



Legislation Text

File #: 2024-332, Version: 1

TITLE

LEGISLATIVE HEARING FOR UDO TEXT AMENDMENT CASE #24-03-PLBD-00075: AMEND SECTION 4.3, TABLE 4.3-1 PERMITTED USE SCHEDULE, SECTION 5.6 DEVELOPMENT STANDARDS, TO ESTABLISH BATTING CAGES (OUTDOOR) IN THE PUBLIC AND INSTITUTIONAL (PI) ZONING DISTRICT, INDOOR BATTING CAGES ALLOWED IN THE AGRICULTURAL (AG) AND PI ZONING DISTRICT WITH DEVELOPMENT STANDARDS, PRIVATE CLUBS, AND RECREATION FACILITIES AS USES ALLOWED IN THE PI ZONING DISTRICT. PHYSICAL FITNESS CENTERS MOVED FROM THE RECREATION & ENTERTAINMENT (HEAVY) USE CATEGORY TO THE RECREATION & ENTERTAINMENT (LIGHT) USE CATEGORY

SPONSOR

J. Leslie Bell

BACKGROUND

At its June 12, 2024 Regular Meeting, the Guilford County Planning Board recommended unanimously (draft minutes attached) to the Board of Commissioners the adoption of Text Amendment Case #24-03-PLBD-00075, as presented herein (Ayes: Donnelly, Gullick, Stalder, Drumwright, Alston, Little. Nays: None. Absent: Buchanan, Craft, Bui). The Planning staff proposed a text amendment (including revisions by the Planning Board) to the Guilford County Unified Development Ordinance (UDO), Article 4, Zoning Districts, and Article 5, Development Standards for Individual Uses. The purpose of these amendments are to address recreational and entertainment uses primarily associated with both Indoor and Outdoor Batting Cages, Private Clubs or Recreation Facilities, Public Parks or Recreation Facilities (Including Indoor Batting Cages), and Physical Fitness Centers.

The first change will amend Table 4.3-1, Table of Permitted Use Schedule, that specifies and adds Batting Cages, Outdoor subject to Development Standards in the Public Institutional (PI) zoning district. As such, this use will be subject to the minimum current development standards which include 1) use separation of 100 ft. from any residential structure; 2) security fencing allowed; and, 3) lighting restrictions after 10 pm when located in the Agricultural (AG) zoning district.

Added as a separate use are Indoor Batting Cages (separated Indoor Batting Cages from Private

Club or Recreation Facility, Other) with Development Standards (D) proposed to be allowed in both the PI and AG zoning districts where both Indoor Batting Cages and Private Club or Recreation Facility, Other are subject to current development standards which include a requirement to 1) have access on a collector or higher capacity street (thus, not allowed with access directly on residential streets); 2) have security fencing for swimming pools; 3) not be able to count toward open space requirements; and 4) adhere to the same parking requirements that Public Parks or Recreation Facility (including Indoor Batting Cages) are subject which must be designated on the site plan and kept available to handle all traffic from special events.

With Private Club or Recreation Facility, Other as a stand alone use, Private Club or Recreation Facility, Other is proposed to be added and require a Special Use Permit in the PI zoning district just as is currently required in the AG zoning district. 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. This allows for a quasi-judicial hearing whereby conditions for proposed development for this Use Type may be included. The Planning Board has selected a definition of Private Club from among three (3) industry trade definitions presented (see attached minutes) which will be forthcoming as a separate text amendment.

An additional development standard for parking is added to be consistent with same parking requirements required for Public Park or Recreation Facility (Incl. Indoor Batting Cages). 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.

Public Park or Recreation Facility amended to also include Indoor Batting Cages subject current development standards (see Section 5.6.K attached).

Finally and with no changes in where allowed and remain as a use by right, Physical Fitness Centers are recommended to be moved from Recreation and Entertainment (Heavy) Use Category to Recreation and Entertainment (Light) Use Category while still being allowed in the Mixed Use (MXU), Limited Business (LB), General Business (GB), Highway Business (HB), Corporate Park (CP), and Light Industrial (LI) zoning districts (again, as a use by right with no proposed change in zoning districts where currently allowed or how allowed). Such facilities may include a Planet Fitness facility as a standalone structure or as a tenant in strip mall or shopping plaza.

The full text of the proposed amendments and staff report are attached. Text added is underlined and text to be deleted is shown as ~~strikethrough~~.

Consistency with Adopted Plans:

Text Amendment Case #24-03-PLBD-00075 is consistent with the Comprehensive Plan because it will advance Goal #1 of the Governmental Coordination Element of the Guilford County Comprehensive Plan (effective October 1, 2006), which states that “Guilford County shall seek to maximize the effective and efficient provision of governmental programs and services by coordinating implementation and delivery efforts internally and with external partners.”

Reasonable and in the Public Interest:

The recommended action including the revision by the Planning Board to allow Private Club or Recreation Facility, Other (incl. Indoor Batting Cages) in the PI zoning district requiring a Special Use Permit rather than with Development Standards (D) is reasonable and in the public interest because the proposed amendments support Goal #1 of the Government Coordination Element of the Guilford County Comprehensive Plan. Allowing batting cages, private clubs, and recreation facilities in the PI district with development standards will expand recreational opportunities for Guilford County and private entities to meet residents' recreational needs.

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-00075, including both the Consistency with Adopted Plans and Reasonableness statements, as presented herein, to establish Batting Cages (Indoor & Outdoor), Private Clubs, and Private Recreation Facilities as uses allowed in the PI zoning district under Subsection 4, and Subsection 5, of the UDO, as presented and with development standards (as applicable), and move Physical Fitness Centers from the Recreation and Entertainment (Heavy) category to Recreation and Entertainment (Light) category.