

Zoning Districts & Use Regulation



Garner Forward
Unified Development Ordinance

PUBLIC TOWN HALL VIRTUAL MEETING, 03/04/2021

Presentation Outline



- **Introduction**
- **UDO Update Status and Process to-date**
- **UDO Update Highlights – to-date**
 - Zoning Districts
 - Use Regulation
 - Draft Rezoning Map
- **Next Steps, Online Survey, and Receiving Public Comment**

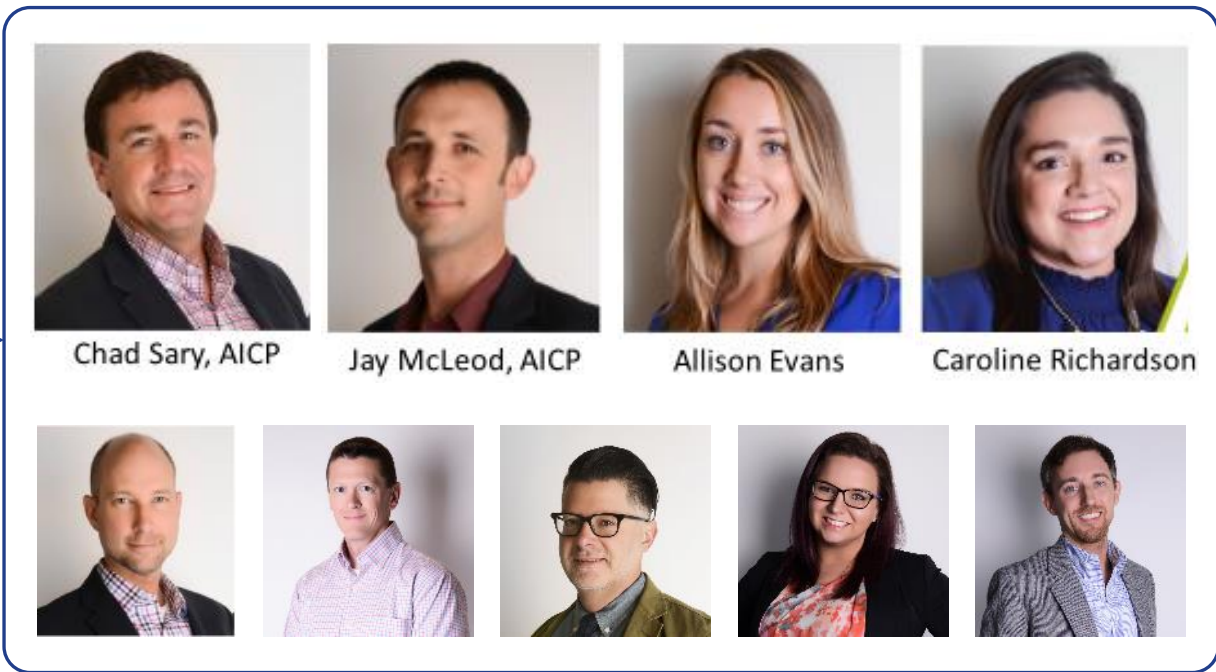


Status Update and UDO Update Process

Project Team



STEWART



Project Timeline



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								
Public Open-House Style Workshop								
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)						*		

Progress by Article



Article (old #)	Subject	Ch160D	Garner Forward
1	General Provisions	Drafted	Drafted
2	Review Bodies	Drafted	Drafted
3	Review Procedures	Drafted	Drafted
4	Zoning	Drafted	Drafted
5	Use Regulations	Drafted	Drafted
6	District Development Standards	Drafted	Drafted (relocated)
7 (Part 1)	General Development Standards	Drafted	In-process
7 (Part 2)	Signs	Drafted	Drafted
7 (Part 3)	Lighting and Access Standards	Drafted	Drafted
8	Subdivision Standards	Drafted	In-process
9	Nonconformities	Drafted	Drafted
10	Enforcement	Drafted	Drafted
11	Definitions	Drafted	In-process

Focus of this presentation

Key:

Administrative / Procedural
Regulatory Standards

Public Engagement



Public informational presentations with facilitated Q&A

Steering committee

Project website

Comp Plan guidance (adopted June 2018)



Tour and Stakeholder Interviews



- Improved user-friendliness
- More predictability
- Flexibility in achieving standards
- Higher development standards
- Clear path to entitlement
- Activation of redevelopment catalyst areas (including higher allowable density)
- Alternative street cross-sections
- Recreation requirements (especially for active recreation)
- Amenities, stormwater areas, and fencing
- Signage
- Tree preservation and perimeter buffers between incompatible uses
- Landscaping regulations
- Street trees
- Transportation corridor overlays
- Sidewalks and greenways
- Parking requirements (on- and off-street)



