

The background features abstract, overlapping green geometric shapes in various shades of green, creating a modern and dynamic look. The shapes are primarily located on the left and right sides of the slide, framing the central text.

# Town of Angier Planning Board

Training Workshop #2

July 10, 2018

# Workshop #1 Recap

## Meeting 1: Planning Board Basics

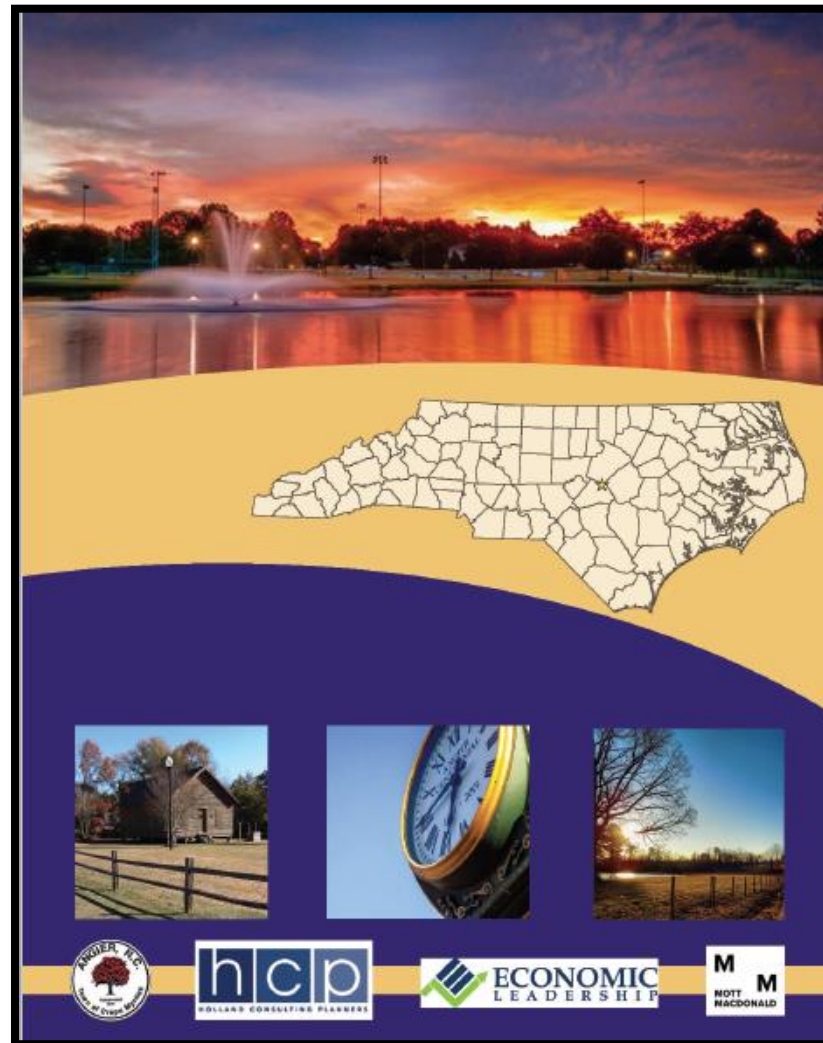
- ▶ N.C. G.S. Organizational Requirements
- ▶ Statutory Authority & Responsibility
- ▶ Zoning & The Unified Development Ordinance
- ▶ UDO Administrator - Definition And Authority
- ▶ Angier's Planning Board Responsibilities
- ▶ Open Meetings Law - Closed Sessions?
- ▶ What Is A Public Record?

# Training Workshop Agenda

## Meeting 2: The Role of Angier's Planning Board

- ▶ The Guiding Document - 2017 Comprehensive Land Use Plan
- ▶ Plan Implementation - Role Of Staff And The Planning Board
- ▶ Reviewing Proposed Text Amendments
- ▶ Reviewing Rezoning Applications
- ▶ Putting All The Parts Together - Describe Cases From Beginning To End
- ▶ Where Do Applicants Go After The Planning Board?

