Town of Fairview

PLANNING AND ZONING BOARD

Agenda

March 17, 2020 @ 6:30 p.m.

Meeting will be in the Fairview Town Hall Meeting Room

1. Roll Call and Determination of Quorum --- Chair Randall
2. Public Comments
3. Report on Council actions: ---Ed Humphries
4. Business:
   a. Review present solar energy facility ordinance and updated draft
   b. Discuss short-term rentals and review options to include in an ordinance
   c. Review page 2 of the Fairview Comprehensive Plan
5. Approval of Previous Minutes:
   a. February 18, 2020---Regular meeting
6. Public Comments
7. Adjourn

Review Solar Farm Ordinance

2

1. The Wind Energy Facility Owner shall have 6 months to complete decommissioning of the Facility if no electricity is generated for a continuous period of 12 months.

2. Decommissioning shall include removal of wind turbines, buildings, cabling, electrical components, and any other associated structures required by staff.

3. Disturbed earth shall be graded and re-seeded.

(Amended March 2012)

Section 180P Solar Energy Facilities

1. **Minor Solar Energy Facilities:**
   a. Minor solar facilities shall be allowed in all zoning classifications

   b. Minor free-standing facilities must comply with accessory structure setbacks and spacing.

   c. Minor rooftop solar energy facilities shall not be considered as rooftop equipment on any building type and therefore, do not require screening and are not subject to any architectural standards that would prohibit reflective materials.

2. **Major Solar Energy Facilities**
   a. Shall require the issuance of a Conditional Use Permit and in addition shall include the following:

      i. Placement of solar panels shall be based on preserving existing features to the extent practical.

      ii. Major solar energy facilities are exempt from any parking requirements in the Fairview Zoning ordinance if there is no commercial or office building component.

      iii. Setbacks
         1. Shall meet the minimum required setbacks for the underlying zoning district.
         2. Shall be a minimum of 20 feet from any property line.

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iv. Height:

1. Free standing major solar facilities shall be a maximum of 8 feet in height as measured from the grade at the base of the structure to the apex of the structure.
2.

a. The minimum lot size requirement for major solar facilities is 2 acres.

b. Glare resistant solar panels shall be used if the solar facility is adjacent to any airport and Certification of any FAA requirements.

c. Rooftop major solar energy facilities should not be considered as rooftop equipment on any building type and therefore, does not require screening and are not subject to any architectural standards that would prohibit reflective materials.

3. **Decommissioning**

a) The Solar Energy Facility Owner shall have 6 months to complete decommissioning the Facility if no electricity is generated for a continuous period of 12 months.

b) Decommissioning shall include removal of panels, buildings, cabling, electrical components, and any other associated structures or equipment.

c) Disturbed earth shall be graded and re-seeded.

(Amended March 2012)

Section 180Q Electronic Gaming Operations

Except as authorized herein, electronic gaming operations are prohibited.

A. Electronic gaming operations are permitted as a Conditional Use (C) in the Light Industrial (LI)

B. In addition to the regulations provided for elsewhere in this code, electronic gaming operations shall be subject to the following requirements:

1. Hours of Operation. Electronic gaming operations may operate from 8:00 a.m. until 10:00 p.m., seven (7) days per week;

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Sec. 180P - Solar electric power generation.

The following development standards shall apply to the construction of any solar facility designed to generate electricity for a commercial purpose. Any solar facility on properties less than ten (10) acres, and or any solar facility containing battery storage shall be prohibited:

a. A site plan, signed and sealed by a professional engineer licensed pursuant to Chapter 89C of the General Statutes shall be prepared in accordance with section 12-33(a). The site plan shall show the location of any structures within one hundred (100) feet of the property line, and it shall also demonstrate compliance with the other standards in this section.

b. A landscape plan, signed and sealed by a professional landscape architect licensed pursuant to Chapter 89A of General Statutes shall be prepared demonstrating compliance with this chapter.

c. Natural woodland buffering shall be installed between the security fence and adjacent non-participating property and the road right-of-way, prior to the operation of any solar equipment. Natural Woodland Buffering shall be planted at a depth of one hundred (100) feet consisting of species native to Town of Fairview with a mixture of ornamental evergreen trees.