Guidance from Adopted Plans

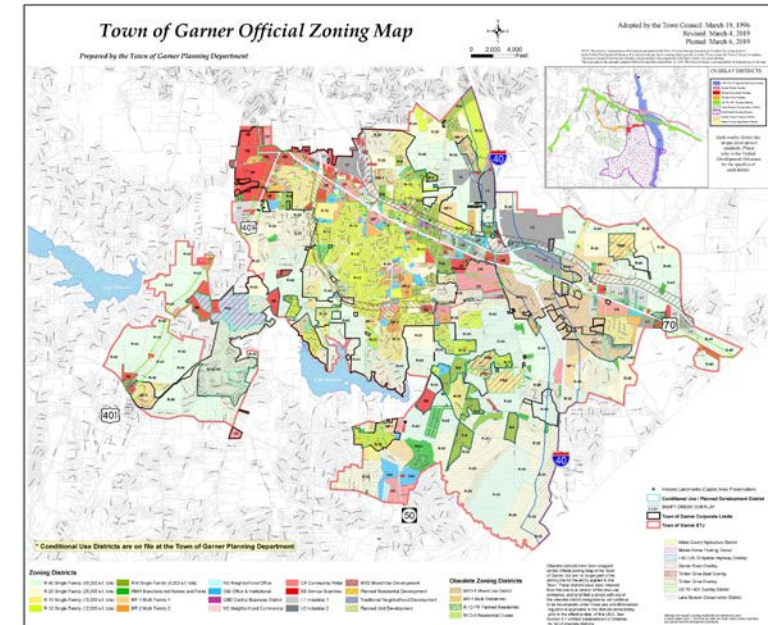
- Create identity and activate downtown
- Encourage redevelopment and/or quality multi-family in catalyst sites
- Improve appearance and materials
- Promote open spaces, parks, and greenways
- Expand mixed use and encourage affordable housing
- Revise parking standards / increase walkability
- Increase connectivity and compatibility
- *And other Town plans and goals!*



General Recommendations

The Garner Forward Comprehensive Plan recommended changes to the Town's zoning districts.

- Consolidating similar, overlapping zoning districts
- Increasing flexibility within each district
- Adding and modernizing zoning districts to be more responsive to market conditions and development trends



More information on existing zoning districts at:

<https://www.garnernc.gov/home/showdocument?id=6079>

Housing character recommendations

- Support affordable housing in new, multi-family, and small-lot detached housing developments
- Promote multi-family housing
- Emphasize growth areas for new types of housing styles, especially in walkable, mixed-use locations
- Encourage shared and mixed-use developments



UDO Update Highlights

ZONING AND USE REGULATION

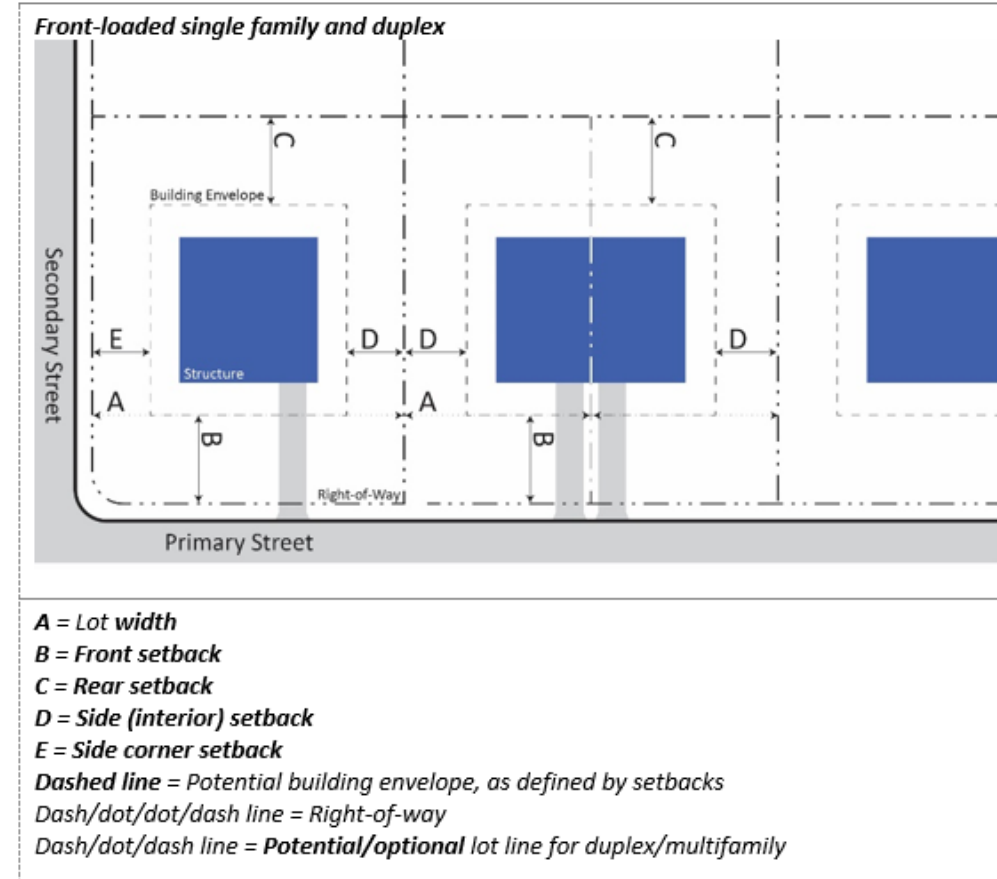
Residential Districts

User Friendly Tables and Figures

Dimensional Standards for Front-loaded Single Family Detached and Duplexes						
	RA	R2	R4	R8	RMH*	MF1
Minimum Lot <u>Width</u> ; Single family detached / Duplex (where applicable) (Feet)	100	80 / 100	<u>60</u> / 80	45 / 65	50 (in subdivision)	45 / 60
Minimum Front Setback (Feet)	35	35	25	25	25	25
Minimum Rear Setback (Feet)	25	25	20	20	25	20
Minimum Side Setback; Single family / Duplex (Feet)	10	10 / 15	10 / 15	6 / 10	10	6 / 10
Minimum Corner Lot Side Setback (Feet)	25	25	20	10	25	10
Maximum Height (Feet)	35	35	35	35	35	35
Maximum Gross Density (Dwelling Units per Acre)	1	2	4	8	10	20

Article 4 Zoning Districts: Residential district development standards

4.6.3. Single Family Detached and Duplex Standards for Front-loaded Lots



Residential Zoning Districts



Current districts
(regulates min. lot size)

Proposed districts
(regulates gross density)

R-40



RA

"R" stands for "Residential".

R-20



R2

In the new districts, the number after "R" represents gross density for single family homes. For example, R2 = 2 dwelling units per acre.

R-15

R-12



R4

R-9

New district



R8

This new urban/downtown residential district would allow more-dense, market-responsive housing in select locations. It is not being rezoned anywhere yet.

For reference, 1 acre = 43,560 square feet.

In new development, public streets and rights-of-way may consume approximately 25% of total acreage.

R4 vs R8

Residential 4 (R4)

Residential 8 (R8)

Front Loaded



(In practice, front-loaded R8 is difficult to achieve due to driveway coverage and lot width standards)

Alley Loaded



- Under existing standards, how many residential parcels could be subdivided + redeveloped in a new R4 zoning district?

6.1. Residential district development standards.

A. Single-family residential dimensional standards.

Single-Family Residential Districts						
Lot Dimensions:	R-40	R-20	R-15	R-12	R-9	RMH
Minimum Lot Area	40,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.	12,000 sq. ft.	9,000 sq. ft.	5,000 sq. ft.* 70 ft. in Park

A GIS analysis of existing parcels under current zoning found about 5.9% of parcels were double lots or larger:

- R-9 parcels with a minimum lot size of **18,000 sq. ft** or more ($9,000 \times 2$)
- R-12 parcels with a minimum lot size of **24,000 sq. ft** or more ($12,000 \times 2$)
- R-15 parcels with a minimum lot size of **30,000 sq. ft** or more ($15,000 \times 2$)

Findings for Proposed R-4 District



Based on the

- Random sampling of the proposed R-4 parcels found that only about 1/3 of them could meet the R-4 minimum lot width standards
- This suggests that overall, about **581** parcels in the new R-4 district could be subdivided – about **8.2%** of the total proposed R-4 district

Lots with potential for redevelopment

Current R-9, R-12, and R-15 Standards	Proposed R-4 Standards
5.9%	8.2%

Conclusion: for both existing and proposed standards, unlikely to see massive turnover & redevelopment.

Multi-family/Mobile Homes

- Multi-family zoning districts
 - MF-1: low impact, house-scale townhomes, triplex and quadplex
 - MF-2: large-scale, urban-style townhomes and apartments



- Current mobile home zoning district (RMH) remains largely unchanged

House-scale vs. Large-scale Multifamily

House-scale: 3-4 units per building, less than 2,500 sqft footprint, max. height 35' tall, front-loaded or alley-loaded,



Large/Urban -Scale: 5+ units, built to the street, parking in rear, max. height: 35' (MF1) or 60' (MF2)



The Many Flavors of “Home”



Table of Permitted Uses

P = permitted by-right; see additional standards listed in Articles 5; S = Special Use Permit required.

Specific Use	RESIDENTIAL DISTRICTS							NONRESIDENTIAL AND MIXED USE DISTRICTS			
	RA	R2	R4	R8	RMH	MF1	MF2	NC	CMU	TBD	AC
RESIDENTIAL USE CATEGORY											
Single-Family Detached	P	P	P	P	P	P					
Two-Family Dwelling (2 dwelling units per structure, aka Duplex)		P	P	P		P					
Townhouse (3 or 4 dwelling units per structure)			P	P		P	P	P	P		
Townhouse (>4 dwelling units per structure)						S	P	P	P		
Multifamily (triplex or quadplex, up to 2,500 sq ft footprint)				P		P	P	P	P		
Multifamily (>4 units per structure or over 2,500 sq ft footprint)							P	S	P		
Upper-Story Residential						P	P	P	P	P	P

Note: Assisted living facilities and other group living are described elsewhere in the Table of Permitted Uses.

- All residential
 - Additional rear setbacks for double frontage lots
 - Rear- and alley-loaded parking only if 60% of the block is rear- or alley-loaded; also requires formal on-street parking and landscaping
- Single Family Detached and Duplex
 - New construction must leave sufficient pervious surfaces to allow for future expansions
 - Limit on front-yard impervious surfaces
- Townhome and Multi-family Residential
 - Lots narrower than 40' (avg.) require alley-loading
 - Distinguish house-scale vs. large-scale, re: neighborhood context
 - Context-sensitive design standards where appropriate
 - Additional setbacks and height restrictions when adjacent to single family residential

Accessory Dwelling Units (ADUs)



- Only one ADU per lot, up to a density ceiling (by district)
- Area is less than half of primary structure, up to 800 sqft
- Two additional parking spaces
- ADU may not be sold separately
- Owner must reside on premises



