

## UDO Task Force Results

(5/17/18 – 5/9/19)

**August 9, 2018**

Present Members:

Al Aycock – Chair
Lori Epler
David Guy
John McCauley
Christine Michaels
Dr. Wayne Riggins
Evelyn Shaw
DJ Haire – Council Liaison

Action(s):

### Non-Conforming Lot Requirements

- Created proposal for lots with less than two acres, Staff came back with a counterproposal; I have merged the two and have come up with a reasonable proposal. (Proposal is attached to the minutes for recordkeeping purposes.)
- Main differences between the two: Staff requires properties to pick four of the six items listed under Additions and Expansions on Sites two acres or less; my recommendation is for sites one acre and less in size, properties shall provide two of the items if not already existing, for sites larger than one acre but not more than two acres, properties shall provide three items if not already existing.
- Remodeling or redevelopment shall require that nonresidential property provide a six foot high solid fence or wall where property abuts single-family residentially zoned property.
- Having read the information provided is there any further discussion on this item?
  - Any rule that is adopted is going to have broad spectrum impact on how the City looks. Has this been compared to the general guidelines in the UDO to confirm it is in compliance with the 2030 Joint Growth Vision Plan, the City Functional Plans, the Small Area Plans and the Municipal Influence Areas Agreement?
  - It is this committee's job to make recommendations to the City Council and Staff's position to advise if the recommendations are in compliance.

MOTION: Approve Ms. Epler's amendment, as written.

VOTE: 5-1, with Riggins in opposition

**September 27, 2018**

Present Members:

Al Aycock – Chair
Lori Epler
David Guy
John Malzone
John McCauley
Christine Michaels

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Evelyn Shaw
Glenn Adams
Johnny Dawkins – Council Liaison
DJ Haire – Council Liaison
Ted Mohn – Mayor Pro-Tem

Action(s):

### 30-5.A.3.k.1 – Curbs and Motor Vehicle Stops

- Include “motor vehicles stops” in the general definition of a parking area if not covered elsewhere.

MOTION: Christine Michaels moved to include “motor vehicle stops” to be maintained at all times.

SECOND: Lori Epler

VOTE: 6-0 Unanimous

### 30-5.A.4.f – Maximum Number of Spaces Permitted

- Omit section

MOTION: John Malzone moved to eliminate the maximum percentage of allowable parking spaces as well as the entire section “f. Maximum Number of Spaces Permitted”.

SECOND: Lori Epler

VOTE: 6-0 Unanimous

## October 25, 2018

Present Members

Al Aycock – Chair
Lori Epler
David Guy
John Malzone (arrived at 5:20)
Johnny Dawkins – Council Liaison

Action(s):

### Table 30-5.A.7 – Dimensional Standards for Parking Spaces and Aisles

#### 1. General

- Discussion regarding the aisle width for one way traffic with a 90° parking angle being 24 feet versus 20 or 22 feet

MOTION: Lori Epler moved to change the aisle width for one way traffic with a 90° from 24 feet to 20 feet.

SECOND: David Guy

VOTE: Unanimous (2-0)

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### 30-5.A.8.c.3 – Site Zoning

- Omit 30-5.A.8.c.3. Shared Parking

MOTION: John Malzone moved to delete 30-5.A.8.c.3 as it is unnecessary

SECOND: David Guy

VOTE: Unanimous (3-0)

### 30-A.8.c.4 – Maximum Shared Spaces

- Omit section

MOTION: Lori Epler moved to delete 30-A.8.c.4

SECOND: John Malzone

VOTE: Unanimous (3-0)

### 30-5.A.8.c.6 – Shared Parking Plan

- Omit section

MOTION: John Malzone moved to move **30-5.A.8.c.6** to sub paragraph 1 (30-5.A.8.c.1), renumber the remaining paragraphs in sequential order and to eliminate sub paragraph 6.c.

