



MEMORANDUM TOWN OF LANDIS, N.C.

To: Mayor and Board of Aldermen

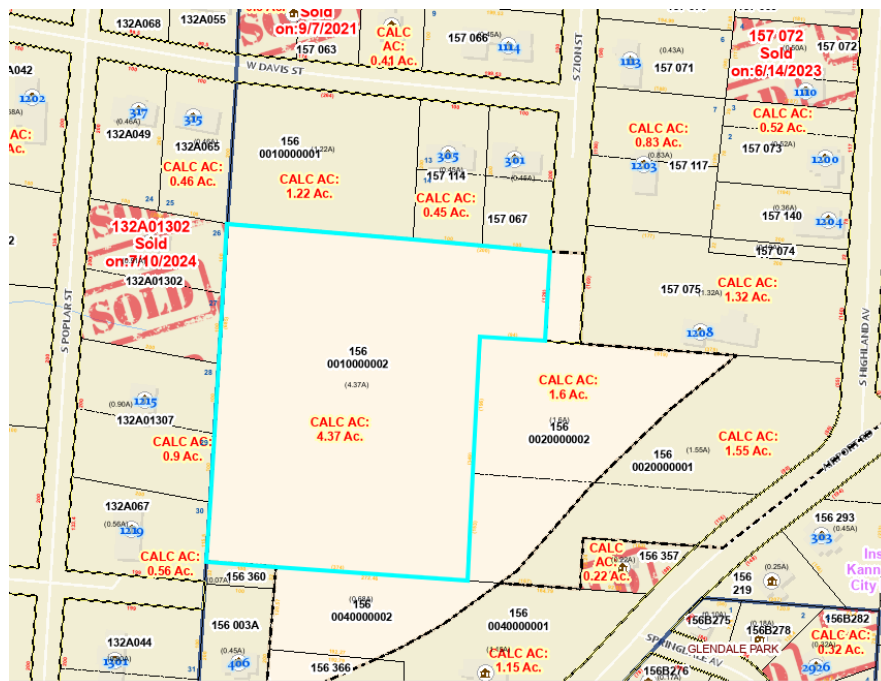
Date: September 11, 2024

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

Re: Voluntary Annexation Petition for contiguous property of BRITTANY ALEXIS SIMMONS, 4148 OLD GLORY DR., CONCORD, NC 28025-1600

BACKGROUND

On July 25, 2024, the owner of property located at 0 W DAVIS ST, Landis, NC 28088 (Rowan County Parcel ID 156 0010000002) submitted a petition for voluntary contiguous annexation into the town limits of the Town of Landis. The property consists of approximately 4.37 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 September 9, 2024 MEETING INCLUDE:

- a. **Petition for voluntary contiguous annexation.**
- b. **Directed (by Resolution #2024-09-09-1) for the Town Clerk to investigate the sufficiency of the petition.**
- c. **Clerk presented “Certification of Sufficiency” to the Board**
- d. **Following receipt of petition certification by Town Clerk, called (by Resolution #2024-09-09-2) for public hearing at next regular meeting on October 14, 2024.**

ADDITIONAL STEPS BEFORE AND BETWEEN TOWN BOARD MEETINGS

While the Mayor and Board of Aldermen undertake the process of annexation, the Planning Board initiated 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. As part of the **September 10, 2024 Planning Board agenda** a recommendation on the designation of the appropriate zoning district was approved;
2. Advertised for a **Public Legislative Hearing scheduled for October 14, 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 October 14, 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-2024-10-14 Extending the Corporate Limits (annexation) to include the subject property.
3. Consideration (adoption or rejection) of an Ordinance #ZMA-2024-10-14 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).