



**RESOLUTION TITLE: ZONING MAP CHANGE: CONDITIONAL DISTRICT CD20-02, HORNET SOLAR, LLC (APPLICANT); PROPERTY PARCELS: 173020, 173410, 173466, 207155, 211893, 211896, 211897, AND 222964, LOCATED AT THE GASTON CO./LINCOLN CO. LINE (ALEXIS/LUCIA AREA), STANLEY, NC, REZONE FROM THE (R-1) SINGLE FAMILY LIMITED ZONING DISTRICT WITH (US) URBAN STANDARDS OVERLAY TO THE (CD/R-2) CONDITIONAL DISTRICT/SINGLE FAMILY MODERATE ZONING DISTRICT WITH (US) URBAN STANDARDS OVERLAY, IN ORDER TO ALLOW ESSENTIAL SERVICES CLASS 3 (SOLAR FARM)**

WHEREAS, a County Zoning Ordinance was adopted on April 24, 2008 and a joint public hearing was held on July 28, 2020 by the County Commission and the Planning Board, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 173020, 173410, 173466, 207155, 211893, 211896, 211897, 22964  
Applicant: Hornet Solar, LLC  
Owner(s): Heirs of E.C. Beatty Jr., LTSM LLC, TMSMJ Properties LLC, N. W. Jones, Paul S. Abernathy  
Property Location: Gaston Co./Lincoln Co. Line (Alexis/Lucia Area)  
Request: Rezone Parcels 173020, 173410, 173466, 207155, 211893, 211896, 211897, and 222964, from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/R-2) Conditional District/Single Family Moderate Zoning District with (US) Urban Standards Overlay, 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 as conditioned (Exhibit A) of the map change for parcels: 173020, 173410, 173466, 207155, 211893, 211896, 211897, and 222964, located at the Gaston Co./Lincoln Co. Line (Alexis/Lucia Area), Stanley, NC, from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/R-2) Conditional District/Single Family Moderate Zoning District with (US) Urban Standards Overlay, in order to allow Essential Services Class 3 (Solar Farm), on July 28, 2020 based on: the public hearing comment, staff recommendation, and the request is reasonable and in the public interest and is in accordance with the County's Comprehensive Land Use Plan. The proposed rezoning is in the Rural and Rural Community future land

DO NOT TYPE BELOW THIS LINE

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	AFrale	BHovis	TKelgher	TPHilbeck	RWpdey	Vote
2020-200	07/28/2020	CB	RW	A	A	A	A	A	A	A	U

**DISTRIBUTION:**

Laserfiche Users

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

Zoning Map Change: Conditional District CD20-02, Hornet Solar, LLC (Applicant); Property Parcels: 173020, 173410, 173466, 207155, 211893, 211896, 211897, and 222964, Located at the Gaston Co./Lincoln Co. Line (Alexis/Lucia Area), Stanley, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/R-2) Conditional District/Single Family Moderate Zoning District with (US) Urban Standards Overlay, in Order to allow Essential Services Class 3 (Solar Farm)  
Page 2

use plan. Rural areas are characterized by plenty of open space, as well as agribusinesses. Rural communities are areas within rural areas that allow for residential buildings with a neighborhood feel. The use, going from (R-1) with (US) Overlay to (CD/R-2) with (US) Overlay will make the subject parcel an essential service in nature, which is consistent with the Rural/Rural Community designations and is in harmony with the uses of the surrounding area. The (CD) Conditional District with (US) Overlay designation will also help foster higher quality development for the parcel.

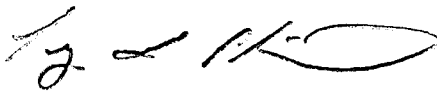
Motion: Houchard                      Second: Sain                      Vote: 8-1  
Aye: Ally, Brooks, Harris, Hollar, Horne, Houchard, Sain, Vinson  
Nay: None  
Absent: Attaway  
Abstain: Hurst

NOW, THEREFORE, BE IT RESOLVED by the County Commission that after consideration of the map change application, public hearing comment and Planning Board recommendation:

- 1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. The proposed rezoning is in the Rural and Rural Community future land use plan. Rural areas are characterized by plenty of open space, as well as agribusinesses. Rural communities are areas within rural areas that allow for residential buildings with a neighborhood feel. The use, going from (R-1) with (US) Overlay to (CD/R-2) with (US) Overlay will make the subject parcel an essential service in nature, which is consistent with the Rural/Rural Community designations and is in harmony with the uses of the surrounding area. The (CD) Conditional District with (US) Overlay designation will also help foster higher quality development for the parcel.