SECOND: Lori Epler

VOTE: Unanimous (3-0)

## November 8, 2018

### Present Members

Al Aycock – Chair
Lori Epler
David Guy
John Malzone
Christine Michaels
Evelyn Shaw
DJ Haire – Council Liaison

### Action(s):

MOTION: John Malzone moved to increase the Stormwater Credit from 50% to 75% with the use of pervious materials upon approval of Engineering and Stormwater Commission and to make it retroactive (Stormwater Ordinance)

SECOND: Lori Epler

VOTE: Unanimous (5-0)

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### Table 30-5.A.10.a – Number of Required Off-Street Loading Spaces

- Visitor Accommodations, these are hotels, we have had to do an Alternative Parking plans for every hotel we have done because hotel owners say they do not need a loading space. The hotels are never at 100% capacity.

MOTION: Lori Epler moved to have Visitor Accommodations to not require a loading space if there is not a full service restaurant in the hotel in accordance with the Cumberland County Health Department standards and regulations.

SECOND: John Malzone

VOTE: Unanimous (5-0)

### 30-5.A.11.d.2 – Medians in Driveway Entrances

2. Signage may be included within the median under certain circumstances; see Section 30-5.L.7.b.1;

MOTION: Lori Epler moved to change #2 to read "Signage may be included within the median if it meets the requirements of the Fire Code, the Sign Ordinance and Traffic Services.

SECOND: Evelyn Shaw

VOTE: Unanimous (5-0)

### 30-5.A.11.f – Pedestrian Pathways

- Omit section

MOTION: David Guy moved to remove 30-5.A.11.f in its entirety

SECOND: Lori Epler

VOTE: 4-1 with Christine Michaels in opposition

## November 29, 2018

### Present Members

Al Aycock – Chair
Lori Epler
David Guy
John Malzone
Christine Michaels
Evelyn Shaw

Action(s):

### 30-5.A.11.c – Stacking Lanes for Parking Lot Entrances

MOTION: Lori Epler moved to include possible exceptions (Section 30-5.A.11.C) to stacking lane requirements for sites with two or more driveways; applicants should contact staff to discuss exceptions.

SECOND: Evelyn Shaw

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VOTE: Unanimous (5-0)

### 30-5.B.2.a – Applicability

MOTION: Christine Michaels moved to add the exemption for small developments to section 30-5.B.2; except where expressly exempted, these standards shall apply to all development in the City with exemption for two acre small developments of non-conforming lots.

SECOND: Evelyn Shaw

VOTE: Unanimous (5-0)

### 30-5.B.3.e.2 – New Plantings

MOTION: John Malzone moved to change “Plant material not on the list may be approved by the City or the utility provider on a case-by-case basis” to “Plant material not on the list may be approved by the City AND the utility provider on a case-by-case basis”.

SECOND: Evelyn Shaw

VOTE: Unanimous (5-0)

### Table 30-5.B.3.e.2.h – Species Variety

MOTION: Lori Epler moved to delete the last row of Table 30-5.B.3.e.2.h and modify the new final row to read 31+ versus 31-40.

SECOND: John Malzone

VOTE: Unanimous (5-0)

## December 13, 2018

### Present Members

Al Aycock – Chair
Lori Epler
David Guy
John Malzone
Christine Michaels
Evelyn Shaw
John McCauley

Action(s):

### 30-5.B.4.b.2 – Location

MOTION: Lori Epler moved that the linear perimeter footage is exclusive of docks, bays and pedestrian entrances up to 50 percent of the total perimeter linear footage.

SECOND: John McCauley

VOTE: Unanimous (5-0)

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### 30-5.B.4.c.3.b – Interior Vehicular Use Area Landscaping Standards

- b. All rows of parking shall be terminated by a tree planted within a landscape island.

MOTION: John Malzone moved that all rows of interior parking shall be terminated by a tree planted within a landscape island. Perimeter parking detailed in paragraph c. does not require a landscape tree.

SECOND: Lori Epler

VOTE: Unanimous (5-0)

### Figure 30-5.B.4.c – Vehicular Use Area Landscaping

MOTION: Lori Epler moved that City staff amend Figure 30-5.B.4.c. to match subparagraph B as outlined.

SECOND: Evelyn Shaw

VOTE: Unanimous (5-0)

### Figure 30-5.B.4.c – Vehicular Use Area Landscaping

MOTION: Lori Epler moved that at least 50% of all trees required in subparagraph d shall be canopy trees.