    1. The aforementioned natural woodland buffer area shall consist of a maximum 75% native pine trees.
    2. Trees within the natural area shall be installed at a minimum of one (1) tree per 100 square feet. Use of existing vegetation is encouraged.
    3. In addition to the above mentioned density requirements ornamental evergreen trees shall be installed within the natural woodland buffer one (1) tree per three hundred (300) square feet.
    4. Ornamental evergreen trees shall be installed at six (6) feet planted height.
    5. Reference Nonnative Invasive Plants of Southern Forest by the United States Department of Agriculture for examples of species.

d. Security fencing shall be installed around the perimeter of the solar facility. The fencing shall be a minimum of six (6) feet in height, chain link or other fencing sufficient to ensure no public access, and equipped with a gate and locking mechanism.

e. Setbacks shall be measured from the security fencing:

    1. One hundred (100) feet from any non-participating property;
    2. Two hundred (200) feet from any street right-of-way, habitable dwelling, or residentially zoned property.
    3. Five Hundred (500) feet from the right-of-way of any arterial street; and
    4. One thousand (1,000) feet from the right-of-way of a NCDOT Scenic Byway.

f. Maintenance: Natural woodland buffer, fencing, gates and warning signs shall be maintained in good appearance and safe operating condition. The site shall be compliant with the adopted

ordinance and all approved permits until the facility is decommissioned pursuant to subsection (i) below.

g. Emergency Access: Current contact information for the facility owner and lessee if applicable, shall be posted at a visible location at each gate accessing the facility including:

1. Name,
2. Contact phone number,
3. Address,
4. Emergency contact phone number.

Facility owner shall further file an annual statement by February 1 of each year with the Town of Fairview Planning Department containing the information listed in subsections (1) through (4) above.

h. Federal, State, and Local Requirements: Following issuance of a conditional use or zoning permit and prior to issuance of a building permit for construction of a new solar facility, the applicant shall supply documentation to the Planning Department that all necessary federal, state, and local approvals have been obtained and notifications have been made pursuant to applicable federal and state requirements for building a new solar facility. At a minimum, these shall include:

1. A Boundary Survey signed and sealed by a professional surveyor licensed in North Carolina showing compliance with the standards of this chapter submitted to the Planning Department;
2. A site plan showing emergency access shall be submitted to and approved by Union County Emergency Management;
3. Official documentation demonstrating compliance with any permitting required from the North Carolina Department of Environmental Quality (NCDEQ);
4. Official documentation demonstrating compliance with any permitting required from the National Environmental Policy Act (NEPA);
5. Official documentation demonstrating compliance with the Endangered Species Act (ESA).

i. Decommission:

1. A decommissioning plan shall be signed and sealed by a professional engineer licensed pursuant to Chapter 89C of the General Statutes and submitted to the Town of Fairview Planning Department prior to the issuance of a zoning permit or conditional use permit (example provided at the end of this Section 12-160): the decommissioning plan must be signed and notarized by both the owner/operator of the solar facility and the land owner. However, nothing about the issuance of a Conditional Use or Zoning permit, including a decommissioning plan, relieves the landowner of the obligation to remove the equipment as outlined in the Conditional Use or Zoning permit.

2. The decommissioning plan must be renewed, signed, and notarized by the facility owner/operator and the land owner every five (5) years from the time the permit is issued, or upon any change of the solar facility ownership or land ownership.
3. An estimated net cost of decommissioning, inclusive of salvage proceeds, is required and shall be prepared by a professional engineer, licensed pursuant to Chapter 89C of the General Statutes. The estimated net cost shall be revised on each decommissioning plan renewal every five (5) years and should account for inflation, deflation, and depreciation.
4. Decommissioning shall include, but not necessarily be limited to the removal and disposal of solar panels, buildings, cabling, electrical components, roads, fencing, and any other associated facilities down to thirty-six (36) inches below grade. Further, the land shall be reasonably rehabilitated unless an agreement is reached with the land owner to leave as is.
5. Prior to the issuance of any building permits or electrical permits, a surety bond naming Town of Fairview as beneficiary shall be posted for one-hundred and twenty-five percent (125%) of the estimated net cost of decommissioning established within the approved Decommissioning Plan, or twenty-five percent (25%) of the estimated decommissioning cost excluding salvage value, whichever is greater. The surety bond shall be renewed every five (5) years at the same time the decommissioning plan is renewed.
6. The Town of Fairview Planning Department shall perform a re-validation inspection at minimum once every five (5) years from the date of the issuance of a permit to ensure that the solar facility remains in compliance with all standards of this chapter and the surety bond is valid.
7. A copy of the sales contract for electricity, with any information made confidential by state or federal law redacted, shall be submitted to the Town of Fairview Planning Department prior to obtaining a building permit, naming the buyer of electricity, the seller of electricity, and the beginning and end dates of the contract.
8. If the owner/operator of the solar facility fails to ensure the removal of the equipment within six (6) months after commercial power production ceases for a period of twelve (12) continuous months, the landowner shall be in violation of the Conditional Use or Zoning permit, and be subject to the penalties set forth in section 114.
9. Each day that the violation continues after notification to the landowner by the administrator, shall be considered a separate offense for purposes of penalties and remedies.

