

Members

Chair: Amy Hallman

Vice-Chair: Kathy Jones

Scott Harrington

Matthew Jones

Joseph Kluttz

Jake Palillo

Michael Pollard

Harrison Whittaker

Planning Board Member:

Scott Hensley



Town Staff (Non-Voting Members)

Alisia Bergsman
Town Commissioner

Brian Richards
Director
Planning Department

Tracy Barron
Executive Assistant
Planning Department

Emily Sloop
Town Attorney

AGENDA

Huntersville Ordinances Advisory Board Meeting

March 7, 2024 - 3:30 PM

TOWN HALL (101 Huntersville-Concord Road)

**Live Stream available via YouTube
@townofhuntersvillenc28078**

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes**
 - 2.A. Consider approval of the January 4, 2024 regular meeting minutes
- 3. Public Comments** - *Speakers are limited to 3 minutes. The Chairperson reserves the right to shorten the time limit for speakers when an unusually large number of persons have signed up to speak. Speakers may not give all or a portion of their time to other speakers*
- 4. Action Agenda**
 - 4.A. TA24-03: Conditional District. Proposed amendment to clarify the intent of the zoning districts and modify ordinance allowance considerations in the Conditional District (CD) rezoning process. *(Brad Priest)*
 - 4.B. TA24-04: Proposed amendment to remove reference to Ordinance Advisory Board from Zoning Ordinance Article 11.4.3(a) and Subdivision Ordinance Article 5.000 *(Brian Richards)*
- 5. Other Business**
 - 5.A. Follow up discussion related to street stubs ()
- 6. Adjourn**

GENERAL MEETING INFORMATION

Huntersville Ordinances Advisory Board:

The Huntersville Ordinances Advisory Board is established to: 1) Review, evaluate and recommend amendments to the Zoning and Subdivision Ordinances to the Planning Board and the Town Board 2) Review, evaluate and recommend amendments to Town planning processes and procedures to the Planning Board and Town Board 3) Other such related Zoning and Subdivision Ordinance as directed from the Town Board or Planning Board. For more information visit www.huntersville.org.

Meeting Time, Place and Agenda:

All meetings of the Board are open to the public and the public is invited and encouraged to attend. The Board meets in the Town Hall at 3:30 p.m. on the first Thursday of each month (unless otherwise posted). Agendas are published Thursdays before the meeting on our website. The Board reserves the right to deviate from the agenda.

Special Accommodations:

Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format please contact Tracy Barron. She can be reached by phone or fax: 704-766-2215, email: tbarron@huntersville.org or at 105 Gilead Rd, 3rd Floor, Huntersville, NC 28078. We request at least 72-hours' notice prior to the meeting to make the appropriate arrangements.

Minutes of the Town of Huntersville Ordinance Advisory Board

The Town of Huntersville Ordinance Advisory Board met in person at 3:30 p.m. on Thursday, January 4, 2024.

Call to Order/Roll Call

Chairwoman Hallman called the meeting to order at 3:30 pm.

Voting Members Present: A. Hallman, K. Jones, M. Jones, S. Harrington, M. Pollard, F. Gammon (for S. Hensley), J. Palillo, and H. Whittaker

Voting Members Absent: J. Kluttz

Non-Voting Members Present: Commissioner Bergman, B. Richards, T. Barron, and E. Sloop.

Non-Voting Members Absent: None

Motion: M. Pollard made a Motion to Amend the January agenda and add Item 5A under Other Business to include discussion related to blight and safe streets. J. Palillo seconded the motion.

Vote: The motion passed unanimously (8-0).

Approval of Minutes

Item 2A. Consider approval of the December 7, 2023, Regular Meeting Minutes

Motion: J. Palillo made a Motion to Approve the December 7, 2023, regular meeting minutes as amended. K. Jones seconded the motion.

Vote: The motion passed unanimously (8-0).

