



ZTA-23-02 Garner Forward Implementation

Town Council
July 16, 2024



Case Timeline

- June 27, 2023 – Introduced at Council Work Session
- July 25, 2023 – Continued previous month's discussion and revisions at Council Work Session in conjunction with finalizing the Draft Comprehensive Plan
- March 26, 2024 – Second round of discussion and revisions at Council Work Session
 - Comprehensive Plan had been adopted in November 2023
- May 7, 2024 – Public Hearing – identified additional revisions
- June 10, 2024 – Planning Commission – unanimous recommendation for approval
- July 15, 2024 – Possible Action by Town Council



Summary of Amendments

Parking

- Set administrative approval of parking reductions at 15% instead of 20% along with a sealed parking study by a licensed engineer.
- Reductions clarified that they do not affect bicycle and E/V charging station requirements.
- Clarifying that shared or public parking as part of a project does not count towards the requirement to upfit sites undergoing a change of use.
- Expands shared parking as an option for all nonresidential development in residential zoning districts.
- Adds parking requirement for new Research and Development use.



Summary of Amendments

Landscaping

- Allow parcels of 2 acres in size or less to install just half of any required perimeter buffer (width and plant quantities). Total tree canopy requirement still applies.



Summary of Amendments

Open Space

- Bring additional emphasis and clarity to active open space requirement.
- Only require active space for projects with more than 25 residential dwelling units.
- Introduce 5% open space requirement for nonresidential development.
- Require 50% increase in open space where within ¼ mile of public park or Town facility.
- In certain instances, require open spaces to serve as vistas or central spaces.
- Eliminate private trails from qualifying as active open space but add flat open play fields of a minimum dimension.
- Require building material unity within developments with multiple structures.



Summary of Amendments

Uses

- Add new Research and Development use.
- Clarify townhouse and apartment use and assign to appropriate zoning districts.
- Add supporting non-residential uses to the Multifamily B (MF-B) district.
- Add specific uses to the Activity Center (AC) district.



Summary of Amendments

Building Form

- Extend the maximum building height exemption provisions in the Commercial Highway Overlay district to areas west of McCormick along US 70 and north of Purser Drive along US 401.
- Increase maximum building height in the Limited Access Highway Overlay district to 200' so long as scenic corridor buffer is provided and reinforced with a 65' building setback from the corridor r/w.
- Emphasize the Multifamily A (MF-A) district as appropriate for small format multifamily housing.
- Emphasize the Multifamily B (MF-B) district as appropriate for vertical mixed use.
- Clarify maximum block lengths as maximum block face lengths to provide more frequent breaks in the plane of the built form.



Summary of Amendments

Review Process

- Eliminate SUP requirement for buildings exceeding 45' in height in the Commercial Mixed Use (CMX) district and allow increased setback requirement to control.
- Exempt Research & Development, Hospital and Ambulatory Health & Emergency Care Facilities from the SUP requirement.
- Establish a non-residential required SUP-review threshold for any building of 100,000 square feet or more; except that this threshold will be 250,000 square feet for proposed buildings in the Activity Center (AC) zoning district or any proposed building already in the corporate limits at the time of site-specific development application.
- Exempt upper-story residential dwelling units from the counts requiring 200 or more dwelling units to be reviewed via SUP.



Summary of Amendments

Throughout

- Update cross-references accordingly.
- Minor updates to language in related subsections to match or re-emphasize the amended language elsewhere.
- Add or revise definitions as needed.



Planning Commission

- Questions and comments from the Planning Commission consisted of:
 - Clarifying the revised special use permit thresholds and how they apply to certain non-residential scenarios.
 - Stating a desire to keep looking at some of the left-over spaces at the edges between development and required conservation areas.
 - Noting the comprehensiveness and good work done.
- Consistency Statement: We, the Planning Commission, find that ZTA-23-02 directly responds to various needs to align the Unified Development Ordinance with the recommendations of the Town's Comprehensive Plan, and therefore, this request to amend the Unified Development Ordinance is consistent with the Town's adopted land use plans.
- Recommendation: To approve
 - Motion by Carson, seconded by Jefferson, passed unanimously.



Statement of Reasonableness

Reminder: Not required for zoning text amendments.



Motions

SEE: V. RECOMMENDATION

Consistent and Approve

① I move that the Town Council accept the Planning Commission’s written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section III of the staff report, as our own; and I further move that the Town Council adopt Ordinance No. (2024) 5286 approving rezoning ZTA-23-02.

Inconsistent and Deny

④ I move that the Town Council, having considered the Planning Commission’s recommendations and relevant portions of the 2023 Garner Forward Comprehensive Plan, find ZTA-23-02 inconsistent with said Plan for the following reasons:

_____ (fill in with own statement regarding consistency) _____, and I further move that the Town Council deny rezoning request ZTA-23-02.