

PLANNING BOARD MEETING

Wednesday, December 4, 2024

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.** **Conflicts of Interest**
- Item 4** **Approval of Minutes – November 6, 2024**
- Item 5.** **Zoning Map Amendment to rezone property located at 1116 Medlin Road from Residential Low Density (RLD) to Office Medical (OM) (Tax Parcel # 09-197-027 & 09-197-028).**
- Item 6.** **Zoning Text Amendment to the Code of Ordinances-Title XV: Land Usage, Chapter 157, to amend Section 8.2 “Signs” and amend Section 11 “Definition of Terms”.**
- Item 7.** **Zoning Text Amendment to Section 5.1 titled "Mixed-Use Zoning Districts" of the Unified Development Ordinance (UDO).**
- Item 8.** **Planning Board Discussions**
- Item 9.** **Set Date for Next Meeting: January 2025**
- Item 10.** **Adjournment**

ATTENTION BOARD MEMBERS:

Please contact Kimberly Davis at 704.282.4527 or Keri Mendler at 704.282.5797 to confirm your attendance. Thank you.

cc: **Richard Long
Terry Sholar
Planning Staff**

MINUTES OF THE PLANNING BOARD MEETING

November 6, 2024, at 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

Emailed to HR on: 11/7/24

Item 1. **Call to Order - Roll Call**

Jennifer Smith, Vice Chair, called the November 6, 2024 meeting to order at 6:00 p.m. Kimberly Davis called the roll.

Members Present: Jennifer Smith (Vice Chair), Margaret Desio, Richard Yercheck, Archie Morgan, Maryann Rasberry, Daryle Anderson, Pamela Duda (ETJ Member)

Members Absent: None

Staff Present: Keri Mendler, Senior Planner, Megan Brightharp, Planner 1, Richard Long, City Attorney, Kimberly Davis, Administrative Assistant II

Guests: Ken Deal, Andy Baker (Cornerstone Acquisitions), Bret Medlin (Cornerstone Acquisitions)

Item 2. **Pledge of Allegiance and Moment of Silence**

Item 3. **Conflicts of Interest- None noted.**

Item 4. **Approval of Minutes –October 2, 2024.**

Motion: Margaret Desio made a motion to approve the minutes from October 2, 2024.

Second: Archie Morgan

Action: The motion passed unanimously with the following votes:

AYES: Jennifer Smith, Margaret Desio, Richard Yercheck, Archie Morgan, Maryann Rasberry, Pamela Duda and Daryle Anderson

NAYS: None

Item 5. **Zoning map amendment request from Andy Baker on behalf of Acts 4:11 Acquisitions, LLC for the property located at 2329 Concord Highway from Residential Low Density (RLD) to Conditional District Commercial (Tax Parcel: 09-216-037).**

Megan Brightharp, Planner 1, presented the zoning map amendment request regarding property located at 2329 Concord Highway. The subject parcel is located west of Concord Highway. The applicant is requesting a conditional rezoning of the subject property from Residential Low Density (RLD) to Conditional Commercial. The property currently has an existing single-family home that the applicant is proposing to use as a land surveyors office. A copy of the site plan has been included showing the existing structure. In the plan's note, it has been included that the conditional rezoning is to include neighborhood business uses and standards. The notes also state that the rezoning is to allow for a 22.5

foot buffer to meet the type-4 buffer requirements and to include a six-foot tall privacy fence in lieu of the required 50-foot buffer as is written in the Ordinance. The applicant is proposing to do all of the other buffers on the property to code standards. The Future Land Use Plan has this area indicated as suburban. This commercial development mostly serves the need of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Emphasis should be placed on integrating the design of commercial centers with surrounding neighborhoods. The proposed use is consistent with the Land Use Plan and staff is of the opinion that the proposed use is reasonable. A rezoning notification sign will be posted 10 days prior to the public hearing and an official rezoning notification letter will be sent to adjacent property owners located within 150 feet, 10 days prior to the public hearing. Planning staff recommends approval of the rezoning.

