



## Legislation Text

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**File #:** 16-202, **Version:** 1

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### **TITLE:**

Revised Land Use Ordinance Text Amendments that would provide for a Site Specific, Flexible Zoning District

**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider further revisions to the Land Use Ordinance amendments that would authorize the establishment of site specific, flexible zoning districts. A revised draft ordinance has been prepared.

**DEPARTMENT:** Planning Department

**CONTACT INFORMATION:** Christina Moon - 919-918-7325; Nick Herman - 919-929-3905; Patricia McGuire - 919-918-7327

**INFORMATION:** On April 26, 2016, the Board of Aldermen held a second public hearing to consider a draft ordinance that would authorize the Board to consider petitions to rezone property to a new zoning district category—a site specific, flexible zoning district (FLX). The Board directed staff to meet with the Northern Transition Area Advisory Commission (NTAAC) to discuss possible revisions to the ordinance that might address some of its concerns regarding the appropriate level of specificity.

The NTAAC met on two occasions: May 23<sup>rd</sup> and June 6<sup>th</sup>. During the first meeting, staff presented the board with a revised ordinance which contained new subsections designed to clarify the site specific planning study--the linchpin of the FLX district concept. Members reviewed the revised ordinance, asked questions and offered comments. In response to that discussion, staff added an additional sentence to the draft ordinance making it clear that the submittal requirements for a petition to rezone to the FLX district included a site plan. During the second meeting on June 6<sup>th</sup>, NTAAC members focused on the preparation of new comments, including recommendations for additional language (Attachment C); some of this additional language draws from the objectives outlined in Section 15-141.2 for the Village Mixed-Use District (VMU). Comments from the other advisory boards prepared for the April public hearing are also provided (Attachment D).

Unlike the VMU mechanism which dictates a specific type of development, the FLX district approach can be used to create different types of development programs so long as the project remains consistent with the outcome of the initial site specific planning study. Applications for the FLX district would follow a process in keeping with conditional zoning with additional opportunities for public input at the very beginning and at key intervals throughout, including all public meetings. Staff notes that every step of the process that would be associated with this type of zoning district has not been specified in the ordinance itself, though several have been. Additional steps could be delineated in relation to a request for rezoning - i.e. at the time the Board of Aldermen decides on an initial request, and an outline of the review process that the staff, public, advisory board, and Board of Aldermen would follow could be prepared and approved.

**FISCAL & STAFF IMPACT:** Public hearings involve staff and public notice costs associated with

advisory board and Board of Aldermen review.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the resolution finding consistency (Attachment A-1), and the draft ordinance (Attachment B).