

Charlotte County Planning Commission  
Regular Monthly Meeting (Schedule Change due to 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  
Board Representative Present: Kay Pierantoni

Chairman Haskins called the meeting to order at 6:15.

George Sandridge made the motion to approve the revised agenda as presented. Andrew Carwile seconded the motion and the motion carried with all members present voting yes.

Kenny Howard made the motion to approve the April 28th meeting minutes as presented. David Watkins seconded the motion and the motion carried with all members present voting yes.

Francis Hodsoll with SolUnesco requested to speak during the Public Comment period. However, because his comments related to solar density, the Planning Commission requested that he delay his comments until they reached that agenda item.

**U.S. Cellular Conditional Use Permit Application**

Andrew Carwile made the motion to recommend approval of the U.S. Cellular tower conditional use permit application for the construction a telecommunications tower on property owned by Blue Rock Resources, LLC, identified as a portion of Tax Parcel 8-A-26, with the proposed conditions as stated. George Sandridge seconded the motion and the motion carried with all members present voting yes.

Proposed conditions provided for the U.S. Cellular tower application were as follows:

- 1. The tower owner shall adhere to all federal, state, and local laws, regulations, ordinances and permit requirements for the construction and operation of the proposed facility.*
- 2. The facility shall be constructed and operated in substantial compliance with the application provided and the approved site plan.*
- 3. The County Administrator, Building Official, Zoning Administrator, or any other parties designated by those County officials, shall be allowed to enter the property to check for compliance with the provisions of this permit, with reasonable advanced notice and subject to the security, health and safety standards and regulations that apply to the project site.*

4. *The proposed tower shall be fully operational within two years of the application approval date. Extensions may be granted upon written request by the tower owner to the zoning administrator, 45 days prior to lapse of approval. A six month extension may be granted at the discretion of the zoning administrator. Further extensions may be authorized only by board of supervisors' approval upon the applicant showing a good cause.*
5. *The tower owner will notify Charlotte County of any additional equipment placed on the tower after the tower is put into operation and will obtain a building permit from the County for the installation of said equipment.*
6. *The tower owner shall be responsible for restoring the existing driveway to its original condition or better if it is damaged as a result of the work associated with the proposed project or due to subsequent use by the tower owner and/or his agents.*
7. *Any infraction of the above-mentioned conditions may lead to a stop order and revocation of the Conditional Use Permit, if it be the wishes of the Charlotte County Board of Supervisors.*

#### **Zoning Amendment for Retreats**

Kenny Howard made the motion to recommend approval of the Zoning Amendments for retreats as presented in the staff report for the joint public hearing. Eugene Wells seconded the motion and the motion carried with all members present voting yes.

#### **Zoning Amendment for Development of Nonconforming Lots**

George Sandridge made the motion to recommend approval of the Zoning Amendment to replace the language in §11-3-2 regarding the Development of Nonconforming Lots as presented in the staff report for the joint public hearing. Clark Poindexter seconded the motion and the motion carried with all members present voting yes.

#### **Zoning Amendment for Solar Proximity to Town Boundaries**

David Watkins inquired about references in the staff report regarding the ¼ mile Residential District that provided towns a buffer from solar development. Staff explained that zoning did not currently allow for utility-scale development in the Residential Zoning District which extends ¼ mile from all town boundaries. Therefore, this provided towns a ¼ mile buffer from utility-scale solar development although landowners could apply to rezone.

David Watkins and Andrew Carwile both addressed the possibility of incorporating a requirement to maintain a minimum ½ mile distance from town boundaries to provide additional buffer.

Donna Fore, member of the Board of Supervisors, expressed concerns about providing the Board authority to apply the town proximity regulation at their discretion for all future projects.

Commissioners inquired about altering the project design to meet the one mile setback. Staff reviewed the conditional use permit process, explaining that each utility-scale solar application would still undergo a review process that included public hearings with citizen comment opportunities.

Kay Pierantoni inquired about meeting with the towns and the developer to discuss the amendment. Staff reported that the towns had been notified of the hearing and the opportunity for input, but the only response received was from Keysville Mayor Steven Morris who had expressed his personal opposition. Commissioners and Board representatives inquired about the COVID-19 pandemic's impact on town meeting schedules. After further discussion, the Commission requested that staff contact the towns again for input.

Kenny Howard then made the motion to table the issue to give the towns time to provide input. George Sandridge seconded the motion and the motion carried with all members present voting yes.

### **Zoning Amendment for Solar Density**

Chairman Haskins called on Francis Hodsoll with SolUnesco for public comment. Mr. Hodsoll stated that he anticipated the County would see only one or two solar projects that would exceed the 3% density. He indicated that through the application review process he could respond to specific comments and concerns about the Randolph Project. Mr. Hodsoll also talked about engaging the community through the review process and requested the County allow the application to move forward by adopting the zoning amendment.

Kay Pierantoni stated that she saw this amendment differently from the proposed town proximity amendment because it did not impact the towns specifically and the amendment would allow for a full project review, providing all citizens an opportunity to speak to the project.

Eugene Wells made the motion to recommend approval of the proposed Zoning Amendment to amend §10-23-5 of the Zoning Ordinance as presented in the staff report for the joint public hearing. George Sandridge seconded the motion and the motion carried with all members present voting yes.

David Watkins then expressed concerns about holding the hearings during the COVID-19 pandemic and the low attendance.

Andrew Carwile directed questions to Francis Hodsoll regarding the number of landowners involved in the Randolph Project and the number of residences on the properties. Mr. Hodsoll did not have exact figures available.

George Sandridge made the motion to adjourn. Motion was seconded by David Watkins and carried with all members present voting yes.