

Charlotte County Planning Commission
Joint Public Hearings
May 28, 2020
Charlotte County Administration Office

Present:

Andrew Carwile	Gladys Reid
Deborah Haskins	George Sandridge
Kenny Howard	Eugene Wells
W.V. Nichols	David Watkins, II
Clark Poindexter	

Absent:

Cornell Goldman
Kerwin Kunath

Staff Present: Dan Witt, County Administrator & Monica Elder, Asst. County Administrator
Kay Pierantoni, appointed Board representative for the Planning Commission, was also present

Public Hearing - U.S. Cellular Conditional Use Permit Application

Board of Supervisors Chairman Garland Hamlett called the Board meeting to order and Tony Reeves gave the invocation.

After due notice was given, the Charlotte County Board of Supervisors held a joint public hearing with the Planning Commission to receive comments on a Conditional Use Permit Application for U. S. Cellular to construct a telecommunications tower on property owned by Blue Rock Resources, LLC and identified as a portion of Tax Parcel 8-A-26, located on Mapleton Road, Charlotte Court House.

Chairman Hamlett called the public hearing to order for the Board of Supervisors and Planning Commission Chairman Deborah Haskins called the Planning Commission's public hearing to order.

Public Comment:

Chairman Hamlett read the following comment provided by citizen Bridgette Sinnott:

"I support a conditional use permit for a U. S. Cellular Tower. We need more resources in this area and if they are willing to put money into bringing those resources into our county, let them."

There being no further comments, the public comment period was closed and the joint public hearing was adjourned.

Public Hearing - Zoning Amendment for Retreats

After due notice was given, the Charlotte County Board of Supervisors held a joint public hearing with the Planning Commission to receive comments on a request for a zoning text amendment related to Retreats.

Chairman Hamlett called the Public Hearing to order for the Board of Supervisors and Planning Commission Chairman Deborah Haskins called the Planning Commission's Public Hearing to order.

The proposed amendments were as follows, with recommended changes noted in red:

Article 9

Article 9. Use Matrix (Amended July 12, 2016 & October 9, 2018)

B = By Right C = Conditional Use Permit T = Temporary Use Permit

Use Types	Zoning Districts				
	General Agricultural	Intensive Agriculture	General Residential	Village Center	General Industrial
Campground	C				
<u>Retreats</u>	<u>C</u>				

Article 12

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

Article 10. Supplementary Regulations

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.

10-16-62. ~~No~~ 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.*~~

~~*10-16-93. 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.*~~

~~*10-16-104. All sites must have access to a potable water supply and communal toilet and bathing facilities that meet local and state Health Department standards.*~~

~~*10-16-115. 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*~~

Public Comment:

There being no public comment, the public comment period was closed, and the joint public hearing was adjourned.

Public Hearing – Zoning Amendment for Development of Nonconforming Lots

After due notice was given, the Charlotte County Board of Supervisors held a joint public hearing with the Planning Commission to receive comments on a request for a Zoning Text Amendment to address the Development of Nonconforming Lots (§11-3-2)

Chairman Hamlett called the Public Hearing to order for the Board of Supervisors and Planning Commission Chairman Deborah Haskins called the Planning Commission's Public Hearing to order.

The proposed zoning amendment would replace Zoning Ordinance Section 11-3-2 with the following language:

11-3-2. Uses Allowed. Where a lot of record as of November 5, 2002, does not satisfy the minimum area size required in the district, or is not of the minimum width required in the district, such lot may nevertheless be used for a permitted use in that district, provided that all requirements governing such permitted use, other than lot area or lot width, can be satisfied. The requirements which must be satisfied include approval by the local Health Department of individual water supply and/or private sewage disposal systems.

A nonconforming lot of record as of November 5, 2002, which does not satisfy the minimum area size required in the district, or is not of the minimum width required in the district, may be increased in size by an abandonment of a lot line, or by a boundary line adjustment. Where a boundary line adjustment is performed to allow for the development of a nonconforming lot in accordance with this regulation and there is sufficient land to satisfy the minimum lot size and width required in the district, the resulting lot shall comply with lot size and width requirements for the district. If the new lot so created does not meet the minimum area size required in the district, or is not of the minimum width required in the district, said new lot may be used for a permitted use in that district, provided that all requirements governing such permitted use, other than lot area or lot width, can be satisfied. The requirements which must be satisfied include approval by the local Health Department of individual water supply and/or private sewage disposal systems.

Public Comment:

There being no public comment, the public comment period was closed, and the joint public hearing was adjourned.

Public Hearing – Zoning Amendment for Solar Density

After due notice was given, the Charlotte County Board of Supervisors held a joint public hearing with the Planning Commission to receive comments on a request for a Zoning Text Amendment related to Zoning Ordinance Section 10-23-5 which would allow the Board of Supervisors to approve utility-scale solar projects that exceeded 3% density within a 5 mile radius when the Board determined such projects were in the County's best interest.

Chairman Hamlett called the Public Hearing to order for the Board of Supervisors and Planning Commission Chairman Deborah Haskins called the Planning Commission's Public Hearing to order.

The proposed amendment to the Zoning Ordinance, as drafted by the County Attorney, with changes marked in red, read as follows:

10-23-5. Density. Absent specific authorization by the Board of Supervisors as part of a Conditional use Permit, n~~n~~o more than three percent (3%) of the land area in any given five mile radius shall be approved for use as the project area for Utility-Scale Solar Energy Systems. For the purpose of calculating density, the project area for a Utility-Scale Solar Energy System shall consist of the entire fenced-in area and the required landscaped buffer zone. Under circumstances deemed appropriate by the Board of Supervisors, the Board may approve a more dense development for Utility Scale Solar Energy Systems, and establish the maximum density permitted for the subject Utility Scale Solar Energy System.

Public Comment Period:

Citizen Stuart Topp addressed the Board, expressing concerns about the proposed zoning amendment's impact on the natural beauty of the County, the value of surrounding properties, and the identity of the County. Mr. Topp noted that the Randolph Project would increase the density from 3% to 7% and made inquiries about

the project design and associated economic benefit to the County. He stated that the land would no longer be available for activities such as dog hunting & expressed concerns about the environmental impacts that might result from the solar panels. Mr. Topp urged the Board to keep the density regulations in place or to consider placing this item on the November general election ballot.

There being no further public comment, the public comment period was closed, and the joint public hearing was adjourned.

Public Hearing – Zoning Amendment for Solar Proximity to Town Boundaries

After due notice was given, the Charlotte County Board of Supervisors held a joint public hearing with the Planning Commission to receive comments on a request for a zoning text amendment regarding Zoning Ordinance Section 10-23-4 which would allow the Board of Supervisors which would allow the Board of Supervisors to approve utility-scale solar projects that were closer to town boundaries than 1 mile when the Board determined such projects were in the County's best interest.

Chairman Hamlett called the Public Hearing to order for the Board of Supervisors and Planning Commission Chairman Deborah Haskins called the Planning Commission's Public Hearing to order.

The proposed amendment to the Zoning Ordinance, as drafted by the County Attorney, with changes marked in red, read as follows:

10-23-4. Location. Absent specific authorization by the Board of Supervisors as part of a Conditional Use Permit, nNo Utility Scale Solar Energy System shall be located within one (1) mile of an existing town boundary. Under circumstances deemed appropriate by the Board of Supervisors, the Board may approve a Utility Scale Solar Energy System location closer than one (1) mile to an existing town boundary and establish the permitted distance from such system to an existing town boundary.

Public Comment Period:

There being no public comment, the public comment period was closed, and the joint public hearing was adjourned.

Chairman Hamlett adjourned the meeting.