

CITY OF HIGH POINT AGENDA ITEM



Title: Zoning Map Amendment 21-34
(City of High Point)

From: Chris Andrews,
Interim Planning & Development Director

Meeting Date: February 21, 2022

Public Hearing: Yes

Advertising Date: February 9, 2022, and
February 16, 2022

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by the High Point City Council to rezone 568 properties, totaling approximately 124.8 acres, as part of the Comprehensive Zoning Map Amendment project.

- a) To rezone 561 parcels, approximately 123.3 acres, from the Residential Multifamily – 16 (RM-16) District and the Residential Multifamily – 26 (RM-26) District to the Residential Single Family – 7 (R-7) District. The parcels are located south of E. Martin Luther King Jr. Drive, north of E. Green Drive, east of S. University Parkway and west of Meredith Street.
- b) To rezone 7 parcels, totaling approximately 1.5 acres, from the Residential Multifamily – 16 (RM-16) District and the Limited Business (LB) District to the Residential Single Family – 5 (R-5) District. The parcels are located north of E. Green Drive, between Meredith Street and Hill Street.

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their January 25, 2022 public hearing. All members of the Commission were present except for Mr. Alex Moore. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

There were no speakers in opposition to the 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 8-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 8-0 to approve the following statement:

That Zoning Map Amendment 21-34 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 speaks to encouraging 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-21-34
January 25, 2022**

Request

A request by the High Point City Council to rezone 568 properties, totaling approximately 124.8 acres, as part of the Comprehensive Zoning Map Amendment Project. This request focuses on lands within central eastern portion of the Core City Area lying north of E. Green Drive, South of E. Martin Luther King Jr. Drive and east of S. University Parkway. Current land uses in this area consists of single-family homes, duplexes, one multifamily use, public parks and churches on smaller parcels.

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 Multifamily – 26 (RM-26) Limited Business District (LB)	Residential Single Family – 7 (R-7) Residential Single Family – 5 (R-5)
<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>RM-26 District</u> The RM-26 District is established to accommodate a mix of residential and institutional uses intended to help establish functioning neighborhoods. The district</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> <p><u>R-5 District</u> The R-5 District is established to accommodate principally single-family detached dwellings developed at a density of 5 units an acre that is served by public water and sewer. Complimentary uses such</p>

	<p>accommodates residential uses at densities of up to 26 units an acre. Complimentary uses such as open space, schools, utilities, and recreation facilities are also allowed. character of residential development.</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>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 parcel (multifamily use at 313 & 315 Windley Street) that would become nonconforming. The use may continue under the non-conforming use standards of the ordinance. This lot has sufficient area and width to be subdivided to create two conforming R-7 district parcels.
<i>Conditions</i>	None	None

	Adjacent Zoning	Adjacent Land Use
North:	Residential Multifamily-16 (RM-16) District Limited Business (LB) District Light Industrial (LI) District	Multifamily development and convenience store. A City utility facility lies along the opposite side of E. Martin Luther King Jr Drive
South:	Residential Multifamily-16 (RM-16) District	Single family dwellings
East:	Residential Single Family – 5 (R-5) District Residential Multifamily-16 (RM-16) District Residential Multifamily-26 (RM-26) District Limited Business (LB) District	Single family dwellings, multifamily development and undeveloped parcel
West:	Residential Single Family – 7 (R-7) District Residential Multifamily-16 (RM-16) District General Business (GB) District	Lying along the opposite side of S. University Parkway are single family dwellings and a convenience store fronting along E. Green Drive

Land Use Plan Classification
<p>The area is designated as follows:</p> <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.

Analysis

Lands lying east of S. University Parkway, between E. Green Drive and E. Martin Luther King Jr. Drive consists of multiple residential subdivision that were platted and recorded between 1905 to 1941. Many of these areas were rerecorded in the 1960s and 1970s as lots were combined and resubdivided to create their current configuration. Based on review of historic aerial photos of this area dating back to 1959, this area was initially developed as a single-family neighborhood.

