

**Amendments to CZ Ordinance 15-16**

Page 3	Development Density	Reduce maximum number of units allowed in the overall development from 450 to 400 units.
Page 4	Setback standards for townhomes in Tract C, D and E	The following apply to townhome uses in Tract C, D & E  Allow a local street setback (front & side corner) of 15 feet. A minimum driveway length of 20 feet, as measured from the property line, shall be provided.
Page 4	Setback standards for townhomes in Tract F	The following apply to townhome uses in Tract F  1) Restrict townhome to 4-units per structure. 2) Provide a minimum 50-foot setback along the eastern and southern boundary of Tract F. 3) Allow a local street setback (front and side corner) of 15 feet. A minimum driveway length of 20 feet, as measured from the property line, shall be provided.
Page 6	Construction Entrance:	Construction entrance and construction traffic to be restricted to utilizing the Boylston Road access point to the site.
Pages 5 & 6	Location of stub street at the western part of the development	<u>Staff recommended amendment.</u>  One public street stub shall be provided to either the northern or the western boundary of Tract E, the location of which shall be determined and approved by the Technical Review Committee (TRC) at the time of Preliminary Plat approval for Tract E.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 27, 2015 and before the City Council of the City of High Point on November 16, 2015 regarding **Zoning Case 15-16** 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 October 18, 2015, for the Planning and Zoning Commission public hearing and on November 4, 2015 and November 11, 2015, for the City Council public hearing pursuant to Chapter 160A-364 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 \_\_\_\_\_.

**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: A **Planned Unit Development – Residential (PDR) District**. The property is approximately 114.79 acres lying along the south side of Boylston Road, approximately 1,300 feet west of Adkins Road (8809, 8813 & 8819-R1 Boylston Road). The property is also known as Guilford County Tax Parcel 0169014, 0169013 and 0168988.

**SECTION 2**

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. **USES:**

A. **Tract A:**

1. Only single family detached dwelling units as allowed in the Residential Single Family–9 (RS-9) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.
2. Clubhouse and recreational amenities customary to residential uses.

B. Tract B: Only single family detached dwelling units as allowed in the Residential Single Family-7 (RS-7) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

C. Tract C:

1. Only single family detached dwelling units as allowed in the Residential Single Family-7 (RS-7) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

OR

2. Only twin homes and townhomes as allowed in the Residential Multifamily-8 (RM-8) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

3. The tract shall be developed in its entirety as either a single family subdivision (with single family detached dwellings); or as a townhome/twin home subdivision. There shall be no mixture of dwelling types.

D. Tract D: Only twin homes and townhomes as allowed in the Residential Multifamily-8 (RM-8) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

E. Tract E-1:

1. Only single family detached dwelling units as allowed in the Residential Single Family-7 (RS-7) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

OR

2. Only twin homes and townhomes as allowed in the Residential Multifamily-8 (RM-8) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

3. The tract shall be developed in its entirety as either a single family subdivision (with single family detached dwellings); or as a townhome/twin home subdivision. There shall be no mixture of dwelling types.

F. Tract E-2:

1. Only single family detached dwelling units as allowed in the Residential Single Family-7 (RS-7) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

OR

Only twin homes and townhomes as allowed in the Residential Multifamily-8 (RM-8) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

2. The tract shall be developed in its entirety as either a single family subdivision (with single family detached dwellings); or as a townhome/twin home subdivision. There shall be no mixture of dwelling types.

G. Tract F:

1. Clubhouse and recreational amenities customary to residential uses.
2. Only single family detached dwelling units as allowed in the Residential Single Family-9 (RS-9) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

OR

Only twin homes and townhomes as allowed in the Residential Multifamily-8 (RM-8) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.

3. The tract shall be developed in its entirety as either a single family subdivision (with single family detached dwellings); or as a townhome/twin home subdivision. There shall be no mixture of dwelling types

Part II. CONDITIONS:

A. Development, Dimensional & Density Standards:

1. **Development Intensity for each Tract:** A maximum of ~~450~~ **400** dwelling units shall be permitted. Development intensity within each tract shall be as follows:
  - a. Tract A: A maximum of forty (40) residential dwelling units shall be permitted.
  - b. Tract B: A maximum of one hundred and twenty (120) residential dwelling units shall be permitted.
  - c. Tract C: A maximum of eighty (80) residential dwelling units shall be permitted.
  - d. Tract D: A maximum of one hundred and ten (110) residential dwelling units shall be permitted.
  - e. Tracts E-1 and E-2: A combined maximum of one hundred and sixty (160) residential dwelling units shall be permitted.
  - f. Tract F: A maximum of thirty (30) residential dwelling units shall be permitted.

**2 Dimensional requirements: Except as note below, townhome uses shall be subject to the development and dimensional requirements of the Development Ordinance.**

a) Tract C:

- 1) Townhome uses shall be limited to a maximum of eight (8) dwelling units per structure.
- 2) **Townhome Setbacks (local streets): Regardless of installation of sidewalks, minimum street setbacks (front setback from local street) and minimum side corner street setback (from local street) shall be 15 feet. However, a minimum driveway length of 20 feet, as measured from the property line, shall be provided.**

b) Tract D:

- 1) Townhome uses shall be limited to a maximum of eight (8) dwelling units per structure.
- 2) **Townhome Setbacks (local streets): Regardless of installation of sidewalks, minimum street setbacks (front setback from local street) and minimum side corner street setback (from local street) shall be 15 feet. However, a minimum driveway length of 20 feet, as measured from the property line, shall be provided.**

c) Tracts E-1 and E-2:

- 1) Townhome uses shall be limited to a maximum of eight (8) dwelling units per structure.
- 2) **Townhome Setbacks (local streets): Regardless of installation of sidewalks, minimum street setbacks (front setback from local street) and minimum side corner street setback (from local street) shall be 15 feet. However, a minimum driveway length of 20 feet, as measured from the property line, shall be provided.**

d) Tract F:

- 1) **Townhome uses shall be limited to a maximum of four (4) dwelling units per structure.**
- 2) **A townhome development shall provide a minimum fifty (50) foot setback along the eastern and southern boundary of Tract F.**
- 3) **Townhome Setbacks (local streets): Regardless of installation of sidewalks, minimum street setbacks (front setback from local street) and minimum side corner street setback (from local street) shall be 15 feet. However, a minimum driveway length of 20 feet, as measured from the property line, shall be provided.**



B. Open Space and Common Recreation Facilities:

1. The overall development shall have a clubhouse/recreation area in Tract A or F. This shall not preclude the development of additional recreational amenities within other tracts.
2. A minimum 20-foot access easement shall be provided to all common areas.
3. Final plat approval for no more than 200 lots (single family, twin homes and townhomes lots) shall be allowed until such time as open space and common recreational facilities, as required by Section 9-4-3(a)(3)j(6) of the Development Ordinance, are installed. Acreage of open space and common recreational facilities shall be based on number of dwelling units noted in Section II.A of this ordinance.

C. Landscaping, Setback and Buffers: A minimum twenty (20) foot wide Type C Planting yard shall be provided along the Boylston Road frontage of the zoning site. This planting yard shall be within or part of a common area separate from individual residential lots and exclusive of any utility easements, except for perpendicular crossings by utilities and roadways.

D. Fencing & Screening: If fencing is erected along the common areas abutting the Boylston Road right-of-way, then a common fencing plan shall be provided. A common fencing plan shall be provided prior Preliminary Plat approval on the rezoning site.

E. Lot Combination. All parcels within the rezoning site shall be combined into one (1) lot prior to any development.

F. Exterior Lighting: All exterior common area lighting shall be directed away from adjacent properties to avoid spillover lighting.

G. Transportation

1. Vehicular Access:

- a. One point of vehicular access shall be provided to Boylston Road. This access shall extend through the zoning site providing access to the various tracts as generally depicted on the PUD Master Plan.
- b. One point of vehicular access shall be provided to Quail Meadow Lane consisting of an extension of this public street as generally depicted on the PUD Master Plan. This access shall be installed with the development of Tract B.
- c. One point of vehicular access shall be provided to Sweetmeadow Drive consisting of an extension of this public street as generally depicted on the PUD Master Plan. This access shall be installed with the development of Tract B.
- d. One public street stub shall be provided to either the northern or the western property line of Tract E, the location of which shall be determined and

**approved by the Technical Review Committee (TRC) at the time of Preliminary Plat approval of Tract E.**

- e. Individual tract with more than 50 dwelling units shall provide at least two point of access to said tract.
2. Pedestrian Access:
  - a. A pedestrian access system shall be provided so as to provide safe and convenient pedestrian access to open space/common for all dwelling units.
  - b. A pedestrian access plan shall be submitted as part of the Preliminary Plat approval for each tract. The location of all sidewalks shall be indicated on plans submitted for approval.
  - c. The property owner shall dedicate to the City of High Point a greenway easement for the development of a public greenway trail. Said easement shall be a minimum of fifty (50) feet in width, be a minimum of thirty (30) feet from the top of bank of the streams running through the site. The dedicated area shall also be depicted on the approved development plats for the site.
  - d. Internal pedestrian access shall be provided to the Greenway.
3. Roadway and Intersection Improvements
  - a. Boylston Road at Site Access Point: The developer or property owners shall install a westbound left turn lane with a minimum of one hundred (100) feet of storage and appropriate bay taper.
  - b. All roadway and intersection improvements shall be completed and approved by the City of High Point prior to issuance of Certificate of Occupancy
4. **Construction Entrance: Construction entrance and construction traffic to be restricted to utilizing the Boylston Road access point to the site.**
5. The City of High Point Director of Transportation and the North Carolina Department of Transportation (NCDOT) shall approve all construction and improvements.
- H) Signage: The location of signage on the rezoning site shall conform to the approved Common Signage Plan. An overall Common Signage Plan shall be submitted and approved prior to approval of the first preliminary plat approval for this development.
- I) Environmental Sensitive Areas:
  1. Any portion of the rezoning site that is within a floodway, floodway fringe, steep slope, wetlands or any other environmentally sensitive areas shall be left in its natural state and undisturbed, except to provide access to the common area, greenways, approved utility extensions, erosion control and stormwater control devices.
  2. Any portion of the site within the 100-year flood plain area, and required stream buffers shall remain as undisturbed areas. However, required water quality devices may be permitted within that portion of the 100-year flood plain area lying outside any stream buffers, subject to the watershed regulations.

- J) Owners Association: An owners' association shall be established, in accordance with Section 9-6-10 of the Development Ordinance, prior to the recording of any final plat(s) and shall be responsible for the common areas of the development.
- K) Relationship of Permit to Development Ordinance: The use and development of this site shall be subject to the uses and conditions within this Conditional Zoning Ordinance. The City of High Point Development Ordinance shall govern issues not addressed within this Conditional Zoning Ordinance.

### SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

### SECTION 4

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 5

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

### SECTION 6.

This ordinance shall become effective upon the date of adoption.  
\_\_\_\_<sup>th</sup> day of XXXXXXXXXX xx, 20XX.

Lisa B. Vierling, City Clerk