Zoning Application 2020-726: Text amendment to reduce the minimum size of tracts of land that can be designated as the MUD zoning district

TO: Matthews Board of Commissioners  
DATE: April 5, 2021  
FROM: Robert Will, Senior Planner

Background
Currently the minimum size of the MUD (Mixed use District) conditional zoning district is 15 acres.

155.604.3 Table of Dimensional Standards

<table>
<thead>
<tr>
<th>CONDITIONAL-ONLY ZONING DISTRICTS</th>
<th>R-VS</th>
<th>CrC</th>
<th>SRN</th>
<th>C-MF</th>
<th>MUD</th>
<th>BS</th>
<th>B-1SCD</th>
<th>ENT</th>
<th>AU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot area (ft or ac)</td>
<td>1/2 AC</td>
<td>NA</td>
<td>1 AC</td>
<td>3 AC</td>
<td>15 AC</td>
<td>NA</td>
<td>3 AC</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

While having a 15-acre minimum for a Mixed-Use district is a way to guarantee there is enough acreage for a proper mix of uses (the intent of the zoning district), allowing smaller sites to take advantage of the Mixed-Use district permitting creative infill opportunities. The town has a limited amount of vacant land left and very few parcels are 15 or more acres. For a wider context almost all of our other non-residential zoning districts have a minimum overall development area of ‘NA’.

<table>
<thead>
<tr>
<th>NONRESIDENTIAL TRADITIONAL ZONING DISTRICTS</th>
<th>R/I</th>
<th>O</th>
<th>HUC</th>
<th>B-1</th>
<th>B-3</th>
<th>B-D</th>
<th>B-H</th>
<th>I-1</th>
<th>I-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot area (sq ft or ac)</td>
<td>2 AC</td>
<td>9,000</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Minimum overall development area (sq ft or ac)</td>
<td>2 AC</td>
<td>9,000</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

The proposed text amendment is as follows:

155.604.3 Table of Dimensional Standards
Change the minimum overall development area to ‘NA’

Issues Raised at the Public Hearing
Concern was raised over a drastic decrease in the minimum overall development area from 15 to 0, it was suggested that maybe we look at an area greater than ‘NA’.

Planning Board Recommendation
At their regular meeting on March 23rd the Planning Board unanimously recommended approval of the text amendment.

Recommended Action
Staff recommends replacing the minimum overall development area for the MUD conditional zoning district from 15 acres to ‘NA’ in order to be more in line with the other non-residential zoning districts.
STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Board of Commissioners Decision on Zoning-Related Issues

ZONING APPLICATION # ______________________________
ZONING MOTION # _______________2020-726_____________
ADMINISTRATIVE AMENDMENT _______________________________

Matthews Board of Commissioners adopts the checked statement below:

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

CONSISTENT: The Mixed Use District is meant to be a flexible zoning tool to promote quality mixed use development and reducing the minimum development size allows for smaller mixed use projects.

REASONABLE: The text amendment is reasonable because the majority of other non-residential zoning district have an overall minimum development size that is smaller than 15 acres.

OR

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)), as follows:

INCONSISTENT: The text amendment is inconsistent because the Mixed Use district, in order to be effective, needs to have a minimum development size that accommodates a number of uses.

NOT REASONABLE: The text amendment is not reasonable as it significantly reduces the minimum development size from 15 acres to 0 acres.

(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: April 12, 2021