

PLANNING BOARD MEETING

Wednesday, January 4, 2023

6:00 PM

City Hall Council Chambers

300 West Crowell Street

Monroe, NC

Agenda

- Item 1. Call to Order – Roll Call
- Item 2. Pledge of Allegiance and Moment of Silence
- Item 3. Approval of Minutes –December 7, 2022
- Item 4. Annexation of 117.129 acres and a zoning map and text amendment for the properties located along Weddington Road and Red Maple Drive and further identified as tax parcel #'s 09-348-010, 09-348-011, 09-348-033, 09-348-034, & 09-348-035. The request is to annex and rezone the properties from R-20 (Union County Residential Low Density) to Conditional District (CD) “Wildwood”. **APPLICANT IS DEFERRING TO A FUTURE PLANNING BOARD DATE. THIS ITEM WILL NOT BE HEARD AT THIS MEETING.**
- Item 5. Zoning map and text amendment for the properties located along W. Jefferson St. and W. Crowell St. further identified as tax parcels: 09-273-004A, 09-273-004B, 09-273-004C, 09-273-004D, 09-273-004E, 09-273-004F from RMD (Residential Medium Density) to Conditional District (CD) “Jefferson & Crowell”.
- Item 6. Next Meeting: February 1, 2023
- Item 7. Adjournment

ATTENTION BOARD MEMBERS:

Please contact Ashlyn Penegar at 704.282.4527 or Lisa Stiwinter at 704.282.4569 to confirm your attendance. Thank you.

cc: Planning Staff
Ashley Britt
Mujeeb Shah-Khan

PLANNING BOARD MEETING

December 7, 2022 @ 6:00 PM
City Hall – Conference Room
300 W. Crowell Street, Monroe, NC

Emailed to S. Laney on: 12/21/22

Item 1. Call to Order/Roll Call

Chair called the December 7, 2022 meeting to order at 6:00 p.m. Ashlyn Penegar called the roll and noted there was a quorum was present.

Members Present: Richard Yercheck (Chair), Jennifer Smith (Vice Chair), Richard Ali, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

Members Absent: Patrick Furr

Staff Present: Lisa Stiwinter, Planning and Development Director, Keri Mendler, Senior Planner, Megan Brightharp, Planner I, Ashley Britt, Assistant City Attorney, Ashlyn Penegar, Administrative Assistant II

Guests: Michael Ball, Stephen Bennett, Sushanth Charabuddi

Item 2. Pledge of Allegiance and Moment of Silence

Item 3. Approval of Minutes of Meeting- October 5, 2022

Motion: Archie Morgan made a motion to approve the October 5, 2022 minutes.

Second: Richard Ali

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

Item 4. Annexation of 21.695 acres located at the intersection of ML King Jr. Boulevard and Weddington Road and further identified with parcel ID numbers 09-313-014, 09-313-014A, and a portion of R9-316-005G.

Keri Mendler, Senior Planner stepped forward to present. She said Planning Board is requested to consider the annexation of 21.695 acres located at the intersection of ML King Jr. Boulevard and Weddington Road and further identified with parcel ID numbers 09-313-014, 09-313-014A, and a portion of R9-316-005G. The applicant is requesting the annexation of 21.695 acres and the property is currently located in the City's ETJ or Extra Territorial Jurisdiction and has the Community Corridor Mixed Use zoning district already applied to the

property. While some of you may be aware, there was a proposed Conditional District rezoning with this annexation, however the applicant has since withdrawn this rezoning, so therefore the request tonight is simply for the annexation, while maintaining the existing zoning classification, which was applied in April of 2022. I will be happy to answer any questions and the applicant and representative of the applicant is here as well.

Chair asked does Staff have any issues with us annexing this in without a project attached to it?

Keri Mendler said we don't have any issues. It is in our Extra Territorial Jurisdiction.

Chair asked we kind of own it anyways?

Keri Mendler said for zoning purposes, yes. Basically if they wish to develop the property, they go through our Planning Department, and Extra Territorial Jurisdictions range anywhere from half a mile to up to about a mile depended on where you are in the state. Depending on your size of the city, it basically is intended for future development and it gives the city's ability to kind of control development on the outskirts of the incorporated city limits. So, that is why City Staff changed the zoning in April of 2022 and of course Council approved that with the recommendation of Planning Board to this mixed use district and that basically implements the neighborhood mixed use node which was in the Future Land Use Plan that was adopted in 2018.

Chair said so, we annex it and we collect the taxes. Does that impede us from rejecting a project if they bring a project that we don't like?

Keri Mendler said if it requires a rezoning or a special process, perhaps. But, if it is a by-right or staff approved development, they would have to meet the ordinance requirements in place.

Chair said they would have to meet the UDO. But, they would have that whether we annexed it or not, right?

Keri Mendler said true. Correct, they would still have to meet the UDO requirements. Typically, the reason for annexation is for city utilities.

Archie Morgan said to do it without a project attached to it, to me it looks like they are trying to get a foot in the door.

Richard Ali asked if there are any plans for something in the future?

Keri Mendler said at this time, I don't believe so. But, to say that there is a foot in the door, I'm not sure if they have a proposal at this time, but at this time, the City of Monroe has had zoning authority on this site for a number of years.

Margaret Desio asked what is the zoning?

Keri Mendler said Community Corridor Mixed Use.

Jennifer Smith asked what is that exactly?

Keri Mendler said it's a mixed use district that was implemented or put in place to implement one of the neighborhood mixed use districts that came out of the Future Land Use Plan. Basically those mixed use centers, there is a few scattered throughout the city because that came out as a priority in that Future Land Use Plan process was to disperse growth to different centers throughout the city. So basically these are small scale retail centers that also allow neighborhood, commercial and residential.

Jennifer Smith asked could they put apartments out there?

Keri Mendler said apartments and townhomes are permitted, yes. They are designed to be walkable, livable centers. There is a few scattered throughout the city and the intent is to basically push development to those centers versus other areas where you would want to see less dense projects.

Chair said so this is in our Forward Monroe plan designed to be a higher density area?

Keri Mendler said correct.

Archie Morgan asked as the zoning is now? There is nothing Planning Board can do to change that, correct?

Keri Mendler said it was in the Future Land Use Plan that went through the public process, and the intent was to push development to certain centers throughout the city for higher intense uses and higher density. When we did the zoning map in April 2022 that was adopted, we had certain centers that would implement those Future Land Use designations.

David Dotson asked what does it hurt to not annex it and do it as a package deal when you actually have something to look at? What would be the benefit of doing it now versus waiting until you can see what's going to be built on it?

Keri Mendler said I can't exactly answer that question, the fact that the city does have zoning control and us potentially not annexing it, I don't know if that would raise issues in the future.

David Dotson said the zoning that we put on it, we have to annex it, correct?

Keri Mendler said it has zoning, they could develop and they could potentially work something out with water and sewer to serve outside of the city and it could still be developed with the Mixed Use zoning that's currently in place.

Chair said if we annex it, we get the taxes.

Keri Mendler said correct and more likelihood for utilities.

Jennifer Smith said that really didn't do any good either way.

David Dotson said if you annex it in, you've locked it in to a project that you don't know anything about. I mean, that's the problem that you run into. It was zoned either R-20 or R-40 when it was County and technically it's still County, correct?

Keri Mendler said it was R-20, but it was in the city's ETJ, so again the city has zoning control and has always had zoning control since the ETJ was established. So, it's not exactly County.

Chair said it was in the Forward Monroe Plan to be high density to keep high density from other places.

David Dotson said well, it's not on the Express Way, it's on MLK which has a problem with traffic already.

Jennifer Smith said I was just about to say that.

David Dotson said you don't know what's going to be built there, it doesn't hurt us to wait. The County isn't going to come take it from us, correct?

Keri Mendler said I don't know, that's a whole process.

Kenneth Deal said there have been other projects that we've had when they come in with a plan and requesting an annexation at the same time and we've been able to get really good projects out of that scenario. If you annex it in now, we are able to get a little bit of taxes maybe next year, but you are just basically handing a developer a blank check.

Keri Mendler said it would still have to meet the ordinance requirements, so I want to make sure that is clear. There are requirements set out for open space, density allowances, landscaping, buffering, parking, parking landscaping. It's all in the ordinance, they would still need to meet that requirement.

Chair asked what blank check are we handing the developer if we annex it right now with no project? We can reject any project that they put up.

Kenneth Deal said unless they want to build by right. But, if we don't annex it right now...

Chair said they can still build by right.

David Dotson said they have to annex it.

Chair said no.

Kenneth Deal said they won't unless they can annex it because she's already told you, they want our water and sewerage, etc. and they don't want the double tax on having those hookups outside of the city limits. So, if it remains un-annexed and they come back in with two packages, then we know we are going to see it, even if they want to build it by right. Because the annexation still has to come here. By right doesn't.

Chair said I understand that. I don't see it as a blank check. I still see it as they still have to come back to us.

Keri, do you have anything else to tell us? Because we can discuss this....

Keri Mendler said I don't. Stephen Bennett is here to represent the applicant, if you have any questions.

Stephen Bennett stepped up and introduced himself and said he is an attorney here at Helms, Bennett here in Monroe and I represent the applicant. I've got Sushanth back there and he is a Boston based developer and he's got another project in Concord that is residential commercial developments. They own this land; this is not an option contract for an option in the future. They closed on it in September and the original application was a conditional re-zoning as well as an annexation, but for the sake of time, in the legal world, I would say we took a dismissal of the conditional re-zoning, we withdrew it and we are kind of going back to the drawing board to be honest. This is a mixed use, it's already zoned mixed use and we didn't ask for that to be changed and the intent is to do mixed use development there at some point in time; we don't have a current project here for you. But, the intent is not to pull one over on you guys, to the extent that you'd rather us bring the annexation with an actual application or project, I get that. I will say in our own defense, we had already applied for the annexation and we already paid the fee. We wanted to show good faith and be a good partner with the city and pay you guys taxes without taking services back. We can't tell you when a project is going to be developed, if we started today, it's probably 10 months' worth of engineering work to even get there.

Jennifer Smith asked wasn't it planned for apartments though? Before this?

Stephen Bennett said that was the initial proposal though, then it became pretty obvious that not a lot of people liked that. So, to be honest with you, that is why it was withdrawn. I think what we prefer now, is a multi-use project in line with its multi-use zoning.

Jennifer Smith asked if he decided to sell that to somebody, if they wanted to put apartments on it, they could, couldn't they?

Stephen Bennett said (inaudible) has some multi-family by right, so whoever owns it, whether it be us, the people before us, the people after us, that's just the zoning. It's six units, by right. We didn't ask for that to be re-zoned, they liked that property and they realize that it's a gateway into Monroe. It's an important gateway for folks coming from the western side of the county into Monroe. The intent is to build eventually a really nice project and make Monroe proud. I will defer to you folks on what you prefer to do with the annexation, the intent is not to hoodwink you and try to slide one by.

