



**CITY COUNCIL
AGENDA
May 11, 2021
6:30 p.m.**

- 1. Opening of meeting by Mayor Steve Morris.**
- 2. Invocation by Mayor Steve Morris.**
- 3. Amendments and Changes to Agenda.**

Consent Agenda:

- A. Disposition of Minutes of the April 13, 2021 Regular Meeting.**
- B. Tax Collector's Report. (See Pages 4-8)**

Informational Items:

- 1.) Monthly Collection Report**
- 2.) Uncollected Taxes as of April 30, 2021**

Action Items:

- 1.) Refunds per County Assessor's Office.**
- 2.) Discovery bills added to Tax Scroll.**
- 3.) Releases per County Assessor's Office.**

- 5. Business by Planning Board.**

- A. Set Public Hearing. (None)**
- B. Hold Public Hearing.**

Rezoning Request: Hold public hearing for a request to rezone approximately 4.8 acres located at 195 and 201 US Highway 74 Business West and identified as Richmond County PIN 7463-03-44-3216, 7463-03-44-2337, and 7463-03-34-8330 from Residential Mill Village (R-7A) and Highway Business (B-3) to Light Industrial (I-1). (See Pages 9-10 & map inserts)

- C. Minutes from Various Boards. (None)**

- 6. Presentation of proposed FY 2021/2022 Rockingham City Budget. (Proposed FY2021/2022 Budget document)**
- 7. Set Public Hearing on proposed FY 2021/2022 Rockingham City Budget for regular City Council meeting on June 8, 2021.**
- 8. Set date and time for FY2021-22 Budget Work Session/Planning Retreat.**
- 9. Consideration of a Demolition Ordinance for the dilapidated dwelling located at 36 4th Avenue Pee Dee and identified as Richmond County PIN# 7463-11-66-8404. (See Pages 11-13 & insert)**
- 10. Consideration of an Ordinance to amend Section 92.091 'Noises Expressly Prohibited' of the City Code to prohibit the use of a generator as a permanent power source in lieu of connecting to electric grid. (See Pages 14-15)**
- 11. Business by City Clerk.**
 - A. List of Upcoming June Board Appointments (new and/or reappointments) enclosed for your review & consideration. (List enclosed separately)**
- 12. Business by Visitors.**
- 13. Business by City Manager.**
- 14. Business by City Attorney.**
- 15. Items of discussion by City Council Members.**
- 16. Business by Mayor.**
- 17. Adjournment.**

Rockingham, NC

City Council Agenda

SUPPORT DOCUMENTS

UNCOLLECTED TAXES

YEAR	AMOUNT	Apr-21
2020	34,898.57	
2019	9,654.77	
2018	8,221.81	
2017	7,461.17	
2016	6,839.84	
2015	7,066.23	
2014	7,258.41	
2013	8,676.74	
2012	6,232.89	
2011	5,870.15	
2010	5,163.08	
	34,898.57	Total Current Year
	72,445.09	Total Past Years
	107,343.66	Total All Years

Staff Report to Planning and Zoning Board
Agenda Item: IV.A
April 6, 2021

Issue:

Rezoning Request: Hudson Paving, Inc. has submitted a request to rezone approximately 4.8 acres located at 195 and 201 US Highway 74 Business West and identified as Richmond County PIN 7463-03-44-3216, 7463-03-44-2337, and 7463-03-34-8330 from Residential Mill Village (R-7A) and Highway Business (B-3) to Light Industrial (I-1).

Background:

On March 24, 2021, Hudson Paving, Inc. submitted a request to rezone approximately 4.8 acres (three parcels) located at 195 and 201 US Highway 74 Business West from Residential Mill Village (R-7A) and Highway Business (B-3) to Light Industrial (I-1). Two of the three parcels are currently vacant and zoned R-7A). The third parcel is zoned B-3 and includes a commercial building and single-wide mobile home, which are intended for demolition by the applicant. The applicant intends to expand their business operations to the subject properties.

