CLARION

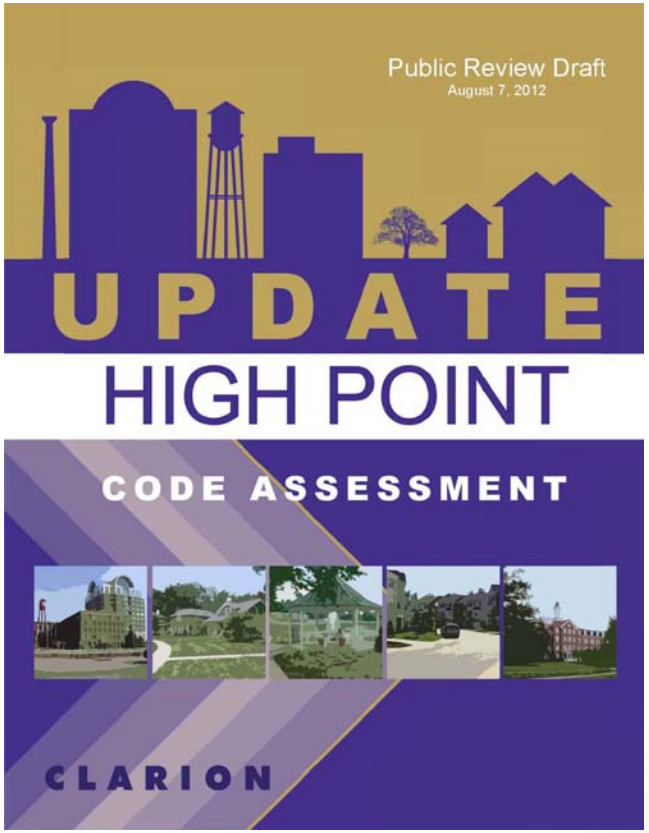
HIGH POINT

Code Assessment

Presentation to City Council and Planning & Zoning Commission 9-25-12

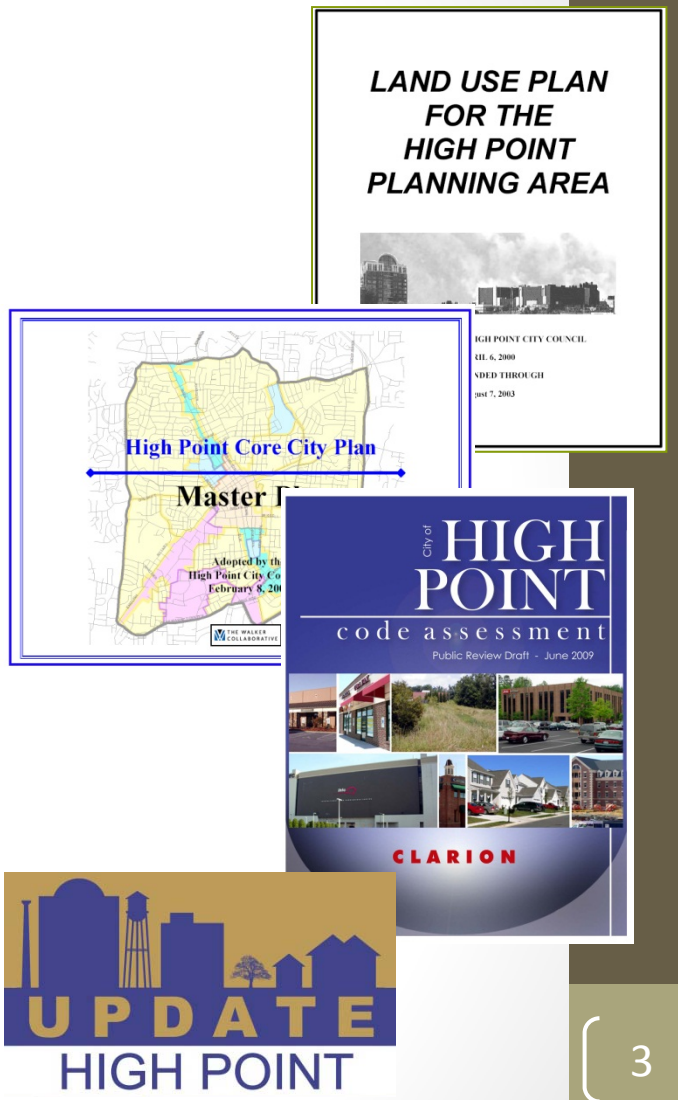
AGENDA

- Background
- Key Benefits
  - Overview & UAC comments
- Next Steps



BACKGROUND

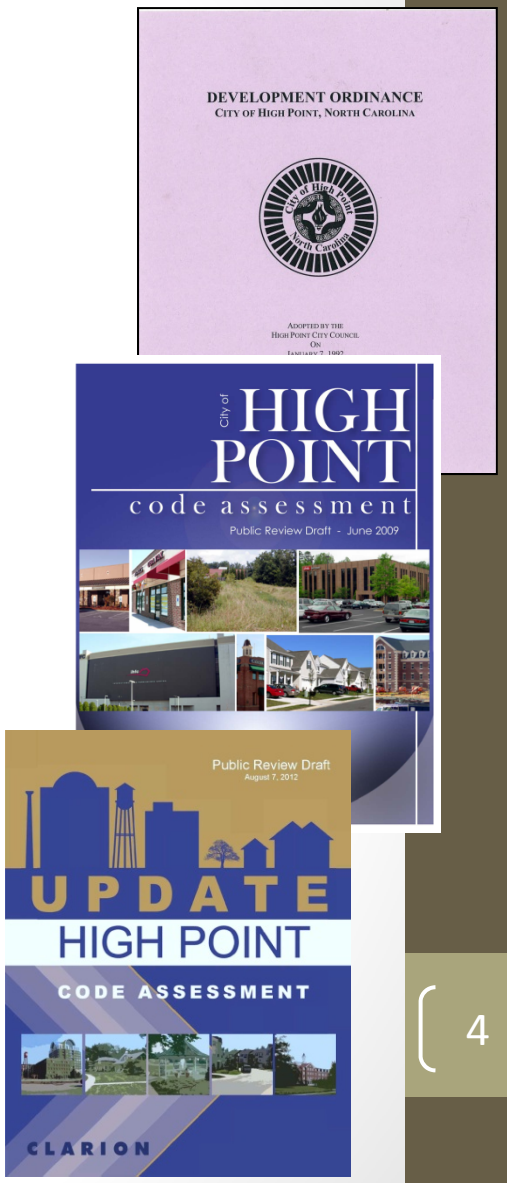
- Land Use Plan for High Point adopted 2000
- Core City Plan Adopted 2007
- Clarion asked to review city's Development Ordinance 2008
- **Original Code Assessment endorsed by City Council 2009**
- Funding for UPDATE project by HUD secured 2011
- UPDATE project commenced 2012



