



COUNTY OF ALBEMARLE EXECUTIVE SUMMARY

AGENDA TITLE: ZTA 2014-00003 Neighborhood Model – Setbacks & Yards

STAFF: Higgins, Cilimberg, Burbage, Kamptner

SUBJECT/PROPOSAL/REQUEST:

Work Session-Review and Discussion of proposed ordinance to modify setback and yard regulations in development areas zoning districts in order to permit Neighborhood Model forms of development.

BOARD OF SUPERVISORS MEETING DATE:

May 6, 2015

BACKGROUND

The current Zoning Ordinance was adopted in 1980 and included minimum required front, side and rear yards for conventional zoning districts. The provisions adopted at that time reflected a more suburban form of development. The 2001 Neighborhood Model amendments to the Comprehensive Plan established new principles of denser, mixed use, pedestrian oriented development and anticipated reduced yard requirements to better enable this urban form in the Plan's Development Areas. Prior Resolutions of Intent (ZTAs 2004-00002 and 2005-00001) were adopted to consider amending the Zoning Ordinance to incorporate Neighborhood Model yard standards in conventional zoning districts. Although several work sessions have been held by the Planning Commission since and staff held two roundtable discussions with stakeholders in 2011, the yard requirements have not yet been amended. In the mean time, multiple projects have been rezoned to Neighborhood Model District (NMD), a planned development district added to the zoning ordinance in 2003, with the allowance for reduced setbacks and yards consistent with the Neighborhood Model principles. Also, staff reports for new Zoning Map Amendments routinely include a "Neighborhood Model Analysis" to evaluate a proposal's adherence to the NMD principles.

After conducting a public hearing on a proposed zoning text amendment to amend the yard requirements on November 11, 2014 (see Attachment A, Staff Report), the Planning Commission deferred action and asked the staff to hold another roundtable with the development community to hear their comments and ideas pertaining to maximum setbacks, the proposed garage off-set, and special exceptions to modify applicable setback standards. The roundtable provided valuable information, which resulted in the revised ordinance that was considered by the Planning Commission at a second public hearing on March 17, 2015 (see Attachment B, Staff Report). The Commission recommended the proposed ordinance to the Board of Supervisors for approval with some modifications.

DISCUSSION

The proposed amendments to the setback and yard regulations are intended to implement the Neighborhood Model principles and enable conventional residential, commercial and industrial districts to achieve a form of development comparable to that which has been possible for approximately 10 years in planned development districts, in particular the Neighborhood Model District. To that end, the Planning Commission voted on March 17, 2015 to recommend adoption of the proposed ordinance (see Attachment C) with the following modifications:

1. Address grandfathering of proffered conventional re-zonings.
--This has been accomplished in the attached ordinance by adding a note at the end of the tables in Sections 4.19 and 4.20.
2. Write in the provisions for reduction of minimum setbacks by special exception.
--This has been included in the attached ordinance by adding a note after the tables in Sections 4.19 and 4.20.
3. Clarify the definition of infill so the reference is to the lot as it exists at the time of proposed development.
--The proposed ordinance now includes this clarification in the definition of "infill".

4. Change references to “residential structure” to “dwelling unit” as that is a defined term in the zoning ordinance.
--The proposed ordinance now uses “dwelling unit” consistently.
5. Address the numbering of Sections 4.11.5 and 4.11.6 as necessary.
--This has been corrected in the proposed ordinance by renumbering these sections as 4.19 and 4.20.
6. Include a note in the tables that clarifies references to yards and setbacks in the definition section (Section 3.1).
--Rather than address this with a note, this draft revises the definition of “setback” to make this clarification.

STRATEGIC PLAN:

Development Areas: Attract quality employment, commercial and high density residential uses into development areas by providing services and infrastructure that encourage redevelopment and private investment while protecting the quality of neighborhoods.

RECOMMENDATION

After review of this proposed zoning text amendment further implementing the Neighborhood Model through changes to setback and yard regulations in the development areas, staff recommends that the Board schedule this amendment for public hearing.

ATTACHMENTS:

- Attachment A: Planning Commission Public Hearing staff report for November 11, 2014.
- Attachment B: Planning Commission Final Action staff report for March 17, 2015.
- Attachment C: Proposed Ordinance.
- Attachment D: Revised Comparison Diagrams illustration the proposed changes.
- Attachment E. Resolution of Intent, adopted March 25, 2014.