# 2017 Comprehensive Land Use Plan



# 2017 Comprehensive Land Use Plan

## PLAN PURPOSE

- ▶ A Comprehensive Plan is an official public document adopted by the Board of Commissioners, and is a statement by the Town of what it is today, and what it would like to be in the future.
- ▶ The preparation of a Comprehensive Plan is strongly encouraged by North Carolina legislation, and many decisions made by a municipality must reflect the goals and objectives described in the Plan.

*§ 160A-383(a): Zoning regulations shall be made in accordance with a comprehensive plan.*

# 2017 Comprehensive Plan Sections

- ▶ Community Profile - Population, Housing And Economy
- ▶ Existing Conditions - Natural Resources, Community Facilities, Education & Medical Facilities, Transportation And Existing Land Uses
- ▶ Future Projections - Population Projections, Facility Needs, Transportation Needs, Planning Vision Areas
- ▶ Goals & Strategies - Land Use And Urban Design, Economic Development, Recreation Opportunities, Transportation Improvements
- ▶ Plan Implementation - Using The Plan To Guide Town's Decision Making

# Plan Implementation

- ▶ Town of Angier Staff, Planning Board, Board of Adjustment and Board of Commissioners are tasked with implementing the adopted Comprehensive Land Use Plan
- ▶ State law requires the governing Board and Planning Board to use adopted Plans as guidelines for zoning amendments:

## **§ 160A-383.**

*(c) Prior to consideration by the governing board of the proposed zoning amendment, the planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board...*

# Angier Planning Board Actions

## *14.4.1 Planning board action.*

- A. The planning board shall consider and make recommendations to the Board of Commissioners concerning each proposed Zoning Amendment.

Zoning Amendment: Any amendment to the adopted Zoning Ordinance or Zoning Map

→ Rezoning Requests & Proposed Text Amendments



# Planning Board Recommendations

UDO Planning Board guidelines - No proposed zoning amendment will receive a favorable recommendation unless:

- ▶ 1. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ▶ 2. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.
- ▶ 3. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- ▶ 4. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ▶ 5. The proposed change is in accord with adopted plans and sound planning principles.

# Rezoning Requests

Rezoning: to designate for a new purpose or use through a change in the applicable zoning regulations

- ▶ Rezoning applications are submitted to Town Staff by applicants wishing to change the Ordinance's zoning regulations of a particular property. This may be desired in order to change the legal use of the property, or to change the density or design of the uses allowed by the current zoning district.

