

## TA25-06 Buffer Yards

### **PART 1: DESCRIPTION**

TA25-06 is a request by the Huntersville Planning Department to amend Articles 9.64, 3.2.1, 3.2.2, and 7.5 of the Huntersville Zoning Ordinance. The purpose of the amendment is to add specific planting requirements for the 80-foot buffer required by the Rural and Transitional Residential Zoning District and corresponding references in the R and TR Zoning Districts and relocate buffer requirements from Article 9.64 to Article 7.5.

### **PART 2: BACKGROUND**

The Rural and Transitional Residential zoning districts currently require a “visually opaque landscaped buffer of native vegetation of at least 80 feet in width” for major subdivisions “unless a more restrictive buffer is established elsewhere in [Town regulations].” However, Article 7.5 of the Zoning Ordinance does not establish minimum plantings requirements for an opaque 80-foot buffer. Staff received feedback from the development community it would be helpful to establish planting minimums for design. Additionally, plantings minimums specify a baseline toward meeting the intent of an opaque buffer as staff evaluate buffers during site inspections for compliance. Plantings standards for the 80-foot buffer required by the R and TR zoning districts have therefore been proposed to be added to Article 7.5 and references to these standards have proposed to be added to Article 3.2.1 and 3.2.2 respectively. Relatedly, Article 7 does not currently include definitions of opaque or semi-opaque buffer. Definitions are proposed similar to existing definitions for opaque and semi-opaque screening.

To best clarify the intent of the buffer yards included in Article 7.5 and in response to the proposed addition of definitions of opaque and semi-opaque buffers, the chart of buffer yards is proposed to be amended to include if buffer yards shall function as opaque or semi-opaque separations. Minimum planting requirements have been revised such that all opaque buffers have similar planting minimums per 1,000 square feet and all semi-opaque buffers have similar planting minimums per 1,000 square feet.

The applicability of buffer standards has been revised to include that when the design of a development would apply multiple buffers, only the most restrictive buffer yard will apply.

Article 9.64 established minimum buffer yard requirements for multi-family developments based on the density of the development and adjoining building types. The current text amendment proposes to remove Article 9.64 in its entirety and enact a minimum 30-foot buffer requirement for any apartment building development. This apartment buffer requirement would not be applicable to developments in the Town Center, Transit-Oriented Development- Residential (TOD-R) and Transit-Oriented Development-Employment (TOD-E) zoning districts.

A buffer standard is proposed for any apartment, mixed-use development, or non-residential development on a property that includes, or is the boundary, of the Town Center zoning district. This buffer is intended to provide a transition between Town Center and adjoining zoning districts.

Developments have the option to submit a Conditional District rezoning application including a request for relief from buffer requirements of Article 7.

**PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN**

TA25-06 is consistent with the following Huntersville 2040 Community Plan policies:

- **LU-9.2: Within lower intensity areas including Moderate Density, Residential Edge, Rural Conservation, and Critical Watershed areas conservation design & farmhouse clusters are encouraged.** Staff Comment: This proposed text amendment would preserve the scenic nature of roadways and improve the physical separation between the homes and thoroughfares by revising the planting standards for 80-foot buffer for farmhouse cluster and major subdivision developments in the Rural and Transitional Residential zoning districts.
- **LU-11.1: Protect and enhance the unique character of Huntersville’s neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.** Staff Comment: In response to concern from the public about dense residential development and non-residential development adjoining lower density residential development, a variety of buffer standards have been proposed to be revised with this text amendment to protect existing neighborhoods and establish specific performance standards for each use.
- **LU-12.3: Blend new development with existing neighborhoods, structures and landscapes through the use of transitions in building types and placement of open space, buffers, and other site features.** Staff Comment: This text amendment proposes minimum plantings and buffer performance standards that would support a transition between uses and blend new development with existing development, particularly existing residential development.
- **EOS-6.1: Preserve elements of rural character. Enforce existing standards and evaluate new design standards to preserve the character of scenic country roads.** Staff Comment: Establishing standards for the performance of the 80-foot buffer standards for farmhouse cluster and major subdivision developments in the Rural and Transitional Residential zoning districts help developers meet the intent of preserving rural character. Currently, the 20-foot buffer standard section is multiplied for the opaque 80-foot buffer section required for major subdivisions in the Rural and Transitional Residential zoning districts. However, the 20-foot buffer section is not intended to produce an opaque buffer, even when multiplied. In response to concern from residents about the function of buffers and developers inquiries about how to satisfy Zoning Ordinance requirements, the proposed text amendment seeks to provide more specific performance standards.

**PART 4: STAFF RECOMMENDATION**

The appropriate separation of uses by vegetated buffers is a significant concern of the public. Per Article 7.5, existing vegetated areas should remain to become part of required buffers. Where there is no existing vegetation and where there is specific approval for disturbance replanting and/or supplementation is required. In a review of existing buffer standards, staff found it would be useful to better specify the intent of each both and ensure the corresponding minimum planting requirements are sufficient to meet the intent of the buffer. Additional performance qualifications have been added to clarify if a buffer is intended to be opaque or semi-opaque to indicate that some developments may need plantings beyond the minimums listed in Article 7.5 of the Zoning Ordinance.

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Staff recommends approval of the proposed text amendment due to its consistency with policies LU-9.2, LU-11.1, LU-12.3, and EOS-6.1 of the Huntersville 2040 Plan. TA25-06 establishes greater objectivity and measurability of compliance with the intent of buffer yard standards.

**PART 5: PUBLIC HEARING**

The Public Hearing occurred July 15, 2025.

**PART 6: PLANNING BOARD RECOMMENDATION**

The Planning Board recommended approval (8-0).

**PART 7: ATTACHMENTS**

1. Text Amendment Application
2. Proposed Ordinance

**PART 8: STATEMENT OF CONSISTENCY – TA25-06**

Planning Department	Planning Board	Board of Commissioners
<p><b>APPROVAL:</b> In considering the proposed amendment TA25-06, Planning Staff recommends approval based on consistency with policies LU-9.2, LU-11.1, LU-12.3, and EOS-6.1 of the Huntersville 2040 Plan.</p> <p>It is reasonable and in the public interest to approve the application because it will allow buffers to better meet their intent based on adjoining uses; provide more specific and objective parameters for buffer performance; and, better protect existing neighborhoods.</p>	<p><b>APPROVAL:</b> T. Loomis made a motion to recommend approval of TA25-06 based on the amendment being consistent with LU 9.1, LU 11.1, LU12.3, and EOS 6.1. It is reasonable and in the public interest to amend the zoning ordinance because it is consistent with the 2040 Plan and it clarifies the intent of existing buffer yards and updates the planting standards based on intent and application. J. Wright seconded the motion. (8-0)</p>	<p><b>APPROVAL:</b> In considering the proposed amendment TA25-06, the Town Board recommends approval based on the amendment being consistent with <b><u>(insert applicable plan reference)</u></b></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i></p>
<p><b>DENIAL:</b> N/A</p>	<p><b>DENIAL:</b> In considering the proposed amendment TA25-06, the Planning Board recommends denial based on the amendment being <b><u>(consistent OR inconsistent) with (insert applicable plan reference).</u></b></p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....<i>(Explain)</i></p>	<p><b>DENIAL:</b> In considering the proposed amendment TA25-06, the Town Board recommends denial based on the amendment being <b><u>(consistent OR inconsistent) with (insert applicable plan reference).</u></b></p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....<i>(Explain)</i></p>