UPDATE = Urban Placemaking to Develop and Transform the Economy of High Point

REFRESHED THE CODE ASSESSMENT

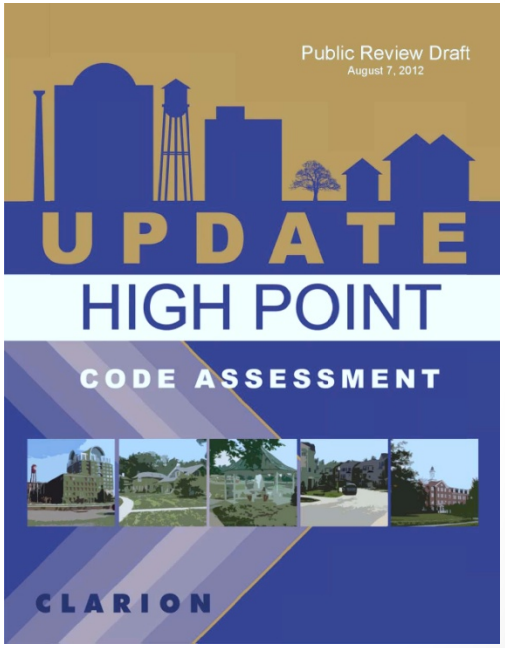
- **The Code Assessment:**
  - Describes the city's current development patterns
  - Reviews the city's planning policy documents
  - Reviews the zoning and subdivision regulations
  - Incorporates stakeholder input
  - Sets out 6 Key Benefits for updating the Development Ordinance
  - Provides a "road map" for drafting the updated Development Ordinance



REFRESHED CODE ASSESSMENT

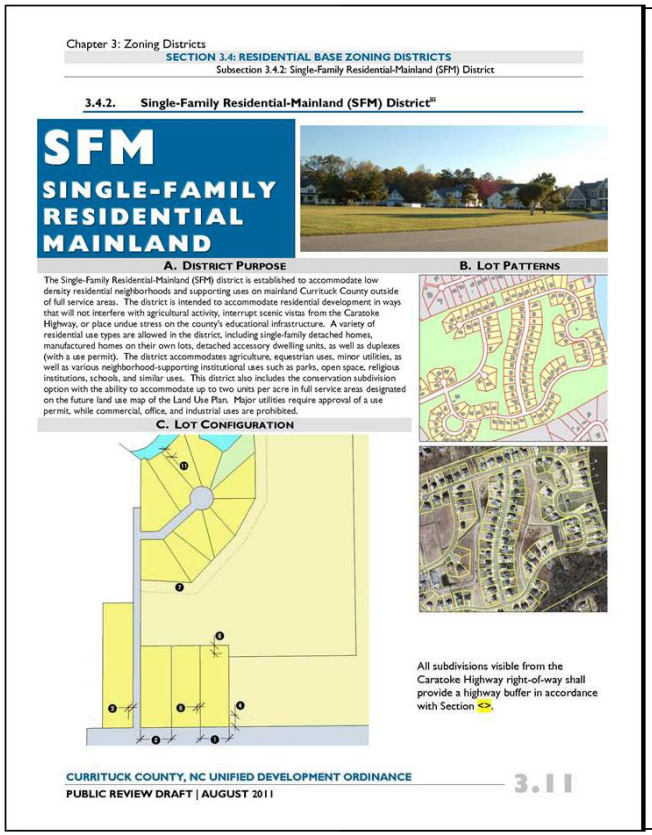
- Key Benefits from Updating the Development Ordinance

