

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
TEXT AMENDMENT CASE TA-21-04
September 28, 2021**

Request	
<p>Applicant: City of High Point Planning & Development Department</p>	<p>Affected Ordinance Sections:</p> <p>Section 2.4.10.H., <i>Expiration</i> Section 2.5.2.E., <i>Administrative Adjustment</i>; Section 3.6.3.C., <i>Special Conditional Zoning Districts</i>;</p>
<p>Proposal: To amend the Development Ordinance regarding the following:</p> <ol style="list-style-type: none"> 1) Revise the allowable special conditional zoning districts; 2) Add a commissary kitchen use type; 3) Add a recreational vehicle park use type as a visitor accommodation; 4) Establish maximum building lengths for multi-family dwellings within certain zoning districts, and to establish a rule of measurement for building length; 5) Amend the description of the boundary within the MX-D District where minor manufacturing uses are permitted; 6) Add a standard for window transparency and add a land use intensity score for the self-storage, internal access use type; and 7) Add clarity, correct errors and promote consistent wording. 	<p>Section 4.1.9. <i>Principal Use Table</i>, Table 4.1.9. <i>Principal Use Table</i>; Section 4.2.7., <i>Industrial Use Classification</i>, Table 4.2.7., <i>Industrial Use Classification</i>; Section 4.1.5. <i>Prohibited Uses</i>; Section 4.1.9. <i>Principal Use Table</i>, Table 4.1.9. <i>Principal Use Table</i>; Section 4.2.6., <i>Commercial Use Classification</i>, Table 4.2.6., <i>Commercial Use Classification</i>; Table 5.5.11.C1., <i>Land Use Intensity</i>; Section Table 5.4.4.B., <i>Minimum Off-Street Parking Standards</i>; Section 4.3.4.H., <i>Visitor Accommodations</i>; Section 10.4., <i>Definitions</i>; and various other sections of the Ordinance;</p>

Background

The Development Ordinance was adopted on May 16, 2016 and went into effect on January 1, 2017. Since that time there have been several general amendments proposed by staff and approved by the City Council that have focused on needed changes, clarifications and corrections. This proposed amendment does the same, and also includes amendments resulting from the development review process and requests from the Prosperity and Livability Committee of City Council.

Details of Proposal

The following is a brief summary of the proposed amendments.

- Section 1.** Amends the expiration standards related to a reasonable accommodation. (Page 1)
- Section 2.** Amends administrative adjustment review standards to correct a formatting error. (Page 2)
- Section 3.** Amends the list of special conditional zoning districts to remove the CZ-MS and CZ-MX districts. (Page 2)
- Section 4.** Establishes the Commissary Kitchen use type, including the addition of the use type to Section 4.1.9., *Principal Use Table*, and Table 4.2.7., *Industrial Use Classification*. (Page 3)
- Section 5.** Establishes the Recreational Vehicle Park use type, including the addition of the use type to Section 4.1.9. and *Principal Use Table*, and Table 4.2.6., *Commercial Use Classification*, as well as a definition of Recreational Vehicle, a land use intensity score, minimum parking standards, and use standards within Section 4.3.4.H., *Visitor Accommodations*. (Page 3)
- Section 6.** Amends Table 4.2.7., *Industrial Use Classification*, to add concrete manufacturing as an example within the major manufacturing use type. (Page 7)
- Section 7.** Amends Section 4.3.2.B.5., *Multi-family Dwelling*, to amend and establish maximum building lengths for multi-family dwellings within certain zoning districts, and to establish a rule of measurement for building length within Section 10.2.6., *Height* (to be revised to *Height and Length*). (Page 7)
- Section 8.** Amends Section 4.3.5.B. *Manufacturing and Production*, to amend the description of the boundary within the MX-D District where minor manufacturing uses are permitted. (Page 8)
- Section 9.** Amends 4.3.5.C., *Warehouse and Freight Movement*, to add a standard for window transparency and Table 5.5.11.C1, *Land Use Intensity*, to establish a land use intensity score for self-storage, internal access use types. (Page 9)
- Section 10.** Amends Section 5.4., *Off-Street Parking and Loading*, to add expansions of vehicular use areas within Section 5.4.2., *Applicability*, and to make revisions for consistency and grammar. (Page 10)
- Section 11.** Amends Section 5.5.4., *District Standards*, to remove the MX District from listed districts that may include district-specific landscaping standards. (Page 10)
- Section 12.** Amends Section 5.14.5.B.1., *Common Features*, regarding common features within multiple lot developments, to include exterior lighting. (Page 10)

- Section 13.** Amends Section 5.14.7.C.4., Common Elements, regarding tiny home neighborhoods, to provide clarification that the size of a common building shall be determined by gross floor area. (Page 11)
- Section 14.** Amends Section 8.4.4., *Division of an Existing Developed Lot*, regarding non-conforming lots of record, to remove the requirement that a nonconforming lot contain an existing single family detached or duplex dwelling in order to be divided into individual lots. (Page 11)
- Section 15.** Amends sections 9.5.2., *Investigations*, 9.5.3., *Inspections*, 9.5.4., *Supporting Documentation* and 9.6.1., *Notice of Violation*, to revise references to other Development Ordinance sections. (Page 11)
- Section 16.** Amends Section 10.3, *Abbreviations*, to add an “n/a” abbreviation for the term “Not Applicable”. (Page 12)
- Section 17.** Amends Section 10.4, *Definitions*, to revise definitions related to lighting fixtures and development permits, and to add a definition of “Multi-tenant building”. (Page 13)
- Section 18.** Amends various sections related to the term “roof line” (occurring as two words), to change to “roofline” (occurring as one word). (Page 15)

Analysis

Section 1 amends the expiration standards related to a reasonable accommodation. This amendment was not corrected in previous general amendments, and is now being corrected. Section 2 amends administrative adjustment review standards to correct a formatting error.

Section 3 amends the list of special conditional zoning districts to remove the CZ-MS and CZ-MX districts, as these districts were created in connection to specific plans which gave guidance to specific standards that are not applied to base zoning districts.

Section 4 establishes the Commissary Kitchen use type, including the addition of the use type to Section 4.1.9., Principal Use Table, and Table 4.2.7., Industrial Use Classification. This use type has been added based on the discussion through the City’s the Small Scale Manufacturing Task Force. This amendment does not propose any revision to existing standards for mobile food vendors.

Section 5 establishes a Recreational Vehicle Park use type, including the addition of the use type to Section 4.1.9. Principal Use Table, and Table 4.2.6., Commercial Use Classification, as well as a definition of Recreational Vehicle, a land use intensity score, minimum parking standards, and use standards within Section 4.3.4.H., Visitor Accommodations. This proposed use type was introduced at the request of the Prosperity and Livability Committee of City Council, and was presented to the committee at their June 23, 2021 meeting.

Section 6 adds clarification to the Industrial Use Classification, adding a concrete plant to the list of examples of uses within the major manufacturing use type.

Section 7 amends Section 4.3.2.B.5., Multi-family Dwelling, to establish maximum building lengths for multi-family dwellings within certain zoning districts, and to establish a rule of measurement for building length within Section 10.2.6., Height (to be revised to Height and Length). This provides increased flexibility for multifamily dwelling length and clarification for the length of buildings in general.

Section 8 seeks to modify the description of the boundary within the MX-D District where minor manufacturing uses are permitted.

Section 9 introduces a standard for window transparency of internal self-storage uses, as well as establishes a separate land use intensity score. The separate land use intensity score is based on the recognition that internal self-storage uses do not function the same as open-air self-storage uses, but more like office buildings.

Section 10, 11, and 12 propose to provide clarification to applicability of off-street parking standards, landscaping standards, as well as common features within multiple lot developments.

Section 13 seeks to give clarity within the City's tiny home neighborhood standards that the size of a common building shall be determined by gross floor area. This is based on development activity within the City that is proposing to utilize these standards in facilitating the building of a tiny home neighborhood.

Section 14 proposes to remove a requirement that a nonconforming lot (within the core city) contain an existing single family detached or duplex dwelling in order to be divided into individual lots. This amendment is a result of proposed residential redevelopment within the Core City.

Section 15 amends references to other Development Ordinance sections, while Section 16 adds an abbreviation for the term "Not Applicable", which has been used, but not defined.

