

Agenda Item: Decision on Application 2019-695, UDO Text Amendment on Required Side Yards

DATE: May 6, 2019
FROM: Mary Jo Gollnitz

Background/Issue:

- On April 23rd, Planning Board voted unanimously to recommend approval of the text change as presented at the Public Hearing.
- Concern was raised about how this would affect other shopping centers in Matthews.

Proposal/Solution:

- Staff is supportive of the requested text amendment.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Approve text Amendment Application 2019-695.

DRAFT---FOR APPROVAL

**STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Final Decisions on Zoning-Related Issues**

ZONING APPLICATION # 2019-695

ZONING MOTION # _____

ADMINISTRATIVE AMENDMENT _____

Matthews Board of Commissioners adopts the checked statement below:

A) The requested zoning action, as most currently amended, is **approved**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), and to be **REASONABLE**, as follows:

CONSISTENT: with Matthews Land Use Plan in that it encourages a mix of land uses in appropriate and well-planned locations. It helps Matthews remain a healthy and attractive community.

REASONABLE: The text amendment will allow shopping centers to properly subdivide building space for their tenants who wish to own their building and land.

OR

DRAFT – FOR DENIAL

B) _____ The requested zoning action, as most currently amended, is **not approved**, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan (or other document(s)), and **NOT REASONABLE**, as follows:

INCONSISTENT: The text amendment may encourage shopping center owners to sell their buildings.

NOT REASONABLE: The text amendment is not reasonable as shopping centers already operate sufficiently without this text amendment.

(In each case, the Statement must explain why the Board deems the action reasonable and in the public interest (more than one sentence). Reasons given for a zoning request being “consistent” or “not consistent” are not subject to judicial review.)

Date: *May 13, 2019*