

TA #16-07 Amend Article 3.2.2(d) Transitional Residential (TR) District

PART 1: DESCRIPTION

Text Amendment, TA #16-07, is a request by LStar Management, LLC to amend Article 3.2.2(d) Transitional Residential (TR) District, to reduce lot size, width, and side yard setbacks but not change the maximum allowed density at 1.5 units per acre with at least 40% open space.

PART 2: BACKGROUND

The Transitional Residential District currently allows up to 1.5 units per acre if the subdivision has at least 40% open space. The average lot size shall be at least 12,000 sq. ft. with no lot under 10,000 sq. ft.. Lot width shall average at least 75' but in no case less than 60'. Side yard setbacks shall be at least 8'.

LStar Management, LLC requests the average lot size shall be at least ~~12,000~~ 7,500 sq. ft. with no lot under ~~10,000~~ 6,000 sq. ft.. Lot width shall average at least ~~75'~~ 60', but in no case less than ~~60'~~ 50'. Side yard setbacks shall be at least ~~8'~~ 5'. Under the proposed amendment, the maximum density allowed will remain at 1.5 units per acre provided there is at least 40% open space in the subdivision.

Therefore, a 100 acre tract of land could have up to 150 units with at least 40% open space under the current standards and under the proposed amendment. However, if the average lot size is reduced to 7,500 sq. ft., then the amount of open space provided would exceed the minimum 40% required to qualify for 1.5 units per acre (see below table).

EXISTING ORDINANCE TR DISTRICT	PROPOSED ORDINANCE TR DISTRICT
100 Acre Tract	100 Acre Tract
-15 acres for streets (estimate)	-15 acres for streets (estimate but likely lower)
= 85 acres available for lots and open space	= 85 acres available for lots and open space
-41.3 acres for lots (150 lots @12,000 sq. ft. each)	-25.8 acres for lots (150 lots @ 7,500 sq. ft. each)
= 43.7 acres max. potential open space	= 59.2 acres max. potential open space

According to the application:

"The reduced lot minimums will allow for greater flexibility for development projects within the Huntersville Transitional Residential District (TR). The reduced lot minimums will allow greater product segmentation and better master/community planning which promotes economic vitality through increased sales absorption which in return enhances re-sale appreciation; social vitality by accommodating diverse life styles and the ability to create a sense of community."

The Land Development Ordinances Advisory Board (LDOAB) reviewed the proposed amendment at their November 3, 2016 meeting and recommended approval (5-2).

PART 3: RELEVANT HUNTERSVILLE 2030 COMMUNITY PLAN AND APPLICABLE LONG RANGE PLAN SECTIONS

The following are examples of relevant plans and policies from the 2030 Huntersville Community Plan that may be incorporated into the Board's statement of consistency for approval or denial of the request.

Policy H-7: Housing Affordability Support appropriate mix of housing for all income levels. *Staff Commentary: Reducing the average lot size but keeping the density in the TR the same CAN allow for varied lot sizes and therefore varied housing price points.*

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Policy H-8: Development in the Transitional and Rural Areas Maintain the development standards in the Transitional and Rural zones and consider adjustments if warranted by changes in the housing market. *Staff Commentary: Allowing smaller lot sizes in the TR zone MAY be more appealing to people aging who want to maintain a smaller yard.*

Policy E-1: Preservation and Enhancement Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets. *Staff Commentary: Keeping the TR density the same but reducing average lot sizes will allow for more open space and therefore provide more opportunity to avoid sensitive environmental areas such as steep slopes or significant stands of vegetation, as well as reduce the amount of impervious coverage. It will also provide more flexibility to avoid scenic views and cultural assets.*

Policy E-2: Location of New Development Avoid locating new development in areas of significant environmental, scenic or cultural resources. *Staff Commentary: Keeping the TR density the same but reducing average lot sizes will allow for more open space and therefore provide more opportunity to avoid sensitive environmental areas such as steep slopes or significant stands of vegetation, as well as reduce the amount of impervious coverage. It will also provide more flexibility to avoid scenic views and cultural assets.*

PART 4: STAFF RECOMMENDATION

Staff recommends amending Article 3.2.2(d) Transitional Residential (TR) District as requested by LStar Management LLC based on:

- Consistency with policies of the 2030 Huntersville Community Plan listed above.
- Amending the Zoning Ordinance for reduced lot size and width average/minimums, and side yard setback in the TR zone is reasonable and in the public interest because overall density per acre is not being reduced and subdivision design flexibility is provided allowing for varied lot sizes, reduced development costs, and more opportunity to avoid sensitive environmental cultural and scenic resources.

PART 5: PUBLIC HEARING

The Public Hearing will be held on December 3, 2016.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled to hear this text amendment on December 20, 2016.

PART 7: ATTACHMENTS AND ENCLOSURES

Attachment A: Text Amendment Application

Attachment B: Proposed Ordinance

PART 8: STATEMENT OF CONSISTENCY – TA #16-07

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed amendment, TA 16-07, to amend Article 3.2.2(d) of the Zoning Ordinance, the Planning staff recommends approval based on the amendment being consistent with policies H-7, H-8, E-1 & E-2 of the Town of Huntersville 2030 Community Plan.</p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because overall density per acre is not being increased and subdivision design flexibility is provided allowing for varied lot sizes, reduced development costs, and more opportunity to avoid sensitive environmental, cultural and scenic resources.</p>	<p>APPROVAL: In considering the proposed amendment, TA 16-07, to amend Article 3.2.2(d) of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>	<p>APPROVAL: In considering the proposed amendment, TA 16-07, to amend Article 3.2.2(d) of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>
	<p>DENIAL: In considering the proposed amendment, TA 16-02, to amend Article 3.2.7, Article 3.2.8, Article 3.2.9, and Article 3.2.14 of the Zoning Ordinance, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>	<p>DENIAL: In considering the proposed amendment, TA 16-02, to amend Article 3.2.7, Article 3.2.8, Article 3.2.9, and Article 3.2.14 of the Zoning Ordinance, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>