1. **Make the Code More User-Friendly**
2. **Make the Code More Customer-Friendly**
3. **Implement the Core City Plan**
4. **Protect and Revitalize Neighborhoods and Gateways**
5. **Promote More Livable and Sustainable Development in Greenfield Areas**
6. **Create Additional Flexibility and Incentives**



KEY BENEFIT 1: Increase User-Friendliness

- **Enhance Structure and Organization**
- **Revise Development Review Structure**
- **Clarify Code Language**
- **Consolidate and Modernize Zoning Districts**
- **Integrate Graphics and Tables**



Chapter 3: Zoning Districts
SECTION 3.4: RESIDENTIAL BASE ZONING DISTRICTS
Subsection 3.4.2: Single-Family Residential-Mainland (SFM) District

3.4.2. Single-Family Residential-Mainland (SFM) District[III]

SFM
SINGLE-FAMILY RESIDENTIAL MAINLAND

A. District Purpose

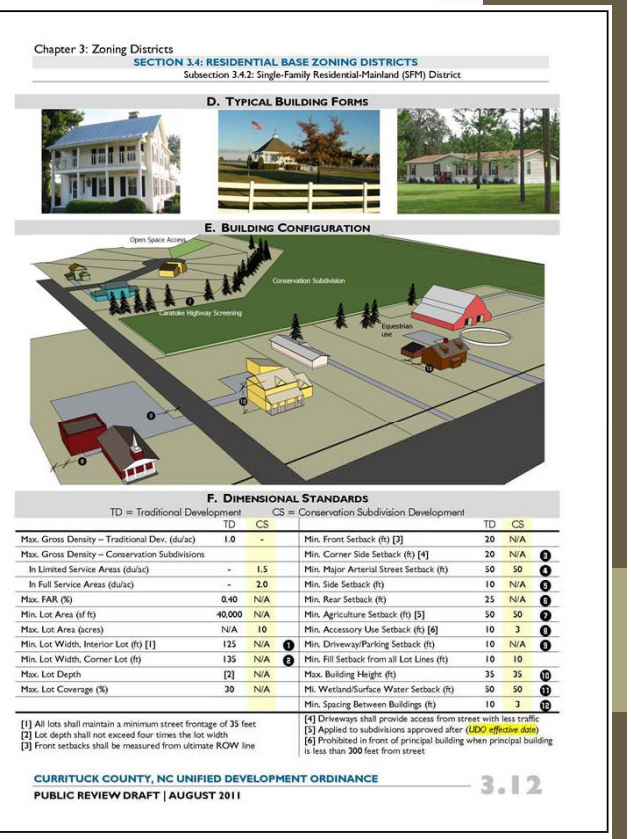
The Single-Family Residential-Mainland (SFM) district is established to accommodate low density residential neighborhoods and supporting uses on mainland Currituck County outside of full service areas. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity, interrupt scenic vistas from the Caratoke Highway, or place undue stress on the county's educational infrastructure. A variety of residential use types are allowed in the district, including single-family detached homes, manufactured homes on their own lots, detached accessory dwelling units, as well as duplexes (with a use permit). The district accommodates agriculture, equestrian uses, minor utilities, as well as various neighborhood-supporting institutional uses such as parks, open space, religious institutions, schools, and similar uses. This district also includes the conservation subdivision option with the ability to accommodate up to two units per acre in full service areas designated on the future land use map of the Land Use Plan. Major utilities require approval of a use permit, while commercial, office, and industrial uses are prohibited.

B. Lot Patterns

C. Lot Configuration

All subdivisions visible from the Caratoke Highway right-of-way shall provide a highway buffer in accordance with Section <>.

CURRITUCK COUNTY, NC UNIFIED DEVELOPMENT ORDINANCE
PUBLIC REVIEW DRAFT | AUGUST 2011
3.11



Chapter 3: Zoning Districts
SECTION 3.4: RESIDENTIAL BASE ZONING DISTRICTS
Subsection 3.4.2: Single-Family Residential-Mainland (SFM) District

D. Typical Building Forms

E. Building Configuration

F. Dimensional Standards

TD = Traditional Development CS = Conservation Subdivision Development

	TD	CS		TD	CS	
Max. Gross Density – Traditional Dev. (du/ac)	1.0	-	Min. Front Setback (ft) [3]	20	N/A	
Max. Gross Density – Conservation Subdivisions			Min. Corner Side Setback (ft) [4]	20	N/A	5
In Limited Service Areas (du/ac)	-	1.5	Min. Major Arterial Street Setback (ft)	50	50	6
In Full Service Areas (du/ac)	-	2.0	Min. Side Setback (ft)	10	N/A	5
Max. FAR (%)	0.40	N/A	Min. Rear Setback (ft)	25	N/A	5
Min. Lot Area (sf ft)	40,000	N/A	Min. Agriculture Setback (ft) [5]	50	50	7
Max. Lot Area (acres)	N/A	10	Min. Accessory Use Setback (ft) [6]	10	3	8
Min. Lot Width, Interior Lot (ft) [1]	125	N/A	Min. Driveway/Parking Setback (ft)	10	N/A	9
Min. Lot Width, Corner Lot (ft)	135	N/A	Min. Fill Setback from all Lot Lines (ft)	10	10	
Max. Lot Depth	[2]	N/A	Max. Building Height (ft)	35	35	10
Max. Lot Coverage (%)	30	N/A	Mi. Wetland/Surface Water Setback (ft)	50	50	11
			Min. Spacing Between Buildings (ft)	10	3	12

