



MEMORANDUM TOWN OF LANDIS, N.C.

To: Mayor and Board of Aldermen

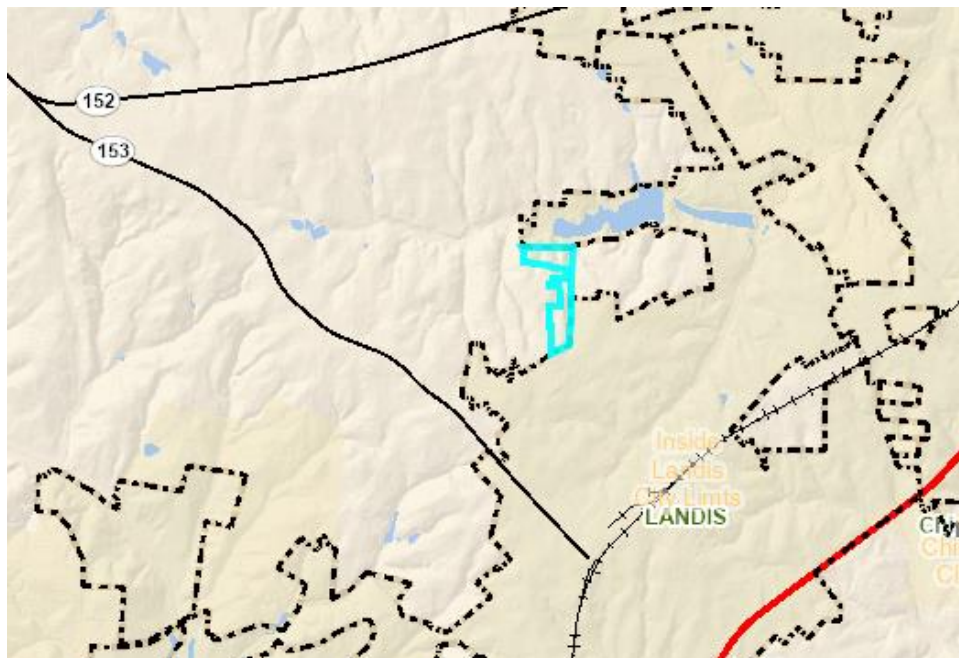
Date: May 16, 2024

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

Re: Voluntary Annexation Petition for contiguous property of KELLER, JOSEPH of 5830 Wright Road, Kannapolis, NC 28081-8931

BACKGROUND

On April 11, 2024, the owner of property located at 0 Mt. Moriah Church Road, Landis, NC 28088 (Rowan County Parcel ID 130 0450000002) submitted a petition for voluntary contiguous annexation into the town limits of the Town of Landis. The property consists of approximately 22.09 acres. Location Map 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 bounded on two 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 TAKEN AT THE May 13, 2024 MEETING INCLUDED:

- a. **Petition for voluntary contiguous annexation.**
- b. **Direct (by Resolution #2024-05-13-1) 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 #2024-05-13-2) for public hearing at next regular meeting on June 10, 2024.**

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 to the south, and civic to the north is consistent with the principles of the Plan so we may anticipate a recommendation for the owner’s requested mixed use zoning designation from the Planning Board. Here is how these steps align:

1. On the May 15, 2024 Planning Board agenda the requested designation of Mixed-Use-2 (MU-2) was discussed at length; however, following discussion their recommendation on the designation of the appropriate zoning district was Mixed-Use-1 (MU-1) due to concerns that excessive non-residential development is not desired in this location and the MU-1 designation aligns with properties in the vicinity along this part of Mt. Moriah Church Road;

2. Advertise for a **Public Legislative Hearing scheduled for June 10, 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 June 10, 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-2024-06-10 Extending the Corporate Limits (annexation) to include the subject property.
3. Consideration (adoption or rejection) of an Ordinance #ZMA-2024-06-10 Amending the Official Zoning Map (initial zoning) and the Town Plan 2040 - Future Land Use Map 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).