SECOND: John McCauley

VOTE: Unanimous (5-0)

## December 13, 2018

### Present Members

Al Aycock – Chair
Lori Epler
David Guy
John Malzone
Christine Michaels
Evelyn Shaw
John McCauley

Action(s):

### Table 30-5.B.4.d.4 – Property Perimeter Buffer Types

MOTION: John McCauley moved to change the wording in to read “An earthen berm that is at least two feet in height or planted with ground cover landscaping materials consistent with the function of and requirements for a Type D buffer (see Table 30-5.B.4.d.4, Property Perimeter Buffer Types) – provided, however that a berm shall not be used in the DT district or if it will replace existing trees of six inches in caliper or more;

SECOND: Christine Michaels

VOTE: Unanimous (6-0)

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**January 10, 2019**

Present Members

Al Aycock – Chair
Lori Epler
David Guy
John Malzone
Christine Michaels
Evelyn Shaw
John McCauley

Action(s):

### **30-5.B.4.d.7 – Location of Buffers**

MOTION: Lori Epler moved to change the wording to state “No trees are to be planted within a drainage or utility easement *except as allowed on a case by case basis by the appropriate authority*”.

SECOND: John Malzone

VOTE: Unanimous (6-0)

### **30-5.B.4.e.3.b - Screening**

MOTION: John McCauley moved to change the wording in to read “An earthen berm that is at least two feet in height, covered with grass or other planted ground covering and planted with other landscaping materials consistent with the function of and requirements for a Type D buffer (see Table 30-5.B.4.d.4, Property Perimeter Buffer Types) – provided, however that a berm shall not be used in the DT district or if it will replace existing trees of six inches in caliper or more;

SECOND: Christine Michaels

VOTE: Unanimous (6-0)

**January 24, 2019**

Present Members

Al Aycock – Chair
Lori Epler
David Guy
Christine Michaels
Evelyn Shaw
John McCauley

Action(s):

### **30-5.B.6.d – Tree Preservation – Tree Survey**

MOTION: John McCauley moved that this read as follows:

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“Generally a tree survey is only required to illustrate the location, species, caliper; and condition of existing trees on the development site which the developer is proposing to save and for which he/she shall receive landscaping or open space credit (see Section 30-5.B.7, Tree Preservation Incentives and Section 30-5.C.4, Bonuses and Incentives); however, a tree survey is required for the purposes of documenting any tree having a caliper of 40 inches or greater. This information is used by the city manager in determining the exact location and extent of required tree protection zone.

### 30-5.B.6.e.1& 2 – Tree Preservation – Specimen Trees Defined; Provisions for Removal

1. Any healthy tree with a caliper measurement meeting or exceeding 40 inches shall be considered to be a specimen tree unless exempted under Section 30-5.B.7a.2.
2. ....specimen trees may be removed upon payment of \$50.00 per caliper inch of the removed tree(s) into the City’s tree fund.

SECOND: David Guy

VOTE: Unanimous (5-0)

### 30-5.C.3.b.2 – Nature of Open Space to be Dedicated

MOTION: Lori Epler moved to add the word “sidewalks” in the following statement: Facilities may include, but are not limited to, tennis courts, swimming pools, clubhouses, athletic fields, basketball courts, play grounds, open play areas, community gardens, roof gardens, green roofs, sidewalks, multi-use trails picnic facilities, and urban amenities such as plazas and fountains. If in question, the usability of the dedicated land shall be at the determination of the city manager.

SECOND: Christine Michaels

VOTE: Unanimous (5-0)

### 30-5.C.3.c.2 – Not Counted as Open Space

MOTION: Lori Epler moved to exclude the following all together. “2. Land occupied by required landscaping, except as noted in Section 30-5.C.4, Bonuses and Incentives”.

