



Legislation Details (With Text)

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On agenda: 9/26/2022 **Final action:**
Title: TA22-02: Text Amendments to Article 30 of the Unified Development Ordinance to develop a University and College Zoning District. This case is related to rezoning case P22-15.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance Section 30-3.E.pdf, 2. Ordinance Section 30-4.C.3.9.1.b.pdf, 3. Ordinance Section 30-4.C.4.e.pdf, 4. Ordinance Section 30-4.C.4.g.pdf, 5. Ordinance Section 30-5.L.pdf, 6. Ordinance Table 30-1.G.pdf, 7. Ordinance Table 30-3.B.pdf, 8. Ordinance Table 30-3.F.pdf, 9. Ordinance Table 30-4.A.pdf, 10. Ordinance Table 30-4.D.2.pdf, 11. Ordinance Table 30-5.A.4.pdf, 12. Ordinance Table 30-5.B.4.d.pdf, 13. Ordinance Table 30-5.L.8.pdf, 14. Signed Consistency Statement

Date	Ver.	Action By	Action	Result
9/26/2022	1	City Council Regular Meeting		

TO: Mayor and Members of City Council

THRU: Telly C. Whitfield, Ph.D. - Assistant City Manager
Dr. Gerald Newton, AICP - Development Services Director
Jennifer C Baptiste, CZO - Planning and Zoning Division Manager

FROM: Jennifer C. Baptiste - Planning and Zoning Division Manager
Chester Green - Senior Planner
Heather Eckhardt - Planner II

DATE: September 26, 2022

RE:

TA22-02: Text Amendments to Article 30 of the Unified Development Ordinance to develop a University and College Zoning District. This case is related to rezoning case P22-15.

COUNCIL DISTRICT(S):

Various

Relationship To Strategic Plan:

Strategic Operating Plan FY 2021

Goals 2026

Goal 2: Responsible City Government Supporting a Diverse and Viable Economy

- Objective 2.3 - Sustain a favorable development climate to encourage business growth

Goal 3: City Investment in Today and Tomorrow

- Objective 3.1 - Enhance City street connectivity, traffic flow and stormwater systems
- Objective 3.2 - Manage the City's future growth and strategic land use

Goal 4: Desirable Place to Live, Work and Recreate

- Objective 4.3 - Improve mobility and connectivity through sidewalk, trail and bike lane investments

Goal 6: Collaborative Citizen & Business Engagement

- Objective 6.2 - Ensure trust and confidence in City government through transparency and high quality customer service

Executive Summary:

Due to recommendations identified as part of both the Murchison Road/Bragg Boulevard Plan and the Future Land Use Plan and Map, staff is preparing to rezone properties identified as being owned and associated with local universities and colleges. Specifically, the rezonings will cover properties associated with Fayetteville State University (FSU), Methodist University (MU), and Fayetteville Technical Community College (FTCC).

Staff has examined the Unified Development Ordinance for items that could be amended to assist with the growth and development of our local universities and colleges. These updates are guided by specific recommendations from representatives of the schools and best practices.

At the December 13, 2021 City Council Regular Meeting, the City Council directed Planning Staff to draft proposed changes to the Unified Development Ordinance (UDO) and the City's Official Zoning Map to support local Universities and College.

On March 1, 2022, Planning Staff held a virtual public meeting (via Zoom) to engage stakeholders and solicit feedback on proposed modification to the UDO and introduce the concept of the new Universities & Colleges (UC) zoning district.

These proposed text amendment changes received an unanimous recommendation of approval from the Planning Commission on March 15, 2022.

The map amendments were heard by the Zoning Commission on April 12, 2022. The Commission recommended unanimously to approve the proposed map amendment as presented.

This staff report covers only the text amendment aspect of the process and is related to P22-15. P22-15 is the staff report regarding the rezoning portion of this case.

Background:

The Murchison Road/Bragg Boulevard Plan and the Future Land Use Plan and Map proposed rezoning properties associated with FSU, MU, or FTCC to allow for continuity and provide for the easier future planning of higher education properties. This will include signage, parking, and other development standards.

Issues/Analysis:

Colleges & Universities in the City of Fayetteville have a variety of zoning districts associated with their sites. Depending on the location of the institution and the zoning district, each school is subject to different development standards.

Fayetteville State University has multiple zoning districts associated with its main campus. Zoning districts vary from single family zoning districts such as Single-Family 6 (SF-6) and Mixed-Residential 5 (MR-5) to commercial districts such as Community Commercial (CC) and Limited Commercial (LC). This rezoning would include approximately 60 parcels.

Methodist University also has multiple zoning districts associated with its main campus. The majority of the campus is zoned as Planned Neighborhood Development (PND), but there are also Single-Family Residential 10 (SF-10), Limited Commercial (LC), and Office and Institutional (OI) zoned properties. For the Methodist University, approximately six (6) parcels would be the subject of the rezoning.

Lastly, Fayetteville Technical Community College's main campus is mixed zoned with Single-Family 6 (SF-6), Single-Family 15 (SF-15), Office and Institutional (OI), and Community Commercial (CC) zoning districts. The main campus consist of approximately 30 parcels to be rezoned.

The proposal is for these properties were more fully evaluated and are recommended for the proper zoning districts under the related rezoning P22-15.

After thorough analysis of the applicable recommendations, Planning Staff drafted text and map amendments to the Unified Development Ordinance (UDO). The text amendments (TA 22-02) update the terms of the zoning and development regulations, and the map amendments (P22-15) update the boundaries and labels of the zoning districts. Because both types intertwined in the University and College recommendations, both are described here. However, only the text amendments are included in this CCAM (since the Rezoning CCAM is also presented this evening).

The following is an overview of the text amendments. (See attached summary analysis spreadsheet for a list all proposed text amendments and applicable sections of the UDO.)

- A single University and College zoning district that will encompass the main campuses of the institutions. The minimum acreage for any institution seeking this zoning district in the future is ten (10) acres.
- Use Table and Use-Specific Standards. The Use Table (Table 30-4.A.2) is amended by adding "UC" classification. Each land-use type listed in the Use Table was evaluated to determine its impact on the stated purposes of the new districts, and was then categorized as: permitted, prohibited, or requiring of a Special Use Permit (SUP). Instances that require an SUP were minimized to encourage unhampered development. For certain uses, the Use-Specific standards were updated to ensure compatibility with the Plan's recommendations. Overall, the goal is to allow as many uses as possible without addition impediments.
- Technical development standards. Technical development standards, including landscaping and signage, are modified to enhance the visual quality of the area, emphasize the pedestrian experience, and encourage businesses and retail activity.

Budget Impact:

It is expected that proposed changes to the zoning and development standards in the University and Colleges area will encourage development and increase tax revenues for the City.

Options:

City Council shall hold a legislative hearing on the application in accordance with the Fayetteville City Code. After the close of the hearing City Council shall consider the application, relevant support materials, the staff report, and any comments given by the public. City Council shall take one of the following actions:

- 1) City Council shall adopt all or some of the proposed text amendments;
- 2) City Council shall deny the proposed text amendments;
- 3) City Council revise and adopt the proposed text amendments; or
- 4) City Council remand back to Staff for further consideration.

Recommended Action:

Professional Planning Staff and the Planning Commission recommends Option 1.

Attachments:

1. Ordinance Table 30-1.G.6
2. Ordinance Table 30-3.B.1
3. Ordinance Section 30-3.E.12
4. Ordinance Table 30-3.F.1
5. Ordinance Table 30-4.A.2
6. Ordinance Section 30-4.C.3.9.1.b.2
7. Ordinance Section 30-4.C.4.e.1
8. Ordinance Section 30-4.C.4.g.1
9. Ordinance Table 30-4.D.2.E
10. Ordinance Table 30-5.A.4.b
11. Ordinance Table 30-5.B.4.d.5
12. Ordinance Table 30-5.L.8.A
13. Ordinance Section 30-5.L.10
14. Consistency Statement