Archie Morgan said I would like to see a project attached to it. It's a slippery slope in that area. You've got Union Academy right there and that's problematic, it's a lot of traffic and we are talking about a two lane road.

Stephen Bennett said I can tell you in our feedback from our neighbors, that seems to be the main concern. Any other questions for me?

Chair asked if there were any other questions?

Richard Ali said my only comment is, like what Archie said, without having a project attached to it now, it does not mean that if a project comes up in the future that we don't have oversight to reject that project and send it back to Council.

Stephen Bennett said I will say from my own seeing point, I realize the value in developers working with the city to develop projects that work for everyone and the intent it not to get this in to do some by-right project and put Section 8 housing in there, that's not the goal. We recognize where this is and from attending your meetings for this half of the year, you guys want high quality projects. This community is not the place for people to skimp. That's how I advise my clients now and that's what I intent to build. I'm not going to build a project to you unless it's that.

Richard Ali asked is it correct that we do have the ability to deny a project?

Chair said if we annex it now and it might not be a lot of tax dollars, but it's some tax dollars, we are getting ready to go to a recession. I can put a foot in both camps, I don't disagree and it would be nicer to have a project. But, money is going to get tight next year and any money that we bring in, I think is good. I think we can certainly and if a project were to come to us, we would certainly have an option there.

Richard Ali asked at this time, there isn't a project?

Stephen Bennett said at this time, I don't have a project. All I can tell you is that it's zoned multi-use and we want to create a project that is in line with the current zoning; we're not going to come back here and ask that it be turned into retail mixed use, which is way harder. He bought it because he likes the way it's zoned and thinks the project fits in line with the current zoning fits right there. He wants to build something high quality.

Jennifer Smith asked what could be put there?

Stephen Bennett said I don't want to steal Keri's thunder here, but I believe the dream would be some combination of residential commercial mixed use project, whether it be three story building with flats, commercial on the first floor, restaurant or coffee shops and that sort of thing. Maybe a townhome sort of thing? I will tell you, interesting enough, I don't think you can build single family homes, I think single family homes are actually not allowed in this district.

Keri Mendler said that is correct.

David Dotson said it can be a mixture of office medical and the incentives that are attached to it are if it's at least 25% of each one of those, that goes towards the approval of the project as well, as long as it meets those standards. So, you might end up with apartments, you might end up with office medical, you just have no clue. There are a lot of moving parts to it and I think this might be one of the issues too without having something at this one moment because there is just too many moving parts and you don't know what it's going to look like.

Stephen Bennett said I think you kind of have to take your cues by what is across the intersection from it. There is a Food Lion and there are parcels that aren't developed yet, so that eventually for instance, the Villages of Rocky River is just down the road, and I think there is another big development approved down MLK closer to Union Academy and as those things start to fill in, there is going to be need and desire for more retail stuff.

Jennifer Smith asked could they build another school out there? Is it too small?

Chair said you would really kill the traffic if you did that.

Stephen Bennett said you've got the train and a power line kind of parallel that backs up. Honestly, about the only thing it could be is some sort of mixed use. There is no way to squeeze single family in, it's too narrow.

Chair asked if there were any other questions for Mr. Bennett? There were none. Chair said thank you and asked if there are any thoughts? Ken, you have that look? What's going on?

Kenneth Deal said I just like being in the know as to what's going on. I don't think the tax revenue is that substantial.

Chair said again, I appreciate your position and I don't disagree with it. I don't personally have any heartburn with doing this in two phases with the positive here and a negative if we don't like the project when it comes down the road. Any other thoughts or comments? Hearing none, I will entertain a motion.

Motion: David Dotson made a motion to recommend denying the annexation request.
Second: Archie Morgan
Action: The motion to recommend denial of the annexation request passed with the following votes:

AYES: Jennifer Smith, Kenneth Deal, Archie Morgan, David Dotson
NAYS: Richard Yercheck, Margaret Desio, Richard Ali

Stephen Bennett asked before you guys record your votes; would you permit us to withdraw this application?

Archie Morgan said it's too late.

Chair said once the vote is done, I think that's it. Alright everyone, what I need on your index cards for this one, because we are going to re-do our denial resolution.

Keri Mendler said there is no resolution for the annexation.

Chair said ok, disregard that. But, your cards will be important for the developer going forward. Thank you for that. Good discussion, we are moving on to Megan.

Item 5. Zoning map amendment for the property located at 1409 Concord Avenue and further identified as tax parcel 09-226-192A from Concord Avenue Overlay(CA-O) District, Sub-district A to Concord Avenue Overlay District (CA-O), Sub-district B.

Megan Brightharp, Planner I, stepped forward and proceeded to present the project. Planning Board is requested to consider a zoning map amendment for the property located at 1409 Concord Avenue and further identified as tax parcel 09-226-192A from Concord Avenue Overlay (CA-O) District, Sub-district A to Concord Avenue Overlay District (CA-O), Sub-district B.

The City of Monroe has received a request from Michael Ball of the Monroe Glass Shop to rezone the subject property from CA-O Sub-District A to CA-O Sub-District B. The Concord Avenue Overlay District is intended to improve safety and aesthetics in the Concord Avenue area identified in the Concord Avenue Master Plan, promote private investment and beneficial redevelopment of the Concord Avenue area, and create a suitable environment for compact, pedestrian-oriented, mixed-use development where business, office, retail, and residential uses are located in close proximity to one another. The CA-O District provides greater residential housing choice, affordability, and diversity with varying housing designs and densities, strengthens the City's economic base and provides employment and shopping opportunities close to home for City residents, and provides a clear and predictable set of standards and review procedures for development in the district. The property is currently improved with two structures on the site with paved/gravel parking areas.

The current use, retail, is not permitted in Sub-District A, which the property is currently zoned. The current use can continue, subject to the requirements in Section 10 Nonconformities of the UDO. However, in order to bring the property into compliance, as well as to allow all uses within the CA-O Sub-district B, the applicant has requested to rezone the property from Sub-district A to Sub-district B.

Adjoining Land Uses and Zoning Districts are the following:

North-Existing/Retail-Concord Avenue, Overlay, Sub-district B

East-Commercial/Retail and Residential Small Acreage- Concord Avenue, Overlay, Sub-district A & B

South- Residential Small Acreage- Concord Avenue, Overlay, Sub-district A

West- Residential Small Acreage-Concord Avenue, Overlay, Sub-district A

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Use and Transportation Plan indicates this area is Traditional Development. This designation allows some small-scale commercial and service uses that support surrounding residences. The Traditional Development Area surrounds the downtown core and is anchored by the City's most historic neighborhoods. The area offers easy access to downtown. Commercial is a priority use in this designation.

Planning staff believes the request is consistent with the Future Land Use Plan because the proposed rezoning to CA-O Sub-District B will allow small-scale commercial uses that will support surrounding residences.

PUBLIC NOTIFICATION

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.

Chair asked if there are any questions for Megan?

David Dotson asked the only change is in the permissible uses, correct?

Megan Brightharp said right.

Chair said Megan, thank you. Do we have anyone, besides Megan, that is going to speak for this project?

Archie Morgan said I would like to know what they want to do with that area? I would like to hear from the applicant.

Michael Ball stepped forward and introduced himself and said I own Monroe Glass Shop and I live in New Salem. The business has been there since 1948 and I bought it in 1987, so I'm not wanting to change anything. I didn't realize that it wasn't zoned for what we actually were. I just wanted to get it rezoned in case lightning struck it or something and it burned down, so we can build it back. There is no other purpose, no change or anything.

Chair asked, you are just getting in compliance?

Michael Ball said that's right. The business has been in the same place since 1948 and in the same building.

Chair asked if there were any questions for Mr. Ball?

Kenneth Deal said I would like to add that, as he has already indicated, that's a very honorable and beneficial business for the City of Monroe for quite a number of years. I think to support the businesses, we support us and that's fundamental in maintaining Monroe's character.

Chair asked if there are any other questions for Mr. Ball? Hearing none, Mr. Deal, would you like to make a positive motion?

Motion: Kenneth Deal made a motion to recommend adoption of the Resolution Approving Land Development Plan Compliance.
Second: Richard Yercheck
Action: The motion to recommend adoption of the Resolution Approving Land Development Plan Compliance passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Richard Ali, David Dotson
NAYS: None

Motion: Kenneth Deal made a motion recommending the adoption of the ordinance amending Section 157.1.2.1 Official Zoning Map.
Second: Margaret Desio
Action: The motion to recommend adoption of the ordinance amending Section 157.1.2.1, Official Zoning Map passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Richard Ali, David Dotson
NAYS: None

Item 6. **Zoning Text Amendment to Section §157.3.4.7 titled “Planned Developments”, §Section 157.4.2.3 titled “RMD-Residential Medium Density”, Section §157.4.5.2 titled “Planned Unit Development” and Section §157.8.1.9 titled “Conservation Subdivision” of the Unified Development Ordinance (UDO).**

Lisa Stiwinter, Director of Planning and Development stepped forward and introduced herself. She said I am bringing before you a Zoning Text Amendment Request to section §157.3.4.7 titled “Planned Developments”, Section §157.4.2.3 titled “RMD-Residential Medium Density”, Section §157.4.5.2 titled “Planned Unit Development” and Section §157.8.1.9 titled “Conservation Subdivision” of the Unified Development Ordinance (UDO).

At the November 8, 2022 City Council meeting, City Council directed Planning staff to draft a zoning text amendment to the UDO requiring Cluster and Conservation Subdivisions be processed as Conditional Zoning districts subject to the Zoning Map Amendment process as outlined in Section §3.4.6 “Zoning Map Amendment (Rezoning).”

Planning staff has drafted the zoning text amendments as requested by City Council. The first proposed text amendment is to the Cluster Development, this is the request of City Council to draft the Zoning Text Amendment to this section and what is highlighted in red, is what exactly is proposed to be drafted. Cluster development within the RMD district is permitted if an applicant consents in writing to the single-family design guidelines as defined in Section 8.7.2: Single Family Design Guidelines. Cluster development shall be a minimum five (5) acres in size. Cluster development allows an applicant to qualify for reduced minimum lot sizes per Table 4.2.3.1 and an increase in permitted density to a maximum of four (4) dwelling units per acre. In accordance with Section 3.4.15: Major Subdivision Preliminary Plat, cluster developments shall meet all requirements for a subdivision, site plan and all other applicable City ordinances and this UDO. A cluster development shall be reviewed as a Conditional Rezoning as outlined in section 4.6 “Conditional Zoning” following the Zoning Map Amendment process outlined in section 3.4.6 “Zoning Map Amendment (Rezoning)”.

