

Steering Committee



Garner Forward
Unified Development Ordinance

07/09/2020

Project timeline (working schedule)



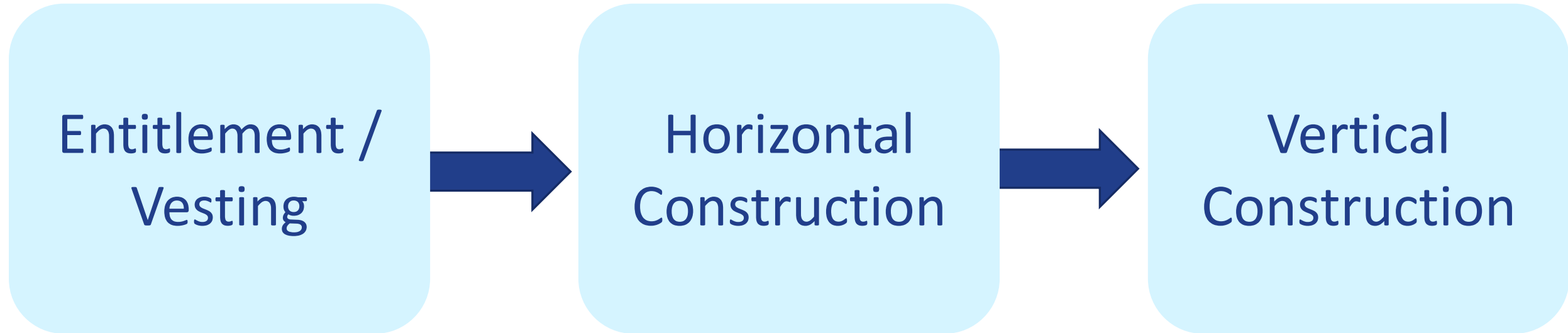
Garner Forward Unified Development Ordinance project schedule: updated 01/14/2020	2020				2021			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Phase 1: Project Initiation								
Existing documents and plan review								
Focus Group Interviews	2/19, 2/20							
Public Open-House Style Workshop/Online public survey	3/26							
Phase 2: Preparation & Composition								
Prepare UDO Framework								
Draft UDO Articles & provide recommendations (by groupings):								
Administration, Nonconformities, Nuisance								
Development Application Procedures								
Zoning Districts, Conditional Use Districts, Use Table								
Overlay Districts, Urban Design Standards								
Signs, Affordable Housing								
Subdivision, Site Design, Street Standards								
Development Standards (Use Standards, Landscaping, Parking, Lighting, Storage, Etc.)								
Environmental Regulations, Open Space Standards, Stormwater								
Utilities & Infrastructure Details								
Definitions & Interpretations (will run concurrently throughout)								
Phase 3: Remapping & Zoning Map Update								
Phase 4: Adoption								
Public Hearing & Planning Commission Meeting(s) (tentative)								
Town Council adoption hearings (tentative)								
Coordination, Oversight, and Guidance								
Steering Committee Meetings	*	*	*	*	*			
Joint Worksession: Planning Commission/Town Council		*	*	*	*			
Public Information Meetings (tentative)						*		

Land Development Process

Real Estate Development Process



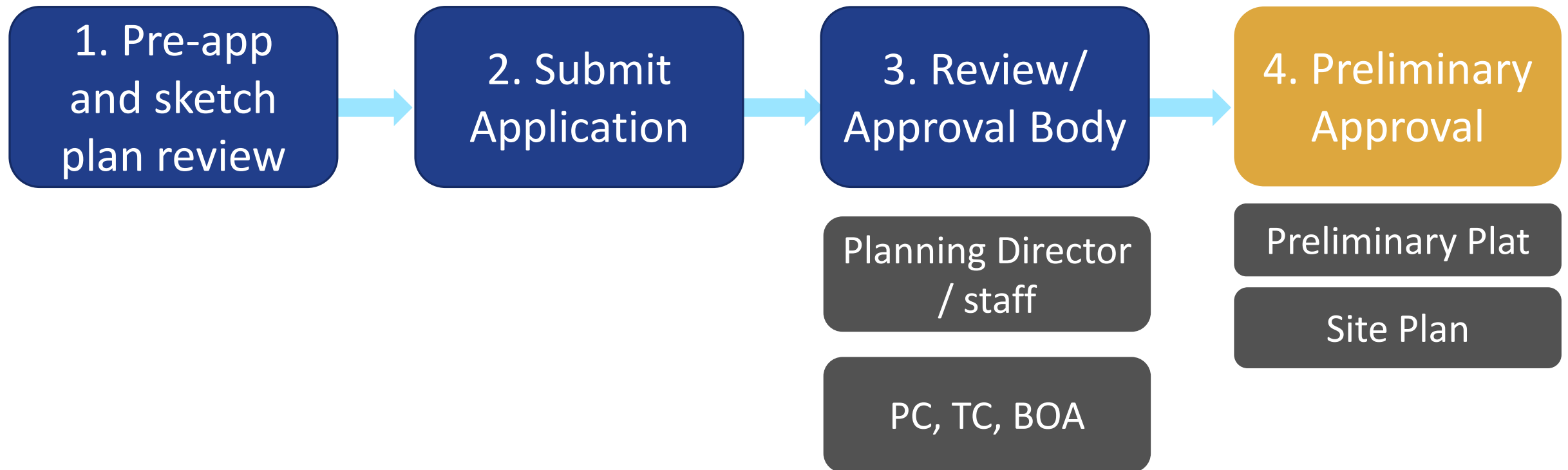
The three “stages” of development – from bare earth to inhabited building.



