

Goldston Planning Board Agenda Notes

Date: September 15, 2020

Agenda Item: 1

Attachment #: 1

Subject:	Discussion of the draft Goldston UDO and Land Use Plan
Action Requested:	See Recommendation
Attachments:	<ol style="list-style-type: none">1. Redline and Table of 160D Changes2. Maps with updates from Public Hearing

Introduction & Background:

Several years ago the Goldston Town Board embarked on the process of drafting a Unified Development Ordinance and Land Use Plan to guide future development in the Town of Goldston. After years of cooperation with staff from the Triangle J Council of Governments and the Chatham County Planning Department, drafts of the documents are ready for adoption. Over the last two years the draft UDO has been amended to reflect changes suggested by the town board and county planning staff. Most recently the draft UDO has been amended to reflect the mandated statutory changes in the recent 160D legislation.

Chapter 160D consolidates, reorganizes, and modernizes the states planning and development regulation statures and repeals the existing statues. All previous land use statutes are collected and merged into the new chapter of the General Statutes.

On June 19th of 2020 the General Assembly enacted legislation S.L 2020-25 making chapter 160D effective on that date. This law allows jurisdictions greater flexibility in the timing for adoption of amendments to conform local development regulations to the new statutes. Goldston has until July 1st, 2021 to make all the requisite changes. As the UDO and Land Use Plan are still in the draft phase, planning staff will make all the 160D changes prior to adoption. Please see attachments for a Redline list of 160D changes to the documents. Also, please note that there may be further changes to the documents before adoption. In addition to the UDO and Land Use Plan changes there are have also been suggested changes to the draft Land Use Map.

As part of the public hearing discussion on March 2nd 2020 several residents and property owners requested changes to the draft Land Use Map. The suggested changes are included as attachments.

Discussion & Analysis:

The suggested changes to the draft Land Use Map are to change O&I and R-15 districts to C-1 Commercial districts. For instance, Mr. Gaines has requested that parcels surrounding his business be changed to C-1. At the time of the public hearing there seemed to be consensus among the town board and planning staff that these changes were appropriate. The most significant changes to the draft UDO are related to 160D. There are a variety of new definitions which are included in the attachments. One significant addition is the definition for Special Use Permit. This will replace the term Conditional Use Permit. Throughout the document, Special Use was Substituted for Conditional Use.

The 160D legislation also included new language regarding quasi-judicial hearings and their process. A new section labeled Quasi-Judicial Procedure was added to the UDO as section 2.16.4. Vested rights and Permit choice were also major areas for change in the new legislation. Whereas the previous draft UDO had one small paragraph regarding vested rights, section 2.17.12 now has three pages of procedures. This are just a few examples of the changes related to 160D statutory changes.

With the inclusion of the 160D amendments and the changes presented at the January and March Town Board meetings the draft UDO is well on its way to adoption and implementation. As with any new ordinance there will be an adjustment period, and as is so often the case, amendments could be necessary shortly after it is implemented.

Recommendation:

The Planning Board will make a recommendation to the Town Board regarding the Draft Unified Development Ordinance, Land Use Plan, and proposed Zoning and Watershed Maps as amended.