As set forth in Section 3.01 of the UDO, the Residential Mill Village (R-7A) zone is generally intended to be applied to the existing mill village areas and is intended to accommodate the historic development patterns created in the mill village areas and thereby minimize the creation of nonconforming situations while still maintaining quiet, livable neighborhoods. The Highway Business (B-3) zone is generally intended to accommodate and provide for the development of a variety of commercial activities where municipal services are available or anticipated. The Light Industrial (I-1) zoning district is generally intended to accommodate and provide areas for wholesale activities, industrial research, warehousing and light manufacturing operations.

Staff Comments:

1. A zoning map and an aerial map illustrating the location of the subject property is included in the agenda packet for the Board's reference.
2. There is some overlap in the uses allowed in the I-1 zone and B-3 zone. The applicant's current use (Hudson Paving office and equipment yard) is allowed as a permitted use in both the I-1 and B-3 zone. The lot zoned B-3 is requested to be rezoned for consistency since the applicant's current facility is zoned I-1.
3. It should be noted the applicant also owns two lots fronting on Barrett Street (also zoned R-7A) adjacent to the landlocked lot included in the rezoning request.

Plan Consistency Statement:

The requested rezoning is not consistent with the future land use map set forth in Shaping Our Future: 2023. The two lots with frontage on US Highway 74 Business West were identified on the future land use map as an area to encourage commercial development. The landlocked lot was identified as an area to encourage higher density residential development. However, one objective set forth under Goal 1 in the plan is to "ensure adequate amounts of land in desirable locations for commercial and industrial development with access to water and sewer infrastructure and appropriate zoning exist in the community. While the request may not be exactly consistent with the future land use map, approval of the request is consistent with a stated objective in the plan and would allow an existing business the

opportunity to grow and expand if approved. It should be noted that as set forth in NCGS 160D-6-4(d), inconsistency with the comprehensive plan shall not preclude consideration or approval by the governing Board.

Statement of Reasonableness: Each of the three parcels included in the rezoning request are adjacent to existing Light Industrial (I-1) zoning, so the request does not constitute spot zoning. It seems unlikely that the two tracts currently zoned R-7A would be desirable for any type of residential development considering the adjacent nonresidential uses, residential growth patterns in the community, the frontage of two lots on a major US highway, and one lot being landlocked. Thus, in the opinion of City staff, the request is reasonable.

Staff Recommendation:

City staff recommends the Board review the proposed rezoning request and recommend the City Council rezone the property as requested by the applicant.

Planning Board Recommendation:

The Planning Board reviewed the requested rezoning on April 6, 2021 and recommended unanimously that the City Council rezone the property as requested.