[1] All lots shall maintain a minimum street frontage of 35 feet
[2] Lot depth shall not exceed four times the lot width
[3] Front setbacks shall be measured from ultimate ROW line
[4] Driveways shall provide access from street with less traffic
[5] Applied to subdivisions approved after (*UDO effective date*)
[6] Prohibited in front of principal building when principal building is less than 300 feet from street

CURRITUCK COUNTY, NC UNIFIED DEVELOPMENT ORDINANCE
PUBLIC REVIEW DRAFT | AUGUST 2011
3.12

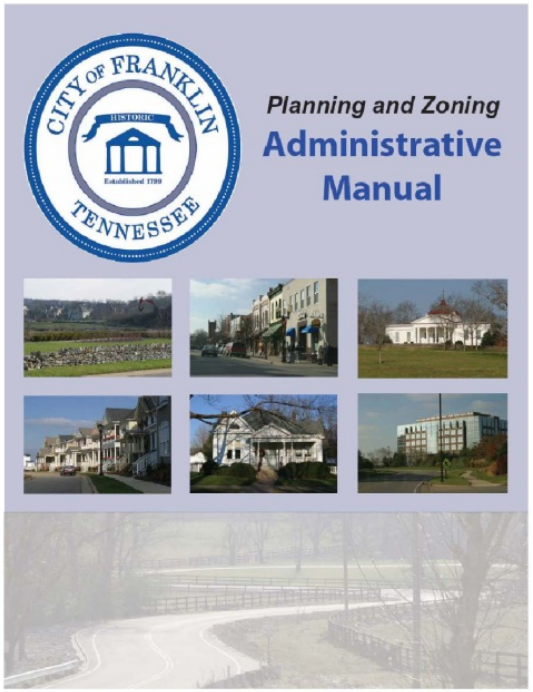
KEY BENEFIT 1: Increase User-Friendliness

- Land Use Plan Amendment
- Text Amendment
- Zoning Map Amendment
- Conditional Rezoning
- **Planned Development [revised]**
- **Site Plan [Minor removed]**
- **Preliminary Subdivision [Minor removed]**
- **Final Plat/Exclusion Map [name change]**
- Special Use Permit
- Land Disturbing Permit
- Building Permit
- **Zoning Compliance Permit [name change]**
- **Certificate of Occupancy [name change]**
- Certificate of Appropriateness
- **Temporary Use Permit [name change]**
- **Land Use Compliance Clearance [new]**
- Floodplain Development Permit
- Sign Permit
- Vested Rights Certificate
- **Type I & Type II Administrative Adjustment [new]**
- Special Exception
- Variance
- Watershed Variance
- Street Name Change
- Appeal
- Interpretation
- **Development Agreement [new]**
- **Beneficial Use Determination [new]**
- Street Abandonment
- Right-of-Way Encroachment
- **Easement Reconveyance [newly codified]**

KEY BENEFIT 2:

- Make the Code More Customer-Friendly

- **Development Review Process Initiative**
- **Consideration of a staff liaison position**
- **New Procedures Manual (after code adoption)**
- **Waive/reduce some infrastructure requirements in redevelopment areas**
- **Education/outreach effort on NC Rehabilitation Building Code**

