director David Sudderth presented the following information to the Board.

ZONING TEXT AMENDMENTS **Agritourism – Restaurant/Lodging**

The Stokes County Planning Department is requesting that the following text amendments be added to the Stokes County Zoning Ordinance. When the zoning ordinance was amended to include Agritourism in the RA (Residential Agricultural) zoning district there were two specific uses excluded from a potential list of “Farm Related” activities. The two items were overnight accommodations and food service. It was discussed at that time that these two uses should be looked at separately because of the potential impact that they might have in a rural setting and should be reviewed and approved by the Stokes County Planning Department and Stokes County Board of Commissioners. During the discussion it was stated that these two uses might fit well on some agritourism venue sites. The below request to amend the zoning ordinance to include these uses in an Agritourism setting in the RA (Residential Agricultural) zoning district defines the “uses” as being specifically associated with an Agritourism venue site that qualifies to operate under the statutory requirements for a bona fide farm. This stipulation separates the use of the Agritourism venue site for a restaurant and or lodging facility from the more traditional classification of a restaurant or lodging facility in an H-B (Highway Business) zoning district. This ties in the continuing operation of the restaurant and or lodging facility with the continuing operation of the qualifying Agritourism venue site. This will allow the respective boards to review an individual request for these uses with more flexibility in determining compliance with the Stokes 2035 Comprehensive Land Use Plan and will allow the Agritourism venue sites to expand tourism activities and create economic development opportunities in the county.

Add to Article IV, (Definitions) Agritourism – Restaurant/Lodging – A restaurant or lodging facility associated with and located on property that qualifies as an Agritourism venue site and meets the statutory requirements for a bona fide farm.

Add to Article VIII, Section 80.2 Residential Agricultural Conditional Zoning

RA-CZ (Residential Agricultural Conditional Zone)

Agritourism – Restaurant/Lodging

- 1) A Restaurant or Lodging facility associated with and located on property that qualifies as an Agritourism venue site**
- 2) The primary purpose of the Restaurant and or Lodging facility is to serve the Agritourism venue site**
- 3) If the Agritourism venue site ceases operation then the Restaurant and or Lodging facility no longer qualifies to operate under the zoning classification of RA-CZ**
- 4) The Restaurant and or Lodging facility must meet all applicable federal, state and local laws**
- 5) All parking shall be on site and designated for that use**
- 6) Any signage, which identifies the use shall be in accordance with standards of the underlying zoning district**

PLANNING BOARD RECOMMENDATION: The Planning Board voted unanimously to recommend approval of the zoning text amendments as presented.

ACTION

Chairman Mendenhall opened the floor for any discussion/questions/comments.

Chairman Mendenhall noted that the Board had no issues with the Zoning Text Amendments.

With no further discussion Chairman Mendenhall entertained a motion regarding the Zoning Text Amendments.

Commissioner Booth made a motion to approve the Zoning Text Amendments presented at tonight's meeting.

Commissioner Jones seconded.

Chairman Mendenhall opened the floor for any discussion/questions/comments.

With no further discussion the motion carried unanimously.

STAFF REPORT

**Pinchgut Farms LLC.
RA to RA-CZ #18-735**

REQUEST: Request is submitted by **Pinchgut Farms LLC** to rezone property from **RA (Residential Agricultural)** to **RA-CZ (Residential Agricultural Conditional Zone)** for **Agritourism - Restaurant/Lodging to be operated in conjunction with a designated agritourism venue site, Luna's Trail Farm and Event Center.** The property is located on Wilson Farm Rd. off of Dearmin Rd. (SR#1212) approximately .4 mile from the intersection of Dearmin Rd. and NC Hwy 89. The property is further described as a 150.71 acre tract identified as parcel 5889501331 and in Deed Book 642, Page 1654 in Big Creek Township.

SITE OWNER: Pinchgut Farms LLC

APPLICANT: Pinchgut Farms LLC, (Daniel Wilson)

SITE LOCATION: The property is located on Wilson Farm Rd. off of Dearmin Rd. (SR#1212) approximately .4 mile from the intersection of Dearmin Rd. and NC Hwy 89.