The Board began discussion. In regards to the deviation to a 22.5' wide buffer, Megan said the ordinance requires a 50-foot buffer between neighborhood business and residential low density. There is not 50 feet between that property line and the structure so they are asking to reduce it to the 22.5' to meet the Type 1 standards. They are also using the existing driveway for the required parking and are including a fence to make up for what they are reducing. In regards to the "Proposed Pocket Park," the Conditional District are not allowed to deviate from any of the open space standards so they have to provide open space for something of this size, such as an outdoor eating space. The current neighbors have not been contacted, but will be notified before the City Council meeting. The applicant will purchase the property contingent on the rezoning. On the Landscape Plan, Sheet 2 of 2, the trees and bushes are shown by a hatch-line with Xs along the property line indicating the privacy fence spanning from the rear property line to the right-of-way. Wood and vinyl PVC fence are both allowed within the ordinance. There is not a house behind the property and it is completely wooded.

Andy Baker approached the podium and gave his address of 3120 Beaver Dam Drive. He is the applicant wishing to purchase the property in order to operate a business. He and Megan answered various questions from the Board members. There is a wood fence that already exists on the neighbor's property. They will install a 6-foot high wood fence to match their neighbor's fence to keep it cohesive. They have not decided whether they will purchase a wood or PVC fence, but are able to choose either one. They are looking at this particular house because the area suits them with the proximity to Monroe on an active roadway and it hit their price point. They looked at Mint Hill and other areas. They don't get walk-in traffic so there is no need for a large space in town. There is no intention to live there, but to only use it as a business. There are multiple employees and the business would not be allowed as a home occupation. The current owner of the home signed the application for the rezoning otherwise the applicant could not have moved forward with the contract until she signed off as owner. The new owner may ultimately have access to the amenities from the apartments and hotel being built on Concord and Ridge Road according to the listing. The property to the south would be developed as Neighborhood Business.

Pamela Duda, Board Member, expressed some specific concerns. Across the street from the subject property, there are businesses and industrial, but beside the property are residential homes. Businesses going into that area are "starting to change the character of the existing neighborhoods." She encouraged the Planning Board to consider "not only the development of areas that are necessary next to the bypass, but to retain some of the character of the existing neighborhoods as well."

If this company purchased and operated out of this property, but decided to sell it then another land survey office or small-scale commercial use business could operate out of it. Anyone purchasing the property would have to meet the standards.

Daryle Anderson, Board Member, expressed concern about the type of fence as a divider between the commercial and residential properties.

The homes in the area are on a major road and are aware of the industrial area since many of the houses are new.

Bret Medlin, of 4712 Secrest Shortcut Road, Monroe, approached the podium and said his is in favor of and showed support for this request.

There were no individuals there to speak against this project.

Motion: Richard Yercheck made a motion to recommend adoption of a Resolution approving Land Use and Transportation Plan Compliance.

Second: Jennifer Smith

Action: The motion passed unanimously with the following votes:

AYES: Jennifer Smith, Margaret Desio, Richard Yercheck, Archie Morgan, Maryann Rasberry and Daryle Anderson

NAYS: Pamela Duda

Motion: Richard Yercheck made a motion to recommend adoption of the Ordinance amending Section 157.1.2.1- Official Zoning Map.

Second: Margaret Desio

Action: The motion passed unanimously with the following votes:

AYES: Jennifer Smith, Margaret Desio, Richard Yercheck, Archie Morgan, Maryann Rasberry and Daryle Anderson

NAYS: Pamela Duda

Item 6. Planning Board Discussions

Daryle Anderson expressed multiple concerns. One is about the type of fence as a divider between the properties. Another concern, shared by Pamela Duda, is for the adjoining property owners to be notified of the Planning Board meeting. Attorney Richard Long said this process of notice and requirements “is statutory by the State of North Carolina” and can be appealed through the Legislature. With the City Council meeting, notices go out and citizens have an opportunity to speak for or against at the public hearing. Planning Board members can also speak at the public hearing as to why they are opposed. A third concern of his is to have a map on all project presentations that shows the subject property in relation to City Hall and the City of Monroe.