Public Comments

None

Action Agenda

4A. Consider a recommendation on petition #TA24-01, a request by the Huntersville Planning Department for a text amendment to Article 3.3.2(2)(d), 3.3.2-A(e), 3.3.2B(e), 3.3.3-A(e), 3.3.3(2)(d), and Article 8.17(3)(e) to bring the text into compliance with HB 600.

P. Patterson, Planner I reviewed the proposed text amendment.

The Board had discussion related to the terminology of pre-existing and stormwater mitigation requirements.

Motion: F. Gammon made a motion to recommend Approval of TA24-01, a request by Huntersville Planning Department for a text amendment. M. Jones seconded the motion.

Vote: The motion passed unanimously (8-0).

4B. Consider a recommendation on petition #TA24-02, a request by the Huntersville Planning Department for a text amendment to Article 10, Section 10.10.9, 10.12, and 10.14.3 to clarify the Town's role in permitting, the placement, and removal of campaign signs.

P. Patterson, Planner I reviewed the proposed text amendment.

M. Jones had discussion related to the proposed two standards based on the road being either Town maintained, or State maintained. Concern was expressed that the Zoning Ordinance was not in compliance with the State Statue and that there were people relying on the Zoning Ordinance to enforce the removal of signs which could make the person compliant in a criminal act. The question was posed as to whether we want two standards and for people to be liable for correctly identifying the road to know if they are compliant when placing their campaign signs versus creating one standard. Legal staff replied that the language is being updated to remove the Town's enforcement of campaign signs on any NCDOT maintained right-of-way and noted that the proposed language is in favor of being slightly broader with the only difference being that the Town permits any owner to grant permission including a vacant lot, whereas NCDOT requires permission to be from an owner of a residence, business, or religious institution.

A. Hallman asked staff to confirm if the zoning ordinance stating that a 16 square foot, 6-foot-high sign with permission of the owner is restricted to the person campaigning. H. Whittaker confirmed that the confusion is if the reference is to the owner of the sign or the owner of the property. Staff confirmed that it is any private owner whose land the sign is being placed on and suggested that the language be updated to private property owners. This was agreeable to the Board.

M. Jones commented that he is concerned that there will still be two standards which creates complexity and possible confusion. Legal staff responded that the recommendation is to use the broader application to allow signs to be placed on vacant land but to still require the private landowner's approval given it is their property.

F. Gammon commented that staff may want to consider providing candidates with a method to identify which road is maintained by whom in order to be in compliance. Staff confirmed that the Powell Bill map is always available online which provides that information and direction can be communicated to the candidates.

J. Palillo commented that roads within the town limits should be subject to one set of rules, the only difference is the maintenance. Staff responded that the maintenance and enforcement on state-maintained roads include campaign signs and confirmed that there are laws related to the removal of campaign signs.

F. Gammon reviewed how right-of-way is treated and how each municipality is permitted to create their own rules meaning county candidates must determine how to be in compliance for

each municipality. Legal staff confirmed that for right-of-way the property owner must grant permission under the current and proposed language.

H. Whittaker asked how this is enforced. Staff confirmed that they call the owner of the sign and typically the candidate complies. If they do not come in compliance, then Code Enforcement would remove the sign and notify the candidate.

M. Jones commented that a reference to the State statutes should be placed so that people do not take it upon themselves to enforce the ordinance without knowing that there is another applicable guideline. Staff responded that the ordinances are enforced by Code Enforcement officers. Commissioner Bergman recommended that a public service announcement would be beneficial during campaign season posted on social media and the website.

Motion: M. Jones made a motion to Approve TA24-02 with an amendment to add a reference in Article 9.D to NCGS 136.32b, c, d and f so that anyone reading this ordinance will know that there is another standard for state-maintained roads. S. Harrington seconded the motion.

Vote: The motion passed (7-1) with H. Whittaker abstaining.

Other Business

5A. Discussion on blight and safe streets.

