

Guilford County Planning Board

June 13, 2012

The Guilford County Planning Board met on Wednesday, June 13, 2012 at 6:35 p.m., Old Guilford County Courthouse, County Commissioner's Meeting Room, Second Floor, Greensboro, North Carolina. There was a brief Business Meeting prior to the regular session.

Members Present: Mr. Deal, Chair, Mr. Derrickson, Mr. Wood, Mr. Leonard, Alt, Mr. McKinney, Ms. Munden, Mr. Nelson, Ms. Bailey

Also Present: Les Eger and Tonya Hodgin, Planning Staff.

Chair Deal explained the policy and procedures to be followed by the Board for all cases coming before them. Appeal of any decision is due within fifteen (15) days to the County Commissioners. Speakers from both sides will be allowed twenty (20) minutes, regardless of the number of speakers and all speakers must be sworn in.

Chair Deal congratulated Al Leonard on his appointment to the Board.

Approval of minutes:

Mr. Wood moved to approve the minutes of the May 9, 2012 meeting as written, seconded by Ms. Bailey. The Board voted unanimously in favor of the motion.

PUBLIC HEARING ITEM:

- A. REZONING CASE # 12-05-GCPL-02033: CU-PDM to revised CU-PDM LOCATED on the west side of Hwy NC 61 approximately 1.1 miles north of the Herron Road Hwy NC 61 intersection in Rock Creek Township. BEING Guilford County Tax Parcel # 0106945 & 0106952, approximately 89.58 acres owned by Donald R. Holcomb. (APPROVED)**

Les Eger stated that this request is to amend the current CU-PDM district modifying locations of residential structures, adding sales of goods off-site and solar facilities use conditions and changing site conditions of retail to permit up to 40 % of retail sales area for goods produced off-site. The PDM District is intended to accommodate residential, commercial and light industrial uses developed on large tracts in accordance with the Unified Development Plan. The proposed use of the property is for a care facility for physically and developmentally delayed handicapped residences and agricultural production of crops, livestock and goods for on-site and off-site retail sales and solar facility.

There are four conditions related to this proposed use:

- 1) Permanent residents will have care provided 24 hours a day, 7 days a week.
- 2) Retail sales will be limited to 2,500 square feet of space.
- 3) Retail sales of non-agricultural product not grown or produced on-site shall not exceed 40 % of the total retail sales area.
- 4) Guest residential facilities will be limited to on-site operations.

Staff recommends approval of this amended PD-M request to allow the applicant to move forward with the amended plans for the residential care facility for mentally and physically handicapped citizens. As with the previously approved PDM, impacts to Lake MacIntosh and surrounding residential areas will be minimal.

There was no one speaking in favor or in opposition to the request and the public hearing was closed.

Mr. Wood moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on Guilford County Tax Maps 010695 and 0106952 from CU-PDM to Revised CU-PDM, to be consistent with the adopted Rock Creek Area Plan and considers the action reasonable and in the public interest because it is generally consistent with the Land use category indicated for the property on the Rock Creek Area Plan Future Land Use Map, seconded by Ms. Bailey. The Board voted unanimously, 7-0, in favor of the motion and the rezoning request was approved. (Ayes: Deal, Nelson, Wood, Leonard, Derrickson, Munden, and Bailey. Nays: None.)

**B. REZONING Case # 12-05-GCPL-02012: AG to CU-LI
Located on the west side of Smithwood Road approximately 1,800 feet north of Bobby Jean Road in Green Township. BEING Guilford County Tax Parcel # 0111258, approximately 306 acres owned by Michael P. Langlois (APPROVED)**

Les Eger stated that this request is to rezone approximately 3.06 acres from AG to CU-LI for an existing machine shop use. The use is limited to Metal Processing (Machine Shop) use. The land uses in this area are primarily large residential tracts, working farms and wooded areas. Causey Airport and the former Fran's Front Porch Restaurant are approximately ½ mile south of this request on Smithwood Road. Also south of this request, on Bobby-Jean Road, is a non-operating Rural Family Occupation (RFO) approved for a Machine Shop. Staff recommends approval of this request as it was generated in order to bring the use on the property into compliance with the Guilford County Development Ordinance. Conditions and use limitations of this request resemble Guilford County Rural Family Occupation Standards (RFO). If approved, the conditions will mitigate any impacts on adjacent uses and the area, and will permit the continued operation of a low-impact use while offering employment opportunities in this portion of Guilford County.