The next section is also one of the proposed text amendments by City Council to Conservation Subdivision. The text amendment included the highlighted in red. **Conservation Subdivision Plan.** Prior to review of a preliminary plat application for a conservation subdivision, an applicant shall develop a conservation subdivision plan for the land. The conservation subdivision plan shall be reviewed as a Conditional Rezoning as outlined in section 4.6 “Conditional Zoning” following the Zoning Map Amendment process outlined in section 3.4.6 “Zoning Map Amendment (Rezoning)”.

Those are exactly as proposed by City Council and has been drafted. As I mentioned before, Planning staff is also proposing a zoning text amendment to Section §157.3.4.7 titled “Planned Developments” and Section §157.4.5.2 titled “Planned Unit Development”. The purpose of the proposed zoning text amendments is to address the section regarding administrative (minor modifications) and amendment (major modifications) changes to approved Planned Developments and the section that states maximum stories for building heights in the PUD zoning districts.

In the old Unified Development Ordinance (UDO), planning staff was given the authority to approve minor modifications to approved Zoning Map Amendments (rezoning). Staff’s interpretation of minor modification consisted of a reduction in lot count, change in landscape materials or location, change in configuration or placement of amenities, change in configuration of internal streets or arrangement or location of buildings. Staff’s policy has been that if an approved development requested major modifications such as an increase in lot count, density, reduction in amenities or open space or a major change in elevations, staff would require the development go back through the zoning map amendment process.

In the new Unified Development Ordinance (UDO) Section §157.3.4.7 titled “Planned Developments” provides the Planning Director the ability to make an administrative amendment to an approved planned development that includes allowing a change in residential density, total number of dwelling units not to exceed 10%. Although the ordinance provides the ability to approve a change in residential density by 10%, this is not planning staff’s common practice and under no circumstance would this modification be approved by planning staff. Planning staff is proposing to amend this section that would provide clearer expectations of what constitutes a major or minor modification to approved planned developments that contains similar language to Conditional Zoning.

Deviation Standards.

1. Except as noted in this Section, development in a planned development must conform to all applicable provisions of this UDO.
2. In no circumstance may a PCD or a PUD request to deviate from process or administrative related requirements as set forth in this UDO.
3. According to NC General State Statutes, deviations from the Unified Development Ordinance (UDO) may be requested as part of the Planned Development Master Plan.
4. Any proposed deviations shall be accompanied by a narrative explanation demonstrating that the modification is necessary and how potential adverse impacts shall be mitigated.

Just to kind of give a little background before I go into the text amendment, in the old Unified Development Ordinance, Planning Staff was given the authority to make minor modifications to approved Zoning Map Amendments Rezoning, whether it was a Planned Development or a Conditional, it was a Rezoning to a piece of property. Staff’s interpretation of minor modifications always consisted of a reduction in lot count, a change in landscape materials or location, reconfiguration of amenities and so forth. So, Staff’s policy has always been that if it’s a major modification, such as an increase in lot count, or anything that intensified a project, versus something with less intensity, we would require that to go back through the amendment process, which would be to Planning Board and Council again. In the new UDO section 3 regarding Planned Developments, provides

the Planning Director the ability to make an administrative amendment to approved Planned Developments that include allowing a change in residential density, which is the total number dwelling units, not to exceed 10%. Although the ordinance provides the ability for the Director to approve modifications to approved developments, that's not been our common practice, even in the old ordinance, nor would it be a common practice going forward. Even though the authority is in here, we would never utilize that authority, so anything that would increase lot count, density, or reduces amenities or open space, we would require that development to go back through the process anyways. So, that is the reason for the amendments.

This next section deals with Administrative Changes to a Planned Developments, minor modifications. The Director may administratively approve minor modifications to approved planned development master plans. Subsequent plans and permits for development within an approved planned development may include minor modifications to the conditions of approval, provided the development continues to meet the minimum requirements of the Unified Development Ordinance (UDO). Minor modifications are limited to changes that have no material effect on the character of the development or changes that address technical considerations that could not reasonably be anticipated at the time of the planned development approval. The following minor modifications may be approved by the Director of Planning and Development:

1. Changes to the location of entrances or driveways, the rearrangement of internal streets, drives or access restrictions;
2. Changes to the configuration of parking areas, including the number of parking spaces provided the changes are within 10% of approved parking spaces;
3. Changes to the configuration or location to open space or placement of required amenities, provided the amount of open space (whether active or passive) is unchanged;
4. Changes to the configuration of landscape yards, including the types of materials, provided minimum width and planting requirements are met;
5. Changes to the proposed building elevation or façade, including materials, provided that the change retains the same general architectural character and remains consistent with design parameters established in the approval; and
6. Changes to the arrangement or location of buildings provided there is no increase in the number of buildings, size or amount of impervious surface.

Amendment Changes to a Planned Development. Changes that material effect the basic configuration of the development, basic parameters of conditions of approval, or that exceed the scope of minor modifications are considered major modifications. Major modifications to approved Planned Developments shall be treated as an amendment that is required to be reviewed and considered in accordance with the procedures and standards established for original planned development approval. Major modifications include, but are not limited to:

1. Increase in building height;
2. Changes in proposed use types;
3. Increase in lot count or change in intensity;
4. Decrease in open space; and

5. Substantial changes in the location of streets (particularly if streets are to be deleted or access points to the development moved so traffic flows both inside and outside the development are affected)

At the October 18, 2022 joint Planning Board and City Council meeting, it was brought to Planning Staff's attention that Planned Unit Development zoning district, which is predominantly residential in nature, allows a building height of a maximum of 4 stories. Planning staff believes that a maximum of 3 stories is more appropriate, therefore we are requesting an additional text amendment to Section §157.4.5.2 title "Planned Unit Developments. The only suggested change here is to the maximum stories. I believe this was brought up by one of the Planning Board members at the joint meeting that there was, in the Planned Unit Development, which is residential in nature, there was the ability to do 4 stories. So, that concern was raised and after staff thought about it, we kind of had a concern with the 4 stories too and thought 3 stories might be more appropriate. So, we proposed that text amendment as well. So, that is all I have for you today and I am happy to answer any questions that you may have. The proposed text amendments are consistent with the Land Use Plan.

Chair asked if there are any questions for Lisa?

David Dotson asked can we do this one at a time? In other words, can we take these amendments one at a time and vote on them, versus doing them as one big group? The reason I ask is because I have questions and I don't want her to have to go back from one slide to another slide. Can we not do this and somewhat break it down just a little bit?

Ashley Britt said we can, just the only issue there is the resolution is for all of the amendments, so if you want to approve it, we will have to draft resolutions for each section.

David Dotson said I'm not trying to be difficult, I just think the first two would be relatively easy since it was requested by Council. The other two, I do have some questions about and I don't know what... inaudible.

Chair asked does anyone else have the same thought as David?

Archie Morgan said I would like to get down to the bones of it.

Kenneth Deal said my concern is that we might like 2/3's of it and then the whole thing gets thrown out.

Chair said I don't disagree.

Ashley Britt said if you want to do it one by one, I would just say that when you do the motions to recommend the adoption of the resolution approving the Land Use Compliance, just say for the reasons stated and then authorize staff to draft it. Because the resolution we have right now is for all of them, so that way it will be for each.

Chair asked does that work with everybody? We will just take them one at a time. If we are in agreement for the first two, we can do the first two together.

David Dotson asked does anybody have any questions about the first two that was recommended by City Council?

Motion: David Dotson made a motion recommending adoption of a Resolution approving Land Use and Transportation Plan Compliance for the Cluster Developments and authorize Staff to draft a resolution matching this motion.

Second: Jennifer Smith

Action: The motion to recommend adoption of a Resolution approving Land Use and Transportation Plan Compliance for the Cluster Developments and authorizing Staff to draft a resolution matching the motion passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Richard Ali, David Dotson

NAYS: None

Motion: David Dotson made a motion recommending the adoption of the ordinance amending Section §157.4.2.3 titled “RMD-Residential Medium Density”.

Second: Jennifer Smith

Action: The motion to recommend adoption of the ordinance amending Section §157.4.2.3 titled “RMD-Residential Medium Density” passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Richard Ali, David Dotson

NAYS: None

Motion: David Dotson made a motion recommending the adoption of a Resolution approving Land Use and Transportation Plan Compliance for the 8.1.9 Conservation Subdivisions and authorize Staff to draft a resolution matching this motion.

Second: Jennifer Smith

Action: The motion to recommend adoption of a Resolution approving Land Use and Transportation Plan Compliance for the 8.1.9 Conservation Subdivisions and authorizing Staff to draft a resolution matching this motion passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Richard Ali, David Dotson

NAYS: None

Motion: David Dotson made a motion recommending the adoption of the ordinance amending Section §157.8.1.9 titled Conservation Subdivisions.

Second: Jennifer Smith

Action: The motion to recommend adoption of the ordinance amending Section §157.8.1.9 titled Conservation Subdivisions passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Richard Ali, David Dotson

NAYS: None

Chair said the first two are done. Lisa, can you go back to what would technically be number three, the section C? Do we have a motion to approve or deny?

David Dotson said I have some questions first.

Chair said go ahead with your questions.

David Dotson said this is the Planned Development section for the deviations standards. The way it is written right now, the way the UDO is currently written. Number two is each Planned Development shall conform to section 8.7.9 Residential Design Standards. The Planned Development contains the Planned Commercial Developments, correct?

Lisa Stiwinter said yes, let me just clarify a little bit more why this was changed and how it was changed. Originally when it was written, there were two items in there that said Planned Development should conform to the design standards and then it said something about Planned Developments can be deviated from the design standards. It contradicted the language, but even though the Planned Developments are site specific rezoning. Basically, they are mutually agreed upon agreements between the City and the developer and any ordinance or standard can be negotiated or the City can request conditions. So, regardless of any of that, when staff reviews a planned development or rezoning in general, whether it's a planned development or conditional district, we require all the ordinance standards to be complied with. They can request a deviation, but when we review it, we are going to require the design standards.

David Dotson said but, it's not in writing though. Even though you require it, there is nothing that makes them require it.

Lisa Stiwinter said the entire ordinance makes them comply. Even with conditional districts coming forward now, we review them, even the ones that have been approved, we review them based on our ordinance standards, which was the old ordinance. Say they did submit one and they propose to deviate from the design standards, staff most likely will not support that project.

David Dotson said what I am saying is, where is that written at.

Lisa Stiwinter said it's section 8 point, whatever section the design standards are.

David Dotson said right, but I guess my point is, the deviation standards for the planned developments are right here in front of us, correct? In that, it says each Planned Development shall conform to section 8.7. Why was that put in there in the beginning, if that most likely would make them comply anyways. Why take it out if it's redundant. If its redundant, it's redundant.

