



**City of Kannapolis  
Planning and Zoning Commission Meeting**

**January 17, 2023 at 6:00 pm**

**Agenda**

- 1. Call to Order**
- 2. Roll Call and Recognition of Quorum**
- 3. Approval of Agenda**
- 4. Approval of Minutes:** December 13, 2022
- 5. Recommendation to City Council**
  - a. TA-2023-01 – Text Amendment – Table 3.6.G(3)a: Coddle Creek Subdistrict Segments  
Consider a recommendation to City Council regarding a text amendment to the Kannapolis Development Ordinance (KDO) to reduce the corridor preservation area width along Davidson Highway (NC 73) from 55 feet to 35 feet.
- 7. Planning Director Update**
  - a. Update of NCDOT projects within the City of Kannapolis
  - b. Board Training
- 8. Other Business**
- 9. Adjourn**



**Planning and Zoning Commission  
January 17, 2023, Meeting  
Staff Report**

**DATE:** January 13, 2023  
**TO:** Planning and Zoning Commission Members  
**FROM:** Ben Barcroft, Senior Planner  
**SUBJECT:** **Text Amendments**  
**Applicant:** City of Kannapolis

Consider a recommendation to City Council regarding text amendments to Table 3.6.G(3)a: Coddle Creek Subdistrict Segments; of the Kannapolis Development Ordinance (KDO)

**A. Actions Requested by Planning and Zoning Commission Members**

1. Consider Resolution to Adopt a Statement of Consistency for TA-2023-01
2. Consider motion to recommend approval of proposed text amendments by City Council

**B. Decision and Required Votes to Pass Requested Action**

A simple majority vote of the Planning & Zoning Commission will be required to recommend approval/denial. City Council has final decision-making authority to approve or deny the amendments.

**C. Background**

Staff is proposing the following amendments to the KDO, Section 3.8, F. Thoroughfare Protection Overlay (TPO) District, (3)a. Coddle Creek Subdistrict:

Amend Table 3.6.G(3)a: Coddle Creek Subdistrict Segments. Staff recommends this amendment to reduce the corridor preservation area width along Davidson Highway (NC 73) from fifty-five (55) feet to thirty-five (35) feet. The preservation area is measured from the edges of the right-of-way. According to information provided by the North Carolina Department of Transportation (NCDOT) and the Cabarrus-Rowan Metropolitan Planning Organization (CRMPO), the proposed cross section/right-of-way width for Highway 73/Davidson Highway is one-hundred twenty (120) feet. The narrowest portion of the existing right-of-way is sixty (60) feet; therefore, the future cross section can be achieved with the reduced corridor preservation area for the entirety of the City of Kannapolis' portion of this highway.

The proposed text amendments to the KDO are attached as Exhibit A and shown in **bold, red text**.

**D. Fiscal Considerations**

None

**E. Policy Issues**

Section 2.3.B(1)b of the KDO states that the Commission shall have the following powers and duties under this Ordinance *“To review and make recommendations to City Council on zoning text amendments (Section 2.5.A(1))”*. In accordance with Section 2.3.A(1)d of the KDO, City Council has final authority to review and make decision on Zoning Text Amendments.

**F. Legal Issues**

None

**G. Alternative Courses of Action and Staff Recommendation**

The Planning and Zoning Commission may choose to recommend approval or denial of the text amendments as presented. The Commission may also add, delete, or change any of the proposed language.

Based on the foregoing analysis, staff recommends **approval** of the proposed text amendments to **Table 3.6.G(3)a: Coddle Creek Subdistrict Segments**; of the Kannapolis Development Ordinance, as shown per staff edits (attached).

**The following actions are required to recommend approval of TA-2023-01:**

1. Consider Resolution to Adopt a Statement of Consistency for TA 2023-01
2. Consider motion to recommend approval of proposed text amendments by City Council.

**The following actions are required to recommend denial of TA-2023-01:**

1. Consider Resolution to not Adopt a Statement of Consistency for TA 2023-01
2. Consider motion to recommend denial of proposed text amendments by City Council.

**H. Attachments**

1. Proposed KDO changes: Exhibit A
2. Resolution to Adopt a Statement of Consistency

**I. Issue Reviewed By:**

- Planning Director
- Assistant City Manager
- City Attorney

## EXHIBIT A

### TA-2023-01 Proposed Text Amendments

**Table 3.6.G(3)a: Coddle Creek Subdistrict Segments**

ROAD OR HIGHWAY SEGMENT AND SIDE OF SEGMENT	CORRIDOR PRESERVATION AREA WIDTH
North side of Davidson Highway (NC 73) from Coddle Creek to the Mecklenburg County line (within Kannapolis city limits)	<b>55 35</b> feet
Both sides of Trinity Church Road from Orphanage Road to Barr Road and the east side of Trinity Church Road from Barr Road to Stirewalt Road	55 feet from Orphanage Road to the Westside Bypass (existing Boy Scout Camp Road); 40 feet from Westside Bypass to Stirewalt Road
Both sides of the Kannapolis Parkway (Westside Bypass, including the existing Crisco Road and the existing Boy Scout Camp Road) from Interstate 85 to Mooresville Road (NC 3)	0 feet (No Corridor Preservation Area)
Both sides of Davidson Highway (NC 73) from Interstate 85 to the westernmost boundary of the City's limits	<b>55 35</b> feet
Both sides of Mooresville Road (NC 3) from ___ to the westernmost boundary of the City's limits	40 feet



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO TEXT  
AMENDMENT TA-2023-01**

**WHEREAS**, Section 160A-383 (2013), of the North Carolina General Statutes, modified in Section 160D-605, specifies that the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive and any other officially adopted plan that is applicable; and

**WHEREAS**, the text amendment to **Article 3, Table 3.6.G(3)a, to reduce the corridor preservation area width along Davidson Highway (NC 73) from fifty-five (55) feet to thirty-five (35) feet**, is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*..

**WHEREAS**, the Planning and Zoning Commission conducted a Public Hearing on January 17, 2023 for consideration of text amendment Case# TA-2023-01 as submitted by the Planning Department staff;

**NOW, THEREFORE BE IT RESOLVED** that the Planning and Zoning Commission finds the text amendment as represented in Case TA-2023-01 is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, and is recommended for approval by the City Council based on consideration of the application materials, information presented at the Public Hearing, and the recommendation provided by Staff.

**Adopted this the 17th Day of January 2023:**

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Chris Puckett, Chairman  
Planning and Zoning Commission

Attest:

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Pam Scaggs, Recording Secretary  
Planning and Zoning Commission