# Ordinance Text Amendments

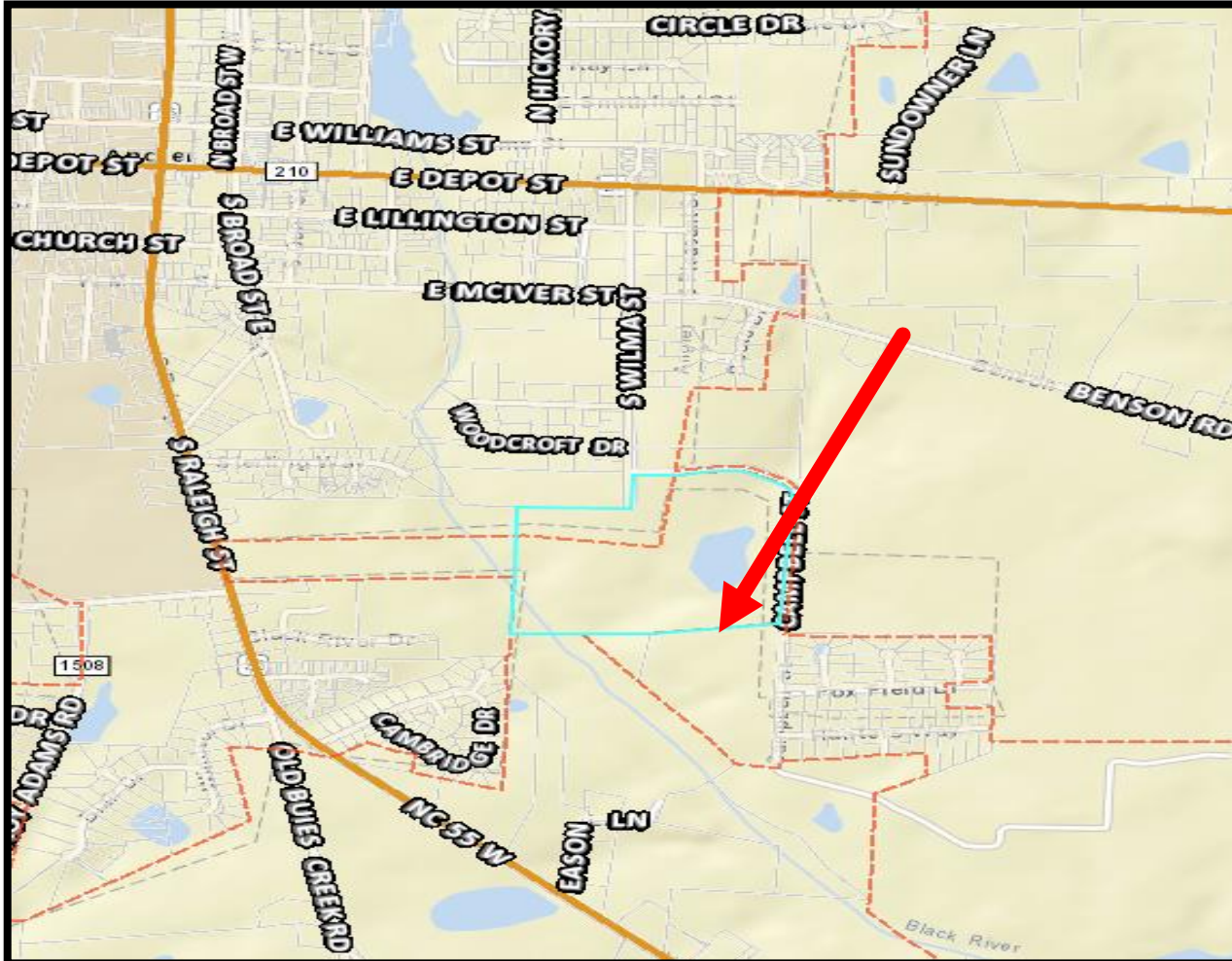
Text Amendment: A proposed change to the language within the current Unified Development Ordinance.

- Text Amendment applications are submitted to Town Staff by applicants wishing to change certain standards or regulations found in the UDO. Often, these changes affect many sections of the Ordinance and require other amendments in order to prevent contradictions throughout the UDO.