Section 17 amends the Definitions section of the Ordinance, specifically related to both lighting fixtures and development permits, and to add a definition of a multi-tenant building.

Finally, Section 18 amends references to the term "roof line", proposing that the term be one word, as "roofline".

In all, the proposed amendments continue staff's efforts to make the Development Ordinance more user friendly, consistent in its formatting, language and terminology, and more error free, and responsive to issues or circumstances observed through the zoning or land development process.

Consistency with Adopted Plans:

The proposed text amendments are appropriate and are consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans.

These general amendments make the Ordinance more user-friendly and flexible, and supportive of the City's adopted policy guidance.

Reasonableness/Public Interest:

An approval of the proposed text amendments is considered reasonable and in the public interest.

The proposed amendments to the Development Ordinance address necessary changes required to better clarify existing standards, expand allowable uses within the City and continue to provide consistent language and formatting.

Recommendation

Staff recommends approval.

Required Action

Planning and Zoning Commission:

The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

The NC General Statutes require that the City Council place in the official record a statement of consistency with the City's adopted plans, and also explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

This report was prepared by Planning and Development Department staff member Chris Andrews, AICP, Interim Director.

Text Amendment 21-04

General Development Ordinance Amendments – Fall 2021

Summary of Changes

- Section 1. Amends the expiration standards related to a reasonable accommodation. (Page 1)
- Section 2. Amends administrative adjustment review standards to correct a formatting error. (Page 2)
- Section 3. Amends the list of special conditional zoning districts to remove the CZ-MS and CZ-MX districts. (Page 2)
- Section 4. Establishes the Commissary Kitchen use type, including the addition of the use type to Section 4.1.9., *Principal Use Table*, and Table 4.2.7., *Industrial Use Classification*. (Page 3)
- Section 5. Establishes the Recreational Vehicle Park use type, including the addition of the use type to Section 4.1.9. *Principal Use Table*, and Table 4.2.6., *Commercial Use Classification*, as well as a definition of Recreational Vehicle, a land use intensity score, minimum parking standards, and use standards within Section 4.3.4.H., *Visitor Accommodations*. (Page 3)
- Section 6. Amends Table 4.2.7., *Industrial Use Classification*, to add concrete manufacturing as an example within the major manufacturing use type. (Page 7)
- Section 7. Amends Section 4.3.2.B.5., *Multi-family Dwelling*, to amend and establish maximum building lengths for multi-family dwellings within certain zoning districts, and to establish a rule of measurement for building length within Section 10.2.6., *Height* (to be revised to *Height and Length*). (Page 7)
- Section 8. Amends Section 4.3.5.B. *Manufacturing and Production*, to amend the description of the boundary within the MX-D District where minor manufacturing uses are permitted. (Page 8)
- Section 9. Amends 4.3.5.C., *Warehouse and Freight Movement*, to add a standard for window transparency and Table 5.5.11.C1, *Land Use Intensity*, to establish a land use intensity score for self-storage, internal access use types. (Page 9)

- Section 10. Amends Section 5.4., *Off-Street Parking and Loading*, to add expansions of vehicular use areas within Section 5.4.2., *Applicability*, and to make revisions for consistency and grammar. (Page 10)
- Section 11. Amends Section 5.5.4., *District Standards*, to remove the MX District from listed districts that may include district-specific landscaping standards. (Page 10)
- Section 12. Amends Section 5.14.5.B.1., *Common Features*, regarding common features within multiple lot developments, to include exterior lighting. (Page 10)
- Section 13. Amends Section 5.14.7.C.4., *Common Elements*, regarding tiny home neighborhoods, to provide clarification that the size of a common building shall be determined by gross floor area. (Page 11)
- Section 14. Amends Section 8.4.4., *Division of an Existing Developed Lot*, regarding non-conforming lots of record, to remove the requirement that a nonconforming lot contain an existing single family detached or duplex dwelling in order to be divided into individual lots. (Page 11)
- Section 15. Amends sections 9.5.2., *Investigations*, 9.5.3., *Inspections*, 9.5.4., *Supporting Documentation* and 9.6.1., *Notice of Violation*, to revise references to other Development Ordinance sections. (Page 11)
- Section 16. Amends Section 10.3, *Abbreviations*, to add an "n/a" abbreviation for the term "Not Applicable". (Page 12)
- Section 17. Amends Section 10.4, *Definitions*, to revise definitions related to lighting fixtures and development permits, and to add a definition of "Multi-tenant building". (Page 13)
- Section 18. Amends various sections related to the term "roof line" (occurring as two words), to change to "roofline" (occurring as one word). (Page 15)

AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE

WHEREAS, the City of High Point adopted the "City of High Point Development Ordinance" on May 16, 2016, with an effective date of January 1, 2017, and subsequently amended; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on September 28, 2021 and before the City Council on November 1, 2021 regarding Text Amendment 21-04; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on September 19, 2021 for the Planning and Zoning Commission public hearing, and on October 20, 2021 and October 27, 2021 for the City Council public hearing pursuant to Chapter 160D-601 of the General Statutes of North Carolina.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1.

That Section 2.4.10.H., *Expiration*, related to a reasonable accommodation, is hereby amended as follows:

H. ~~Expiration Approval of a reasonable accommodation shall describe the conditions or events that would terminate the reasonable accommodation or cause it to expire.~~

1. The approval of a reasonable accommodation establishes a vested right in accordance with Section 1.10.1., Development Permit.

2. A reasonable accommodation approval shall expire and become null and void within 1 year of the issuance of the order, unless development authorized by the reasonable accommodation has substantially commenced.

SECTION 2.

That Section 2.5.2.E., *Administrative Adjustment Review Standards*, is hereby amended as follows:

1. *(unchanged)*
2. *(unchanged)*
3. The administrative adjustment is either:
 - (a) Required to compensate for some unusual aspect of the site or the proposed development that is not shared by landowners in general; **or**
 - (b) Supports an objective or goal from the purpose and intent statements of the zoning district where it is located; or
 - (c) Saves healthy existing trees;

SECTION 3.

That Section 3.6.3.C., *Special Conditional Zoning Districts*, is hereby amended as follows:

- C. **Special Conditional Zoning Districts** The special conditional zoning districts include: CZ-AGR, CZ-I, **and** CZ-PNR, ~~CZ-MS, and CZ-MX.~~

SECTION 4.

(Regarding the Commissary kitchen use type)

PART A.

That Section 4.1.9. *Principal Use Table*, Table 4.1.9. *Principal Use Table*, is hereby amended as shown in the Industrial Services section of the table reproduced below, establishing one use classification for the *Commissary kitchen* use type.

USE CATEGORY	USE TYPE	R-3	R-5	R-7	RM-5	RM-16	RM-26	TO	OI	LB	GB	RC	CB	EC	LI	HI	AGR	I	PNR	MS	MX	District Use Prohibition	Additional Standards
Industrial Use Classification																							
Industrial Services	<u>Commissary kitchen</u>																						

PART B.

That Section 4.2.7., *Industrial Use Classification*, Table 4.2.7., *Industrial Use Classification*, establishing the *Commissary kitchen* use type within the Industrial Service use category, is hereby established as follows:

C. INDUSTRIAL SERVICE	2. USE TYPES:	
	<u>(b) Commissary kitchen</u>	<u>A food service establishment where food trucks return daily for service and storage. Activities may include the loading or storage of food and supplies, the sanitation of the truck and any other components, the disposal of wastewater and the refilling of potable water.</u>

SECTION 5.

(Regarding the Recreational Vehicle Park use type.)

PART A.

That Section 4.1.5. *Prohibited Uses*, to remove recreational vehicle parks from the list of prohibited principal uses, is hereby amended as follows:

B. The following principal uses are prohibited throughout the City's zoning jurisdiction in all zoning districts:

1. Explosives manufacturing;
 2. Leather and leather products manufacturing involving tanning;
 3. Slaughter or rendering of animals;
 4. Outdoor flea markets;
 5. Manufactured dwellings (except in a Manufactured Housing Overlay District);
- and**
- ~~**6. Recreational Vehicle Parks (except as a public recreation facility);**~~
- and**
- ~~**7.**~~ **6.** Outdoor shooting ranges (except as a public safety facility).

PART B.

That Section 4.1.9. *Principal Use Table*, Table 4.1.9. *Principal Use Table*, is hereby amended as shown in the Visitor Accommodations use category of the table reproduced below, and inserted within the use category alphabetically, establishing the Recreational Vehicle Park use type.

USE CATEGORY	USE TYPE	R-3	R-5	R-7	RM-5	RM-16	RM-26	TO	OI	LB	GB	RC	CB	EC	LI	HI	AGR	I	PNR	MS	MX	District Use Prohibition	Additional Standards	
Commercial Use Classification																								
Visitor Accommodations	Recreational Vehicle Park																							4.3.4 H.2

PART C.

That Section 4.2.6., *Commercial Use Classification*, Table 4.2.6., *Commercial Use Classification*, establishing the *Recreational Vehicle Park* use type within the Visitor Accommodations use category, is hereby amended as follows:

J. VISITOR ACCOMMODATIONS	2. USE TYPES:	
	<u>(c) Recreational Vehicle Park</u>	<u>A site where 2 or more recreational vehicle or camping spaces are located, established, or maintained for occupancy by the public as temporary living quarters for recreation, camping or travel purposes.</u>

PART D.

That Section 10.4., *Definitions*, is hereby amended to add the definition of *Recreational Vehicle*:

<u>RECREATIONAL VEHICLE</u>	<u>A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use that either has its own motive power or is mounted on, or towed by, another vehicle. The basic entities are camping trailer, fifth-wheel travel trailer, motor home, travel trailer, and truck camper. This term does not include a manufactured dwelling.</u>
------------------------------------	--

PART E.

That Table 5.5.11.C1., *Land Use Intensity*, regarding the addition of the Recreational Vehicle Park use type within the Commercial use classification, is hereby amended as follows:

TABLE 5.5.11.C1: LAND USE INTENSITY			
USE CLASSIFICATION	USE CATEGORY	USE TYPE	LAND USE INTENSITY SCORE
Commercial	Visitor Accommodations	<u>Recreational Vehicle Park</u>	<u>3</u>

PART F.

That Table 5.4.4.B., *Minimum Off-Street Parking Standards*, regarding the addition of the Recreational Vehicle Park use type within the Commercial use classification, is hereby amended as follows:

TABLE 5.4.4.B: MINIMUM OFF-STREET PARKING STANDARDS			
USE CLASSIFICATION	USE CATEGORY	USE TYPE	REQUIREMENT
Commercial	Visitor Accommodations	<u>Recreational Vehicle Park</u>	<u>(See Section 4.3.4.H.2, Recreational Vehicle Park)</u>

PART G.

That Section 4.3.4.H., *Visitor Accommodations*, regarding the establishment of commercial use standards for the Recreational Vehicle Park use type, is hereby amended as follows:

1. *(unchanged)*
2. Recreational Vehicle Park A recreational vehicle park shall comply with the following standards:

- (a) Size A recreational vehicle park shall be a minimum of 3 acres.
- (b) Density A recreational vehicle park shall have maximum of 15 spaces per acre
- (c) Setbacks Unless otherwise stated below, a recreational vehicle park shall comply with the development standards in Chapter 5:
 - Development Standards:
 - (i) Buildings and structures shall meet the district requirements.
 - (ii) Minimum 50-foot street and perimeter setback for RV and camping spaces.
- (d) Recreational Vehicle (RV) and Camping Spaces
 - (i) Shall be designated on the ground by permanent markers or monuments.
 - (ii) Shall be located above the base flood elevation and graded to prevent water from ponding.
- (e) Parking and Drives
 - (i) Each RV or camping space shall have an asphalt, concrete, graveled or other approved comparable all-weather surface with sufficient dimensions to accommodate at least one motor vehicle in addition to the RV or camping space.
 - (ii) Park drives shall meet the private drive dimensional requirements and must have an asphalt, concrete, graveled or other approved comparable all-weather surface.
- (f) Access No RV or camping space shall have direct vehicular access to a public street.
- (g) Utilities
 - (i) Public water and public sewer service are required for the park.
 - (ii) Individual sewer hook-ups or a sewage dumping station is required along with individual RV electrical connections for the RV spaces.
 - (iii) A central structure or structures is required that will provide separate toilet and bathing facilities for each gender.
- (h) Length of Stay
 - (i) No RV shall be used or set up as a permanent dwelling unit.
 - (ii) No RV shall be occupied beyond 90 days in any 12-month period.

SECTION 6.

That Table 4.2.7., *Industrial Use Classification*, regarding manufacturing uses within the Manufacturing and Production use category, is hereby amended as follows:

C. MANUFACTURING AND PRODUCTION	2. USE TYPES:	
	(b) Manufacturing	<p>An establishment involved in the manufacturing, processing, fabrication, packaging, or assembly of raw materials, or partially finished goods.</p> <p>(1) Major - Uses that tend to require large amounts of bulk or unrefined materials which are typically processed and stored outdoors on the site. These uses require a significant amount of energy for the processing of raw materials, and are likely to generate significant noise, vibration, dust, glare, heat, odor, smoke, truck traffic, in the immediate vicinity of the use. Examples include concrete manufacturing, manufacturing and assembly of machinery; manufacturing of petroleum or petroleum-related products; rubber and plastics manufacturing; and adhesives, coatings, or paint manufacturing.</p>

SECTION 7.

Regarding use standards and rules of measurement for multi-family dwellings.

PART A.

That Section 4.3.2.B.5., *Multi-family Dwelling*, regarding building length, is hereby amended as follows:

(b) Building Length

- (1) The maximum length of a multi-family building shall be ~~250 linear feet, except in the CB and MX districts, where no maximum length is applied.~~ 200 linear feet in the RM-5 and TO districts, 250 linear feet in the RM-16, OI, LB, EC and I districts, and 300 linear feet in the RM-26, GB, RC and MS districts.
- (2) No maximum building length shall be applied in the CB, LI and MX districts or in any district if the building is designed for occupancy by the elderly and it has central facilities for dining and recreation contained within the building.
- (3) *(unchanged)*

PART B.

That Section 10.2.6., *Height*, regarding the rules of measurement for building height, is hereby amended to be renamed and to add a standard for the measurement of building length for multi-family dwellings:

10.2.6 Height **and Length**

A. through C. (*unchanged*)

D. Building Length **The linear distance measured in feet of a building facade of a multi-family dwelling. A change in building facade direction of 30 degrees or greater shall terminate the building length measurement.**

SECTION 8.

(Regarding the description of the boundary within the MX-D District where minor manufacturing uses are permitted.)

That Section 4.3.5.B. Manufacturing and Production, regarding the use standards for the minor manufacturing use type, be amended as follows:

2. **Manufacturing, Minor** In order to reuse existing buildings in the Core City in accordance with the City's adopted policy guidance, minor manufacturing uses are permitted in the MX district, subject to the following standards:
 - (a) The new use must reuse an existing building or buildings;
 - (b) In the MX-D district the building must be located in the area **described as follows: beginning at the southeast corner of** ~~bounded by~~ North Lindsay Street and West English Road, **thence in a southerly direction along North Lindsay Street to its intersection with** ~~Lindsay Place,~~ West Martin Luther King Jr. Drive, **then in an easterly direction along West Martin Luther King Jr. Drive to its intersection with West Broad Avenue, thence continuing in an easterly direction along West Broad Avenue to its end and intersection with** ~~the north side of the railroad tracks,~~ Hayden Place, **thence in a northerly direction along Hayden Place to its end and intersection with** West English Road, **thence in a westerly direction along West English Road to its intersection with North Elm Street, thence in a northerly direction along North Elm Street to its intersection with** ~~and~~ Appling Way, **thence in a westerly direction along Appling Way to its end and intersection with West English Road, thence in a westerly direction along West English Road to the point of beginning.**

SECTION 9.

(Regarding the self-storage, internal access use type.)

PART A.

That Section 4.3.5.C.2., *Self-Storage, Internal Access*, is hereby amended as follows:

2. **Self-Storage, Internal Access** An internal access self-storage establishment shall comply with the following standards:

(a) *(unchanged)*

(b) **Transparency Maintained** Windows shall not be boarded or paneled over from the outside or the inside. **The depiction of faux storage units and inoperable doors shall be prohibited.**

(c) *(unchanged)*

PART B.

That Table 5.5.11.C1., *Land Use Intensity*, regarding warehouse and freight movement uses within the Industrial use classification, is hereby amended as follows:

TABLE 5.5.11.C1: LAND USE INTENSITY			
USE CLASSIFICATION	USE CATEGORY	USE TYPE	LAND USE INTENSITY SCORE
Industrial	Warehouse and Freight Movement	All, <u>except for self-storage, internal access</u>	4
		<u>Self-storage, internal access</u>	<u>3</u>

SECTION 10.

(Regarding off-street parking standards.)

PART A.

That Section 5.4.2., *Applicability*, regarding the applicability off-street parking and loading standards, is hereby amended as follows:

A. through B. *(unchanged)*

C. **Expansions** Expansions of existing principal buildings, **vehicular use areas** or open uses of land.

PART B.

That Section 5.4.5.A., *General Standards*, related to bicycle parking requirements, is hereby amended as follows:

1. through 3. *(unchanged)*

4. Bicycle parking should be accessible to the primary entrances of the development and in a visible, well-~~lit~~**lighted** area.

PART C.

That Section 5.4.7.E., *Dimensional Standards for Parking Spaces and Aisles*, is hereby amended as follows:

E. Dimensional Standards for Parking Spaces and Aisles Standards **for** parking spaces and parking aisles shall comply with the minimum dimensional standards established in Table 5.4.7.E, Dimensional Standards for Parking Spaces and Aisles.

SECTION 11.

That Section 5.5.4., *District Standards*, is hereby amended as follows:

Some zoning districts and overlay districts, such as the MS-~~MX~~, and the GCO districts, include additional district-specific landscaping standards (See Chapter 3: Zoning Districts).

SECTION 12.

That Section 5.14.5.B.1., *Common Features*, regarding common features within multiple lot developments, is hereby amended as follows:

1. An approved multiple lot development shall be treated as a single zone lot for the purposes of providing required off-street parking, required landscape yards, required street access, **exterior lighting**, compliance with zoning district dimensional standards, and compliance with signage standards.

SECTION 13.

That Section 5.14.7.C.4., *Common Elements*, regarding tiny home neighborhoods, is hereby amended as follows:

- 5.14.7.C.4 (c) If a common building is provided, it shall not be larger than 1,000 square feet **in gross floor area** and shall not be used as a permanent dwelling unit.

SECTION 14.

That Section 8.4.4., *Division of an Existing Developed Lot*, is hereby amended as follows:

8.4.4. - Division of an Existing ~~Developed~~ Lot

A nonconforming lot ~~containing an existing single-family detached or duplex dwelling~~ that cannot be divided in compliance with the minimum lot area or minimum lot width requirements of the zoning district in which it is located, may be divided into individual lots provided:

- A. through E. (*unchanged*)

SECTION 15.

(*Regarding reference to Section 9.5.1., Responsibilities.*)

PART A.

That Section 9.5.2., *Investigations*, regarding reference to Section 9.5.1., *Responsibilities*, is hereby amended as follows:

As appropriate, any of the directors listed in Section 9.5.1. **Responsibilities** ~~above~~ has the power to conduct such investigation as may be deemed necessary to carry out their duties as prescribed in this Ordinance, and for this purpose the right upon presentation of proper credentials to enter at any reasonable hour upon any property within the jurisdiction for the purpose of investigating any complaints or

alleged violations of this Ordinance; provided that the appropriate consent has been given for areas not open to the public or that an appropriate inspection warrant has been secured.

PART B.

That Section 9.5.3., *Inspections*, regarding reference to Section 9.5.1., *Responsibilities*, is hereby amended as follows:

As appropriate, any of the directors listed in Section 9.5.1, **Responsibilities**, ~~above~~ has the right upon presentation of proper credentials to enter on any property within the jurisdiction at any reasonable hour for the purposes of inspecting the sites of any complaints or alleged violations, or determination of compliance or other enforcement action of this Ordinance; provided that the appropriate consent has been given for inspection of areas not open to the public or that an appropriate inspection warrant has been secured.

PART C.

That Section 9.5.4., *Supporting Documentation*, regarding reference to Section 9.5.1., *Responsibilities*, is hereby amended as follows:

As appropriate, any of the directors listed in Section 9.5.1, **Responsibilities**, ~~above~~ has the power to require written statements, certificates, certifications, or the filing of reports with the respect to pertinent questions relating to complaints or alleged violations of this Ordinance.

PART D.

That Section 9.6.1., *Notice of Violation*, regarding reference to Section 9.5.1., *Responsibilities*, is hereby amended as follows:

If the landowner or occupant of the land, building, structure, sign, or use in violation fails to take prompt action, any of the directors listed in Section 9.5.1, **Responsibilities**, as appropriate, shall give the owner or occupant written notice (by certified or registered mail to their last known address, by personal service, or by posting notice conspicuously on the property) of the following:

- A. through F., (*unchanged*)

SECTION 16.

That Section 10.3., *Abbreviations*, regarding the addition of the abbreviation "n/a", is hereby amended as follows:

TABLE 10.3: ABBREVIATIONS

ABBREVIATION	ASSOCIATED TERM
<u>n/a</u>	<u>Not Applicable</u>

SECTION 17.

(Regarding definitions within Section 10.4., Definitions)

PART A. That Section 10.4., *Definitions*, is hereby amended to revise definitions related to lighting fixtures, and re-ordered as necessary:

<u>ARCHITECTURAL LIGHTING</u>	Exterior lighting that is designed to highlight structures, plantings, or significant architectural features in a direct or indirect fashion.
--------------------------------------	--

<u>CUT-OFF FIXTURE</u>	A cut-off light fixture that emits none of its light above the horizontal plane of the fixture (90 degrees) and no more than 10 percent of its emitted light between 80 degrees and 90 degrees.
-------------------------------	--

<u>FULL CUT-OFF LENS</u>	An artificial outdoor lighting fixture designed to ensure that no light is directly emitted above a horizontal line parallel to the ground.
---------------------------------	--

<u>LIGHTING, FULL CUT-OFF FIXTURE OR LENS</u>	<u>A light fixture or lens constructed and installed that projects all of its light in a downward direction.</u>
--	--

<u>SHIELDED FIXTURE LIGHTING, SEMI-CUT-OFF FIXTURE</u>	A light fixture constructed and installed in such a manner that all light emitted by it, either directly from the lamp (bulb) or a diffusing element, or indirectly by reflection or
---	---

	<p>refraction from any part of the fixture, is projected below the horizontal plane of the fixture that emits none of its light above the horizontal plane of the fixture (90 degrees) and no more than 10 percent of its emitted light between 80 degrees and 90 degrees. <u>Often referred to as a shielded fixture.</u></p>
--	---

PART B. That Section 10.4., *Definitions*, is hereby amended to add reasonable accommodation and wireless telecommunications permit to the Development Permit definition:

<p>DEVELOPMENT PERMIT</p>	<p>The following administrative and quasi-judicial permits and approvals are defined as development permits pursuant to State law: alternate design, certificate of appropriateness, <u>reasonable accommodation</u>, special use, variance, building permit, final plat, floodplain development permit, group development, land disturbance permit, preliminary plan, public tree certificate, sign permit, site plan, <u>wireless telecommunications permit</u>, and zoning compliance permit.</p>
----------------------------------	--

PART C.

That Section 10.4., *Definitions*, is hereby amended to add the definition of *Multi-tenant Building*:

<p><u>MULTI-TENANT BUILDING</u></p>	<p><u>A building that is used for two or more occupancies provided each occupancy is separated by construction having fire-resistive ratings in compliance with the NC State Building Code.</u></p>
--	--

SECTION 18.

That references to the term "roof line" (occurring as two words) as listed below, and anywhere else it occurs within the Development Ordinance, are hereby changed to reference the term "roofline" (one word):

- Section 3.4.8. - Central Business (CB)
- Section 3.8.7. - Gateway Corridor Overlay (GCO)
- Section 3.8.10. - Neighborhood Conservation Overlay (NCO)
- Section 10.4. - Definitions

SECTION 19.

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 20.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 21.

This ordinance shall become effective upon adoption.

Adopted by the City Council
 City of High Point, North Carolina
 The 1st day of NOVEMBER, 2021
 Lisa B. Vierling, City Clerk

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk