

## **PUBLIC COMMENTS REPORT**

### **CAMDEN COUNTY UNIFIED DEVELOPMENT ORDINANCE**

**November 8, 2018**

This report is being provided to present comments received from the public either through individual conversations or notes from review committees on the proposed revised Unified Development Ordinance (UDO). Several very helpful comments have been received and many of them incorporated into the proposed draft of the UDO or the concern resolved. Those comments are not included in this report. Other comments not included are those that were discussed and decisions made during the Planning Board/Board of Commissioners' work sessions with the results being included in the proposed UDO. Every effort has been made to document comments received, however it may not reflect every single one. In all cases staff has encouraged the public to participate at the public hearing.

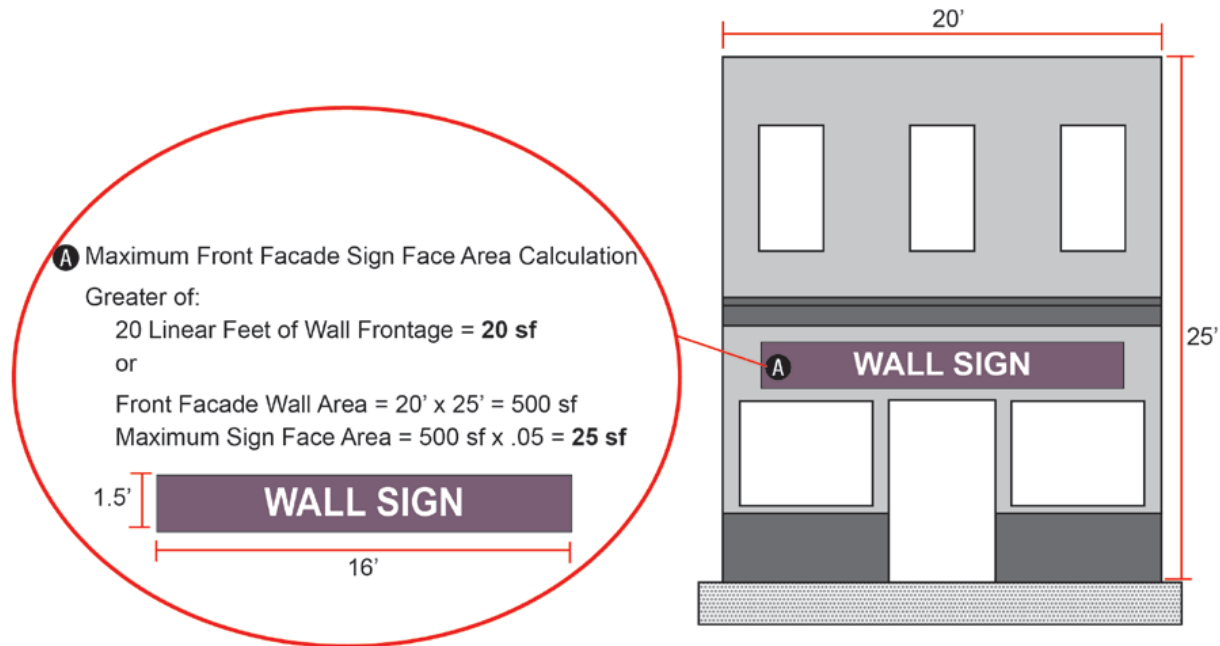
A link to the draft revised Unified Development Ordinance has been on the County web site home page since April 2018 with instructions as to how to make comments. The link has also been distributed to several known property developers, engineers, and surveyors with projects in or around Camden County. Since April there have been many revisions and iterations to the draft document. The final draft was posted and distributed October 1, 2018, along with this report. No further revisions will be made to the draft UDO until after the public hearing, however this Public Comments Report will be updated prior to the hearing and a final report will be presented to the Board of Commissioners at the hearing.

All interested parties are encouraged and invited to review and comment on the UDO either through calling, emailing, or visiting the Camden County Planning Department.

In addition to the public comments staff has a few recommendations based on considerable research following the last Planning Board/Board of Commissioners work session.

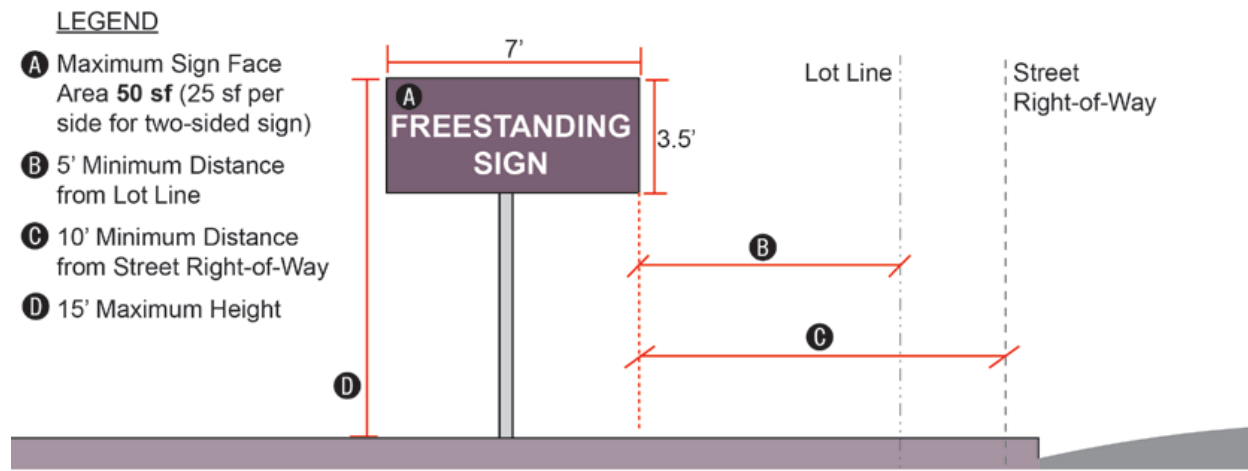
The current UDO has no specific sign standards except those within a shopping center. The proposed standards for Commercial zoning districts are below:

TYPE OF SIGN	MAXIMUM FACE AREA [1] [2]	MAXIMUM HEIGHT	MAXIMUM NUMBER OF SIGNS PER LOT	ADDITIONAL STANDARDS [3]
<b>Wall Sign</b> on Front Façade	Greater of: 1 sf per linear foot of wall frontage, or 5% of wall area	Below the top of the roof, soffit, eave or parapet, whichever is highest	No limit	Wall signs shall not project more than 12 inches outwards from the wall
<b>Wall Sign</b> on Side or Rear Façade fronting a street	$\frac{1}{2}$ sf per liner foot of wall frontage			



**5.14.11 SIGN STANDARDS IN COMMERCIAL DISTRICTS**

TYPE OF SIGN	MAXIMUM FACE AREA [1] [2]	MAXIMUM HEIGHT	MAXIMUM NUMBER OF SIGNS PER LOT	ADDITIONAL STANDARDS [3]
<b>Freestanding Sign</b>	50 sf total	20 feet above adjacent roadway grade	1	Signs shall be located at least five feet from a lot line and at least ten feet from the street right-of-way
<b>Freestanding Sign serving a multi-building use</b>	Up to 6 tenants: 100 sf; 7-14 tenants: 125 sf; 15+ tenants: 150 sf	25 feet above adjacent roadway grade	1 per street frontage	



**Public Comment**

Both wall signs and free standing signs are critical for businesses to attract customers and should be allowed additional sign face square feet.

**Public Comment**

Free standing pole signs should not be permitted at all.

**Staff response**

*Staff generally agrees with the proposed standards, particularly in the mixed use and residential districts. It is recommended that for commercial districts the sign face standards be slightly increased. The recommendations are based significant research following the thorough discussion during the PB/BOC work sessions, specifically a joint research report Street Graphics and the Law written by two experts recognized by both the American Planning Association and the Sign Industry. (See attached staff research)*

**Recommendation:** for Commercial District are

- Increase allowable wall sign face to 1.5 Sq. Ft. per 1 linear foot façade
- Increase allowable free standing sign face to 100 Sq. Ft (50 per side)
- Up to 6 tenants 150 sq. ft. (75 per side)
- 7-14 tenants 200 sq. ft. (100 per side)
- 15 plus tenants 250 sq. ft. (125 per side)
- Increase height limitation to 20 feet.

**2.3.19 Minor Subdivisions B. Applicability**

*Subdivisions of land that include up to five lots (including the residual parcel) with no extension of public streets, public water, public sewer, or other public utility are minor subdivisions and shall be reviewed in accordance with the standards in this section.*

**Should the county allow minor subdivisions (5 lots or less) to be developed with a private street built to state standards – or require approval through the major subdivision process?**

**Public Comment**

Believe that if developer wants to build to state standards than they should be allowed. Also if they want to install a 6 inch water main that taps to the houses, should not require a Major. Wouldn't it be better to allow one tap on the main than 4? Leak testing and isolation are easier and future growth can be allowed with less modification. Also, as your consultant said several times, If the road and water are up to standards then the county will not be required to pay for it later!

