

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 22-04
(City of High Point)

From: Chris Andrews,
Interim Planning and Development Director

Meeting Date: April 18, 2022

Public Hearing: Yes

Advertising Date: April 6, 2022, and
April 11, 2022

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by the High Point City Council to rezone 475 properties, totaling approximately 137.8 acres, as part of the Comprehensive Zoning Map Amendment project.

- a) To rezone 471 parcels, totaling approximately 136.7 acres, from the Residential Multifamily – 16 (RM-16) District to the Single Family Residential – 7 (R-7) District. The parcels are located south of E. Green Drive, along the north and south sides of Kerns Avenue, east of University Parkway and along both sides of Pershing Street/Hines Street and west of Worth Avenue.
- b) To rezone four parcels, totaling approximately 1.1 acres, from the Limited Business (LB) District to the Single Family Residential – 7 (R-7) District. The parcels are located at the southwest corner of E. Green Drive and Arch Street.

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their March 22, 2022 public hearing. All members of the Commission were present except for Ms. Angela McGill, Mr. Terry Venable, Mr. Mark Walsh, and Mr. Ray Wheatley. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request was Mr. Leon Lee, representing Oak Grove Missionary Baptist Church at 1710 E. Green Drive. He wanted to make sure the rezoning would not negatively impact the use of this property for a church use. Mr. Shannon explained that the churches property is currently split zoned between two zoning districts. The proposed rezoning would place all their property under a single zoning district and would not negatively impact the continued use of this property as a church.

There were no speakers in opposition to this request.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation

Staff recommended *approval* of this request as outlined in the attached staff report.

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended *approval* of this request, as recommended by staff, by a vote of 5-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 5-0 to approve the following statement:

That Zoning Map Amendment 22-04 is consistent with the City's adopted policy guidance because, the zoning map amendment for these residential neighborhoods is supported by Goal #1 of the Land Use Plan, which encourages development that enhances and preserves established neighborhoods. Furthermore, the request is reasonable and in the public interest because the amendments are needed to better match the way these neighborhoods have developed.

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
ZONING MAP AMENDMENT ZA-22-04
March 22, 2022**

Request

A request by the High Point City Council to rezone 475 properties, totaling approximately 138 acres, as part of the Comprehensive Zoning Map Amendment Project. This request focuses on lands within the center of the eastern portion of the Core City Area lying south of E. Green Drive and east of S. University Parkway. Current land uses in this area consist of single-family homes, duplexes and two multifamily uses, churches, and a neighborhood park.

Background

The purpose of the Comprehensive Zoning Map Amendment Project is to review and evaluate the zoning of land throughout the city, identify areas where the zoning is out of sync with the existing use of land or is inconsistent with current land use policy, and propose appropriate changes in zoning for those areas. A primary goal of the project is to remove improper or obsolete zoning districts that may be acting as a barrier to development. The Comprehensive Zoning Map Amendment Project was initiated in 2017. The City Council initiated this current fourth round of zoning evaluations, associated with this request, in December 2020.

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Residential Multifamily – 16 (RM-16)	Residential Single Family – 7 (R-7)
<i>Purpose & Intent:</i>	<p><u>RM-16 District</u> The RM-16 District is established to accommodate a mix of residential development at around 16 units an acre, that is served by public water and sewer. District regulations encourage the development of functioning neighborhoods that include a mix of housing types and a variety of institutional uses. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed.</p> <p><u>LB District</u> The LB district is established to primarily accommodate low to moderate intensity office, retail, and personal service uses adjacent to and within residential neighborhoods. In addition to commercial uses, the district also allows a variety of residential and institutional uses in stand-alone structures as well as in mixed-use developments.</p>	<p><u>R-7 District</u> The R-7 District is established to accommodate principally single-family detached dwellings developed at a density of 7 units an acre that is served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed. District regulations discourage uses that interfere with the development of residential development or that is detrimental to the residential nature of the district.</p>

