



RESOLUTION TITLE: PARALLEL CONDITIONAL USE PERMIT (PCUP): PCUP 18-03 SWIFT SOLAR, LLC. (APPLICANT), PROPERTY PARCELS 221303 (PART OF), 163155, 162844, 162856 (PART OF), 163318, AND 162858 (PART OF), LOCATED AT BESS RD./EAKER RD./TRYON COURTHOUSE RD., BESSEMER CITY, NC, REQUEST FOR A PCUP ZONING DISTRICT FROM THE (R-1) SINGLE FAMILY LIMITED ZONING DISTRICT TO THE (CU/R-2) CONDITIONAL USE / SINGLE FAMILY MODERATE ZONING DISTRICT (PCUP), IN ORDER TO ALLOW ESSENTIAL SERVICES CLASS 3 (SOLAR FARM)

WHEREAS, Chapter 5 of the County Unified Development Ordinance set forth guidelines for consideration of a Parallel Conditional Use Permit zoned as a Conditional Use district, and a quasi-judicial joint public hearing by the County Commission and the Planning Board, was held on December 11, 2018, to take sworn testimony for a zoning map change (parallel conditional use district), as follows:

Tax Parcel Number(s): 221303 (part of), 163155, 162844, 162856 (part of), 163318, and 162858 (part of)
Applicant: Swift Solar, LLC
Owner(s): Marie Hovis Swift; Olin D. Carpenter, Jr. and Ann Carpenter; Robert Leslie Yarbro and Lisa C. Yarbro; Richard Steven Glover and Lisa Rudisill Glover
Property Location: Bess Rd./Eaker Rd./Tryon Courthouse Rd.
PCUP Request: Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Essential Services Class 3 (Solar Farm)

public hearing comments are on file in the Commission Clerk's Office as a part of the minutes of the meeting; and,

WHEREAS, the Planning Board recommended approval of the map change for parcels: 221303 (part of), 163155, 162844, 162856 (part of), 163318 and 162858 (part of), located at Bess Rd./Eaker Rd./Tryon Courthouse Rd., Bessemer City, NC, from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Essential Services Class 3 (Solar Farm), on December 11, 2018, based on: public hearing comment, staff recommendation, and the request is in accordance with the County's Comprehensive Plan. The property is in a future land use designation of rural. Rural land use designations generally consist of large parcels with either residential or agrarian uses. The proposed rezoning and CUP is from R-1 to CU/R-2, another residential use category. R-2 allows for essential services such as a

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I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO. DATE M1 M2 CBrown JBrown AFraleigh BHovis TKeigher TRhilbeck RWorley Vote

FAILED 12/11/2018 BH TK AB N AB A N N N 14

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

Parallel Conditional Use Permit (PCUP): PCUP 18-03 Swift Solar, LLC (Applicant), Property Parcels 221303 (part of), 163155, 162844, 162856 (part of), 163318 and 162858 (part of), Located at Bess Rd./Eaker Rd./Tryon Courthouse Rd., Bessemer City, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Essential Services Class 3 (Solar Farm)

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Solar Farm as a use, and the CUP will require that the property be developed as a Solar Farm with various conditions. The conditions, designed to protect the community from the proposed development, will enable the community to retain its current character, and is therefore consistent with the future land use plan. The surrounding area consists of R-1, R-2, R-3, and C-1 uses, and the variety of zoning districts also indicates that the proposed rezoning is consistent with the comprehensive plan.

Motion: Houchard Second: Vinson Vote: Unanimous
Aye: Attaway, Barber, Harris, Hollar, Houchard, Vinson
Nay: None
Absent: Ally, Horne
Abstain: Hurst, Sain

NOW, THEREFORE, BE IT RESOLVED by the County Commission that after consideration of the Parallel Conditional Use Permit application, sworn testimony provided at the public hearing and Planning Board recommendation:

- 1) The proposed map change for parcels 221303 (part of), 163155, 162844, 162856 (part of), 163318 and 162858 (part of) from the (R-1) Single Family Limited Zoning District to a (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Essential Services Class 3 (Solar Farm), is disapproved as follows:

Motion: Hovis Second: Keigher Vote: 1-4
Aye: Hovis
Nay: J.Brown, Philbeck, Keigher, Worley
Absent: C.Brown, Fraley
Abstain: None

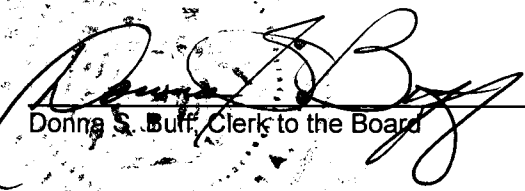
****BEING THE MAP CHANGE WAS DISAPPROVED, THE MATTER WAS CONCLUDED.***

- 2) The County Manager is authorized to make necessary notifications in this matter to appropriate parties.



Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners

Attest:



Donna S. Buff, Clerk to the Board