



November 14, 2023
 Stallings Government Center
 321 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

Planning Board Meeting Agenda

#	Time	Item	Presenter	Action Requested/Next Step
	7:00 pm	Invocation Call the Meeting to Order	Chair	N/A
1.		Agenda Approval	Chair	Approve/Ammend Agenda Motion: I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: -----
2.		TX23.11.01 A. Staff requests a text amendment to amended Article 21.3 Fee in Lieu to incorporate Streetscape requirements. B. Statement of Consistency and Reasonableness.	Max Hsiang, Planning Director	Recommendation Motion: I make the motion to recommend: 1) Approval of the request as presented. 2) Defer the request to -----. 3) Denial of the request as submitted.
9.		Adjournment	Chair	Motion: I make the motion to adjourn.



MEMO

To: Stallings Planning Board
From: Max Hsiang, Planning Director
Date: 11/14/2023
Re: TX23.11.01 - Streetscape & Fee in Lieu

Request:

At the 2023 Council retreat, the Town Council created an action item to adopt and incorporate streetscape requirements into the development ordinance by 12/31/23.

- *Rationale: The DFI study advised streetscape improvements will be critical for main street retail to succeed. Also, DFI advised that retail should face Stallings Road.*
- *8/14/23 - Council authorized staff to start work on adding streetscape requirements to the development ordinance.*

The Stallings Streetscape Design Standards and Details Plan includes greenways as part of its design and mandates their installation where they are mentioned in the Stallings Parks, Recreation and Greenway Master Plan. To maintain consistency among the Town's adopted plans, staff opted to keep both plans within the same Article, Article 21.3 Fee in Lieu.

New Suggested Amendment:

21.3 Fee in Lieu and Developer Obligation for New Developments

- 21.3-1 **Purpose.** This ordinance establishes a fee in lieu for new residential and commercial developments. The fee will be used to fund the construction and maintenance of public facilities and services needed to serve new development.
- 21.3-2 **Applicability.** This ordinance applies to all new residential and commercial developments in the Town of Stallings. For purposes of this requirement, "developments" shall mean any development requiring a Major Site Development Plan Review.
- 21.3-3 **Fee-in-Lieu Requirement.** When the improvements identified in the following adopted plans are not located on the property involved with the proposed development, a fee-in-lieu shall be required:
- A. Stallings Parks, Recreation and Greenway Master Plan
 - B. Stallings Streetscape Design Standards and Details Plan
- 21.3-4 **Fee Schedule.**
- A. The fee in lieu shall be calculated as follows:
 - 1) Residential developments: 1/35 of an acre per lot X property tax value (per acre)
 - 2) Commercial developments: 1/35 of an acre X tax value of the property (per acre)
 - B. The assessed value is determined according to the Union County tax assessment as of the date the application for development approval is submitted.

- C. Example: A 100-lot subdivision with a per acre tax value of \$10,000 would pay a fee in lieu of \$28,571.43.
- D. Payment of Fee: The fee in lieu shall be paid to the Town prior to final plat approval.

21.3-5 Exemptions. The following developments are exempt from the fee in lieu:

- A. Developments that are owned and operated by a government agency.
- B. Developments not requiring Major Site Development Plan Review.

21.3-6 Developer Obligation.

- A. When any improvements identified in the following adopted plans are located within the proposed development property, the developer shall provide the improvements identified in the following adopted plans:
 - 1) Stallings Parks, Recreation and Greenway Master Plan
 - 2) Stallings Streetscape Design Standards and Details Plan
- B. Timing of Improvements: All improvements shall be completed or guaranteed with adequate surety prior to issuance of any permits past 60% Certificate of Occupancy for the entire development.

Original Stallings Development Ordinance Language:

21.3 Fee-in-Lieu.

All proposed developed within the Town shall provide the improvements identified in the Stallings Parks, Recreation and Greenway Master Plan when these improvements are located on property involved with the proposed development.

When no improvements as identified by the Stallings Parks, Recreation and Greenway Master Plan are associated with a proposed project, the developer shall be required to pay a fee in lieu thereof, in accordance with this section. This fee shall be calculated as follows:

1/35 of an acre per lot X tax value of the property (per acre).

Example:

100-lot subdivision with a per acre tax value of \$10,000:

$$(1/35) * 100 \text{ [acres in property]} = 2.85714286$$

$$2.85714286 * \$10,000 \text{ [per acre value]} = \$28,571.43$$

- (1.) At least one thirty-fifth (1/35) of an acre shall be dedicated for each dwelling unit planned or proposed in the subdivision plan or development.
- (2.) The payment of fees, in lieu of the dedication of land under subsection above shall be made to the Town of Stallings after having received a recommendation from the Planning Board and having evaluated the proposed dedication and the relationship the dedication would have with the Town's Parks, Recreation and Greenway Master Plan.

(3.) The fees in lieu of dedication shall be paid prior to final plat approval.

(4.) The amount of the payment shall be the product of:

(a.) The number of acres to be dedicated, as required by subsection, above;

(b.) The assessed value for property tax purposes of the land being subdivided, adjusted to reflect its current fair market value at the time the payment is due to be paid.

(Amended May 10, 2021)

Staff Recommendation:

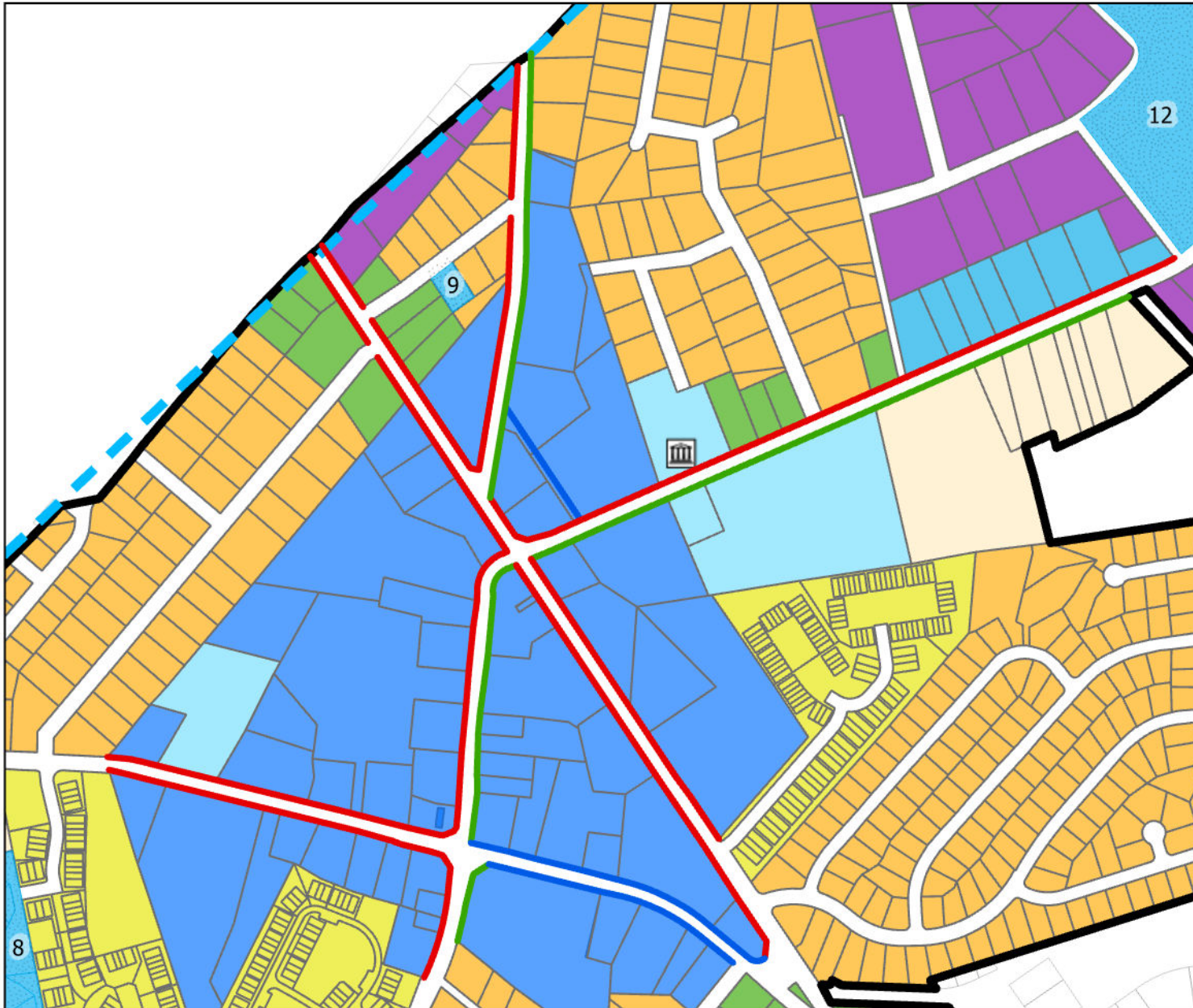
Staff recommends approval of TX23.11.01. This text amendment accomplishes the 2023 Town Council retreat goals, clarifies the fee in lieu, and creates requirements for the greenway and streetscape adopted plans.

Future Considerations:

Determine if the Council wants to consider investing in streetscape improvements in front of specific Town properties and, if so, the phasing of such investments.

- *Rationale: DFI recommended considering these investments alongside the private sector investing in streetscape improvements in front of Town Hall and the Municipal Park.*
- *8/14/23 – The Council opted to hold off making immediate streetscape investments in front of Town Hall. The Council may be open to it if funding is identified.*

Streetscape Plan Map



Legend

StreetScape

- Greenway
- Narrow
- Typical
- County Line

Town of Stallings Boundary

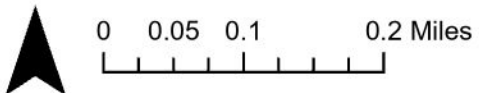
Stallings Zoning Districts

- AG - Agriculture
- SFR-1 - Single-Family Residence 1
- SFR-2 - Single-Family Residence 2
- SFR-3 - Single-Family Residence 3
- MFT - Multi-Family Transitional
- TC - Town Center
- CIV - Civic
- MU-1 - Mixed-Use 1
- MU-2 - Mixed-Use 2
- C-74 HWY-74 Commercial
- CP-485 - HWY-485 Corporate Park
- VSR - Vehicle Service and Repair
- BC - Business Center
- IND - Industrial
- CZ - Conditional Zoning

Description: The highlighted areas identify the extent of the TOS Streetscape Plan required for all future development.

Map Authored By: Stuart Valzonis, Planner I
Credits: Town of Stallings Council

N





Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX23.11.01

REQUEST: To adopt and incorporate streetscape requirements into the development ordinance

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the “Town Council”, adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

WHEREAS, the Town Council finds it necessary to consider the Planning Board’s recommendations.

THEREFORE, The Planning Board hereby recommends that the proposed text amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017 based on the goals and objectives set forth in the document of promoting quality development and consistency with all state mandated land use regulations established through NCGS § 160D. The Planning Board recommends to **APPROVE** the proposed amendment and stated that the Planning Board finds and determines that the text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

1. Accomplishes the goals from the 2023 Town Council retreat.
2. Clarifies the fee in lieu.
3. Creates requirements for the greenway and streetscape adopted plans.

Recommended this the ___ day of _____, 2023.

Planning Board Chair

Attest:

Planning Staff