<i>Current Uses:</i>	Permitted	Staff has identified a 5 individual parcels (each developed with a multifamily use) that would become nonconforming. The use may continue under the non-conforming use standards of the ordinance. These lots have sufficient area and width to be subdivided to create conforming R-7 District parcels.
<i>Conditions</i>	None	None

	Adjacent Zoning	Adjacent Land Use
North:	Residential Single Family – 5 (R-5) District Residential Single Family – 7 (R-7) District Residential Multifamily–16 (RM-16) District	Single family dwellings, church, a multifamily use, and undeveloped parcels (<i>lying along the opposite side of E. Green Drive</i>)
South:	Residential Single Family – 5 (R-5) District Parks and Natural Resources (PNR) District	Single family dwelling and City golf course
East:	Residential Single Family – 5 (R-5) District Residential Multifamily–16 (RM-16) District Parks and Natural Resources (PNR) District	Single family dwelling and City golf course
West:	Residential Multifamily–16 (RM-16) District	Single family dwellings (<i>lying along the opposite side of S. University Parkway</i>)

Land Use Plan Classification
The area is designated as follows: <ul style="list-style-type: none"> • Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre. • Recreation/Open Space: Lands for recreation or open space are included in this classification, offering either active use or passive enjoyment and environmental protection.

Analysis

Lands lying south of E. Green Drive and north of Kerns Avenue and west of S. University Parkway consist of multiple residential subdivision that were platted and recorded between 1921 and 1948. As time went on, lots were either combined or re-subdivided to create their current configuration. Based on review of historic aerial photos, dating back to 1958, this area was initially developed as a single-family neighborhood. A street-by-street survey of this area conducted by the Planning and Development Department during the summer of 2020 reveals that this area is primarily developed with single family detached dwellings.

The Land Use Plan classifies this area as Low Density Residential which primarily supports single family detached dwellings on individual lots at a density of five dwelling units per acre. However, the RM-16 District that currently governs land uses in this area permits multifamily development at a density of 16 units per acre. The introduction of higher density residential development, in the middle of an established single-family neighborhood, is not compatible with the manner in which this area has developed or with the Low-Density Residential land use classification governing this area. Thus, this application proposes

rezoning to the R-7 District as it more accurately reflects the way this area has developed and will assist in ensuring the long-term stability of this single-family neighborhood.

There is no opposition to higher-density development in this portion of the Core City, but such a proposal is preferable when located on the outer edges of neighborhoods abutting streets classified as collectors, or higher. Furthermore, such a development should occupy most of a city block and have ample land area to ensure it can provide sufficient buffering to adjacent single family land uses. As currently zoned some lots could be combined and a multifamily use, with limited land area and buffering, can be imposed upon residents in the middle of an otherwise single-family residential block. The goal of this rezoning is to ensure the stability of what has been established as a single-family neighborhood.

The proposed R-7 District offers some development flexibility, which is supported by the Core City Plan. The districts not only allow single family homes, but subject to meeting specific development standards, support a mixture of residential uses such as duplexes, single-family attached dwellings (townhomes) and triplex/quadplex dwellings.

Consistency with Adopted Policy Guidance

Whether and the extent to which the proposed conditional zoning district is appropriate for its proposed location, and is consistent with the City’s adopted policy guidance.

The zoning map amendment for these residential neighborhoods is supported by Goal #1 of the Land Use Plan, which encourages development that enhances and preserves established neighborhoods.

Reasonableness/Public Interest:

Why a decision to approve, or to deny, the proposed conditional zoning would be reasonable and in the public interest.

The amendments are needed to better match the way these neighborhoods have developed.

Recommendations

Staff recommends approval of the request to rezone approximately 138 acres to the Residential Single Family – 7 (R-7) District.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City’s Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the statement(s) as written in this report or with any additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with the consistency statement(s) in this report, by adoption of its own statement.

