

Charlotte County Planning Commission  
Regular Meeting  
April 28, 2020  
Charlotte County Administration Office

Present:

Andrew Carwile	W.V. Nichols
Cornell Goldman	Clark Poindexter
Deborah Haskins	Gladys Reid
Kenny Howard	David Watkins, II
Kerwin Kunath	Eugene Wells

Absent:

George Sandridge

Board Representative in Attendance: Kay Pierantoni

Staff Attending: Dan Witt, County Administrator; Monica Elder, Assistant County Administrator

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Chairman Deborah Haskins called the meeting to order and Andy Carwile gave the invocation.

Gladys Reid made the motion to approve the agenda as presented. Cornell Goldman seconded the motion and the motion carried with all members present voting yes.

Kenny Howard made the motion to approve the February 25th meeting minutes as presented. Eugene Wells seconded the motion and the motion carried with all members present voting yes.

Gary Walker addressed the Planning Commission during the public comment period regarding the two potential solar projects, noting that he was speaking as a citizen rather than as a member of the Board of Supervisors. Mr. Walker stated that he saw the two projects as economic development opportunities that would expand the tax base and did not feel the potential Courthouse Project's location would have an impact on residences.

As requested by the Commission in February, Monica Elder presented draft zoning language that would address retreats as follows:

**Staff recommendation:**

- Adding Retreats to Article 9 of the Zoning Ordinance as a Conditional Use in the Agricultural District
- Revising Article 12. Definitions as follows:

**Campground or Retreat.** ~~Land designed for or used to accommodate paying guests in tents designed for single families or non-motorized travel trailers owned by the guests.~~ A tract of land and accompanying structures and other facilities where two or more recreational vehicles, motor homes, travel trailers, tents, or cabins may be erected, parked or maintained for temporary habitation for recreational or vacation purposes.

**Retreat - See Campground**

- Revising Section 10-16, Supplementary Regulations for Campgrounds as follows:

Sec. 10-16. Campgrounds and Retreats.

10-16-1. The minimum parcel size or area of a parcel dedicated to the campground or retreat use may not be less than five (5) acres.

10-16-2. No campsite shall contain less than two thousand (2,000) square feet of area.

10-16-3. Maximum density of campsites shall not exceed fifteen (15) sites per gross acre.

10-16-4. A minimum of twenty-five percent (25%) of the entire tract of land shall be open area and/or recreation area, of which no more than half can be a body of water. Campsites, service buildings, and roads shall not be considered as open and/or recreation area.

10-16-5 Uses customarily incidental to the operation of a campground or retreat shall be considered accessory uses. Service buildings shall be permanent structures complying with all applicable codes and regulations. Such establishments shall be located, designed and intended to primarily serve the needs of overnight guests and shall present no visible evidence of their commercial character outside the facility.

10-16-6. ~~No s~~Structures, campsites or related athletic facilities shall conform to all minimum setback requirements for principal structures of the zoning district in which they are located ~~may be located within or~~ 100 feet, whichever is greater, unless otherwise prescribed by the Board of Supervisors as a condition of approval for a Conditional Use Permit. ~~of any property line.~~

10-16-7. Campgrounds and retreats may contain one single-family dwelling for staff or operators of the facility.

10-16-8. Any cabin or camping unit shall be occupied by the day or week only and shall not be utilized as a permanent, year-round residence. No guest shall reside in the campground or retreat for more than sixty (60) days within one (1) calendar year.

10-16-9. ~~3~~ No zoning permit shall be issued for such use until the applicant has furnished evidence that the proposed development meets all applicable state and local health requirements.

10-16-10. ~~4~~ All sites must have access to a potable water supply and communal toilet and bathing facilities that meet local and state Health Department standards.

10-16-11. ~~5~~ The establishment must have safe access to and from the public road. Each building intended to accommodate guests shall be accessible via an all-weather road suitable to accommodate emergency vehicles serving the property.

*10-16-612. All parking lots and loading areas must be visually screened from adjacent properties.*

The Commission requested comments from landowners Dave & Debbie Sanders who had requested the amendment; the Sanders indicated the proposed language would address their needs.

Cornell Goldman made the motion to request a joint public hearing with the Board of Supervisors on the zoning amendment for retreats. Kerwin Kunath seconded the motion and the motion carried with all members present voting yes.

Monica Elder provided a report on Section 10-23-4 of the Zoning Ordinance which prohibits locating utility-scale solar within one mile of town boundaries. Ms. Elder reported that the Board of Supervisors had referred the regulation to the Commission, requesting they consider amending the distance to ½ mile. While an application had not been submitted, NOVI Energy had met with staff to discuss a potential solar project located approximately .59 miles from the Town of Charlotte Court House. County Attorney Russell Slayton had informed staff that a variance would probably not provide the relief from 10-23-4 that the applicant sought and recommended the County consider a zoning amendment. Commissioners discussed possible options including revisions to the ordinance and providing the Board the ability to review the proximity to town boundaries on a case-by-case basis. Board representative Kay Pierantoni stated that providing that discretion to the Board would allow them to consider the project and the potential economic impact as part of their review process.

Kenny Howard made the motion to request a joint public hearing with the Board of Supervisors to consider amending the zoning ordinance to give the Board of Supervisors authority to consider a solar project's closeness to town on a case-by-case basis when the project is within one mile of town. Cornell Goldman seconded the motion and the motion carried with all members present voting yes.

Ms. Elder then provided a report on the Board of Supervisors' request for the Commission to review Section 10-23-5 of the Zoning Ordinance which limits the density of utility-scale solar development to 3% within any given 5 mile radius. SolUnesco had met with staff to discuss a potential solar project that would result in approximately 7% density although an application had not been received. Ms. Elder reported that a variance was also unlikely to address the applicant's need in this case.

Francis Hodsoll with SolUnesco briefly addressed the size of the potential Randolph Project. Clark Poindexter then inquired about the financial benefits of the project and County Administrator Dan Witt reviewed recent legislation related to utility-scale solar's financial impact. After discussing the matter further, Clark Poindexter made the motion to request a joint public hearing with the Board of Supervisors to consider amending the zoning ordinance, keeping the 3% density but giving the Board of Supervisors authority to consider higher density on a case-by-case basis. Cornell Goldman seconded the motion and the motion carried with all members present voting yes.

In accordance with zoning ordinance requirements that petitions for variances be provided to the Commission, staff presented information on Hermon Presbyterian Church's request for a variance to divide off their cemetery property, thereby creating a new nonconforming lot. After further discussion, the Commission requested that staff prepare a letter from them recommending approval of the variance.

Ms. Elder reported that the joint public hearings for the US Cellular Tower Conditional Use Permit Application and the Zoning Amendment for nonconforming lots were to be rescheduled and a June date was anticipated.

Meeting was adjourned.