M. Pollard stated that he has made observations when you walk around town and see dead-end streets with a barrier and signage in commercial and residential areas with sidewalks that dead-end. The sidewalks do not have a curb cut for pedestrians to safely exit the sidewalk and cross the street. These street stubs in residential developments deprive residents of unobstructed sidewalks even when there is not likely going to be adjacent development. Examples provided included Holbrook in a new community where the barrier is a sewer pipe, OrthoCarolina has a stub at the first right preventing pedestrians in need of ortho care from being able to walk freely to their medical services. He then shared that, sidewalks should either have a curb cut or a continuous sidewalk should be installed for all future development.

The Board had general agreement that a curb cut requirement to safely cross the street would be beneficial. Staff responded that the Engineering Standards has included that requirement since 2018.

M. Pollard requested that staff provide at the next meeting and provide additional insight on how in the future we will achieve compliance with complete streets particularly as it relates to street stubs.

M. Pollard commented on properties that have been burned out and are still standing which have a potential economic impact on our Town. He proposed that the Board may want to consider an ordinance related to blight to address possible future conflicts as the Town grows. Secondly, there is also an area where neighbors are being deprived of their own right to look out their window. Requiring a specific mitigation schedule may be something to consider. Chairwoman Hallman commented that the answer to that question may be no, there is not

something more that this Board needs to do but perhaps Staff could share with the Board why that is at the next meeting. M. Pollard agreed more of an insight from staff would be beneficial and it would be great to reconcile if there are any statutory differences based on the discussion from the December 2023 meeting on the same topic.

Motion: M. Pollard made a motion to add to the agenda for our subsequent meeting that staff provide an overview of current ordinances regulating stubs within the city and to make sure that as projects are approved moving forward that there is a complete street component that enables residents to have full access to safely crossroads and use sidewalks. J. Palillo seconded the motion.

F. Gammon requested an amendment to the motion that a discussion be added to see if the ordinances should be updated to review connectivity sections which the stubs fall into, that may need to be looked at as well.

Amended Motion: M. Pollard made an amended motion to add to the agenda for our subsequent meeting that staff provide an overview of current ordinances regulating stubs within the city and to make sure that as projects are approved moving forward that there is a complete street component that enables residents to have full access to safely cross roads and use sidewalks, and identify if there is a need to update the connectivity portions of the ordinance. J. Palillo seconded the motion.

Vote: The motion passed unanimously (8-0).

Adjourn

Motion: H. Whittaker made a Motion to Adjourn. M. Pollard seconded the motion.

Vote: The motion passed unanimously (8-0).

Approved this ____ day of _____ 2024.

Chair or Vice Chair

Board Secretary

**AN ORDINANCE TO AMEND THE TOWN OF HUNTERSVILLE ZONING ORDINANCE ON
CONDITIONAL DISTRICT REZONINGS AND ORDINANCE MODIFICATIONS**

Section 1. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Article 3.1.2 of the Zoning Ordinance, Conditional Zoning Districts, is hereby amended as follows (new language in bold, removed language strikethrough):

3.1.2 Conditional Zoning Districts

Conditional zoning districts correspond to general districts. **Conditional zoning districts may be appropriate for situations including, but not limited to, the following:** ~~They provide for those situations where a particular use, properly planned, may be appropriate for a particular site, but where~~

1. The general district has insufficient standards to mitigate the site-specific impact on surrounding areas.
2. **Projects where modifications of the ordinance standards may be needed to provide flexibility for design that exceeds minimum ordinance standards.**
3. **Projects that provide a public benefit such as a new or improved public space or transportation improvements. Examples may include, but are not limited to, public streetscape improvements, parking facilities, greenway construction, transit facilities, etc.**

The Town Board in its sole discretion will determine the merit of the proposed conditional district. Uses that may be considered for a conditional zoning district are restricted to those uses permitted in the corresponding general zoning district. Conditional Zoning Districts are established on an individualized basis, at the request of all owners of the property to be included, according to the procedures of Section 11.4. Zoning of a conditional zoning district is not intended for securing early or speculative reclassification of property. It is expected that, in most cases, the standards of the General Districts appropriately regulate the site-specific impact of permitted uses and structures on surrounding areas.