City Council:

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City’s Land Use Plan and other plans as may be applicable. This may be done by adopting the statement(s) as written in this report, or with any additions or changes as agreed upon by the Council, or, if the Council is in disagreement with the consistency statement(s) in this report, by adoption of its own statement.

Report Preparation

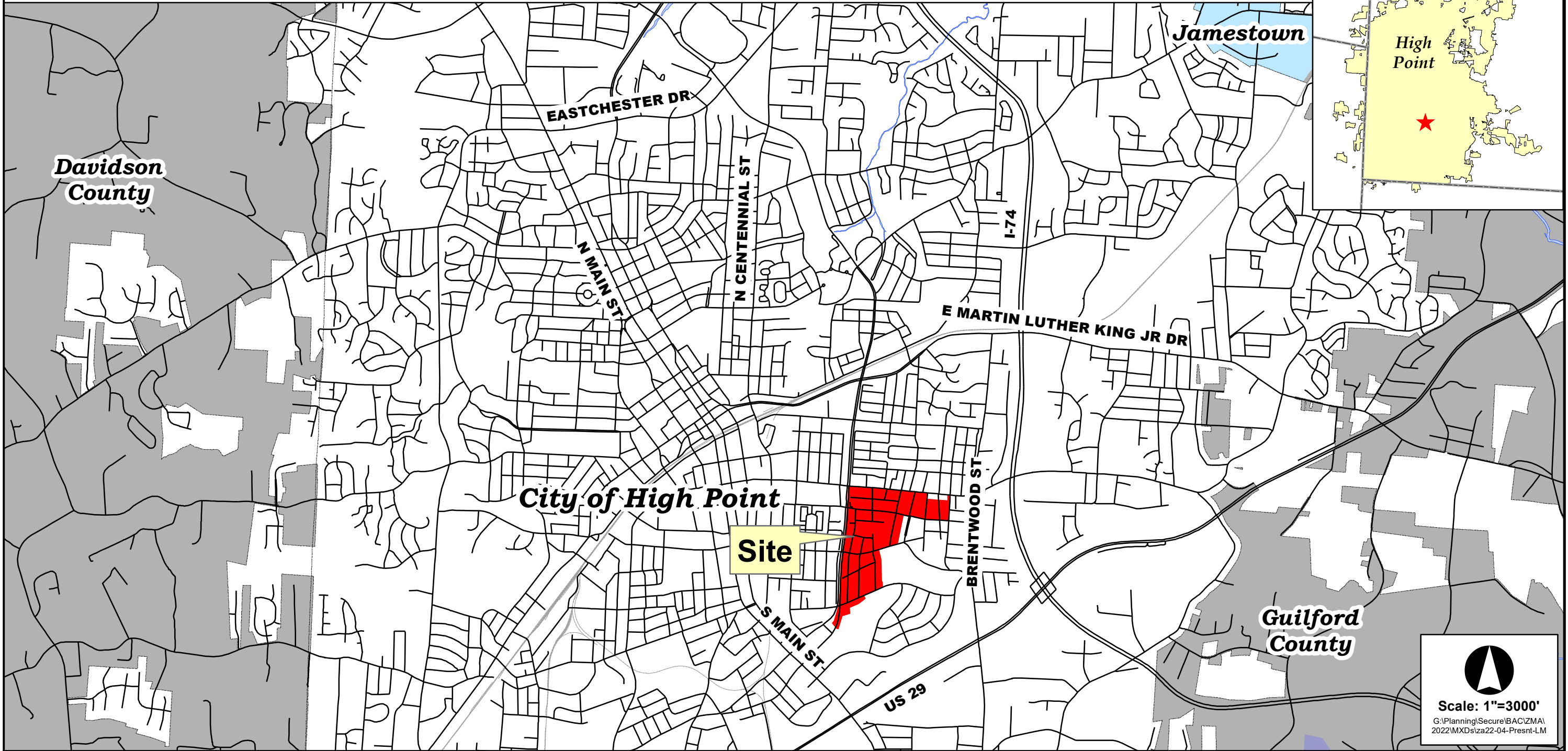
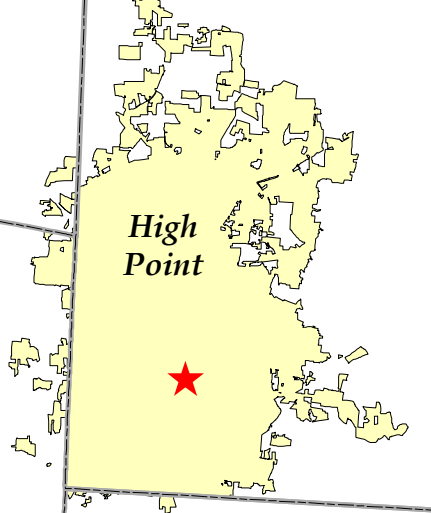
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Interim Planning and Development Director.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-22-04

