

Meeting Excerpt for Butner LDO Text Amendment TA.24.05

THURSDAY, JUNE 6, 2024 – 6:30 P.M. REGULAR MEETING OF THE BUTNER TOWN COUNCIL COUNCIL MEETING ROOM – TOWN HALL

The Butner Town Council met at the above-mentioned time and place. All members of the Council and local news media were notified of the same as well as the purpose of the meeting.

Council Present: Mayor Dr. Linda R. Jordon, Mayor Pro Temp Michel Branch, Councilmembers Judy Cheek, Vicky Daniels, Tom Lane, Josh Shank and Ed Sosa. Also present: Town Manager Jordan McMillen, Town Attorney Jim Wrenn, Town Clerk Barbara Rote, and Deputy Town Clerk Anita Thomasson.

CALL TO ORDER & ROLL CALL

Mayor Jordon called the meeting to order. Clerk Rote called the roll for Council attendance. Councilmember Cheek gave the prayer and led the Pledge to the American Flag.

LDO TA.24.05 ADOPTED CONSISTENCY STATEMENT APPROVED LDO TEXT AMENDMENT – EFFECTIVE UPON ADOPTION ARTICLE 6 ZONING; CLARIFY PROVISIONS

PD Ganser identified the items relevant to adopting a consistency statement.

The Ordinance Administrator recommended approval of TA.24.05 to the LDO *Article 6 Zoning* as presented. The Planning Board recommended the same. All statutory requirements were met.

MPT BRANCH MADE A MOTION, SECONDED BY COUNCILMEMBER SHANK, TO ADOPT A CONSISTENCY STATEMENT RELATIVE TO THE TOWN OF BUTNER 2040 PLAN'S GOALS AN OBJECTIVES AND RELATIVE TO PUBLIC INTEREST; AND TO APPROVE THE LDO TEXT AMENDMENT TA.24.05 *ARTICLE 6 ZONING* AS PRESENTED, EFFECTIVE UPON ADOPTION. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

ADOPTED CONSISTENCY STATEMENT

Written Plan Consistency Statement: The Town of Butner 2040 Comprehensive Land Use Plan notes:

- Update the Land Development Ordinance to incorporate the vision and goals set forth in the Comprehensive Land Use Plan.
- Conduct a review of the Land Development Ordinance to incorporate any changes identified in the plan review process.

ADOPTED AMENDMENTS – EFFECTIVE 06-06-24:

Amendment one

6.3.6 Planned Unit Development District (CD-PUD).

(A) General. The Planned Unit Development District (CD-PUD) is a special purpose Conditional Zoning District that is established in order to accommodate a diverse mix of residential ~~and~~ **or** nonresidential uses and structures that function as a cohesive, integrated, and unified development. This district encourages innovative development patterns by allowing flexibility in permitted uses, design, and layout requirements in conjunction with a concept plan. This district may only be established through the process set forth in division 3.2.3, Conditional Zoning District Classification.

Amendment two

6.5.2 Gateway Districts. The Butner Gateway consists of five Base Zoning Districts described in § 6.5 and three **floating** Conditional Zoning Districts described in § 6.6 within a **separate** specific areas, ~~the Gateway, each of which allow a mix of uses.~~ Using a hybrid of form based code and traditional land use based code, these **Base Zoning** ~~d~~Districts create a cohesive, integrated, and unified development consistent with the town's Gateway Small Area Plan adopted December 3, 2015 and the town's current Comprehensive Plan. The **Base** ~~d~~Districts are allowed only within the Gateway Area. Before development in the Gateway Districts may occur, a concept plan must be reviewed and approved by Town Council in accordance with ~~division~~ 3.2.6. Uses allowed in each Gateway District are shown in Table 7-1, Table of Permitted Uses. Any property in the Gateway area can request a Conditional District rezoning to allow a use allowed in another Gateway District.

Amendment three

6.7.10 Prevailing front setbacks. In the RT and RMX Zoning Districts the prevailing front setback of neighboring developed lots shall be utilized to determine the minimum front setback of undeveloped lots which are located on a block face where at least 50% of the lots have been developed with a single-family or two-family (duplex) dwelling that was constructed prior to the effective date of this ordinance. The minimum front setback shall be defined by establishing the **average mean**, or prevailing, front setback of the closest ~~three~~ **two** residential structures on either side of the undeveloped lot. In no case shall structures located more than 500 feet from the property line of an undeveloped lot be used to establish a prevailing front setback. **When the subject lot abuts any lot or property developed as a use other than single-family or two-family (duplex) dwelling, (including, but not limited to, multi-family housing, religious institutions, undeveloped lots, and/or public rights-of-way), the abutting lot shall be considered to have a default 30-foot setback for the purpose of determining the front setback requirement on the subject lot. For purposes of determining setback on abutting lots, lots having single-family or two-family (duplex) dwelling located more than 50 feet from the front lot line shall be considered to have a default 50-foot setback. In no case shall the minimum required setback be less than 30 feet.**

Table 6-1 Dimensional Standards

1 - Prevailing street setback (~~6.5.10~~ **6.7.10**) regulations apply.