



Rowan County Planning and Development Department

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MEMORANDUM

TO: Planning Board members
FROM: Ed Muire, Planning Director
RE: Consistency and Reasonableness Statement Development
DATE: January 9, 2023

PLEASE BE CERTAIN TO READ the highlighted blog articles on page 2 of this memo and the rezoning cases to be used in the training exercise

Staff Commentary

Term limits have resulted in four (4) Planning Board members rotating off this board and three (3) new members being appointed to fill their vacancies.

County policy dictates a citizen may serve no more than two (2) consecutive terms and when board members leave with six (6) years’ experience, it is difficult to replace their knowledge and familiarity of County rules and policies.

From a Staff perspective, this is never more evident than when it comes time for “statement development” – the point in the meeting when the staff report is complete, courtesy hearing is closed, board discussion has stopped and then the members look nervously among the board wondering who will propose a statement. In some cases, the applicant and audience are on the edge of their seat waiting on the verdict.

As we enter 2023 with a “new board”, Staff thought it a good idea to use this initial meeting in 2023 as an opportunity to focus on developing statements of consistency and reasonableness.

Statements of Consistency and Reasonableness

Initiated by legislative changes in 2005, these statements provide the rationale, deliberations and considerations a board has relied upon in recommending, approving or denying a land use policy change. In general, consistency statements address whether a decision is consistent or inconsistent with any adopted plans or policies and reasonableness statements justify the decision as being in the public interest. Reasonableness considerations are not necessary for text amendments but are paramount when examining a request that may have spot zoning implications.

Several blog articles prepared by Adam Lovelady, Associate Professor of Law and Government at UNC-Chapel Hill, have been included for general information and are a valuable resource for planners, board members and elected officials across NC. Of particular importance for this training

exercise, are *Planning Board Basics*, *Considerations for Legislative Development Decisions (Addendum A)* and *Procedures for Legislative Development Decisions (Addendum E)*.

Training Examples

Staff has provided two (2) cases from 2017 which should be read prior to the meeting. Please make any notes, develop questions, etc. that you as a Board member may have or those you may have if you were a neighbor. This is only a training exercise and not an attempt to “reverse” past decisions of the Board.

As typical, Staff will make the case presentation and then allow time for group discussion. Afterward, we hope to demonstrate how the items in the Staff Report and Board deliberations may be put together into a statement justifying a decision to approve or deny the request based on the Consistency and Reasonableness statutory requirements.