



Z-13-02-003

**Planning & Community Development  
Zoning Staff Report and Plan Amendment Evaluation**

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**Zoning Commission Hearing Date: February 11, 2013**

**GENERAL INFORMATION**

<b>APPLICANT</b>	City of Greensboro on behalf of the Greater Kirkwood Community
<b>HEARING TYPE</b>	Overlay District Boundary
<b>REQUEST</b>	Establishment of the <b>Greater Kirkwood Community Neighborhood Conservation Overlay District</b> . Existing base zoning of R-5 with one property that contains a split zone lot which is R-5 and R-3 (Residential Single-family) to remain unchanged
<b>CONDITIONS</b>	Refer to attached manual for development standards
<b>LOCATION</b>	North of <b>West Cornwallis Drive</b> , south of <b>Efland Drive</b> , east of <b>Battleground Avenue</b> and west of <b>Medford Lane</b> .
<b>PARCEL ID NUMBER(S)</b>	<b>Multiple</b>
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). <b>968</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~186.24 Acres
<b>TOPOGRAPHY</b>	Undulating
<b>VEGETATION</b>	Urban built environment

**SITE DATA**

<b>Existing Use</b>		Single-family dwellings
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	R-5 (Residential -Single) and R-3 (Residential -Single)	Single-family dwellings
E	R-3 (Residential -Single)	Single-family dwellings and undeveloped property
W	C-H (Commercial- High), LI (Light Industrial), C-M (Commercial-Medium), C-L (Commercial-Low), O (Offices) and R-3 (Residential-Single Family)	Commercial establishments and offices
S	C-M (Commercial-Medium), R-5 (Residential-Single Family) and O (Offices)	Single-family dwellings and Commercial establishments

**Zoning History**

Case #	Date	Request Summary
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These properties have been zoned R-5 (with one split zone lot which is R-3 and R-5 located at the terminus of Rosecrest Drive and south of Hawthorne Street) (Residential-Single Family) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), they were zoned RS-12 (Residential-Single Family) and RS-9 (Residential-Single Family) respectively.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (R-3)	Existing (R-5)	Requested (R-3/R-5 with an overlay district)
Max. Density:	3 dwelling units per acre	5 dwelling units per acre	Refer to attached NCO manual
Typical Uses	Primarily intended to accommodate low density single-family detached residential development.	Primarily intended to accommodate low-density single-family detached residential developments.	Primarily intended to accommodate low density single-family detached residential development.

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

### **Overlay District Ordinance/Historic Preservation**

Proposed GKC-NCO (Greater Kirkwood Community Neighborhood Conservation Overlay) District

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **GKC-NCO (Greater Kirkwood Community Neighborhood Conservation Overlay) District** would allow land uses that are compatible with the general character of the area.

### **Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **Low Residential (3 to 5 dwelling units per gross acre)** and **Moderate Residential (5 to 12 dwelling units per gross acre)**. The requested **GKC-NCO (Greater Kirkwood Community Neighborhood Conservation Overlay) District** is generally consistent with these GFLUM designations.

### **Connections 2025 Written Policies**

**POLICY 6A.4:** Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

- Including protection against incompatible commercial encroachments into residential neighborhoods

**Man-made Environment Goal:** Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

**Reinvestment/Infill Goal:** Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

**POLICY 5F.2:** Improve design standards for new development to enhance community appearance and sense of place (visual impacts on adjacent neighborhoods).

### **Connections 2025 Map Policies**

**Low Residential (3 to 5 dwelling units per gross acre):** This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

**Moderate Residential (5-12 d.u./acre):** This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

### **CONFORMITY WITH OTHER PLANS**

**City Plans – N/A**

**Other Plans– N/A**

### **PLANNING BOARD COMMENTS**

The Planning Board held a public hearing at their January 16, 2013 meeting on the plan elements of this proposed NCO. The Board, based on a 3-3 vote, made no official recommendation.

### **Staff/Agency Comments**

#### **Planning**

The NCO, Neighborhood Conservation Overlay district establishes regulations to enhance natural, economic, and architectural resources unique to specific areas of the city while protecting neighborhoods from incompatible development. The overlay district regulations are intended to:

- encourage development, redevelopment, and/or public projects that are consistent with a neighborhood's livability, architectural character, and reinvestment potential; and
- provide a means to modify zoning regulations and establish design standards for specific areas of the city while facilitating compatible development or redevelopment and protecting neighborhoods from incompatible development.

The Greater Kirkwood Community NCO process originally began in December 2008. Over the course of five community meetings and a number of smaller GKC Board meetings resulted in the proposal of five development standards. These include front setbacks, minimum lot width, garage placement, tree preservation in the front yard and outdoor lighting. These standards reflect the existing neighborhood context so new development will be compatible with the current neighborhood patterns of development.

