

**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-2026-006), submitted by Steve Merritt, requesting a revision of the Union County Zoning Map by rezoning an approximately 10.75 acre portion of one parcel of land totaling approximately 12.21 acres appearing on the tax map as tax parcel 02-226-017 along the south side of Camden Road from RA-40 to Master Planned Development and adoption of an associated Master Planned Development Plan.

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

Motion

(i) Recommend approval of rezoning petition CZ-2026-006 and associated Master Planned Development Plan; 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 and the Unified Development Ordinance of Union County, North Carolina (the “UDO”), the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners adopt the proposed map amendment and associated Master Planned Development Plan (“MPD Plan”), as approval is reasonable and the proposal and MPD Plan are consistent with the currently adopted Union County Comprehensive Plan (the “Comprehensive Plan”) and the Rural Land Use Plan (collectively the “Plans”). Adoption of the proposed map amendment and associated MPD Plan (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 and MPD Plan is consistent with the Comprehensive Plan. The Comprehensive Plan’s Land Use Map identifies this area as Rural Residential. The Comprehensive Plan provides that Rural Residential areas are identified for agricultural and low-density residential development patterns. This map amendment and associated MPD Plan do not increase the density of development from an overall low density residential development.
2. The proposed use under the amendment and the MPD Plan is also consistent with the Rural Land Use Plan by conserving lower-density residential development in an area identified as rural for purposes of the Rural Land Use Plan.
3. The use, proposed rezoning, and associated MPD Plan comply with the standards for a Master Planned Development set forth in Section 20.020 of the UDO. The development would be difficult to carry out in the planned time frame otherwise under the applicable zoning regulations. It further provides greater public benefits than could be achieved using conventional zoning regulations. The proposed use under the rezoning and associated MPD Plan promotes, without limitation, flexibility and creativity in

responding to changing social, economic, and market conditions through providing group home and recovery housing (which responds to changing social and economic conditions compared to many traditional housing models such as single-family housing).

4. The development will result in public benefits that are equal to or greater than those that would have resulted from development under conventional zoning (non-Master Planned Development) regulations. Specifically, the Master Planned Development proposed will provide a public benefit of allowing development of a group home that may provide a community service that would not be able to be developed in such a manner using conventional zoning regulations.
5. There are appropriate terms and conditions imposed to protect the interests of surrounding property owners and residents, existing and future residents of the Master Planned Development, and the general public. These conditions include, without limitation, agreement on adherence to a site plan that takes into account the impacts of the use and imposes conditions on the number of residents (which will reduce any impacts to neighboring properties).
6. Group home facilities are allowed in the existing zoning district, RA-40 under the UDO with a special use permit. However, utilizing the special use permit method under the UDO would require implementation within one year. This rezoning and associated MPD Plan would allow for flexibility to develop the property over a longer period in a manner that would otherwise already be allowed on the property through the special use permit process.
7. The use set forth under the conditions would meet Union County development standards.
8. The tract of land is not overly small for the general area in which it is located and is reasonable in size for the use contemplated.
9. The immediate surrounding properties are zoned for residential uses, which is similar to the use proposed under this rezoning and associated MPD Plan for a residential use as a group home.
10. 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 increasing group living and recovery 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 PLANS)**

Motion

(i) Recommend denial of rezoning petition CZ-2026-006 and associated Master Planned Development Plan; 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 and the Unified Development Ordinance of Union County, North Carolina (the “UDO”), the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners deny the proposed map amendment and associated Master Planned Development Plan (the “MPD Plan”), as denial is reasonable and the proposal is inconsistent with the currently adopted Union County Comprehensive Plan (the “Comprehensive Plan”) and the Rural Land Use Plan (collectively the “Plans”). Denial of the proposed map amendment and associated MPD Plan is reasonable and in the public interest because:

1. The proposed rezoning and associated MPD Plan could facilitate ongoing and potential future higher density group living uses in close proximity to existing residential uses. Higher density residential uses are inconsistent with low-density development contemplated for Rural Residential areas identified by the Comprehensive Plan (the proposed development is located in a Rural Residential area in the Comprehensive Plan).
2. Allowing group home use 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 Comprehensive Plan.
3. The proposed use under the amendment and the MPD Plan is also inconsistent with the Rural Land Use Plan as it could potentially allow for future higher-density residential development and other group homes in the area, which is identified as rural for purposes of the Rural Land Use Plan.
4. The use, proposed rezoning, and associated MPD Plan do not comply with the standards for a Master Planned Development set forth in Section 20.020 of the UDO. A group home development is allowed to be carried out in the existing zoning district with a special use permit; thus, it is not difficult or impossible to carry out such a group home development under the applicable zoning regulations. Given that a group home may be developed utilizing the existing zoning with a special use permit, there would not be greater public benefits than could be achieved using conventional zoning regulations.
5. The terms and conditions proposed to be imposed do not sufficiently protect the interests of surrounding property owners and residents, existing and future residents of the Master Planned Development, and the general public. There could be additional restrictions imposed on the use and numbers of residents which would ensure sufficient protection that are not set forth in the proposed rezoning and associated MPD Plan.