Map: 5889 **Parcel:** 1331 **PIN #:** 5889501331

Deed Book: 642 **Pages:** 1654 **Township:** Big Creek

SITE INFORMATION:

TOTAL PARCEL SIZE: Approximately 150.71 acres

ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED DISTRICT: RA-CZ (Residential Agricultural Conditional Zoning)

FLOOD HAZARD AREA: N/A.

FIRM MAP #: 3710604000J

FIRM MAP ZONE: Property is located in Zone X, an area determined to be outside the 500-year floodplain.

WATERSHED DISTRICT: N/A

SEPTIC/WATER APPROVAL: The site has been evaluated by Agri-Waste Technology, Inc. Kevin D. Davidson P.E. states that a wastewater system can be designed and permitted for the proposed site.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Westfield VFD, EMS - Station # 3 -Pinnacle

EROSION CONTROL: Will be submitted pending zoning approval.

ACCESS: The applicant has applied for a commercial driveway access permit from NCDOT for a driveway access off of Dearmin Rd. (SR#1212).

SURROUNDING LAND USE: The subject property is located on the south side of Dearmin Rd. (SR# 1212). The surrounding land use consists of residential and agricultural uses. Luna's Trail Farm and Event Center is the Agritourism venue that the request is tied to.

ISSUES TO CONSIDER:

- Luna's Trail Farm and Event Center is a successful Agritourism venue
- Expansion of Agritourism facility will provide potential employment opportunities
- Potential sales tax base increase due to use as a restaurant and lodging facility.
- Provides additional tourism destination
- Support of business friendly objective and tourism activities.

STAFF COMMENTS: This rezoning request comes to the Board as a conditional rezoning from RA (Residential Agricultural) to RA-CZ (Residential Agricultural Conditional Zoning) **for an Agritourism - Restaurant/Lodging facility to be operated in conjunction with a designated agritourism venue site, Luna's Trail Farm and Event Center.** The applicant is requesting this rezoning to expand and enhance the existing Agritourism business located on Wilson Farm Rd. The applicant owns and controls the majority of the land surrounding the proposed site requested to be rezoned. The restaurant will be primarily for catering events for the Luna's Trail Farm & Event Center but will also be open to the general public on a limited schedule. The lodging facility will be located on the second floor and will consist of nine (9) rooms. The lodging facility will be primarily for the use of the venue's patrons but will also be open for the general public. The approximate size of the facility would be 17,919 sq. ft. Because the facility is being proposed as Agritourism – Restaurant/Lodging under the RA-CZ zoning classification, a separate subdivided parcel is not required because the facility would be tied in with a designated agritourism venue site, Luna's Trail and Event Center. Richard Brim, Stokes County Tax Administrator stated that the facility itself would be taxed as a commercial building and that approximately 2.0 acres of land would be attached to the facility for taxation purposes. Most of the property falls under the agricultural use program. From a building code perspective, the facility will be considered a commercial structure and fall under the NC Building Code. The Planning staff sees no problem with this request and feels that the expansion of an existing Agritourism site in the county will further help in increasing the property tax base and sales tax base as well as potentially assisting in creating employment opportunities. The addition of commercial food establishments and lodging facilities located to serve Agritourism venue sites will only help to promote tourism activities in the county.

PLANNING BOARD RECOMMENDATION: The Planning Board by a unanimous vote recommended the Conditional rezoning request 18-735 submitted by Pinchgut Farms LLC for an Agritourism – Restaurant/Lodging facility be approved. The Board stated that the request was consistent with the Stokes County 2035 Land Use Plan and was a reasonable request.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

I have included example Statements of Consistency and Reasonableness supporting the request and opposing the request for your review. The Board must decide if the rezoning petition meets the requirements of the Stokes County 2035 Comprehensive Plan as to its consistency with the current development patterns and to the appropriateness of the request in regards to the guide. All decisions must be based on these standards. **Please make all motions for approval or disapproval referencing the petitions consistency or non-consistency with the Stokes County 2035 Comprehensive Plan.**

PUBLIC INFORMATION MEETING: The Public Information Meeting for this proposal was held on Thursday, August 30, 2018 at 6:00 pm at the Luna’s Trail Farm and Event Center at 1155 Wilson Farm Rd.

(See attachment for attendance and minutes of the meeting)

STOKES COUNTY PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
1014 MAIN STREET PO BOX 20 DANBURY, NC 27016
OFFICE 336-593-2439 OR 336-593-2444 FAX: 336-593-5434

**Conditional Rezoning Petition
Statement of Consistency and Reasonableness**

| | |
|---------------------|---|
| Case No. | #18-735 |
| Applicant: | Pinchgut Farms LLC |
| Property Owner: | Pinchgut Farms LLC. |
| Parcel ID# | Portion of parcels 5889501331 |
| Location: | Wilson Farm Rd. off of Dearmin Rd. (SR#1212) |
| Proposed Amendment: | Rezone property from RA to RA-CZ for an Agritourism – Restaurant / Lodging Facility. |

The Stokes County 2035 Comprehensive Plan identifies portions of the county through the Land Use Transect methodology, which shows transition zones between rural areas and more urbanized areas of the county. The proposed rezoning is best described in the transect zone identified as Open Space 2 (O-2) Reserved Lands/Conservation which is the predominant transect zone in the county. This is an area primarily associated with Conservation, Limited Agriculture and Forestry as well as many rural residences. This (O-2) transect zone also contains many scattered commercial properties throughout the county. The majority of land in the (O2) transect zone is located in the RA (Residential Agricultural) zoning district. It should also be noted that not all development in the county takes place directly on major highways or near commercial nodes.

The Stokes County 2035 Comprehensive Plan identifies in Chapter (4) Economic Development, Section (D) Tourism Development and Quality of Life the need to establish and enhance cultural and agricultural activities aimed at tourists and also develop Agritourism in the county. This section of the plan also states that the county should capitalize upon Scenic Byways such as NC Hwy 89 as an opportunity to develop tourism related assets and capture tourism expenditures. The proposed site is located less than ½ mile from the NC Hwy 89 and Dearmin Rd. (SR#1212) intersection and would seem to meet this criteria.

The proposed use of the property for the expansion of an existing Agritourism venue site should fit into this (O-2) Reserved Lands/Conservation Transect Zone as identified in the comprehensive plan.

This proposed amendment **is consistent** with the Stokes County 2035 Comprehensive Plan and other adopted plans in that: The parcel is currently zoned RA (Residential Agricultural) and the requested zoning district is RA-CZ (Residential Agricultural Conditional Zoning). The proposed use of this property is consistent with the Low Density Growth Area development as identified in the Stokes County 2035 Comprehensive Plan.

This proposed amendment **is reasonable and in the public interest** in that: **The property is currently zoned RA (Residential Agricultural) and is being proposed to be rezoned to an RA-CZ (Residential Agricultural Conditional Zoning) district. The Agritourism industry and the development of Agritourism sites in the county and the state is a growing activity and will continue to be so for the foreseeable future.**

ACTION

With no further discussion Chairman Mendenhall entertained a motion regarding the request by applicant Pinchgut Farms LLC to rezone property from RA (Residential Agricultural) to RA-CZ (Residential Agricultural Conditional Zone) for Agritourism - Restaurant/Lodging to be operated in conjunction with a designated agritourism venue site, Luna's Trail Farm and Event Center. This request is consistent with the Stokes County 2035 Comprehensive Plan and is a reasonable request.

Commissioner Lankford made a motion to accept the request from Pinchgut Farms LLC to rezone property from RA (Residential Agricultural) to RA-CZ (Residential Agricultural Conditional Zone) for Agritourism - Restaurant/Lodging to be operated in conjunction with a designated agritourism venue site, Luna's Trail Farm and Event Center. This request is consistent with the Stokes County 2035 Comprehensive Plan and is a reasonable request

Commissioner Booth seconded the motion.

Chairman Mendenhall opened the floor for discussion/questions/comments.

Chairman Mendenhall noted the Board had no issue with the request.

With no further discussion the motion carried unanimously.

Adjournment

There being no further business to come before the Board, Chairman Mendenhall entertained a motion to adjourn the meeting.

Commissioner Jones moved to adjourn the meeting.

Commissioner Lankford seconded and the motion carried unanimously.

Shannon Shaver
Clerk to the Board

Ronnie Mendenhall
Chairman