

EDEN PLANNING BOARD
NOVEMBER 3, 2015

A special meeting of the Eden Planning Board was held on Tuesday, November 3, 2015, at 5:30 P.M. in the conference room at City Hall. Members present:

Eddie Barker
Tamyra Caple
Fred Ramsey
Giles Hunnings,
Jerry W. Holland, Jr.
Matt Smith
Steve Morgan
Carol Helms

Members absent: Amelia Dallas
Frank Wyatt

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

Others present: Gene Robertson, Representative for The Outdoor Group, LLC,
Zoning Case Z-15-08

*Excused absence.

The meeting was called to order by Chairman Matt Smith.

SET MEETING AGENDA:

A motion was made by Eddie Barker, seconded by Jerry Holland to set the agenda. Motion carried unanimously.

APPROVAL OF MINUTES OF THE REGULAR MEETING ON AUGUST 25, 2015.

The minutes of the regular meeting on August 25, 2015 were presented to the Board. Mr. Barker made a motion to approve the minutes as submitted. Mr. Morgan seconded the motion. Motion carried unanimously.

**ZONING CASE
AMENDMENT**

Z-15-08

MAP

CONSIDERATION OF A ZONING MAP AMENDMENT TO REZONE PROPERTY ON THE NORTHWEST CORNER OF PRICE ROAD AND PLANTATION ROAD FROM RESIDENTIAL-20 TO RESIDENTIAL-SUBURBAN. REQUEST SUBMITTED BY THE OUTDOOR GROUP, LLC AND AMENDED BY STAFF TO INCLUDE FIVE (5) ADDITIONAL PROPERTIES.

Kelly: There is a lot of property in that area that was zoned Residential-20 (R20) at the time the extraterritorial jurisdiction (ETJ) was enacted in 1979. The R20 district was designed as a holding zone to see what the development pressure would be. Nearly all the area should be zoned Residential-Suburban (RS). When the request was submitted, staff decided to amend

the request to include five (5) additional properties. I certainly hope the Planning Board will support the recommendation.

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It is a rural residential agricultural area and RS zoning is more conducive to that area due to the lack of sewer connections.

A question was asked about the R20 zoning district.

R20 is the same zoning that is behind City Hall and the hospital. It is large lot single family residential. It is the city's most restrictive zone.

The RS has some added gifts to the property owners in that district. If that owner has the right amount of acreage they can have more square footage in accessory buildings than they could have otherwise.

The NC General Assembly has said that permits are no longer required for farm buildings.

I do think the zoning that has been requested is entirely appropriate for the subject parcel and the parcels that have been added.

Gene Robertson: I think the property is in a rural setting and is more in keeping with RS zoning than R20. I think a lot of the property is already used as RS property.

Kelly: RS zoning requires larger minimum lot size than R20 and that is mainly due to septic tank requirements. She said rarely does the county allow less than an acre of land for a septic tank. This does provide for more flexibility for property owners in that type of setting.

A question was asked why two of the lots were split R4 and R-20 and asked for an explanation of R4.

Kelly: R4 at the time the ETJ was established did not exist. When the R4 district was created it was the only district at that time that allowed manufactured homes.

Debra: The lot this is split lot zoned because people buy, split, cut and a rezoning is not requested when those properties are combined.

Kelly: We do not condone split lot zoning and a lot of stuff gets done that we never see.

Mr. Barker made a motion that the Planning Board approve the rezoning request as amended. Mr. Holland seconded the motion. Motion carried unanimously.

CONSIDERATION OF A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING THE PROPOSED MAP AMENDMENT REQUEST REGARDING THE REZONING OF A PARCEL OF LAND ON PRICE ROAD AND PLANTATON ROAD AND THE ADDITION OF FIVE (5) ADDITIONAL PROPERTIES.

Mr. Morgan made a motion that the Planning Board adopt a statement of consistency regarding the proposed zoning map amendment to the City of Eden Zoning Ordinance. Mr. Barker seconded the motion. Motion carried unanimously.

ZONING CASE

Z-15-09

MAP AMENDMENT

CONSIDERATION OF A REQUEST TO AMEND SECTION 11.24(p) AND SECTION 11.24(q) OF THE ZONING ORDINANCE TO ALLOW SOLAR FARMS AS A PERMITTED USE IN THE INDUSTRIAL-3 ZONING DISTRICT WITH A SPECIAL USE PERMIT. REQUEST SUBMITTED BY THE PLANNING BOARD.

Kelly: Solar energy has been a hot topic in the country and in the state of North Carolina. We have had some serious people inquiring about solar farms. As an industrial use I feel I am a fairly good environmentalist, I am not always crazy about using up our good industrial land for them. The reason why is they do not create any revenue, they do not create any jobs and they come in and just sit there.

There are risks that come with solar energy like cell towers and the technology passing them by. A lot of compatriots around the state have done amendments similar to the one presented to this Board.

Because there are risks with solar farms and they use a whole lot of property which there has been a whole lot of money spent to get infrastructure to the property, we request that the property be rezoned to I3 and noted they have to meet all the requirements for the special use permit.

We are also going to ask the Council to create a separate fee for them like we have already done for some of the other serious industrial uses in case we have to hire someone from outside to help review the plans.

Fred: What about the risks with that?

Kelly: There always is a risk of fire. If the property is not maintained there are chemicals in the cells that can explode. It is a great way to provide energy.

I think we need to get ahead of this before an application is applied for.

Chairman Smith: Did you define what a solar farm is?

Kelly: I did not put a definition of a solar farm in the report.

Matt: If I want to put eight (8) panels in my back yard, would that qualify as a solar farm?

Kelly: The Board can table this request until a definition of a solar farm is prepared.

Some of the Board members felt that it would be safer if a definition was in place for a solar farm before fully considering the zoning text amendment.

Steve: How do you prevent someone from putting a solar farm on their own residential property? Is that good for the community?

Kelly: There is a difference if you are supplying energy for your own needs and generating energy for profit.

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Mr. Barker made a motion to table the zoning amendment request for solar farms until a definition is brought back to the Board. Mr. Ramsey seconded the motion. Motion carried unanimously.

ADJOURNMENT:

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

Respectfully submitted,

Kelly K. Stultz, Administrative Assistant to the
Planning Board

Attest:

Matt Smith, Chairman