Chair Deal asked if there was anyone wishing to speak in favor of the request.

Michael Langlois was sworn in and stated that two years ago they started their own product line, Aero Racing Engines and manufacture small 2-cycle engines for use in remote control airplanes that fly in speeds in excess of 200 mph. During the first year they sold 250 engines to customers in 20 different countries. Their engines have been used world-wide in competitions and have produced a number of first-place winners. Twenty years ago, Air Precision Machine was started at its current location in an 800 square foot building. At that time, he planned to move the business if and when there was an increase and a need for more space. There are currently 9 people employed and the business is at the point where the business could become more efficient by moving into a larger building. It is hoped that the Board will approve the rezoning request so that they can continue to operate at the current location. Several of their employees walk to work and other employees drive an average of less than 10 miles to work. The facility was developed to keep a rural, inconspicuous feel without intrusion to other properties nearby. They intend to follow the RFO standards and the guidelines are stated in their conditional use

requirements. They wish to correctly conform with Guilford County regulations that apply to buildings in a company their size. There is a low impact on surrounding properties and they have talked to the neighbors and there has been no one in opposition to the request. There have been no issues or complaints throughout the 20 years they have been in operation. The current location of the business has the lowest possible impact on the environment and puts the least demands on law enforcement and the public infrastructure and provides high-paying jobs to people in a part of the County with limited job opportunities. Moving the business would have a negative impact on their current customers.

Charles Causey, President of PMA Products, was sworn in and stated that he has known Mr. Langlois and Aero Precision Machine from the beginning of the businesses start-up. The ability to produce parts that are needed and in a timely manner has been integral to the success of his business. Aero Precision Machine produces about a hundred different parts for his company, some of which involve many different processes and very close tolerances. Some involve such technical difficulty that other machine shops are unable to produce them for him. The convenient location of Mr. Langlois' shop has been very necessary throughout the years. Also, being so conveniently located has helped the local farmers and dairymen in the community that were able to use their facility, which saved them precious time and money in their daily repairs of machinery. The business and Mr. Langlois' family are an asset to this community. They are true neighbors and their business is part of that neighborly attitude.

Sid Wray, 6015 Smithwood Church Road, was sworn in and stated that he is also a neighbor of Mr. Langlois and his family for about 24 years. He is in support of the request for the rezoning of the property. The proposed rezoning will have minimal impact to the surrounding neighbors.

Allen Griffin, 6039 Smithwood Church Road, was sworn in and stated that he works for Mr. Langlois and lives directly across the street. His family moved to that area in 1976. His parents live behind him and his sister lives next door. They are all very happy to see them at this location, as they know they are going to be good neighbors for a very long time. They are also glad to see the business growing and expanding. They are in support of the request.

Lee Roy Keck, 2416 NC 62 East, Julian, NC, was sworn in and stated that his farm adjoins the Langlois farm and he was in the dairy business for 51 years. He had an accident several years ago and sold out. The Langlois business has been very convenient and came to their rescue several times and they appreciate the business being located on this property.

Mike Langlois returned to the podium and stated that he appreciate the comments made by his neighbors and appreciates the Board listening to this case. He also thanked Les Eger for helping with this case as he as been very generous with his time and expertise.

Mr. McKinney stated that he wished the record to show that he arrived for the remainder of the meeting during the proceedings of this case.

There being no one speaking in opposition to the request, the public hearing was closed.