j. Enforcement by injunction, abatement and liens.

1. In addition to any other remedies or enforcement methods allowed by any law, if a violation continues under section 114, the violation may be enforced by an order of abatement issued by the general court of justice for failure of the landowner to correct the unlawful condition of the property. Upon issuance of an abatement order by the general court of justice, a landowner must comply with the order within the time limit

specified. If the landowner fails to do so, the county may take steps necessary to correct the condition of the property. The cost to correct the condition shall be a lien on the property in the nature of a mechanic or material man lien.

2. The equipment which remains shall be deemed abandoned and salvaged for the cost of decommissioning.
3. Should the salvage value exceed the cost of decommissioning, the balance shall be placed with the office of the clerk of court for abandoned funds.

Example of the Decommissioning Plan

Decommission Plan for Big Bright Solar ("Facility"), located at _____.

Prepared and Submitted by _____, the owner of Big Bright Solar

This decommissioning plan is presented as required by Subsection 12-160(f) of the Town of Fairview Code.

Decommissioning will occur as a result of any of the following conditions:

1. The land lease ends;
2. The system does not produce power for 12 months; or
3. The system is damaged and will not be repaired or replaced

The owner of the Facility, as provided for in its lease with the landowner, will do the following as a minimum to decommission the project.

1. Remove all non-utility owned equipment, conduits, structures, fencing, and foundations to a depth of at least three feet below grade.
2. Remove all graveled areas and access roads unless the owner of the leased real estate requests in writing for it to stay in place.
3. Restore the land to a condition reasonably similar to its condition before SES development, including replacement of top soil removed or eroded.
4. Re-vegetate any cleared areas with warm season grasses that are native to the Piedmont region, unless requested in writing by the owner of the real estate to not re-vegetate due to plans for agricultural planting.

All said removal and decommissioning shall occur within 12 months of the facility ceasing to produce power for sale.

The Facility Owner, currently _____, is responsible for this decommissioning. Nothing in this plan relieves any obligation that the real estate property owner may have to remove the facility as outlined in the Conditional Use Permit in the event the operator of the facility does not fulfill this obligation.

The owner of the Facility will provide the Town of Fairview Planning Department and the Register of Deeds with an updated signed decommissioning plan within 30 days of change in the Facility Owner.

This plan may be modified from time to time and a copy of any modified plans will be provided to the Town of Fairview Planning Department and filed with the Register of Deeds by the party responsible for decommissioning.

Facility Owner Signature: _____ Date: _____

Landowner (if different) Signature: _____ Date: _____

Discuss Short-Term Rentals

Operational requirements: Operational regulations incorporate performance-like standards to address unit characteristics, host operation, and guest requirements. A few of the more common operational regulations include:

- Occupancy caps: This is when a limit is placed on the number of occupants allowed to reside overnight on a property. A typical restriction is two persons per bedroom, plus two or four additional occupants. Occupancy caps help STRs from turning into "party houses." A local government may want to require hosts to post the occupancy cap in online rental advertisements and within the unit.
- Designated responsible party: A local government may require that the property owner designate a local contact person who is available to respond to complaints or other issues that arise during the rental period.
- Parking: A local government may designate the parking requirements for STRs based on zoning district.
- Insurance: It is becoming more common for a local government to require proof of commercial liability insurance evidencing a certain coverage amount for incidences of personal injury and property damage.
- Health and safety inspections: A local government may inspect STRs for compliance with local health and safety standards. If this is too burdensome, an alternative is to create a self-inspection checklist wherein the host certifies that he/she has complied with basic safety requirements. There any many safety requirements that could be incorporated into the checklist, including: (1) mandating that there be operable smoke and carbon monoxide detectors, (2) requiring the posting the 911 address on both the interior and exterior of the dwelling, (3) requiring a fire-extinguisher, and (4) providing an adequate number of trash receptacles.