Applicant: City of High Point

Vicinity Map



Davidson
County

Jamestown

City of High Point

Site

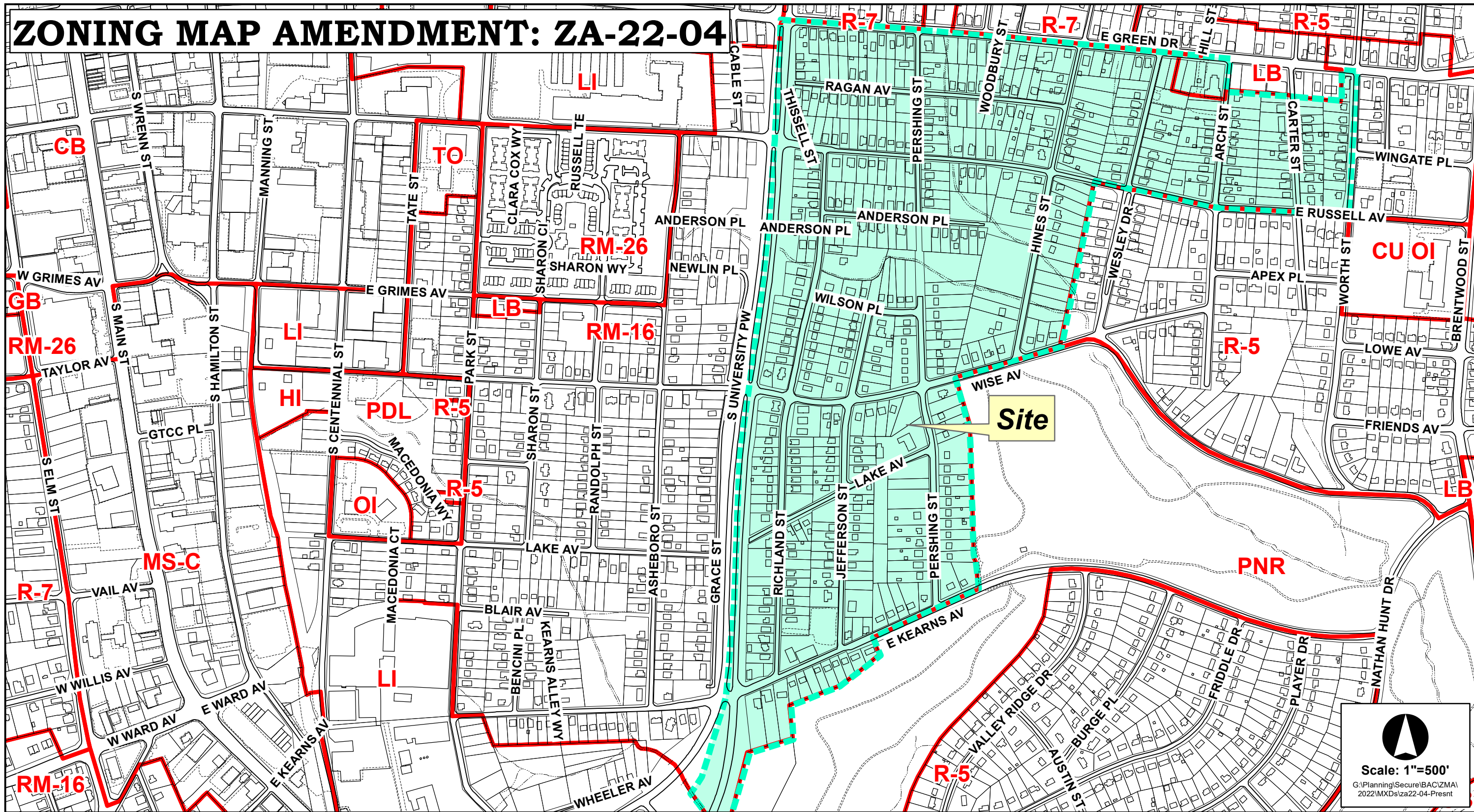
Guilford
County