Ms. Munden moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on Guilford County Tax Map 0111258, from AG to CU-LI, to be consistent with the adopted 1986 Comprehensive Plan and considers the action to be

reasonable and in the public interest because it is generally consistent with the land use category indicated for the property on the 1986 Comprehensive Plan, seconded by Mr. Derrickson.

Mr. Woods offered a friendly amendment to the motion that reads, "The request is inconsistent with the adopted 1986 Comprehensive Plan. Although the request is inconsistent with the adopted 1986 Comprehensive Plan, it has been determined that zoning the property to CU-LI is compatible with the surrounding area and uses. Ms. Munden accepted the friendly amendment as stated, seconded by Mr. Derrickson. The Board voted unanimously, 7-0, in favor of the motion. (Ayes: Deal, Derrickson, Munden, Wood, Nelson, Leonard and McKinney. Nays: None)

REZONING Case # 12-05-GCPL-02003: Haw River Water Supply Watershed Zoning Overlay. (RECOMMENDED)

The proposed overlay shall apply to a point approximately 10 miles upstream of the City of Greensboro's intake to the City of Greensboro's intake, which is located approximately 650 feet upstream of Brooks Bridge Road. **(RECOMMENDED)**

Les Eger stated that this is the Haw River Watershed Overlay. This request is to establish the Haw River water supply watershed overlay district to implement the state mandated Haw River water supply watershed. The location of the request is in the packet and is an area that primarily takes up the northeast corner of Guilford County and described in the packet and notice has been sent to all the property owners within that area. This area is primarily Low density Residential, farms and other vacant open space areas. Staff recommends approval of the request. The proposed overlay does not change the underlying zoning district for anyone in the area or change any currently permitted uses for any property within the district, rather, the overlay is being mandated by the state to protect water supply watershed for any new development in the Haw River Water Supply Watershed area. Matt Williams, Watershed Engineer for Guilford County is available for any questions by the Board members.

Les Eger stated that he could also go ahead and relay information on the text amendment that accompanies the overlay. There would be a need for 2 separate votes.

Mr. Wood stated that, as mandated by the State of North Carolina, he moved approval of the Haw River Water Supply Zoning Overlay, Case # 12-05-GCPL-02003, seconded by Mr. Derrickson. The Board voted 5-2 in favor of the motion. (Ayes: Leonard, Wood, Munden, Derrickson, McKinney. Nays: Deal and Nelson.)

TEXT AMENDMENT Case # 12-05-GCPL-02004: The Haw River Overlay text amendment.

The proposed overlay text amendment will increase stream buffer requirements and reduce the maximum built upon area for high-density sites only (sites greater than 24% built-upon area). **(RECOMMENDED)**

Les Eger stated that this request is for the recommendation of the water supply Watershed Protection Act of North Carolina General Statute 143-214 (A), which requires local governments having local jurisdiction within the water supply watersheds that have adopted and implemented land use ordinances that would at least meet the minimum requirements of the state mandated water supply watershed. The text amendments that are proposed meet those minimum

requirements by the state. Staff recommends approval as it is mandated that they be adopted and implement them in the ordinances for Guilford County.

Mr. Wood asked if these are stricter than the state or the same as the state regulations.

Matt Williams stated that right now the Haw River Watershed Overlay is just adopting what the state has required be adopted. They are not trying to do anything above and beyond that. The whole watershed ordinance is, maybe a little more stringent on the Tiers, but he cannot speak to all the ins and outs, as they were created before he came with the County.

Chair Deal asked if there was anyone wishing to speak in favor of the request and no one came forward.

Chair Deal asked if there was anyone wishing to speak in opposition to the request.

Gary Swing, 6512 McLeansville Road, stated that he is speaking on behalf of Thomas and Pauline Chrismon of 7926 Hub Road, Browns Summit, NC. For health reasons they are unable to attend the meeting themselves. It is understood that water quality is a priority to the health and well-being for all the citizens of Guilford County. In reality, this proposal will result in taxing every landowner in the proposed area and by implementing the overlay, you are doing so by design criteria that will be implemented by this overlay. He submitted that when any property is developed, the water quality structures that will be required is imposing a hidden cost to all future development in the overlay. You are also restricting areas that could have been developed, as well, with the increased stream buffers and the maximum built-upon areas. With the dimensions that have been presented, this area is approximately 5,000 acres. If you spend \$1,000 per acre for water quality structures, there is an additional cost of tax of \$5M to the property owners in this area. Also, if you lose 20% of the land areas to buffers and maximum built-upon areas and if the property is priced at \$5,000 an acre, this is an additional cost to be incurred at \$5M dollars for a total cost to occur for future land owners of \$10M dollars. There is probably another 1,000 acres upstream that will be affected by these rulings, as well. If you do the math, that's another \$2M dollars. You are asking the landowners here to just roll over and agree with no compensation for this hidden taxation and/or future costs. He proposes, in the best interest of the current and future land owners, to create a pool of monies that could be utilized for future development costs, as well as land that will be lost to buffers for farming that are hidden by the overlay. This pool should be at least \$10M dollars. At the very least, you should table this overlay and get more input from the community, as well as schedule community-wide meetings to let the citizens of the community know the full financial impact of this overlay. By not performing your due diligence here, you are putting Guilford County in a situation of jeopardy. If no one receives compensation by creating this overlay, you are not performing your fiduciary responsibility by doing what is in the best interest of the citizens of the County, as a whole.

Mr. Derrickson asked Mr. Swing where he got his facts and figures and projections, as far as the taxes.

Mr. Swing stated that he is in the construction business and he feels he is being conservative at \$1,000 dollars an acre for the water quality structure. Upon further questions, Mr. Swing stated that it can be very easily researched.

Mr. Wood stated that he was a County Commissioner about 20 years ago when the rates were written and he does not write them and it has not interfered with development around the lakes in Guilford County. People are still developing and he is in total disagreement with Mr. Swing's figures.

Chair Deal stated that Mr. Swing does have a valid point that not too much goes on that does not have an impact on water quality.

Matt Williams stated that there is still 24%, even with the new rules. The only difference is, now when there is high density, there is a 100 foot buffer on perennial streams for high density and in the watershed critical area, there is a limitation of 50% built-upon and in the general watershed area it is limited to 70% built-upon.

There being no other speakers, the public hearing was closed.

Mr. Wood stated that, as mandated by the State of North Carolina, he moved approval of the Haw River Overlay Text Amendment Case # 12-05-GCPL-020004, seconded by Mr. Derrickson. The Board voted 5-2, in favor of the motion. (Ayes: Derrickson, Munden, Wood, Leonard and McKinney. Nays: Nelson and Deal.)

TEXT AMENDMENT Case # 12-05-GCPL-02008: Jordan Lake Watershed Nutrient Rules.

The proposed text amendment applies to all lands and waters draining into the Jordan Lake Reservoir. Nutrient removal rules for new development must be adopted to meet the minimum state mandated Jordan Water Supply Nutrient Rules. **(RECOMMENDED)**

Les Eger stated that this is for the Jordan Lake Watershed amendments from the State. The Jordan Lake revision to the development ordinance are legal mechanisms used to enforce these standards of new development projects greater than one (1) acre, disturbed for single family residential or ½ acre disturbed for commercial, industrial and multi-family development. The Board packages lists all the sections within the development ordinance where it would be amended and all are within Chapter 7. A copy has been provided for each Board member. It is important to remember that this proposed amendment seeks to implement state mandated Jordan Lake Nutrient Rules for portions of Guilford County that drain into the Jordan Lake Reservoir. Maps provided show the areas impacted. Staff recommends approval of this mandate to help protect waters of the Jordan Lake watershed.

Chair Deal asked if there was anyone wishing to speak in favor of or in opposition to this matter and no one came forward. The public hearing was closed.

