



Legislation Details (With Text)

File #: 18-453

Type: Zoning Matters (Non-Consent) **Status:** Failed

File created: 11/19/2018 **In control:** Building and Development Services

On agenda: 12/11/2018 **Final action:** 12/11/2018

Enactment date: **Enactment #:**

Title: Commissioner Fraley - Planning/Development Services - 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)

Sponsors: Allen R. Fraley

Indexes: PCUP

Code sections:

Attachments: 1. Denied 2018-000B, 2. Resolution, 3. All Maps, 4. Background Info.- PCUP 18-03, 5. PowerPoint Presentation - PCUP 03

Date	Ver.	Action By	Action	Result
12/11/2018	1	Board of Commissioners	failed	Fail

Commissioner Fraley - Planning/Development Services - 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)

STAFF CONTACT

David L. Williams - Planning/Development Services Director - 704-866-3473

BACKGROUND

Chapter 5 of the County Unified Development Ordinance provides for issuance of a Conditional Use Permit for parcels which have been zoned as a Conditional Use district. A quasi-judicial public hearing is required which allows for sworn testimony before the Board of County Commission and Planning Board prior to consideration of the Conditional Use Permit. Planning Board recommendation and Board of Commission approval or disapproval on Parallel Conditional Use district map amendments, with recommendation on same by the Planning Board and final approval or disapproval shall be based on four findings (outlined in the ordinance) made on factual evidence provided through the public hearing process. Swift Solar, LLC (applicant), applied for a zoning map change 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). Said property consists of approximately 288.11 acres, located at Bess Rd./Eaker Rd./Tryon Courthouse Rd., Bessemer City, NC in the Cherryville Township. A joint public hearing was advertised for and held on December 11, 2018 to take sworn testimony relating to issuance of a Conditional Use Permit, with the public hearing comments being on file in the Commission Clerk's Office.

ATTACHMENTS

Resolution - PCUP 18-03; Maps PCUP 18-03