



TEXT AMENDMENTS

CITY COUNCIL

MEETING

June 26, 2017



COMMISSION/STAFF-INITIATED TEXT AMENDMENTS:

(Hearing closed May 22; Other Items of Business)

- a. parks or recreational facilities in the BP district
- b. multi-axle trailers in front yard areas
- c. density for “all other residential uses” in the NC district
- d. expiration and extension for Certificate of Appropriateness
- e. flexibility for improvements for utilities to maintain or restore critical services
- f. limited temporary storage in portable shipping containers



Recommendation

Per Councilmember requests on May 22 and June 5, each item has been moved to a separate ordinance for ease of discussion and action. The Planning Commission and City staff recommend that City Council move to approve each of these six ordinances, “a – f”, that comprise the bundle of staff-initiated amendments.

Reasons:

- Provides consistency (similar timetables for similar processes; proportionate densities; treating similar uses similarly, such as trailers).
- Allows the flexibility to consider unique circumstances especially for utilities improving their ability to restore or sustain critical services.

a. Recreation uses in the BP district

a	Adding the use and clarifying that parks or recreational facilities in the BP district do not count toward the limitation on supportive commercial uses	
	Triggered by: speculation about a recreation center at the Military Business Park and the existing developer's need for clarity that such a use would not impact the existing agreement. Change: Make Arena, Athletic field, Swimming pool non-profit, and Tennis court uses "P" in BP; such uses do not count as part of the supportive or commercial uses allowed.	Explanation: Changes impact 30-4 Uses, adding stadiums, clubhouses, athletic fields, pools and tennis courts to allowed uses in the BP district and clarifying in Footnote 4 that park or recreational facilities do not count toward any specified limits to supportive/commercial uses in a BP district.

b. Multi-axle trailers in front yard areas

Brief history:

- Sept. 2015 culminated 10 mos. of debate by Council and PC with the direction to allow single-axle trailers and RVs in front on an improved surface, and multi-axle trailers pending special review.

Trigger:

- Since Sept. 2015 the challenge has been to distinguish between impacts of RVs and campers versus multi-axle trailers. In mid-2016 the Commission began recommending treating multi-axle trailers similarly to campers and RVs.

b. Multi-axle trailers in front yard areas

Changes Proposed:

- Allow multi-axle trailers as well as single-axle trailers and RVs.
- Protect sidewalks and line-of-sight from adjacent properties.

Reasons:

- Commission recommends treating multi-axle trailers the same as campers / travel trailers / RVs.

c. Densities in the NC Neighborhood District

c	Increasing the density allowed for “all other residential uses” in the NC district, from 6 units/acre to 12 units/acre	
	Triggered by: staff realizing this one standard was not adjusted with all the others during an amendment in 2014, leaving ‘other residential uses’ at a level that discouraged residential development in the NC district. Change: density of 6 units/acre changes to 12	Explanation: “All other residential uses” include apartments and attached SF, which logically occur at a density higher than detached single family development but usually not as intense as a separate mixed use zoning. The other measures were increased with Ord. 2014-003 but this change was overlooked.

d. Expiration period for Cert. of Appropriateness

d	Making the expiration and allowed extension the same for the certificate of appropriateness as for a special use permit (one year or as specified in the approval, extension for up to six months)	
	Triggered by: staff realizing that similar processes were treated differently, once the Historic Resources Commission (HRC) was directly under Planning. Changes: For Certificate of Appropriateness (COA), change 6 months to 1 year before expiration, and allow one 6-month extension.	The proposed change for expirations and extensions of an approval under the Certificate of Appropriateness would match those allowed under another quasi-judicial process, the Special Use Permit (SUP). Current standards are six months with no extension. The additional time is more realistic with regard to completing financing and other steps before getting a building permit.

e. Administrative Adjustments for utilities

e	Enabling Administrative Adjustments for utilities needing more flexibility to maintain or restore critical services during or after emergencies	
	Triggered by: South River Electric's plans for larger above-ground fuel tanks; staff can envision similar needs by other utilities preparing for future emergencies. Changes: adds utilities and purpose for including them to the "applicability" statement for Administrative Adjustments; in "outdoor storage", adds that utilities can seek Adm. Adj. if necessary to provide emergency services.	Explanation: Staff proposes using the Administrative Adjustment as one of the quickest ways to protect adjacent property owners and community-wide goals while addressing the unique needs of utility companies working to continue critical services during emergencies. Staff anticipates that other utilities conducting such 'after-action' analyses could benefit from an option to request quick adjustments.

f. Use of portable shipping containers

Trigger:

- Inquiries from churches (for storage for special events) and proliferation of use by businesses
- Not the same as temporary storage needs during construction or for industries who plan on “just in time” shipping/brief storage
- Not the same as “PODs” usually seen in residential districts



f. Use of portable shipping containers

Changes Proposed:

- Focus on commercial and institutional versus residential areas.
- Put in cross-references to sections for construction or for 'just-in-time' industrial processes.
- In non-residential districts and for legal non-conforming business uses, allow up to 6 months for temporary storage within any 48-month period, with one 30-day extension, and
- Provide minimum standards for screening and placement.



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City of Fayetteville *North Carolina*

433 Hay Street

Fayetteville, NC 28301-5537

www.cityoffayetteville.org

www.faytv7.com www.fayettevilleoutfront.com



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