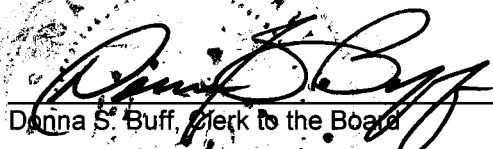
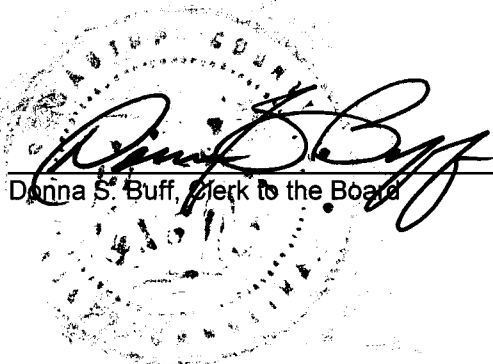
The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Property parcels: 173020, 173410, 173466, 207155, 211893, 211896, 211897, and 222964, is hereby approved as conditioned (Exhibit A), effective with the passage of this Resolution.

- 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

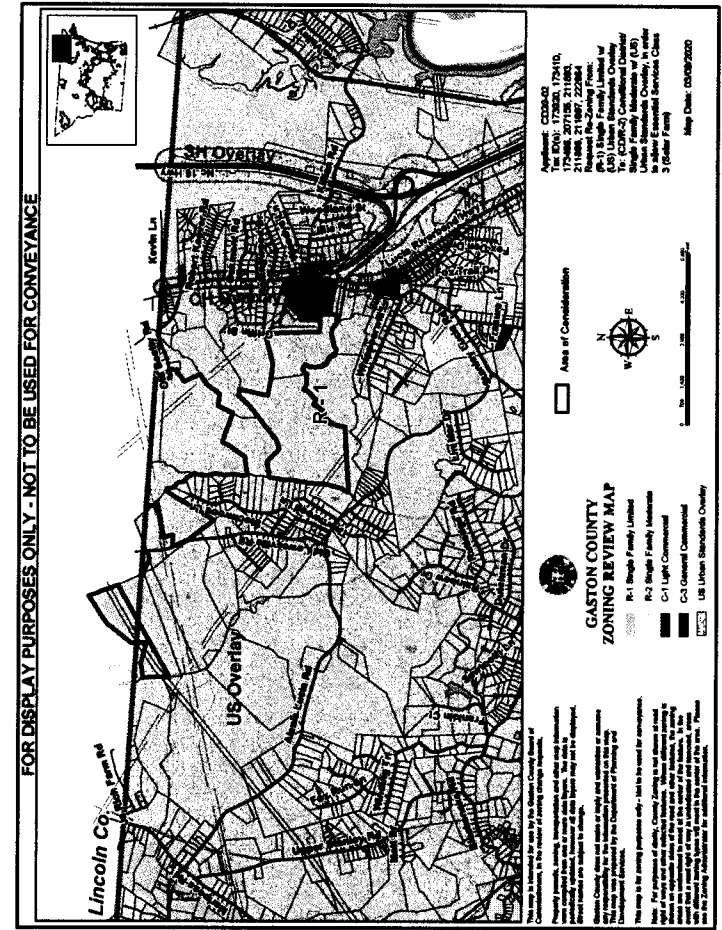
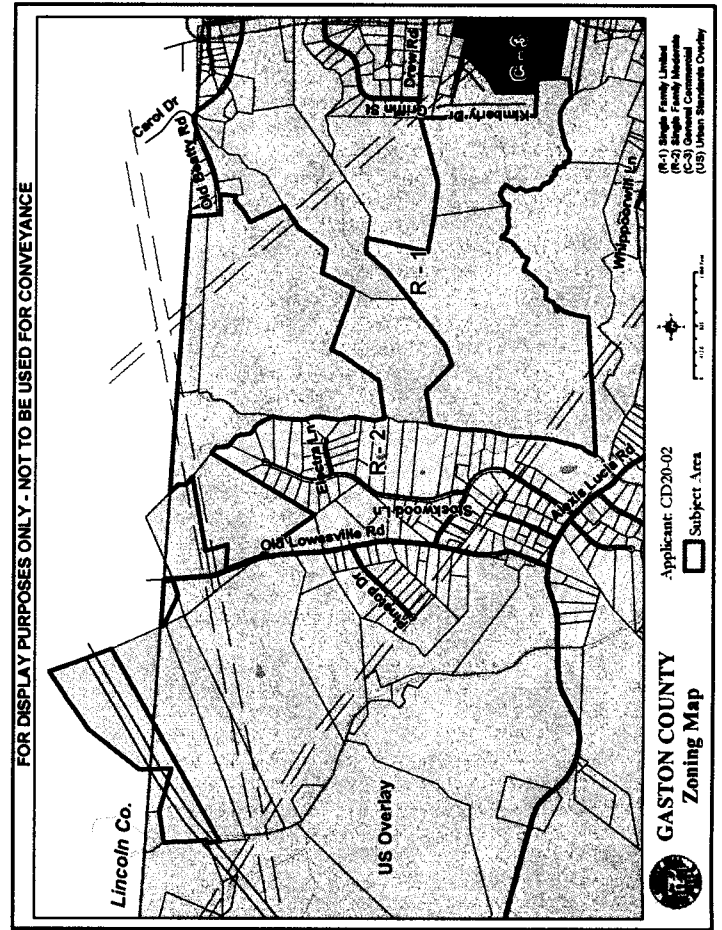
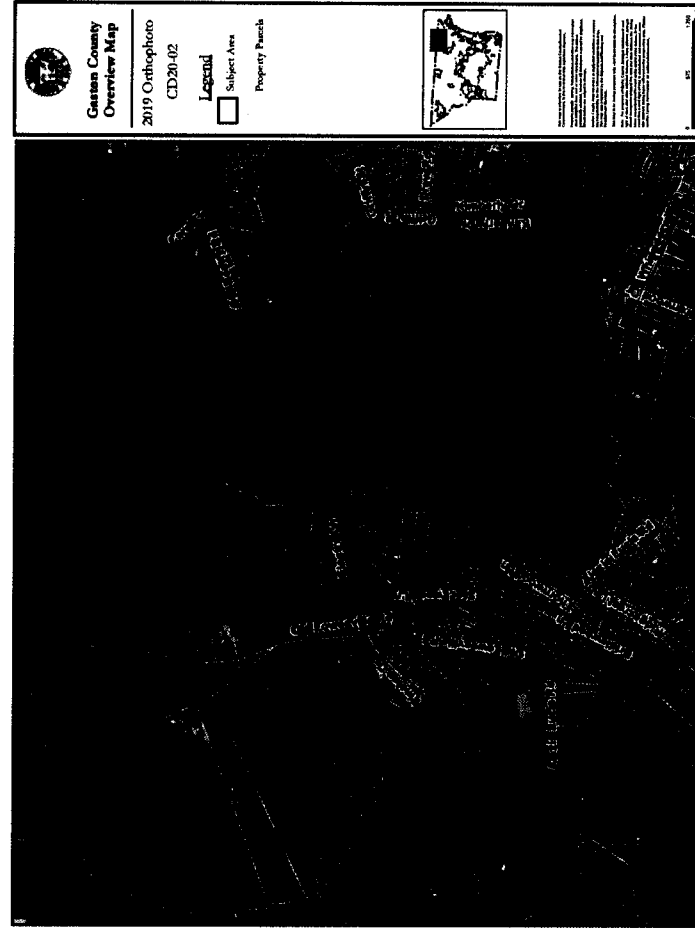
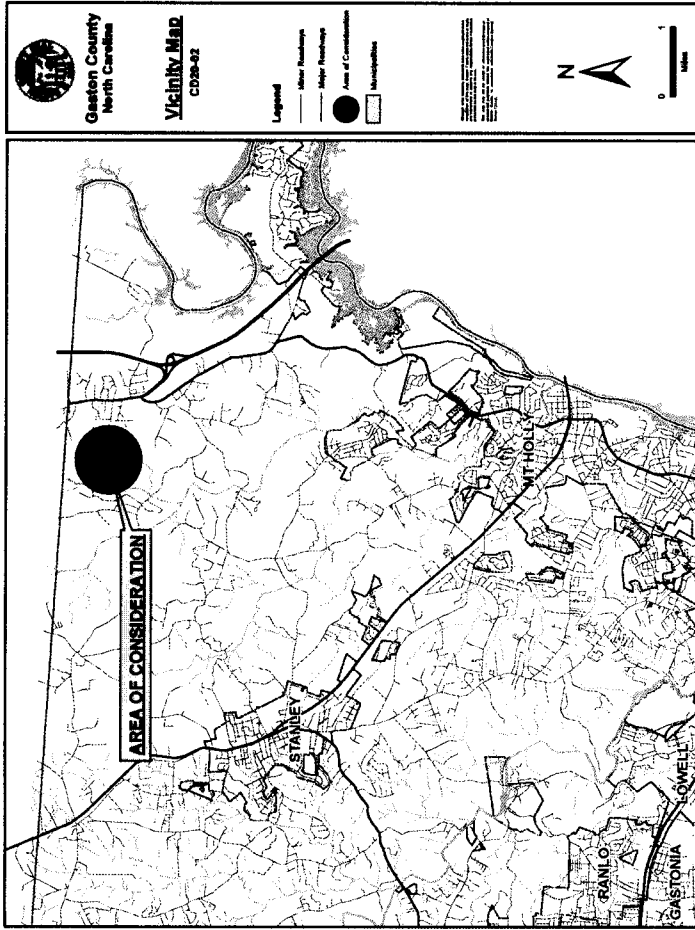


---

Donna S. Buff, Clerk to the Board

**Exhibit A**  
**CONDITIONS OF APPROVAL**  
**CD20-02**

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved (and/or modified) by the Board of Commissioners.
2. If any of the conditions affixed hereto or any part thereof is held invalid or void, then this zoning district shall be void and no effect.
3. Development shall meet all local, state, and federal requirements.
4. Canopy trees placed in the designated buffer shall be ten (10) feet at the time of planting. Understory trees placed in the designated buffer shall be five (5) feet at the time of planting. All plantings are required to be a Type D buffer, as found in the Gaston County Unified Development Ordinance (UDO), and be an evergreen species. Any existing or natural areas on site meeting this criteria are allowed to be factored as part of the buffer requirements. Required fencing must be opaque.
5. Owner/applicant is required to conduct on site visits monthly to ensure buffers are maintained and thriving; to make repairs, as needed, to equipment; and, to otherwise provide that the property is being maintained in such a manner that it deters calls for nuisance complaints (i.e. tall grass, pest control, etc).
6. The applicant shall commit to decommissioning the facility after expiration of the lease agreements or at the end of the project's operational life, whichever happens sooner, and provide decommissioning security in an amount as determined by either: (a) three (3) cents per total wattage of project site, or (b) one half (1/2) the certified engineer total cost to remove/repair as stated in the decommission report (to be provided by the applicant), whichever of the two is greater; and, shall remain in full force and effect throughout the lifespan of the project. The cost of decommissioning shall be reviewed and updated every five (5) years, and the decommissioning security shall be updated, if applicable. Decommissioning security may be in the form of a removal bond, irrevocable letter of credit, or irrevocable parent guarantee.





# Gaston County

Gaston County  
Board of Commissioners  
www.gastongov.com

## Planning Board Action

File #: 20-131

Commissioner Chad Brown - Planning & Development Services - Zoning Map Change: Conditional District CD20-02, Hornet Solar, LLC (Applicant); Property Parcels 173020, 173410, 173466, 207155, 211893, 211896, 211897, and 222964, Located at the Gaston Co./Lincoln Co. Line (Alexis/Lucia Area), Stanley, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/R-2) Conditional District/Single Family Moderate Zoning District with (US) Urban Standards Overlay, in order to allow Essential Services Class 3 (Solar Farm)

### STAFF CONTACT

David L. Williams - Planning Director - 704-866-3473

### BACKGROUND

Chapter 5 of the Unified Development Ordinance requires a public hearing by the Planning Board and Commission, with recommendation by the Planning Board prior to consideration for final action by the Commission. Hornet Solar, LLC (Applicant), applied for a zoning map change from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/R-2) Conditional District/Single Family Moderate Zoning District with (US) Urban Standards Overlay, in order to allow Essential Services Class 3 (Solar Farm). Said property consists of approximately 543.71 +/- acres to be rezoned with this request, located at the Gaston Co./Lincoln Co. Line (Alexis/Lucia Area), Stanley, NC in the Riverbend Township. A joint public hearing was advertised for and held on July 28, 2020, with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on the same date, and the Commission is requested to consider the public hearing comment, Planning Board recommendation and other pertinent information; then (approve), (disapprove) or (modify) the map change.

### ATTACHMENTS

Resolution - CD20-02; Maps - CD20-02

DO NOT TYPE BELOW THIS LINE

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	AFraley	BHovis	TKelgher	TPhillbeck	RWorley	Vote
2020-200	07/28/2020	CB	RW	A	A	A	A	A	A	A	U

### DISTRIBUTION:

Laserfiche Users

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