We should still allow the water main and road. It just will not be turned over to DOT until, if ever, it reaches the requirements.

## **Public Comment**

I would say no that they would need to build road to state standards we know the problems that occur in keeping the road up and if the property is resold they may not get along.

## **Staff response**

*NCDOT Subdivision Manual house requirements for accepting roads to the state system are:*

6. There must be at least two occupied residences for each one-tenth of a mile. A minimum of four occupied homes is required for the addition of roads less than two-tenths of a mile in length. If four occupied homes are not served, it will be treated as a private drive. An exception may be made if the cul-de-sac is fully developed, serves at least four platted lots, and has four occupied homes that abut the road. A minimum of two homes must have primary access to the cul-de-sacs.
7. Subdivision Access Roads must provide ingress and egress for at least five occupied residences for roads less than one mile in length and an average of five occupied residences per mile for roads over one mile in length.

## **Recommendation:**

- 1) *If road or utility extension is needed the subdivision should be approved through the major subdivision process. If not, large tracts of land can be subdivided through the minor abbreviated process multiple times resulting in a major subdivision not subject to the scrutiny and approval of the more public process.*
- 2) *Any road should be built to NCDOT design, construction, and density for acceptance to the state system.*
- 3) *Minor subdivisions should continue to require stormwater plans – with the exception of splitting out one lot from a larger tract.*
- 4) *Minor subdivision stormwater plans for subdivisions that result in 3 or more lots should be reviewed by the county engineer – or at a minimum those that are included in Special Flood Hazard Zone.*

### **6.1.6 Access to Public Waters**

*A subdivider shall not usurp, abolish, or restrict public access to Albemarle Sound, Pasquotank River, North River, or other water body where public access has been historically provided.*

#### **Public Comment:**

Eliminate requirement unless county can provide list of specific access points protect.

**Reasoning:** If you don't have a list then it can't be that big of an issue that it needs to be in the UDO!!! I live on the water and have LOTS of issues with people coming onto the farmland North of me!! This land is owned by the Avery's and I manage there NC properties! Don't want to sign a blank check on water access.

#### **Public Comment:**

I think that there is a difference between existing. Home's and new development. I think having to set aside access to the river for all the people who live in the county is very important. I think it's our greatest access.

#### **Staff Recommendation:**

*Leave as is.*

*This is a requirement for new development only. If there is a debate regarding "historically public access" the issue will be resolved during public hearing process, or in the case of a minor subdivision as an appeal to the Board of Adjustment of the Administrator's decision.*

### **5.9.5 Plant material**

#### *Canopy Tree Size*

- 1. Canopy trees shall have a minimum height at maturity of 40 feet and a minimum crown width of 30 feet.*
- 2. All canopy trees shall have a minimum caliper size of two inches at planting.*
- 3. Evergreen trees shall be a minimum of six feet in height at planting*

#### **Public Comment:**

Eliminate all requirements for canopy trees with minimum of 40 tall at maturity and replace with understory trees.

**Reasoning:** Canopy trees have a minimum crown width of 30 feet and a height of 40 feet. With number of trees required, they will be crowded. Under-story trees have a height of 25 to 40 feet, which should be fine landscaping and also allows for shorter trees if below utility lines. I also like the drought tolerant wording.

Not asking to reduce number of trees, just to use a tree that fits landscaping better.

#### **Staff Recommendation:**

*Leave as is.*

- Canopy trees add variety to the landscaping*
- Without the taller trees the upper end performance of an opaque buffer cannot be achieved*
- If canopy trees are replaced with understory tree more trees will be required to achieve center line separation performance standard resulting in increased costs*

#### **4.4 K Visitor accommodations**

**Public Comment:**

Consider adding weekly rentals  
Consider adding Air B &Bs

**Reasoning:**

Why not update the UDO now? Weekly rentals and Air B&Bs are prevalent in our area. What does Currituck have?

**Staff Recommendation:**

*Leave as is until weekly and Air B &B rentals become an issue and amend in future if need be. These can be a very controversial issue and delay the adoption of the proposed UDO.*

#### **1.11.3 APPROVED APPLICATIONS C.**

*Portions of developments, including subdivisions, reserved as future development sites where no lot lines are shown on a preliminary plat, site plan, PD master plan, or other plan of development shall comply with the provisions of this Ordinance*

**Public Comment**

Previously approved Planned Unit Developments appear to have the ability to stay under their existing masterplan with minor changes. Are there items that may not be specifically addressed in writing on the previously approved masterplan that we want to document within the UDO (ie. Dimensional standards - maximum density, allowable impervious coverage within the development, Setbacks, Height restrictions, etc.)?

**Reasoning:**

I've seen some older masterplans (other Counties) that have been approved without some of this documentation specifically written on the plan and it could come into question what consists of a 'minor' change. Documenting some of the current PUD restrictions might help with arguments down the line.

**Staff response**

*The County has only one approved Planned Unit Development Master Plan and detailed standards of the project are well documented in the recorded Master Plan Conditional Use Permit and Development agreement. Since they have established a vested right, amendments will follow procedures of the UDO in force at the time of the project's approval.*



**2.2.3 NEIGHBORHOOD MEETING 6. Staff Attendance**

*County staff may, but are not required to, attend a neighborhood meeting. Staff members shall not act as facilitators or become involved in discussion about a development proposal though they may provide information about County requirements or procedures*

**Public Comment:**

If County Staff is not required to attend Neighborhood meetings, should there be a requirement for them to be recorded?

**Reasoning:** It seems like there may be an opportunity for he said/she said and if an unbiased third party is not present, things could be misconstrued.

**Staff response**

*If the UDO requires recording it poses many questions regarding audio vs video, transcripts. Proposed UDO will include language that states:  
for applications involving Special Use Permits the Neighborhood Meeting is for information exchange only and any notes and/or discussion is not to be considered evidence at the quasi-judicial public hearing.*

**2.3.12 FINAL PLAT E 2. Acceptance of Public Infrastructure**

**Public Comment:**

Would recommend requiring Driveway Culvert Certification's after construction of a single family or commercial development. This would require a LS or PE to certify that the driveway culvert has been installed with positive flow. Sometimes contractors don't always double check the size/elevations to match the plan if an as built isn't required. Currituck County has a good example form for this if it is something you want to include. I can provide a copy if you would like to consider this.

**Staff response**

*Culvert certifications are required for building permit and certificate of occupancy.*

### **3.6.2 Crossroads Commercial**

K	Min. Distance Between Buildings, Front-to-Back (feet) [4]	0 [5]	10
L	Minimum Distance Between Buildings, Side-to-Side (feet) [4]	0 [5]	10

#### **Public Comment:**

In reference to principal building setbacks, we are allowing a 0'-5' building setback between principal buildings for nonresidential. Typically a minimum of 10' of separation would be required to meet the IFC, is the intent here for larger buildings that are subdivided into separate uses via fire walls (ie. one building with multiple retail stores)? We should confirm that we aren't contradicting anything within the IFC with allowing <10' separation, though it may just be the way I read 0' separation as one principal building.

#### **Staff response**

*All major residential and non-residential development is subject to technical review, including review by the Elizabeth City Fire Marshall's Office. This should turn up any IFC issues.*

### **3.6.3 Village Commercial**

#### **Public Comment:**

In reference to mixed use development building height, we are allowing >35' maximum building height. It is my understanding that any structure where the eave to the grade plane is greater than 30' would require aerial fire apparatus access. I'm not sure about Camden's Fire ability, but this is something we might want to run by the fire marshal.

#### **Staff response**

*Camden fire chiefs have previously recommended 35 feet maximum height.*

### **3.6.8 Heavy Industrial**

#### **Public Comment:**

Same comment in reference to Height, though there may be site features in HI that the 35' height shouldn't apply to.

#### **Staff response**

*Same response*

#### **4.4.4.K.2. – Camper lots**

**Public Comment:**

Are there time limit requirements, minimum lot sizes, or set backs we would want to include here? I'd think we would want a time limit to keep from a permanent residence being placed on a camper lot instead of the zoning appropriate mobile home development.

**Staff response**

*Proposed draft include minimum lot size of 300 sq. ft.. Time limits may be difficult to enforce, and would rather not encourage new mobile home development.*

#### **5.7.8 On-site Pedestrian walkway**

**Public Comment:**

Should an exception be included for redevelopment (ie. historical buildings?) as long as an ADA accessible route to the building is provided? Or is this only applicable to new pedestrian access?

**Staff response**

*There are no existing sidewalks, so would apply to new sidewalks.*

#### **6.2.9 FIRE PROTECTION**

**Public Comment:**

I'd recommend a minimum of 8" waterline for all proposed subdivisions that aren't exempt (or largest possible) due to available water constraints.