Nonresidential & Mixed Use Districts

Comp Plan Guidance



- Consolidate and simplify the 8 existing nonresidential and mixed use districts and expand the uses within each district to accommodate changing development demands
- Industrial districts are largely unchanged
- Establish a new high-intensity “Activity Center” district to encourage redevelopment at key locations

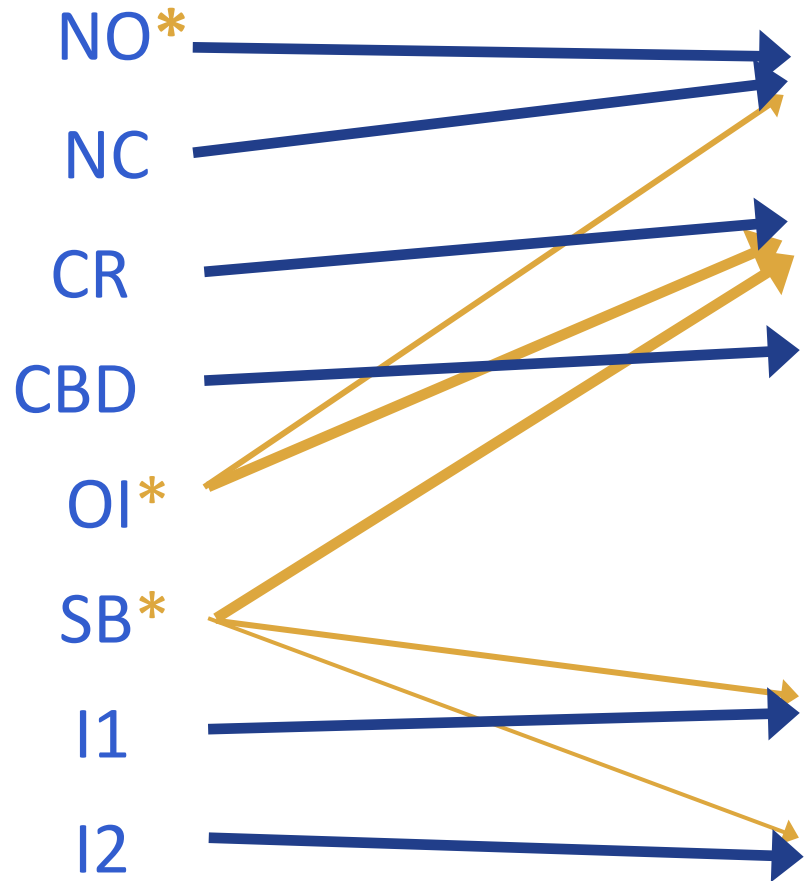


Nonresidential Zoning District Changes



Current Districts

Proposed Districts



Neighborhood Commercial

Commercial / Mixed Use

Traditional Business District
(new name, more versatile)

Activity Center

New high intensity "redevelopment" district

Industrial Light

Industrial Heavy

Light
Commercial

Lower

Commercial

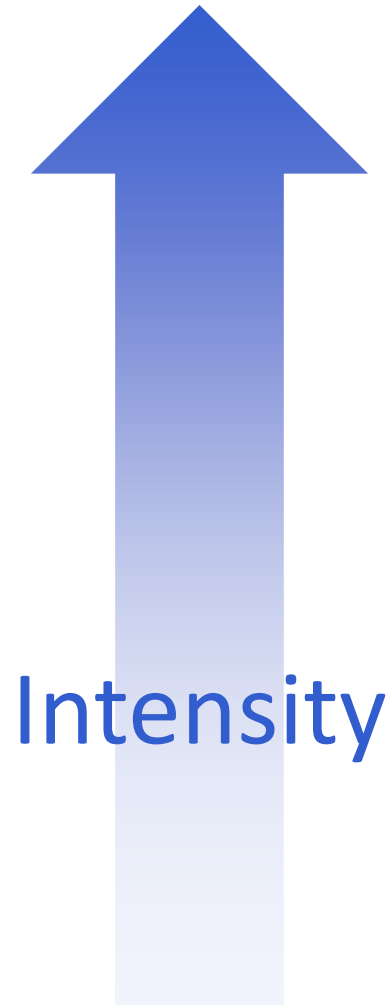
Intensity

Industrial

Higher

*current uses will be redistributed and district will be retired.

New Commercial Zoning Districts



Activity Center

New high intensity “redevelopment” district
(Will not be remapped in the town-wide rezoning)

Traditional Business District (TBD)

Formerly Central Business District

Commercial Mixed Use (CMU)

Formerly Commercial/Retail

Neighborhood Commercial

(kind of like “Commercial Mixed Use *Lite*”)

Neighborhood Commercial (NC)



- Combines Neighborhood Commercial and Neighborhood Office
- Neighborhood-scale, low-impact, residential-compatible, nonresidential uses (like professional offices and hair salons)



Commercial Mixed Use (CMU)

- Previously Community Retail
- Now includes services and offices, allowing more use flexibility
- Example: Aversboro Square



Traditional Business District (TBD)

- Aka “downtown”; now can also be zoned elsewhere
- Uses and character remain the same, with upper story residential possible



Industrial Districts (I1 and I2)

- I1 (light industrial) and I2 (heavy industrial) districts remain largely unchanged
- I2 allows outdoor industrial uses



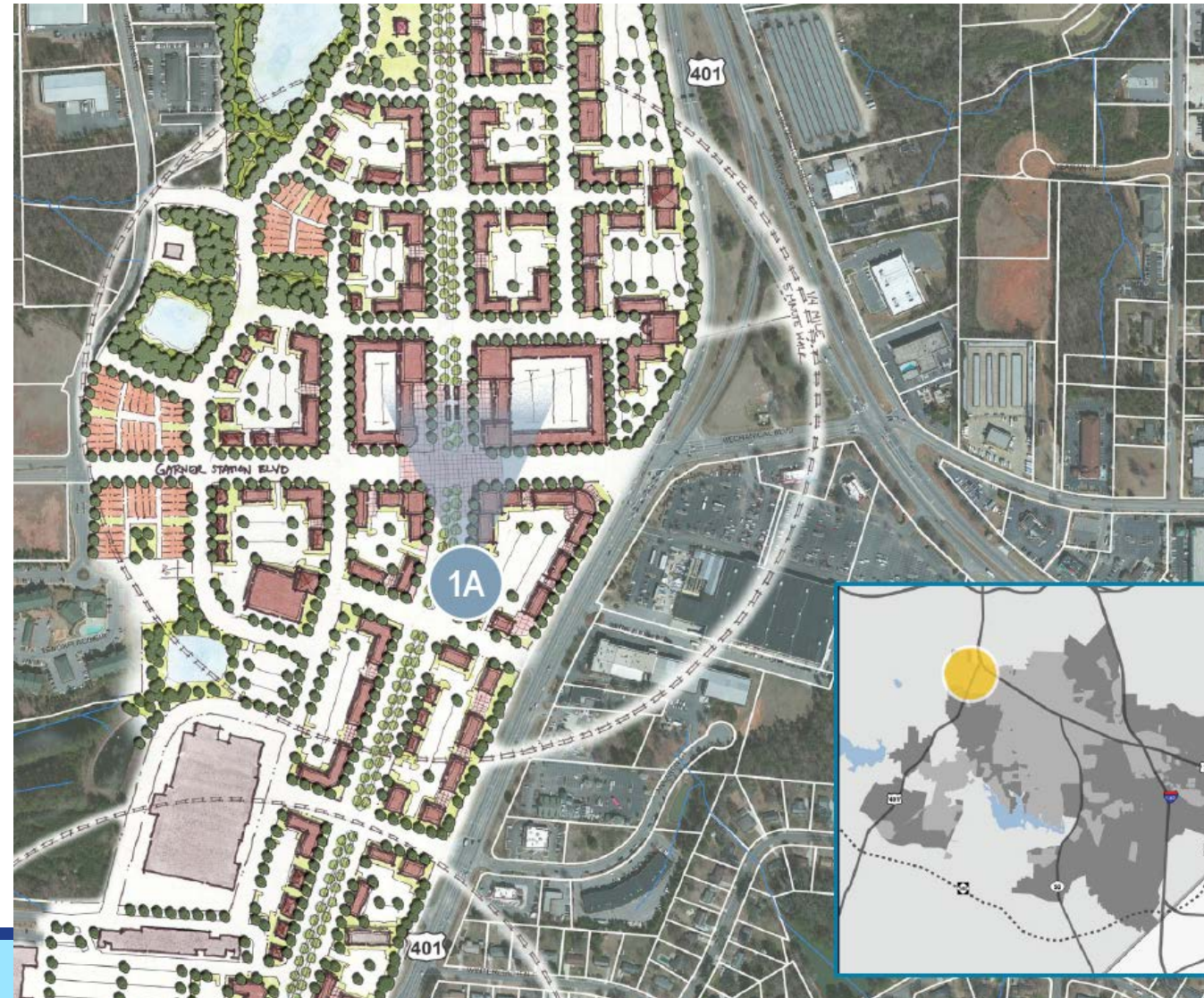
Activity Center (AC)

- Most intense commercial/mixed-use district
- Intended to encourage and support high density redevelopment and transit-oriented development



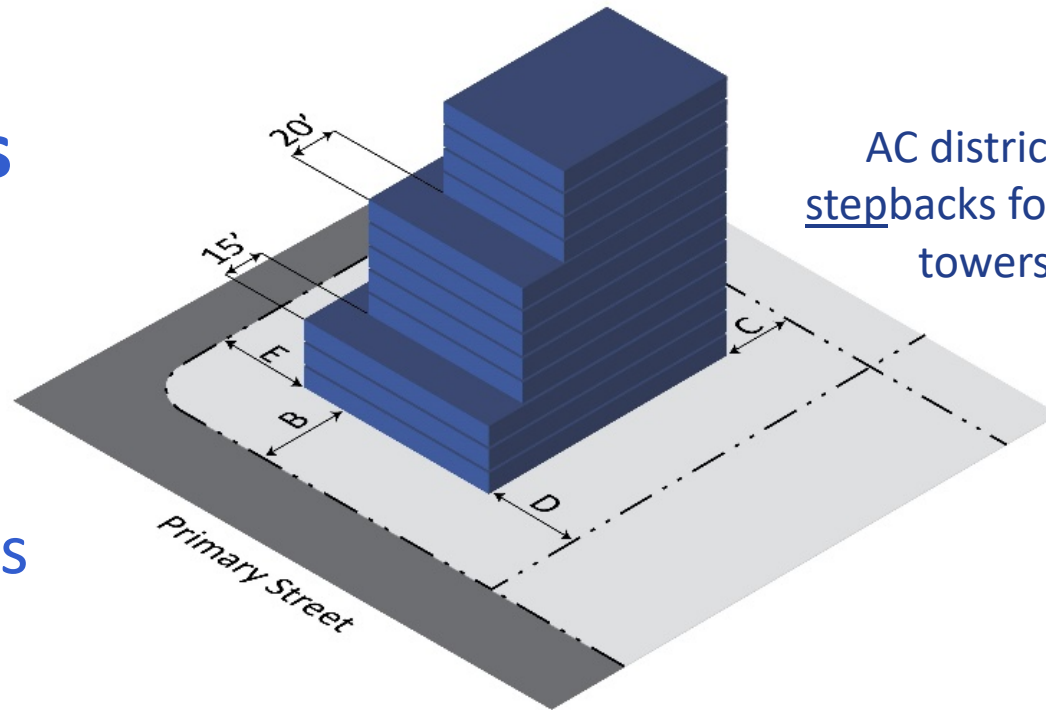
Potential Activity Center Locations

From GarnerForward
Comprehensive Plan
None will be mapped;
none planned



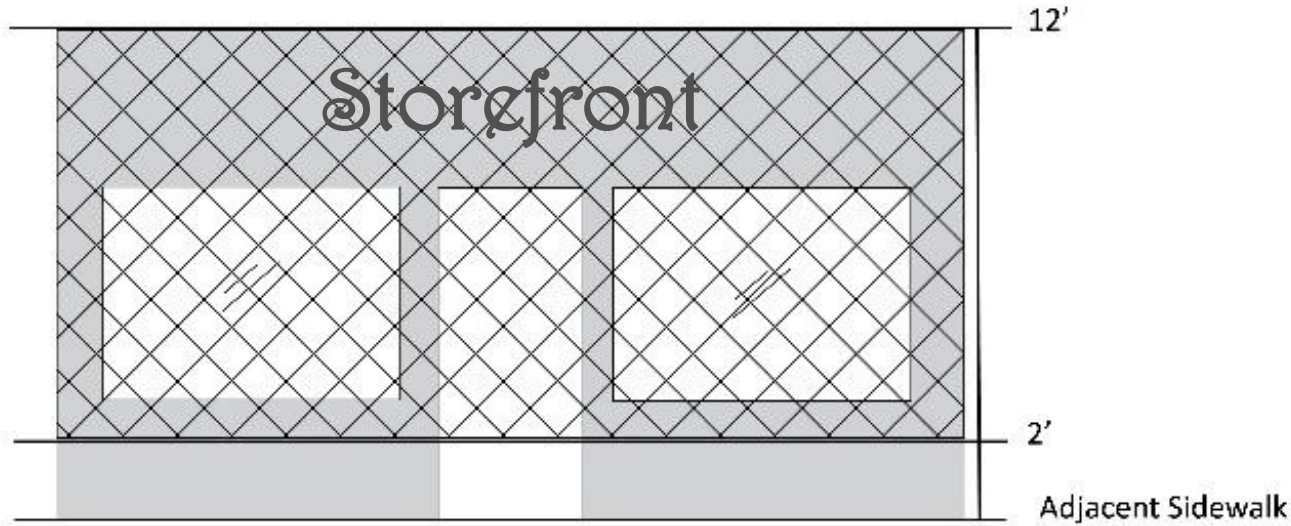
Building Stepbacks for Towers

- Preserves light, air circulation, and prevents crowding
- 8 stories or taller
 - 15' stepback required somewhere between floors 3 and 6
- 12 stories or taller
 - Additional 20' stepback between floors 8 and 12



Note: In limited circumstances when districts would encourage urban form, it is with coordinated streetscape design

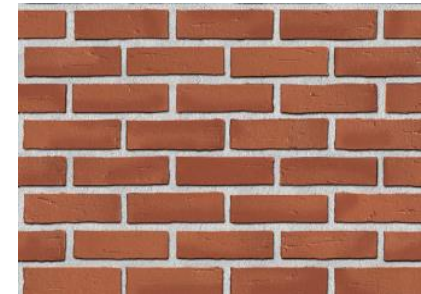
Façade Transparency Standards



	Primary Frontage	Other frontages
NC	50%	33%
CMU	33%	33%
TBD	66%	66%
AC	66%	66%

Building Façade Material Requirements

- No metal or vinyl siding
- Building facades limited to three types of materials
 - Metal accents limited to 20% of the facade
- Minimum ~~75%~~ 50% of building shall be brick, masonry, ~~or decorated concrete~~



Overlay Districts

Current Overlays

Garner's UDO currently has **8 overlay and conservation districts**

Conservation Districts remain

- Conservation Buffer Area
- Lake Benson Conservation
- Swift Creek

Remain with minor clarifications

Transportation Corridor Overlays simplified

- Timber Drive
- Timber Drive East
- US 70/401
- Garner Road
- I-40 (Access-controlled highway)

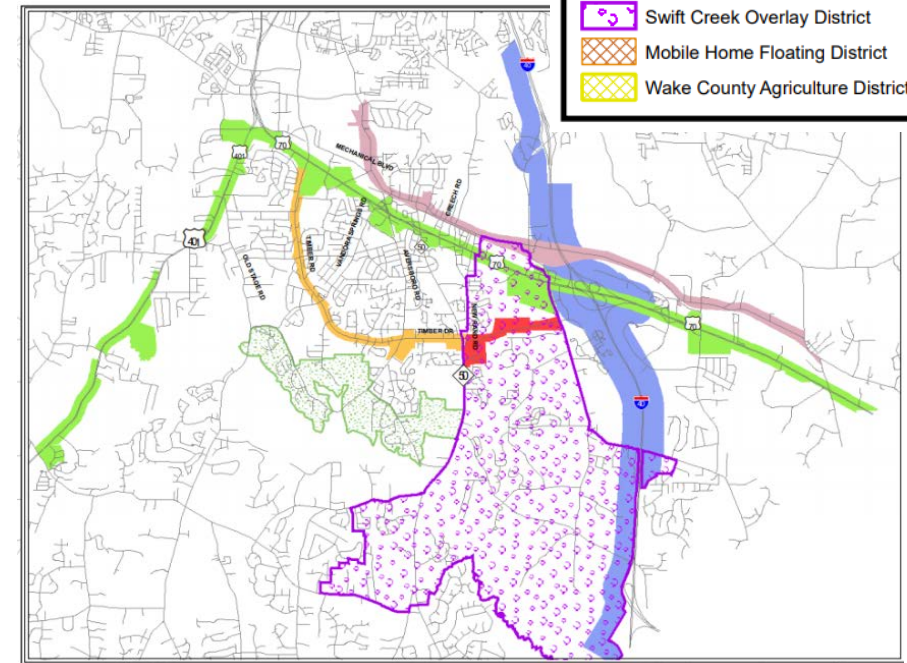
Residential Arterial Overlay

Commercial Highway Overlay

Limited Access Highway Overlay

OVERLAY DISTRICTS

	I-40 / US 70 Special Highway Overlay
	Garner Road Overlay
	Timber Drive East Overlay
	Timber Drive Overlay
	US 70 / 401 Overlay District
	Lake Benson Conservation District
	Swift Creek Overlay District
	Mobile Home Floating District
	Wake County Agriculture District



Non-Traditional Districts

Planned Developments → CZ

- Currently have 4 different Planned Development types (PUD, TND, PRD, and MXD)
- Per new state statutes: all PDs converted to Conditional Zoning (CZ) with existing vested rights preserved

Required changes per state legislation Chapter 160D:



Conditional Zoning (CZ) District



**Garner
Forward**
Unified Development
Ordinance Update

Options for Conditional Zoning:

~~A. Open ended, developer proposes all conditions and provides detailed construction drawings (\$\$\$)~~

Recommended

B. Conceptual master plan with uses further restricted** and/or mitigation by design standards (“Tier 2”)

C. CZ built on a base zoning district, with uses further restricted** (“Tier 1”)

~~D. No CZ option at all – maybe not needed after zoning district updates. Developers can still use text amendment and rezoning processes.~~

More
private risk

More flexible or
privately-directed



More publicly-
guided

**Special uses will still require subsequent special use review.

Example Conditional Rezoning

Tier 1 Conditional Rezoning

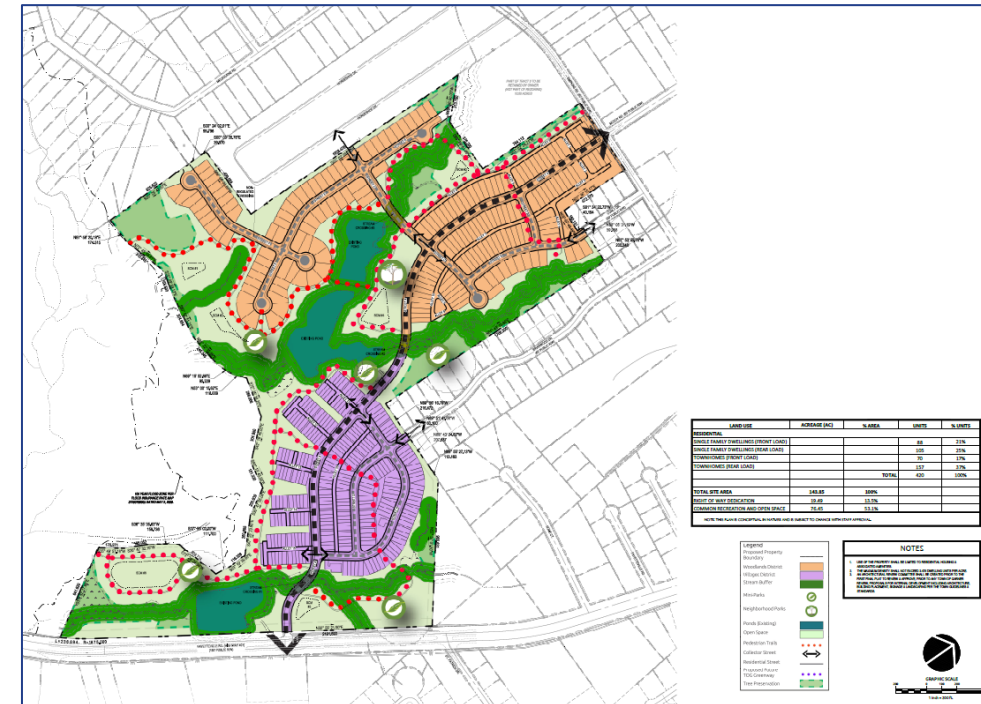
- Upzone to Commercial Mixed Use (CMU), and excludes all uses except “Hotel”, “Retail”, and “Office”; use same setbacks and standards as underlying (CMU) district

Tier 2 Conditional Rezoning

- Same as above, but with unique setbacks and dimensional standards + a Master Plan that shows spatially where the uses can be expected

Overall, Council and neighbors have a better understanding of what to expect next

Example of a Conditional Zoning Master Plan



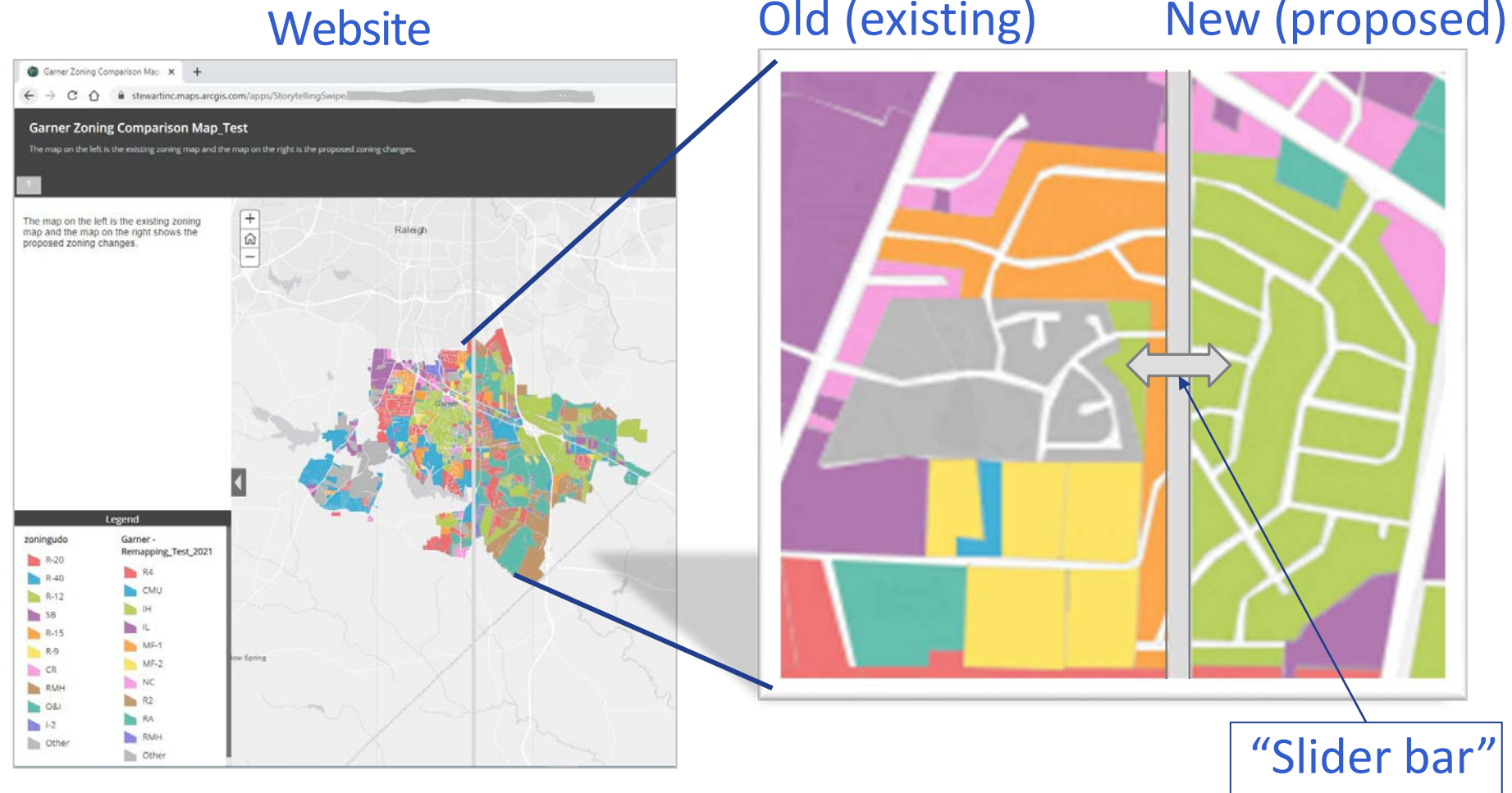
Remapping

“WILL I BE REZONED?”

Draft remapping is being developed for public review at the 03/04 Public Meeting

Members of the public can:

- Access the map at their leisure
- Compare their current zoning to the proposed zoning
- Contact Planning Department with questions.



Note: there will be additional, separate public outreach about the remapping.

Next Steps

Next steps

Members of the public:

- Please review the draft articles, available on the project website: www.garnernc.gov/departments/planning/garner-forward/udo-re-write-project
- Review the Draft Rezoning Map and zoning district descriptions: link is available at the project website
- Tell us what you think: online survey link is at the project website



Thank you

PROJECT WEBPAGE:

WWW.GARNERNC.GOV/DEPARTMENTS/PLANNING/GARNER-FORWARD/UDO-RE-WRITE-PROJECT

OR SEARCH FOR: "[GARNER, NC, UDO REWRITE](#)", IN YOUR BROWSER



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