SECOND: John McCauley

VOTE: Unanimous (5-0)

### 30-5.C.3.c.4 – Not Counted as Open Space

MOTION: Lori Epler moved to adjust the wording in #4 to read as follows: Public street rights-of-way or private street easements, except the areas of sidewalks and multi-use trails, located within those rights-of-ways or easements. (EXCLUDING THE FOLLOWING: Exceptions may be provided at the discretion of the city manager for rights-of-way accommodating multi-use trails;

SECOND: John McCauley

VOTE: Unanimous (5-0)



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### February 14, 2019

#### Present Members

Al Aycock – Chair
Lori Epler
David Guy
Christine Michaels
Evelyn Shaw
Glenn Adams

Action(s):

#### 30-5.E.5.d - Coordination with Tree Locations

MOTION: Lori Epler moved to have the Ordinance read as follows: Site lighting must be located no closer than 15 feet from the trunk of a canopy tree and five feet from the trunk of an understory tree.

SECOND: Evelyn Shaw

VOTE: Unanimous (5-0)

### February 28, 2019

#### Present Members

Al Aycock – Chair
Lori Epler
John Malzone
John McCauley
Evelyn Shaw
Glenn Adams

Action(s):

#### 30-5.F.4.d.1 - Cul-de-Sac and Street Stubs

MOTION: Lori Epler moved to add “Other requirements exists; refer to Section \_\_\_\_\_ for those requirements.” (City Staff will provide the section number at next meeting.)

SECOND: John Malzone

VOTE: Unanimous (5-0)

### March 14, 2019

#### Present Members

Al Aycock – Chair
Lori Epler
David Guy

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John Malzone
John McCauley
Christine Michaels
Glenn Adams
Deno Hondros

Action(s):

### 30-5.F.9.a.4 – Sidewalks

MOTION: John McCauley moved to removed 30-5.F.9.a.4 altogether, “On cul-de-sacs less than 500 feet in length (in these instances, sidewalks are required only on one side of the street);”

SECOND: Lori Epler

VOTE: Unanimous (7-0)

### 30-5.F.9.d – Sidewalks: Performance Guarantees

MOTION: John McCauley moved to add the following verbiage as indicated below:

30-5.F.9. Sidewalks

D. Performance Guarantees

1. To insure the completion of sidewalks that are required as part of an approved subdivision plan, but are not approved by the City Manager as complete before application for a final plat, the following requirements must be met:

a. Sidewalks required pursuant to this section in accordance with the Ordinance must be constructed on buildable residential lots, prior to the issuance of a certificate of occupancy.

b. Sidewalks required pursuant to this section in accordance with the Ordinance on common areas, detention lots or other non-buildable lots/parcels shall be constructed or bonded by the developer, prior to application for approval of final plat.

SECOND: John Malzone

VOTE: Unanimous (7-0)

### 30-5.G.3.b.2 – Design Standards; Fronting Open Space

MOTION: John McCauley moved to remove the words “front upon” and replace with “abut” so the statement reads: *at least ten percent of all single-family dwellings shall abut an open space dedicated area when part of a single-family detached or attached Development.*

SECOND: Christine Michaels

VOTE: Unanimous (7-0)

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### 30-5.1.3.b.4&5 – Design Standards

MOTION: Lori Epler moved to delete number four from 30-5.1.3.b.4 and changing subparagraph 30-5.1.3.b.5 to be subparagraph 30-5.1.3.b.4.

SECOND: Christine Michaels

VOTE: Passed (4-2) John Malzone and Glenn Adams in opposition

**March 28, 2019**

Present Members

Al Aycock – Chair
Lori Epler
David Guy
John Malzone
John McCauley
Christine Michaels
Glenn Adams
Deno Hondros

Action(s):

### 30-5.F.8.a.1 – Maximum Driveway

MOTION: Lori Epler moved to make the following changes to 30-5.F.8 Maximum Driveway Width.  
a. Maximum driveway width for the first 12 feet of driveway, as measured from the street pavement edge, shall be limited in accordance with the following maximum driveway width standards, unless the city manager determines a greater width is required because of projected traffic volumes: 1. Single-family attached, detached, and two- to four-family residential: 16 feet for single car garage, and 24 feet for a two or more car garage

SECOND: Deno Hondros

VOTE: Unanimous (7-0)

### 30-5.1.3.e.2. – Design Standards

MOTION: Lori Epler moved for #2 to read as follows: Neighborhood Commercial District – Single-story commercial, office, and mixed-use development in the NC district shall be configured to locate a minimum of 70 percent of required surface off-street parking to the side or rear of the building. Buildings of two or more stories may locate up to two rows of off-street surface parking between the primary building entrance and the street it faces, when a vegetated buffer in accordance with Table 30-5.B.4.c.5, Street Yard Buffer Requirements, is provided.