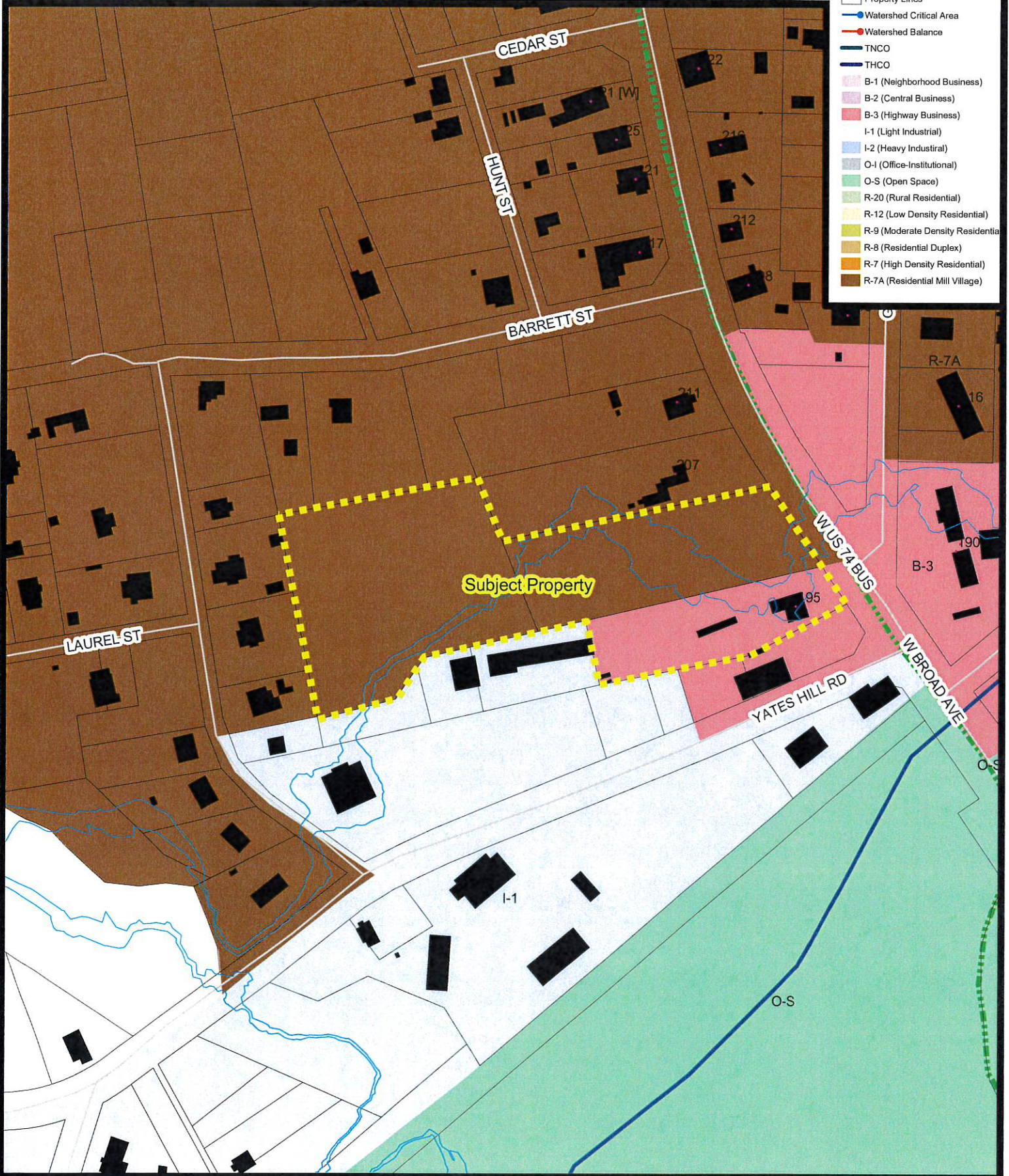
Hudson Paving Rezoning Request

Residential Mill Village (R-7A) and Highway Business (B-3)
to Light Industrial (I-1)

Scale:
1" = 200'



- Subject Property
- AE (Floodplain)
- SHADED X (Floodplain)
- AEFW (Floodway)
- Street Names
- Address Data
- City Limits
- Property Lines
- Watershed Critical Area
- Watershed Balance
- TNCO
- THCO
- B-1 (Neighborhood Business)
- B-2 (Central Business)
- B-3 (Highway Business)
- I-1 (Light Industrial)
- I-2 (Heavy Industrial)
- O-1 (Office-Institutional)
- O-S (Open Space)
- R-20 (Rural Residential)
- R-12 (Low Density Residential)
- R-9 (Moderate Density Residential)
- R-8 (Residential Duplex)
- R-7 (High Density Residential)
- R-7A (Residential Mill Village)





Hudson Paving Rezoning Request

Residential Mill Village (R-7A) and Highway Business (B-3)
to Light Industrial (I-1)



Scale:
1" = 200'

- Subject Property
- AE (Floodplain)
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MEMORANDUM