Lisa Stiwinter said it wasn't necessary. Because the entire ordinance is required, so are you going to call out every section of the ordinance and state that section whatever the sign section, the open space, the landscaping, the design standards, then you would call out every section of the ordinance. Does that make sense?

David Dotson said no. Because we are talking about Planned Developments.

Lisa Stiwinter said Planned Developments are going to be required to comply with all of those ordinance standards.

David Dotson said right.

Lisa Stiwinter said they do have the ability under state law to request deviations, we have the ability to not approve that project based on those deviations. So, say a planned unit development came forward and it was a commercial and they requested to deviate from the open space and the design standards. Well, staff's recommendation will be for denial and that would be what would come before Planning Board and however y'all decide it.

David Dotson said because it doesn't conform.

Lisa Stiwinter said because it doesn't comply with the ordinance standards. It's not consistent.

David Dotson said but you wouldn't approve that coming before the Planning Board. You don't have to approve that if it doesn't conform, unless it's a standard deviation that you've allowed, correct? Am I asking the question the right way? I don't understand why this was written in here and I understand what you are saying. You are saying that staff would make them comply. But, I don't understand that concept of removing it.

Jennifer Smith said so you want to specifically see it in writing?

David Dotson said yes and that's just my opinion.

Lisa Stiwinter said you just want to call out the design standards, they have to comply with that.

David Dotson said well I mean we are talking about five story commercial buildings and to me, I would rather see it in writing in this section stating that they have to comply with it and that's just my opinion. Everybody else can do what you want. You can remove it and say most likely staff will make them comply, then that's fine too.

Keri Mendler said I think it's one thing too, but Planned Developments have to come to Planning Board and City Council. So, when we do our initial review when they submit, we are looking at the ordinance and checking to see if they comply. If it doesn't comply, we will let them know and say hey, you aren't complying with this section and they can either say we will comply with it or oh we want to request a deviation per number three. Then that's when City staff does the presentation in front of Planning Board and Council and say here's where they're not complying or what they are requesting deviations from.

Chair said otherwise we are going to have to put it in for each individual section.

Lisa Stiwinter said when a developer hears that Planning Staff is not going to provide a recommendation of approval to go to Planning Board, it usually doesn't go anywhere. I've seen very few that have moved forward without our recommendation of approval. When we review it, if it were to be those few and far between, it's kind of indicating what Keri mentioned. That each section that they are requesting to deviate and are not complying, that would be within your staff report and that would be the reasons why staff is not recommending approval under the recommendation section.

Keri Mendler said again, number three indicates that you have to comply with the Unified Development Ordinance or request the deviations as part of that master plan process.

Chair said correct me if I'm wrong, if we tighten this up to the point of doing this in every section, how much are we handcuffing ourselves as we move forward.

David Dotson said if they already have to comply, they already have to comply with 8.7, correct? So, they have to comply with 8.7, unless they ask for a deviation?

Keri Mendler said yes, unless they ask for a deviation. If it would make you more comfortable to say they have to comply with all ordinance requirements. Because if you start listing them, I think there is the potential, did we miss one? Or if we start adding ordinances later, are we going to accidentally miss one there? It's a large document.

Lisa Stiwinter said maybe it should have been revised to take out the except as noted in this section, which there isn't really anything that's noted in this section that's not noted in state law that they can request a deviation anyway. Maybe number one just needs to say all proposed developments and planned unit, must conform to the provisions of the UDO. Maybe it needs to be revised right there and I think that gets the intent, because the other part is really saying no more than what the state law allows them to request.

Chair said that's a Raleigh issue.

David Dotson said Raleigh is in Raleigh, we are in Monroe. When Raleigh does something, then we can change whatever we have to change. But, I'm not trying to tighten anything down, like I said, that was put in there at the beginning for a reason and I don't know what that reason is, but if they have to comply with section 8.7, then I'm comfortable with that.

Lisa Stiwinter said I think that was part of the revision, we had the concern that it did just state that section, when they have to comply with the entire ordinance.

Keri Mendler said right, because then that does lead to questions. Like, I only have to comply with that one section. But, no we are saying you have to comply with everything, unless you request a specific deviation.

Chair said alright, David, what are your thoughts? Are you better now than where you were fifteen minutes ago?

David Dotson said I somewhat understand it, but it throws me when I read it and I feel that when this was adopted, my thought process wasn't that someone took it section by section and that each part of it was looked at and put in there for a specific purpose. I didn't want to see something go away that people have to look at bare brick walls and loading base to the front and all the things that are in 8.7 that it prohibits.

Chair said right.

David Dotson said if staff is saying that they have to conform with that and this is not going to bind them, if this goes away and they still have to comply with that, I'm comfortable with that.

Chair said ok.

Archie Morgan said that is what staff is saying.

Keri Mendler said the only way that they would not have to comply with that is if Planning Board makes their recommendation and ultimately City Council approves it.

David Dotson said but, it would have to be listed as a deviation. They would have to go back to that.

Keri Mendler said right.

David Dotson said which is my next question. The design modifications show they indicated at the time of filing for any planned development application and label and identify on the PDMD, that's been removed too? Why was that done? That's number 4 in the old section, in the old 3.4.7 Planned Development, section C. Says....

Lisa Stiwinter said I think, instead of design modifications, I think what the language was written by the consultant, I think what their intent was deviations from the ordinance versus design. I don't know if they were thinking of more of the design, not just building design, but street design and sign and everything design related. That's why we felt that number three and number four and really number two, three and four talked out of both ends. So, we just cleaned it up and said that if any deviations or modifications is requested, it needs to be stated up front when submitted.

David Dotson asked that's on this one here?

Lisa Stiwinter said yes, number four, any proposed deviations shall be accompanied by a narrative explanation demonstrating that the modifications are necessary and how potential adverse impacts shall be mitigated.

David Dotson when they submit? Can we put that in there?

Chair said it is in there.

Lisa Stiwinter said that is in there, in number four.

Chair asked if there are any questions? Ken, you are remarkably quiet, that worries me.

Kenneth Deal said I kind of jumped ahead in the Administrative Plans, but I want to let him go ahead and finish first.

Lisa Stiwinter said are there any questions?

Kenneth Deal said I've got a question on the Administrative Changes to Planned Development, in particular, the sub-paragraph number two. We see so many projects where parking is tight. We've leaned on people to add parking and I am concerned that when we approve a project with a specific amount of parking spots, that they can later come back to staff and say those ten extra spots are just too expensive or too difficult or whatever. Then, those ten spots go away or this 10 % clause in there, I prefer if a project has gone through staff already and Planning Board and Council approval, those parking spaces are locked in. The last project that we wrangled over parking spaces, if you took 10% away, you lose the whole visitor parking lot that we made them put in the front. I would like to see that taken out and that would be my recommendation.

Archie Morgan said that is a good point.

Jennifer Smith said I agree, that is a good point.

Archie Morgan said we have turned some down for not sufficient parking and we...

Jennifer Smith said or ask for overflow parking.

Archie Morgan said or try to work a deal with a grocery store to use part of their parking and that kind of thing.

Kenneth Deal said I would consider that a major change and they would have to come back through to us, if they are wanting to deviate in particularly if we are wrestling with them over parking spots.

Jennifer Smith said I agree.

Chair asked, Lisa, does staff have thoughts on that?

Lisa Stiwinter said I was going to state that I didn't recall making any modifications to approve projects related to parking, but we didn't have any parking standards before. So, now we have a parking standards section that provides minimum and maximum parking requirements based on use. I don't have any heartburn over that.

Chair asked you don't have any heartburn if we remove two? Alright.

Keri Mendler said we prefer to leave the changes to configuration of parking areas and just remove the part regarding actual....

Lisa Stiwinter said the 10%.

Kenneth Deal said I have no objection to that. Because that would be an engineering question.

Keri Mendler said there are times when configurations need to happen due to the site triangle and stuff like that.

Chair said basically we are just going to remove the 10%, so that would just go away.

Archie Morgan in that vein, what about number one. We approve a project or we are looking at one and now we are talking about changing the entrances and the driveways and the rearrangement of the internal streets and drives and access restrictions.

Lisa Stiwinter said minor changes. Like say the development gets ready to...

Archie Morgan said well it needs to say minor changes.

Lisa Stiwinter said these are minor modifications.

Chair said the whole thing is minor.

Lisa Stiwinter said an example of that would be the entrance, once it goes through the NC Department of Transportation review and they don't meet in the site distance, the entrance might need to be shifted down 20 ft., those are minor modifications. Major modifications, we would never allow an entrance to be removed or significantly relocated. One, it's reviewed by the NC Department of Transportation and the City's Engineering department and they wouldn't allow that anyway.

Kenneth Deal said Archie, I pinged on that at first when I went through it. But, then I think it's covered if you look at G on the next page. Substantial changes in the location of streets.

Archie Morgan said as long as it's minor.

Chair said if you go about half way up the paragraph right past UDO, minor modifications are limited. Alright, number two, is everyone good with just removing the 10% out of that number?

Jennifer Smith said yes.

Chair said staff is good with that. Ashlyn are you taking good notes over there?

Ashlyn Penegar said I'm trying too.

Archie Morgan asked does this mean that we can approve these text amendments as a whole now instead of singularly since we've answered all the questions?

Kenneth Deal said we just need to approve this one now, we've already approved the other two.

Chair said with modifications. With the removal of the 10%.

David Dotson said as long as I'm clear, these are minor changes to the range in locations. I mean some of this stuff sounds pretty heavy duty to me. Changes in the arrangement or location of buildings provided there is no increase in buildings. This is to approved? This is changes that we've made that they brought us and made a master plan here and it was approved, it's with Council correct? It would be voted on and approved. These are things that are going to be changed to be allowed to be done to something that there is a public hearing on, a vote on, this is all to be done to approved... I want to be a little cautious about that because we are going from minor changes to location of a building, parking or accessory uses. A minor change will not exceed a 100 ft. in distance from the approval location and shall not be closer than 50 ft. to any property line. That's pretty specific.

Keri Mendler said that's currently in...

David Dotson said that's what I'm saying. That's what you're going from to changes to the arrangement or location to building provided there is no increase in the number of buildings, size or amount of impervious space. Changes to the location and interesting enough, granted I understand the argument that it's minor, but we don't know what a minor.

Chair said I understand that, but if they are going to move a building to fit better on a project versus they are not going to pick it up and move it ten yards.

Archie Morgan said minor is very subjective.

Chair said right.

David Dotson said if you move a five story building from here to here because, I don't know, there is a big huge rock that you can't build around. You should have to have an amendment to come back to us and explain why that is being moved, because that's no longer....

Lisa Stiwinter asked, you want to see every little change for approved projects?

Chair asked how do we quantify minor?

Lisa Stiwinter said we always discuss the minor modifications with the City Attorney as well. So, we get their legal advice as to what's considered a minor modification.

Chair said it's project specific.

