



Legislation Text

File #: 2024-333, Version: 1

TITLE

LEGISLATIVE HEARING FOR UDO TEXT AMENDMENT CASE #24-05-PLBD-00082: AMEND SECTION 4.3, TABLE 4.3-1 PERMITTED USE SCHEDULE TO ADD ADDITIONAL USES IN THE MIXED USE ZONING DISTRICT AS PRESENTED HEREIN AND AMEND SECTION 5.6 DEVELOPMENT STANDARDS AS APPLICABLE TO THE MXU, MIXED-USE ZONING DISTRICT

SPONSOR

J. Leslie Bell

BACKGROUND

At its June 12, 2024 Regular Meeting, the Guilford County Planning Board unanimously (draft minutes attached) recommended to the Board of Commissioners the adoption of Text Amendment Case #24-05-PLBD-82, as presented herein. (Ayes: Donnelly, Gullick, Stalder, Drumwright, Alston, Little. Nays: None. Absent: Buchanan, Craft, Bui), to add uses in the Mixed Use (MXU) zoning district. The MXU zoning district is intended for a mix of high-intensity residential, retail, and commercial uses compatible with adjacent development. The mix of uses may be horizontal or vertical. This district shall consider connectivity via all modes of travel and provide multiple housing types to suit residents in all stages of life.

In summary, the proposed revisions are to Section 4.3, Table 4.3-1 (Permitted Use Schedule) to allow certain additional Use Types in the Mixed-Use (MXU) zoning district as follow: 1) Indoor Theater, Other Indoor Uses Not Listed; 2) Retail (General); 3) Convenience Store (with Gasoline Pumps); 4) Bakery, Bar/Private Club/Tavern; 5) Microbrewery; 6) Private Club/Tavern, Restaurants (with Drive-thru); 7) and Restaurants (without Drive-thru) which would be permitted as a Use by Right and designated with the letter "P".

Additionally, Golf Courses would be permitted subject to Individual Development Standards specified in Subsection 5 of the UDO, designated with the letter "D", where fifty (50) foot minimum distance between the clubhouse or other principal building(s) and any adjacent residentially-zoned property will be required.

Further, Outdoor Theaters would be permitted with a Special Use Permit and subject to minimum Individual Development Standards, designated with the letter "S". Minimum development standards require Outdoor Theaters to 1) be buffered from adjoining residential

uses with a minimum forty (40) feet buffer (see Type A Buffer attached); 2) locate the performance and audience areas a minimum of two hundred (200) feet from any adjacent residentially-zoned property and adhere to lighting standards per the UDO; and 3) have primary access to all outdoor parking areas to a collector or higher order street (thus, primary access cannot be on a residential street).

Uses allowed as a Use by Right (P) are generally compatible with residential areas within a mixed-use environment. Uses subject to Individual Development Standards (D) are usually compatible within residential communities with some added protections specific to that use. Uses allowed with a special use permit (S) could be compatible within a residential setting with site-specific development conditions designed to mitigate potential negative impacts on surrounding properties. The Planning Board recommended Outdoor Theater as a special use to protect future residents from potential negative impacts associated with some outdoor activities. The proposed amendments will allow certain retail, commercial, recreational, and entertainment uses typically allowed Neighborhood Business (NB), Limited Business (LB), and General Business (GB) districts that are supportive of residential communities in a mixed-use environment.

Text deleted is shown as ~~strikethroughs~~, and text to be added is underlined. Staff report and the full text of the proposed amendment, as recommended by the Planning Board, are attached.

Consistency with Adopted Plans:

Text Amendment Case #24-05-PLBD-00082 is consistent with Policy 2.4.7 of the Housing Element of the Guilford County Comprehensive Plan (effective October 1, 2006), which states, “Review Mixed-Use development standards in the Development Ordinance, and pursue amendments as deemed necessary, to foster more creativity in design and housing options.”

Reasonable and in the Public Interest:

The recommended action, as revised by the Planning Board to require Theater (Outdoor) by a Special Use Permit and Other Indoor Uses Not Listed as uses by right (P), is reasonable and in the public interest because it is consistent with Policy 2.4.7 of the Housing Element of the Comprehensive Plan and the intent of the MXU district under Section 4.2.17 of the UDO, which reads as follows: “This district is intended for a mix of high-intensity residential, retail, and commercial uses compatible with adjacent development. The mix of uses may be horizontal or vertical. This district shall consider connectivity via all modes of travel and provide multiple housing types to suit residents in all stages of life.”

BUDGET IMPACT

NO ADDITIONAL COUNTY FUNDS REQUIRED

REQUESTED ACTION

Hold a legislative hearing and adopt Unified Development Ordinance (UDO) Text Amendment Case #24-03-PLBD-00082 to amend Articles 4 and 5 to add the aforementioned uses, are presented herein, to the Mixed Use zoning district and Article 5 to add the Mixed Use zoning district as a district where Golf Courses and Outdoor Theaters are allowed with development standards and Special Use Permit, respectively. Requested action also includes both the Consistency with Adopted Plans and Reasonableness statements, as presented herein.