

Bessemer City Planning Board

The Bessemer City Planning Board met in regular session on Monday, August 3rd, 2023 at 6:00 PM in the Council Chambers of City Hall.

Members Present: Chairperson, Allen Hook, Board Members: Wendy Burgess, Pamela Gladney, Bruce Absher, and Charlene Hill. City Staff Present: Development Services Officer, Nathan Hester, and City Clerk, Hydeia Hayes.

Call to Order and Determination of a Quorum

Chairperson Hook called the Planning Board meeting to order and confirmed that a quorum was present (5/5).

Adoption of the Agenda

By motion of Allen Hook and unanimous vote, the agenda was adopted with no revisions.

Planning Board Action Item

By motion of Allen Hook and unanimous vote, minutes from the July 3, 2023 Planning Board meeting minutes were adopted.

Planning Board Action Item

Development Services Officer, Nathan Hester addressed the Board regarding the RZ 02-2023 application. David and Stacy Ellis of 1331 Crowders Mountain Rd. have applied to rezone their property from Business Campus (BC) to Rural (R). The intent of the property owner is to utilize the property for livestock, specifically horses. Ellis's current residence is outside the corporate limits of the City of Bessemer City, zoned Rural (R), and currently utilized to keep horses and riding stables upon.

The property owners purchased this property on December 21, 2020, from Mt. Pleasant Baptist Church. Previously, Mt. Pleasant owned this property and planned to expand their church community onto the parcel with the construction of a new building. The land was at the time of purchase and is still vacant. Mt. Pleasant wanted all the property owned by the church to be within the corporate city limits of Bessemer City. Prior to their sale of the land to Ellis's, the Church voluntarily annexed PID#204346 into the city where it was subsequently zoned commercial to match the church's existing property zoning designations.

The Ellis's specifically purchased the property to expand their ability to keep and maintain horses with riding stables. The land was rezoned to Business Campus by the City of Bessemer City on July 12, 2021 as part of a City Wide Map Amendment and Land Development Code (LDC) adoption to remain in compliance with N.C. G.S. 160D.

The City of Bessemer City was unaware of the land transaction between the Ellis's and Mt. Pleasant Baptist Church and therefore subsequently left the property zoned as a commercial property with the map amendment on July 12, 2021. The property owners are requesting the parcel be rezoned to Rural, which is a less intense zoning classification and one where the use of riding stables is a use by right, although the parcel is within the city limits.

According to the Bessemer City Code of Ordinances, Chapter 93: Animals, Section 93.07 (A) & (A) 4, it shall be unlawful for anyone to keep or maintain livestock within the city limits, unless designated as a class 1 or class 2 agricultural use by the Bessemer City Land Development Code (LDC). The definition of an Agricultural Class 2 use according to the Bessemer City Land Development Code (LDC) is defined as follows:

“Agricultural uses, Class II: The growing of all agricultural and horticultural products (e.g., corn, soybeans, cotton), nurseries, and commercial greenhouses. Riding academies, riding corrals and tracks, and boarding stables; any other animal husbandry use, except that listed herein as a Class III use. Any Class I use as a principal use or exceeding the standards allowed for a Class I use.”

Agricultural Class 2 uses are only allowed within the Rural (R) zoning district, therefore the intended usage of the property owned by the Ellis’s is a use by right once rezoned to the Rural zoning designation as requested.

By motion of Pamela Gladney and unanimous vote, the rezoning was recommended to go before City Council at their next regular meeting with the requested modifications.

Old/New Business

Light discussion was held regarding the girls 11-12U Softball World Series championship win. The Lennar Homes developers has passed the project on to Meritage Homes. They will be coming before the Board shortly.

Adjourn

By motion of Allen Hook and unanimous vote, the meeting adjourned at 6:33 PM.

Allen Hook, Chairperson

Hydeia Y. Hayes, City Clerk