

Agenda Item: ZONING MOTION 2016-3, UDO TEXT CHANGES

DATE: November 7, 2016
FROM: Kathi Ingrish

Background/Issue:

This group of proposed text revisions responds to actions during the past year by the General Assembly or recent court decisions. Most of these result in minor technical wording changes. A few other items included here focus on other miscellaneous corrections. Since the public hearing, two additional text segments have been incorporated to further clarify our procedures. Planning Board has recommended approval of the text package as revised and presented to them.

Proposal/Solution:

The sections/topics included in this group of text amendments include:

- Additions to state-mandated “vested rights” provisions for “Multi-phased Developments”.
- Clarification on why not every potential land use is included in this community’s list of allowed uses.
- Revisions on where a crematorium can go, including on the same parcel or an adjacent parcel to a cemetery (even in residential districts).
- Add provision for tennis/racket courts in certain zoning districts (including ENT, in case County Sportsplex chooses to add them in the future).
- Add specific cross references to certain unique standards for some uses in the R/I district.
- Add illustration of transitional setback (was in prior Zoning Ordinance, and should have been brought forward into UDO).
- Clarify what screening requirements apply to lots adjacent to a thoroughfare.
- Clearly explain that pedestrian pathways may extend through required landscaping.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Approve Motion 2016-3, finding it consistent with local plans and policies and that it is reasonable.

**SUGGESTED
STATEMENTS OF CONSISTENCY AND REASONABLENESS
Final Decisions on Zoning-Related Issues**

ZONING MOTION # _____ 2016-3 _____

Matthews Board of Commissioners makes the following 2 conclusions:

1) The requested zoning action, as most currently amended, **IS CONSISTENT** with the policies for development as outlined by the Matthews Land Use Plan, and the UDO

OR

_____ The requested zoning action, as most currently amended, **IS NOT CONSISTENT** with the Matthews Land Use Plan and/or other adopted land development policies and plans.

(A requested zoning can be found "consistent" and not approved, or found to be "not consistent", but approved.)

2) The requested zoning action **IS REASONABLE** and in the public interest because:
(ex., may be appropriate with specific surrounding land uses; has been shown that it will not create significant new traffic beyond area roads' capacities; creates/increases desirable use in Town.)

These text amendments allow the Matthews UDO to conform to recent state law changes and recent court decisions.

OR

_____ The requested zoning action **IS NOT REASONABLE** and in the public interest because:

(Reasons given for a zoning request being "reasonable" or "not reasonable" are not subject to judicial review.)

Decision Date 11-14-16