

TA #19-06 Farmhouse Cluster Gates

PART 1: DESCRIPTION

TA19-06 is a request by the Huntersville Ordinances Advisory Board to amend Article 3.2.1(E) and Article 3.2.2(E) to allow gates in Farmhouse Clusters on private drives within the Rural (R) and Transitional Residential (TR) Zoning Districts.

PART 2: BACKGROUND

Gates for Farmhouse Clusters were prohibited in a text amendment that was approved in 2008 (TA08-16). This text amendment modified farmhouse cluster developments to require private drives to be paved in accordance with the Town of Huntersville construction standards and prohibited gates on such drives. Additionally, this text amendment also required Farmhouse Clusters to have Town Board approval.

The Huntersville Ordinances Advisory Board is requesting that Article 3.2.1(E) and Article 3.2.2(E) be modified to take out the language prohibiting gates for farmhouse cluster private drives.

The Huntersville Ordinances Advisory Board reviewed the proposed amendment at their June 6, 2019 meeting and recommended unanimous approval of the proposed language.

PART 3: RELEVANT HUNTERSVILLE 2030 COMMUNITY PLAN AND APPLICABLE LONG RANGE PLAN SECTIONS

The following are examples of relevant polices from the 2030 Huntersville Community Plan that may be incorporated into the Board's statement of consistency for approval or denial of the request.

Policy H-8: Development in the Transitional and Rural Areas

Maintain the development standards in the Transitional and Rural zones and consider adjustments if warranted by changes in the housing market.

STAFF COMMENT: After deliberation, the Huntersville Ordinances Advisory Board (HOAB) believes this modification is warranted at this time.

Policy T-8: Street Connectivity

Promote and require street connectivity in the Town of Huntersville among residential, commercial, employment, recreational and institutional uses.

STAFF COMMENT: While the Town of Huntersville encourages connectivity when feasible, Farmhouse Cluster developments are constructed with a private drive with 6 or fewer lots. It is staff's position that gating the private drives does not reflect against this policy since the drives are not public and the Town does not maintain them.

PART 4: STAFF RECOMMENDATION

Planning Department: Approve (Consistent w/ Plans)

In considering the proposed amendment, TA19-06 to amend Article 3.2.1(E) and Article 3.2.2(E) to allow gates in Farmhouse Clusters on private drives within the Rural (R) and Transitional Residential (TR) Zoning Districts, the Planning Staff finds the amendment consistent with Policy H-8 of the Huntersville 2030 Community Plan and does not adversely impact street connectivity (Policy T-8).

It is reasonable and in the public interest to amend the Zoning Ordinance because allowing gates on private drives does not interfere with public access.

PART 5: PUBLIC HEARING

The Public Hearing was held on August 19, 2019. No one from the public spoke for or against the application.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board heard this text amendment request on August 27, 2019. The Planning Board recommended approval (5-2) with J. Davis and H. Bankier opposing.

Planning Board: Approve (Consistent w/ Plans)

Approve TA19-06 to amend article 3.2.1(E) and 3.2.2(E) to allow gates in farmhouse clusters on private drives based on the amendment being consistent with the 2030 Community Plan, specifically policies H-8 and T-8.

It is reasonable and in the public interests to amend the zoning ordinance because by allowing gates that limit access to farmhouse cluster developments it does not restrict public access to public streets, farmhouse cluster developments are on private roads only.

PART 7: ATTACHMENTS

Attachment A: Text Amendment Application

Attachment B: Proposed Ordinance

PART 8: STATEMENT OF CONSISTENCY – TA19-06

Town Board:

Approve (Consistent w/ Plans)	Approve (Inconsistent w/ Plans and Plans Change ___?)	Deny (Inconsistent w/ Plans)
<p>In considering the proposed amendment, TA 19-06 to amend Article 3.2.1(E) and Article 3.2.2(E) to allow gates in Farmhouse Clusters on private drives, the Town Board approves based on the amendment being consistent with <u>[insert applicable plan reference(s)]</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...<u>[Explain]</u></p>	<p>In considering the proposed amendment, TA 19-06 to amend Article 3.2.1(E) and Article 3.2.2(E) to allow gates in Farmhouse Clusters on private drives, the Town Board approves the amendment but finds the request inconsistent with <u>[insert applicable plan reference(s)]</u>, therefore amends <u>[insert plan reference(s) AND detail the ways the policy or reference is to be amended]</u>.</p> <p>The Town Board took into account the following change in conditions in recommending approval to meet the development needs in Huntersville: <u>[List and explain the change in conditions]</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...<u>[Explain]</u></p>	<p>In considering the proposed amendment, TA 19-06 to amend Article 3.2.1(E) and Article 3.2.2(E) to allow gates in Farmhouse Clusters on private drives, the Town Board denies based on the amendment being <u>[consistent OR inconsistent]</u> with <u>[insert applicable plan reference(s)]</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because...<u>[Explain]</u></p>