To: Mayor Steve Morris and City Council Members

From: John R. Massey, Jr., Assistant City Manager

Date: May 3, 2021

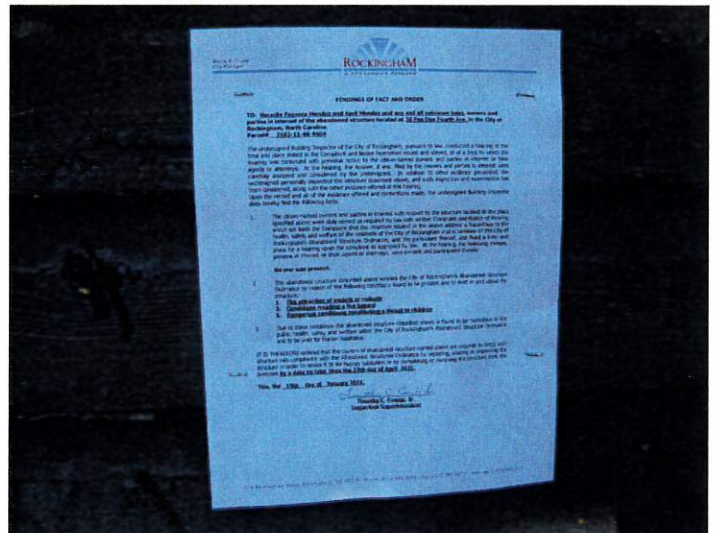
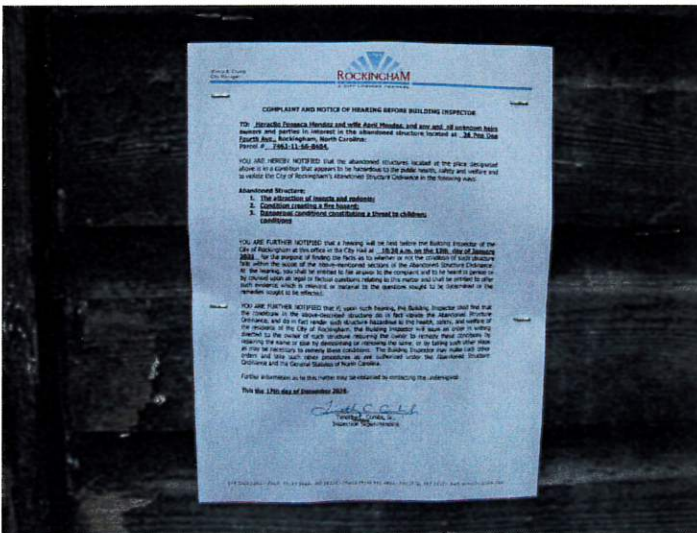
Re: Demolition Ordinance for Dilapidated Dwelling located at **36 4th Avenue Pee Dee**

City staff recommends the City Council approve a demolition ordinance for the dilapidated dwelling located at 36 4th Avenue Pee Dee and identified as Richmond County PIN 7463-11-66-8404. A copy of the demolition ordinance and photographs of the property are included in the agenda packet.

As background information, City staff initiated minimum housing proceedings in December of 2020. The property owner, Heraclio Fonseca Mendez, and parties of interest were notified of a hearing with the Code Enforcement Officer regarding the condition of the dwelling. The notice was sent via certified and regular mail; published in the Richmond County Daily Journal; and posted on the subject property. No one attended the hearing. The Code Enforcement Officer issued his findings of fact and directed the property owners to either repair or demolish the dwelling by April 13, 2021. Again, the notice was sent via certified and regular mail; published in the Richmond County Daily Journal; and posted on the subject property.

During the 90-day period following the issuance of the Findings of Fact and Order, the property owner was in communication with the Code Enforcement Officer. The property owner expressed his intention to either repair or demolish the residence; however, no permits were obtained and no work has occurred to date.

36 4th Avenue Pee Dee



MEMORANDUM

To: Mayor Steve Morris and City Council Members

From: John R. Massey, Jr., Assistant City Manager

Date: May 3, 2021

Re: Proposed Amendment to Rockingham City Code regarding Prohibited Noises

City staff has received several complaints regarding a residence in the City that is utilizing a generator as a permanent power source in lieu of connecting to the electric grid. The constant noise from the running generator is creating a nuisance for surrounding residents.

As part of an effort to address the citizens' complaints regarding this specific situation, City staff drafted a proposed amendment to § 92.091 – 'Noise Expressly Prohibited' to prohibit the use of a generator as a primary power source in lieu of connecting to the electrical power grid where the sound of the generator can be heard beyond the property boundaries on which it is located. The amendment specifically exempts the temporary use of generators as an auxiliary power source during a failure of the electrical power grid or when equipment and/or services lines are damaged.

A copy of the proposed amendment is attached for the Council's review. City staff recommends the City Council adopt the amendment as proposed.

