

**A-G-E-N-D-A**  
**REGULAR MEETING**  
**PLANNING BOARD**  
**CITY HALL CONFERENCE ROOM**  
**308 E. STADIUM DRIVE**

**THURSDAY, JANUARY 3, 2019**  
**5:30 P.M.**

1. Meeting called to order.
2. Roll Call.
3. Set Meeting Agenda.
4. Approval of minutes of the regular meeting on July 24, 2018.
5. New Business:

**ZONING CASE**

**Z-18-07**

**TEXT AMENDMENT**

Consideration of a zoning text amendment request to amend Section 11.24(o) to add Recycling Facilities as a permitted use in the Industrial-2 District. Submitted by Charles Clark, owner of a property located in an Industrial-2 District.

Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment request to amend Section 11.24(o) to add Recycling Facilities as a permitted use in the Industrial-2 District.

6. Items from Staff:
7. Items from the Planning Board:
8. Adjournment.

**PLEASE CALL THE PLANNING AND INSPECTIONS DEPARTMENT IMMEDIATELY**  
**TO LET US KNOW YOUR PLANS FOR ATTENDING THE MEETING**  
**336-623-2110 OPTION 2**

EDEN PLANNING BOARD  
JULY 24, 2018

A regular meeting of the Eden Planning Board was held on Tuesday, July 24, 2018, at 5:30 P.M. in the conference room at City Hall. Members present:

Eddie Barker  
Amelia Dallas  
Barbara Garland  
Carol Helms  
Jerry W. Holland, Jr.  
Frank Wyatt  
Gwen Taylor  
Steve Morgan

Members absent: Matt Smith\*

Staff Present: Kelly K. Stultz, Planning Director  
Debra M. Madison, Planning Coordinator/Legal Assistant

Others Present: Paige Pamela Price

\*Excused absence.

Vice-Chairman Jerry W. Holland, Jr. called the meeting to order.

**ROLL CALL:**

Debra Madison took note of everyone that was present and established a quorum.

**SET MEETING AGENDA:**

Mr. Barker made a motion to set the agenda as presented. Mr. Morgan seconded the motion. Motion carried unanimously.

**APPROVAL OF MINUTES OF THE REGULAR MEETING ON JUNE 26, 2018.**

The minutes of the regular meeting on June 26, 2018, were presented to the Board. Mrs. Dallas made a motion that the minutes be approved. Mr. Barker seconded the motion. Motion carried unanimously.

**NEW BUSINESS:**

**A. ZONING CASE**

**Z-18-05**

**MAP AMENDMENT**

(1) Consideration of a zoning map amendment request to rezone property located at 904 Irving Avenue from Residential-6 to Business General. Submitted by Charles H. Price, III and wife Gail Eaves, and Paige Pamela Price, property owners.

(2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property located at 904 Irving Avenue from Residential-6 to Business General.

Mrs. Stultz presented the Staff Report which included a recommendation that the Board recommend approval of the text amendment to the City Council.

There was a question about the other commercial uses adjoining and in the vicinity of the subject property. It was noted that there are several such commercial properties.

The property owner, Ms. Price was present to speak about the request. She noted that 905, which is directly across from the subject property, is also a business. She said the subject property is surrounded by other businesses. She said she had no intent to operate any kind of business which would be detrimental to the neighborhood.

A question was asked about whether the subject property is currently vacant.

Ms. Price said it is not vacant, and currently houses a group home.

Mrs. Stultz reminded the Board that they must consider not just what Ms. Price plans to do with the property, but any use which is allowed in the Business General district. She said that if Ms. Price sells the property, whatever uses are allowed in that district would be permitted on the property, and that this is not a conditional use circumstance.

Mr. Morgan made a motion that the request be approved. Mr. Wyatt seconded the motion. Motion carried unanimously.

There was a question about the consistency statement. Mrs. Stultz said it would have to say that it is not consistent with the Land Development Plan, but the Board recommends in favor of the rezoning anyway.

Mr. Morgan made a motion to approve the amendment, noting that it is not in agreement with the consistency statement and the Land Development Plan. Mr. Wyatt seconded the motion. Motion carried unanimously.

**ITEMS FROM STAFF:**

None

**ITEMS FROM THE PLANNING BOARD:**

None

**ADJOURNMENT:**

There being no further business to come before the Board, Mr. Morgan made a motion for adjournment. Mr. Barker seconded the motion. Motion carried unanimously.

Respectfully submitted,

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Kelly K. Stultz, Administrative Assistant to  
the Planning Board

Attest:

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Matthew W. Smith, Chairman



PLANNING & INSPECTIONS DEPARTMENT

APPLICATION FOR ZONING ORDINANCE AMENDMENT  
PETITION FOR TEXT AMENDMENT

**INSTRUCTIONS:** Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

**(1) APPLICANT INFORMATION:**

NAME: Charles Clark TELEPHONE: 336-689-1726  
MAILING ADDRESS: 876 Paul's Airport Rd  
CITY Thomasville STATE NC ZIP CODE 27370

**(2) APPLICABLE SECTION OF THE ZONING ORDINANCE:**

11.24 (a) I-2 Industrial

**(3) EXISTING WORDING IN TEXT:**

none

**(4) REQUESTED WORDING IN TEXT:**

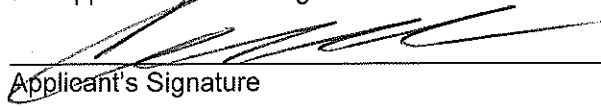
Recycling Facility

**(5) REASON FOR REQUESTED CHANGE:**

property purchase - bring business to Eden

**(6) APPLICANT CERTIFICATION:**

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

  
Applicant's Signature

11/13/18  
Date of Signature

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**DEPARTMENTAL USE ONLY**

APPLICATION NUMBER: \_\_\_\_\_

FEE PAID: \_\_\_\_\_

RECEIVED BY: KKS

DATE: \_\_\_\_\_

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**PLANNING AND INSPECTIONS DEPARTMENT  
ZONING TEXT AMENDMENT REPORT  
December 18, 2018**

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**CASE NUMBER:** Z-18-07

**REQUESTED ACTION:** To amend Section 11.24(o) to allow recycling facilities as a permitted use in the I-2 district.

**APPLICANT:** Charles Clark

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**EXISTING TEXT**

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**Section 11.24(o)(1)**

(None)

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**PROPOSED TEXT**

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**Section 11.24(o)(1)**

Recycling Facilities

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**GENERAL INFORMATION**

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This request was submitted by Charles Clark.

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**STAFF ANALYSIS**

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This amendment was submitted by a prospective buyer who wishes to open a recycling facility on a property located in an I-2 district. The I-2 Industrial District is established as a district in which the principal use of land is for industries that by their nature may create some nuisance and which are not properly associated with nor compatible with uses in other zoning districts. Currently the I-2 district does not allow recycling facilities as a permitted use. Scrap metal storage and recycling is allowed as a permitted use in the I-3 district, which is a higher impact industrial district.

Recycling facilities may include a variety of recycling – paper, plastic, scrap metals, etc. – and to allow such facilities, without specifics, in any I-2 district, could be detrimental to the surrounding areas, depending on which type of recycling is allowed and the impact to the area. This is why specific types of recycling, such as scrap metal recycling, are listed as permitted uses in other, more intense zoning districts. Staff is of the opinion that to allow the broad category of “recycling facilities” as a use-by-right could be detrimental to surrounding areas. Therefore staff cannot recommend in favor of the text amendment.

Based upon the foregoing information, staff recommends denial of the text amendment.

**STAFF RECOMMENDATION:**

**Denial of the text amendment.**

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-18-07**  
**MAP AMENDMENT**

WHEREAS, pursuant to North Carolina General Statutes Chapter 160A-383, all City of Eden zoning decisions must be made in accordance with the Land Development Plan. Prior to adopting or rejecting any zoning amendment, the City of Eden Planning Board shall advise and comment in writing as to whether the proposed amendment is consistent with the Land Development Plan and why the Board considers the action taken to be reasonable and in the public interest; and

WHEREAS, on August 21, 2007, the Eden City Council adopted the Land Development Plan. Plans such as the City of Eden Land Development Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances; and

WHEREAS, the City of Eden Planning Board received a request for an amendment to the Zoning Ordinance to amend Section 11.24(o) to allow recycling facilities as a permitted use in the I-2 district..

**STATEMENT OF NEED:**

Staff is of the opinion that this request would not be appropriate for the Industrial-2 Zoning District. The I-2 Industrial District is established as a district in which the principal use of land is for industries that by their nature may create some nuisance and which are not properly associated with nor compatible with uses in other zoning districts. Recycling facilities may include a variety of recycling – paper, plastic, scrap metals, etc. – and to allow such facilities, without specifics, in any I-2 district, could be detrimental to the surrounding areas, depending on which type of recycling is allowed and the impact to the area. This is why specific types of recycling, such as scrap metal recycling, are listed as permitted uses in other, more intense zoning districts. Staff is of the opinion that to allow the broad category of “recycling facilities” as a use-by-right could be detrimental to surrounding areas.

**STATEMENT OF CONSISTENCY.**

The goals of the 2007 City of Eden Land Development Plan, as amended, are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.



WHEREAS, The Board finds that this amendment would not be consistent with the goals and policies expressed in the Land Development Plan, including, but not limited to, strategically locating new land development in appropriate places; maintaining the city's character; using infrastructure investments as effectively as possible, attracting new jobs and a more diverse tax base; and protecting natural, cultural and historic resources and open space with growth consistent with our Growth Strategy Map and Future Land Use Map;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD THAT:

1. The Planning Board of the City of Eden finds that the proposed zoning text amendment is not consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan, as amended.
2. At no time are land use regulations or plans of the City of Eden, nor any jurisdiction in the State of North Carolina, permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Zoning Ordinance is not reasonable and is not in the public's best interest.

Approved, adopted and effective this 3rd day of January, 2019.

CITY OF EDEN PLANNING BOARD

By \_\_\_\_\_  
Matthew W. Smith, Chair

ATTEST:

\_\_\_\_\_  
Kelly K. Stultz, Administrative  
Assistant to the Planning Board