

**MINUTES OF THE  
NASH COUNTY PLANNING BOARD REGULAR MEETING  
HELD MONDAY, MAY 16, 2022 AT 6:30 P.M.  
FREDERICK B. COOPER COMMISSIONERS ROOM  
CLAUDE MAYO, JR. ADMINISTRATION BUILDING – THIRD FLOOR  
120 WEST WASHINGTON STREET  
NASHVILLE, NC 27856**

**BOARD MEMBERS PRESENT**

Kevin Smith, Chairman  
DeLeon Parker, Jr., Vice-Chairman  
Philip Brannan  
Moses Brown, Jr.  
Jimmy Glover  
Kimberly Moore  
Barbara Pulley  
Ethan Vester

**BOARD MEMBERS ABSENT**

Chris Sandifer

**STAFF MEMBERS PRESENT**

Adam Tyson, Planning Director  
Adam Culpepper, Senior Planner  
Windy Braswell, Planning Technician

**OTHERS PRESENT**

Tim Huggins  
Donna Moore  
Ron Sutton

**1. Call to Order.**

Chairman Smith called the meeting to order at 6:30 p.m.

**2. Determination of a Quorum.**

Chairman Smith recognized the presence of a quorum.

**3. Approval of the Minutes of the April 19, 2022 Regular Meeting.**

The minutes of the April 19, 2022 regular meeting were sent to each member of the Board for review. Chairman Smith asked for any revisions or corrections. None were offered.

**BOARD ACTION: Mr. Parker offered a motion, which was duly seconded by Mr. Glover, to approve the minutes of the April 19, 2022 regular meeting as submitted.**

**The motion was unanimously carried.**

**4. Review of Public Comment Policy.**

With the Chairman's permission, Mr. Tyson refrained from reading the Board's public comment policy aloud because the only members of the public present at the meeting were the request applicants.

**5. Castle Berry Section Three Subdivision Sketch Plan submitted by H & S Land, LLC for the cluster development of 36 new residential lots along three new public road rights-of-way on an approximately 36.9-acre tract of land owned by Michael A. Daniel and located at the southwest corner of Oak Level Rd and Barnes Hill Church Rd, Nashville, NC 27856 in the R-30 (Single & Two-Family Residential) Zoning District.**

Mr. Tyson presented the staff report and supplemental materials related to the Castle Berry Section Three Subdivision Sketch Plan as submitted to the Board in the May 16, 2022 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the plan on May 11, 2022 and recommended approval, subject to the sketch plan revisions listed in the staff report.

Ron Sutton with Herring-Sutton & Associates addressed the Board on behalf of the developer in support of the subdivision sketch plan.

**BOARD ACTION: Mr. Parker offered a motion, which was duly seconded by Mr. Brown, to approve the Castle Berry Section Three Subdivision Sketch Plan, subject to the following sketch plan revisions.**

**Sketch Plan Revisions:**

- (1) The map title shall be revised from "Preliminary Plat" to "Sketch Plan".
- (2) Under SITE DATA, the ZONING shall be revised from "R-30" to "R-30 (CLUSTERED TO R-20 DENSITY & DIMENSIONAL STANDARDS)".
- (3) Under SITE DATA, the PROPERTY ADDRESS shall be removed, as it will likely be retired from use with the construction of the project.
- (4) Under SITE DATA, the PARIDs may be removed, as they are not required.
- (5) Under SITE DATA, all the PINs belonging to the subject properties shall be listed.
- (6) The CERTIFICATE OF PRELIMINARY PLAT APPROVAL shall be removed from the sketch plan.
- (7) Lots 37 & 38 shall be labeled as "SPECIAL PURPOSE LOT FOR CLUSTER DEVELOPMENT COMMON AREA & CONSERVATION LOT".