Lisa Stiwinter agreed and said it's project specific and it happens very few times. From time to time, it does happen where they go to do the design for storm water....

Board discusses.

David Dotson said I just don't know what a major change is.

Jennifer Smith said minor, you mean minor.

David Dotson said well, if these are minor, then what would be a major change?

Chair said I think the issue is that you're looking for a way to quantify major in the broad sense and there is no way to do that because it's project specific. At a point, you've got to trust staff and the city attorney to do their jobs to bring it back.

Archie Morgan said we certainly don't want to be inundated with every minor little change.

Chair said that's right.

Archie Morgan said we don't want to bog down everything and create more work for staff.

Jennifer Smith said exactly.

Chair said I don't disagree with what David is saying because it's more of a qualitative type of term in there, but I don't think there is because these are all project specific issues and there is no way for us to quantify that and there is a point at which we've got to trust staff and Council to make sure that if it's a major change, they would bring it back to us. Otherwise, we are going to be doing everything.

David Dotson said I'm almost done with the subject. The UDO determines what's done.

Chair said exactly.

David Dotson said the City Attorney can't go, in my belief, that's a minor, if the person wants to move the buildings and ask to have a building moved because of an engineering issue, how does it get determined what's a minor and what's a major. It's subjective and I get that, but we are making all these changes and actually writing it all down, so we are going from having a personal request to have it done to having something written that says these things can be moved around.

Chair said it's a valid point.

David Dotson said I understand that the projects are all specific and I understand not wanting to bog down the system, I understand that. Like I said, if you can make all of those changes listed there, I don't know what would be left of the original site plan if you had to do that.

Lisa Stiwinter said what do you propose that to be?

David Dotson said I don't know and that's why I don't know why we need to modify it right this second. I think it's something that we need to have a workshop on and go over it and think about. Maybe we need to have a joint meeting with City Council, I don't know. But, I don't know that if sitting here and that's just my opinion and we can vote and I can vote my way and everybody vote their own way. That's how it goes.

Margaret Desio said I really think at some point, we just have to trust the staff for them to make the decisions.

Archie Morgan said what the bottom line is here we are going to be doing a lot of extra work and asking the staff to do a lot of extra work. Do we really want folks to do that? On the other side of the point is, it's like

we're giving up control and you all can make all these changes and we aren't involved in it. Which do you want? Do we want to give staff that level of authority or do you want to bog them down with all these questions on every little change?

Margaret Desio said I would rather give them the authority. We are citizens, these people are trained to do this. I just don't think we can micro manage all developments. We have to leave it up to staff and say you all know what you're doing. If somebody comes in and says ok, there are seven things I want changed, well that's different. But, I really think we need to leave a lot of it up to staff.

Lisa Stiwinter said if they are requesting to deviate from all of those, we would consider that as a major modification.

David Dotson said thank goodness, that's a good thing. I would hope so.

Lisa Stiwinter said I was just trying to make you feel better, that's all.

David Dotson said I know, it's difficult. No one wants to micro manage anything. But, again, when you read what the UDO says and if a developer comes in and says I want to know why you let this guy move his building, but you won't let me move my building. It says in the UDO that you can rearrange buildings, why are you allowing this person to do it and not me.

Archie Morgan said it is what it is.

Chair said here is where I think we are....

Jennifer Smith said it's a case by case thing, right?

Chair said it is. I think where David is and forgive me if I mistake this, but you are shooting for excellence, but we are going to give up good trying to shoot for excellence.

David Dotson said right, well no. My point is, if they came in here with a project and they went to the Council with a project and it was approved, now they are going to have the ability, I'm not worried about staff, that's not really my worry. My concern is this person comes in and says I need to move these because X, Y and Z. Well, it's subjective. The next person could come in and say well I want to move these and you let this person move this because of this reason, why aren't you letting this person? I'm not worried about staff; I'm just worried about that. We can move on.

Chair said right now, we need to make a motion to recommend the adoption.

Motion: Richard Yercheck made a motion recommending the adoption of a Resolution approving Land Use and Transportation Plan Compliance with the amendment that in section F, item 2, the 10% is removed from that line, and to authorize Staff to draft a resolution matching the motion.

Kenneth Deal said just deleting the 10% doesn't do it. Leaving in changes to configuration to parking areas is fine, but what we need to remove is the part that says including the number of parking spaces provided the changes are within 10% of the approved spaces. It's that second sentence.

Chair said I accept Mr. Deal's amendment to my motion. Does anybody have any problems to the amendment to my motion? Hearing none, that will be added. To include in my motion that we change the maximum stories to 3 from 4 is to be included in this motion.

Second: Kenneth Deal

Action: The motion to recommend adoption of a Resolution approving Land Use and Transportation Plan Compliance with the condition of removing the section regarding the number of parking spaces and authorizing Staff to draft a resolution matching the motion passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Richard Ali

NAYS: David Dotson

Ashley Britt said now we need the motion to recommend the adoption of the ordinance amending those two sections, along with that.

Motion: Richard Yercheck made a motion recommending the adoption of the ordinance amending Sections §157.3.4.7 and §157.4.5.2.

Second: Archie Morgan

Action: The motion to recommend adoption of the ordinance amending Sections §157.3.4.7 and §157.4.5.2 passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Richard Ali

NAYS: David Dotson

Chair said sometimes the hardest part of all of this is getting the motions read correctly so that we can vote on them. Moving on, that was item 6, we had a technical error and there should be an "Other" on here and "Other" is there according to my email to all of you. If you have talking points or discussion points related to the UDO that you would like to share with staff and the rest of the Board, this will be the time to do that. Any major discussion we will do when we have our joint session with City Council in January.

Archie Morgan asked if we have a date on that yet?

Chair said a date? I don't think so.

Keri Mendler said no we don't have a date.

Chair said that's coming. One other housekeeping note, would you please make sure your names are on your cards, so that way we are not trying to interpret handwriting.

Archie Morgan said you will still be doing that.

Chair asked is there any Other, other than what we just went through as it relates to the UDO, are there any discussion points that we would like staff to be prepared for when we meet in January with City Council?

Kenneth Deal said one of the things I would like to ask City Council in the joint meeting is, between the time that the proposed UDO was briefly gone over in the joint meeting and the significant delay of when it was approved, there were dozens of changes made to it. Many of those changes were unknown to any of the Planning Board members until they were brought out in Council. As I go through it, the UDO, I find myself in rabbit holes. When it talks about things that were taken out and since this is a Planning Board, I will just use the Planning Board section as an example. It talks about quorums and then it says if someone has been recused and there are no qualifying alternates. Well, all the alternates are stripped from the Boards and Committees, but the language is still in there. But, if you break the UDO down and I'm a military guy, we break it down into sections and hash the sections and try to fix not only the administrative procedural errors and omissions or in fact telling a soldier or sailor to do something that we really don't want them to do. Then we put it all together. They wanted the UDO bad and it's been going on for years. The contractor was not local, it's not somebody that knew what everybody's ideas were. They wanted the UDO because they wanted to get rid of the old UDO and we needed a new one. I think now that we have a UDO, the Planning Board should murder board the new UDO section by section and block by block, brick by brick and discuss what it allows the developers to do and who approves what and as a citizen, I vote people in the Council, I want them aware and I want them on record voting for a lot of stuff that right now the UDO says they don't have to be made aware of. Speaking with Council members, they don't understand that they have delegated that to other people, which is the reason why we have this text amendment. They jerked that back quickly. Councilmembers have told me things that they think things need to be updated in the UDO because it wasn't clear to them when they voted on it. So, I'm trying to speak in general terms, using that one example. I think that staff should put on every Planning Board meeting in numerical order from cover to cover, there is almost 500 pages almost. Break it down into sections, we can come in here and read it and talk about what's in it and what it means and see if there are any objections or any desires to recommend changes that we can all agree on. I still believe that when we compute acreage and acreage should be done on buildable acreage and not gross acreage because if you live in a medium or a low density area and you think you're going to get 2 or 4 houses on an acre, and you see someone buy a 30-acre portion parcel and all the residents are on the left hand, 10 acres. They are stacked on top of each other, but that meets the requirements of the UDO. That's just wrong in so many ways. So, that's something that as we get to that portion, I want to consider changing the language on density and on acreage and how it's computed and conformed with what Union County uses and what Mecklenburg County uses. Although Mecklenburg County breaks up Charlotte different than the rest of the county and make sure that Council knows and the citizens know what to expect to be built next door to them. That would be my proposal, is that we start going through the UDO, a section at a time. Sure, it will take us a year, a year and a half to do it. But, then we will have something that we will have for all the sailors and soldiers going the wrong way and they can come together.

Archie Morgan asked if it's too late to murder board the UDO?

David Dotson said we have to do it like we did tonight.

Kenneth Deal said once we come up with a change that we've discussed, and got staff involved in, then staff has to go back and write it up like this and bring it back to us to vote.

Archie Morgan said we have to approve it to know what's in it.

Kenneth Deal said I don't agree with that concept. If I was in Congress, there is no way that I would vote for a bill if I didn't know what was in it.

Chair said then you wouldn't vote for anything.

Kenneth Deal said maybe not.

Jennifer Smith said I think it's a great idea.

Chair said hearing that, that will be a topic that we can bring up with City Council because they've got to want us to do that. I think we can do that; we can certainly go through this with staff. What I see as the future on what we need to be careful in setting a precedent is when we aren't here and it's another Board and they decide to go through and murder board the UDO.

Kenneth Deal said well, welcome to democracy.

Chair said I don't disagree with what you are saying. I think we just need to tread lightly, because otherwise that is going to become the trend. The next group that comes in, will then come in and they get to murder board. You set a precedent for...

Archie Morgan said Boards changing the UDO every time there is a new one.

Chair said I don't disagree that we shouldn't go through it and go through in sections and look for potentially big topic issues. But, I also don't want to be the Board that sets the precedent that the next Board can come in and change it back and change it a different way. Again, elections have consequences, I agree.

Kenneth Deal said you can always ask that to be done from Council and they may want to do it every 5 years.

Jennifer Smith said it would close up a lot of loopholes. I know exactly what you are saying.

Chair said I think on a cycle, sure. I think for sure it needs to be reviewed and any document like this has to be reviewed from time to time.

Archie Morgan said we did the same thing and we wrapped up the County with the 2050 plan and it's redone every 8-10 years.

Chair said this one is brand new and being brand new and all that, we are going to go through and we're going to find things that we don't like. There is going to be things that we want to pick apart and change and I think we should do that. But, I also think we should tread lightly and make sure we aren't setting ourselves up for...

Archie Morgan said I think we would benefit from that experience.

Jennifer Smith said it's bettering the community, all together.

Archie Morgan said we would have a better understanding of the UDO.

Margaret Desio said I do have one thing that I would like staff to look at. It still bothers me greatly that multifamily is in commercial zoned. I would like to look at any multifamily, apartments, all be conditional districts.

