

EDEN PLANNING BOARD
JUNE 28, 2016

A regular meeting of the Eden Planning Board was held on Tuesday, June 28, 2016 at 5:30 P.M. in the conference room at City Hall. Members present:

Eddie Barker
Tamyra Caple
Fred Ramsey
Giles Hunnings,
Matt Smith
Steve Morgan
Carol Helms
Amelia Dallas

Members absent: Frank Wyatt
Jerry W. Holland, Jr.

Staff Present: Kelly K. Stultz, Planning Director

Others present: Applicant for Zoning Case Z-16-01

*Excused absence.

The meeting was called to order by Chairman Matthew W. Smith.

SET MEETING AGENDA:

A motion was made and seconded to set the agenda. Motion carried unanimously.

APPROVAL OF MINUTES OF THE SPECIAL MEETING ON NOVEMBER 3, 2015.

The minutes of a special meeting on November 3, 2015 were presented to the Board. Mr. Barker made a motion to approve the minutes as submitted. Ms. Caple seconded the motion. Motion carried unanimously.

NEW BUSINESS:

ZONING CASE

Z-16-01

MAP AMENDMENT

CONSIDERATION OF A ZONING AMENDMENT REQUEST TO REZONE PROPERTY AT 202 HAIRSTON STREET FROM RESIDENTIAL-12 AND BUSINESS-NEIGHBORHOOD TO BUSINESS-NEIGHBORHOOD. REQUEST SUBMITTED BY JANE L. HAMPTON, PROPERTY OWNER'S REPRESENTATIVE.

Kelly: The request was submitted by Jane Hampton to rezone this property. It is extremely historical. I don't know if any of you know about Sunshine Schools. They were the first African-American schools built in the country. A wealthy gentlemen built these schools everywhere and that is what the building on the property was.

It has been given historic landmark status in the past.

The other thing that we do not like to do is to have lots that are split zoned. We could not find why this was done in the past.

Business-Neighborhood is designed just to serve the neighborhood. In the past, there used to be corner stores and this is exactly what this is about. Part of the property is already zoned Business-Neighborhood and it makes sense to rezone all the property to Business-Neighborhood.

We certainly recommend that the Planning Board approve the portion of the property that is not Business-Neighborhood to be rezoned to Business-Neighborhood.

Ms. Stultz noted there were several people present in favor of this request.

Mr. Barker: Is the surrounding neighborhood already zoned Business-Neighborhood.

Kelly: No. You really don't have a bunch of Business-Neighborhood in a neighborhood. It is designed to go in a residential area.

A question was asked if there were any objections from the neighborhood.

Kelly: Not that I have heard.

Kelly: The applicant wants to find a good community use for the building. Regardless it still makes more sense than for the property to be split zoned.

Ms. Caple made a motion that the Planning Board approve the rezoning request. Mr. Barker seconded the motion. Motion carried unanimously.

CONSIDERATION OF A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING THE PROPOSED MAP AMENDMENT REQUEST TO REZONE PROPERTY AT 202 HAIRSTON STREET FROM RESIDENTIAL-12 AND BUSINESS-NEIGHBORHOOD TO BUSINESS-NEIGHBORHOOD.

Mr. Hunnings made a motion that the Planning Board adopt a statement of consistency regarding the proposed zoning map amendment request. Ms. Caple seconded the motion. Motion carried unanimously.

ZONING CASE

Z-16-01

TEXT AMENDMENT

CONSIDERATION OF A ZONING TEXT AMENDMENT REQUEST TO AMEND SECTION 11.22(q) GENERAL PROVISIONS OF THE CITY OF EDEN ZONING ORDINANCE TO ALLOW SOLAR SYSTEMS AS AN ACCESSORY USE IN ALL DISTRICTS AND SECTION 11.26 BOARD OF ADJUSTMENT OF THE CITY OF EDEN ZONING ORDINANCE TO ALLOW SOLAR AS A PRINCIPAL USE WITH A SPECIAL USE PERMIT IN THE RESIDENTIAL-SUBURBAN, INDUSTRIAL-1 AND INDUSTRIAL-2 ZONING DISTRICTS. REQUEST SUBMITTED BY THE PLANNING BOARD.

Kelly: At the last meeting the Board talked about solar farms and a question was asked about a definition for solar farms and at that time a definition had not been included.

Over the course of the intervening months, we have done a lot of research on this topic.

We have been contacted by two companies wanting to put solar as a principal use on property within Eden's jurisdiction.

What I have learned from standard practices of other jurisdictions across the state is that it makes much more sense to differentiate between solar as an accessory use and solar as a principal use which means it is a commercial use which takes up acreage. That is why the amendment was changed to differentiate between the two uses.

The last thing we want to do is to discourage anybody from being able to produce their own energy. Solar as a principal use, instead of making it an I-3 use which had been discussed, makes more sense to me than to only allow it in Residential-Suburban which is a residential agricultural district. That is what most jurisdictions do. Solar would also be allowed in Industrial-1 and Industrial-2 zoning districts as principle uses.

Kelly: What we have recommended is to limit the height of the panels. You cannot require buffers around the fence because it would then block the sun from the panels. There are glare issues with the panels and that is why there are increased setbacks in all directions in those districts. Generally, there is a little hum with the devices. We also want to make sure there is a decommissioning plan and a bond is put up for that.

We certainly recommend that the Board approve the amendment and the consistency statement.

A question was asked if an operation such as this would have to pay special taxes.

Kelly: There are no special taxes. There could be taxes on equipment.

Ms. Barker made a motion that the Planning Board approve the text amendment as amended. Mr. Ramsey seconded the motion. Motion carried unanimously.

CONSIDERATION OF A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING A TEXT AMENDMENT REQUEST TO ALLOW SOLAR ENERGY SYSTEMS AS AN ACCESSORY USE IN ALL DISTRICTS AND SOLAR AS A PRINCIPAL USE IN THE RESIDENTIAL-SUBURBAN, INDUSTRIAL-1 AND INDUSTRIAL-2 ZONING DISTRICTS AS A SPECIAL USE PERMIT.

Mr. Hunnings made a motion that the Planning Board adopt a statement of consistency regarding the proposed zoning text amendment request. Mr. Barker seconded the motion. Motion carried unanimously.

ITEMS FROM STAFF:

Kelly: Kathy Doss is finally going to retire after 45 years of service. Kathy came to work in 1971 only four years after Eden was established. She came to work at the age of 19 and has worked

for every manager that the City has had. She actually retired in 2002 and has worked part-time since then.

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ADJOURNMENT:

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

Respectfully submitted,

Kelly K. Stultz, Administrative Assistant to
the Planning Board

Attest:

Matthew W. Smith, Chair