The Land Use Plan classifies this area as Low Density Residential which supports residential development 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 and R-5 Districts as they more accurately reflect 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 sufficient land area to ensure it can provide sufficient buffering adjacent to single family land uses. As currently zoned, a few 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 and R-5 districts 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 (townhomes) and triplex/quadplex dwelling units.

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 speaks to encouraging 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 following zoning map amendments:

Area A: To rezone 561 parcels, totaling approximately 123.3 acres, from the Residential Multifamily – 16 (RM-16) District and the Residential Multifamily – 26 (RM-26) District to the Residential Single

Family – 7 (R-7) District. The parcels are located south of E. Martin Luther King Jr. Drive, north of E. Green Drive, east of S. University Parkway and west of Meredith Street.

Area B: To rezone seven parcels, totaling approximately 1.5 acres, from the Residential Multifamily – 16 (RM-16) District and the Limited Business (LB) District to the Residential Single Family – 5 (R-5) District. The parcels are located north of E. Green Drive, between Meredith Street and Hill Street.

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

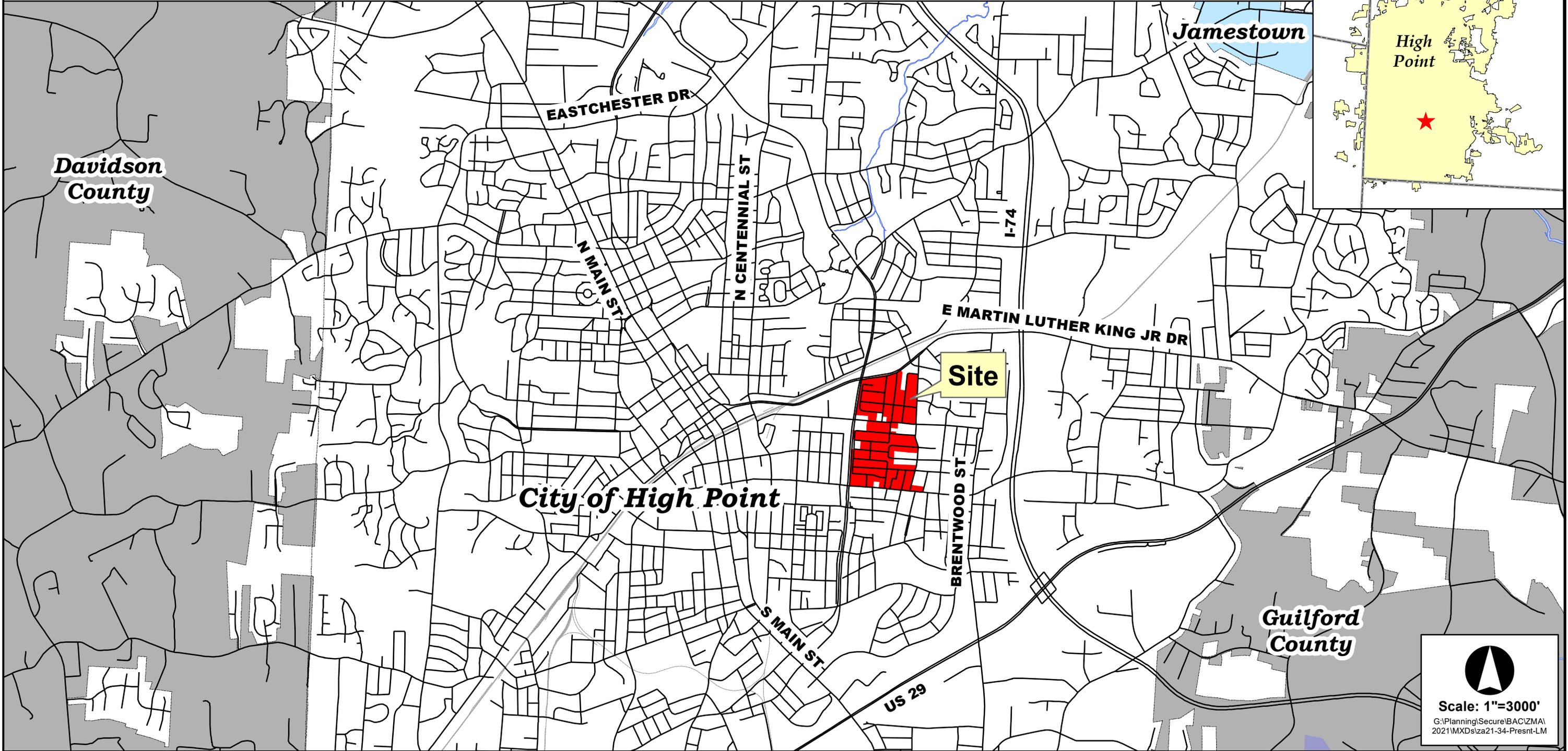
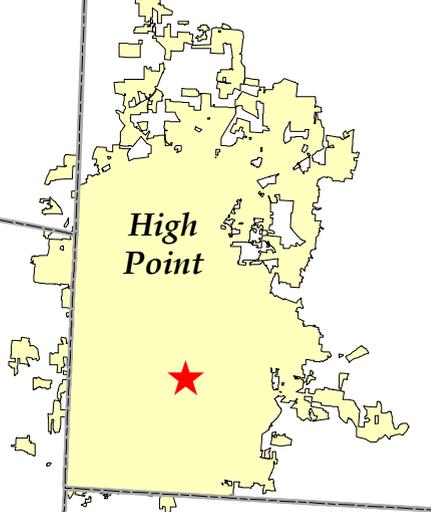
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Interim Planning and Development Director.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-21-34

Applicant: City of High Point

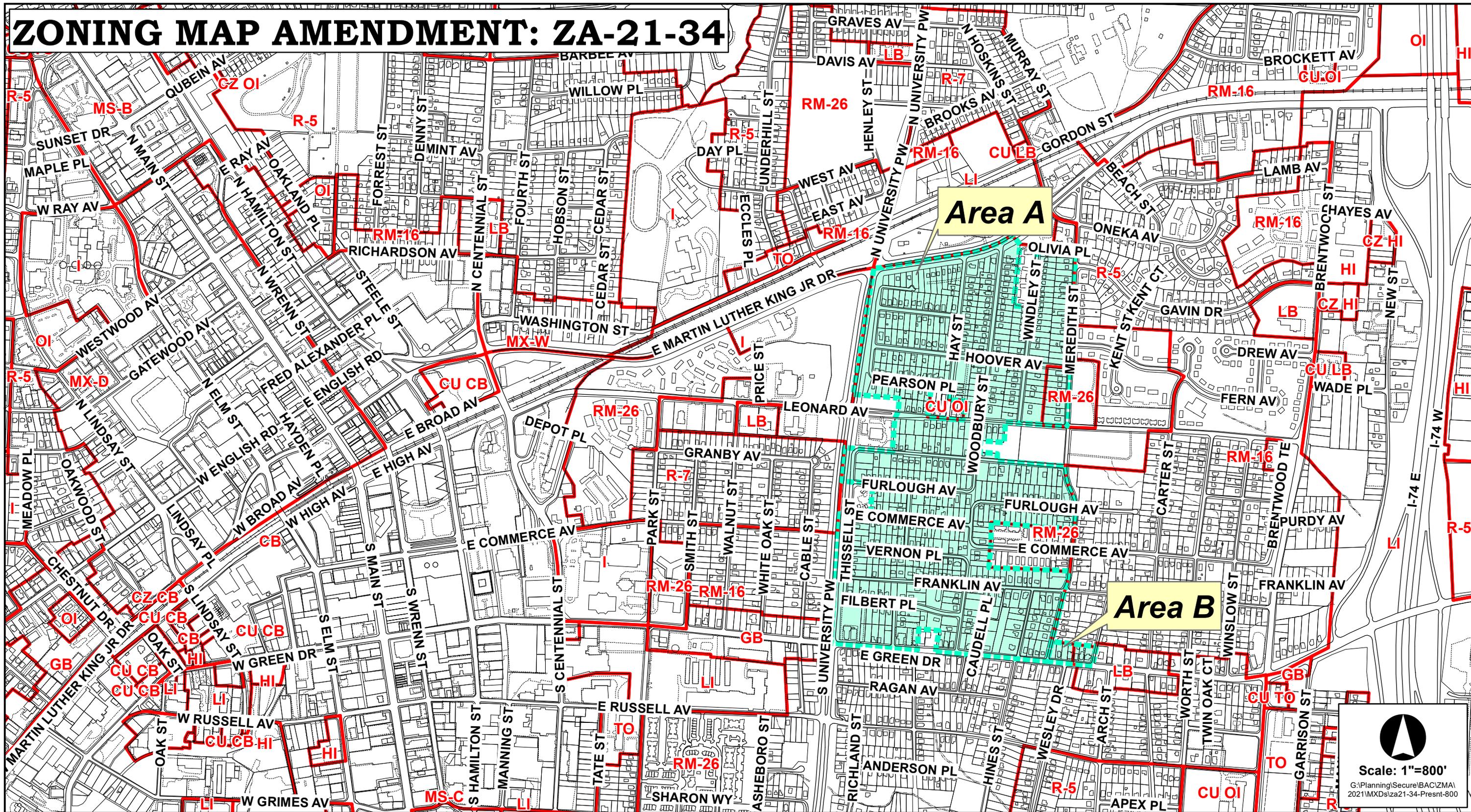
Vicinity Map



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ZONING MAP AMENDMENT: ZA-21-34