Chair asked why?

Margaret Desio said because I think apartments have such a strong income production. I'm afraid that if we allow apartments in all commercial districts, that we will have many commercial districts bought up just so they can put apartment complexes on it and Monroe doesn't need any more rental property, I can tell you that.

Jennifer Smith said that's a good point.

Margaret Desio said I just would like some kind of control over apartment complexes.

Chair said we will look at that. Mr. Ali, you are remarkably quiet. Archie, anything else?

Archie Morgan said no, I would like to look at the UDO myself. It's lengthy and complicated.

Jennifer Smith asked can we put any terms on that, like if we do change things, that it couldn't be changed for a certain amount of time?

Kenneth Deal said that's where Council would set a charter and it would have to say we want to do this.

Archie Morgan said staff is going to have recommendations for things that need to change. They deal with this stuff every single day and they see the changes and they will be making recommendations to us.

Kenneth Deal said last one they brought to us was about working with the contractors. They realized they were too stringent on some of the buffers, so they fixed it.

Chair asked does anybody have anything else for this evening? I think it's been a very good meeting.

Item 7. **Next Meeting: January 4, 2023**

Item 8. **Adjournment**

Chair said if there were no further questions, he would entertain a motion at this time to adjourn.

Motion: **Richard Yercheck made a motion to adjourn.**

Second: **Jennifer Smith**

Action: **The motion to adjourn passed unanimously with the following votes:**

AYES: **Richard Yercheck, Jennifer Smith, Margaret Desio, Kenneth Deal, Richard Ali, David Dotson and Archie Morgan**

NAYS: **None**

The meeting was adjourned at 7:23 p.m.

Respectfully Submitted,

Richard Yercheck, Chair
Planning Board

Ashlyn Penegar
Secretary to the Board



STAFF REPORT

TO: Planning Board Members

DATE: January 4, 2023

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Senior Planner

SUBJECT: Zoning Map and Text Amendment request for Conditional District
“Jefferson & Crowell”

SUMMARY STATEMENT

The Planning Board is requested to consider a zoning map and text amendment for the properties located along W. Jefferson St. and W. Crowell St. further identified as tax parcels: 09-273-004A, 09-273-004B, 09-273-004C, 09-273-004D, 09-273-004E, 09-273-004F from RMD (Residential Medium Density) to Conditional District (CD) “Jefferson & Crowell”.

This project came before Planning Board on July 13, 2022 and received a recommendation for denial. At the August 9, 2022 City Council meeting, the applicant requested to go back to Planning Board with modifications to the project. Since the July 13th Planning Board meeting, the applicant has provided revised elevations. The site plan has had minor modifications as well, including the addition of a landscaped buffer along the western property line.

REVIEW

Ben Russell, on behalf of Pinnacle Homes USA, LLC, is requesting a Conditional District rezoning in order to develop 15 attached single-family homes (townhomes). The total area of the project is 1.52 acres with .69 acres (46%) of open space. The site is currently zoned RMD (Residential Medium Density). As currently zoned, the properties can currently be developed for residential uses.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Vacant	GI (General Industrial)
East	Multi-Family	RMD (Residential Medium Density)
South	Single-Family	RMD (Residential Medium Density)
West	Multi-Family	RMD (Residential Medium Density)

REQUIREMENTS

Proposal

The applicant is requesting a Conditional District rezoning in order to develop 15 attached single-family homes (townhomes). The total area of the project is 1.52 acres with .69 acres (46%) of open space.

Density & Dimensional Standards

The density of this project is 9.88 units per acre. The minimum lot size for the townhomes is 2,046 square feet with a minimum lot width of 22-feet. The data below is simply to provide the board with information to compare the proposed density to what is allowed by the zoning ordinance in other residential districts in Monroe.

Zoning District	Maximum Allowable Density
RLD	2 unit/acre
RMD	3 units/acre by-right; 4 units/acre clustering
RHD	10 units/acre
DG-MX	10 units/acre by-right; 15 units/acre w/incentives

The proposed minimum setbacks are as follows:

Front: 30-feet

Side: 5-feet

Interior Side: 0-feet

Rear: 20-feet

Landscaping

This project is being processed under the previous ordinance, which required a 50-foot landscape buffer for townhome projects. The applicant is proposing landscaping along the western property line. Each lot will have at least 1-yard tree, which will be at least 2-inches at the time of planting.

Open Space

Under the previous ordinance, townhome projects were required to provide 50% open space, which would equal .75 acres. The applicant has provided .69 acres, which is 46% of the total site. Due to the size of this project and number of units, there are no amenities planned for the open space.

Elevations

The developer is proposing the primary exterior building materials to be fiber cement. The minimum heated floor area of the townhomes is 1,300 square feet. The new elevations also provide wider and deeper front porches.

Parking

The applicant is proposing that all units will have a one car attached garage. All front load garages will have decorative garage doors that have windows with mullion details. Each driveway will be able to accommodate at least two (2) vehicles. The proposed development will provide 45 parking spaces with room for two vehicles in the driveway and one vehicle in the garage.

The previous ordinance required multi-family projects to provide parking at a rate of one (1) space per bedroom plus an additional ½ space per unit. Assuming each unit has two (2) bedrooms, this project would require 38 parking spaces. The current ordinance requires two parking spaces per unit, which would equal 30 parking spaces.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Transportation

The project is located between W. Jefferson St. and W. Crowell St. There are no transportation improvements for this project.

Schools

The proposed 15-lot townhome development will be within the following school attendance areas for the current school year:

Walter Bickett Elementary	Currently at 64% rated capacity
Monroe Middle	Currently at 87% rated capacity
Monroe High	Currently at 66% rated capacity

The proposed development is not expected to adversely affect school enrollment vs. capacity.

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Use and Transportation Plan indicates this area is in the Traditional Character Area. Traditional Development, which surrounds the downtown core, is anchored by the city's most

historic neighborhoods. This designation allows some small-scale commercial and service uses that support surrounding residences. The dense transportation network offers easy access to downtown. The design and scale of neighborhoods encourages active living and affords residents the ability to live, work, shop, and play within a walkable community. Buildings are generally oriented toward a comprehensive network of walkable streets. Cul-de-sacs should be limited to the extent possible, such as locations where topography, natural features, or existing development makes other street connections prohibitive. Requiring pedestrian connections and designating stubouts for future street connections is encouraged.

Townhomes are a priority use in this character area. Residential density for this character area is 4-10 units per acre. The proposed project is consistent with the land use and transportation plan.

PUBLIC NOTIFICATION

1. The applicant held a neighborhood meeting on May 11, 2022. There were seven attendees at this meeting.
2. A rezoning notification sign has been posted on this property since July 29, 2022.
3. An official rezoning notification letter was sent to adjacent property owners on July 29, 2022. Staff will be sending out new letters prior to the public hearing as well.

MODIFICATIONS SINCE JULY 13, 2022 PLANNING BOARD

- Added landscaping along the western property line
- Provided revised elevations to include decorative garage doors and wider and deeper front porches.

RECOMMENDATION

Staff recommends approval of the rezoning “Jefferson & Crowell”.

Planning Board will need to take action on the following items:

- *Motion to recommend adoption of Resolution Approving Land Use and Transportation Plan Compliance **OR***
- *Motion to recommend adoption of a Resolution Denying Land Use and Transportation Plan Compliance, authorization for staff to draft the resolution based on the reason(s) provided and authorization for the Chair to sign the resolution*

If the Resolution of Land Use and Transportation Plan Compliance is recommended for approval, the Planning Board will also need to make the following motion:

- *Motion to recommend adoption of the Ordinance amending section 157.1.2.1- Conditional Districts Established and section 157.1.3.1- Official Zoning Map.*

If the Resolution of Land Use and Transportation Plan Compliance is recommended for denial, the Planning Board will also need to make the following motion:

- *Motion to recommend denial of the zoning map amendment*

Attachments:

1. Ortho Map
2. Zoning Map
3. Site Plan
4. Revised Elevations
5. Future Land Use Map
6. Future Land Use Description
7. Approval Resolution
8. Denial Resolution
9. Ordinance 157.1.2.1
10. Ordinance 157.1.3.1

Ortho Map

CD "Jefferson & Crowell"

Legend

— Centerlines

▭ Parcels

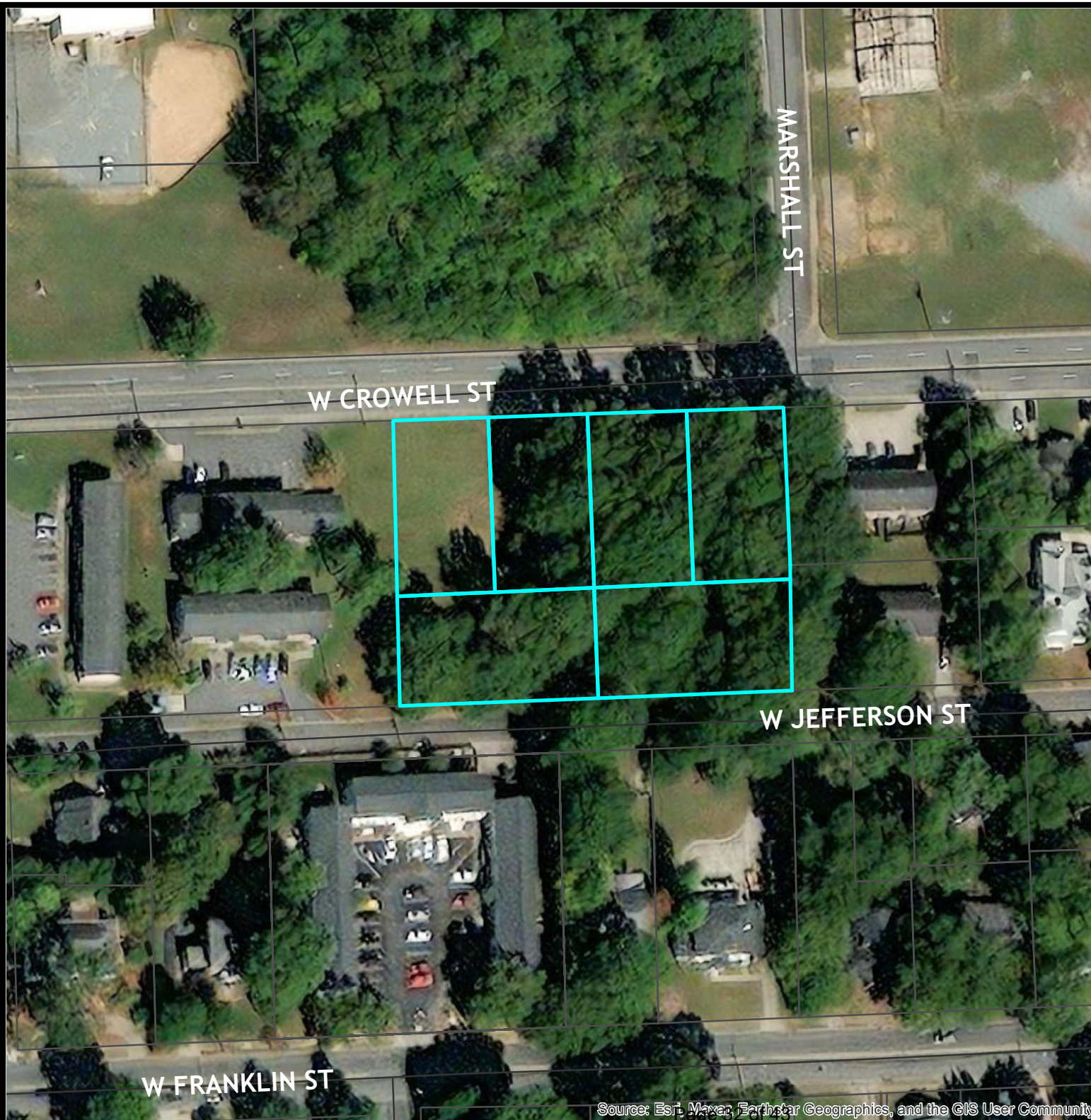
Existing: RMD
(Residential Medium Density)

Owner: Pinnacle Homes
USA, LLC

Acres: 1.52



0 80 160
Feet



Zoning Map

CD "Jefferson & Crowell"

Legend

— Centerlines

▭ Parcels

Zoning Districts

▭ GI

▭ RMD

Existing: RMD
(Residential Medium Density)

**Owner: Pinnacle Homes
USA, LLC**

Acres: 1.52



0 70 140
Feet

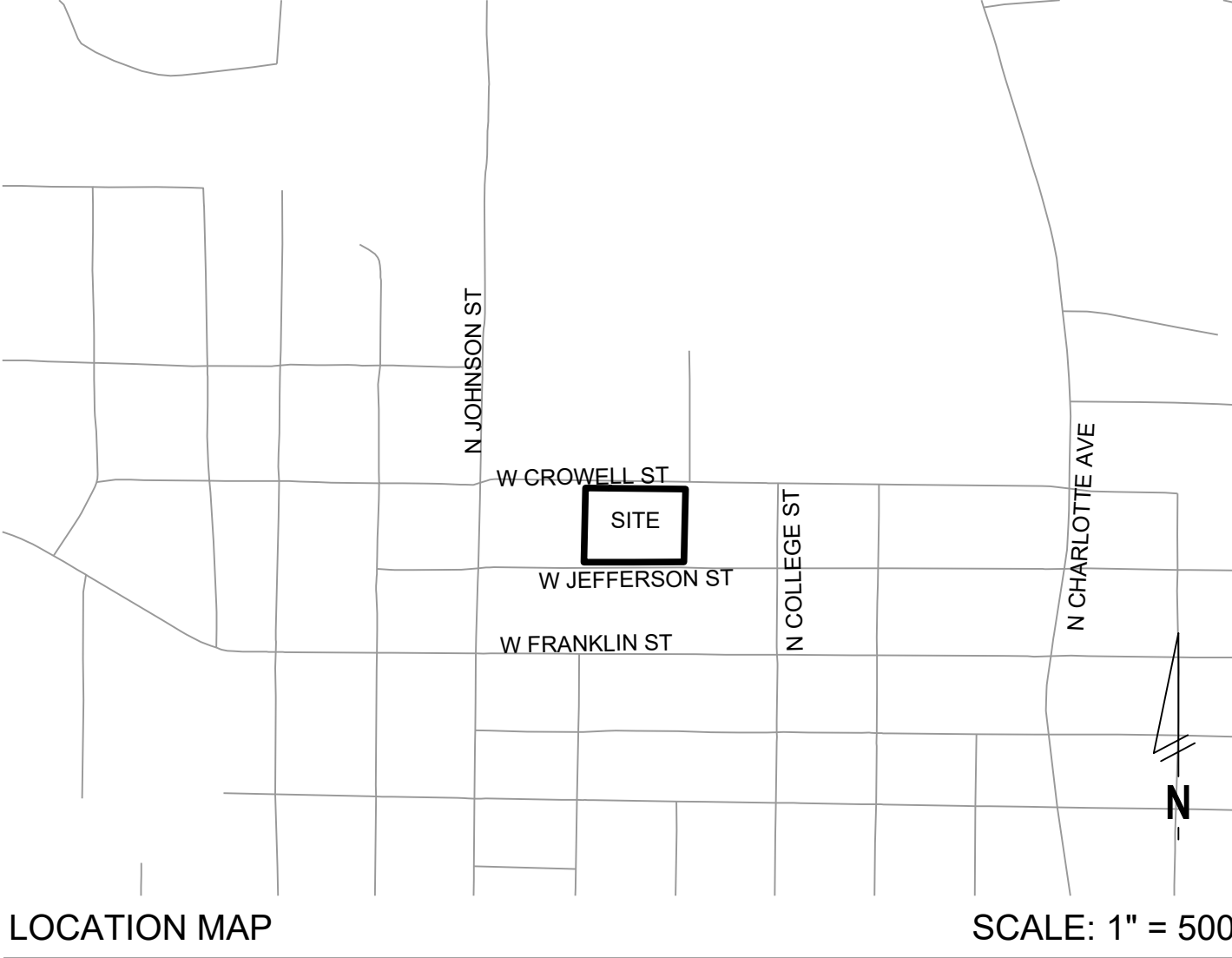
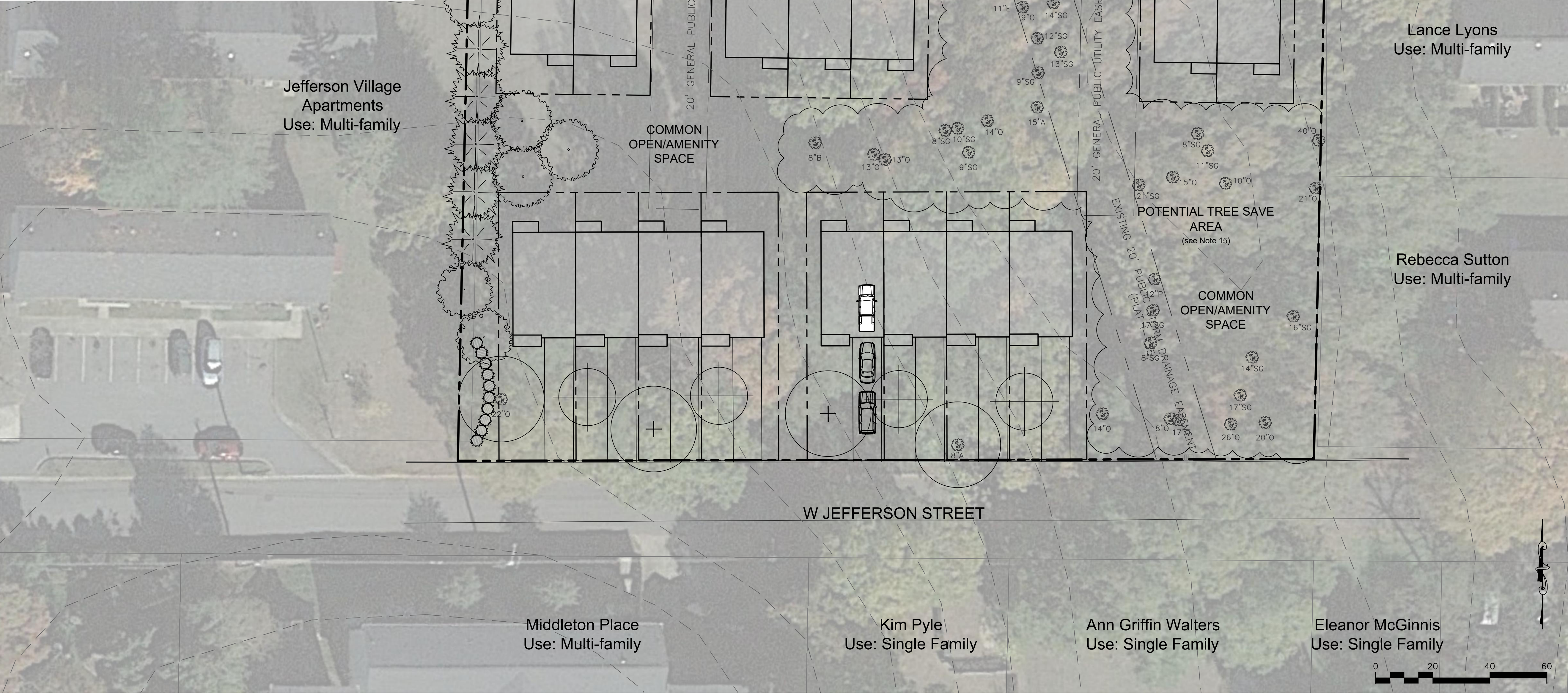


Conceptual Rezoning Plan

Conditional District - Jefferson and Crowell

CONDITIONS:

1. The minimum heated square feet of the units will be 1,300 sf.
2. Each lot shall have at least 1 yard tree, suitable for healthy growth in Monroe's Plant Hardiness Zone. Each tree shall have minimum caliper of 2 inches measured 6 inches above grade.
3. All driveways shall be paved with concrete or asphalt from the road to the garage and shall be able to accommodate at least two (2) vehicles.
4. All units shall have a standard one-car attached garage.
5. The front wall of all houses shall not run unbroken (unarticulated) for a distance of more than 24 linear feet. All wall offsets shall be a minimum of one (1) foot in depth.
6. The majority of all roof areas on any house shall have a minimum of 6/12 pitch roof.
7. Pediment(s) will be added to the gable of each home.
8. Front lawns of all units shall be sodded prior to issuance of a certificate of occupancy.
9. All front-load garages shall have carriage style doors or hardware that mimics carriage style doors and decorative windows.
10. Accessory structures shall not be located beyond the front corner of the home and shall maintain a five-foot (5') setback from all property lines. Accessory structures shall not be located within the public easement(s).
11. Homeowner's association will be responsible for ownership and maintenance of open space, common areas, bmp areas, etc.
12. All landscaping shall be kept in a thriving condition.
13. All elevations, packets, or other supplemental material submitted to Staff, Planning Board, and/or City Council in reference and support of any conditional district shall be regarded as an integral element of the approved site plan; minor deviations from submitted materials shall be allowed at the discretion of the planning director or his designee.
14. Existing healthy trees on-site 8" in caliper (25" circumference) will be preserved to the extent possible and can be removed to allow for built elements, easements, and/or if the health of the tree would be compromised and pose a future hazard to residents. Removal of trees 24" caliper (75" circumference) may be removed when in conflict with building pads and/or foundations, utility easements, drives, parking spaces and/or right-of-ways. In all cases diseased, invasive and/or dying trees may be removed.
15. Potential Tree Save Area shown is subject to change at time of site plan submittal and trees may be removed in order to comply with stormwater mitigation requirements. Where reasonable, trees will be preserved.
16. Primary siding material shall be fiber cement.Vinyl will not be used as a primary building material, but may be used on windows, doors, garage doors, soffits, trim and railings.



