

**TA #17-03, Section 3: Sideyard Setback in Article 4**

**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 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. Section 3 is the subject of this staff report.

**PART 2: BACKGROUND**

Section 3 Background - On February 6, 2017, the Town Board approved a text amendment modifying Article 3.2.2(d), Transitional Residential (TR) zoning district lot sized, lot widths, and the required sideyard setback. The approved February 2017 text amendment reduced the TR sideyard setback from 8' to 6' in Article 3. However, Article 4, Lot and Building Type for Detached House has a reference to the TR side yard setback that was not amended with the February 2017 request. Planning Staff has initiated this request to clean up the Article 4 side yard setback reference.

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.
- Article 4 Lot and Building Type for Detached House cleans up crossed referenced requirements in the Town's Zoning Ordinance.

**PART 5: PUBLIC HEARING**

The Public Hearing was held on June 5, 2017. No comments from the public or Town Board members 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 voted (8-0) to recommend approval of this text amendment request.

**PART 7: ATTACHMENTS**

Attachment A: Text Amendment Application

Attachment B: Proposed Ordinance

**PART 8: STATEMENT OF CONSISTENCY – TA #17-03, Section 3**

<b>Planning Department</b>	<b>Planning Board</b>	<b>Board of Commissioners</b>
<p><b>APPROVAL:</b> In considering the proposed amendment, TA 17-03, Section 3, to amend Article 4 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 this amendment cleans up crossed referenced requirements.</p>	<p><b>APPROVAL:</b> In considering the proposed amendment, TA 17-03, Section 3, to amend Article 4 of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with the 2030 Community Plan.</p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because this amendment makes the remaining Ordinance consistent.</p>	<p><b>APPROVAL:</b> In considering the proposed amendment, TA 17-03, Section 3, to amend Article 4 of the Zoning Ordinance, the Town Board approves the request based on the amendment being consistent with <b><u>(insert applicable plan reference)</u></b></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...<b><i>(Explain)</i></b></p>
		<p><b>DENIAL:</b> In considering the proposed amendment, TA 17-03, Section 3, to amend Article 4 of the Zoning Ordinance, the Town Board denies the request based on the amendment being <b>(consistent OR inconsistent)</b> with <b>(insert applicable plan reference)</b>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....<b><i>(Explain)</i></b></p>