As far as the UDO, the items that need to be added or resolutions that need to be made will continue to be reviewed at the Planning Board meetings. The goal of the Planning department as far as discussing wall paintings is to have more information and/or a presentation at the December meeting. In regards to

more specific questions, individual Board members can meet with planning staff for understanding and clarification. These topics can then be brought before the Planning Board at a later date if desired.

Item 7. **Next Meeting: December 4, 2024**

Item 8. **Adjournment**

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

Second: **Maryann Rasberry**

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

**AYES: Jennifer Smith, Margaret Desio, Richard Yercheck, Archie Morgan,
Maryann Rasberry, Pamela Duda and Daryle Anderson**

NAYS: None

The meeting was adjourned at **6:45 p.m.**

Respectfully Submitted,

Jennifer Smith, Vice Chair
Planning Board

Kimberly Davis
Secretary to the Board



STAFF REPORT

TO: Planning Board

DATE: December 4, 2024

FROM: Lisa Stiwinter, Director of Planning and Development

PREPARED BY: Megan Brightharp, Planner

SUBJECT: Zoning Map Amendment for the property identified as 1116 Medlin Road (tax parcels 09-197-027 and 09-197-028).

SUMMARY STATEMENT

Planning Board is requested to consider a zoning map amendment to rezone the property located at 1116 Medlin Road and further identified as tax parcels 09-197-027 and 09-197-028 from Residential Low Density (RLD) to Office Medical (OM).

REVIEW

The City of Monroe has received a request from Lloyd Davis Gregory, III to rezone the subject property from Residential Low Density (RLD) to Office Medical (OM). The Residential Low Density (RLD) district is intended to accommodate single-family residential development in areas within the City of Monroe, which may not be served by public water or sewer and are not appropriate for higher densities. RLD is intended to allow for single-family homes on larger lots and may permit compatible uses. The Office Medical (OM) district is intended to implement office and medical uses and is designed to accommodate a mixture of office, medical, and residential uses. Currently, the property is developed with a single-family structure.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Residential, Office, Medical	OM
East	Office & Residential	OM & CD "1122 Medlin Road"
South	Residential	RLD & CD "1122 Medlin Road"
West	Residential	RHD

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land use and Transportation Plan indicates this area as Traditional Development. The Traditional Development 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.

The land use and Transportation Plan also indicates this area as Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Emphasis should be placed on integrating the design of commercial centers with surrounding neighborhoods.

Planning staff believes the request is consistent with the Land Use and Transportation Plan because the proposed rezoning to Office Medical (OM) will allow the establishment of office uses in an area where office uses are a priority use. However, planning staff does not believe this is a reasonable use or in the public best interest because the rezoning would allow the establishment of office uses in an area that is primarily residential.

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.

RECOMMENDATION

Planning Staff recommends denial of the rezoning.

Approval Actions

1. Motion to recommend adoption of a Resolution *Approving* 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 recommend adoption of the Ordinance amending Section 157.1.2.1- Official Zoning Map.

Denial Actions

1. Motion to recommend adoption of the Resolution *Denying* Land Use and Transportation Plan Compliance.
2. Motion to recommend denial of the zoning map amendment

Attachments:

Attachment 1-Ortho Map

Attachment 2-Zoning Map

Attachment 3-Future Land Use Map

Attachment 4-FLUM Description

Attachment 5-R-2024-XX Approval

Attachment 6-R-2024-XX Denial

Attachment 7-O-2024-XX Section 157.1.2.1

Ortho Map
PLMA-2025-00100

Legend

Centerlines

City Limits

Parcels

Subject Property



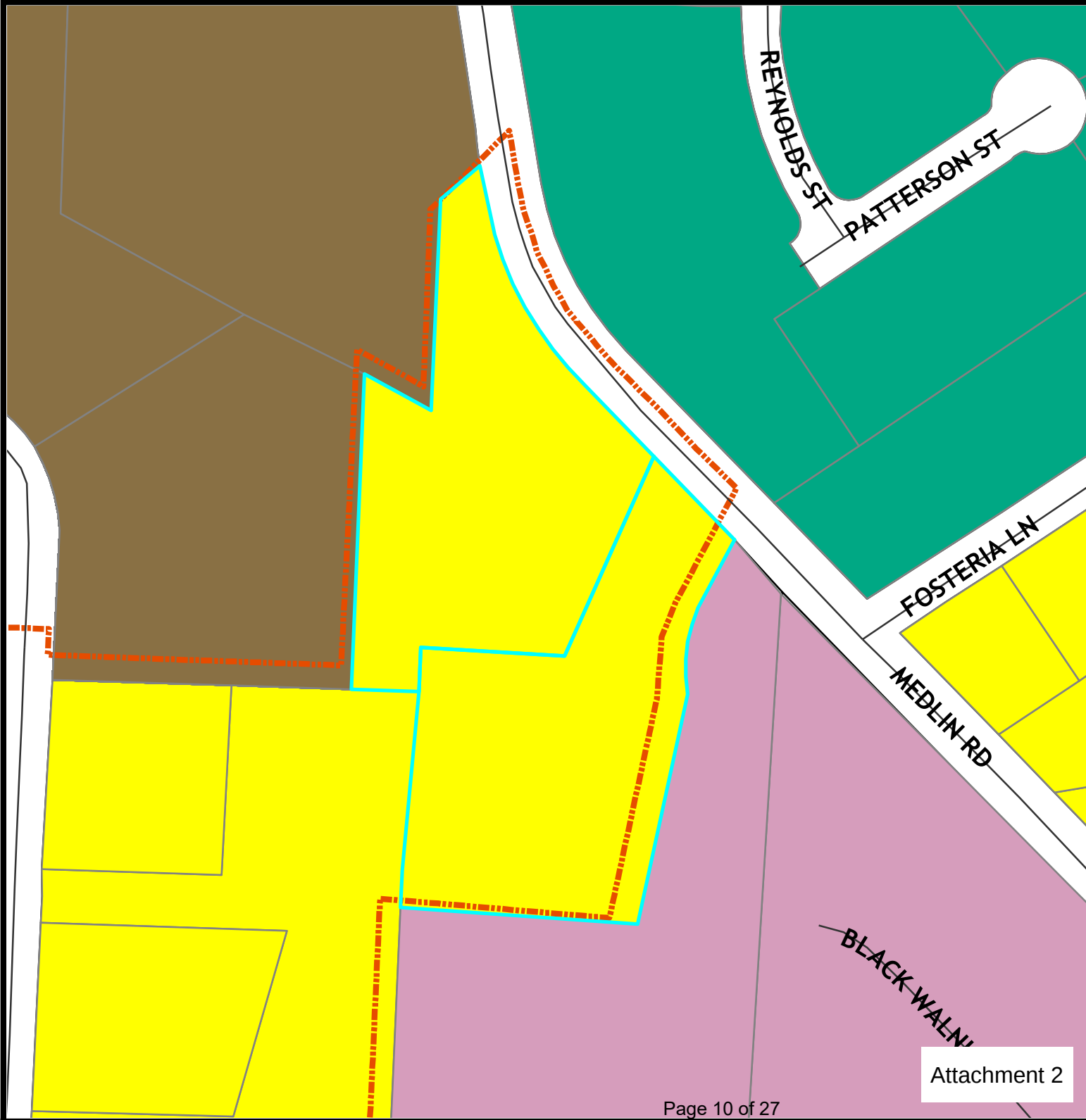
Owner:
Gregory Lloyd Davis, III et al

Acres: 5.096



0 150 300
Feet

Attachment 1



Zoning Map
PLMA-2025-00100

Legend

- Centerlines
- City Limits
- Parcels
- CD
- OM
- RHD
- RLD
- Subject Property

Owner:
Gregory Lloyd Davis, III et al

Acres: 5.096



0 150 300
Feet

Attachment 2

Future Land Use Map PLMA-2025-00100

Legend

- Centerlines
- City Limits
- Parcels
- Suburban
- Traditional Development
- Subject Property

Owner:
Gregory Lloyd Davis, III et al

Acres: 5.096



0 150 300
Feet

Attachment 3

Land Use and Transportation Plan Description

The Land use and Transportation Plan indicates this area as Traditional Development and Suburban. The Traditional Development 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.

In the Suburban Character area, residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Emphasis should be placed on integrating the design of commercial centers with surrounding neighborhoods.

**RESOLUTION APPROVING LAND USE AND
TRANSPORTATION PLAN COMPLIANCE**

R-2025-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 the property located at 1116 Medlin Road further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Traditional Development and Suburban where office, medical, and residential are priority uses. The proposed rezoning to the Office Medical (OM) designation would allow office uses, which would be consistent with the Plan. The proposed rezoning is a reasonable use and in the public interest because:

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommend adoption of a Resolution Approving Land Use and Transportation Plan Compliance of the zoning map amendment for property with Union County Tax Parcel Numbers: 09-197-027 and 09-197-028.

Adopted this 4th day of December 2024.

Jennifer Smith, Planning Board Vice Chair

Attest:

Kimberly Davis, Secretary to Planning Board

**RESOLUTION DENYING LAND USE AND
TRANSPORTATION PLAN COMPLIANCE**

R-2025-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 the property located at 1116 Medlin Road further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Traditional Development and Suburban where office, medical, and residential are priority uses. The proposed rezoning to the Office Medical (OM) designation would allow office uses, which would be consistent with the Plan. However, this proposal is not a reasonable use or in the public interest, because it would allow the establishment of office uses in an area where the surrounding parcels are residential uses.

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommend adoption of the Resolution Denying Land Use and Transportation Plan Compliance for property with Union County Tax Parcel Numbers: 09-197-027 and 09-197-028.

Adopted this 4th day of December 2024.

Jennifer Smith, Planning Board Vice Chair

Attest:

Kimberly Davis, Secretary to Planning Board

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2025-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 property located at 1116 Medlin Road further identified with parcel ID #s 09-197-027 and 09-197-028 from Residential Low Density (RLD) to Office Medical (OM).

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 14th day of January, 2025

Attest:

Robert A. Burns, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board

DATE: December 4, 2024

FROM: Lisa Stiwinter, Director of Planning and Development

PREPARED BY: Doug Britt, Assistant Director of Planning and Development

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

SUMMARY STATEMENT

Planning Board is requested to consider a zoning text amendment to the Code of Ordinances-Title XV: Land Usage, Chapter 157, to amend Section 8.2 “Signs” and amend Section 11 “Definition of Terms”.

REVIEW

Planning Board is requested to consider a text amendment to add language to the Unified Development Ordinance (UDO) to address murals within the Downtown Central Mixed-Use District (DC-MX) and Downtown Gateway Mixed-Use District (DG-MX). The purpose of the text amendment is to define murals and add language to prohibit the installation of private murals within the downtown districts.

Staff has proposed the following language to be added to Section 8.2 titled “Signs” and amend Section 11 titled “Definition of Terms” of the Unified Development Ordinance.

Section 157.8.2 Signs

C. 12. Murals. Any private mural located on the exterior of private property painted by an artist commissioned by a private individual either with or without compensation shall be prohibited within the Downtown Central Mixed-Use District (DC-MX) and Downtown Gateway Mixed-Use District (DG-MX).

Section 157.11 Definition of Terms

- D. Mural.** A picture or design painted on or attached to an exterior surface of a structure. A Mural is a sign only if it is clearly related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business in which case it shall meet the requirements of the sign ordinance.

RECOMMENDATION

Planning staff recommends approval of the presented text amendment.

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

APPROVAL	DENIAL
1. Motion to recommend adoption of a Resolution <i>Approving</i> Land Use and Transportation Plan compliance.	1. Motion to recommend adoption of a Resolution <i>Denying</i> Land Use and Transportation Plan Compliance and authorization for staff to draft the resolution based on the reason(s) provided and authorization for the Chair to sign at a later date.
2. Motion to adopt the Ordinance amending Code of Ordinances-Title XV: Land Usage, Chapter 157: 8.2 Signs and Section 11: Definition of Terms.	2. Motion to deny the zoning text amendment

Attachments:

1. Approval Resolution: R-2025-xx
2. Denial Resolution: R-2025-xx
3. O-2025-xx

**RESOLUTION APPROVING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2025-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 8.2 *Signs* and Section 11 *Definition of Terms* is consistent with the Land Use and Transportation Plan because the document states the city is being proactive in establishing a desired vision and the incremental steps to achieve it. Regulating murals within the Downtown Central Mixed-Use District (DC-MX) and Downtown Gateway Mixed-Use District (DG-MX) will provide for an attractive downtown which; therefore, the text amendment is consistent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommend adoption of the Resolution Approving Land Use and Transportation Plan Compliance to amend Section 8.2 *Signs* and Section 11 *Definition of Terms*.

Adopted this 4th day of December, 2024

Jennifer Smith, Planning Board Vice Chair

Attest:

Kimberly Davis, Secretary to the Planning Board

**RESOLUTION DENYING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2025-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 8.2. *Signs* and Section 11 *Definition of Terms* are 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 8.2 *Signs* and Section 11 *Definition of Terms*.

Adopted this 4th day of December, 2024

Jennifer Smith, Planning Board Vice Chair

Attest:

Kimberly Davis, Secretary to the Planning Board

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2025-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 §157.8.2 “Signs” to add subsection 12. Murals:**

12. Murals. Any private mural located on the exterior of private property painted by an artist commissioned by a private individual either with or without compensation shall be prohibited within the Downtown Central Mixed-Use District (DC-MX) and Downtown Gateway Mixed-Use District (DG-MX).

Section 2. **Amend Section §157.11 “DEFINITION OF TERMS” as follows:**

Mural. A picture or design painted on or attached to an exterior surface of a structure. A Mural is a sign only if it is clearly related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business in which case it shall meet the requirements of the sign ordinance.

Section 3. This Ordinance shall be effective upon adoption.

Adopted this _____ day of _____, 2025.

Robert A. Burns, Mayor

Attest:

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board

DATE: December 4, 2024

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Senior Planner

SUBJECT: Zoning Text Amendment to Section 157.5.1 titled “Purpose and Intent” for Mixed Use Zoning Districts of the Unified Development Ordinance (UDO).

SUMMARY STATEMENT

During the summer 2024 months, there were discussions from Planning Board and City Council regarding the approval of residential developments in the City. Based on those conversations, City Council adopted two separate text amendments; one to address residential developments in the traditional zoning districts and another text amendment to address multi-family developments in all zoning districts in the City. However, residential developments, such as townhomes, in mixed use districts was not addressed. Based on this, staff has drafted a text amendment for Planning Board and City Council consideration.

REVIEW

At the July 9, 2024 City Council meeting, City Council adopted an ordinance removing multi-family as an allowed use in all zoning districts that did not require a legislative rezoning. At the September 10, 2024 City Council meeting, City Council adopted an ordinance requiring residential development with 10 more lots to go through a legislative rezoning process.

Shortly after this, staff discovered a potential issue in that the previously adopted text amendments only addressed residential development in the traditional residential zoning districts and multi-family in all zoning districts, but did not regulate residential development in the Mixed Use Districts.

Staff has proposed the following language to be added to section 5.1 titled “Purpose and Intent”, in the Mixed Use Zoning District Section of the Unified Development Code:

C. Residential Development Rezoning Standards.

1. A residential development with unit counts between 10 and 99 shall be reviewed as a Conditional District 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)”.
2. A residential development with unit counts greater than 100 shall be reviewed as a Planned Development as outlined in Section 4.5.2 “Planned Unit Development” following the Planned Developments process outlined in Section 3.4.7 “Planned Developments (Rezoning)”.

RECOMMENDATION

Planning staff has prepared proposed language to address residential development in the Mixed Use Zoning Districts for Planning Board and City Council to consider. Planning Board is requested to discuss the item and direct staff if you wish to make a recommendation on the proposed amendment or maintain the current ordinance requirements.

If Planning Board wishes to make a recommendation on the draft text amendment, the following actions will need to be taken:

APPROVAL	DENIAL
1. Motion to adopt Resolution recommending <i>approval</i> of the 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.	1. Motion to adopt Resolution recommending <i>denial</i> of the 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.
2. Motion to adopt the Ordinance amending Code of Ordinances-Title XV: Land Usage, Chapter 157: Section 5.1 Mixed Use Zoning Districts	2. Motion to recommend <i>denial</i> of the zoning text amendment

Attachments:

1. R-2025-XX Approval
2. R-2025-XX Denial
3. O-2025-XX

**RESOLUTION APPROVING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2025-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 Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 5.1: Mixed Use Zoning Districts is not consistent with the Land Use and Transportation Plan because the Land Use and Transportation Plan guiding statement states “Monroe will be a dynamic and progressive city that promotes growth that boosts our economy.” By requiring residential developments with 10 or more units in our mixed use districts to go through a legislative rezoning process, we have the potential to limit growth; therefore, it is not consistent. However, the proposed text amendment is a reasonable use and in the public interest because:

Based on this information, the conditions have changed which justify amending the Land Use and Transportation Plan. As a result of this zoning text amendment recommendation for approval, the Land Use and Transportation 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 Approving Land Use and Transportation Plan Compliance to amend Section 5.1: Mixed Use Zoning Districts.

Adopted this 4th day of December, 2024

Jennifer Smith, Planning Board Vice-Chair

Attest:

Kimberly Davis, Secretary to Planning Board

**RESOLUTION DENYING LAND USE AND TRANSPORTATION
PLAN COMPLIANCE
R-2025-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 Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 4.2: *Residential Zoning Districts* is not consistent with the Land Use and Transportation Plan because the Land Use and Transportation Plan guiding statement states “Monroe will be a dynamic and progressive city that promotes growth that boosts our economy.” By requiring residential developments with 10 or more units in our mixed use districts to go through a legislative rezoning process, we have the potential to limit growth; therefore, it is not consistent. The proposed zoning text amendment is not a reasonable use and in the public interest 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 5.1: Mixed Use Zoning Districts.

Adopted this 4th day of December, 2024

Jennifer Smith, Planning Board Vice-Chair

Attest:

Kimberly Davis, Secretary to Planning Board

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2025-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 §157.5.1 “PURPOSE AND INTENT” as follows:

**Add subsection C Residential Rezoning Standards to 5.1 PURPOSE AND
INTENT**

§157.5.1 PURPOSE AND INTENT

C. Residential Development Rezoning Standards.

1. A residential development with unit counts between 10 and 99 shall be reviewed as a Conditional District 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)”.
2. A residential development with unit counts greater than 100 shall be reviewed as a Planned Development as outlined in Section 4.5.2 “Planned Unit Development” following the Planned Developments process outlined in Section 3.4.7 “Planned Developments (Rezoning)”.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this ____ day of _____, 2025.

Attest:

Robert A. Burns, Mayor

Bridgette H. Robinson, City Clerk