SECOND: John Malzone

VOTE: 6-1, with one in opposition

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### 30-5.I.3.g. – Auto-Oriented Uses

MOTION: Lori Epler moved to have the words “unless approved by the city manager” at the very end of the sentence under Auto-Oriented Uses.

SECOND: Christine Michaels

VOTE: Unanimous (7-0)

### 30-5.I.3.h.4. & 5. – Display Windows for Vacant Commercial Establishment in DT Downtown

MOTION: Christine Michaels moved to have #4 read as follows: Artwork or other materials provided by the Downtown Alliance, or other agencies approved, specifically for this purpose.

\*Also, in the Paragraph directly above #1 in this section it will read as follows: *Prior to installation, the city manager or his or her designee shall review and approve a plan prepared by the applicant to assure that the plan will adequately comply with one or more of the following:*

\*5. *Other measures consistent with these examples, if approved in writing by the city manager or his or her designee, in his/her discretion. Displays should cover 50% of the window. If the display does not cover the entire window, the unoccupied (or vacant) space should be screened to obscure it.*

SECOND: John Malzone

VOTE: Unanimous (7-0)

**April 11, 2019**

Present Members

Al Aycock – Chair
Lori Epler
David Guy
John McCauley
Evelyn Shaw
Deno Hondros

Action(s):

### 30-5.K.2.a.1. – Transitional Standards General

MOTION: Lori Epler moved to have the words single-family detached zero lot line removed and #1 read as follows: *1. Commercial, industrial, mixed-use, attached residential and multi-family developments located on land adjacent to or across a local street or alley from existing single-family detached residential development.*

SECOND: John McCauley

VOTE: Unanimous (5-0)

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### 30-5.K.2.b.1. – Transitional Standards Exemptions

MOTION: Lori Epler moved to have the words single-family detached zero lot line removed and to have #1 read as follows: *1. Commercial, industrial, mixed-use, attached residential and multi-family developments located on lots across a four-or-more-lane street, sub-collector, collector, or arterial street from single-family detached residential development;*

SECOND: John McCauley

VOTE: Unanimous (5-0)

### 30-5.K.3. – Transitional Standards

MOTION: Lori Epler moved to have the words perimeter zero lot line removed and to have the first paragraph read as follows: *All commercial, industrial, mixed-use, attached residential and multi-family developments subject to this section shall comply with the following standards:*

SECOND: John McCauley

VOTE: Unanimous (4-0)

**April 25, 2019**

Present Members

Al Aycock – Chair
Lori Epler
Evelyn Shaw
Christine Michaels
Deno Hondros

Action(s):

### 30-5.K.3.b.2. – Building Facades

MOTION: Lori Epler moved to change the wording in #2 to read as follows: *Facades greater than 80 feet in length facing residential development, shall be configured to appear as a series of discrete storefronts with no single storefront occupying more than 50 percent of the total façade width, unless a buffer is otherwise required adjacent to the residential development.*

SECOND: Deno Hondros

VOTE: 3-0-1, with Christine Michaels abstaining

### 30-5.K.3.b.4. – Building Facades

MOTION: Lori Epler moved to change the wording in #4 to read as follows: *Use similarly sized and patterned architectural features such as windows, doors, awnings, arcades, pilasters, cornices, wall offsets, building materials, and other building articulations found on adjacent residential development unless a buffer is other-wise required adjacent to the residential development and*

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SECOND: Deno Hondros

VOTE: Unanimous (4-0)

**May 9, 2019**

Present Members

Al Aycock – Chair
Lori Epler
David Guy
Evelyn Shaw
Christine Michaels
Deno Hondros

Action(s):

### **30-5.K.3.b.2. – Building Facades**

MOTION: Lori Epler moved to amend to read, “Uses providing delivery services via automobile or truck larger than 6,000 lbs. or commercial for hire.”

SECOND: Evelyn Shaw

VOTE: Unanimous (5-0)