



Agenda Abstract

PLANNING BOARD

Meeting Date: May 16, 2024
Department: Planning and Economic Development Division
Agenda Section: Planning Board Recommendations
Public hearing: Yes
Date of public hearing: April 18, 2024

PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: Rezoning request for 128 W. Margaret Lane (PIN 9874-06-2054)

Attachments:

1. Rezoning application
2. Vicinity and Future Land Use maps
3. Intent and application criteria (NBSU and NB zoning districts)
4. UDO Table 5.1.8. – Nonresidential Use Table (NB)
5. Existing Special Use Permit
6. Planning Board consistency statement

Proposal:

The applicant is requesting to rezone his property, 128 W. Margaret Lane, from Neighborhood Business Special Use (NBSU) to Neighborhood Business (NB). Further details on the property and request are as follows:

Rezoning Request Details – 128 W. Margaret Lane	
Parcel ID Number	9874-06-2054
Town Limits or ETJ	Town limits
Current Base Zoning	Neighborhood Business Special Use
Proposed Base Zoning	Neighborhood Business (general use)
Overlay District(s)	Historic District Overlay
Future Land Use Designation	Urban Neighborhood

The applicant maintains that the provisions of the special use district are too restrictive because they allow only “office” use, and a general use zoning classification is more appropriate. Rezoning to a general use district also resolves any administrative complications with the existing special use district.¹

Details on the current and proposed zoning district are enclosed, as are the allowable land uses in the proposed NB district. The applicant has indicated that they are willing to further limit the permitted uses for the property through the public hearing process if there are concerns.

¹ Effective July 1, 2021, special use zoning districts are no longer allowed in North Carolina. Special use zoning districts existing prior to that date are now considered conditional zoning districts per the North Carolina General Statutes.

Comprehensive Sustainability Plan goals:

- Land Use and Development Goal 1:
Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.
- Strategy:
Ensure that land use and development regulations are aligned with preferred future land use and growth patterns.

Financial impacts:

None.

Staff comments and recommendation:

There was some confusion about this proposal at the public hearing on April 18. Staff recommends engaging in further discussion as needed before making a recommendation.

Action requested on this item:

Making one of the following recommendations to the Board of Commissioners:

- Approve
- Approve with conditions
- Deny