Area A

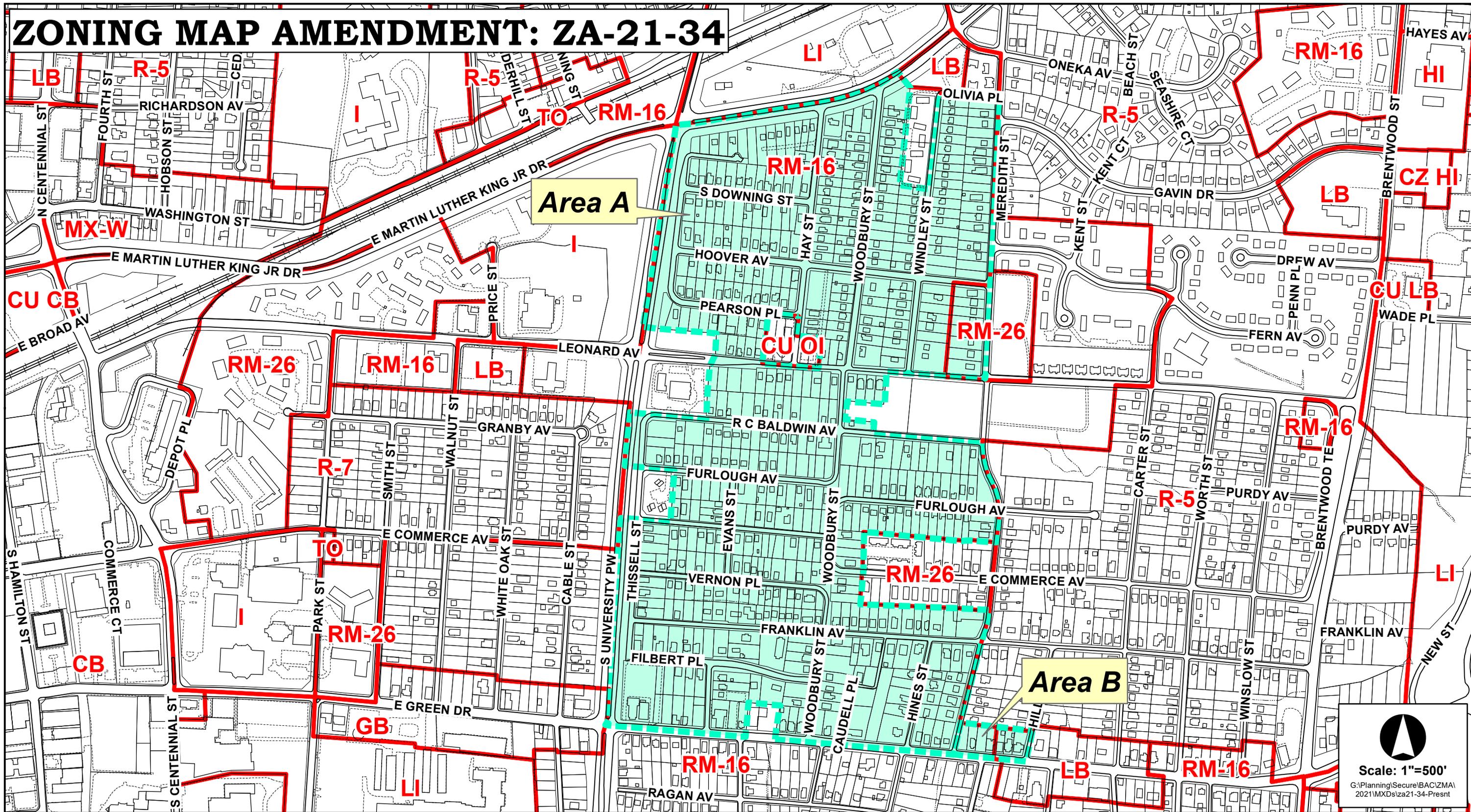
Area B



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