Amend § 92.091 of the Rockingham City Code to add subsection (L)

§ 92.091 NOISES EXPRESSLY PROHIBITED

The following acts, among others, are declared to be loud, disturbing, dangerous to the public health, unreasonable and unnecessary noises in violation of this subchapter, but this enumeration shall not be deemed to be exclusive:

- (A) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control or in motion only as a danger signal after or as brakes are being applied and deceleration or the vehicle is intended, the creation by means of any such signal device of any unreasonably loud or harsh sound and the sounding of such device for an unnecessary and unreasonable period of time.
- (B) The use of any gong or siren upon any vehicle other than police, fire or other emergency vehicle.
- (C) The playing, use or otherwise operating either from a motor vehicle or as a pedestrian, any radio, tape player or other sound amplification device emitting sound that is audible from a distance of 50 or more feet from the source of the sound, unless such device is being used to request assistance or warn against an unsafe condition.
- (D) The keeping of any animal or bird which, by causing frequent or long continued noise, disturbs the comfort and repose of any person in the vicinity.
- (E) The use of any automobile, motorcycle or other vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, rattling or other noise.
- (F) The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger.
- (G) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorboat engine, except through a muffler or other device which will effectively prevent loud or explosive noise therefrom.
- (H) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced.
- (I) The creation of any excessive noise on any street adjacent to any school, institution of learning or court while the same is in session or within 150 feet of any hospital which unreasonably interferes with the working of such institution.
- (J) The use of any mechanical loudspeakers or amplifiers on trucks or other moving vehicles for advertising or other purposes except where specific license is received from the City Council.
- (K) The firing of gunpowder or other combustible substance in the streets or elsewhere for the purpose of making a noise or disturbance, except by permission of the Police Department.
- (L) The use of a generator as a primary power source in lieu of connecting to the electrical power grid where the sound of the generator can be heard beyond the property boundaries on which it is located. Nothing herein shall be interpreted to prevent the temporary use of a generator as an auxiliary power source during a failure of the electrical power grid or when equipment and/or service lines supplying electric service are damaged.**

**DEPARTMENTAL
ACTIVITY REPORTS
for
COUNCIL'S INFORMATION**



Rockingham Police Department



W.D. Kelly, Chief of Police

To: Monty Crump

W.D.K.
From: W. D. Kelly
Chief of Police

Date: May 3, 2021

Ref: April Activity Report

On behalf of the Rockingham Police Department, I am pleased to submit this report for your consideration. The following activities have been undertaken by officers of the Rockingham Police Department.

Total Calls for the Month:	<u>1548</u>
Public Service Calls - INCLUDES <i>Alarms, Unlocks and Battery Boosts)</i>	<u>481</u>

Charges Generating Arrest:	
Felonies:	<u>27</u>
Misdemeanors:	<u>61</u>
Drug Violations:	<u>05</u>
Juvenile:	<u>05</u>
Warrants Served:	<u>135</u>
Citations:	<u>91</u>

Accidents Reported/Investigated:

Property Damage only:	<u>34</u>
Personal Injury:	<u>01</u>

Officer Hours Spent in Court:	<u>10</u>
Officer Training Hours Logged	<u>132</u>

FIRE CHIEF
HAROLD ISLER
ADMIN. ASST.
KRISTY PLAYER



April

We are pleased to submit the monthly fire report on the activities undertaken by the Rockingham Fire Department during the month of April 2021.

Total Alarms:	<u>31</u>	In Town:	<u>31</u>	Out of Town:	<u>0</u>
Turn In Alarms:	<u>0</u>	Silent Alarms:	<u>31</u>	Structure fire:	<u>0</u>
Wrecks:	<u>16</u>	Alarm Malf:	<u>6</u>	Good Intent:	<u>1</u>
Service Call:	<u>1</u>	Assist Police:	<u>0</u>	Trash/outside fire:	<u>4</u>
Power line down:	<u>0</u>	Assist Ems:	<u>0</u>	Unauthorized burn:	<u>0</u>
Smoke scare:	<u>0</u>	Building Collaspe:	<u>0</u>	Vehicle fire:	<u>0</u>
Electrical:	<u>1</u>	Cooking Fire:	<u>1</u>	Spill/Leak:	<u>1</u>

Hours Spent on Calls: 9 hours 26 minutes

Total Property Exposed to Fire:	<u>\$88,000.00</u>
Total Property Damaged by Fire:	<u>\$6,000.00</u>
Total Property Saved:	<u>\$82,000.00</u>

During the month of April members of the fire department averaged 51 training hours per person; part-paid members averaged 7 hours per person for the month.

Respectfully Submitted,

Harold Isler
Fire Chief