



## DEPARTMENT OF PLANNING AND DEVELOPMENT

### **ZONING TEXT AMENDMENT: *Motocross Tracks***

#### **Staff Report and Adoption Document:**

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**Planning Board Hearing: August 14, 2017 6:00pm**

**Board of Commissioners Public Hearing: August 21, 2017 6:00pm**

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**Applicant: Surry County Administration**

**Proposal: Applicant proposes to amend the Surry County Zoning Ordinance text to modify and clarify County land use regulations regarding Motocross Tracks.**

#### **Overview of the Request:**

The request originated in discussion of a specific Conditional Use project case in which a motocross track was proposed. Motocross tracks historically have been considered for permitting purposes under the broader heading of 'Dragstrips and Racetracks'.

Administration is submitting for board review that a more use-specific set of requirements might be considered for motocross track facilities, having more relaxed dimensional requirements than the 'Dragstrips and Racetracks' category; but with more stringent requirements than the general 'Outdoor Recreation' category.

The proposal outlined herein would establish and define a use category entitled 'Motocross tracks' in the zoning ordinance, and would set development requirements intended to be specifically suited to the use.

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#### **Zoning Code Analysis:**

- A. **§ 154.011** of the Surry County Zoning Ordinance provides definitions suited to purposes of the ordinance, and includes a definition for 'Dragstrips and racetracks', but no definition for 'Motocross tracks'. As a result, Motocross tracks historically have been considered for permitting purposes under the broader heading of 'Dragstrips and Racetracks'. This proposal would add a new definition, for a use entitled 'Motocross tracks'.
- B. **§ 154.075-079** of the Surry County Zoning Ordinance establishes a process to execute changes and amendments to that code. The proposed text amendments are presented in compliance with this process.
- C. **§ 154.160** of the Surry County Zoning Ordinance provides a table of permitted uses with a wide range of land uses along with the zoning districts within which each listed use may be permitted, while specifying whether such permission is by right or imposes conditions for approval. 'Motocross tracks' is not listed among the uses provided in this table. This proposal would add

such a listing as a conditional use in the three business districts (RB, CB and HB) and industrial district (MI), and would list conditions of approval specific to the use.

- D. **§ 154.202** of the Surry County Zoning Ordinance includes specific requirements preceding consideration and granting of a conditional use permit for 'Dragstrips and racetracks', along with prescribed development requirements for the use category; but does not include or consider similar uses of limited or lesser intensity, which may be designed without spatial allowances or improvements for spectators, or otherwise may require less acreage or less intensive requirements to be compatible with surrounding uses. This proposal would add specific development requirements suited to motocross track facilities and designed to mitigate potential impact on the surrounding area.

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**Planning Staff Recommendation:**

The Planning Department submits this report and zoning text amendment proposal as a response to discussion arising from disposition of a recent project case. Consensus was reached in this discussion that a more specific treatment of motocross tracks in the zoning code would be beneficial to the public.

The Department has researched regulatory treatment of motocross tracks in nearby jurisdictions. The Stokes County zoning code contains a provision for motocross tracks consistent with perceptions advanced in discussion of this proposed amendment, and those standards have substantively informed the development of content submitted here.

The Department therefore considers this proposal reasonable at least as a basis for discussion, to address the perceived need that has been presented; and agrees that the proposal is being advanced as a measure consistent with the intent of the zoning code, to provide for a full range of potential land uses.

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**Planning Board Recommendation:**

After a discussion of the proposed changes, Frank Beals made a motion to recommend adoption of the measure, with adjustments to minimum acreage, track setbacks and hours of operation, as shown below. The motion was duly seconded by Greg Casstevens and the motion passed on a vote of 7-0.

**Statement of reasonableness and consistency:**

The Planning Board finds consistency in this proposal with all elements of Land Use Plan 2020 listed below; and finds further that the proposed amendments introduce thoroughness and specificity in the permitting of land use development in the County, not previously provided in the zoning code.

The Planning Board cites the following elements of Land Use Plan 2020 as consistency principles guiding its recommendation:

- 5.3.3 Encourage economic and commercial development that does not detract from the rural environment.
- 5.3.4 Equip leaders to make good development decisions.
- 5.3.5 Maintain rural character.
- 5.3.7 Maintain quality of life.
- 5.4.5.9 Isolated businesses in predominantly rural areas may be encouraged on a case-by-case basis if the amenities provided are not available in the immediate vicinity/community.
- 5.4.5.10 Isolated businesses should have the ability to expand and grow if the proposed expansion does not drastically change the business' impact on the surrounding community.
- 5.4.5.12 Businesses should be served by roads and streets of a capacity sufficient for safe traffic flow; large businesses should locate at major intersections.
- 5.4.6.2 Appropriate non-residential uses should be permitted in rural and agricultural areas on a case-by-case basis, which blend well with the rural/agricultural framework.

**AN ORDINANCE TO AMEND  
THE SURRY COUNTY  
ZONING ORDINANCE**

**WHEREAS**, pursuant to N.C Gen. Statute 153A-342, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the County by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the County of Surry that the Surry County Zoning Ordinance be amended as follows:

- 1) Amend § 154.011, to add the following Definition:

**MOTOCROSS TRACK.** a closed-course motorcycle racetrack over natural or simulated rough terrain.

- 2) Amend § 154.160, to add the following use category in the Table of Uses:

Use	RA	RE	RR	RL	RG	MR	CP	MHP	VR	RB	CB	HB	MI
Motocross Track										c	c	c	c

- 3) Amend § 154.202, to add the following use listing as a specific Conditional Use:

(38) *Motocross track.*

(a) **Zoning districts:** RB, CB, HB, MI;

(b) **Site standards:**

1. Minimum **lot** size of 40 acres.
2. The **lot** shall have its own direct access to a state maintained road. The access shall serve only the **motocross track**.
3. All structures and accessory structures shall be located at least 100 feet from any adjoining property lines.
4. No portion of the riding course shall be located within 200 feet of any adjoining property line.
5. Hours of operation shall be no earlier than 9:00 a.m. and no later than 30 minutes before dusk.
6. Ancillary support activities, such as the provision of food, beverages, and other concessions or vending operations may be permitted on a temporary basis and only during the operation of the use; and shall meet all applicable state health codes.

(c) **Lighting:** outdoor lighting shall be designed so as to minimize light from directly hitting adjacent **property** or any **public** right-of-way.

(d) **Screening** and fencing: a vegetative **buffer** must be provided which will screen adjacent **properties** used or zoned for **residential** purposes from the effects of light and noise generated on the site, as well as parking areas and all **structures** , outbuildings, loading areas, **places of assembly** , outdoor display areas and other facilities associated with the use. The **buffer** shall comply with §§ [154.240](#) through [154.246](#) of this chapter. The **Planning**

Board may require a solid fence or wall as deemed necessary to screen from noise, in addition to the required buffer .

This ordinance shall become effective on the date of its adoption. The Board of Commissioners also adopts the Planning Board's Statement of Reasonableness and Consistency, AS FOLLOWS:

The Board finds this proposal to be reasonable and consistent with all elements of *Land Use Plan 2020* listed below; and finds further that the proposed amendments introduce thoroughness and specificity in the permitting of land use development in the County, not previously provided in the zoning code.

The Board cites the following elements of *Land Use Plan 2020* as consistency principles guiding its recommendation:

- 5.3.3 Encourage economic and commercial development that does not detract from the rural environment.
- 5.3.4 Equip leaders to make good development decisions.
- 5.3.5 Maintain rural character.
- 5.3.7 Maintain quality of life.
- 5.4.5.9 Isolated businesses in predominantly rural areas may be encouraged on a case-by-case basis if the amenities provided are not available in the immediate vicinity/community.
- 5.4.5.10 Isolated businesses should have the ability to expand and grow if the proposed expansion does not drastically change the business' impact on the surrounding community.
- 5.4.5.12 Businesses should be served by roads and streets of a capacity sufficient for safe traffic flow; large businesses should locate at major intersections.
- 5.4.6.2 Appropriate non-residential uses should be permitted in rural and agricultural areas on a case-by-case basis, which blend well with the rural/agricultural framework.

Adopted this Twenty-first day of August, 2017,

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Eddie Harris, Chairman

ATTEST:

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Conchita Atkins, Clerk to the Board