Short term rentals

https://cityofraleigh0drupal.blob.core.usgovcloudapi.net/drupal-prod/COR22/TC-01-19.pdf

From Asheville's UDO:

Short-term vacation rental means a dwelling unit with up to six guest rooms that is used and/or advertised through an online platform, or other media, for transient occupancy for a period of less than one month. A short-term vacation rental is considered a "Lodging" use under this UDO.

Also , just in case you're interested:

Homestay means a private, resident occupied dwelling unit, with up to two guest rooms where overnight lodging accommodations are provided to transients for compensation and where the use is subordinate and incidental to the main residential use of the building. A homestay is considered a "lodging" use under this UDO.

Hotel, extended stay means a commercial lodging establishment, under single management with on-site supervisory personnel, containing 21 or more individual units each providing accommodations for sleeping, sanitation and a kitchen and which may contain ancillary facilities or services such as restaurants, bars, coffee shops, exercise rooms, swimming pools, spas and meeting rooms.

Hotel, large means a commercial lodging establishment, under single management with on-site supervisory personnel, containing 21 or more guest rooms offered to the general public for transient lodging accommodations and which may contain ancillary facilities or services such as restaurants, bars, coffee shops, exercise rooms, swimming pools, spas and meeting rooms.

Hotel, small means a commercial lodging establishment, under single management with on-site supervisory personnel, containing seven to 20 guest rooms offered to the general public for transient lodging accommodations and which may contain ancillary facilities or services such as restaurants, bars, coffee shops, exercise rooms, swimming pools, spas and meeting rooms.

We already had a traditional BnB, but it didn't really cover these and required a live in resident/manager. We split these new uses into "homestays" which are limited scale renting out of space by the full time resident and "rooming house" which is more of the commercial side of these houses that are used primarily for Airbnb and don't have permanent residents. There is a big difference in the two and the impact they have. We allow homestay uses for up to 30 days total per year in any residential unit. Rooming houses are limited to higher density zoning districts and require 500 feet of separation and an SUP.

These definitions may need to be tweaked in the future, but this was our first attempt to address them. We're pretty far off from having the problems with these that Asheville does.

2. A continuous, permanent, brick, stone face, or stone curtain wall or foundation, unpierced except for ventilation and access, is installed under the manufactured home.

3. The moving hitch, wheels and axles, and transporting lights have been removed (the moving hitch may be retained if siting within a manufactured home park).

4. The manufactured home meets or exceeds the standards for Wind Zone 1 and Thermal Zone 2.

(c) "CLASS C MANUFACTURED HOME." A manufactured home that does not meet the definition of either a Class A or a Class B manufactured home.

(d) "CLASS D MANUFACTURED HOME." A manufactured home built prior to July 1, 1976.

(5) "MOBILE HOME." A trailer home, house trailer, house car, camp car, or similar vehicle suitable for year-round occupancy as a dwelling unit. "MOBILE HOME" includes any portable or movable vehicle which is mounted, or designed to be mounted, on wheels, skids, or rollers, either self-propelled or propelled by other means, including any dismounted vehicle which has been placed on a temporary or permanent foundation, and including structural additions to the vehicle. "MOBILE HOME" does not include recreational vehicles, camping-type trailers which are parked and unoccupied, those vehicles primarily designed for the transportation of goods, or those otherwise unable to meet state and city requirements as residential dwelling units.

(6) "MOBILE HOME PARK." Any lot, tract, or parcel of land used, maintained, or intended to be used, leased, or rented for occupancy by two or more trailers together with accessory structures provided in connection therewith. "MOBILE HOME PARK" shall not include trailer sales lots on which unoccupied trailers are parked for the purpose of inspection and sale.

"DWELLING, TEMPORARY." Any overnight lodging or sleeping accommodations provided, either at the expense of the patron or other parties, to any member of the general public for a total of up to 180 days per calendar year, unless otherwise provided herein. Such dwellings are commonly used by guests or patrons transitioning between primary residences and those traveling or living away from their primary residences for longer periods of time and will commonly feature additional access to amenities, such as living rooms and kitchens, not typically provided in transient dwellings.