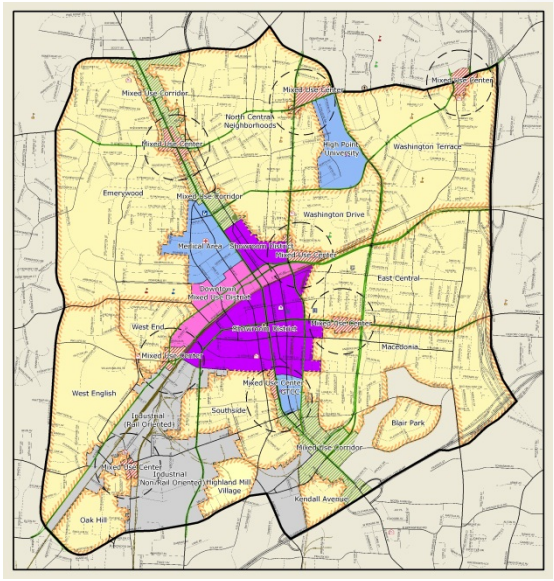


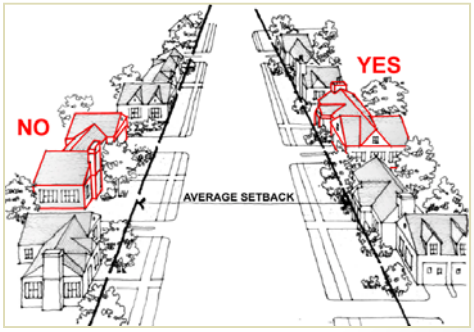
UAC COMMENTS ON KEY BENEFIT 1 & 2

- **Reduce, rather than increase, the number of steps for development approval**
- **Minor site plan and minor subdivision should be retained**
- **Zoning compliance permit adds an extra step**
- **Land Use Compliance Clearance same as pre-application conference?**
- **Clarify beneficial use determination procedure**
- **All rezonings do not need a neighborhood meeting**
- **The Procedures Manual could be confused as an ordinance or policy**
- **Support staff ombudsman and education about NC Rehabilitation Code**
- **The process should use the Greensboro LDO as a starting point**

KEY BENEFIT 3:
- Implement Core City Plan

- **Modify Zoning Districts**
- **Establish Community Form Standards**
- **Recognize Urban Character**
- **Add Contextual Dimensional Standards**
- **Encourage More Use-Mixing**
- **Adopt New Mixed-Use Design Standards**





UAC COMMENTS ON KEY BENEFIT 3

- **Code needs to distinguish urban/Core City areas from suburban areas**
- **Allowing duplex/multi-family development in core city neighborhoods may not be acceptable to residents**
- **Consider drafting a form-based code for southwest area**
- **Protect existing trees of 18" in southwest area**

- Landscaping standards for lots in CB should be relaxed, not increased; requiring paving increases stormwater runoff
- Limiting showrooms to a single district is too constraining/this process should include a Market District
- Requiring a master plan for institutional districts is not practical
- Requiring 2-story heights for mixed-uses is inappropriate/2 stories should be required for mixed-use on North Main Street

KEY BENEFIT 4:

- Protect/Revitalize Neighborhoods and Gateways

- **Establish Neighborhood Protection Standards**
- **Establish Infill Design Standards**
- **Add a Neighborhood Conservation Overlay District**
- **Incorporate Gateway Corridor Overlay Districts**

UAC COMMENTS ON KEY BENEFIT 4

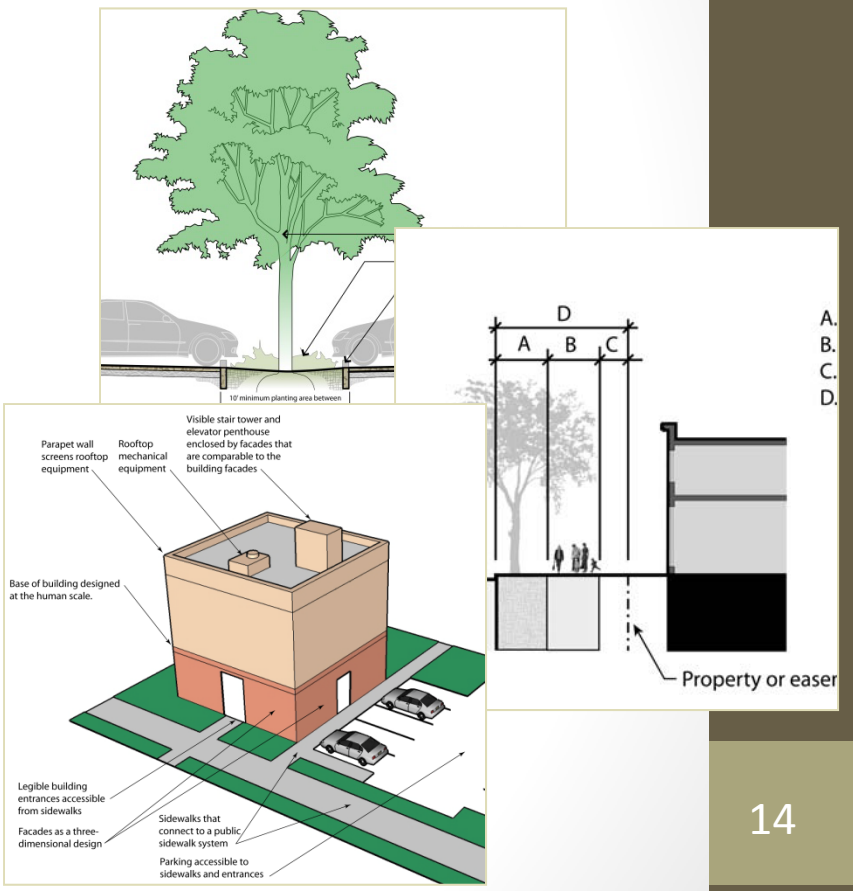
- **Gateway & neighborhood conservation overlays should be adapted to unique conditions**
- **Question regarding prohibition of inappropriate institutional development in gateways**
- **Endorse compatibility standards for infill development, especially residential infill**

- ATMs should be the first thing a visitor entering the city sees
- Two-story building height limits in gateways are too low
- Question regarding consensus threshold for establishing neighborhood conservation overlay (51% of owners)
- Some supported garage location standards for residential infill/some didn't

KEY BENEFIT 5:

- Promote Livable and Sustainable Development in Greenfield Areas

- **Modernize Parking Standards**
- **Clarify Landscaping Standards**
- **Open Space Set-asides**
- **Conservation Subdivision option**
- **Design Standards**
- **Lighting / Fencing Standards**



UAC COMMENTS ON KEY BENEFIT 5

- **Disappointment from some UAC members at removal of tree protection requirements and mass grading limitations**
- **Performance guarantee provisions must meet timing requirements , prudent dollar values, and be attainable**
- **Fencing and wall standards completely eliminate chain link anywhere in the city**
- **Requirements to make stormwater facilities amenities or fully screen them provides no flexibility or incentives**

- Parking regulation proposals are vague
- Proposed open space requirements are excessive
- Greenway dedication and construction should be incentivized, not required
- Architectural design standards increase the cost of building, owning, and renting commercial, retail, and industrial space
- Omit multi-family and industrial architectural design standards
- AG district should remain a stand-alone district
- Concerns expressed about sidewalk requirements on both sides of some streets, like cul-de-sacs

KEY BENEFIT 6:

- Add Flexibility and Incentives

- **Standards for Urban Context**
- **Two-Tiered Administrative Adjustment Process**
- **Alternative Forms of Compliance**
- **Link Redevelopment Compliance with Investment**
- **Incentives for "Green" Building Features**

UAC COMMENTS ON KEY BENEFIT 6

- **Tools for sustainable neighborhood development should be incentives**
- **Approve idea of providing relief from infrastructure, especially transportation**
- **Endorse the inclusion of incentives to make infill easier than greenfield development**
- **Endorse alternative forms of compliance**

- Need to see more specifics on the type of preferred development forms

NEXT STEPS - UPDATE Scope & Schedule

TASK	TARGET COMPLETION DATE
Task 1: Refresh the Code Assessment (current task)	Fall 2012
Task 2: Draft the updated Development Ordinance (in 3 installments)	Fall 2013
Task 3: Prepare design standards/preferred development types	Fall 2013
Task 4: Test the draft Development Ordinance	Fall 2013
Task 5: Prepare Public Hearing Draft version	Spring 2014
Task 6: Provide training	Summer 2014
Task 7: Prepare Procedures Manual	Summer 2014

Additional comments, questions, recommendations?

OUTLINE

-Updated Development Ordinance

- **Chapter 1: General Provisions**
- **Chapter 2: Administration**
- **Chapter 3: Zoning Districts**
- **Chapter 4: Use Regulations**
- **Chapter 5: Development Standards**
- **Chapter 6: Environmental Standards**
- **Chapter 7: Subdivision Standards**
- **Chapter 8: Nonconformities**
- **Chapter 9: Enforcement**
- **Chapter 10: Definitions**

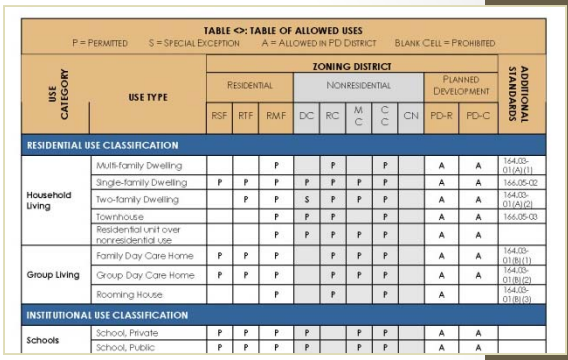
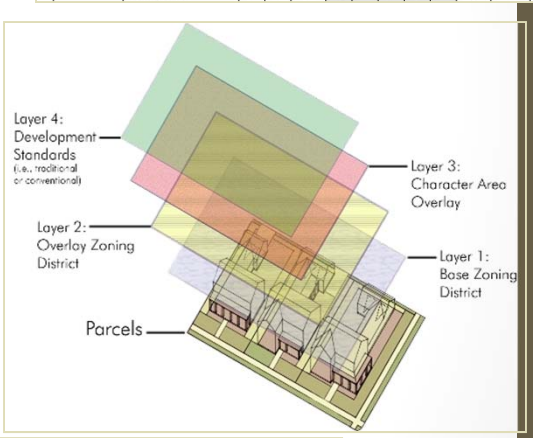
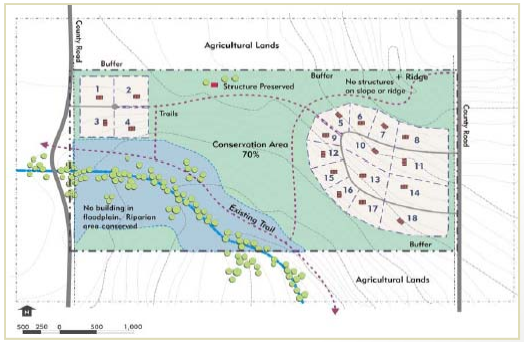