**Reasoning:**

The main leg of a hydrant is typically 6" and needed fire flow throughout the system is going to be hard to maintain if an 8" main line isn't provided. Though I understand this may be an issue in parts of the County where you only have 6" or smaller main lines, but we don't want new infrastructure that can't meet fire flow demands. Currituck County is currently trying to retroactively fix this issue as they previously required 6" lines.

**Staff response**

*Staff agrees that this is a worthy goal, however few main water lines in the SCWS District and even fewer of those in the SMWA are 8 inch lines and would necessitate a long term expensive capital improvement program.*

### **5.1.2 COMMERCIAL DESIGN STANDARDS**

D. Design Requirements Development subject to these standards shall be designed in accordance with the following:

5. Fenestration:

Buildings subject to these standards shall be configured so that building facades facing public streets shall include a window or functional general access doorway at least every 20 feet along the façade (see Figure <>, Commercial Fenestration). False or display casements are an allowable alternative, as approved by the UDO Administrator

**Public Comment:**

Side elevations should also have fenestration standards. Currituck County has side elevation design standards; several new buildings have been constructed to these standards and are attractive to passing vehicles as the side elevation is what is most visible along a rural highway. Increased development along the US 17 corridor will demonstrate the need for side elevation fenestration standards that measure up to our neighboring counties' aesthetics for new construction

**Staff response**

*Staff agrees with this recommendation. The issue was discussed during the latest joint work session when another Camden resident made a presentation related to requiring excellence in architectural aesthetics.*

**5.5.4 COMPATIBILITY STANDARDS Development subject to the standards in this section shall comply with the following compatibility standards:**

A. Vegetated Buffer

1. Development subject to these standards shall provide a 50-foot-wide vegetated buffer between building lots in the development and an existing agricultural use (see Figure<>, Vegetated Buffer). The buffer shall:
  - a. Remain undisturbed for a minimum distance of 25 feet from the edge of the agricultural use or boundary of the agricultural activity;
  - b. Include at least 16 aggregate caliper inches of canopy trees for every 100 linear feet of buffer length;
  - c. Include at least 16 aggregate caliper inches of understory trees for every 100 linear feet of buffer length;
  - d. Include at least 30 evergreen shrubs planted three feet on-center for every 100 linear feet of buffer length;
  - e. Incorporate existing or planted vegetation, configured in a staggered fashion, so as to create two or more rows of trees within the buffer; and
  - f. Incorporate a berm, drainage ditch, or any combination
2. Nothing shall limit the placement of a required stormwater facility or best management practice within a required buffer provided the minimum buffer width is maintained.
3. In cases where a required buffer includes a water feature or stormwater management facility, the required vegetation may be shifted to another portion of the buffer or located in an alternate location that provides screening or separation between the proposed development and the agricultural use.

**Public Comment:**

I reviewed the minutes from the BOC and PB joint meeting 7/18/18 and Found that the BOC and PB inputs were ignored.

The minutes state:

Consensus to Mr. Porter's questions was that there does need to be a 50 foot buffer and that it can be vegetative, open space, or stormwater ditch / linear pond.

This is NOT what made it into the draft UDO, this did:

- a. Vegetative requirements tripled. Increase from 15 to 32 caliper inches (from 8 to 16 trees. Current requirement is 2 trees per 100 feet). And added 33 shrubs
- b. The buffer used as a pond supplanted by Staff adding that the required vegetation may be shifted to another portion of the buffer or located in an alternate location

**(Continuation of Public Comment from Previous Page):**

I recommend the UDO state:

**5.5.4 COMPATIBILITY STANDARDS**

Development subject to the standards in this section shall comply with the following compatibility standards:

A. Development subject to these standards shall provide a 50-foot-wide buffer between building lots in the development and an existing agricultural use.

Options for the Buffer include:

1. Vegetated, Landscaped to developer's desire. (Note that it is hard to require exact landscaping when it could just be open land)
2. Open space
3. Stormwater ditch / linear pond.

**Staff response**

*Paragraphs C & D were added following the discussion of Farmland Compatibility during the latest joint work session. They were added to provide standards for the vegetative buffer plantings. The minutes of that work session indicate a consensus that there does need to be a 50 foot buffer and that it can be vegetative, open space, or stormwater ditch / linear pond*

*The current requirement is 2 rows of trees at least 10 ft. tall with 2 inch caliper measured at 4 ft. above grade and a minimum spacing of 50 feet. The result is 4 large trees (8 caliper inches) per 100 feet.*

*The proposed 16 caliper inches of canopy trees and 16 inches of understory trees result in 32 trees per 100 feet but much smaller younger with caliper measured at 6 inches above grade. The 30 shrubs are additional.*

*Staff's reasoning for not including the open space option is that if it is included few if any developers will plant a buffer at all and the 50 foot strip may or may not be maintained.*

*Staff agrees that #3 should be removed.*

3. In cases where a required buffer includes a water feature or stormwater management facility, the required vegetation may be shifted to another portion of the buffer or located in an alternate location that provides screening or separation between the proposed development and the agricultural use.

### **6.2.3.I b. Connectivity Index Score Calculation**

#### **Public Comment:**

Area expanded and is even more confusing than at first

#### **Staff response**

*The connectivity index was initially just a reference to its use and was not defined and shown graphically when the draft was reviewed by the Planning Board. The details were included in the draft in June and prior to the joint work sessions. It is the standard method of calculating connectivity and should be included as is presented.*

### **6.2.6 SIDEWALKS**

#### **A. Location**

##### **1. One Side of the Street**

- a. Sidewalks shall be required on one side of the street in the VR, VC, MX, NR, and HC districts, except that no sidewalks shall be required when the majority of lots in a subdivision exceed two acres in area or there are no existing sidewalks connections within 500 linear feet of the subdivision.

#### **Public Comment:**

Do we really need sidewalks on lots an acre in size? NR is 40K sq. st.

#### **Staff response**

*The sidewalk requirements are new and were discussed with the review committee. It was not a key issue discussed during work sessions. Staff's primary concern is to require sidewalks in the higher density areas. The requirement in the NR district (which is a transitional district between very low and high density housing) is to accommodate and encourage walking in residential neighborhood.*

**Section 6.2.9. Fire Protection**

**B. Dry Hydrants**

In cases where fire hydrants are required by Section (A) above but the public water supply is insufficient to provide adequate water flow for firefighting, dry hydrants shall still be required

**Public Comment:**

From our meetings it was the consensus that new development will be built with 6" piping even if the county piping was smaller.

BOC & PB 7/25/18 Joint minutes state:

Chad Meadows reviewed Fire Hydrants current approach and proposed key changes from previous discussion with the Board of Commissioners which was that all new major subdivisions would be required to install 6-inch lines and fire hydrants, even if fire hydrants were just flushing hydrants. No changes were decided upon by the group.

Is this what covers this requirement?

I find it hard to see the BOC & PB intent in this section

**Recommendation:**

Each new subdivision shall be built with a minimum of six-inch lines and fire hydrants within the development even when served by a public water system or a private/public central water system that is insufficient to provide adequate water flow for firefighting

**Staff response**

*6.2.9 A) 1. – In conjunction with 6.2.9 B accomplishes this.  
However wording could be clearer and stronger per the recommendation above.*



### **3.1.3 MAXIMUM DENSITY MAY BE INCREASED**

Unless otherwise indicated in this Ordinance, the maximum density for a zoning district may be increased beyond the amount listed in Section <>, Residential Districts and Section <>, Commercial Districts, in accordance with the standards, incentives, and procedures in Section <>, Sustainability Incentives

#### **Public Comment:**

Board consensus seemed to agree with higher density in areas where water and sewer are available, and in areas without availability of sewer as long as Health Department approval can be obtained.

This is not included in the dimensional requirements tables for residential zoning districts.

Section 3.1.3 MAXIMUM DENSITY MAY BE INCREASED could be modified to include this board consensus

#### **Staff Recommendation:**

Revise 3.1.3 as follows

- A. Maximum residential density allowed with connection to sewer may also be achieved with on-site septic systems if approved by the Camden County Health Department.**
- B.** Unless otherwise indicated in this Ordinance, the maximum density for a zoning district may be increased beyond the amount listed in Section <>, Residential Districts and Section <>, Commercial Districts, in accordance with the standards, incentives, and procedures in Section <>, Sustainability Incentives.

### **5.1.1 MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS**

#### **D. Design Requirements**

##### **1. Maximum Building Length**

Individual multi-family buildings shall be configured so that no single building exceeds a maximum length of 100 linear feet in any direction

#### **Public Comment:**

The maximum building length for MF units at 100' is too short. We have buildings over 400' in length.

