

CLEVELAND COUNTY BOARD OF COMMISSIONERS

August 2, 2011 Worksession

The Cleveland County Board of Commissioners reconvened their regular meeting of July 12, 2011 on this date, at the hour of 3:00 p.m., in the R.L. Alexander Conference Room of the Cleveland County Administrative Offices.

PRESENT: Johnny Hutchins, Chairman
Ronald J. Hawkins, Vice Chairman
Mary S. Accor, Commissioner
Eddie Holbrook, Commissioner (arrived at 3:10 p.m.)
Jason Falls, Commissioner
David C. Dear, County Manager
Robert Yelton, County Attorney
Eddie Bailes, Assistant County Manager
April Crotts, Deputy Clerk
Bill McCarter, Planning Director
Bill Duston, Centralina Council of Governments

CALL TO ORDER

Chairman Johnny Hutchins called the meeting to order.

CLEVELAND COUNTY LAND USE PLAN

Chairman Hutchins opened a discussion regarding the Cleveland County Land Use Plan. Commissioners discussed their concerns and opinions about the possible update of the current plan.

Chairman Hutchins asked Bill McCarter “How many properties the county has rezoned that are not currently in compliance with the Land Use Plan?” Mr. McCarter responded by stating there is only one property that is non-compliant at this time. There have been approximately three rezoning permits denied due to non-compliance with the Land Use Plan. However, there have also been several conditional use permits granted. Chairman Hutchins suggested possibly requiring the applicant to request a Land Use Plan change before he/she asks for a property to be rezoned. Attorney Bob Yelton stated that the Board could recommend the applicant request a change in the Land Use Plan, but could not require this, unless the Code of Ordinances was amended.

Commissioner Accor was concerned with the consistency and legality of the boards actions regarding zoning map amendments. She recommended their actions be consistent regarding requiring a change to the Land Use Plan before approval of a Zoning Map Amendment. Mr. Yelton explained, “The Land Use Plan can be changed fairly easily by a vote from the board. It is not illegal to go against the plan, but it is more difficult to defend the board’s actions if the zoning amendment is appealed.” He felt it is in the best interest of the board to make changes to the Land Use Plan before rezoning a property that doesn’t conform to the Land Use Plan.

Commissioner Falls felt public input on changes to the Land Use Plan was extremely important. He has spoken with adjoining property owners on previous rezoning cases. Most agreed they did not want the future use of their property to be changed on the Land Use Plan.

Bill Duston of Centralina Council of Governments stated it was his opinion that the Land Use Plan did not need to be completely redone. A simple update could be done quite easily.

Chairman Hutchins asked Mr. McCarter to collect information from the Planning Board and other interested parties on which areas in the county would most benefit from updates to the Land Use Plan. Once the information is collected he asked that the information to be brought back to Commissioners to determine the next course of action. All Commissioners were in agreement with this request.

Commissioners then discussed a zoning map amendment that was approved on July 12, 2011 (*Clerk's Note: reference minutes of July 12, 2011*); Case 11-05: Alvin Yarbrow, 206.75 acres off Oveda Court. Commissioner Falls asked if Commissioners could only change this parcel on the Land Use Plan to Heavy Industrial or if the board had to change adjacent parcels to connect this parcel with an area already zoned Heavy Industrial. Mr. Yelton responded by saying "As a board you could approve the 200 acre track to Heavy Industrial by itself".

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to change parcel 10613 and 44 acres along Dixon Dairy Road (a portion of Parcel #11496) from Residential to Light/Heavy Industrial on the 2015 Land Use Plan. (copy of map found on Page _____ of Minute Book _____).*

INSURANCE PLAN

David Dear, County Manager, gave a brief update on the County Insurance Plan for the upcoming year. He explained that staff has reviewed the plan for the 2010/2011 year and will continue to look at the plan for the upcoming year. Further details will be forthcoming.

ADJOURN

There being no further business to come before the Board at this time, Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to adjourn. The next regular scheduled meeting will be held ***Tuesday, August 2, 2010 at 6 p.m. in the Commissioners Chamber.***

*Johnny Hutchins, Chairman
Cleveland County Board of Commissioners*

*April Crotts, Deputy County Clerk
Cleveland County Board of Commissioners*