

**A-G-E-N-D-A**  
**REGULAR MEETING**  
**PLANNING BOARD**  
**CITY HALL CONFERENCE ROOM**  
**308 E. STADIUM DRIVE**  
**TUESDAY, MAY 28, 2019**  
**5:30 P.M.**

1. Meeting called to order.
2. Roll Call.
3. Set Meeting Agenda.
4. Approval of minutes of the special meeting on April 30, 2019.
5. New Business:

**(A) STREET CLOSING SC-19-01**

Consideration of closing an unopened portion of French Street on the east side of Cascade Avenue. Submitted by J R Land and Company LLC.

**(B) ZONING CASE Z-19-05 MAP AMENDMENT**

- (1) Consideration of a zoning map amendment request to rezone property at 531 Glovenia Street from Office & Institutional to Residential-6. Submitted by James C. Burnette.
- (2) Amend the request to include 26 additional parcels of land identified as

522 Glovenia St. PIN 7070-1950-8770  
523 Glovenia St. PIN 7070-1950-8439  
524 Glovenia St. PIN 7070-1950-9639  
527 Glovenia St. PIN 7070-1950-9413  
528 Glovenia St. PIN 7070-1950-9671  
415 Boone Rd. PIN 7070-1960-2918  
421 Boone Rd. PIN 7070-1960-1859  
425 Boone Rd. PIN 7070-1960-0891  
429 Boone Rd. PIN 7070-1960-0679  
433 Boone Rd. PIN 7070-1960-0587  
502 Boone Rd. PIN 7070-1960-2374  
503 Boone Rd. PIN 7070-1960-0398  
506 Boone Rd. PIN 7070-1960-2265

507 Boone Rd. PIN 7070-1960-0340  
510 Boone Rd. PIN 7070-1960-2155  
511 Boone Rd. PIN 7070-1960-0231  
514 Boone Rd. PIN 7070-1960-2035  
515 Boone Rd. PIN 7070-1960-0114  
518 Boone Rd. PIN 7979-0769-2927  
522 Boone Rd. PIN 7979-0769-1889  
524 Boone Rd. PIN 7979-0769-2729  
528 Boone Rd. PIN 7979-0769-1740  
530 Boone Rd. PIN 7979-0769-1661  
Vacant Property PIN 7070-1961-2065  
615 Dumaine St. PIN 7979-0769-3549

- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property at 531 Glovenia Street and the additional 26 properties zoned Office & Institutional and Business-General to Residential-6.

**(C) ZONING CASE Z-19-06 TEXT AMENDMENT**

- (1) Consideration of a zoning text amendment request to amend Section 11.24(m)(5) to allow Mini-Storage (Self-Storage Facilities) – Indoor Access in the Business-Shopping Center District. Submitted by Terry Wethington.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment request to amend Section 11.24(m)(5) to allow Mini-Storage (Self-Storage Facilities) – Indoor Access in the Business-Shopping Center District. Submitted by Terry Wethington.

**(D) ZONING CASE Z-19-07 TEXT AMENDMENT**

- (1) Consideration of a zoning text amendment request to amend Section 11.24(m)(5) to allow Mini-Storage (Self-Storage Facilities) and Warehouses in the Business-Shopping Center District. Submitted by Barry McCorkle.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment request to amend Section 11.24(m)(5) to allow Mini-Storage (Self-Storage Facilities) and Warehouses in the Business-Shopping Center District.

**(E) ZONING CASE Z-19-08 MAP AMENDMENT**

- (1) Consideration of a zoning map amendment request to rezone property on the east side of Harrington Highway identified as PIN 7969-0454-7315 and PIN 7969-0554-7259 from Business Highway-2 to Residential-Suburban. Submitted by Lewis A. Hampton, Sr.

- (2) Amend the request to include 8 additional parcels of land identified as

2491 Harrington Hwy.	PIN 7969-0454-6461
109 Beddingfield Rd.	PIN 7969-0464-2406
117 Beddingfield Rd.	PIN 7969-0464-1454
125 Beddingfield Rd.	PIN 7969-0464-0347
143 Beddingfield Rd.	PIN 7969-0454-8253
7530 NC 770	PIN 7969-0454-8482
Vacant Parcel NC 770	PIN 7969-0464-0439
Vacant Parcel NC 770	PIN 7969-0464-1500

- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property identified as PIN 7969-0454-7315, PIN 7969-0554-7259 and the additional eight (8) properties from Business Highway-2 to Residential-Suburban.

**(F) ZONING CASE Z-19-09 TEXT AMENDMENT**

- (1) Initiate a zoning text amendment to define mini-storage facilities and make the terminology and use consistent throughout the Zoning Ordinance.
- (2) Consideration of a zoning text amendment to amend Section 11.29(a) to revise the definition for Mini-Storage Facilities and to amend Section 11.24(h)(2) to allow Mini-Storage (Self-Storage Facility) as a conditional use and Sections 11.24(i)(1), 11.24(k)(1), 11.24(l)(1), 11.24(n)(1) and 11.24(n-1)(1) to allow Mini-Storage (Self-Storage Facility) as a permitted use.
- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment.

**(G) ZONING CASE Z-19-10 TEXT AMENDMENT**

- (1) Initiate a zoning text amendment to amend the regulations on Disabled Motor Vehicles.
- (2) Consideration of a zoning text amendment to amend Section 11.22(t)(2) General Provisions pertaining to the storage of Disabled Motor Vehicles.
- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment to change the storage of Disabled Motor Vehicles.

**(H) ZONING CASE Z-19-11 TEXT AMENDMENT**

- (4) Initiate a zoning text amendment to amend Section 11.26(c)(3)(c)(17) – Board of Adjustment to allow Light Industrial Uses with a Special Use Permit in the Business Shopping Center District.
- (5) Consideration of a zoning text amendment to amend Section 11.26(c)(3)(c) to add Light Industrial Uses with a Special Use Permit in the Business Shopping Center District.
- (6) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment to add Light Industrial Uses with a Special Use Permit in the Business Shopping Center 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  
APRIL 30, 2019

A special meeting of the Eden Planning Board was held on Tuesday, April 30, 2019, at 5:30 P.M. in the conference room at City Hall. Members present:

Amelia Dallas  
Carol Helms  
Jerry W. Holland, Jr.  
Fred Ramsey  
Matthew Smith  
Gwen Taylor  
Frank Wyatt

Members absent: Eddie Barker\*  
Barbara Garland  
Steve Morgan

Staff Present: Kelly K. Stultz, Planning Director

\*Excused absence.

Chairman Matthew W. Smith called the meeting to order.

**ROLL CALL:**

Kelly Stultz took note of everyone that was present and established a quorum.

**SET MEETING AGENDA:**

A motion was made and seconded to set the meeting agenda as mailed to all members. Motion passed unanimously.

**APPROVAL OF MINUTES OF THE REGULAR MEETING ON MARCH 26, 2019.**

The minutes of the regular meeting on March 26, 2019, were presented to the Board. A motion was made and seconded to approve the minutes as presented to all members. Motion passed unanimously.

**NEW BUSINESS:**

**ZONING CASE**

**Z-19-04**

**MAP AMENDMENT**

- (1) Consideration of a zoning map amendment request to rezone property at 338 W. Stadium Drive from Office & Institutional to Business-General. Submitted by Richard Dyer.

- (2) Amend the request to include three (3) additional parcels of land known as 328 W. Stadium Drive (PIN 7070-16-82-8525), 350 W. Stadium Drive (7070-16-82-3757) and a vacant lot identified as PIN 7070-16-82-4752.
- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property at 338 W. Stadium Drive and the additional three (3) parcels from Office & Institutional to Business-General. Submitted by Richard Dyer.

Kelly Stultz presented the Staff Report. The original request was for one parcel to be rezoned from O&I to B-G. Recently, property close by was rezoned from O&I to B-G. Staff is recommending that the map amendment request be amended to add the three (3) additional parcels.

A motion was made by Carol Helms, seconded by Jerry Holland, Jr. to recommend to the City Council that the request as amended be approved. Motion passed unanimously.

**(B) CITY CODE AMENDMENT CCA-19-01 TEXT AMENDMENT**

- (1) Initiate action to amend Chapter 4, Article I, Section 4-4(A)(3) to change the standards for vacating and closing structures and to add Sections 4-5 through 4-14 to provide for a Vacant Commercial Property Registration.
- (2) Consideration of amending Chapter 4, Article I, Section 4-4(A)(3) to change the standards for vacating and closing structures and to add Sections 4-5 through 4-14 to provide for a Vacant Commercial Property Registration.

Kelly Stultz presented the Staff Report recommending that the amendment be approved. The first part pertains to the standards required for vacating and closing structures. Currently, the Code requires that properties be secured by boarding up the doors and windows which is detrimental to the neighborhood. Most municipalities now think it is better for the neighborhood and makes the action move faster if the standards are changed. The second part was brought about by the City's Economic Development Director and Main Street Director after attending meetings in other parts of the state. This will require that a property owner of a vacant property in one of the City's historic downtown areas register that property with the City. Kelly went through the requirements of the Registration program and the right to appeal decisions. This is designed to offer a push to our property owners to become interested in renting the building. This is an effort by the City Council to improve our City.

Jerry Holland recused himself from this action since he owns a Property Management Company.

The Planning Board members asked questions and made comments about various provisions in the proposed amendments. Kelly explained that the registration only applied to absentee landlords.