(1) "BOARDING HOUSE." Any temporary dwelling space providing up to five private rooms for lodging and sleeping accommodations for to up to ten related or unrelated individuals from the general public and which provides sufficient off-street parking for all guests and an operator(s) or manager(s) on-site throughout all hours of operation. Each room shall include, at a minimum, one private bed or sleeping area and access to shared bathroom and kitchen facilities as well as additional shared living or common spaces for patrons. Such facilities may provide patrons with meals and other on-site amenities and may restrict use to individuals by age, sex or association with specific organizations when permissible by Federal and state fair housing laws, provided that said restrictions or services rendered are not specifically associated with any other uses defined elsewhere in this chapter. Common areas of such facilities shall be accessible to law enforcement at all times.

(2) "EMERGENCY TEMPORARY HOUSING." Any temporary dwelling space providing lodging and sleeping accommodations to related or unrelated people based

upon the need of said individuals for accommodation that would provide sleeping quarters to be available on a day to day basis to be without charge to said individuals and to provide these accommodations based on financial need and the lack of availability of adequate accommodations which the occupants could afford. No single individual could use these accommodations for more than a total of 120 days in any calendar year unless state law deems otherwise. The building(s) provided for this must meet state and city building and fire codes for individuals that are sleeping overnight on the premises and must be have all required state licenses for operation in order to meet this definition.

(3) "HOTEL/MOTEL, EXTENDED STAY." Any building or commercial establishment that offers more than five rooms or units as temporary dwellings to the general public and which has an operator(s) or manager(s) on-site throughout all hours of operation. Each room or unit shall include, at a minimum, a bed or sleeping area and a private bath, but may provide private kitchen and living spaces. Additional amenities and services typically associated with overnight stays may be provided to the customer on-site as incidental to the primary use provided that all other services provided to non-guests are otherwise permissible in this chapter.

(4) "ROOMING HOUSE." Any temporary dwelling space providing up to five private rooms for lodging and sleeping accommodations for to up to ten related or unrelated individuals from the general public and which provides sufficient off-street parking for all guests and has, at a minimum, an off-site owner(s) or operator(s) available and on call during all hours of operation. Commonly associated with "Airbnb" and other online rental listings, each room shall include, at a minimum, one private bed or sleeping area and access to shared bathroom and kitchen facilities. Meals and other on-site amenities may be provided to patrons. Common areas of such facilities shall be accessible to law enforcement at all times.

"DWELLING, TRANSIENT." Any overnight lodging or sleeping accommodations, with or without additional amenities, provided, either at the expense of the patron or other parties, to any member of the general public for a total of no more than thirty (30) consecutive days or sixty (60) total days per calendar year, unless otherwise provided herein. Such dwellings are commonly used on a short term basis by tourists, travelers and other guests or patrons whose primary residence is elsewhere.

(1) "ADULT MOTEL/HOTEL." Any hotel, motel, or similar commercial establishment that offers more than five rooms or units as transient dwellings to the general public and which has an operator(s) or manager(s) on-site throughout all hours of operation; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that depict or describe "specified sexual activities" or "specified anatomical areas" as one of its principal purposes as a sexually oriented business; or offers a sleeping room for rent for a period of time that is less than ten hours; or allows a tenant or occupant of a sleeping room to sub-rent the room for a period of less than ten hours. Each room or unit shall include, at a minimum, a bed or sleeping area and a private bath. Additional amenities and services typically associated with overnight stays may be provided to the customer on-site as incidental to the primary use provided that all other services provided to non-guests are otherwise permissible in this chapter.

(2) "BED AND BREAKFAST HOME." Any private residence that offers up to five rooms as transient dwellings to no more than ten guests on the owner(s) or operator(s)'s primary residence, which may also include breakfast and additional meals to guests at no cost and which provides sufficient off-street parking for all guests. Each room shall include, at a minimum, one private bed or sleeping area and access to shared bathroom facilities for patrons. Such facilities may also host occasional special events, such as weddings, small business meetings and luncheons during regular business hours provided said events are incidental to the primary use.

(3) "HOMESTAY." Any private residence that offers up to two rooms as transient dwellings to no more than four guests on the owner(s) or tenant(s)'s primary residence where off-street parking is provided for all guests. Each room shall include, at a minimum, one private bed or sleeping area and access to shared bathroom facilities for patrons. Commonly associated with "Airbnb" and other online rental listings, said use shall be permissible in any residential dwelling unit for no more than 30 total days in any calendar year with the consent of the owner(s), and may require approval of additional permits prior to commencing said use as the City Manager deems necessary.

(4) "HOTEL/MOTEL." Any building or commercial establishment that offers more than five rooms or units as transient dwellings to the general public and which has an operator(s) or manager(s) on-site throughout all hours of operation. Each room or unit shall include, at a minimum, a bed or sleeping area and a private bath. Additional amenities and services typically associated with overnight stays may be provided to the customer on-site as incidental to the primary use provided that all other services provided to non-guests are otherwise permissible in this chapter.

(5) "TENT CAMP." Any portable or makeshift structure(s) and associated furniture, cooking and other items, erected or installed to provide a transient dwelling space for strictly recreational purposes. Such uses shall be permitted to be erected and used by the owner or tenant of any single or two-family residential dwelling unit in the rear yard of the associated property along with their guests, for no more than three days of any month.

We have two:

Homestay lodging: The business engaged in the rental of individual bedrooms within a dwelling unit that serves as a host's principal residence, including any single-family or accessory apartment, that provides lodging for pay, for a maximum continuous period of twenty-nine (29) days, that does not include serving food.

Whole-house lodging: A business engaged in the rental of an entire dwelling unit that provides lodging for pay, for a maximum continuous period of twenty-nine (29) days and does not include the include serving of food.

Christine Hughes, AICP
Sr. Planner – Comprehensive Planning, Design, and Community Engagement
City of Wilmington Planning, Development, and Transportation Department

Here are the definitions we've proposed in Chapel Hill:

1. **Hosted Short Term Rentals**: nightly rental of room(s) or accessory apartment within a private, resident-occupied residential dwelling unit to transients for compensation for a duration not to exceed thirty (30) consecutive days and where the use is subordinate to and incidental to the main residential use of the dwelling unit.
2. **Unhosted Short Term Rentals:** nightly rental of a principal residential dwelling unit to transients for compensation for a duration not to exceed thirty (30) consecutive days, for a maxim of ninety (90) days per year. A principal residential dwelling unit shall be occupied by the resident domiciled at that location for a cumulative minimum of 275 days per calendar year.
3. **Dedicated Short Term Rental:** nightly rental of a residential dwelling unit or accessory structure that is not used as a principal residential dwelling unit to transients for compensation for a duration not to exceed thirty (30) consecutive days.

You may find our work on STRs relevant to your research. You can see our past meetings and materials at: https://chplan.us/ChapelHillSTRs.

Thanks,
Anya

Discuss Comprehensive Plan

Fairview Comprehensive Plan

~~GUIDELINES~~

The Town of Fairview Comprehensive Plan combines the goals and objectives of its residents with sound planning principles in conjunction with the attached ***Future Land Use Map*** by way of the following general guidelines:

1. To provide a low-density, rural atmosphere allowing single-family residential and agricultural uses. Additionally, in select nodes small-scale office and retail developments will be allowed that serve the needs of the Fairview community. Light industrial uses that provide employment opportunities to residents will also be considered.
2. To avoid, where possible, destruction of trees and landscape.
3. To protect environmentally sensitive areas such as floodplains and watersheds and to promote and preserve open space.
4. To maintain the existing quality of residential neighborhoods through enforcement of land use and building codes.

The Comprehensive Plan provides an overall framework to guide operational decisions in planning and acts as a basis for rational decisions regarding zoning, subdivision control, redevelopment, and related issues. The Plan reflects an estimate of future land requirements. It indicates how and where development should proceed to ensure a desirable physical investment. The Plan adheres to the highest standards of health, safety, and welfare in a living environment.

~~For the purposes of this document~~ The Fairview Comprehensive Plan is defined as:

This plan serves as a guide to official decisions regarding the distribution and intensity of private development, as well as public decisions on the location of future public facilities and open spaces.

Goals and Objectives

These goals and objectives are an essential element of this plan. The formulation of goals and objectives reflect sound planning principles and, most importantly, express the values of the community.

The Town of Fairview is viewed by its residents to be a friendly and safe place to live. Fairview treasures the absence of higher-density development, traffic congestion, and other related problems of larger cities in its jurisdiction. This development plan seeks to protect this quality of life as it represents the foundation upon which land use decisions will be based.

Goals supported by the community provide a sound basis for planning and subsequent action. Further, as Planning is a continuous process, periodic review of priorities will provide for later revisions of objectives and land development recommendations. The following goals of the community are distributed into these categories: *Quality of Life, Environment, Housing, Office/Commercial and Industrial*

Quality of Life

Goal: To maintain and promote the current high quality of life in the town of Fairview.

Objectives: To retain agrarian based development patterns, where desired, throughout the Town.

Environment

Goal: To promote the preservation and management of open space and natural features of the environment in order to safeguard safety, health, and welfare.

Objectives: To avoid, where possible, destruction of trees, animal species, and landscapes.

To protect environmentally sensitive areas such as floodplains, creeks, and watersheds.

To develop land use regulations that provide for open space preservation.

Housing

Goal: To provide an environment in which every resident within the Town's planning areas has an opportunity for adequate, decent, and safe housing.

Objectives: To maintain the existing quality of residential neighborhoods through enforcement of land use and building codes. Since housing demand is more likely on the western side of Fairview due to proximity to I-485 and the Charlotte Metro area, higher density housing would be considered in this area, but only with proper conditions, adequate sewer, adequate water, adequate open spaces, adequate recreational facilities and adequate transportation infrastructure.

Office/Commercial

Approve Minutes

Town of Fairview
Planning Board Meeting
February 18, 2020

The following Planning Board members were present: Doug Buchanan, Tony Helms, Mike Medlin, Greg Morgan, Rick Pigg, Nancy Randall and Bill Thomas

Others present: Ed Humphries, Land Use Administrator / Deputy Clerk, Teresa Gregorius, Town Clerk, Spencer Thomas, Intern

Public Comments

None

Reports

Ed Humphries reported that the Council hired N-Focus to update the Lane Use Ordinance. It should be ready for review by July 1st.

Items of Business

A. Discuss Permit # CUP 20-013 Event/Venue

Mr. Humphries presented Conditional Use Permit # CUP 20-013 request from Richard Laney and Danielle Duval to operate an "Event/Venue" (Bella Terra) on their property at 8920 Mill Grove Road. The Board discussed the conditions and decided that in addition to operating on Friday, Saturday and Sunday they would add operating times on (State/Federal) holidays and 2 weekdays per month.

Tony Helms made a motion to recommend approval of the amended Conditional Use Permit # CUP 20-013 to the Council. Greg Morgan seconded the motion. Board members Buchanan, Helms, Medlin, Morgan, Pigg, Randall and Thomas voted yes (7-0).

B. Review The Comprehensive Plan

Mr. Humphries advised the Board that he would like them to start reviewing the Fairview Comprehensive Plan (formerly Fairview Land Use Development Plan) starting with the first

couple of sections and bring their recommendations to the next meeting. Ms. Randall made suggestions regarding page one (see Appendix A).

C. Minutes

Bill Thomas made a motion to approve the January 21, 2020 minutes. Mike Medlin seconded the motion. Board members Buchanan, Helms, Medlin, Morgan, Pigg, Randall and Thomas voted yes (7-0).

Rick Pigg made a motion to adjourn. Greg Morgan seconded the motion. Board members Buchanan, Helms, Medlin, Morgan, Pigg, Randall and Thomas voted yes (7-0).

Respectfully submitted,

_____
Teresa Gregorius
Town Clerk

_____
Nancy Randall
Chair

Approved this _____ day of _____, 2020

DRAFT

Appendix A

Fairview Comprehensive Plan

~~GUIDELINES~~

The Town of Fairview Comprehensive Plan combines the goals and objectives of its residents with sound planning principles in conjunction with the attached ***Future Land Use Map*** by way of the following general guidelines:

1. To provide a low-density, rural atmosphere allowing single-family residential and agricultural uses. Additionally, in select nodes small-scale office and retail developments will be allowed that serve the needs of the Fairview community. Light industrial uses that provide employment opportunities to residents will also be considered.
2. To avoid, where possible, destruction of trees and landscape.
3. To protect environmentally sensitive areas such as floodplains and watersheds and to promote and preserve open space.
4. To maintain the existing quality of residential neighborhoods through enforcement of land use and building codes.

The Comprehensive Plan provides an overall framework to guide operational decisions in planning and acts as a basis for rational decisions regarding zoning, subdivision control, redevelopment, and related issues. The Plan reflects an estimate of future land requirements. It indicates how and where development should proceed to ensure a desirable physical investment. The Plan adheres to the highest standards of health, safety, and welfare in a living environment.

~~For the purposes of this document~~ The Fairview Comprehensive Plan is defined as:

This plan serves as a guide to official decisions regarding the distribution and intensity of private development, as well as public decisions on the location of future public facilities and open spaces.