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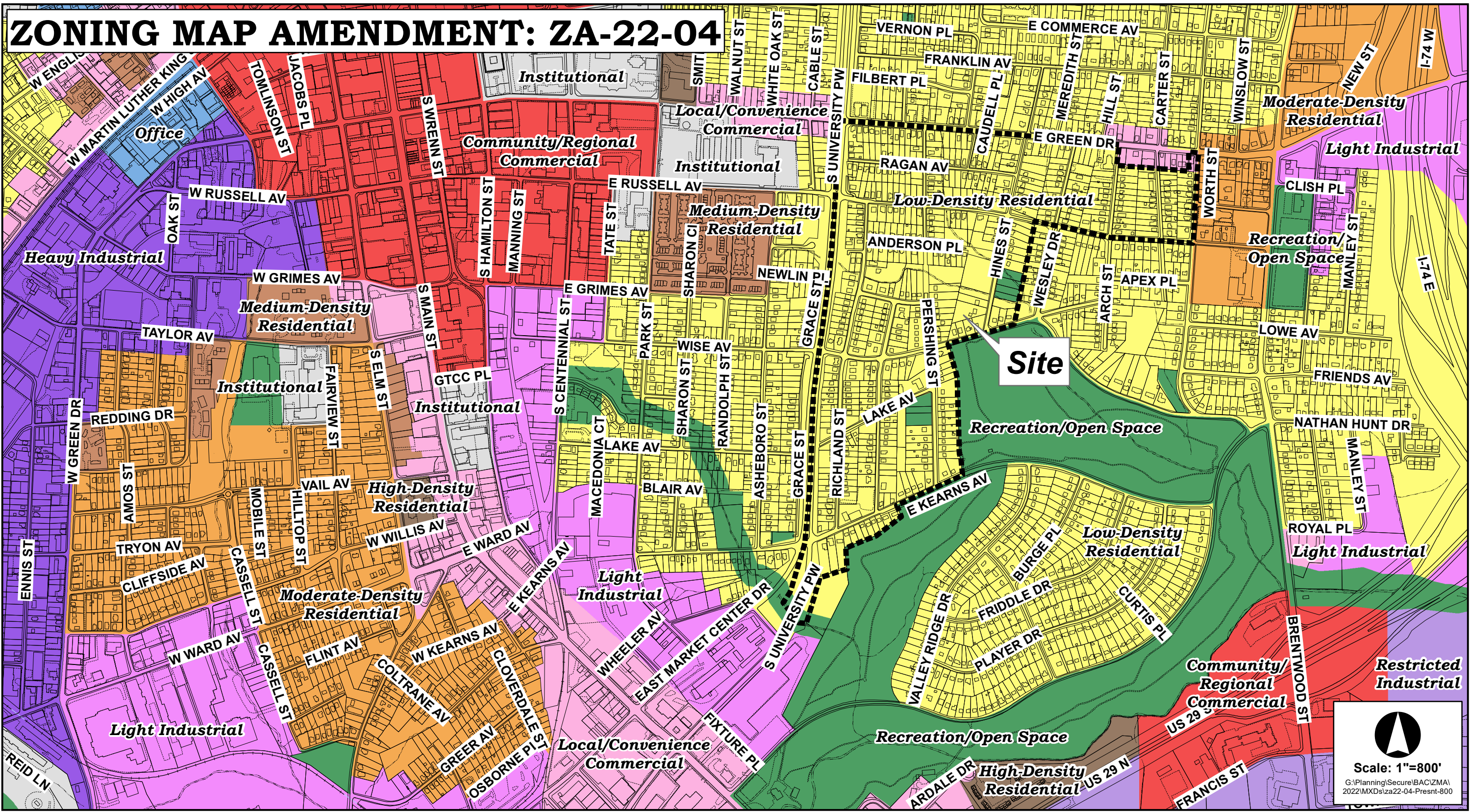
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ZONING MAP AMENDMENT: ZA-22-04



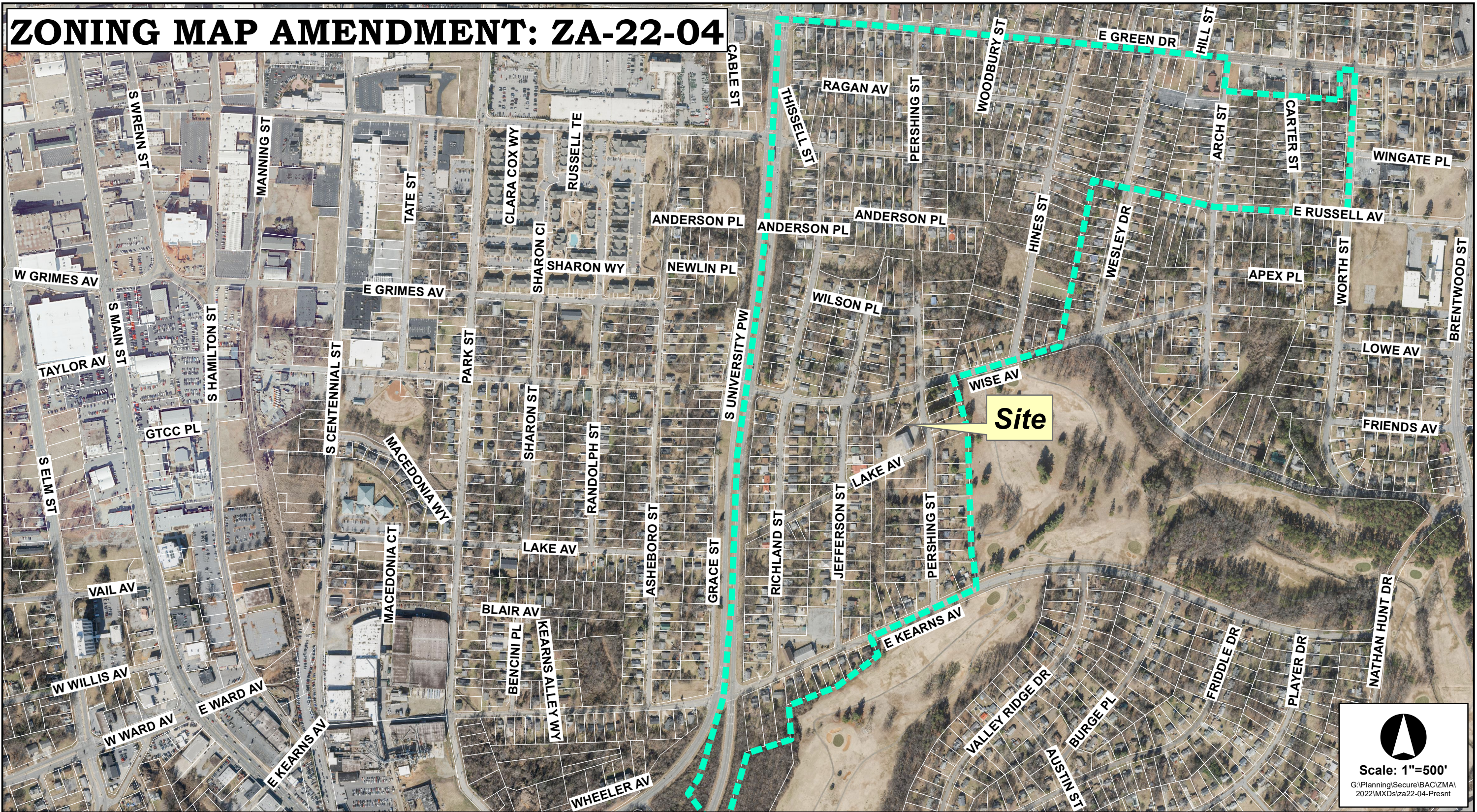
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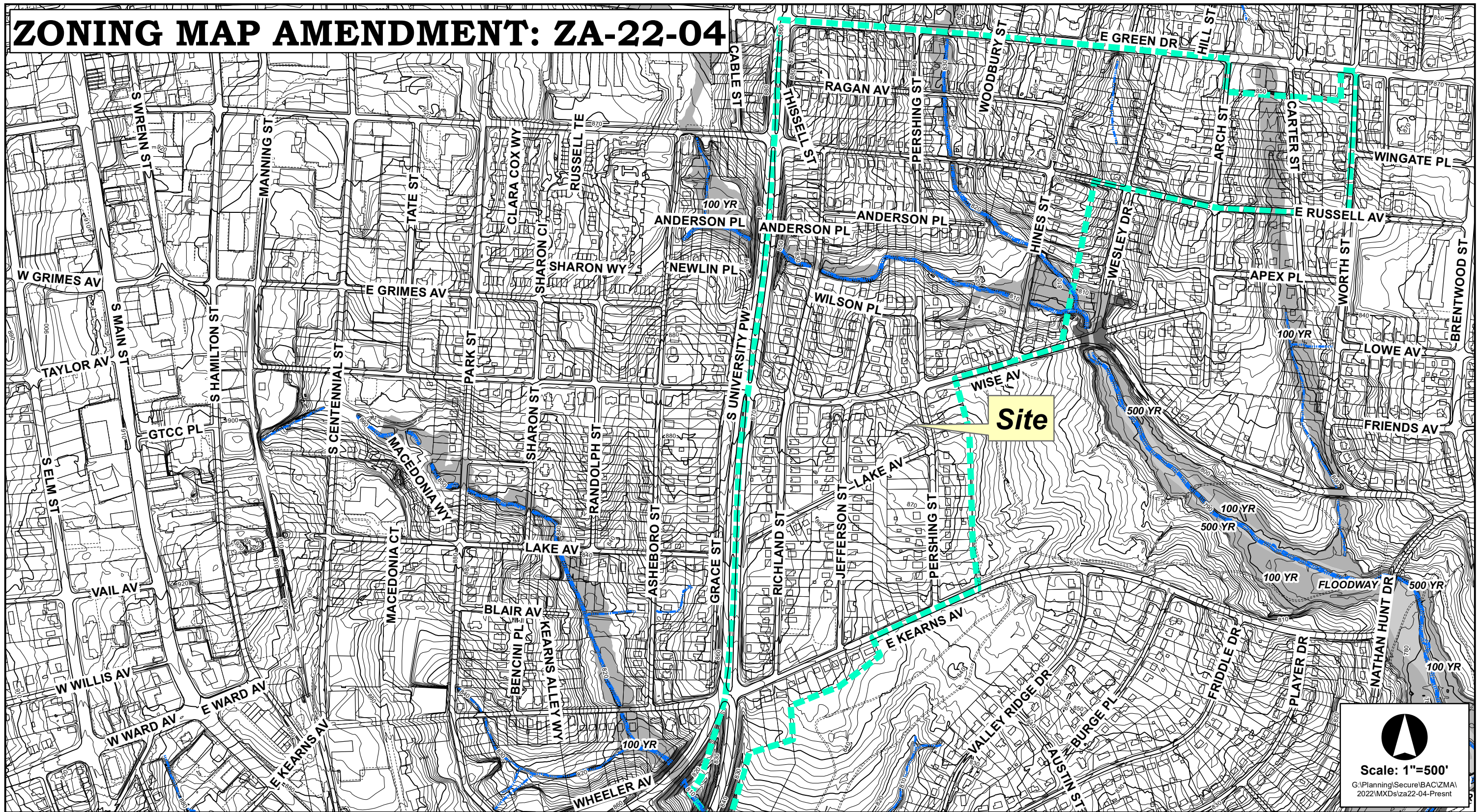
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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on March 22, 2022 and before the City Council of the City of High Point on April 18, 2022 regarding **Zoning Map Amendment Case 22-04 (ZA-22-04)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on March 13, 2022, for the Planning and Zoning Commission public hearing and on April 6, 2022 and April 13, 2022, for the City Council public hearing pursuant to Chapter 160D-602 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on **April 18, 2022**.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Single Family – 7 (R-7)**. Approximately 136.7 acres, lying south of E. Green Drive, along the north and south sides of Kerns Avenue, east of University Parkway and along both sides of Pershing Street/Hines Street and west of Worth Avenue. The parcels area also known as Guilford County Tax Parcels 173973, 173974, 173975, 173976, 173977, 173978, 173979, 173980, 173981, 173982, 173983, 173984, 173985, 173986, 173987, 173988, 173989, 173990, 173991, 173992, 173993, 173994, 173995, 173996, 173997, 174060, 174061, 174062, 174063, 174064, 174065, 174066, 174067, 174068, 174069, 174070, 174071, 174072, 174165, 174166, 174167, 174168, 174169, 174170, 174171, 174172, 174173, 174174, 174175, 174176, 174177, 174178, 174179, 174180, 174181, 174182, 174183, 174184, 174185, 174186, 174187, 174188, 174189, 174190, 174191, 174192, 174193, 174194, 174195, 174196, 174197, 174198, 174199, 174200, 174201, 174202, 174203, 174204, 174205, 174206, 174207, 174208, 174209, 174210, 174211, 174212, 174213, 174214, 174215, 174216, 174217, 174218, 174219, 174220, 174221, 174222, 174223, 174224, 174225, 174226, 174227, 174228, 174229, 174230, 174231, 174232, 174233, 174234, 174235, 174236, 174237, 174238, 174239, 174240, 174241, 174242, 174243, 174244, 174245, 174246, 174247, 174248, 174249, 174250, 174251, 174252, 174253, 174254, 174255, 174256, 174257, 174258, 174259, 174260, 174261, 174262, 174263, 174264, 174265, 174266, 174267, 174268, 174269, 174270, 174271, 174272, 174273, 174274, 174275, 174276, 174277, 174278, 174279, 174280, 174281, 174282, 174283, 174284, 174285, 174392, 174393, 174395, 174396, 174397, 174398, 174399, 174400, 174401, 174402, 174403, 174404, 174405, 174437, 174438, 174439, 174466, 174467, 174468, 174469, 174470, 174471, 174728, 174729, 174730, 174731, 174732, 174733, 174734, 174735, 174736, 174737, 174738, 174739,

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SECTION 2

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Single Family – 7 (R-7)**. Approximately 1.1 acres, lying at the southwest corner of E. Green Drive and Arch Street. The parcels area also known as Guilford County Tax Parcels 175130, 175131, 175132, 175153.

SECTION 3

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 4

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 18th day of April, 2022

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk