

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 December 8, 2015 and before the City Council of the City of High Point on January 19, 2016 regarding **Zoning Case 15-18** 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 December 1, 2015, for the Planning and Zoning Commission public hearing and on January 6, 2016 and January 13, 2016, 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 **January 19, 2016**.

**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 **Conditional Zoning Shopping Center (CZ-SC) District**. The property is approximately 13.2 acres lying approximately 225 feet west of N. Main Street and bounded by Fisher Avenue, Idol Street and Westchester Drive. The property is also known as Guilford County Tax Parcel 0188701, 0188702, 0188711, 0188712, 0188713, 0188714, 0188715, 0188716, 0188717 and 0188718.

**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. Any of the land uses allowed in the Shopping Center (SC) 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.
- B. **Prohibited Uses:** The following uses allowed in the SC shall be prohibited:
  - 1. Bars
  - 2. Tobacco stores
  - 3. Coin operated amusements

4. Video sweepstakes establishments
5. Pawn shops
6. Flea markets

Part II. CONDITIONS:

- A. Development and Dimensional Requirements: Building height shall be limited to thirty-six (36) feet above the adjacent grade.
- B. Landscaping, Buffers and Screening.
  1. Street Planting Yards (Fisher Avenue and Idol Street):
    - a. Landscaping along Fisher Avenue shall consist of a street yard, planted at a Type C rate.
    - b. When any off-street parking or vehicular surface area is within 25 feet of the Fisher Avenue or Idol Street right-of-ways, the required street yard planting rate shall be increased to provide for a minimum of 25 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting. This higher planting rate is intended to result in a continuous hedge row so as to provide low level screening of the off-street parking area and shall only apply where residential uses are lying along the opposite side of Fisher Avenue and Idol Street.
  2. Tree Preservation:
    - a. Trees within the existing 100 year flood plain shall be preserved.
    - b. A common landscaping scheme, including street yard(s) and peripheral plantings, parking area plantings, and tree preservation shall be used.
  3. Screening/Buffering:
    - a. A Type C tree planting rate (2 canopy trees and 3 understory trees every 100 linear feet) shall be installed at the rear of the commercial building (area between new commercial building and Westchester Baptist Church). This higher planting rate is intended to filter the views of the rear of the commercial building from Fisher Avenue and Idol Street.
    - b. Except where topographical features prevent reasonable screening, screening and/or landscaping shall be installed so as to obscure as much as reasonably possible from view from public rights-of-way all trash rooms, trash holding receptacles, loading or service areas, mechanical or electrical equipment, storage facilities or bins, or other unsightly building appurtenances.
    - c. Appropriate screening shall also be provided to obscure as much as reasonably possible roof-mounted equipment, appurtenances, and roof vents from view from public rights-of-way.
    - d. Roof-mounted HVAC equipment shall be screened from view of adjoining residential property owners and abutting public streets.

- e. All trash holding receptacles and/or dumpsters shall be screened from view of any public right-of-way and from all adjoining residentially zoned properties and/or uses.

C. Other Conditions.

1. Signage:

- a. All buildings shall adhere to a Common Signage Plan. The Common Signage Plan shall give requirements and criteria, including locations, area(s), copy, illumination proposed, height(s), material(s), proposed color schemes, and provisions for shared use of signage.
- b. Prohibited signs: The following signs shall be prohibited:
  - i. changeable copy signs (message boards)
  - ii. animated signs
  - iii. ground surface signs
  - iv. posters
- c. Freestanding signs shall display only the name, trademark, registered logo.
- d. Illumination of all signage shall be limited to cut-out letter, indirect lighting, or internally lit channel letter/logo signs. No exposed raceways shall be allowed.
- e. Internally illuminated box signs shall be limited to six square feet or less, and shall be limited to site directional signs or a maximum of three building mounted signs installed no more than ten (10) feet above grade at the primarily (east) elevation.
- f. All development entrance and identification signs shall prominently display their address.
- g. Attached wall signs shall be limited to 7.5% of wall area.

2. Architecture

- a. Metal and vertical sidings are prohibited as well as exposed finish wall materials.
- b. Design guidelines shall facilitate a unified development with compatible architecture, scale, proportion and building elements to provide visual unity. Said guidelines shall be as follows:
  - i. Exterior building materials and colors shall be consistent throughout the development.
  - ii. Each building shall be required to incorporate pilasters or other repetitive elements of a unifying brick color into the design. The brick shall match that of the exiting Walgreens Pharmacy at the corner of N. Main Street & Westchester Drive.
  - iii. All sides of all buildings shall provide a minimum two (2) foot high parapet.
  - iv. Accent elements using sloped roofs shall be limited to 40% of the building perimeter. The remainder of the building shall include parapets.

D. Transportation Conditions.

1. Access

- a. Up to six (6) points of access shall be allowed to the primary development tract. These do not include existing access to Westchester Baptist Church.

- 1) One (1) access point shall be allowed onto N. Main Street, allowing northbound left turns from N. Main Street into the driveway and right turns out, but channelized in a manner that restricts left turns out from the site.
- 2) Three (3) full movement access points shall be allowed on Fisher Avenue.
- 3) One (1) full movement access point shall be allowed on Idol Street.
- 4) One (1) full movement access point shall be allowed on Westchester Drive.

- b. Future access for the Westchester Baptist Church tract:

The two (2) existing access points for Westchester Baptist Church shall be allowed to remain as long as the church is in use. However, when this tract of the rezoning site is redeveloped, these two (2) driveways shall be closed. Interconnectivity shall be required between the adjacent uses (i.e., the church tract and the primary tract), and up to two (2) new access points will be allowed on Idol Street between Elmhurst Avenue and Fisher Avenue, in compliance with the City's Driveway Ordinance. The exit approaches of all new driveways shall be constructed with dedicated left and right turn lanes if necessary to maintain safety and traffic flow.

2. Right-of-way Dedication:

Except for tax parcels 0188716 and 0188717 (106 & 108 Fisher Avenue), the Developer shall dedicate twenty-five (25) feet of right-of-way, as measured from the centerline, along Fisher Avenue and Idol Street.

3. Roadway and Intersection Improvements

All of the following roadway and intersection improvements must be completed prior to the issuance of Certificate of Occupancy.

- a. N. Main Street @ Site Access Point:

- 1) The Developer shall install a southbound right turn lane at this intersection, maximizing available storage with appropriate taper.
- 2) The Developer shall install an eastbound exiting driveway with a channelized right turn exit only lane. The island shall direct cars into a right turn only, while providing a sight line for oncoming traffic traveling north on N. Main Street.

- 3) Supplemental flexible delineators shall be installed along N. Main Street to restrict an exiting left turn movement, but not restricting left turns into businesses on the opposite side of N. Main Street.
  - 4) The existing northbound left turn lane shall be restriped to provide 125 feet of storage.
- b. Fisher Avenue @ Site Access Points:  
The Developer shall install three (3) exiting driveway approaches with dedicated left and right turn lanes.
  - c. Idol Street @ Site Access Point:  
The Developer shall install an exiting driveway approach with dedicated left and right turn lanes.
  - d. Westchester Drive@ Idol Street:
    - 1) The applicant shall install a traffic signal at the intersection of Westchester Drive and Idol Street. The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, per NCDOT and HPDOT Standards. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.
    - 2) An eastbound right turn shall be installed with 100 feet of storage and appropriate taper on Westchester Drive.
    - 3) An east bound right turn lane shall be installed with 100 feet of storage and appropriate taper on Idol Street.
    - 4) An advanced warning "SIGNAL AHEAD" (W3-3) sign and an advanced warning beacon shall be installed for the northbound approach of the intersection, per MUTCD guidelines.
4. Other Transportation Conditions
    - a. Sidewalks shall be constructed within the right-of-way along the site's street frontages on Idol Street and Fisher Avenue and along Westchester Drive from the Westchester Drive /Idol Street intersection to the site's Westchester access. The Fisher Avenue sidewalk shall be constructed from N. Main Street to the beginning of the property used for a church at Westchester and Idol at the time of initial construction. The sidewalk extending from the sidewalk constructed at the time of initial development along Fisher Avenue and along Idol Street shall be constructed to the full movement access onto Idol Street at such time as the church property is redeveloped. The sidewalk along the outparcel at the corner of Idol Street and Westchester Avenue shall be constructed at such time as the outparcel is developed.
    - b. The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

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

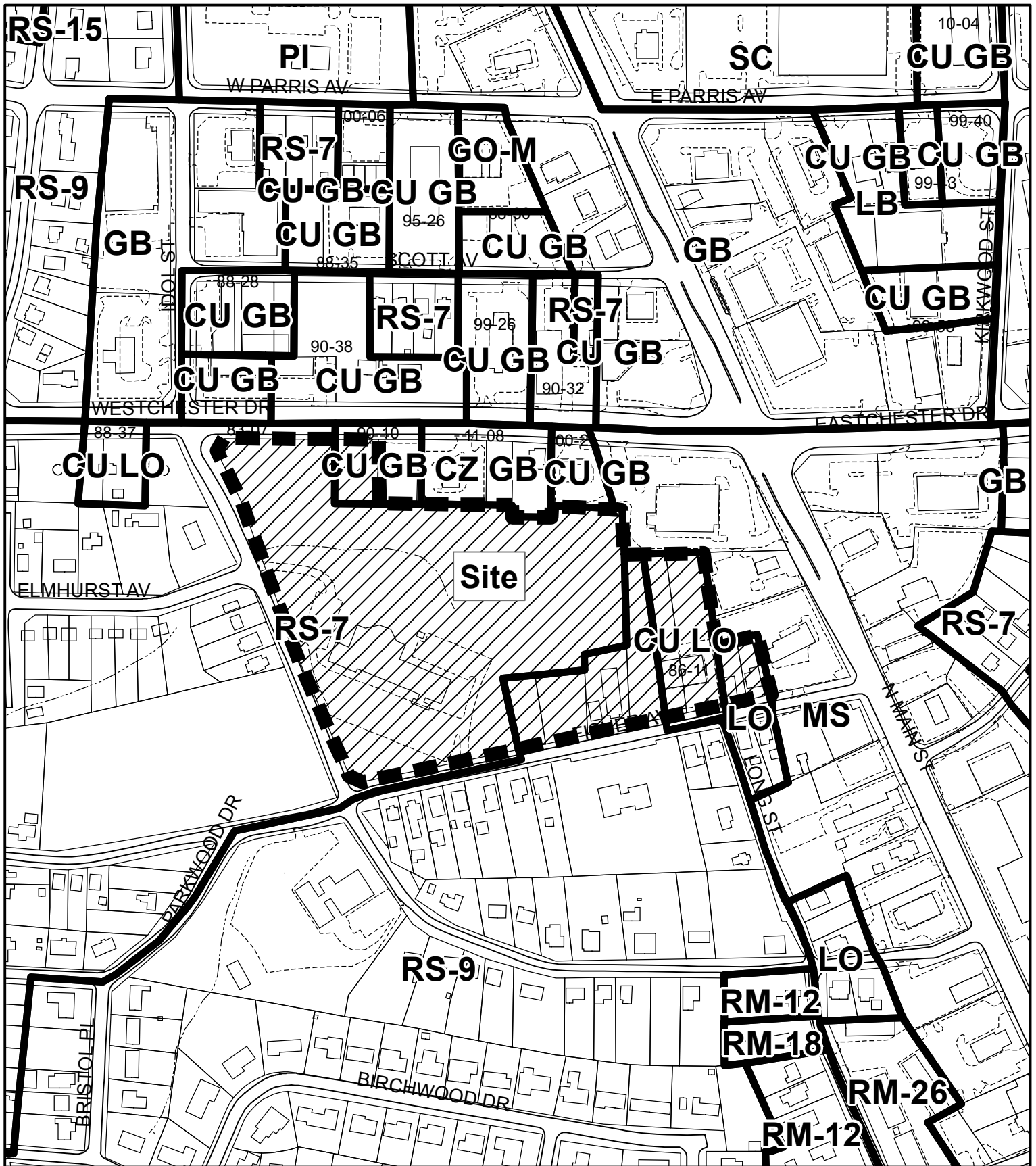
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

19<sup>th</sup> day of January, 2016.

Lisa B. Vierling, City Clerk



## ZONING AMENDMENT ZA15-18

**From:** Residential Single Family-7, Residential Single Family-9,  
Limited Office, Conditional Use Limited Office  
and Conditional Use General Business

**To:** Conditional Zoning Shopping Center

**Existing Zoning Boundary** —————

**Subject Property Boundary** - - - - -

**Planning & Development  
Department**

**City of High Point**

**Date: November 19, 2015**



**Scale: 1"=300'**

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