A motion was made by Amelia Dallas to recommend to the City Council that the amendment be approved. Gwen Taylor seconded the motion and it passed unanimously.

**ITEMS FROM STAFF:**

Kelly told the Board that the City Council authorized the Planning and Inspections Department to proceed with updating the City's land use regulations which will include the Land Development Plan, Zoning Ordinance, Subdivision Regulations, Flood Damage Prevention Ordinance and Water Supply Watershed Ordinance. Since there aren't any funds in the budget, it will have to be done by staff. She explained the process of updating the ordinance and how it would be brought to them and Council in sections.

**ITEMS FROM THE PLANNING BOARD:**

None

**ADJOURNMENT:**

There being no further business to come before the Board, Jerry Holland made a motion for adjournment. Fred Ramsey seconded the motion. Motion carried unanimously.

Respectfully submitted,

Attest:

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

\_\_\_\_\_  
Matthew W. Smith, Chairman



**PETITION**

**TO CLOSE STREET OR ALLEY**

Date Filed 5/1/2019

Application No. SC-19-01

**Mayor and City Council  
City of Eden  
Eden, NC 27288**

**(I)(We) the undersigned, being owner(s) of real property adjacent to the (street) (alley) as shown by sketch and described on the attached sheet to hereby petition the City Council to permanently close said (street) (alley):**

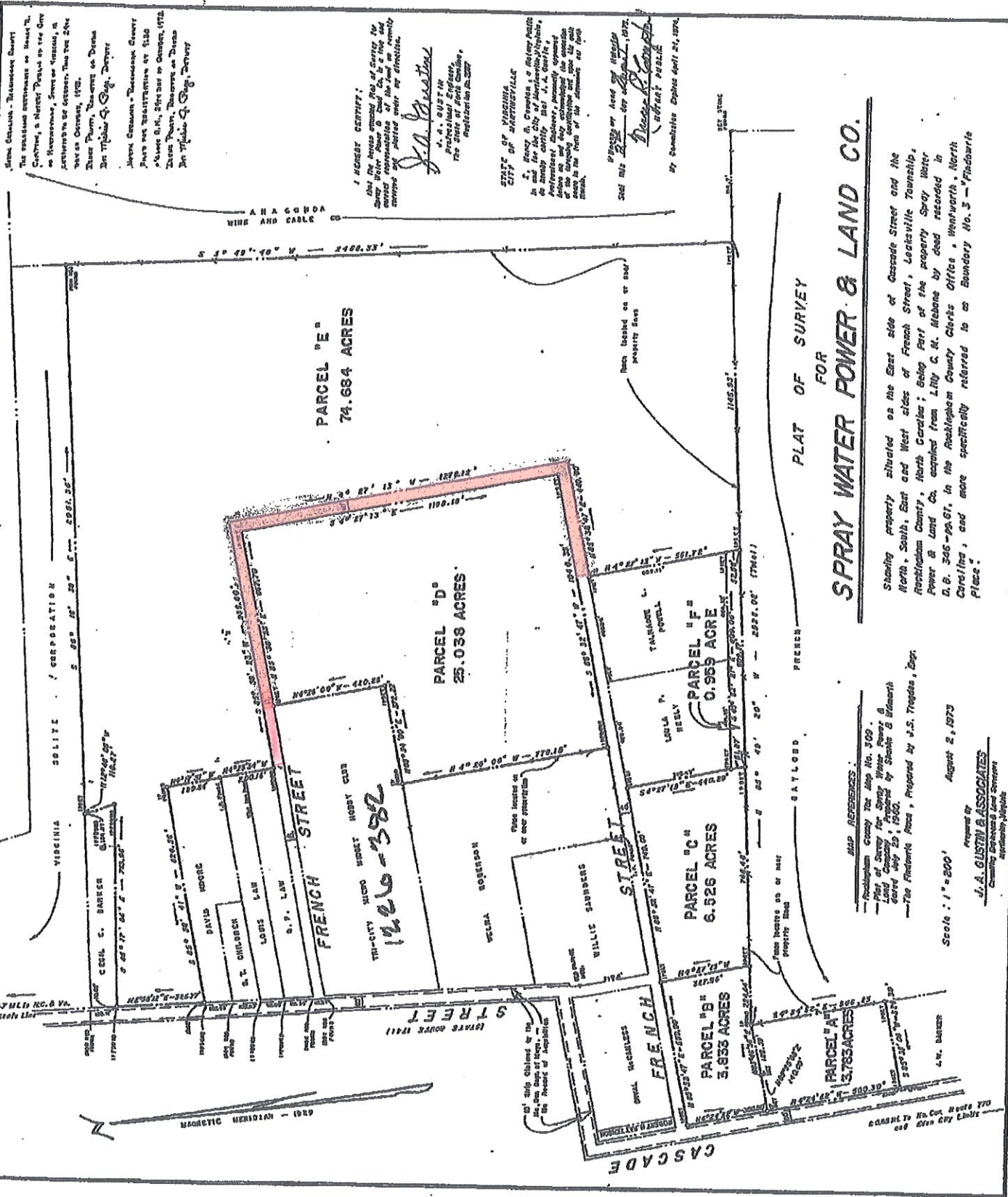
**SIGNED:** Robert M. Osborne **MAILING ADDRESS**

J R Land Company, LLC 515 S. Kennedy Street  
Robert M. Osborne, Manager Eden, NC 27288

PO Box 1107  
Eden, NC 27289-1107

**INSTRUCTIONS:**

- Each petitioner must sign the petition.
- If any petitioner is married, the spouse must also sign.
- A copy of each deed must be submitted with the petition. A fee of \$600.00 must be submitted with each petition.



PLAT OF SURVEY  
FOR  
SPRAY WATER POWER & LAND CO.

Shading property situated on the East side of Cascade Street and the North, South, East and West sides of French Street, Leesville Township, Northampton County, North Carolina; being Part of the property Spray Water Power & Land Co. acquired from Lily C. M. Mabona by deed recorded in D. B. 346-99-61, in the Rockingham County Clerk's Office, Wentworth, North Carolina, and more specifically referred to as Boundary No. 3 - "Pindownie Place".

MAP REFERENCES:  
 -Northampton County Tax Map No. 919  
 -Plat of Survey for Spray Water Power & Land Company, Prepared by Smith & Winarth dated July 25, 1960.  
 -The Finitaria Plan, Prepared by J.S. Tregolia, Esq.

Scale 1" = 200'  
 August 2, 1973

Prepared by  
**J. A. GUSTIN & ASSOCIATES**  
 Chartered Engineers & Land Surveyors  
 Raleigh, North Carolina

Survey conducted by J. A. GUSTIN & ASSOCIATES, Chartered Engineers & Land Surveyors, Raleigh, North Carolina, on August 2, 1973, for the purpose of showing the location and extent of the property of the Spray Water Power & Land Company, as shown on the attached map, and for the purpose of showing the location and extent of the property of the Spray Water Power & Land Company, as shown on the attached map, and for the purpose of showing the location and extent of the property of the Spray Water Power & Land Company, as shown on the attached map.

**J. A. GUSTIN**  
 PROFESSIONAL ENGINEER  
 No. 14,147  
 Registered in N.C. 1967

**J. A. GUSTIN & ASSOCIATES**  
 PROFESSIONAL ENGINEERS  
 No. 14,147  
 Registered in N.C. 1967

Witness my hand and seal of office this 2nd day of August, 1973.  
*J. A. Gustin*  
 J. A. GUSTIN  
 Professional Engineer  
 No. 14,147  
 Registered in N.C. 1967



**CITY OF EDEN  
PLANNING AND INSPECTIONS DEPARTMENT  
STREET CLOSING REPORT  
May 13, 2019**

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**CASE NUMBER:** SC-19-01

**APPLICANT:** J.R. Land Company, LLC  
Robert M. Osborne, Manager

**APPLICANT'S ADDRESS:** 515 S. Kennedy St., Eden, NC 27288  
PO Box 1107, Eden, NC 27289

**APPLICANT'S STATUS:** Property owner

**REQUESTED CLOSING:** Unopened section of French St. (Off Cascade Ave.)

**STREET WIDTH:** Approximately 40 feet.

**STREET LENGTH:** See attached map

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**GENERAL INFORMATION**

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The City has received a petition signed by the owners of 100 percent of the abutting properties requesting that an unopened section of French Street be closed. (See attached map)

The Eden City Code, Chapter 13, Article 3, Division 3, and N.C.G.S. 160A-299 authorize the City Council, upon recommendation of the Planning Board, to consider closing or vacating a street in accordance with the rules and procedures set forth therein. Furthermore, it permits the City Council to close a street provided that after a public hearing has been held, it appears to the satisfaction of the Council that closing the street or alley is not contrary to the public interest, and that the city has no interest in preserving the dedication of such street or alley for municipal purposes, and that no individual owning property in the vicinity of the street or alley would thereby be deprived of reasonable means of ingress and egress to his property.

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**PUBLIC SERVICE CORPORATIONS**

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The following public utilities and public service corporations have been contacted in response to this street closing and have issued the following comments in regards to their utility lines and future utility plans for the area:

City of Eden Engineering

Duke Energy – No problems or conflicts with the proposed closure

The following companies have yet to respond to inquiries regarding locations of utilities in this area or their future plans?

Piedmont Natural Gas

Century Link

Time Warner Cable

Dan River Water

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### **REQUIRED FINDINGS**

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According to the N.C. General Statutes and the Eden City Code, before the City can close a street, the City Council must be satisfied of two matters:

1. That the street closing is not contrary to the public interest.
2. That no individual who owns property in the vicinity of the street is deprived of reasonable means of ingress and egress to that property because of the street closing.

