

PLANNING BOARD MEETING

Wednesday, November 1, 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.** **Zoning Text Amendment to Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 1.1.6: Graphic Images**
- Item 4.** **Zoning Text Amendment to Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 7.2.4: Duplex Standards**
- Item 5.** **Next Meeting: December 6, 2023**
- Item 6.** **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**
 Terry Sholar
 Richard Long



STAFF REPORT

TO: Planning Board

DATE: November 1, 2023

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Senior Planner

SUBJECT: Zoning Text Amendment Request to the Unified Development Ordinance (UDO)

SUMMARY STATEMENT

Planning Board is requested to consider a zoning text amendment to Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 1.1.6 titled *Graphic Images*.

REVIEW

Staff is requesting a text amendment to section 1.1.6 titled *Graphic Images*. This section currently outlines provisions for conflict between graphic images and text within the Unified Development Code. Staff is requesting to clarify language regarding conflicts within the code generally speaking, while also continuing to address graphical conflicts.

Staff is recommending the following changes to section 1.1.6:

- 1.1.6 **CONFLICTS WITHIN THE UNIFIED DEVELOPMENT CODE ~~GRAPHIC IMAGES~~**
1. Unless states otherwise, in the event of a conflict within the provisions of the Unified Development Code, the most restrictive requirements shall apply.
 2. Graphic illustrations, illustrative intents, and any photographic images used throughout this Ordinance are intended only to graphically portray the regulatory standards and overall intents established throughout this Ordinance. These images are considered guidelines as opposed to regulatory standards. Where in conflict, numerical metrics shall take precedence over graphic.
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RECOMMENDATION

Planning staff recommends approval of the presented text amendment.

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

Approval Actions

1. Motion to adopt Resolution *Approving* Land Use and Transportation Plan compliance
2. Motion to adopt the Ordinance amending Code of Ordinances-Title XV: Land Usage, Chapter 157: Section 1.1.6 Graphic Images

Denial Actions

1. Motion to adopt 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.
2. Motion to deny the zoning text amendment

Attachments:

1. Approval Resolution: R-2024-xx
2. Denial Resolution: R-2024-xx
3. O-2024-xx

**RESOLUTION APPROVING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2024-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 text amendment to amend Chapter 157, Section 1.1.6 titled *Graphic Images to Conflicts Within the Unified Development Code* is consistent with the Land Use and Transportation Plan because the plan provides guidance for future development and this amendment offers clarifications to situations that may arise.

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 to amend Chapter 157, Section 1.1.6 titled *Graphic Images to Conflicts Within the Unified Development*

Adopted this 1st day of November, 2023

Richard A. Yercheck, Planning Board Chair

Attest:

Ashlyn Penegar, Secretary to Planning Board

**RESOLUTION DENYING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2024-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 text amendment to amend Chapter 157, Section 1.1.6 titled *Graphic Images to Conflicts Within the Unified Development* is not consistent with the Land Use and Transportation Plan because:

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 to amend Chapter 157, Section 1.1.6 titled *Graphic Images to Conflicts Within the Unified Development*

Adopted this 1st day of November, 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-2024-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:

TEXT AMENDMENT

Section 1. Amend §157.1.1.6 “GRAPHIC IMAGES” as follows:

§157.1.1.6 CONFLICTS WITHIN THE UNIFIED DEVELOPMENT CODE

1. Unless stated otherwise, in the event of a conflict with the provisions of the Unified Development Code, the most restrictive requirement shall apply.
2. Graphic illustrations, illustrative intents, and any photographic images used throughout this Ordinance are intended only to graphically portray the regulatory standards and overall intents established throughout this Ordinance. These images are considered guidelines as opposed to regulatory standards. Where in conflict, numerical metrics shall take precedence over graphic illustrations.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this _____ day of _____, 2024.

Attest:

, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board

DATE: November 1, 2023

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Zoning Text Amendment Request to the Unified Development Ordinance (UDO)

SUMMARY STATEMENT

Planning Board is requested to consider a zoning text amendments to Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 7.2.4.C: *Duplex/Triplex/Quadplex*.