SITE STATISTICS

PROPERTY DESCRIPTION:	SIX PARCELS BETWEEN CROWELL STREET AND JEFFERSON STREET
PIN #:	09273004A, 09273004B, 09273004C, 09273004D, 09273004E, 09273004F
TOTAL PROPERTY AREA:	1.518 ACRES
CURRENT ZONING:	R-10
PROPOSED ZONING:	CD- JEFFERSON AND CROWELL
TOTAL NUMBER OF UNITS:	15 TOWNHOMES
PROPOSED DENSITY:	9.8 UNITS/ACRE
TYPICAL LOT SIZE:	22' x 93' (INTERIOR) (2,046 SF) 27' x 93' (EXTERIOR) (2,511 SF)
BUILDING SETBACKS:	30' FRONT (MINIMUM) 0' SIDE (INTERIOR UNITS) 5' SIDE (MINIMUM EXTERIOR LOTS) 20' REAR (MINIMUM)
PROVIDED OPEN SPACE:	0.69 ACRES (46%)

DRAWING COMPONENTS

- PROPERTY LINE INFORMATION FROM SURVEY PROVIDED BY CLIENT BY WOOTEN SURVEYING & ASSOCIATES, PLLC DATED 3/11/2022.
- ZONING AND TOPOGRAPHY FROM UNION COUNTY GIS



Conceptual Rezoning Plan

Conditional District - Jefferson and Crowell



8008 Corporate Center Drive, Suite 110 | Charlotte, NC 28226 | 704.375.2438

Petitioner voluntarily agrees to all conditions approved by city council, which are listed on this site plan.

Petitioner Signature

Date

City of Monroe, North Carolina

May 24, 2022
revised: October 19, 2022
Page 1 of 1

Note: NOT FOR CONSTRUCTION - Conceptual Plans Only, lot yield and layout subject to change based on final design and approvals.



PROPOSED BUILDING ELEVATION (FRONT)



PROPOSED BUILDING ELEVATION (REAR)

N.T.S.
 EXACT COLORS AND MATERIAL MIX TO BE DETERMINED AT TIME OF SITE PLAN SUBMITTAL AND SHALL

Future Land Use Map

CD "Jefferson & Crowell"

Legend

— Centerlines

▭ Parcels

Future Land Use

▭ Traditional Development

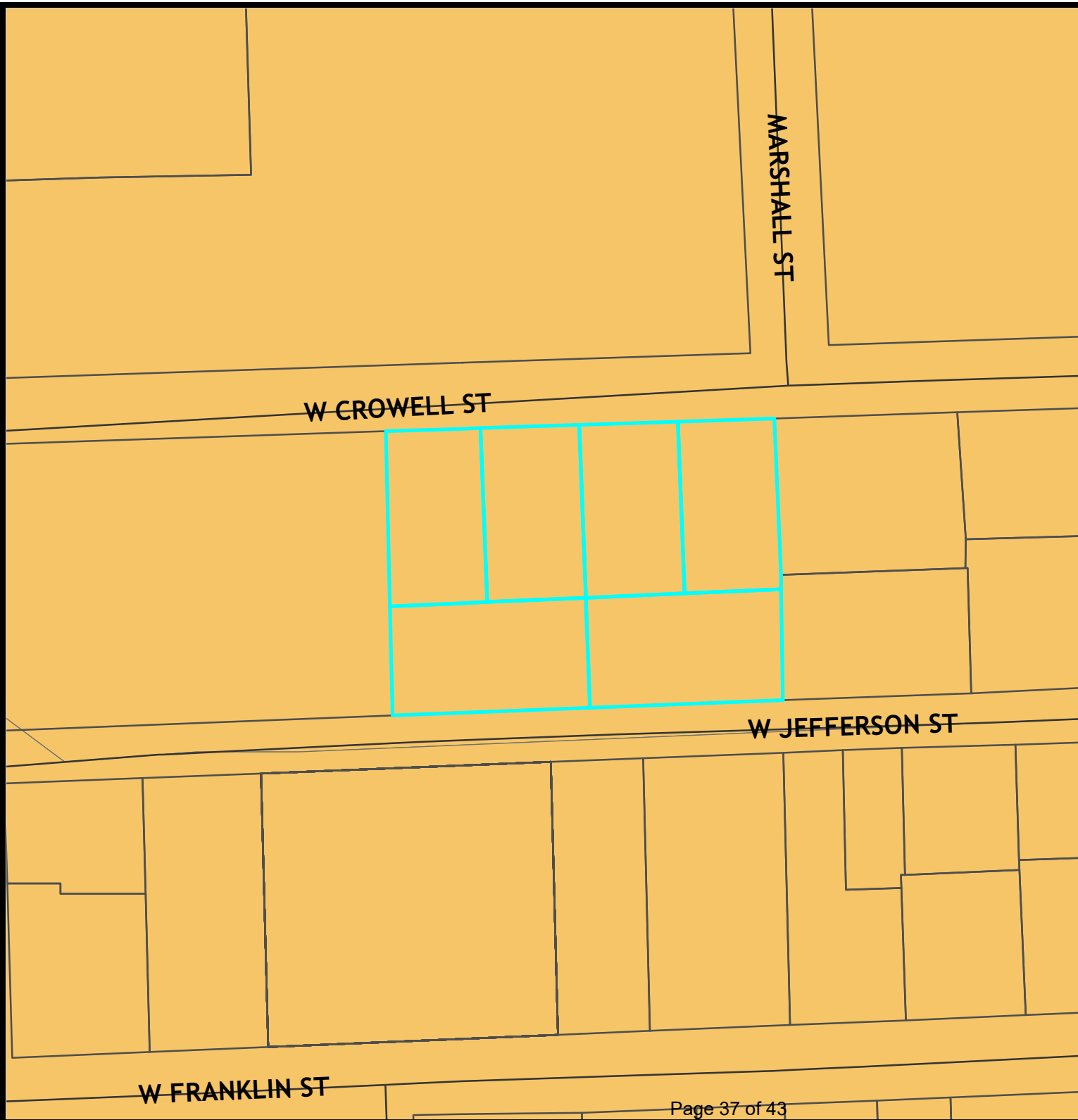
Existing: RMD
(Residential Medium Density)

**Owner: Pinnacle Homes
USA, LLC**

Acres: 1.52



0 80 160
Feet



Land Use and Transportation Plan

The Land Use and Transportation Plan indicates this area is in the Traditional Character Area. Traditional Development, which surrounds the downtown core, is anchored by the city's most historic neighborhoods. This designation allows some small-scale commercial and service uses that support surrounding residences. The dense transportation network offers easy access to downtown. The design and scale of neighborhoods encourages active living and affords residents the ability to live, work, shop, and play within a walkable community. Buildings are generally oriented toward a comprehensive network of walkable streets. Cul-de-sacs should be limited to the extent possible, such as locations where topography, natural features, or existing development makes other street connections prohibitive. Requiring pedestrian connections and designating stubouts for future street connections is encouraged. Residential density for this character area is 4-10 units per acre.

Land Use and Transportation Plan

The Land Use and Transportation Plan indicates this area is in the Traditional Character Area. Traditional Development, which surrounds the downtown core, is anchored by the city's most historic neighborhoods. This designation allows some small-scale commercial and service uses that support surrounding residences. The dense transportation network offers easy access to downtown. The design and scale of neighborhoods encourages active living and affords residents the ability to live, work, shop, and play within a walkable community. Buildings are generally oriented toward a comprehensive network of walkable streets. Cul-de-sacs should be limited to the extent possible, such as locations where topography, natural features, or existing development makes other street connections prohibitive. Requiring pedestrian connections and designating stubouts for future street connections is encouraged. Residential density for this character area is 4-10 units per acre.

**RESOLUTION APPROVING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
CONDITIONAL DISTRICT “JEFFERSON & CROWELL”
R-2023-XX**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “*Jefferson & Crowell*” and further described below property is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Traditional. Multi-Family, which includes townhomes, is listed as a priority use in this character area, and the proposed project is for the development of townhomes. The traditional character area states the density for residential is 4-10 units per acre. This development is 9.88 units per acre; therefore, it is consistent. The project is reasonable and in the public interest because it will provide additional housing options closer to the city core and downtown and affords residents an opportunity to live, work, shop, and play within a walkable area.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Use and Transportation Plan Compliance for property with Union County Tax Parcel Number(s): 09-273-004A, 09-273-004B, 09-273-004C, 09-273-004D, 09-273-004E, 09-273-004F.

Adopted this 4th day of January, 2023

Richard A. Yercheck, Planning Board Chair

Attest:

Ashlyn Penegar, Secretary to Planning Board

**RESOLUTION DENYING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
CONDITIONAL DISTRICT “JEFFERSON & CROWELL”
R-2023-XX**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “*Jefferson & Crowell*” and further described below property is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Traditional. Multi-Family, which includes townhomes, is listed as a priority use in this character area, and the proposed project is for the development of townhomes. The traditional character area states the density for residential is 4-10 units per acre. This development is 9.88 units per acre; therefore, it is consistent. However, the proposed development is not a reasonable use or in the public interest because:

Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment request recommendation for denial, the Land Development Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Denying Land Use and Transportation Plan Compliance for property with Union County Tax Parcel Number(s): 09-273-004A, 09-273-004B, 09-273-004C, 09-273-004D, 09-273-004E, 09-273-004F.

Adopted this 4th day of January, 2023

Richard A. Yercheck, Planning Board Chair

Attest:

Ashlyn Penegar, Secretary to Planning Board

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2023-XX**

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.2.1 OFFICIAL ZONING MAP as follows:

Rezone the properties located along W. Jefferson Street and W. Crowell Street further identified with parcel ID numbers 09-273-004A, 09-273-004B, 09-273-004C, 09-273-004D, 09-273-004E, 09-273-004F from RMD (Residential Medium Density) to Conditional District (CD) “Jefferson & Crowell”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 14th day of February, 2023

Attest:

Marion L. Holloway Jr., Mayor

Bridgette H. Robinson, City Clerk

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2023-XX**

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.3.1 ZONING DISTRICTS ESTABLISHED as follows:

Conditional District (CD) “Jefferson & Crowell”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 14th day of February, 2023

Attest:

Marion L. Holloway Jr., Mayor

Bridgette H. Robinson, City Clerk