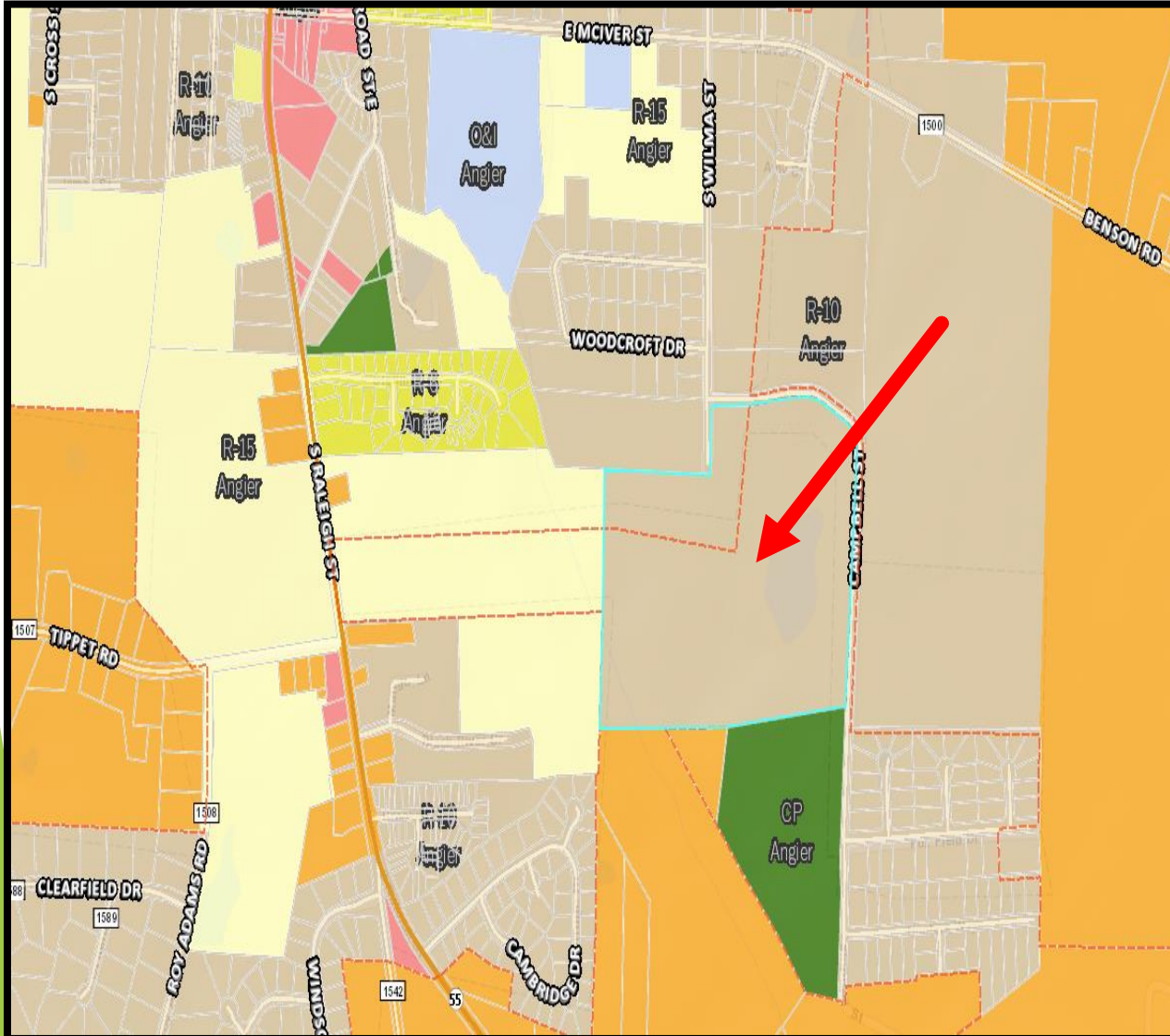
# Rezoning Case Study

## 523 South Wilma Street

- Rezoned from R-10 to R-6 on December 5, 2017



# Case Study: 523 South Wilma Street



- ▶ Previously Zoned R-10
- ▶ Requested Zoning: R-6

# Permitted Use Table

## *UDO Section 3.3*

Residential Uses	Use Group	OSR	RA-30	R-15	R-10	R-6	O&I	CB	GC	CP	SR	Parking
<b>Apartments</b>	2					S		S			4.2.9	1.5 per bedroom plus 1 per bedroom over 2
<b>Condos</b>	2		S	S	S	S		S			4.2.9	1.5 per bedroom plus 1 per bedroom over 2
<b>Townhomes</b>	2		S	S	S	S		S			4.2.9	1.5 per bedroom plus 1 per bedroom over 2
<b>Single-family</b>	1		P	P	P	P						3 per dwelling
<b>Temporary emergency residences</b>	1		P	P	P	P	P	P	P		4.2.10	2 per dwelling
<b>Duplexes</b>	1		P	P	P	P					4.2.11	1.5 per bedroom plus 1 per bedroom over 2