#### **Staff response**

*The objective of this standard is to soften the impacts soften the visual impact of large buildings in small compact development areas. Follow up research indicates that several multifamily templates do in fact exceed 100 feet in length.*

#### **Staff recommendation**

*Increasing the maximum building length to 250 feet.*

##### **2. Building Orientation and Entryways**

All buildings with shared entrances shall be oriented so that a primary entrance(s) faces the street. In case of corner lots, the primary entrance(s) shall face the street from which the building derives its street address (see Figure <>, Multi-family Building Orientation).

#### **Public Comment:**

You have the primary entrances facing streets. What if the building is adjacent to the street or drive lane and you wanted the access to the buildings facing inward to the parking lot? You may also want to add alleys and parking lots. You have noted that all common open spaces and play grounds be clearly visible from all dwelling units. This is difficult if not impossible to provide. What if units are facing streets, etc.

#### **Staff response**

*The purpose of this standard is to minimize the visual impact building rear ends or rear yards from the traveling public. The standard does not apply to interior buildings of multi-building developments. Staff recommendation is to leave this standard as is with perhaps some flexibility in cases where buildings are completely screened with opaque landscaped buffering.*

#### **Staff recommendation**

*Leave as is.*

## **5.1.2 COMMERCIAL DESIGN STANDARDS**

### **D. Design Requirements**

#### **1. Building Orientation**

The primary entrance shall be architecturally and functionally designed on the front facade facing the primary public street (see Figure <>, Commercial Building Orientation).

#### **Public Comment:**

The primary entrance is again required to face the primary public street. No alley or parking lot noted. This doesn't work well for all building applications. What if you have buildings facing inward to parking areas? You are also restricting buildings to be parallel to the front lot line and street. This again is not practical in all applications. Not sure why you would want to limit this

#### **Staff response**

*The purpose of this standard is to minimize the visual impact building rear ends or rear yards from the traveling public. The standard does not apply to interior buildings of multi-building developments. Staff recommendation is to leave this standard as is with perhaps some flexibility in cases where buildings are completely screened with opaque landscaped buffering*

#### **Staff recommendation**

*Leave as is*

### **1. Building Material Standards**

#### **a. Allowable Materials**

#### **Public Comment:**

I would permit a high grade vinyl siding as well unless D.3.a.3 is where this is permitted. Attached is a photo of the new Dollar General in Moyock. Nice looking building but not allowed by our Commercial Standards. Please add to PCR.



#### **Staff response**

Section 5.1.2. D seems to allow some flexibility (see below):

a. 3 Artificial materials which closely resemble these materials shall also be allowed, but are subject to approval by the UDO Administrator

### **3.5.4 SUBURBAN RESIDENTIAL (SR) DISTRICT**

STANDARD TYPE	REQUIREMENTS FOR TRADITIONAL DEVELOPMENT	REQUIREMENTS FOR CONSERVATION SUBDIVISIONS
Minimum Development Size (acres)	N/A	10
Maximum Residential Density (units/acre)	1	1
Minimum Lot Area (acres)	2	1

**NOTES:**

Residential developments of five or more lots shall be configured as a conservation subdivision in accordance with the standards in Section <>, Conservation Subdivision.

**Public Comment:**

This is the converted R 3-1 district which is allowed minimum lot size of 1 acre. Do not recall requiring conservation subdivision for this district. At this Max density and Min lot sizes the actual yield of lots is reduced from current levels. This is not the case of the larger lot size WL and RR districts where the yield is either higher or equal to current zoning.

**Public Comment:**

Remove this requirement. 1 Acre lots are fine for any of this type developments. If the developer wants to use the conservation subdivision then the lots should be reduced to 1/2 acre.

**Staff response**

*The requirement for minimum lot size of 2 acres for traditional development is a mistake.*

**Staff recommendation**

*The table should reflect a 1 acre minimum lot size for traditional development and 0.5 acre for conservation subdivision with health department approval of septic system or connection to public sewer.*

### **3.5.6 VILLAGE RESIDENTIAL (VR)**

STANDARD TYPE	REQUIREMENT		
	SINGLE-FAMILY DETACHED	ALL OTHER RESIDENTIAL	NON-RESIDENTIAL
Minimum Open Space (% of development area)	5		3

### **3.6.2 CROSSROADS COMMERCIAL (CC) DISTRICT**

STANDARD TYPE	REQUIREMENT	
	NONRESIDENTIAL DEVELOPMENT	RESIDENTIAL AND MIXED-USE DEVELOPMENT
Minimum Open Space (% of development area)	3	5

