



# Planning and Inspections Department

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P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

## MEMO

**To:** Honorable Mayor and City Council  
**Thru:** Brad Corcoran, City Manager  
**From:** Kelly K. Stultz, AICP, Director  
**Subject:** **Zoning Case Z-15-04**  
**Text Amendment**  
**Date:** May 6, 2015

The City has received a zoning text amendment request filed by William F. Pace, Sr. to amend Section 11.24(i)(1) of the City of Eden Zoning Ordinance to allow kennels in the Business-General zoning district.

The Planning and Inspections Department recommends approval of the text amendment request.

At their May 5, 2015 special meeting, the Planning Board voted to recommend that City Council approve this request and adopted a Resolution Adopting A Statement of Consistency Regarding the Proposed Amendment.

If you have any questions, please contact this office.



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: William F. Pace, SR TELEPHONE: 336-623-1189  
MAILING ADDRESS: 212 W. Harris Pl.  
CITY Eden STATE N.C. ZIP CODE 27288

(2) APPLICABLE SECTION OF THE ZONING ORDINANCE:

(1) Permitted Uses BG  
(1)

(3) EXISTING WORDING IN TEXT:

None

(4) REQUESTED WORDING IN TEXT:

Add the word Kennels

(5) REASON FOR REQUESTED CHANGE:

To ~~add~~ be able to build an animal rescue kennel  
to hold dogs rescued from municipal shelter.

**(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.

William F. Payne, Jr.  
Applicant's Signature

4-2-15  
Date of Signature

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**DEPARTMENTAL USE ONLY**

APPLICATION NUMBER: Z-15-04

FEE PAID: —

RECEIVED BY: KKS

DATE: 4-2-15

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**PLANNING AND INSPECTIONS DEPARTMENT**  
**ZONING TEXT AMENDMENT REPORT**  
April 22, 2015

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**CASE NUMBER:** Z-15-04

**REQUESTED ACTION:** To amend Section 11.24(i)(1) to allow kennels as a permitted use in the BG district.

**APPLICANT:** William F. Pace, Sr.

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**EXISTING TEXT**

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**Section 11.24(i) B-G Business General District**

(None)

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**PROPOSED TEXT**

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**Section 11.24(i) B-G Business General District**

(1) Kennels

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**GENERAL INFORMATION**

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This request was submitted by the William F. Pace, Sr..

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**STAFF ANALYSIS**

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This request is to allow kennels as a permitted use in the Business General (BG) districts. The B-G Business Districts are generally located on the fringe of the central business district and along major radial highways leading out of the city. The principal use of land is for dispensing retail goods and services to the community and to provide space for wholesaling and warehousing activities. Because these commercial areas are subject to public view and are important to the economy of the area, they shall have ample parking, controlled traffic movement, and suitable landscaping.

Currently kennels are not specifically listed as a permitted use in any of the zoning districts. However, animal hospitals are a permitted use in the BG district. Staff is of the opinion that kennels would be compatible with the other permitted uses in this district and that they should be allowed as a permitted use.

Therefore, staff recommends that kennels be listed as a permitted use in the BG district.

**STAFF RECOMMENDATION:** Approval of the text amendment.

AN ORDINANCE AMENDING THE ZONING  
ORDINANCE OF THE CITY OF EDEN

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BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, Section 11.24(i)(1) Business-General District of the Zoning Ordinance of the City of Eden is hereby amended by adding the following Permitted Use:

Kennels

APPROVED, ADOPTED AND EFFECTIVE, this 19th day of May, 2015.

CITY OF EDEN

BY: \_\_\_\_\_  
Wayne R. Tuggle, Sr., Mayor

ATTEST:

\_\_\_\_\_  
Sheralene Thompson, CMC  
City Clerk

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
A PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-15-04**  
**SECTION 11.24(i)(1)**

WHEREAS, pursuant to North Carolina General Statutes Chapter 160A-383, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

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;

WHEREAS, the City of Eden Planning Board received a request to allow kennels as a permitted use in the Business General (B-G) district;

WHEREAS, On May 5, 2015, the City of Eden Planning Board voted to recommend changes to the Zoning Ordinance as follows:

To amend **Section 11.24(i)(1)** to allow kennels as a permitted use in the BG district.

STATEMENT OF NEED:

The popularity of kennels has grown significantly in the past few years as more and more people want to obtain professional care for their pets. Staff is of the opinion that a kennel located in the Business-General districts could have a positive effect on the community by attracting customers into the downtown areas and possibly bringing in visitors from outside the community.

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 Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the City of Eden Land Development Plan, and why the City Council considers the proposed amendment to be reasonable and in the public interest;

NOW THEREFORE, BE IT RESOLVED BY THE EDEN CITY COUNCIL THAT:

1. The Eden City Council 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 or 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 amendments to the Zoning Ordinance are reasonable and in the public interest.

Approved and adopted and effective this 19th day of May, 2015

CITY OF EDEN

BY: \_\_\_\_\_  
Wayne R. Tuggle, Sr., Mayor

ATTEST:

\_\_\_\_\_  
Sheralene Thompson, CMC  
City Clerk