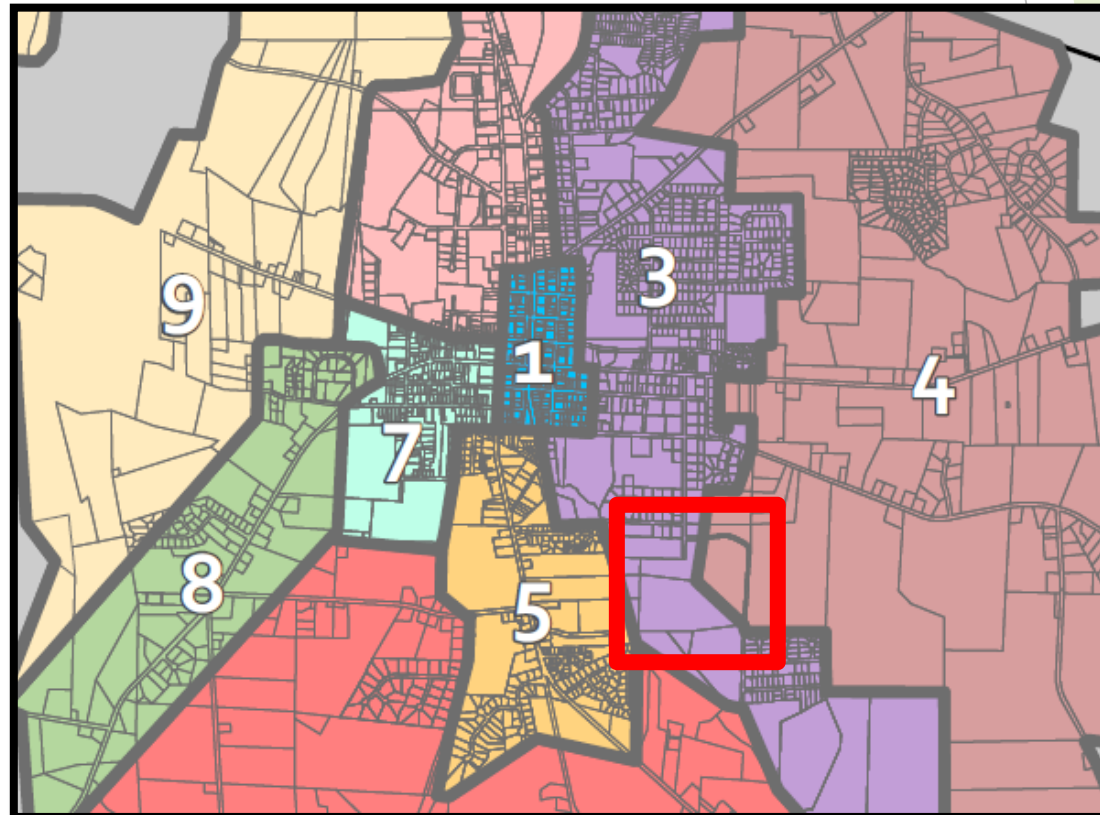
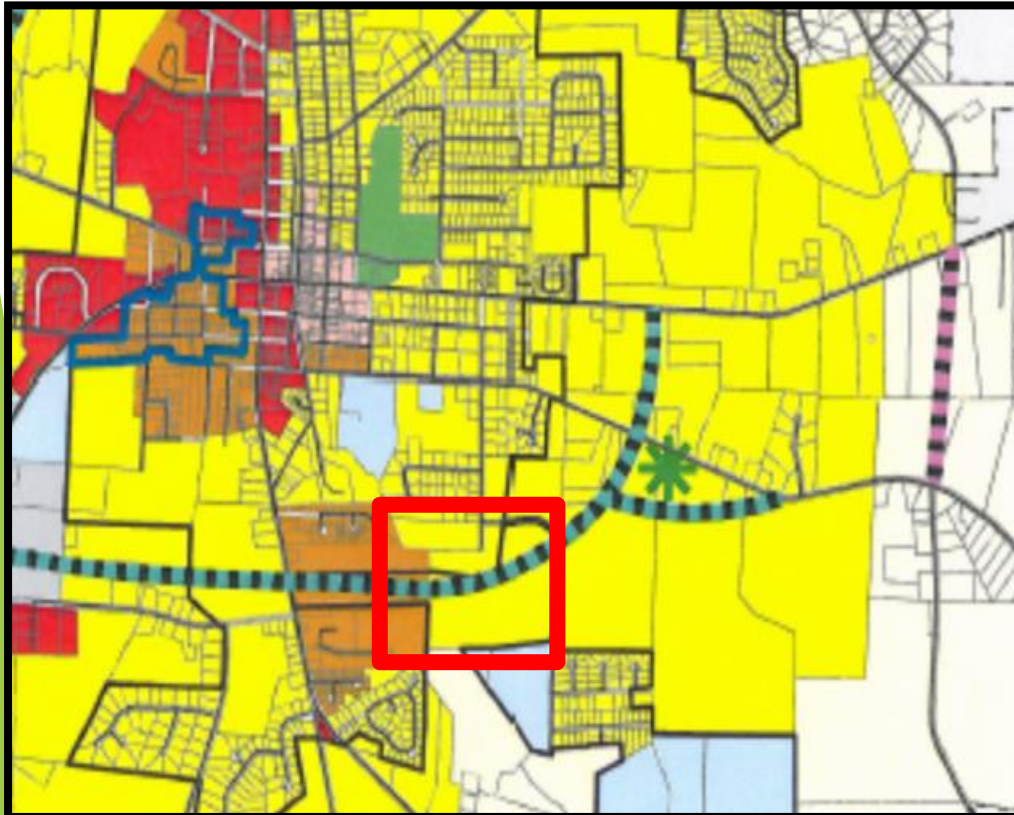