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### **DEPARTMENT FINDINGS AND RECOMMENDATION**

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Contingent upon comments from the public service corporations, the staff is of the opinion that the street is not required for public utility service for the area.

The section of the street to be closed is not necessary to the general public for travel and traffic circulation in the area. The portion of French Street to be closed is the unopened portion of the street off of Cascade Avenue. Therefore, staff is of the opinion that no property owner will be denied reasonable means of ingress and egress because of the closing.

In conclusion, the staff recommends, based upon these stated findings, that the street be closed as requested.

**DEPARTMENT RECOMMENDATION:** Close portion of street as requested



# STREET CLOSING

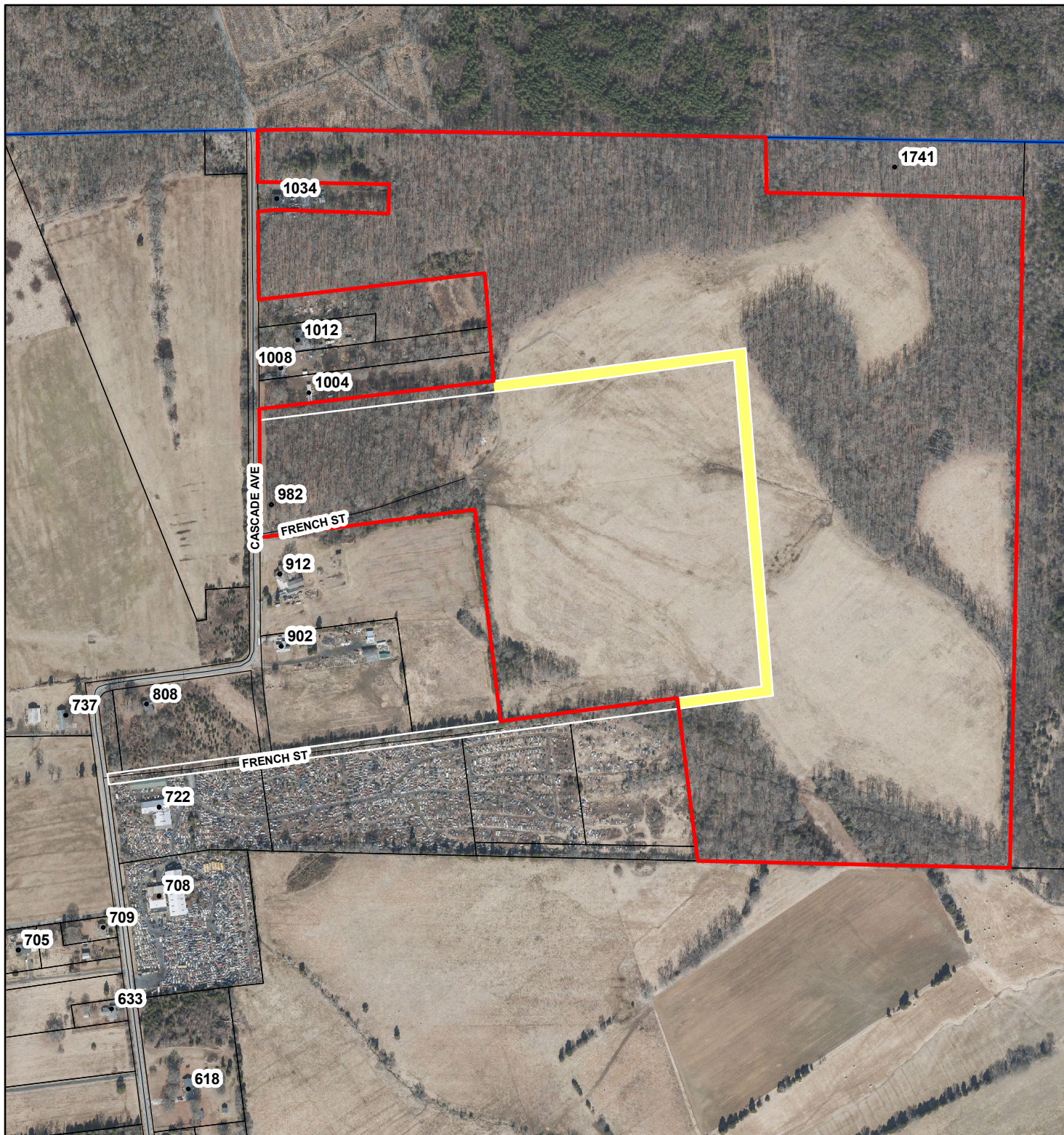
## UNOPENED PORTION OF FRENCH STREET

SC-19-01



### Legend

-  JR\_Land\_Company\_Property
-  French St Closing



**RESOLUTION OF INTENT  
TO CLOSE AN UNOPENED PORTION OF FRENCH STREET**

BE IT HEREBY RESOLVED by the City Council of the City of Eden, North Carolina, that:

Pursuant to the provisions of Chapter 13, Article III, Division 3 and Section 13-88 of the Eden City Code and Section 160A-299 of the North Carolina General Statutes, the City Council of the City of Eden, North Carolina, does hereby declare its intention to close the following described portion of French Street:

BEGINNING at an iron in the east right of way line Cascade Avenue, said iron marking the southwest corner of the Moir V. Bowman Estate property; thence with the south line of the Bowman property, North 85 deg. 35 min. East 883.40 feet to an iron in the north line of French Street, the POINT OF BEGINNING; thence with French Street, North 85 deg. 23 min. East 935.60 feet to an iron, South 4 deg. 27 min. 13 sec. East 1278.12 feet to an iron, and South 85 deg. 32 min. 47 sec. West 440.00 feet to an iron pipe set in the Northeast corner of property owned by Clarence Hale and wife, Lenora Hale (Deed Book 1417, page 2579); thence North 4 deg. 27 min. 13 sec. West 40 feet to the north line of French Street; thence with the north line of French Street, North 85 deg. 32 min. 47 sec. East to an iron pipe set at the point where French Street turns North; thence with the west right of way line of French Street, North 4 deg. 27 min. 13 sec. West 1198.18 to an iron pipe set where French Street turns west; thence with the South right of way of French Street, South 85 deg. 38 min. 23 sec. West 667.70 feet to an iron set; thence continuing with the South right of way line of French Street, South 85 deg. 38 min. 23 sec. West approximately 227.90 feet to a point; thence crossing the right of way of French Street 40 feet to the POINT OF BEGINNING.

BE IT FURTHER RESOLVED that the City Council does hereby call for a public hearing on the said closing to be held on the **18th day of June, 2019, at 6:00 P.M.**

BE IT FURTHER RESOLVED that this Resolution will be published once a week for four successive weeks prior to said hearing, a copy of said Resolution be sent registered mail or certified mail to all owners of property adjoining said street as shown on the Rockingham County Tax Records, and prominently posted in at least two places along said street.

BE IT FURTHER RESOLVED, that the Planning Board is hereby requested to submit its recommendation on the proposed closing of said street for consideration of the City Council at the time of said public hearing.

APPROVED, ADOPTED AND EFFECTIVE, this 21st day of May, 2019.

CITY OF EDEN

BY: \_\_\_\_\_

*Neville Hall*  
Neville A. Hall, Mayor

ATTEST:

*Deanna Hunt*

Deanna Hunt, City Clerk



PLANNING & INSPECTIONS DEPARTMENT  
APPLICATION FOR ZONING ORDINANCE AMENDMENT

PETITION FOR MAP 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: JAMES C. BURNETTE TELEPHONE: 336-623-3210  
MAILING ADDRESS: 531 GLOVENIA STREET  
CITY EDEN STATE NC ZIP CODE 27288  
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S):  
OWNER

**(2) PROPERTY OWNER INFORMATION:**

NAME: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

**(3) PROPERTY INFORMATION:**

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): 7070 19 60 040100  
STREET LOCATION: GLOVENIA  
DEED BOOK: 2003 PAGE NUMBER 1176/0166  
YEAR CURRENT OWNER ACQUIRED PROPERTY: 2003  
PROPERTY SIZE (in acres or in square feet if less than 1 acre): \_\_\_\_\_  
PUBLIC WATER AVAILABLE  YES  NO PUBLIC SEWER AVAILABLE  YES  NO  
CURRENT USE OF PROPERTY: RESIDENTIAL - SINGLE FAMILY

**(4) ZONING INFORMATION:**

EXISTING ZONING DISTRICT: O&I REQUESTED ZONING DISTRICT: RESIDENTIAL-6

**(5) ADDITIONAL INFORMATION:**

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.  
INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED PLAT OR SURVEY FOR THE PROPERTY. IF SUCH A PLAT DOES NOT EXIST, THEN INCLUDE A MAP THAT INDICATES THE DIMENSIONS OF THE PROPERTY.

**(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.

[Signature]  
Applicant's Signature

4/20/2019  
Date of Signature

**(7) PROPERTY OWNER(S) 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.

[Signature]  
Property Owner's Signature

4/20/2019  
Date of Signature

[Signature]  
Property Owner's Signature

4/20/19  
Date of Signature

**(8) CORPORATION CERTIFICATION:**

IT IS HEREBY CERTIFIED, that \_\_\_\_\_, a Corporation, is the owner in fee simple of lands which is described in this application for zoning ordinance amendment and that the Corporation hereby petitions the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

CORPORATE SEAL  
\_\_\_\_\_  
Secretary

Name of Corporation  
\_\_\_\_\_  
By: \_\_\_\_\_  
\_\_\_\_\_  
President

**DEPARTMENTAL USE ONLY**

APPLICATION NUMBER: 2-19-05  
RECEIVED BY: [Signature]

FEE PAID: \$150.00  
DATE: 4-23-2019

**PLANNING AND INSPECTIONS DEPARTMENT  
ZONING CASE REPORT  
May 1, 2019**

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<b>CASE NUMBER:</b>	<b>Z-19-05</b>
<b>EXISTING ZONING DISTRICT:</b>	<b>Office &amp; Institutional</b>
<b>REQUESTED ZONING DISTRICT:</b>	<b>Residential-6</b>
<b>APPLICANT:</b>	<b>James C. Burnette</b>
<b>APPLICANT'S STATUS:</b>	<b>Property Owner</b>

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**PROPERTY INFORMATION**

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<b>LOCATION:</b>	531 Glovenia St.
<b>PIN:</b>	7070-1960-0401
<b>SIZE:</b>	.45 acres (approx.)
<b>ACCESS:</b>	Glovenia St.
<b>LAND USE:</b>	Residential
<b>PHYSICAL CHARACTERISTICS:</b>	Residential lot containing two-story residence
<b>ZONING HISTORY:</b>	Zoned O&I at time of original zoning

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**AREA INFORMATION**

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<b>CHARACTERISTICS:</b>	Bordered on the north (across Glovenia St.) by single-family O&I residential; bordered on the east by O&I single-family residential; bordered on the west by O&I single-family residential; bordered on the south by B-G property containing a former warehouse facility.	
<b>ADJACENT ZONING:</b>	North:	O&I
	South:	B-G
	East:	O&I
	West:	O&I

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**PLANNING AND DEVELOPMENT INFORMATION**

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<b>STREET IMPROVEMENTS:</b>	Yes
<b>PUBLIC WATER AVAILABLE:</b>	Yes

PUBLIC SEWER AVAILABLE: No  
LAND DEVELOPMENT PLAN (2007): Traditional Neighborhood  
FLOOD HAZARD AREA: None  
WATER SUPPLY WATERSHED: None

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### STAFF ANALYSIS

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The request is to rezone an approximately .45 acre single-family residential lot from O&I to R-6. The O&I district is established primarily for office and institutional uses which have only limited contact with the general public and which have no offensive noises, odors, smoke, fumes, and other objectionable conditions. As residences are permitted in this district, and as the district is usually adjacent to residential districts, provisions are made for yards, off-street parking and off-street loading areas. The R-6 Residential district is established as a district in which the principal use of land is for single-family, two-family, and multi-family residences. The regulations of this district are designed primarily for the developed residential area where dwellings already exist on small lots creating relatively high density neighborhoods. The regulations are intended to discourage any use which because of its character would interfere with the residential nature of this district.

The subject parcel is located in an area of primarily single-family residences on mid-sized lots. The property is in the Boone Road Historic District, which is characterized by mostly larger old single-family homes. The area was originally zoned O&I most likely because of its proximity to the downtown district, and because there were two funeral homes in the district, (currently one still exists). There are also two apartment complexes on the northern and southern ends of the district.

The request is to rezone only one property to R-6. Staff does not believe it would be appropriate to rezone just this one lot, as it would be against sound planning principals. However, staff does believe that it would be appropriate to rezone most of this area from O&I to R-6. The proposed area includes all the properties on the east side of Boone Road from Reeves Street to Glovenia Street, all the properties from 503-515 Boone Road on the west side, all the properties on both sides of Glovenia Street from Boone Road to the old railroad bed, and the properties on the west side of Boone Road from Glovenia Street to the vacant lot beside the apartments at 415 Boone Road. This would leave the properties containing the funeral home and the Morehead-Fair House. The entirety of the proposed area to be rezoned contains single-family homes and apartments, which staff feels would be an appropriate zoning for the district. Also, since this is an historic district, the R-6 zoning would help to preserve the historic integrity of the district.

Based upon the character of the area and the residential uses in the area, staff recommends approval of the amended request.

**STAFF RECOMMENDATION:**

**Approval of the R-6 request.**





**ZONING CASE**

**Z-19-05**

**AERIAL MAP**



**Legend**

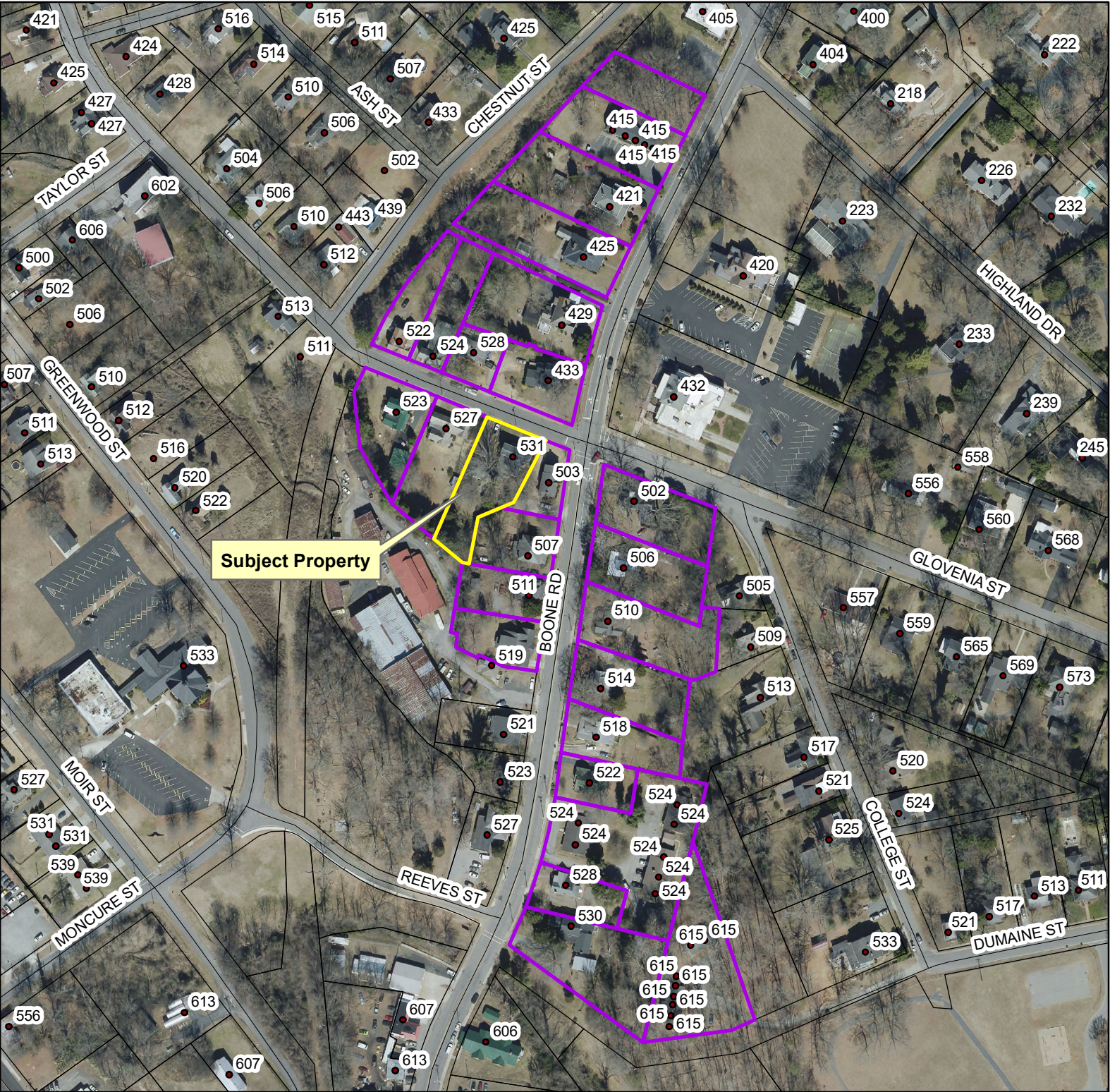
-  Z-19-05\_Subject\_Property
-  Z-19-05 Amended Property

**531 Glovenia Street  
Highlighted in Yellow**

**Zoned:  
Office & Institutional**

**Requested:  
Residential - 6**

**Amended to Add  
26 Properties  
Highlighted in Purple**



**ZONING CASE**  
**Z-19-05**  
**ZONING MAP**



**Legend**

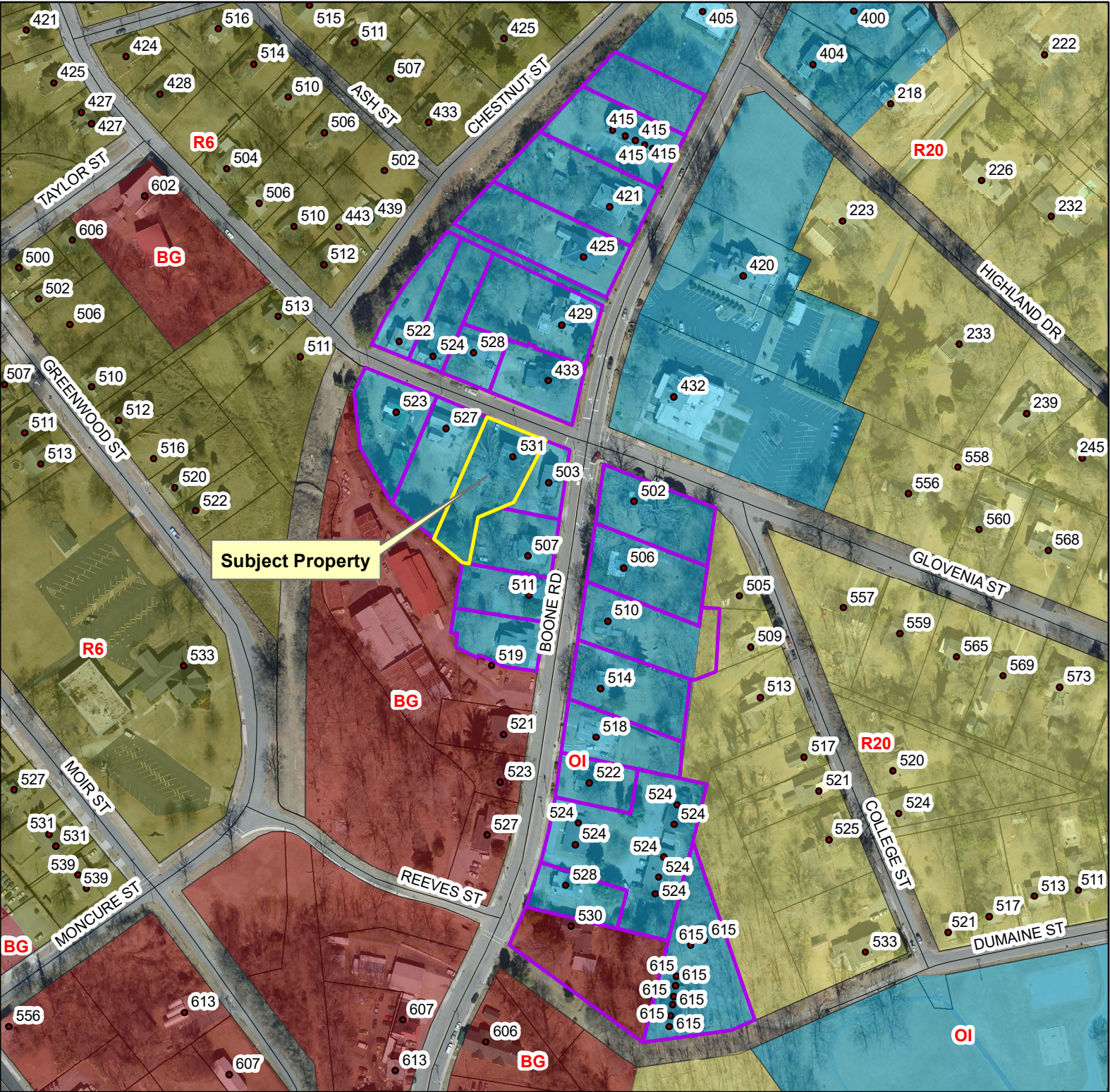
- Z-19-05\_Subject\_Property
- Z-19-05 Amended Property

**531 Glovenia Street**  
**Highlighted in Yellow**

**Zoned:**  
**Office & Institutional**

**Requested:**  
**Residential - 6**

**Amended to Add**  
**26 Properties**  
**Highlighted in Purple**



A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-19-05**  
**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 rezone property located at 531 Glovenia St. from Office & Institutional to Residential-6.

STATEMENT OF NEED:

The subject parcel is located in an area of primarily single-family residences on mid-sized lots. The property is in the Boone Road Historic District, which is characterized by mostly larger old single-family homes. The area was originally zoned O&I most likely because of its proximity to the downtown district and because there were two funeral homes in the district, (currently one still exists). The subject property is surrounded by single-family dwellings and apartments that are also located in the Office & Institutional District. Staff has recommended that 26 additional properties be added to the zoning amendment and those properties are identified as follows:

522 Glovenia St. PIN 7070-1950-8770  
523 Glovenia St. PIN 7070-1950-8439  
524 Glovenia St. PIN 7070-1950-9639  
527 Glovenia St. PIN 7070-1950-9413  
528 Glovenia St. PIN 7070-1950-9671  
415 Boone Rd. PIN 7070-1960-2918  
421 Boone Rd. PIN 7070-1960-1859  
425 Boone Rd. PIN 7070-1960-0891  
429 Boone Rd. PIN 7070-1960-0679  
433 Boone Rd. PIN 7070-1960-0587  
502 Boone Rd. PIN 7070-1960-2374  
503 Boone Rd. PIN 7070-1960-0398  
506 Boone Rd. PIN 7070-1960-2265

507 Boone Rd. PIN 7070-1960-0340  
510 Boone Rd. PIN 7070-1960-2155  
511 Boone Rd. PIN 7070-1960-0231  
514 Boone Rd. PIN 7070-1960-2035  
515 Boone Rd. PIN 7070-1960-0114  
518 Boone Rd. PIN 7979-0769-2927  
522 Boone Rd. PIN 7979-0769-1889  
524 Boone Rd. PIN 7979-0769-2729  
528 Boone Rd. PIN 7979-0769-1740  
530 Boone Rd. PIN 7979-0769-1661  
Vacant Property PIN 7070-1961-2065  
615 Dumaine St. PIN 7979-0769-3549

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 as amended to add 26 additional properties is located in a Traditional Neighborhood District in the Land Development Plan and will be consistent with the goals and policies expressed in the Land Development Plan, as amended, including, but not limited to, 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 amendment to the City of Eden Zoning Ordinance is consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan, as amended. The Planning Board finds that it would be appropriate to add additional properties to the zoning amendment since the subject property and the additional 26 properties are located in a Traditional Neighborhood district in the 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 reasonable and in the public's interest.

Approved, adopted and effective this 28th day of May, 2019.

CITY OF EDEN PLANNING BOARD

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

ATTEST:

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



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: Terry Wethington TELEPHONE: 252-670-2664  
MAILING ADDRESS: P.O. Box 608  
CITY Smithfield STATE N.C. ZIP CODE 27577

(2) APPLICABLE SECTION OF THE ZONING ORDINANCE:

B-SC Business Shopping Center

(3) EXISTING WORDING IN TEXT:

None

(4) REQUESTED WORDING IN TEXT:

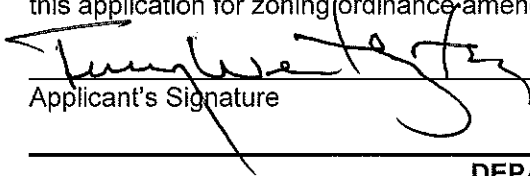
To Allow indoor self storage. To Allow drive thru Access overhead door. No self storage overhead doors on Exterior of Building.

(5) REASON FOR REQUESTED CHANGE:

To locate New business

**(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

4-29-19  
Date of Signature

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**DEPARTMENTAL USE ONLY**

APPLICATION NUMBER: 2-19-06

FEE PAID:

RECEIVED BY: KKS

DATE: 4/29/2019

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**PLANNING AND INSPECTIONS DEPARTMENT  
ZONING TEXT AMENDMENT REPORT  
May 2, 2019**

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**CASE NUMBER:** Z-19-06

**REQUESTED ACTION:** To amend Section 11.24(m) to allow indoor mini-storage facilities as a permitted use in the Business-Shopping Center district.

**APPLICANT:** Terry Wethington

---

**EXISTING TEXT**

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**Section 11.24(m)(5)**

(None)

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**PROPOSED TEXT**

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**Section 11.24(m)(5)**

Mini-Storage (Self-Storage Facilities) – Indoor Access

---

**GENERAL INFORMATION**

---

This request was submitted on behalf of a potential property owner.

---

**STAFF ANALYSIS**

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This request was submitted on behalf of a potential property owner to allow indoor mini-storage facilities as a permitted use in the B-SC district. The Business Shopping Center district is established as a district in which the principal use of land is to provide for the retailing of goods and services in designed shopping areas, where the nature of the development occurring is limited by standards designed to protect the abutting residential areas. (This district is required for shopping center developments over four (4) acres; shopping centers under four (4) acres shall be classified as neighborhood business.)

Currently mini-storage (self-storage, mini-warehouse) facilities are allowed in the B-G, BH-1, BH-2, I-1, I-2, and IP-1 districts. The request is to allow these facilities in the B-SC districts as indoor facilities with all individual unit doors opening to the interior of the building. Access would be via drive-thru doors, with no loading and unloading of individual units from the exterior of the building. All of the B-SC districts in town have seen a decline in occupancy in recent years. All of the shopping centers currently have multiple vacant tenant spaces, particularly in the larger “anchor store” units. Staff is of the opinion that allowing indoor mini-

storage facilities in the B-SC district would not be detrimental to the character of these districts or the other uses in the districts, and could be a good use of space in these large vacant buildings.

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

**STAFF RECOMMENDATION:**

**Approval of the text amendment.**



A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-19-06**  
**TEXT 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 as to amend Section 11.24(m)(5) to allow indoor mini-storage facilities as a permitted use in the Business-Shopping Center district.

STATEMENT OF NEED:

All of the shopping centers currently have multiple vacant tenant spaces, particularly in the larger "anchor store" units. Staff is of the opinion that allowing indoor mini-storage facilities in the B-SC district would not be detrimental to the character of these districts or the other uses in the districts, and could be a good use of space in these large vacant buildings.