TABLE <>: TABLE OF ALLOWED USES

P = Permitted S = Special Exception A = Allowed in PD District Blank Cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT: RESIDENTIAL RSF	RTF	RMF	NONRESIDENTIAL DC	RC	MC	CC	CN	PLANNED DEVELOPMENT PD-R	PD-C	ADDITIONAL STANDARDS
RESIDENTIAL USE CLASSIFICATION												
Household Living	Multi-family Dwelling			P		P		P		A	A	164.03-01(A)(1)
	Single-family Dwelling	P	P	P	P	P	P	P		A	A	166.05-02
	Two-family Dwelling		P	P	S	P	P	P		A	A	164.03-01(A)(2)
	Townhouse			P	P	P		P		A	A	166.05-03
	Residential unit over nonresidential use			P	P	P	P	P		A	A	
Group Living	Family Day Care Home	P	P	P		P	P	P		A	A	164.03-01(B)(1)
	Group Day Care Home	P	P	P		P	P	P		A	A	164.03-01(B)(2)
	Rooming House			P		P		P		A		164.03-01(B)(3)
INSTITUTIONAL USE CLASSIFICATION												
Schools	School, Private	P	P	P	P		P	P		A	A	
	School, Public	P	P	P	P		P	P		A	A	





GREENSBORO LDO
-Issues to Consider

- Technology has resulted in our ability to restructure district provisions into a more graphic format
- There have been many improvements in best practices standards (like a 9-10-article code structure)
- Procedural distinctions exist
  - Two different governments with differing departmental structures
  - History of different review board structures
  - High Point's Development Review Process Initiative must be taken into account
- Different development contexts
  - Want to avoid substantial changes to the current zoning map
  - Want to avoid creating nonconformities
  - Consistency between different jurisdictions is always difficult
- Differing policy contexts
  - Core City Plan calls for unique standards
  - Code assessment calls for greater recognition of differing contexts in the city
- U.S. Dept. of HUD is a project partner and has reviewed the proposed work program

GREENSBORO LDO -Structure

Table of Contents
Article 1 - Introductory Provisions
Article 2 - Nonconformities
Article 3 - Administration
Article 4 - Review and Approval Procedures
Article 5 - Enforcement
Article 6 - Zoning Districts
Article 7 - District Standards
Article 8 - District Use Standards
Article 9 - General Development Standards
Article 10 - Landscaping
Article 11 - Off-Street Parking and Loading
Article 12 - Natural Resources
Article 13 - Subdivision Standards
Article 14 - Sign Regulations
Article 15 - Definitions

Greensboro LDO

PROPOSED STRUCTURE:

Article 1	General Provisions
Article 2	Administration
Article 3	Zoning Districts
Article 4	Use Regulations
Article 5	Development Standards
Article 6	Environmental Standards
Article 7	Subdivision Standards
Article 8	Nonconformities
Article 9	Enforcement
Article 10	Definitions

Proposed High Point Development Ordinance

Greensboro LDO

Table 3-1 Summary of Review and Decision-making Authority

Procedure	Planning and Community Dev't Director	ACT	HPC [4]	GCJHPC	Board of Adjust-ment	Zoning Commis-sion	DRT	TRC	Planning Board	City Council	Section
Ordinance Interpretations	D										30-4-2
Comprehensive Plan Amendments	R		<R>						<R>	<D>	30-4-3
Ordinance Text Amendments	R		<R>						<R>	<D>	30-4-4
Zoning Map Amendments	R		<R>			<R/D>				<D>	30-4-5
Establishment of Original Zoning	R					<R>				<D>	30-4-9
Special Use Permits	R					<R/D>				<D>	30-4-10
Type 1 Modification	D		<R>								30-4-11
Type 2 Modification		D[1]						D			30-4-11
Type 3 Modification								R	D		30-4-11
Type 4 Modification								R	R	D	30-4-11
Type 5 Modification								R	R	R[5]	30-4-11
Local Historic District Designations	R		<R>			<R>			<R>	<D>	30-4-12.1
Local Historic Landmark Designations	R			<R>						<D>	30-4-12
Designation of Landmark Signs	R		<D>								30-4-12.2
Zoning Map Amendments–Historic Districts	R		<R>			<R>				<D>	30-4-12.3
Certificates of Appropriateness	R		<D>	<D>							30-4-12.4
Prevention of Demolition by Neglect	R		<D>								30-4-12.5
Variances	R	<R>[1]	<R>		<D>[7]						30-4-13
Special Exceptions	R		<R>		<D>[7]						30-4-14
Site Plans/Plot Plans	D[3]						R	D[3]			30-4-15
Unified and TN Development Plans	R							R	D		30-4-15
Construction and Utility Plans	D[6]										30-4-16
Preliminary Subdivision Plats	D[2]							D[2]			30-4-17
Final Subdivision Plats	D										30-4-17
Street, Alley and Walkway Closings	R		<R>					R	<R>	<D>	30-4-22
Street Name Change/Assignment	R							<R>		<D>	30-4-23
Site Specific Development Plans	R		<R>					R	<D>		30-4-25
Appeal of Zoning Administrative Decision					<D>[7]						30-4-27
Appeal of Tree Conservation Admin. Decision		<D>									30-4-28

ACT = Advisory Commission on Trees; HPC = Historic Preservation Commission; GCJHPC = Guilford County Joint Historic Preservation Commission; TRC = Technical Review Committee