Mr. Wood stated that, as mandated by the State of North Carolina, he moved approval of Case 12-05-GCPL-020008, Jordan Lake Watershed Nutrient Rules, seconded by Mr. McKinney. The Board voted 5-2, in favor of the motion. (Ayes: Derrickson, Munden, Wood, Leonard and McKinney. Nays: Nelson and Deal)

SPECIAL USE PERMIT

- C. REZONING Case # 12-05-GCPL-02015: AG to AG-SP (Solar Facility)
 Located on the north side of Hwy NC 62 East approximately 1,000 feet east of Hwy. NC 61 in Greene Township. Being Guilford County Tax Parcel # 0109480, approximately 42 acres, owned by Todd Fogleman. (APPROVED)**

Les Eger stated that is Special Use Permit Case # 12-05-GCPL-02015, and is a request for a solar farm facility as shown on the maps provided in the packets. There are conditions shown on the map as part of the packets. The location of the proposed solar facility is in a portion of Guilford County that is primarily Low Density Residential Farms and Single Family Residential Structures. In preparing for this case, staff looks at the following: there are no land use plans available for this portion of Guilford County; the 1986 Guilford County Comprehensive Plan designated this area for farm and low density residential uses with no updated plans for this area. The surrounding land uses and zoning is what is used in formulating decisions for solar facilities and solar facilities are a use that is permitted in the AG district in Guilford County, however, they need a Special Use Permit approved with them. During the consideration for the Special Use Permit, the Planning Board must determine the following findings of fact have been satisfied, based on relevant and credible evidence presented, that the use requires a Special Use Permit under the Development Ordinance; with a recent text amendment to the Development Ordinance solar facilities, as primary uses, such as this, do require a Special Use Permit.; that the proposed conditions meet or exceed development standards required of the Development Ordinance; this request has been before the Guilford County Technical Review Committee and they found that it does meet the intent and standards for the Development Ordinance for a project in Guilford County, such as the solar facility in the AG zoning district; the use, as proposed, or the use as proposed subject to additional conditions, as the owner may proposed or the Planning Board may impose, is consistent with the purpose of the district and compatible with the surrounding uses; that the Special Use Permit shall be granted when each of the following findings of fact have been made by the Planning Board; a) that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted, b) that the use will not substantially injure the value of adjoining or abutting properties or that the use is a public necessity, c) that the location and character of the use, if developed according to the plans submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan and development for this jurisdiction. After reviewing the proposed development, staff offers the following: the solar facilities are represented by an "S" for a Special Use Permit in the Guilford County Development Ordinance; that the Plan and conditions meet the intent of the Guilford County Development Ordinance for solar facilities in the Agriculturally zoned properties; and, that the solar facility, as presented, meets the intent of uses within the Agricultural district upon approval of a Special Use Permit.

Chair Deal asked if there was anyone wishing to speak in favor of the request.

Mr. Westcott left the meeting at 7:40 p.m.

Mike Fox, attorney representing the applicant, presented handouts for the Board members' review. He stated that the property is entirely in southeast portion of Guilford County and Sunlight Partners and their subsidiary, NickSolar, LLC. In their request for a Special Use Permit. The handouts consist of a booklet which details the information related to their application. It is located near U.S. 62 and U.S. 61.

Keith Colson, 4215 McDowell Rd, Mesa, AZ, stated that SunLight Partners has been in business for about 2 ½ years and the key employees have many years of solar experience and the company is owned by Kate Street Financial, which is a private equity fund that is backed by about \$1.6M dollars. They invest solely in renewable energy and SunLight Partners is the solar arm for this organization. The solar farm is designed to harness the energy from the sun, convert it into clean electricity and provide that resource to the local community. There are four basic components which were described in the booklet presented to the Board members. Photos were also available in the booklet. In a solar farm there are solar panels, a racking system to hold the panels on, inverters and wires to tie it all together. The maximum height for the panels would be between 5 and 8 feet, depending on the topography. The only noise on the site would come from the inverter and that would be a very low sound at about 68 decibels, similar to a vacuum cleaner or a normal conversation. The inverters would be about 350 feet away from the closest residential structure and would cause no more noise interference than a whisper. Once the solar farm is up and running, it would be visited 2 times a year for routine maintenance issues, unless there should be a catastrophic storm, which might tear down some of the panels. A regular agricultural farm would have more traffic than the proposed solar facility. It is possible that the site would be decommissioned after about 30 years if needed. There is a decommissioning plan in place where the panels are removed, the poles are extracted, pull the wires out and the property would revert back to its original condition. Cement used for the inverter pads would be removed. Studies have shown that the decommissioning process is a money-maker so the owner of the property is urged to revert the site back to original condition. In the State of North Carolina, 61 % of the electricity produced is produced by petroleum products, 31 % of the energy produced is by nuclear facilities, so 8 % is clean energy and the goal is to increase that number. There would be increased revenues for the County from the property taxes. Solar farms do not have any negative impact on the environment and there have been no studies showing safety risks to the local community related to solar farms.

Brad Randal, a part of SunLight Partners, stated that he has a law degree and is also a certified appraiser for 8 years in Arizona and Utah. He is involved in the real estate aspects of the solar farms produced in North Carolina. Based on his research, there is no evidence showing that solar farms negatively impact property values. There is limited data that is related to roof-top installations on residential and commercial structures and those indicate that their property values are impacted positively. There is no excess noise, pollution, traffic, a smell or odor related to solar farm to neighboring properties. In response to questions by Mr. McKinney, Mr. Randal stated that there will be a significant buffer surrounding the property as they try to design them so that they have a minimum impact, visually, on the neighboring properties.

Keith Brodderick, President of Civil Designs located at 3817 Lawndale Drive, Greensboro, NC and he is a licensed PE in NC with over 30 years of experience. His firm has been contracted by SunLight Partners to develop a preliminary site plan, which conforms to the Guilford County Development Ordinance. In particular, Section 6.4-84, Solar Collectors Principle, a copy of which was included in the handout. This section of the ordinance lists five requirements that must be met: 1) where a solar array can be required in the AG, PI, LI or HI zonings only. This property is fully located in AG zoning. This property is not located within an area with a designated land use plan for the County. The proposed use conforms to the zoning requirements. 2) Use separation, no solar collectors shall be located within 100 feet of any residential structure. There is 350 feet

between the proposed property and residential uses. 3) Maximum Height of 25 feet as measured from the grade at the base of the structure to the apex of the structure. The proposed arrays will be approximately 5 feet to 8 feet high, which is well below this maximum requirement.

4) Screening: solar collectors and associated outside storage shall be completely screened with a vegetative buffer from view from all streets and adjacent residential uses. Required screening will be a Type B planting rate, except under-story trees may be substituted for canopy tree requirements. The planting yards are shown on the site plan. A detailed landscape plan will be developed with plantings meeting the minimum Type B requirements and existing trees will be utilized to meet the planting yard requirements. 5) Parking: A minimum number of parking spaces associated with this use or maintenance of the facility shall be determined at 2 spaces per 3 employees at the largest shift, plus one for a vehicle operation on-site. The operation and maintenance personnel for this site has been previously discussed as sparse and infrequent. In addition to these specific requirements, other development issues have been addressed on the preliminary site plan which include watershed, the site is located in both the Lake MacIntosh and Guilford County Phase II watershed areas. Since the panels are located off the ground, and the ground underneath the panels will still be turf or grass, which will be maintained on a regular basis, this is not considered an impervious surface. This conforms with the low density development standards of the ordinance. An Erosion Control permit will be obtained prior to construction and erosion control devices will be installed prior to any land disturbance. The land disturbance will be minimal and will involve the construction of the parking area, trenching of the cable end along the arrays will be minimal and the installation of the panels, themselves, will be minimal land disturbance. Site access will be available through a 20 foot wide all-weather surface will be provided for emergency services access and the drive will be partially paved from the edge of existing Highway 62 to within just beyond 10 feet of the right-of-way line. An NCDOT permit will be obtained for connection to the highway. There would be no water or sanitary sewer requirement for this installation. The site will be secured using a 6 foot chain link fence along with gates to secure the property. The site plan has been reviewed and approved by the Guilford County Technical Review Committee.