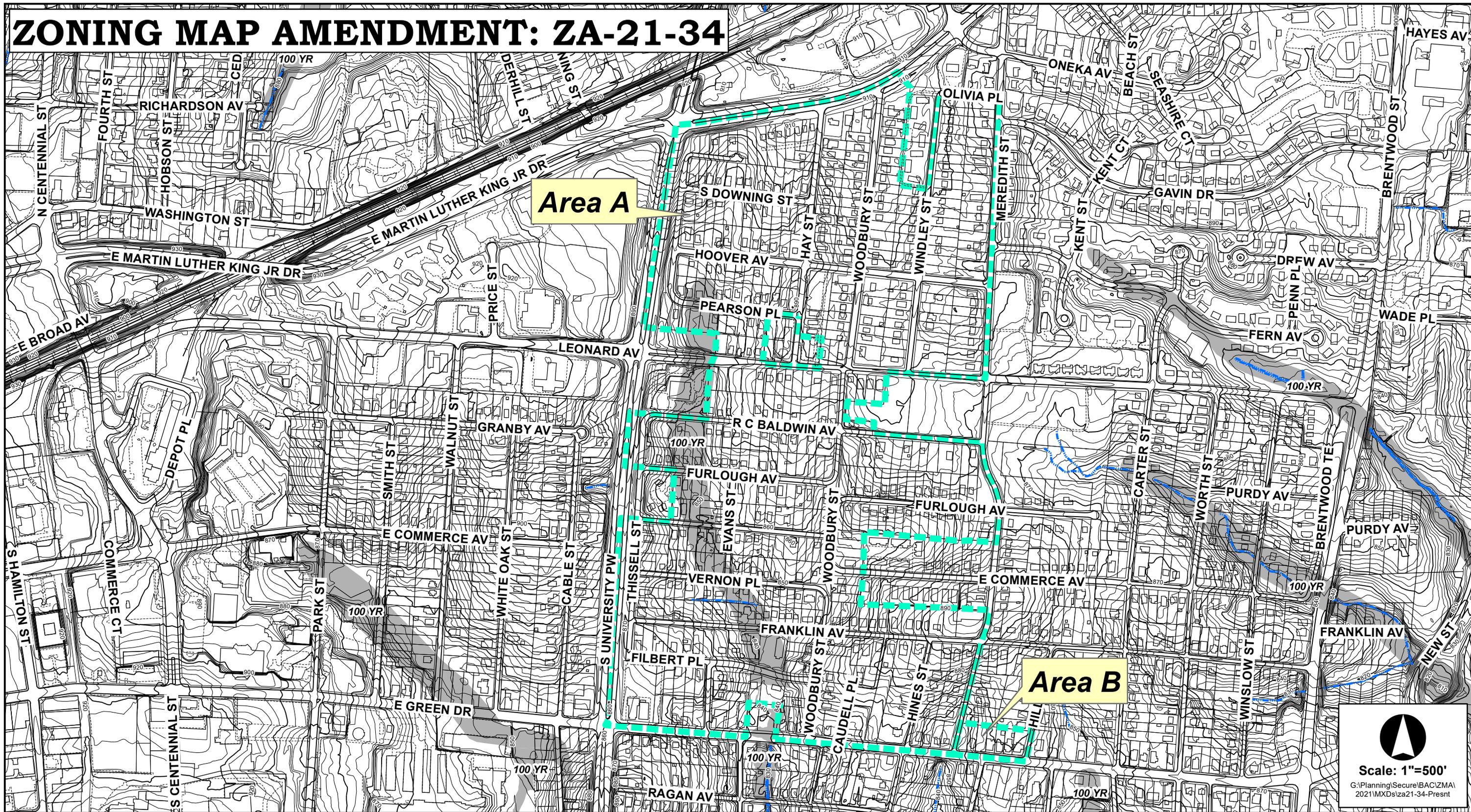
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ZONING MAP AMENDMENT: ZA-21-34



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ZONING MAP AMENDMENT: ZA-21-34



Area A

Area B


Scale: 1"=500'
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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.20, 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 January 25, 2022 and before the City Council of the City of High Point on February 21, 2022 regarding **Zoning Map Amendment Case ZA-21-34 (ZA-21-34)** 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 January 16, 2022, for the Planning and Zoning Commission public hearing and on February 9, 2022 and February 16, 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 **February 16, 2022**.

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

SECTION 1

AREA A:

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) District**. Approximately 123.3 acres lying south of E. Martin Luther King Jr. Drive, north of E. Green Drive, east of S. University Parkway and west of Meredith Street. The zoning site is also known as Guilford County Tax Parcels 174481, 174482, 174483, 174484, 174485, 174486, 174487, 174488, 174489, 174490, 174491, 174492, 174493, 174494, 174495, 174496, 174497, 174498, 174499, 174500, 174501, 174502, 174503, 174504, 174505, 174506, 174507, 174508, 174509, 174510, 174511, 174512, 174513, 174514, 174515, 174516, 174517, 174518, 174519, 174520, 174521, 174522, 174523, 174524, 174525, 174526, 174527, 174528, 174529, 174530, 174531, 174532, 174533, 174534, 174535, 174537, 174538, 174539, 174540, 174541, 174542, 174543, 174544, 174545, 174546, 174547, 174548, 174549, 174550, 174551, 174552, 174553, 174554, 174555, 174556, 174557, 174558, 174559, 174560, 174561, 174562, 174563, 174564, 174565, 174566, 174567, 174568, 174569, 174570, 174571, 174572, 174573, 174574, 174575, 174576, 174577, 174578, 174579, 174580, 174581, 174582, 174583, 174584, 174585, 174586, 174587, 174588, 174589, 174590, 174591, 174592, 174593, 174594, 174595, 174596, 174597, 174598, 174599, 174600, 174601, 174602, 174603, 174604, 174605, 174606, 174607, 174608, 174609, 174610, 174611, 174612, 174613, 174615, 174616, 174617, 174618, 174619, 174620, 174621, 174622, 174623, 174624, 174625, 174626, 174627, 174628, 174629, 174630, 174631, 174633, 174634, 174635, 174636, 174637, 174638, 174639, 174640, 174641, 174642, 174643, 174644, 174645, 174646, 174647, 174648,

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SECTION 2

AREA B:

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Single Family – 5 (R-5) District**. Approximately 1.5 acres lying north of E. Green Drive, between Meredith Street and Hill Street. The zoning site is also known as Guilford County Tax Parcels 175089, 175090, 175091, 175092, 175093, 175094, 175095.

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 21st day of February, 2022

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk