



## MEMORANDUM TOWN OF LANDIS, N.C.

To: Mayor and Board of Aldermen

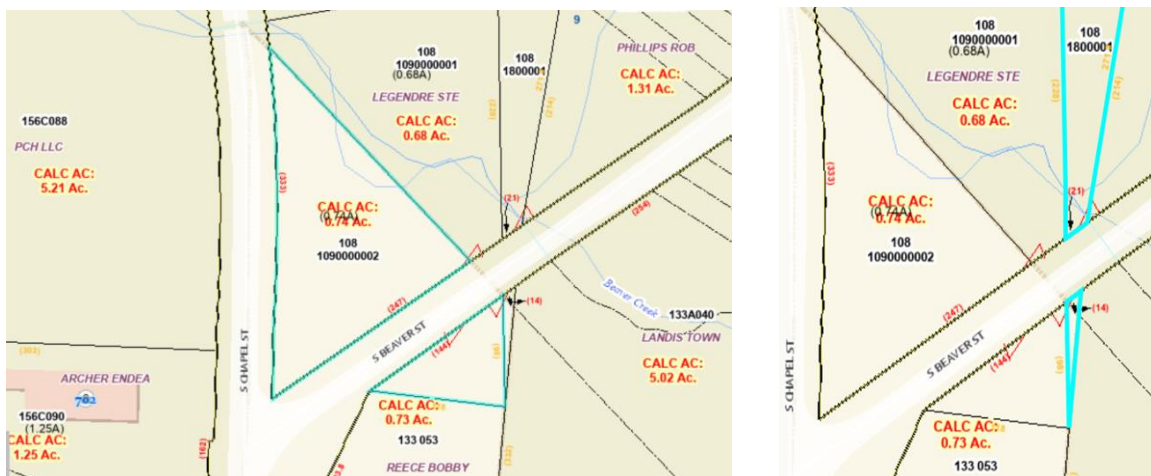
Date: December 19, 2023

From: F. Richard “Rick” Flowe, AICP, Planning, Zoning & Subdivision Administrator

Re: Voluntary Annexation Petition for contiguous property of Steven R. & Katelin M. Legendre of 627 S Chapel St., Landis, NC 28088-1825

### BACKGROUND

On October 31, 2023, the owner of property located at 0 S chapel St., Landis, NC 28088 (Rowan County Parcel ID 108 1090000002 and that portion of 108 1800001 lying outside the Town Limits of the Town and south of S Beaver Street) submitted a petition for voluntary contiguous annexation into the town limits of the Town of Landis. The property consists of approximately 0.75 acres. Location Maps from Rowan County GIS:



## **FINDINGS AND CONCLUSIONS**

The standards for annexation require that the property must be contiguous to the “primary corporate limits”. The fact that the property lies within an area surrounded on three sides by the corporate limits demonstrates the contiguity requirements are satisfactorily met by this petition to the Town of Landis. The property will need to have a Town of Landis zoning designation upon annexation.

## **FISCAL IMPACT**

The property will be subject to applicable taxes and fees in accordance with rates in effect throughout the Town. The Town will deliver standard municipal services for this property upon development. The Town will receive additional revenues from Ad Valorem tax assessments and applicable state shared revenues.

## **RECOMMENDATION FOR ACTION ON ANNEXATION & ZONING**

There are several steps required to annex and apply Town zoning to this property. The following outline illustrates how this process may be completed in two regular meetings of the Town Mayor and Board of Aldermen.

## **THE ACTIONS THAT MAY BE TAKEN AT THE January 8, 2024 MEETING INCLUDE:**

- a. **Petition for voluntary contiguous annexation.**
- b. **Direct (by Resolution #2024-01-08-1) for the Town Clerk to investigate the sufficiency of the petition.**
- c. **Clerk presents “Certification of Sufficiency” to the Board**
- d. **Upon receipt of petition certification by Town Clerk, call (by Resolution #2024-01-08-2) for public hearing at next regular meeting.**

## **ADDITIONAL STEPS BEFORE AND BETWEEN TOWN BOARD MEETINGS**

While the Mayor and Board of Aldermen undertake the process of annexation, the Planning Board may initiate the process of amending the Official Zoning Map per 160D-204 to run concurrent with the annexation process. The property lies adjacent to an area designated in the Town of Landis Comprehensive Land Use Plan (the Plan) Future Land Use Map adopted May 10, 2021 for neighborhood residential use and is consistent with the principles of the Plan so we may anticipate a recommendation for the “RMST” zoning designation from the Planning Board. Here is how these steps align:

1. Scheduled for the **December 12, 2023 Planning Board agenda** to request their recommendation on the designation of the appropriate zoning district during which it received a unanimous recommendation for approval as RMST;
2. Advertise for a **Public Legislative Hearing scheduled for February 12, 2024 before the Mayor and Board of Aldermen** on the subjects of 1) annexing the property and 2) amending the Town of Landis’s Official Zoning Map, of the Landis Development Ordinance (LDO); and

**NEXT STEPS BY MAYOR AND BOARD OF ALDERMEN - THE ACTIONS THAT MAY BE TAKEN AT THE February 12, 2024 REGULAR MEETING INCLUDE:**

1. Conducting the required Annexation Public Hearing for the purpose of receiving input from citizens and/or persons owning an interest in the subject property concurrently with the required Zoning Map Amendment Public Legislative Hearing for the purpose of receiving comment from citizens and/or persons owning an interest in the subject property and the designation of an initial zoning district.
2. Consideration (adoption or rejection) of an Ordinance #ANNEX-2024-02-12 Extending the Corporate Limits (annexation) to include the subject property.
3. Consideration (adoption or rejection) of an Ordinance #ZMA-2024-02-12 Amending the Official Zoning Map (initial zoning) for the newly annexed property.

**FINAL STEPS FOLLOWING ANNEXATION AND ZONING**

Following the annexation of the property, staff will be preparing additional materials to

1. Update Official Zoning Map in Clerk's record, Administrator's record and online.
2. Update shape-files with Rowan County GIS to reflect new zoning and jurisdictional designations online.
3. Record the annexation with both the NC Secretary of State and Rowan County Register of Deeds;
4. Notify all public utilities (telecom, etc.) of the change in the corporate limits of the Town for their proper reporting of utility franchise taxes paid to the State of North Carolina so local shared revenues can be properly distributed;
5. Accept application from owner for the approval (by staff) of site plan(s) for any future project;
6. Process zoning permit application and issue permit(s) upon compliance with the Landis Development Ordinance (LDO).