### **3.6.3 VILLAGE COMMERCIAL (VC) DISTRICT**

STANDARD TYPE	REQUIREMENT		
	RESIDENTIAL DEVELOPMENT	MIXED-USE DEVELOPMENT	NONRESIDENTIAL DEVELOPMENT
Minimum Open Space (% of development area)	None		

### **3.6.4 MIXED USE (MX) DISTRICT**

STANDARD TYPE	REQUIREMENT		
	RESIDENTIAL DEVELOPMENT	MIXED-USE DEVELOPMENT	NONRESIDENTIAL DEVELOPMENT
Minimum Open Space (% of development area)	None		

### **3.6.5 HIGHWAY COMMERCIAL (HC) DISTRICT**

STANDARD TYPE	REQUIREMENT	
	RESIDENTIAL DEVELOPMENT	NONRESIDENTIAL AND MIXED-USE DEVELOPMENT
Minimum Open Space (% of development area)	5	3

## **Public Comment:**

Do the above opens pace requirements meet the objectives of previous discussions with committees, Planning Board and Board of Commissioners. Recollection is that in general the objective was to minimize open space requirements in subdivisions where lot size results in large back yards and open space is not therefore not used or needed, and to require more open space in districts that have smaller lots, mixed uses, and commercial village areas to encourage common greens, plaza's etc.,.

Board consensus seemed to agree with higher density in areas where water and sewer are available, and in areas without availability of sewer as long as Health Department approval can be obtained.

I see no reductions in Residential Districts. These areas need a complete review! Example: Open space. SR more than 5 lots require 50% open space and 1 acre lots. VR can go down to 4 times the density (10K sqft) and only requires 5%. So people in the county require 10 time the open space as those in the Village?

## **Staff response**

*The current open space requirement for residential subdivision is 5%. Multifamily and mixed use development requires 15%. There are currently no open space requirements for commercial districts.*

*There was considerable discussion about lowering open space requirements for subdivisions with 1 acre or larger lot sizes because they are large enough for individual recreation equipment. The proposed open space for WL, RR, is 50% for conservation subdivisions. SR districts remains at 5%. Stormwater ponds and required buffers are credited toward open space and are very likely to satisfy this 5%percentage.*

*One for consideration is whether in the higher density districts listed above, does 5% open space for residential components and 3% for commercial components provides enough open space for accommodating common active or urban type spaces to create the village-like environment.*

*The 0.0% requirement in mixed use and village commercial districts is a conundrum to staff. Although there are no notes that refer to the 0.0% open space the only explanation is that it was discussed with some board of committee that made the recommendation. Neither staff nor consultant would recommend 0.0 % and in fact the table 7.5.6 Allowable Features in Open Space Set-Asides states that for these districts 100% of the required open space be of an urban nature.*

**Staff recommendation**

*Change open space requirements:*

*WL, RR,*

*50% for conservation subdivisions*

*0.0 % for traditional subdivisions*

*SR districts*

*50% for conservation subdivisions*

*0.0 % for traditional subdivisions*

*VR, CC, VC, MX Districts*

*15% Open space*

*(should result in more than stormwater and buffers infrastructure)*

*HC*

*5% open space*

*(stormwater and buffer likely to achieve this percentage.)*

**2.3.23 TRANSFER PLAT**

**B. Applicability**

The standards in this section shall apply to the conveyance of a single lot from one family member to another immediate family member

**Staff recommendation**

*The proposed ordinance does not include the current requirement that transfers from grandparents to grandchildren requires that grandparents must have owned the property for at least 10 years prior to transfer.*

*Recommend including this requirement in proposed ordinance.*

**10.3 DEFINITIONS**

**IMMEDIATE FAMILY**

Family members within two degrees of kinship (i.e., spouse, parent, sister, brother, child, grandparent, and grandchild).

**Staff recommendation**

*Current ordinance does not include transfers between siblings*

*Recommend removing brother and sister from definition of immediate family.*

## **ARTICLE 151.5 DEVELOPMENT STANDARDS**

### **Public Comment:**

1. BOC & PB 7/25/18 Joint minutes state:

112 It was decided by consensus of the group to allow staff to complete the issues of Parking and  
113 Landscaping and send the proposed changes to the group for feedback.

The Parking and Landscaping requirements were not consolidated and returned to the Boards. I reviewed the parking area and did find some things had been added. This review still needs to be accomplished.

### **Staff response**

*An email was sent to all work session members on August 2 requesting feedback regarding the attachment "UDO Leftovers" addressing several specific landscaping and parking and other issues along with recommendations. Two responses regarding minor subdivisions were received and are included in this report above.*