



# **LUMO Text Amendment Conditional Zoning**

**Date: March 21, 2018**

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# Conditional Zoning

- LUMO amended on November 29, 2017
- Effective Date for Conditional Zoning Amendments – April 1, 2018
- Three revisions proposed at this time

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NUMBER OF EXITS  
FIRE RESISTIVE CONSTRUCTION  
FIRE SUPPRESSION SYSTEMS  
MEANS OF EGRESS  
ACCESSIBILITY  
BUILDING MATERIALS  
BUILDING SYSTEMS

PROPERTY LINE

PARKING  
SPACES

MAX.  
BLDG.  
HT.

SET BACK LINE

MEANS OF  
EGRESS

CANNOT  
BUILD HERE

BUILD HERE

ZONING ORDINANCE ISSUES  
ZONING CLASSIFICATION  
PERMITTED USES  
CONDITIONAL USES  
MAXIMUM HEIGHT OF BUILDING  
MAXIMUM % OF LOT COVERED  
SET BACK LINES (FRONT/REAR SIDES)

# The Process for Proposed Revisions:



March 21,  
2018

- Continue Public Hearing
- Close Public Hearing
- Take action

**Recommend: That the Council:**

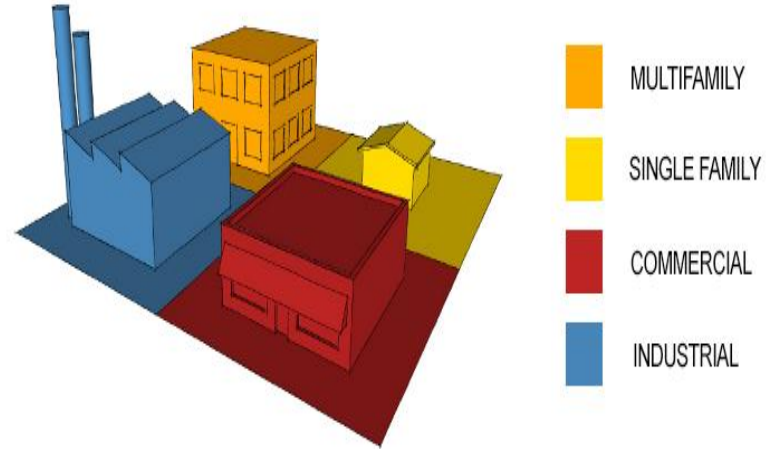
- Adopt Resolution A, Consistency Resolution
- Enact the Ordinance
- Adopt Resolution C, amending the Fee Schedule; and,
- Adopt Resolution D, preferred Development Review Process during Concept Plan Review

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# Rezoning

- General Use districts
- Conditional use (special use) districts
- Conditional districts

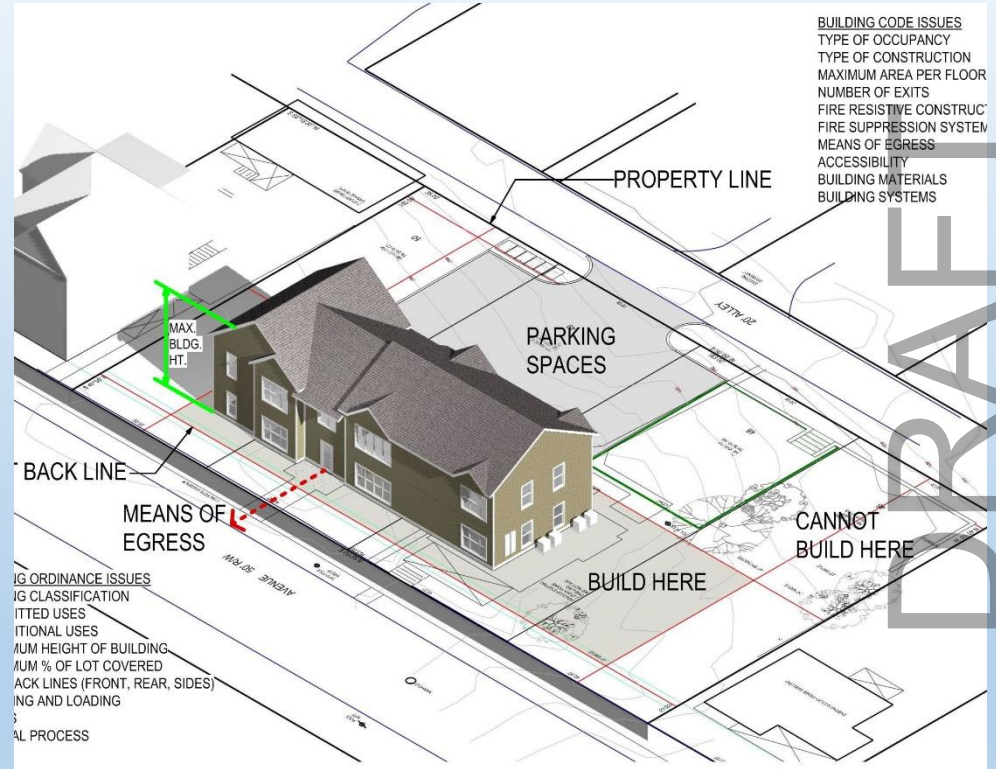
EUCLIDEAN ZONING



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# What is Conditional Zoning?

- Rezoning with site-specific conditions
- Tool used widely in North Carolina (45% of rezonings state-wide)
- Provides all the authority of an SUP, PLUS allows more engagement with stakeholders
- Allows concerned neighbors & others to voice concerns & for Council to consider opinion as well as facts
- Helps to retain neighborhood character & mitigate project impacts through site-specific conditions





# What is a Land Use Plan or Future Land Use Map?

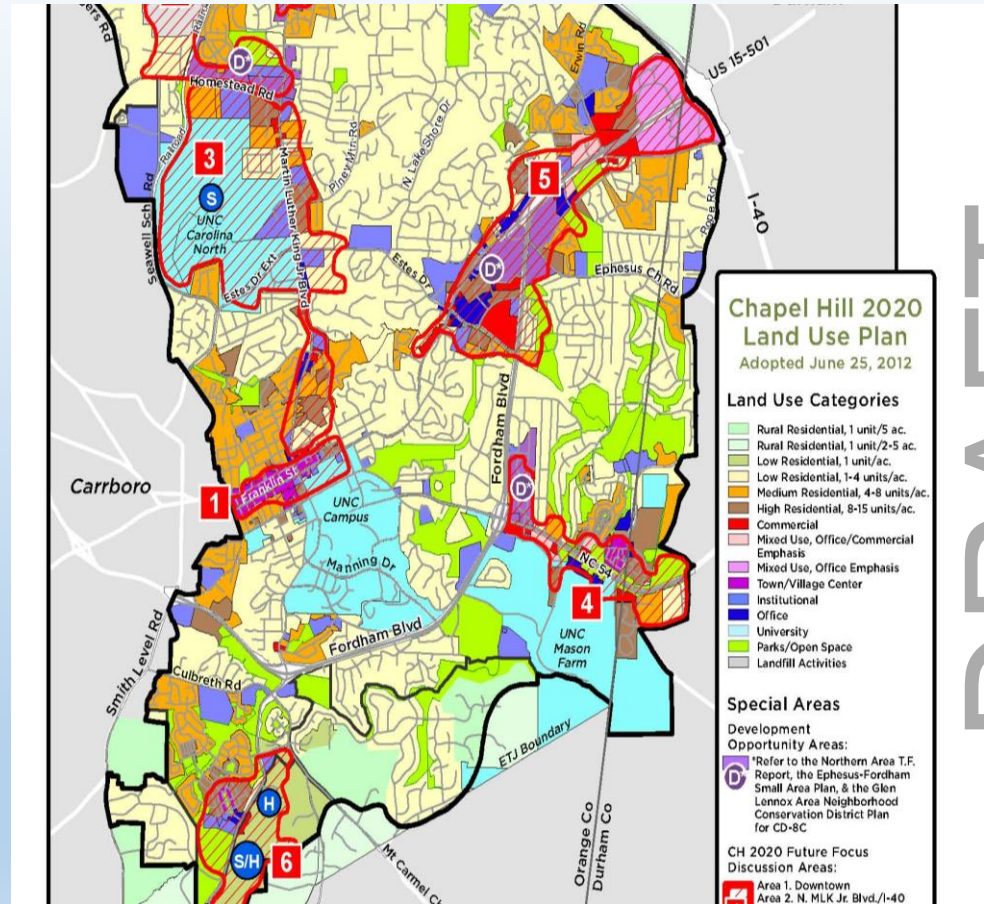
Graphic Representation of Town's Future in terms of Land Use

Illustrates where & to what intensity development/redevelopment should occur or **not occur**

Establishes General Range of Land Uses Envisioned (Housing, Commercial, Office, Mixed Use)

Illustrates Desired Future Condition in 2049

Not an Exact Prediction



# Conditional Zoning & Land Use Plan (Sections 1 & 2 of the Proposed Ordinance)

- Conditional Zoning Districts must consistent with Land Use Plan
- To be consistent, the proposed conditional zoning district must be in:

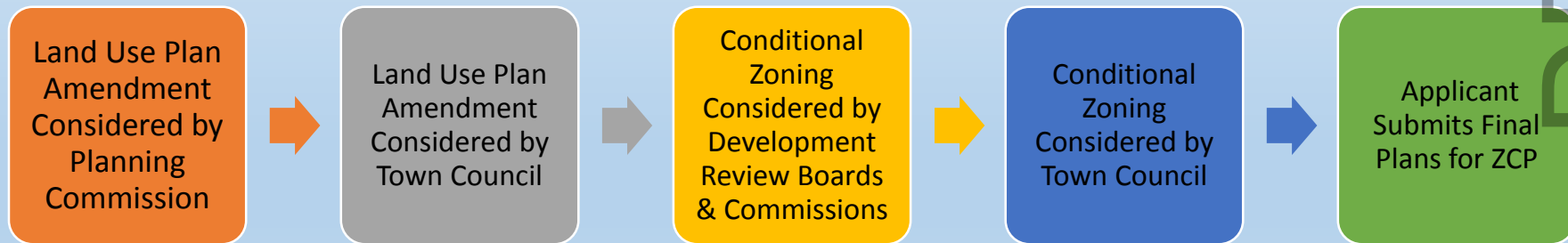
Conformance with adopted small area plan	Town/Village Center
Medium Residential	Institutional
High Residential	Office
Commercial	University
Mixed Use, Office/Commercial Emphasis	Development Opportunity Area
Mixed Use, Office Emphasis	Light Industrial Opportunity Area

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# Conditional Zoning & Land Use Plan (Sections 1 & 2 of the Proposed Ordinance)

- Process for Land Use Plan amendment with Conditional Zoning District Application



# Conditional Zoning – Minor Alteration (Section 3 of the Proposed Ordinance)

- Clarification –
  - Only in the Innovative-Light Industrial Conditional Zoning District (Enterprise Zone) may the Council enact a conditional zoning district the same evening as the initial public hearing
- Resolution D – Formalizes Council's preference to discuss appropriate development review process during Concept Plan Review

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# Conditional Zoning – Summary of Proposed Changes

- ❖ Clarification Amendment - Clarify Procedure for the Innovative, Light Industrial District
- ❖ Link between the Town's Land Use Plan & Conditional Zoning District Applications
  - Conditional zoning districts must be consistent with the Land Use Plan and/or an adopted small area plan
  - Defined process for amending Land Use Plan

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# **Recommendation:**

## **That the Council:**

- Adopt Resolution A, Consistency Resolution;
- Enact the Ordinance;
- Adopt Resolution C, amending the Fee Schedule; and,
- Adopt Resolution D, preferred Development Review Process during Concept Plan Review



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