



Legislation Details (With Text)

**File #:** 18-250      **Version:** 2      **Name:** Text Amendments to the UDO

**Type:** Public Hearing (Public & Legislative)      **Status:** Agenda Ready

**File created:** 5/25/2018      **In control:** City Council Regular Meeting

**On agenda:** 6/25/2018      **Final action:** 10/14/2025

**Title:** Proposed Text Amendments to the Unified Development Ordinance that include 4 Housekeeping Items, 2 Allowance for Alternative Plans and 1 Change to the Review Process

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Summary of Amendments, 2. NC bldg code, 3. 1) accessory structure ord, 4. 2) churches house homeless ord, 5. 3) parking space-aisle one way ord, 6. 4) ncdot reservation and dedication ord, 7. 5) admin adj elevations ord, 8. 6) alt parking transition ord, 9. 7) site plans to trc ord

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Members of City Council

**THRU:** Jay Reinstein, Assistant City Manager

**FROM:** Gerald Newton, AICP, Development Services Director  
Marsha Bryant, Development Advocate

**DATE:** June 25, 2018

**RE:** Proposed Text Amendments to the Unified Development Ordinance. Amendments include 4 housekeeping items, 2 allowances for alternative plans, and 1 change to the review process.

**COUNCIL DISTRICT(S):**  
District: All

**Relationship To Strategic Plan:**  
Fayetteville will be a highly desirable place to live, work and recreate with thriving neighborhoods and a high quality of life for all residents.

**Executive Summary:**  
Seven text amendments to the UDO are suggested for approval by the professional planners and the Planning Commission.

The proposed 7 text amendments include four housekeeping items and three suggested improvements.

They are as follows:

- 1) Increase the size allowance for accessory structures in the AR district,
- 2) Allow temporary homeless shelters at churches,
- 3) Standards for one-way drive aisle and parking spaces,
- 4) Requires street designs to include NCDOT reservation and dedication requirements;
- 5) Allowance for alternative building elevation plans through an administrative adjustment process,
- 6) Allowance for an alternative parking plan to increase parking in the Transitional Standards, and
- 7) Revision of the site plan review process, thus increasing plans that are considered Major Site Plans.

**Background:**

Development Services is to bring proposed text amendments to Council twice a year, spring and fall. We brings forth 7 possible amendments for Council consideration. The Planning Commission held a public hearing on May 15, 2018 and voted unanimously to recommend Approval of the amendments.

**Issues/Analysis:**

Proposed Amendments:

1. **AR District Accessory Structures:** The amendment will increase the maximum allowed size of accessory structures in the AR district from 15% of the total lot coverage to 25%. This will be more consistent with the maximum allowed in the SF15 and SF10 districts.
2. **Temporary Homeless Shelters at Churches:** The amendment will allow temporary homeless shelters as an accessory use to a church; this is consistent with the NC Building Code.
3. **One-Way Drive Aisles:** The amendment establishes drive aisle and parking space standards for one-way traffic which is not currently addressed in the Code.
4. **NCDOT Reservation and Dedication Requirements:** The amendment requires State maintained streets that are within the City Limits to adhere to NCDOT right-of-way reservation and dedication requirements.
5. **Alternative Elevation Plans:** The amendment revises the existing Administrative Adjustment Code to allow the Alternative Elevation Plan option for Commercial, Office, and Mixed Use developments through the same process that is currently in the Code for Large Retail developments. The resultant code will allow architectural design flexibility that does not currently exist in the Code when determined by staff to be acceptable.
6. **Alternative Parking Plans:** The amendment revises the Transitional Standards that currently allows an Alternative Parking Plan to decrease the number of parking spaces to also allow an Alternative Parking Plan to increase the number of parking spaces when determined by staff to be acceptable.
7. **Site Plan Review Process:**
  - i. The proposed amendment changes the definition of a Major Site Plan in two ways. (1) Changes development that is 2,500 sq. ft. or more to development that is 1,000 sq. ft. or more and, (2) development that is 8 units or more to development that is 5 units or more will be considered a Major Site Plan.
  - ii. The proposed amendment changes the definition of a Minor Site Plan in two ways. (1) Changes development that is less than 2,500 sq. ft. to development that is less than 1,000 sq. ft. and, (2) development that is less than 8 units to development that is less than 5 units will be considered a Minor Site Plan.
  - iii. While all development must comply with the Ordinance, Major Site Plans are reviewed by the Technical Review Committee (TRC) and Minor Site Plans

are reviewed through the permit application process.

- iv. Based on 2016 and 2017 statistics, this amendment will result in about 7 more projects per year being considered a Major Site Plan vs. a Minor Site Plan.
- v. Staff believes this amendment is needed as many of the Minor Site Plans are already being reviewed by the TRC as a courtesy review. The courtesy review is happening because the project design teams find it helpful to meet with the TRC members, who provide input and discuss regulations as a group, versus the design team meeting with staff members on an individual basis.

**Budget Impact:**

If amendment # 7 moves forward, it will slightly increase the revenue received for site plan review fees as the number of Major Site Plans will increase slightly.

**Options:**

- 1) Approve all or some of the 7 proposed amendments.
- 2) Direct staff to further research all or some of the 7 proposed amendments.
- 3) Deny all or some of the 7 proposed amendments.

**Recommended Action:**

Staff recommends approval of all 7 proposed amendments.

**Attachments:**

Summary of Proposed Amendments to include:

Current Code Redlined to Show Amendments  
Explanations of why the Amendments are needed  
Excerpts of the NC Building Code regarding Temporary Homeless Shelters  
Ordinances of Amendments