Section 2. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Article 11.4.7 (k). of the Zoning Ordinance, is hereby amended as follows:

11.4.7 (k) In approving a conditional zoning district, the Town Board may modify standards established in the Zoning or Subdivision ordinance ~~provided the spirit of the regulations are maintained.~~

Section 3. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: Proposed 3/7/24

PLANNING BOARD: Proposed 4/23/24

TOWN BOARD: Proposed 5/6/24



MEMORANDUM

To: Huntersville Ordinance Advisory Board
From: Brad Priest, Assistant Planning Director
Re: TA24-03 – Conditional Zoning District Amendment

Please find attached a proposed text amendment to Chapters 3.1.2 and 11.4.7 (K) of the zoning ordinance. The purpose of the proposed amendment is to update the purpose/intent of Conditional District Rezonings and to clarify how the Board considers modifications to the ordinance.

Chapter 11.4.7 K currently states that for modifications of zoning code to be approved through the conditional zoning process, the modifications must be “provided the spirit of the regulations are maintained.” This section narrows the scope of potential modifications and may eliminate unique and exceptional design due to strict ordinance standards.

Policy LU 8.2 of the Huntersville 2040 Plan recommends that the Town “offer flexibility using performance standards, guided by design principles”, and “consider incentives that allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas.” This text amendment then would incentivize excellent design above the minimum standards of the ordinance, and/or for projects with public benefit for broader modifications of the ordinance.

Planning

Post Office Box 664 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.875.7000 • fax 704.992.5528 • www.huntersville.org



Text Amendment Application

Date of Application 3/5/2024

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): 11.4.3(a) Article(s): _____ Section(s): _____
Subdivision 5.000

See attached

Current Ordinance

Proposed Text

Reason for Proposed Change

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Town of Huntersville

Corporation Limited Liability Company Trust Partnership Other: _____

Signature Brian Richards Date 03/05/2024

Title Planning Director Email _____

Address of Applicant _____

Property Owner (if different than applicant)

* Printed Name _____

Corporation Limited Liability Company Trust Partnership Other: _____

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

Contact Information

**Town of Huntersville
Planning Department**
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: _____

Staff Initials: _____

**AN ORDINANCE TO AMEND THE TOWN OF HUNTERSVILLE ZONING ORDINANCE AND
SUBDIVISION ORDINANCE TO REMOVE REFERENCES OF THE HUNTERSVILLE
ORDINANCES ADVISORY BOARD**

Section 1. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Article 11.4.3(a) of the Zoning Ordinance, Initiation, is hereby amended as follows:

Initiation.

1. Any amendment to the Zoning Ordinance text or Zoning Map, except for the classification of property to a conditional zoning district or MH Overlay or to down-zone property as defined by N.C.G.S. 160D-601 may be initiated:
 1. By the Town Board, ~~Huntersville Ordinances Advisory Board~~, or the Planning Board on its own resolution;
 2. By the property owner(s), upon filing an official petition, submitting the fee established by the Town Board, and providing a list of adjoining properties including tax parcel numbers and the name and address of each owner, provided in digital form if possible;
 3. By someone other than the property (if not a request to down-zone property) owner following:
 1. filing of an official petition and submission of the established fee by the initiating party; and in addition, for a map amendment, providing a list of adjoining properties including tax parcel numbers and the name and address of each owner, or, for a text amendment, submitting the prepared text and rationale for seeking the amendment;
 2. preliminary evaluation by the Planning Board to evaluate consistency of the proposal with the objectives and policies of plans adopted by the Town of Huntersville; and
 3. determination by the Town Board whether the petition should be granted a public hearing or rejected.

Section 2. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Article 5.000 of the Subdivision Ordinance, Amendments, is hereby amended as follows:

5.000 AMENDMENTS

The Planning Staff may from time to time, and at the request of the ~~Huntersville Ordinances Advisory Board~~, Huntersville Town Board, or Planning Board shall prepare certain amendments

to the text of the Subdivision Ordinance to correct errors, update or modify the requirements, or otherwise modify the operation of the ordinance in regulating the subdivision of land.

Amendments to this ordinance may only be enacted pursuant to public notice and public hearing on the proposed amendments. Notice of such public hearing shall be published once per week for two successive weeks in a newspaper of general circulation in the Town of Huntersville. The notice shall be first published not less than ten (10) days nor more than twenty-five (25) days prior to the date fixed for the hearing. The notice shall indicate the date, time, and place of the hearing and shall include a statement of the substance of the proposed amendment.

All text amendments must be referred to the Planning Board for a recommendation prior to final action by the Town Board. If no written report is received from the Planning Board within 30 days of referral of the amendment to that board, the governing board may act on the amendment without the Planning Board report.

Section 3. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD:
PLANNING BOARD:
TOWN BOARD:

11.4 Amendment Process

3. Initiation.

1. Any amendment to the Zoning Ordinance text or Zoning Map, except for the classification of property to a conditional zoning district or MH Overlay or to down-zone property as defined by N.C.G.S. 160D-601 may be initiated:
 1. By the Town Board, ~~Huntersville Ordinances Advisory Board~~, or the Planning Board on its own resolution;
 2. By the property owner(s), upon filing an official petition, submitting the fee established by the Town Board, and providing a list of adjoining properties including tax parcel numbers and the name and address of each owner, provided in digital form if possible;
 3. By someone other than the property (if not a request to down-zone property) owner following:
 1. filing of an official petition and submission of the established fee by the initiating party; and in addition, for a map amendment, providing a list of adjoining properties including tax parcel numbers and the name and address of each owner, or, for a text amendment, submitting the prepared text and rationale for seeking the amendment;
 2. preliminary evaluation by the Planning Board to evaluate consistency of the proposal with the objectives and policies of plans adopted by the Town of Huntersville; and
 3. determination by the Town Board whether the petition should be granted a public hearing or rejected.
2. An amendment for the reclassification of property to a conditional zoning district or a MH Overlay district, may be initiated only by the owners of all of the property to be included in the district and shall be accompanied by an official petition, the established fee, and documentation as required by paragraph 1) below and as may be required by paragraph 2), below.
 1. A petition requesting the reclassification of property to a conditional zoning district or overlay district must be accompanied by a site plan, drawn to scale, and any necessary supporting text, which shall include all data specified in paragraphs (A) through (N) below that are applicable to the project. Where the type of use or scale of proposal makes providing any of the following items unnecessary or impractical, the Planning Director may waive individual items.
 1. A boundary survey and vicinity map showing the property's total acreage, zoning classification(s), general location in relation to major streets, railroads, and/or waterways, date, and north arrow;
 2. Existing topography on the site and within 300 feet of the boundary of the site; and the general nature of the proposed topography at four-foot contour intervals or less;

3. All existing easements, reservations, rights-of-way, and any other restrictions on the use of the land;
 4. Number and general location of proposed structures;
 5. Proposed use of all land and structures, including the number of residential units or the total square footage of any nonresidential development;
 6. All yards, buffers, screening, and landscaping required by these regulations;
 7. Any screening, buffers, and landscaping proposed over and above that required by these regulations, as well as proposed treatment of any existing natural features;
 8. All existing and proposed points of access to public streets; the location of proposed new streets;
 9. Delineation of areas within the regulatory floodplain as shown on the Official Floodway Maps for Mecklenburg County;
 10. Proposed number and location of signs;
 11. Proposed phasing, if any, and approximate completion time for the project;
 12. The location of existing and proposed storm drainage patterns and facilities intended to serve the development;
 13. Traffic, parking, and circulation plans, showing the proposed location and arrangement of parking spaces and ingress and egress to adjacent streets, existing and proposed;
 14. A listing of adjoining properties including tax parcel numbers and the name and address of each owner, provided in digital form if possible.
2. In the course of evaluating the proposed use, the Planning Director, Planning Board or Town Board of Commissioners may request additional information from the petitioner. Information requested may include the following:
 1. The location of significant trees on the petitioned property;
 2. Scale of buildings relative to adjoining properties, including sight lines;
 3. Height of structures;
 4. Exterior features of proposed development;
 5. Any other information needed to demonstrate compliance with these regulations.
 3. The site plan, building elevations, perspectives, sections, and any supporting text shall constitute part of the petition for all purposes under these regulations.

3. The Planning Department shall determine the number of copies of each petition and other required documentation to be submitted by the petitioner so that copies may be circulated to all appropriate agencies for review and comment. A statement analyzing the reasonableness of the proposed rezoning shall be prepared for each petition for a rezoning to a special or conditional use district, or a conditional district, or other small-scale rezoning.
4. Before a public hearing may be held on a petition for a conditional zoning, the petitioner must file in the Office of the Planning Department a written report of at least one community meeting held by the petitioner. Notice of such a meeting shall be provided to all of the following, using the parcel ownership information listed in the current Mecklenburg County tax records:
 1. Owner of each property petitioned for rezoning
 2. Owner of each abutting property
 3. Owner of each property within 250 feet of the petitioned property
 4. Owner of each property directly across a street, easement, or right-of-way, public or private, from the petitioned property
 5. Owner of each property across a street, easement, or right-of-way, and within 250 feet of the right-of-way boundary opposite the petitioned property
 6. Contact person for each neighborhood association, property owner association, and homeowner association registered with the Town Planning Department that has jurisdiction over property within 2,000 feet of any portion of the rezoning site (distance scaled on a Town of Huntersville or Mecklenburg County official map). If fewer than two registered associations are identified within 2,000 feet of the rezoning site, it is the responsibility of the petitioner to identify and include unregistered associations or associations beyond 2,000 feet of the site, such that no fewer than two neighborhood, property owner, or homeowner associations are notified of the community meeting.
 7. The report shall include, among other things, a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time, and location of the meeting, a roster of the persons in attendance at the meeting, a copy of any materials presented at the meeting, a summary of issues discussed at the meeting, including changes suggested by the participants and a description of any changes to the rezoning petition made by the petitioner as a result of the meeting. In the event the petitioner has not held at least one meeting pursuant to this paragraph, the petitioner shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of a meeting held or report filed pursuant to this paragraph shall be considered by the Town Board but shall not be subject to judicial review.

5.000 AMENDMENTS

The Planning Staff may from time to time, and at the request of the ~~Huntersville Ordinances Advisory Board~~, Huntersville Town Board, or Planning Board shall prepare certain amendments to the text of the Subdivision Ordinance to correct errors, update or modify the requirements, or otherwise modify the operation of the ordinance in regulating the subdivision of land.

Amendments to this ordinance may only be enacted pursuant to public notice and public hearing on the proposed amendments. Notice of such public hearing shall be published once per week for two successive weeks in a newspaper of general circulation in the Town of Huntersville. The notice shall be first published not less than ten (10) days nor more than twenty-five (25) days prior to the date fixed for the hearing. The notice shall indicate the date, time, and place of the hearing and shall include a statement of the substance of the proposed amendment.

All text amendments must be referred to the Planning Board for a recommendation prior to final action by the Town Board. If no written report is received from the Planning Board within 30 days of referral of the amendment to that board, the governing board may act on the amendment without the Planning Board report.