# Case Study: 523 South Wilma Street

- ▶ 2017 Comp. Land Use Plan calls for Medium Density Residential
- ▶ Property lies within Vision Areas 3 & 4

## Planning Vision Area #3

*This portion of Town is predominantly developed with medium to high density residential land uses. There are some instances of low impact commercial and office institutional land uses. This planning area is highly suitable for infill development. It should be preserved/protected as a desirable residential area.*



# Planning Board Recommendations

**UDO Planning Board guidelines** - No proposed zoning amendment will receive a favorable recommendation unless:

- ✖ 1. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ✖ 2. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.
- ✖ 3. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- ✖ 4. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ✖ 5. The proposed change is in accord with adopted plans and sound planning principles.



# Rezoning Requests

- ▶ The Planning Board shall provide a written recommendation to the governing Board that addresses plan consistency and other matters as deemed appropriate by the Planning Board.
  - ▶ A comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Governing Board

# Case Study: 523 South Wilma Street

- ▶ Staff Recommendation - November 2017 : Rezoning Approval
- ▶ Planning Board Recommendation - November 2017: Rezoning Approval
- ▶ Town Board Decision - December 5, 2017: Rezoning Approved

# Text Amendment Case Study

## Bar Radius - UDO Section 4.8.5

- The application proposed modifying the language of Section 4.8.5 to allow a bar to open in a commercial unit at 149 Logan Court. The applicant attempted to reduce the required separation between a bar and nearby residences from 1,000 ft. to 500 ft.

### Proposed Amendment:

#### *4.8.5 Nightclubs and bars.*

*A. Nightclubs and bars shall not be located within ~~1,000~~ [500] feet of a residential structure or park, unless permitted as part of a live/work development.*

# Text Amendment Case Study

## Bar Radius - UDO Section 4.8.5

- ▶ Staff Recommendation - April 2016: Text Amendment Approval
- ▶ Planning Board Recommendation - April 2016: Text Amendment Denial
- ▶ Town Board Decision - May 2016: Text Amendment Denied
  
- ▶ The Board's reasons for denying the amendment included that the 500 foot separation between a bar and a residence would apply within Angier's entire jurisdiction, not just for the applicants intended location.
- ▶ This Town-wide effect is important for Staff, the Planning Board and the Town Board to keep in mind when reviewing text amendment applications.

# Where Do Applicants Go After Their Zoning Amendment is Approved?

- ▶ Depending on the type of approval granted by the Governing Board, the applicant will proceed with the approval steps outlined by the UDO.
- ▶ In cases of a rezoning granting the desired density for a major residential subdivision, the applicant would submit a preliminary subdivision plat that complies with the zoning district to Staff in order to begin Staff review at the next Technical Review Committee meeting.
- ▶ In cases of a rezoning granting the construction of a new commercial structure, the applicant would then have the ability to submit building plans and a site plan to Staff to proceed with TRC review and approval by both the Building Inspector and Fire Marshal.
- ▶ In cases of an approved text amendment allowing a proposed use or design, the applicant would proceed with submitting the necessary plans to obtain the administrative approvals needed for their permits.

# Training Workshop #3 - August 14th

## Meeting 3: UDO Overview

- ▶ Current Land Use Regulations - Zoning Requirements
- ▶ UDO Permitted Use Table - What Uses Are Allowed Where?
- ▶ The Board Of Adjustment And Their Responsibilities
- ▶ Conditional Zoning And Special Use Permits
- ▶ Subdivision And Site Plan Requirements
- ▶ Subdivision And Site Plan Review Process
- ▶ Potential Amendments
- ▶ Direct Staff To Initiate Draft Amendments