"R" = Review/Recommendation; "D" = Decision-making Authority; "< >" = Public Hearing Required

Greensboro LDO

UDO – LDO DISTRICT CONVERSION CHART		
MAP SYMBOL	**NEW DISTRICT TITLE**	**FORMER DISTRICT TITLE**
Residential Districts		
R-3	Residential Single-family 3	RS-40, Single-family
		RS-30, Single-family
		RS-20, Single-family
		RS-15, Single-family
		RS-12, Single-family
R-5	Residential Single-family 5	RS-9, Single-family
		RS-7, Single-family
R-7	Residential Single-family 7	RS-5, Single-family
RM-5	Residential Multi-family 5	RM-5, Multi-family
RM-8	Residential Multi-family 8	RM-8, Multi-family
RM-12	Residential Multi-family 12	RM-12, Multi-family
RM-18	Residential Multi-family 18	RM-18, Multi-family
RM-26	Residential Multi-family 26	RM-26, Multi-family
RM-40	Residential Multi-family 40	New district
Mixed Use Districts		
MU-L	Mixed Use-Low	New district
MU-M	Mixed Use-Medium	New district
MU-H	Mixed Use-High	New district
Public and Institutional		
PI	Public and Institutional	PI, Public and Institutional
PNR	Parkland and Natural Resource Areas	New district
Commercial Districts		
C-N	Commercial-Neighborhood	NB, Neighborhood Business
C-L	Commercial-Low	LB, Limited Business
C-M	Commercial-Medium	GB, General Business HB, Highway Business
C-H	Commercial-High	SC, Shopping Center
CB	Central Business	CB, Central Business
O	Office	LO, Limited Office GO-M, General Office Moderate-Intensity GO-H, General Office High-Intensity
Industrial Districts		
BP	Business Park	CP, Corporate Park
LI	Light Industrial	LI, Light Industrial
HI	Heavy Industrial	HI, Heavy Industrial

Greensboro LDO

Special Districts		
PUD	Planned Unit Development	Planned Unit Development–Residential Planned Unit Development–Mixed Planned Unit Development–Infill
TN	Traditional Neighborhood	TN-1, Traditional Neighborhood
AG	Agricultural	AG, Agricultural
Overlay Districts (Suffix appended to base district)		
-ACO	-Activity Center Overlay	New district
-AO	-Airport Overlay	AO, Airport Overlay
-CBO	-Central Business Overlay	New district
-DDO	-Downtown Design Overlay	New district
-HDO	-Historic District Overlay	HO, Historic Overlay
-MHO	-Manufactured Housing Overlay	MH, Manufactured Housing Overlay
-NCO	-Neighborhood Conservation Overlay	New Overlay district
-PSO	-Pedestrian Scale Overlay	PSOD, Pedestrian Scale Overlay
-SCO -SCO-1 -SCO-2 -SCO-3 -SCO-4	-Scenic Corridor Overlay	SCOD, Scenic Corridor Overlay SCOD-1 SCOD-2
-VCO	Visual Corridor Overlay	New district

- This table does not list the 3 additional watershed overlays (GWA, WCA, OWOA)

GREENSBORO LDO -District distinctions

High Point District/ DU/AC	Greensboro District/ DU/AC	Comments
Rural/1	AG/?	
RS-20/1.9	-	No comparable district in Greensboro LDO
RS-12/3	R-3/3	
RS-7/5	R-5/5	High Point requires average lot size to be 7,000
RS-5/7	R-7/7	
RM-5/5	RM-5/5	
-	RM-8/8	High point consolidates with RM-12
RM-12/12	RM-12/12	
RM-26/26	RM-26/26	
-	RM-40/40	Limited to activity center/major thoroughfares

GREENSBORO LDO -District distinctions

High Point District/ DU/AC	Greensboro District/ DU/AC	Comments
OI	O	
TO	-	Greensboro has no comparable district
NB	C-N	Intended for neighborhood-level uses
-	C-L	Greensboro's "Commercial-Low"
GB	C-M	
RC	C-H	Intended for larger shopping centers
CB	CB	Greensboro also has a CBO and DDO
MX	-	Tailored to Core City activity centers
-	MU-L	
-	MU-M	
-	MU-H	

GREENSBORO LDO
-District distinctions

High Point District/ DU/AC	Greensboro District/ DU/AC	Comments
EC	BP	
LI	LI	
HI	HI	
I	-	Greensboro has a PI district, but no master-planned aspects
PC	PNR	
MS	-	Greensboro has no comparable Main Street district
PD-TN	TN	TN district operates like a PUD district
PD-CC	-	Tailored to the Core City
PD-S-R	PUD	
PD-S-C		
PD-S-EC		

GREENSBORO LDO -District distinctions

High Point District	Greensboro District	Comments
LHO	HDO	Historic
GCO	VCO	Gateway appearance
ARO	AO	Airport
MHO	MHO	Manufactured housing
WSO	GWA, WCA, OWOA	Watershed protection
NCO	NCO	Neighborhood conservation
	CBO	Central business (for gateways into CBD)
	DDO	Downtown design
	PSO	Pedestrian scale
	SCO	Scenic corridor