

**Land Use Board Advisory Consistency and Reasonableness Statement Concerning
Proposed Amendment to the Union County Zoning Map**

The Union County Land Use Board has reviewed the rezoning petition (CZ-2026-007), submitted by R. Dean Harrell, requesting a revision of the Union County Zoning Map by rezoning an approximately 3.207 acre parcel of land appearing on the tax map as tax parcel 06-042-001J along the south side of Beulah Church Road from B-2 with Conditions to B-2 with Modified Conditions.

**TO RECOMMEND APPROVAL OF THE AMENDMENT (THE PROPOSAL IS
CONSISTENT WITH THE CURRENT PLAN)**

Motion

(i) Recommend approval of rezoning petition CZ-2026-007; and (ii) adopt the advisory consistency and reasonableness statement for recommendation of approval.

Advisory Consistency and Reasonableness Statement

Pursuant to N.C.G.S. § 160D-604, the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners adopt the proposed map amendment, as approval is reasonable and the proposal is consistent with the currently adopted Union County Comprehensive Plan (the “Plan”). Adoption of the proposed map amendment (i) takes into account the need to amend the zoning map to meet the needs of the community, and (ii) is reasonable and in the public interest because:

1. The proposed use under the amendment is consistent with the 2014 Land Use Plan, which was in place at the time of initial rezoning of the property in 2020 to B-2 with Conditions. The 2014 Plan’s Land Use Map identified this area as a Commercial Center. The Commercial Center designation would support a range of retail and service uses, consistent with the existing allowed uses. The current Plan’s Land Use Map now designates this area as a Transition Zone. The Transition Zone designation encourages, but does not require, developers to consider annexation into an adjacent municipality. The Plan also provides a strategy of Union County not approving rezonings in a Transition Zone which would “upzone” the property and increase density or intensity of uses. The modified condition of several additional hours of operating hours does not increase density or the overall allowed uses under the property. Rather, it is an operational condition change which does not reach such an impact and is consistent with the Plan.
2. The proposed change in the condition of hours of operation would still prohibit late night operations (prohibiting hours of operation between 9:30 p.m. to 6:30 a.m.) that could impact adjacent residential areas.
3. The tract of land is not overly small for the general area in which it is located and is reasonable in size for the modified conditions contemplated.

4. The property itself is already zoned for B-2 uses with conditions. Additionally, the property is located less than 0.2 miles from an existing retail business use with currently almost the same operating hours as proposed under the modified conditions.
5. The use set forth under the conditions would meet Union County development standards.
6. The benefits to the community at large, the neighbors, and the property owners of the proposed rezoning outweigh any detriments to the neighbors and others caused by the rezoning. The benefits of this rezoning include allowing retail and service business opportunities in Union County. The potential detriments of the use established by this rezoning include any increased noise, light, and traffic exposure resulting from the proposed use that could affect nearby properties.

**TO RECOMMEND DENIAL OF THE AMENDMENT (THE PROPOSAL IS
INCONSISTENT WITH THE CURRENT PLAN)**

Motion

(i) Recommend denial of rezoning petition CZ-2026-007; and (ii) adopt the advisory consistency and reasonableness statement for recommendation of denial.

Advisory Consistency and Reasonableness Statement

Pursuant to N.C.G.S. § 160D-604, the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners deny the proposed map amendment, as denial is reasonable and the proposal is inconsistent with the currently adopted Union County Comprehensive Plan (the “Plan”). Denial of the proposed map amendment is reasonable and in the public interest because:

1. The proposed rezoning could facilitate additional ongoing and potential commercial rezonings in the immediate area inconsistent with the current Land Use Map in Transition Zones, including in close proximity to existing residential uses.
2. Allowed additional hours of operation on the property could result in increased congestion on the roads and streets adjacent and nearby to the property. Traffic congestion is a noted concern in the Plan.