

TA #17-03, Section 1: Planning Board Term Limits

PART 1: DESCRIPTION

Text Amendment, TA #17-03, is a three-part request. See Attachment A for application and Attachment B for proposed language.

Section 1 is by the Town of Huntersville Planning Board to amend Article 11.4.2(b).1 to modify the term limits for members from within the Town Limits. Section 1 is the subject of this staff report.

Section 2 is by the Town of Huntersville Planning Board to amend Article 11.4.7(b) to modify the number of times the Planning Board may defer action on a request.

Section 3 is by the Town of Huntersville (Planning Department) to amend Article 4: Lot and Building Type for Detached House to modify a reference to Transitional Residential sideyard setback, which was changed in Article 3 on February 6, 2017.

PART 2: BACKGROUND

Section 1 Background - Upon appointment to the Planning Board, members serve for a three-year term. In accordance with the current language of Article 11.4.2, (b) 1 “retiring members of the Planning Board are eligible for reappointment to succeed himself”. This means a member of the Planning Board could serve an unlimited amount of terms (if continuously reappointed by the Town Board) without a required waiting period between reappointments.

On March 28, 2017, the Town of Huntersville Planning Board discussed and voted to recommend a text amendment to modify term limits for planning board members within the Town Limits, which would limit retiring member’s eligibility for reappointment to two (2) additional three (3) year terms. Prior to recommending this text amendment the Planning Board reviewed seven local communities and found all seven communities set term limits for Planning Boards members, see attachment C for summary of research. If approved, Planning Board members would only be eligible to serve nine (9) consecutive years. Additional language would require members who retire or are not reappointed would have a twelve (12) month waiting period before being eligible for reappointment.

The HOAB reviewed the proposed amendment at their May 4, 2017 meeting and recommended approval of the proposed language.

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

The following are examples of relevant 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 ED-14: Development Review Process – Support efforts to improve efficiency and responsiveness of development review process for development proposals.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of all three sections of this text amendment requests as proposed in Attachment B based on:

- Consistency with policies of the 2030 Huntersville Community Plan listed in Part 3 of this staff report.
- Specific to Section 1 - Amending term limits for Planning Board members (within the Town Limits), would reduce membership stagnation and facilitate new members with new perspectives be added to the Planning Board.

PART 5: PUBLIC HEARING

The Public Hearing was held on June 5, 2017. Town Board raised concern that this amendment would be limiting the amount of time a citizen could volunteer their time to serve as a member of the Planning Board. No comments from the public were received.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board reviewed this text amendment request on June 27, 2017. No comments from the public were received. Planning Board members discussed the concern raised by Town Board at the Public Hearing (June 5), at which time a motion was made to recommend denial of this text amendment request. The motion to recommend denial fail by a vote of 3-5.

A motion to recommend approval was made after further discussion regarding the pros and cons of term limits. The motion to recommend approval of this text amendment request passed with a vote of 5-3.

PART 7: ATTACHMENTS

Attachment A: Text Amendment Application
Attachment B: Proposed Ordinance
Attachment C: Planning Board Term Limit Research

PART 8: STATEMENT OF CONSISTENCY – TA #17-03, Section 1

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed amendment, TA 17-03, Section 1, to amend Article 11.4.2(b) 1 of the Zoning Ordinance, the Planning staff recommends approval of the request as presented based on the amendment being consistent with policy ED-14 of the Town of Huntersville 2030 Community Plan.</p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because, it facilitates periodical change of Planning Board members (within the Town Limits).</p>	<p>APPROVAL: In considering the proposed amendment, TA 17-03, Section 1, to amend Article 11.4.2(b) 1 of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with Policy ED-14 of the 2030 Community Plan.</p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because periodic changes in the Planning Board members allows a balance of needs of experience membership, fresh ideas, and brings the Town of Huntersville Planning Board in line with the policies of other municipalities.</p>	<p>APPROVAL: In considering the proposed amendment, TA 17-03, Section 1, to amend Article 11.4.2(b) 1 of the Zoning Ordinance, the Town Board approves the request 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 17-03, Section 1, to amend Article 11.4.2(b) 1 of the Zoning Ordinance, the Town Board denies the request based on the amendment being (consistent OR inconsistent) with (insert applicable plan reference).</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>