Todd Fogleman, the landowner, stated that he is in favor of this project. This land has been in his family since 1898, and has always been farmed. He does not farm the land and his father is going to retire and he needs to do something with the property and he does not wish to sell it. There are 3 of his neighbors who came to the meeting and they are in support of the use.

Mike Fox stated that the ordinance requires additional buffering for any adjacent residential uses or a view from the street and the property will be properly buffered. There is also the possibility that a berm will be installed to help with visibility. It is felt that they have provided adequate evidence that this proposed solar farm will not endanger or disturb the surrounding properties.

Chair Deal asked if there was anyone wishing to speak in opposition to the application.

Brian Alcorn, 3451 NC Hwy. 62 East, was sworn in and stated that he also has photographs to present for review. Some of his concerns are real estate value impacts on his property. He does not feel that there is enough data and feels that solar farms are too new to be able to make a determination on whether they have a detrimental impact on surrounding properties or not. He

is also concerned about the noise coming from this property and the prevailing winds blow directly toward his house. There is also concern about water run-off from the property to his property. He does not know whether that will increase or not. He is also concerned about glare from the sunlight hitting the panels and shining on his house. Several of the neighbors he has talked with are not in support, but he has not talked to everyone. In the winter his trees lose their leaves and he would have a direct view onto this property. There may be problems with radiation from the panels and electromagnetic issues may be a problem, but there again, there is no data to prove or disprove that. Another issue would be ice storms taking the trees down and then he would have no protection. He wondered who be responsible for replanting them and how long would it take for them to grow to a sufficient height to give him protection. He is mainly concerned about the overall health and safety of his family.

There being no other speakers, the public hearing was closed.

Mr. Wood stated that after considering the evidence presented in regard to the application for a Special Use Permit, he moved that this Board finds with credible evidence, that the Special Use Permit be approved, subject to the site plan and all applicable conditions in supporting this decision, in regard to Case 12-05-GCPL-020015, AG to AG-SP (Solar Facility). The following findings, one of the conditions is that the panels not to exceed 8 feet with 1 foot of leeway which the coordinates allow; that the proposed use requires a Special Use Permit under the Development Ordinance and the proposed conditions meet or exceed the development standards found in the Development Ordinance; the use, as proposed and/or agreed to and/or as the Planning Board imposed, is consistent with the purposes of the district and compatible with surrounding uses, that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan, that the use meets all required conditions and specifications, that the use will not substantially injure the value of adjoining or abutting properties or the use as a public necessity. The location and character of the use, if developed according to the plans submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of this jurisdiction and its environs. Therefore, he moved that this request for a Special Use Permit will follow all applicable conditions and subject to the site plan be approved, seconded by Mr. Derrickson. The Board voted 5-2, in favor of the motion. (Ayes: Deal, Derrickson, Wood, Leonard and Nelson. Nays: Munden, McKinney.)

REZONING Case # 12-05-GCPL-02021: AG to AG-SP (Solar Facility)

Located on the west side of Liberty Road approximately 3,500 feet north of Field-Horney Road in Fentress Township. BEING part of Guilford County Tax Parcel # 013332, approximately 69.4 acres, owned by William Rankin. **(CONTINUED TO JULY MEETING)**

OTHER BUSINESS:

None.

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ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 9:07 p.m.

Respectfully submitted,

Jeffery Deal, Chairman

Les Eger, Secretary to the Board

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