REVIEW

Planning Board is requested to consider a text amendment to further clarify the requirements for duplex's/triplex's/quadplex's. Planning staff is requesting to add a statement that the density requirements will apply for each zoning district in which these types of dwellings are allowed in addition to the lot size and lot width requirements.

5. Use Standards

- a. Development consisting of only duplex(es) are not permitted on lots greater than three (3) acres.
- b. Lot width must be 1.5x the required minimum width of the base zoning district requirement for any duplex/triplex/quadplex.
- c. Lot size must be 1.5x the required minimum lot size of the base zoning district requirement for any duplex/triplex/quadplex.
- d. **Density requirements shall be met for any district which a duplex/triplex/quadplex is located.**

- e. All accessory uses shall be clearly incidental to permitted principal use.
All accessory buildings and pools shall be located in a side or rear yard.
- f. Duplexes on corner lots shall be designed in a way that each unit fronts on a different street.
- g. Each unit in the duplex shall have a separate entrance and separate drive.
- h. Duplexes in the South Monroe Historic District shall only be allowed on corner lots.

RECOMMENDATION

Planning staff recommends approval of the presented text amendment.

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

Approval Actions:

- 1) Motion to adopt Resolution Approving Land Use and Transportation Plan Compliance; Second
- 2. Motion to adopt the Ordinance amending Code of Ordinances-Title XV: Land Usage Chapter 157, Section 7.2.4.C: *Duplex/Triplex/Quadplex*, Second

Denial Actions:

- 1) 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 at a later date; Second
- 2) Motion to deny zoning map amendment; Second

Attachments:

- 1. Approval Resolution: R-2024-xx
- 2. Denial Resolution: R-2024-xx
- 3. O-2024-xx

**RESOLUTION APPROVING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2024-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 text amendment to amend the Chapter 157, Section 7.2.4.C: *Duplex/Triplex/Quadplex* is consistent with the Land Use and Transportation Plan because the Land Use and Transportation Plan is the guide for future growth, and by requiring the density standards to be met will help to manage growth in city and reduce strain on city resources.

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 to amend Section 7.2.4.C: *Duplex/Triplex/Quadplex*.

Adopted this 1st day of November, 2023

Richard A. Yercheck, Planning Board Chair

Attest:

Ashlyn Penegar, Secretary to Planning Board

**RESOLUTION DENYING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2024-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 text amendment to amend the Chapter 157, Section 7.2.4.C: *Duplex/Triplex/Quadplex* is not consistent with the Land Use and Transportation Plan because

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 to amend Section 7.2.4.C: *Duplex/Triplex/Quadplex*.

Adopted this 1st day of November, 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-2024-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:

TEXT AMENDMENT

Section 1. Amend Section §157.7.2.4 C “Duplex/Triplex/Quadplex” as follows:

§157.7.2.4 C Duplex/Triplex/Quadplex

1. Characteristics. A building containing up to four dwelling units, usually under single ownership, consolidated into a single structure. A duplex/triplex/quadplex is typically on a single lot and contains common walls. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
3. Examples. Examples include multiple family homes on a variety of lot sizes and types, such as a duplexes, triplexes, and quadplexes.
4. Uses Not Included.
 - a. Lodging where tenancy is arranged for one (1) week or less are considered to be a form of transient lodging (see commercial categories).

5. Use Standards

- a. Development consisting of only duplex(es) are not permitted on lots greater than three (3) acres.
- b. Lot width must be 1.5x the required minimum width of the base zoning district requirement for any duplex/triplex/quadplex.
- c. Lot size must be 1.5x the required minimum lot size of the base zoning district requirement for any duplex/triplex/quadplex.
- d. Density requirements shall be met for any district which a duplex/triplex/quadplex is located.
- e. All accessory uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.
- f. Duplexes on corner lots shall be designed in a way that each unit fronts on a different street.
- g. Each unit in the duplex shall have a separate entrance and separate drive.
- h. Duplexes in the South Monroe Historic District shall only be allowed on corner lots.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 9th day of January, 2024.

Attest:

, Mayor

Bridgette H. Robinson, City Clerk