(Unified Development Ordinances (UDOs) mostly regulate this stage.)

1. Entitlement / Vesting

The “Approval” Process



Note: Rezoning follow a similar approval process that may occur prior or in tandem.

2. Horizontal Construction

“Preparing the Site”

1. Pre-con
mtg

2.
Construction
Plan Review

3. Install
infrastructure

Utilities
Roads
Lighting
Sidewalks
Etc.

4. Inspections

Public
infrastructure
accepted for
ownership &
maintenance by
the Town

5. Final Plat

3. Vertical Construction

“Building”

1. Building
Plan
Review/
Open
Building
Permit

2. Building
Plan
Approval

3. Build it!

4.
Inspections

Certificate
Of
Occupancy

Including
landscaping and
site elements

(Really this is a
bundle of
Certificates of
Compliance...)

Approval Types

(IN THE ENTITLEMENT / VESTING STAGE)

Decision Types:

- **Administrative** – An objective decision to implement, administer, or enforce development regulations.
- **Legislative** – A general policy decision to adopt, amend, or repeal a law or ordinance.
- **Quasi-judicial** – A subjective, discretionary decision based on evidence presented regarding a specific application of a development regulation.

“Entitlements” can be

Administrative

Zoning Compliance
Permit

Subdivision,
Platting

Traffic Impact
Analysis

Site plan

Legislative

Rezoning

Ordinance
Amendment

Conditional
Rezoning

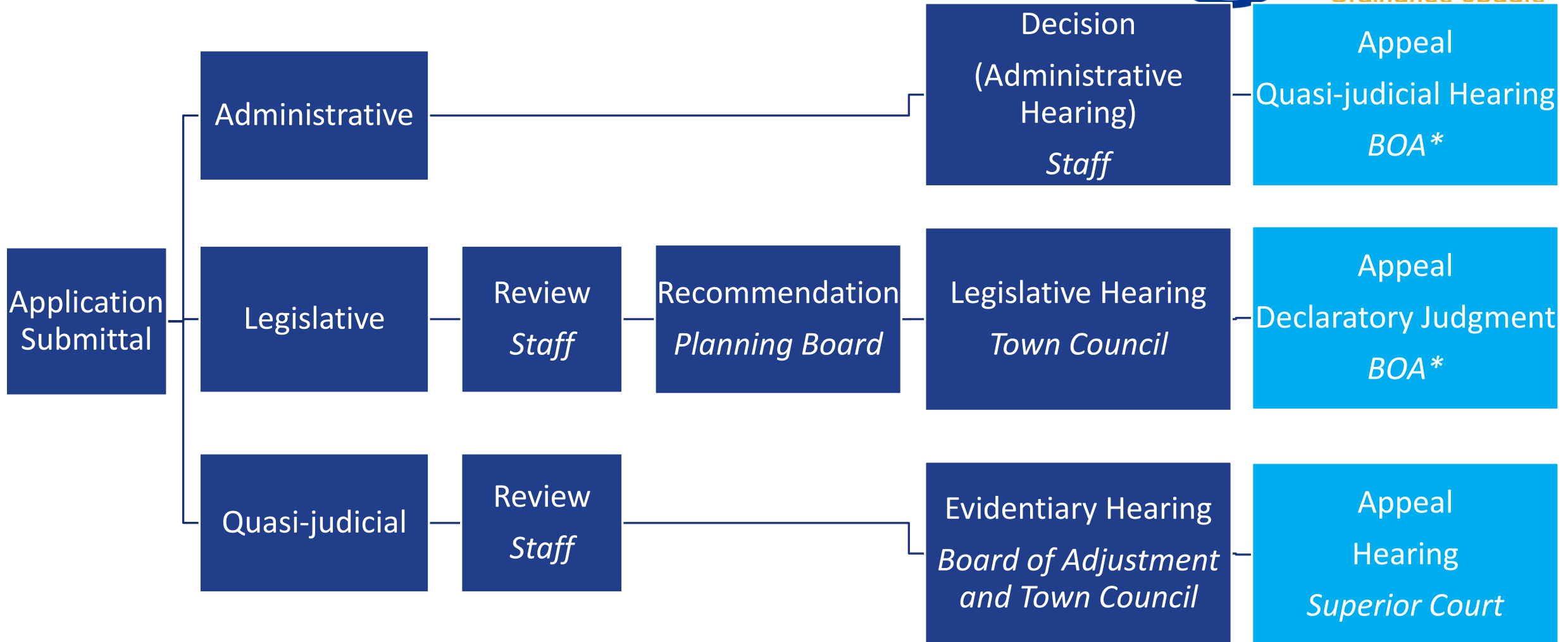
Quasi-Judicial

Variance

Special Use Permit

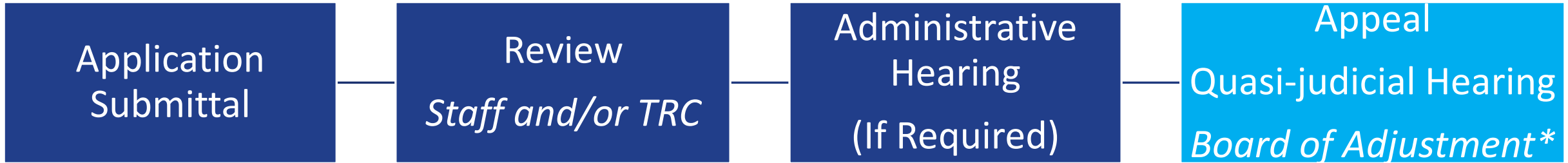
(Note: This list is not comprehensive.
Refer to the UDO’s **Review Authority Table** for a complete list.)

Process



*Some legal challenges can proceed to Superior Court.

Administrative



*The staff makes **administrative** decisions based on clear, measurable, objective standards without need for subjective decision-making.*

Examples

- Subdivision
- Zoning Compliance Permit
- Sign Permit
- Site Plan
- Determination of Vested Right
- Temporary Use Permit

*The Board of Adjustment hears cases about interpretation and determination of facts. An appeal can bypass the BOA and proceed to superior court if there is a question of a subdivision decision, constitutionality of a decision, or breach of authority.

Legislative



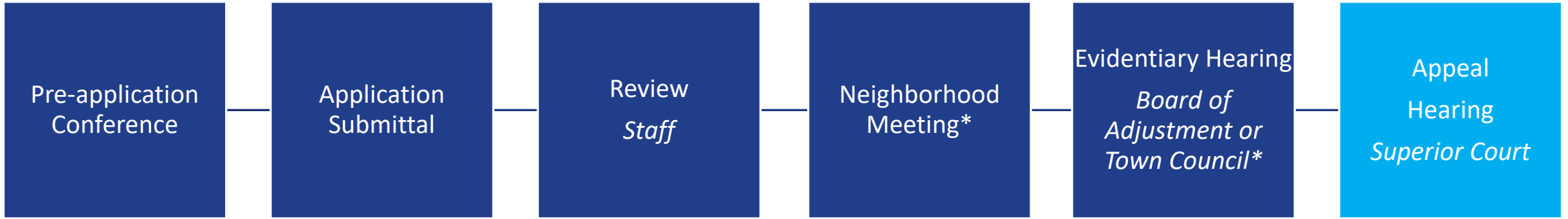
*Elected officials make **legislative decisions** after considering adopted plans, public input, and whether the request is reasonable and in the public interest.*

Examples

- Rezoning (Map Amendment)*
- Conditional Zoning*
- Text Amendment*

*A person may seek a declaratory judgement from Superior Court if there is a question of constitutionality or breach of authority.

Quasi-judicial



*Appointed or elected officials acting as judge and jury render a **quasi-judicial** decision based on competent, substantial, and material evidence presented in an evidentiary hearing.*

Examples

- Administrative Appeal
- Special Use Permit*
- Variance

*Currently the Town Council reviews Special Use Permits.

Questions

PROJECT WEBSITE:

[WWW.GARNERNC.GOV/DEPARTMENTS/PLANNING/
GARNER-FORWARD/UDO-RE-WRITE-PROJECT](http://WWW.GARNERNC.GOV/DEPARTMENTS/PLANNING/GARNER-FORWARD/UDO-RE-WRITE-PROJECT)