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, A Commercial Center as described in the Land Development Plan, as amended, is for a large-scale, mixed-use activity center; The Board finds that this amendment will 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 amendment to the City of Eden Zoning Ordinance is 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 reasonable and in the public's best interest.

Approved, adopted and effective this 28th day of May, 2019.

CITY OF EDEN PLANNING BOARD

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

ATTEST:

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



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: Barry McCorkle TELEPHONE: 336 432 8965  
MAILING ADDRESS: 113 Glen robin Dr.  
CITY Eden STATE NC ZIP CODE 27288

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

B-SC

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

NONE

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

Self storage as a Permitted Use  
Commercial Warehousing

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(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.

*[Handwritten Signature]*  
Applicant's Signature

4/30/2019  
Date of Signature

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**DEPARTMENTAL USE ONLY**

APPLICATION NUMBER: 2-19-07

FEE PAID: \$150<sup>00</sup>

RECEIVED BY: D. Galloway

DATE: 4-30-19

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**PLANNING AND INSPECTIONS DEPARTMENT  
ZONING TEXT AMENDMENT REPORT  
May 2, 2019**

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**CASE NUMBER:** Z-19-07

**REQUESTED ACTION:** To amend Section 11.24(m) to allow mini-storage facilities and warehouses as permitted uses in the Business-Shopping Center district.

**APPLICANT:** Barry McCorkle

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**EXISTING TEXT**

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**Section 11.24(m)(5)**

(None)

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**PROPOSED TEXT**

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**Section 11.24(m)(5)**

Mini-Storage (Self-Storage Facility)  
Warehouses

---

**GENERAL INFORMATION**

---

This request was submitted by a potential property owner.

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**STAFF ANALYSIS**

---

This request was submitted by a potential property owner to allow self-storage facilities and warehouses as permitted uses in the B-SC district. The Business Shopping Center district is established as a district in which the principal use of land is to provide for the retailing of goods and services in designed shopping areas, where the nature of the development occurring is limited by standards designed to protect the abutting residential areas. (This district is required for shopping center developments over four (4) acres; shopping centers under four (4) acres shall be classified as neighborhood business.)

Currently mini-storage facilities are allowed in the B-G districts (mini-warehouses), in the BH-1 and BH-2 districts (mini-storage facilities), and in the I-1, I-2 and IP-1 districts (mini-warehouses). Currently, warehouses are only allowed in the B-G districts (wholesale and warehousing establishments). The request is to allow these facilities in the B-SC districts. Although all of the B-SC districts in town have seen a decline in occupancy in recent years, staff is of the opinion that allowing mini-storage facilities with outside access in the B-SC districts could be detrimental to the character of these districts or the other uses in the districts. In

addition, staff is of the opinion that allowing warehouses as a principal use by right would be detrimental to the shopping centers.

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

**STAFF RECOMMENDATION:**

**Approval of the amended text amendment.**

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-19-07**  
**TEXT 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(m)(5) to allow mini-storage facilities and warehouses as permitted uses in the Business-Shopping Center district.

STATEMENT OF NEED:

Allowing mini-storage facilities with outside access as a permitted use in the B-SC districts would not be compatible with the other uses in the districts and could be detrimental to the character of these districts. Allowing warehouses in the B-SC districts as a principal use by right would be detrimental to the shopping centers.

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 will not be consistent with the goals and policies expressed in the Land Development Plan, as amended. The Business-Shopping Center district is generally located in Town Center and Commercial Center districts in the Land Development Plan which do not include industrial type businesses;

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

1. The Planning Board of the City of Eden finds that the proposed amendment to the City of Eden Zoning Ordinance 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 28th day of May, 2019.

CITY OF EDEN PLANNING BOARD

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

ATTEST:

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





PLANNING & INSPECTIONS DEPARTMENT  
APPLICATION FOR ZONING ORDINANCE AMENDMENT

PETITION FOR MAP 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: Lewis A. Hampton, Sr. TELEPHONE: 336-613-1233  
MAILING ADDRESS: 2491 Harrington Hwy  
CITY Eden STATE NC ZIP CODE 27288  
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S): \_\_\_\_\_

**(2) PROPERTY OWNER INFORMATION:**

NAME: William Thomas Combs TELEPHONE: 336-388-0123  
MAILING ADDRESS: 4307 Old US 29  
CITY Pelham STATE NC ZIP CODE 27311

**(3) PROPERTY INFORMATION:**

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): Parcel # 133441 and 133442  
STREET LOCATION: \_\_\_\_\_  
DEED BOOK: 755 PAGE NUMBER 769 755  
YEAR CURRENT OWNER ACQUIRED PROPERTY: \_\_\_\_\_  
PROPERTY SIZE (in acres or in square feet if less than 1 acre): \_\_\_\_\_  
PUBLIC WATER AVAILABLE  YES \_\_\_ NO PUBLIC SEWER AVAILABLE  YES \_\_\_ NO  
CURRENT USE OF PROPERTY: \_\_\_\_\_

**(4) ZONING INFORMATION:**

EXISTING ZONING DISTRICT: BH-2 REQUESTED ZONING DISTRICT: R-S

**(5) ADDITIONAL INFORMATION:**

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED PLAT OR SURVEY FOR THE PROPERTY. IF SUCH A PLAT DOES NOT EXIST, THEN INCLUDE A MAP THAT INDICATES THE DIMENSIONS OF THE PROPERTY.

**(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.

Levin A. Hampton, Sr.  
Applicant's Signature

5-4-19  
Date of Signature

**(7) PROPERTY OWNER(S) 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.

William Thomas Combs, III  
Property Owner's Signature

5-4-19  
Date of Signature

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date of Signature

**(8) CORPORATION CERTIFICATION:**

IT IS HEREBY CERTIFIED, that \_\_\_\_\_, a Corporation, is the owner in fee simple of lands which is described in this application for zoning ordinance amendment and that the Corporation hereby petitions the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

CORPORATE SEAL  
\_\_\_\_\_  
Secretary

Name of Corporation  
\_\_\_\_\_  
By: \_\_\_\_\_  
\_\_\_\_\_  
President

**DEPARTMENTAL USE ONLY**

APPLICATION NUMBER: 2-19-08

FEE PAID: 150.00 ✓

RECEIVED BY: KLS

DATE: 5-8-19

**PLANNING AND INSPECTIONS DEPARTMENT  
ZONING CASE REPORT  
May 14, 2019**

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<b>CASE NUMBER:</b>	<b>Z-19-08</b>
<b>EXISTING ZONING DISTRICT:</b>	<b>Business Highway-2</b>
<b>REQUESTED ZONING DISTRICT:</b>	<b>Residential-Suburban</b>
<b>APPLICANT:</b>	<b>Lewis A. Hampton, Sr.</b>
<b>APPLICANT'S STATUS:</b>	<b>Property Owner's Representative</b>

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**PROPERTY INFORMATION**

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<b>LOCATION:</b>	Parcel No. 13441 & 13442 Harrington Hwy.
<b>PIN:</b>	7969-0454-7315 & 7969-0454-7259
<b>SIZE:</b>	.44 acres (approx.)
<b>ACCESS:</b>	Harrington Hwy.
<b>LAND USE:</b>	Residential
<b>PHYSICAL CHARACTERISTICS:</b>	Vacant Residential Property
<b>ZONING HISTORY:</b>	Rezoned to BH-2 on August 19, 1980

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**AREA INFORMATION**

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<b>CHARACTERISTICS:</b>	Bordered on the north, east and south by BH-2 property containing a mobile home, vacant residential property and a church. Bordered on the west (across Harrington Hwy.) by B-N and R-20 property containing residential uses.		
<b>ADJACENT ZONING:</b>	North:	BH-2	
	South:	BH-2	
	East:	BH-2	
	West:	BN	

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## PLANNING AND DEVELOPMENT INFORMATION

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STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Yes
PUBLIC SEWER AVAILABLE:	No
LAND DEVELOPMENT PLAN (2007):	Traditional Neighborhood
FLOOD HAZARD AREA:	None
WATER SUPPLY WATERSHED:	WS-IV

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## STAFF ANALYSIS

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The request is to rezone approximately .44 acres (two vacant parcels) from BH-2 to R-S. The BH-2 district is established primarily for selected existing business areas along the major thoroughfares in Eden. As the businesses in this district have inadequate front and side yards, this district was created primarily for such uses so that they could be classified as conforming uses. The RS district is established to provide reasonable safeguards for areas characterized by suburban residential or agricultural uses. The intent of this district is: (1) to encourage the continued use of land for low density residential and agricultural purposes; (2) to retain the open characteristics of land areas on the fringe of the city; (3) to provide a transitional zone between higher density residential districts of the city and low density residential and agricultural districts of the county; and (4) to provide interim land use control to land areas until such time a more intense use of land is warranted. Provision is made for reduction of the minimum lot size where public or community sewerage and water systems are available.

The subject parcels are located in an area of primarily low density single-family residential uses on the fringe of the city. The area was zoned BH-2 in 1980 because of its location on a thoroughfare out of the city. Staff is of the opinion that it would not make sense to rezone only the two requested parcels, but instead to rezone most of the BH-2 properties in the area. There is only one commercial property in the area (7586 NC 770), which would remain as BH-2 zoning. Staff recommends amending the rezoning request to include eight additional properties located in the triangular area between Harrington Highway, Beddingfield Road and NC 770 to R-S. There has been no recent development pressure in the area. Staff is of the opinion that RS zoning is appropriate for the area due to the low density residential uses in the area.

Therefore staff recommends rezoning the following properties from BH-2 to R-S:

2491 Harrington Hwy.	PIN 7969-0454-6461
Subject Parcel	PIN 7969-0454-7315
Subject Parcel	PIN 7969-0454-7259
143 Beddingfield Rd.	PIN 7969-0454-8253
125 Beddingfield Rd.	PIN 7969-0464-0347
117 Beddingfield Rd.	PIN 7969-0464-1454
109 Beddingfield Rd.	PIN 7969-0464-2406
7530 NC 770	PIN 7969-0454-8482
Vacant Parcel NC 770	PIN 7969-0464-0439
Vacant Parcel NC 770	PIN 7969-0464-1500

Based upon the character of the area and the rural residential uses in the area, staff recommends approval of the amended request.

**STAFF RECOMMENDATION:**

**Approval of the amended RS request.**



**ZONING CASE**

**Z-19-08**

**AERIAL MAP**



**Legend**

-  Z-19-08\_Subject\_Property
-  Z-19-08\_Amended\_Properties

**2 Tracts on East Side  
of Harrington Highway**

**Zoned:  
Business Highway 2**

**Requested:  
Residential-Suburban**

**Amended to Add  
8 Additional Parcels**



**Subject Property**

2491

7530

125

117

109

7586

143

146

2462

NC 770

BEDDINGFIELD RD

HARRINGTON HWY



# ZONING CASE

## Z-19-08

# ZONING MAP



### Legend

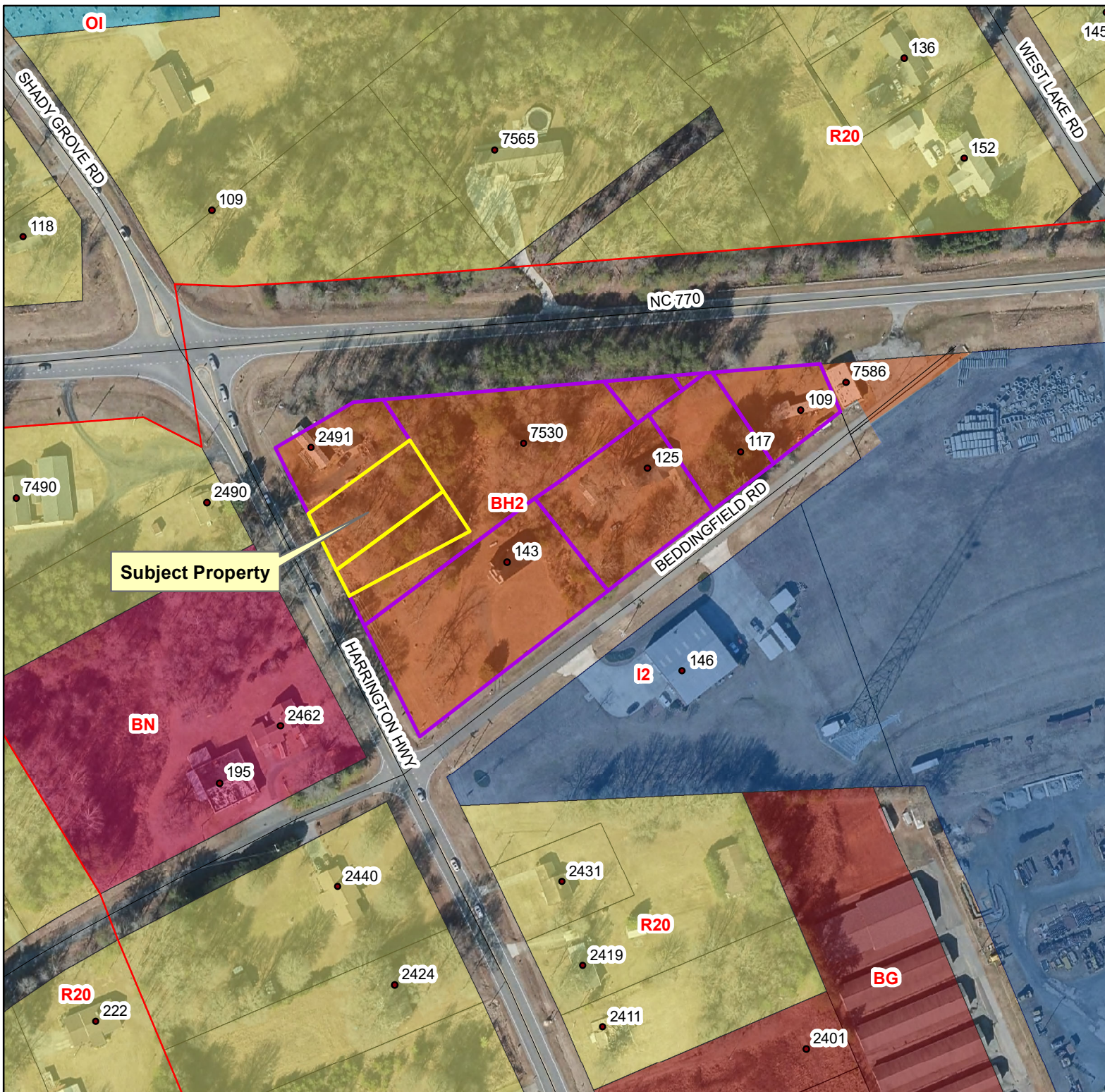
-  Z-19-08\_Subject\_Property
-  Z-19-08\_Amended\_Properties

**2 Tracts on East Side  
of Harrington Highway**

**Zoned:  
Business Highway 2**

**Requested:  
Residential-Suburban**

**Amended to Add  
8 Additional Parcels**



A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-19-08**  
**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 rezone two (2) vacant properties located on the east side of Harrington Highway and identified as PIN 7969-0454-7315 & 7969-0454-7259 from Business Highway-2 to Residential-Suburban.

STATEMENT OF NEED:

The subject parcels are located in an area of primarily low density single-family residential uses on the fringe of the city. The intent of the Residential-Suburban district is: (1) to encourage the continued use of land for low density residential and agricultural purposes; (2) to retain the open characteristics of land areas on the fringe of the City; (3) to provide a transitional zone between higher density residential districts of the City and low density residential and agricultural districts of the county; and (4) to provide interim land use control to land areas until such time a more intense use of land is warranted. It does not make sense to only rezone the two requested parcels, but instead to rezone most of the BH-2 properties in the area. The City of Eden Land Development Plan identifies this area as Traditional Neighborhood which is more in keeping with the proposed Residential-Suburban District. Staff recommends that eight (8) additional properties be added to the zoning amendment and those properties are identified as follows:



2491 Harrington Hwy.	PIN 7969-0454-6461
143 Beddingfield Rd.	PIN 7969-0454-8253
125 Beddingfield Rd.	PIN 7969-0464-0347
117 Beddingfield Rd.	PIN 7969-0464-1454
109 Beddingfield Rd.	PIN 7969-0464-2406
7530 NC 770	PIN 7969-0454-8482
Vacant Parcel NC 770	PIN 7969-0464-0439
Vacant Parcel NC 770	PIN 7969-0464-1500

#### 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 will 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 amendment to the City of Eden Zoning Ordinance is 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 reasonable and in the public's best interest.

Approved, adopted and effective this 28th day of May, 2019.

CITY OF EDEN PLANNING BOARD

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

ATTEST:

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

**PLANNING AND INSPECTIONS DEPARTMENT  
ZONING TEXT AMENDMENT REPORT  
May 2, 2019**

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**CASE NUMBER:** Z-19-09

**REQUESTED ACTION:** To amend Section 11.29(a) to revise the definition for Mini-storage Facilities, to amend Section 11.24(h)(2) to list Mini-Storage as a Conditional Use, and to amend Sections 11.24(i)(1), 11.24(k)(1), 11.24(l)(1), 11.24(n)(1) and 11.24(n-1)(1) to list Mini-Storage as a permitted use.

**APPLICANT:** Planning Board

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**EXISTING TEXT**

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**Section 11.29(a)**

**Mini-warehouse:** A self-service storage facility comprised of a building or group of buildings composed of individual, compartmentalized, and controlled access stalls or lockers for dead storage of customer goods and wares.

**Section 11.24(h)(2)** Mini-warehouses  
**Section 11.24(i)(1)** Mini-warehouse  
**Section 11.24(k)(1)** Mini-storage facilities  
**Section 11.24(l)(1)** Mini-warehouse  
**Section 11.24(n)(1)** Mini-warehouse  
**Section 11.24(n-1)(1)** Mini-warehouse

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**PROPOSED TEXT**

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**Section 11.29(a) Definitions**

**Mini-Storage (Self-Storage Facility):** A facility which leases individual storage units with controlled access, such as rooms, lockers, or other similar compartments, to tenants, usually on a short-term, often month-to-month basis, for storage of personal items. Typically such facilities have units which are accessed individually from the exterior, but may also include units which are accessed from an area inside the facility. Use of a vacant building for storage is NOT considered a self-storage facility, and may only be allowed in districts where “storage” or “storage buildings” are listed as a permitted use.

**Section 11.24(h)(2) Business Central; Conditional Uses** Mini-Storage (Self-Storage Facility)  
**Section 11.24(i)(1) Business General** Mini-Storage (Self-Storage Facility)  
**Section 11.24(k)(1) Business-Highway 1** Mini-Storage (Self-Storage Facility)  
**Section 11.24(l)(1) Business-Highway 2** Mini-Storage (Self-Storage Facility)

**Section 11.24(n)(1) Industrial 1** Mini-Storage (Self-Storage Facility)  
**Section 11.24(n-1)(1) Industrial Park 1** Mini-Storage (Self-Storage Facility)

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### **GENERAL INFORMATION**

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This request was submitted by the Planning Board.

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### **STAFF ANALYSIS**

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This amendment was initiated to make the definition of “mini-storage”, “self-storage” and “mini-warehouse” consistent throughout the Zoning Ordinance.

Mini-storage facilities are allowed as a conditional use in B-C. Mini-storage facilities are allowed as permitted uses in the B-G, BH-1, BH-2, I-1, I-2 and IP-1. They are sometimes referred to as “mini-storage facilities”, “self-storage facilities” or “mini-warehouses”. This amendment would list the use the same way in each district and provide a consistent definition for the use across all zoning districts.

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

**STAFF RECOMMENDATION:**

**Approval of the text amendment.**

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-19-09**  
**TEXT 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 initiated a case to amend Section 11.29(a) to revise the definition for Mini-Storage and to amend Section 11.24(h)(2) to allow Mini-Storage (Self-Storage Facility) as a Conditional Use and to amend Sections 11.24(i)(1), 11.24(k)(1), 11.24(l)(1), 11.24(n)(1) and 11.24(n-1)(1) to list Mini-Storage (Self-Storage Facility) as a permitted use.

STATEMENT OF NEED:

The need for self-storage facilities has grown in the last 10 years and the definitions for these facilities has evolved with the growth. In an effort to clarify the type of facilities that are allowed in the City of Eden zoning districts, the Planning Board wanted to provide a definition that would be used consistency through the Zoning Ordinance.

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 will be consistent with the goals and policies expressed in the Land Development Plan, as amended, 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 amendment to the City of Eden Zoning Ordinance is 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 reasonable and in the public's best interest.

Approved, adopted and effective this 28th day of May, 2019.

CITY OF EDEN PLANNING BOARD

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

ATTEST:

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

**PLANNING AND INSPECTIONS DEPARTMENT  
ZONING TEXT AMENDMENT REPORT  
May 17, 2019**

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**CASE NUMBER:** Z-19-10

**REQUESTED ACTION:** To amend Section 11.22(t)(2) General Provisions pertaining to regulation and storage of Disabled Motor Vehicles.

**APPLICANT:** Planning Board

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**EXISTING TEXT**

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**Section 11.22(t) Disabled Motor Vehicles** – The parking, storage or use of vehicles maybe allowed as accessory to any use allowed by this Ordinance, subject to the following standards:

**(1) Residential Uses**

- (a) One disabled vehicle is allowed on a lot with a single-family dwelling or duplex dwelling, provided the disabled vehicle is parked or stored behind the front building line of the principal structure.
- (b) Additional disabled vehicles on a single-family or duplex lot and any disabled vehicle parked or stored on a lot with any other residential use shall be located within a fully enclosed principal or accessory structure.

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**PROPOSED TEXT**

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**Section 11.22(t) Disabled Motor Vehicles** – The parking, storage or use of vehicles maybe allowed as accessory to any use allowed by this Ordinance, subject to the following standards:

**(2) Residential Uses**

- (a) One disabled vehicle is allowed on a lot with a single-family dwelling or duplex dwelling, provided the disabled vehicle is parked or stored behind the principal structure and completely covered by a suitable cover.
- (b) Additional disabled vehicles on a single-family or duplex lot and any disabled vehicle parked or stored on a lot with any other residential use shall be located within a fully enclosed principal or accessory structure.

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**GENERAL INFORMATION**

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This request was submitted by the Planning Board.

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**STAFF ANALYSIS**

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This amendment was initiated in response to continued issues and complaints of disabled motor vehicles being stored or kept continually on properties all over the city. Such vehicles create an eyesore for the community and can often constitute a safety or health hazard. Often when a complaint is received about a “junk” vehicle, the owner can put a tag on the vehicle, but the eyesore or nuisance continues. The intent of this amendment is to address this issue, as well as to update specific criteria for the keeping or storage of disabled motor vehicles to agree with the ordinance pertaining to junk vehicles.

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

**STAFF RECOMMENDATION:**

**Approval of the text amendment.**



A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-19-10**  
**TEXT 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 initiated an amendment to the Zoning Ordinance to amend Section 11.22(t) General Provisions pertaining to regulation and storage of Disabled Motor Vehicles.

STATEMENT OF NEED:

The previously adopted regulations pertaining to Disabled Motor Vehicles allowed the vehicles to be parked or stored behind the front building line of the principal structure. In order to make this regulation more consistent with other provisions relating to vehicles, the Planning Board initiated an action to provide that a Disabled Motor Vehicle must be parked behind the principal structure and completely covered by a suitable cover.

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 will be consistent with the goals and policies expressed in the Land Development Plan, as amended, 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 amendment to the City of Eden Zoning Ordinance is consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan.
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 reasonable and in the public's best interest.

Approved, adopted and effective this 28th day of May, 2019.

CITY OF EDEN PLANNING BOARD

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

ATTEST:

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

**PLANNING AND INSPECTIONS DEPARTMENT  
ZONING TEXT AMENDMENT REPORT  
May 17, 2019**

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**CASE NUMBER:** Z-19-11

**REQUESTED ACTION:** To amend Section 11.26(c)(3)(c)(17) Board of Adjustment to add Light Industrial Uses as a Special Use in the Business-Shopping Center districts

**APPLICANT:** Planning Board

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**EXISTING TEXT**

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**Section 11.26(c)(3)(c)(17) (None)**

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**PROPOSED TEXT**

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**Section 11.26(c)(3)(c)(17)** Light Industrial Uses may be permitted as a special use in the Business-Shopping Center districts, provided all the following requirements of this section are met:

- (a) Only light industrial uses which can be located in close proximity to other uses in the district, and which will not create any smoke, fumes, noise, odor, dust or other hazardous or objectionable conditions which could be detrimental to the health, safety or general welfare of the community shall be considered as permitted uses.
- (b) All industrial operations and any associated uses shall be conducted indoors.
- (c) No industrial operations nor any storage of any materials or equipment associated with the industrial operations shall be permitted outside or in any common area outside of the industrial facility.
- (d) All industrial uses shall meet all other applicable requirements of the zoning district, including parking and signage, and all applicable building code, fire code and occupancy requirements.
- (e) Only existing buildings may be utilized for industrial uses.

The Board of Adjustment shall, prior to the issuance of a Special Use Permit for a light industrial use in the Business-Shopping Center district, find that such special use meets the following standards:

In addition to any other requirements with respect to the Petition authorized by this section, the Petition shall set forth the following:

Light Industrial Uses may be permitted as a special use in the Business Shopping Center districts, provided all the following requirements of this section are met:

- (a) Only light industrial uses which can be located in close proximity to other uses in the district, and which will not create any smoke, fumes, noise, odor, dust or other hazardous or objectionable conditions which could be detrimental to the health, safety or general welfare of the community shall be considered as permitted uses.
- (b) All industrial operations and any associated uses shall be conducted indoors.
- (c) No industrial operations nor any storage of any materials or equipment associated with the industrial operations shall be permitted outside or in any common area outside of the industrial facility.
- (d) All industrial uses shall meet all other applicable requirements of the zoning district, including parking and signage, and all applicable building code, fire code and occupancy requirements.
- (e) Only existing buildings may be utilized for industrial uses.

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### **GENERAL INFORMATION**

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This request was submitted by the Planning Board.

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### **STAFF ANALYSIS**

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This amendment was initiated by the Planning Board in response to current trends in B-SC and would allow light industrial uses as a special use in the Business-Shopping Center Districts. The Business-Shopping Center district is established as a district in which the principal use of land is to provide for the retailing of goods and services in designed shopping areas, where the nature of the development occurring is limited by standards designed to protect the abutting residential areas. (This district is required for shopping center developments over four (4) acres; shopping centers under four (4) acres shall be classified as neighborhood business.)

B-SC districts in town have seen a decline in occupancy in recent years. All of the shopping centers currently have multiple vacant tenant spaces, particularly in the larger "anchor store" units. Staff is of the opinion that allowing light industrial facilities in the B-SC district could be a good use of some of these spaces, provided that the industrial uses can be operated in a clean, safe manner, which would not be disruptive or detrimental to the character of these districts or the other uses in the districts. These uses would be similar in nature to uses allowed in the Industrial Park-1 districts. Therefore, staff recommends that a special use permit process be created, which would implement safeguards to protect the existing uses, and would allow consideration of such uses on a case-by-case basis.

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

**STAFF RECOMMENDATION:**

**Approval of the text amendment.**

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-19-11**  
**TEXT 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 initiated an amendment to the Zoning Ordinance to amend Section 11.26(c)(3)(c)(17) Board of Adjustment to add Light Industrial Uses as a Special Use in the Business-Shopping Center district.

**STATEMENT OF NEED:**

B-SC districts in town have seen a decline in occupancy in recent years. All of the shopping centers currently have multiple vacant tenant spaces, particularly in the larger "anchor store" units. Allowing light industrial facilities in the B-SC district could be a good use of some of these spaces, provided that the industrial uses can be operated in a clean, safe manner, which would not be disruptive or detrimental to the character of these districts or the other uses in the districts.

**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 will be consistent with the goals and policies expressed in the Land Development Plan, as amended, 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:

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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 reasonable and in the public's best interest.

Approved, adopted and effective this 28th day of May, 2019.

CITY OF EDEN PLANNING BOARD

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

ATTEST:

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