- (8) Lot 38 shall include an extension of the 5' NON-ACCESS EASEMENT along the Oak Level Rd right-of-way and shall be accessible from one of the interior road rights-of-way via an ACCESS EASEMENT with a minimum width of at least 10 feet.
- (9) On Lot 36, the 5' NON-ACCESS EASEMENT already shown shall be extended around the corner of the lot for a minimum length of at least 100 feet along the Oak Level Rd right-of-way to provide separation between the intersection and the lot's future driveway.
- (10) Any existing structures, wells, or septic systems located on the subject property at 1746 Barnes Hill Church Rd shall be noted as well as whether they are intended to remain or to be removed.
- (11) The width of Lot 12 shall be increased to the minimum required 100 feet.
- (12) The sketch plan shall reflect the zoning boundary between the R-40 Zoning District (on PARID 020470) and the R-30 Zoning District (on the rest of the subject property) and the portions of Lots 35 & 36 that are zoned R-40 shall reflect the following minimum building setback lines: FRONT – 50', CORNER SIDE – 25', SIDE – 15', & REAR – 30'.
- (13) The side and rear minimum building setbacks shall be depicted as dashed lines on all the proposed lots.
- (14) The sketch plan shall depict temporary turnarounds (with accompanying temporary easements as necessary) at both of the barricaded ends of the stub roads.
- (15) The sketch plan shall address the 15' DRAINAGE EASEMENT along the existing ditch as well as the 5' MAINTENANCE EASEMENT around the existing pond that were previously established on Plat Book 31 Page 45 of the Nash County Registry.
- (16) All proposed DRAINAGE EASEMENTS depicted on the sketch plan shall be labeled as "PRIVATE DRAINAGE EASEMENT".
- (17) All proposed new interior road rights-of-way shall be labeled as "PROPOSED 50' PUBLIC RW".
- (18) BALSAM DR – SR 2409 shall be labeled across the intersection from Barnes Hill Church Rd.
- (19) The following road name labels shall be revised to include their state road numbers: SHERROD RD – SR 1702 & ELMWOOD RD – SR 2410.
- (20) The proposed design for the CBU Mailbox Kiosk location shall be verified to conform with the NCDOT Policy for Placement of Mail Cluster Box Units in Subdivisions because it does not appear to include a paved turnout.

**The motion was unanimously carried.**

**6. UDO Text Amendment Request A-220401 made by Donna Moore to amend the Nash County Unified Development Ordinance Article IX, Table 9-3-1 to add tattoo parlor as a permitted land use in the GC (General Commercial) Zoning District. (Referred back to the Planning Board for further consideration by the Board of Commissioners on May 2, 2022.)**

Mr. Tyson presented the staff report and supplemental materials related to UDO Text Amendment Request A-220401 as submitted to the Board in the May 16, 2022 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered this request on April 11, 2022 and recommended approval. He also shared the development requirements for tattoo parlors enforced by other nearby, comparable county jurisdictions.

Donna Moore, the applicant, and Tim Huggins were present at the meeting in support of the request.

Mr. Glover asked if tattoo parlors were regulated by the Nash County Health Department.

Mr. Huggins responded that the Health Department does regulate tattoo parlors.

Mr. Glover suggested that perhaps tattoo parlors should be approved on a case-by-case basis.

Mr. Parker responded that the special use permit process would likely be required for case-by-case approvals.

Mr. Tyson reviewed the requirements of the special use permit public hearing process.

Mr. Parker stated that the key consideration of that process would likely be whether the proposed tattoo parlor would be "in harmony with the area in which it is to be located."

Chairman Smith stated his preference to make tattoo parlors a land use permitted by right in the GC Zoning District, as opposed to requiring a special use permit process.

Ms. Moore questioned whether tattoo parlors should also be permitted in the RC Zoning District in addition to the GC Zoning District.

Mr. Tyson discussed the differences between the RC and GC Zoning Districts.

Mr. Parker asked the applicant whether public water would be necessary for the operation of a tattoo parlor.

Mr. Huggins responded that the business could be adequately served by the existing well located on the property.

Ms. Moore noted that permitting tattoo parlors in the GC Zoning District only at this time would meet the needs of this particular applicant.

**BOARD ACTION: Mr. Brannan offered a motion, which was duly seconded by Mr. Brown, to recommend approval of UDO Text Amendment Request A-220401 to add body art service (tattoos & piercings) as a land use permitted by right in the GC (General Commercial) Zoning District and the adoption of the following statement of plan consistency for the consideration of the Nash County Board of Commissioners.**

**Statement of Plan Consistency:**

UDO Text Amendment Request A-220401 is neither consistent nor inconsistent with the recommendations of the Nash County Land Development Plan, because the plan does not address body art service as a specific commercial land use.

**The motion was unanimously carried.**

**7. Other Business.**

Mr. Tyson provided the following updates on the planning actions taken by the Nash County Board of Commissioners at its regular meeting on May 2, 2022:

Conditional Rezoning Request CZ-220401 to rezone 165.67 acres at the intersection of S NC Highway 58 & E NC Highway 97 to RA-30-CZ for the cluster development of the Newton's Grove Subdivision was withdrawn by the applicant prior to the meeting.

Conditional Rezoning Request CZ-220402 to rezone 1.91 acres at 1313 N NC Highway 58 from RC-CU to RC-CZ to add contractor with no outdoor storage and beauty shop to the list of commercial land uses already permitted on the subject property was approved.

**8. Adjournment.**

There being no further business, Chairman Smith adjourned the meeting at 7:02 p.m.