An original Greater Kirkwood NCO boundary was presented to the Zoning Commission at the February 2012 meeting. Following that meeting the public hearing process was suspended by the City to allow time for additional research and to address stated concerns, including the size of the proposed NCO boundary. City staff worked with representatives of the Greater Kirkwood community to further refine the NCO proposal, which resulted in the removal of all properties zoned R-3. This revised boundary, along with clarifications and adjustments to the Plan elements, was presented to the full neighborhood at a meeting in October 2012. The neighborhood agreed to ask the City to move forward with the revised boundary and NCO plan, taking both back through the public hearing process incorporating Council's revisions to the notification procedures for overlays approved in April 2012.

This NCO district is designed to protect and enhance the established residential character of the Greater Kirkwood community by ensuring new development fits with this established character. The NCO does not limit underlying land uses (current or potential) but modifies existing standards to ensure new development fits this existing context.

This NCO meets the Comprehensive Plan's goal to protect neighborhoods from incompatible development and enhance the character and visual quality of Greensboro's built environment. The standards of this NCO incorporate elements from existing LDO standards (such as context infill) and are a direct reflection of existing development patterns.

The **GKC-NCO (Greater Kirkwood Community Neighborhood Conservation Overlay) District** manual is attached. It can also be found online at <http://www.greensboro-nc.gov/index.aspx?page=1786>

### **STAFF RECOMMENDATION**

Staff recommends approval of the requested **Greater Kirkwood Neighborhood Conservation Overlay District** boundary as shown on the attached map.

# Greater Kirkwood Community Neighborhood Conservation Overlay

Public Hearing Draft

Draft  
November 5, 2012

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potential copy of  
Ordinance of City Council  
adoption**

# Greater Kirkwood Neighborhood Conservation Overlay

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## CREDITS AND ACKNOWLEDGEMENTS:

The Greater Kirkwood Community Neighborhood Conservation Overlay Plan is the result of many hours of hard work by numerous members of the Greater Kirkwood Community Neighborhood Association to preserve and enhance the unique characteristics of this Greensboro neighborhood. Over the course of approximately two years staff, members of the neighborhood association, neighborhood residents and property owners have worked to identify the challenges and opportunities facing the Greater Kirkwood Community neighborhood. This plan, achieved through months of listening, discussions and compromise, represents a vision for future growth and development in this neighborhood that respects its existing character.

### Greater Kirkwood Community NCO Steering Committee:

Patsy Boren	Sheldon Herman
Dottie Cooke	Anne Hummel
Anna Fesmire	Matt Tackas
Keith Francies	Barbara Walser

### Other GKC board members who have collaborated on the NCO:

Andrea Miller, Ashleylayne Bell, Barbara Rierson, Becky Ryan, Burwell Anthony, Chris Marriot, Dave Gissel, Debbie West, Ed Stephens, Eric Hoekstra, Haden Jennings, Hillary Rice, Jason Roghelia, Jason Tipton, Jennifer Wilcox, Joy Farlow, Karol Neufeld, Kathleen Smith, Katie White, Kristie Johnson, Mark Rose, Matt Logan, Maura McGinn, Meryl Mullane, Rudy Cordon, Sabrina Atwell, Teri Little, Tommy Bailess, Wendy Schaitberger (dec.), and Will Haley.

All the residents of Greater Kirkwood who participated in neighborhood meetings, and guided the creation of this Plan.

### City Staff:

Russ Clegg  
Mike Kirkman  
Mike Cusimano  
Mary Sertell

A special thanks to Gayle Fripp and Anne Hummel for help in researching the history of Kirkwood and its development.

DRAFT

## INTRODUCTION

The Greater Kirkwood Community (GKC) neighborhood association initiated this Neighborhood Conservation Overlay (NCO) process to protect the neighborhood's character as new development occurs. Residents became actively involved in future development in their neighborhood during a controversial rezoning request along Lawndale Drive and recent residential infill development. As a result, the neighborhood appealed to the City Council to revise "Connections 2025", Greensboro's Comprehensive Plan. With Council approval, the designation of 26 acres along the Lawndale corridor was changed from "Mixed Use Commercial" to "Moderate Residential" on the Generalized Future Land Use Map. Moderate Residential is defined in the Comprehensive Plan as a category that "accommodates housing types ranging from small-lot, detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings."

### Why an NCO?

An NCO can help older neighborhoods retain their character as new development occurs; some contemporary house designs do not blend well with older homes, and current zoning regulations allow for significantly greater intensity of construction and smaller lot sizes than the traditional development pattern in the Greater Kirkwood Community.

An NCO sets broad standards based on existing neighborhood characteristics that the neighborhood thinks are important to their identity and uniqueness.

A few things to keep in mind about this NCO:

- Existing houses do not need to be changed to conform to this NCO.
- After an NCO is established, City staff will review building permits for compliance with the NCO; there are no further steps to the review process, though some extra materials (such as a site plan or tree conservation plan) may need to be submitted for review.
- Adopted NCO standards are eligible for Type 2 modifications by the City's Technical Review Committee on a case by case basis if the applicant can demonstrate an equal or better performance in exchange for the modification.

## REGULATORY FRAMEWORK

Greensboro's enabling ordinance requires that a plan and development guidelines accompany the creation of an NCO. Contained within this plan are: a statement of purpose and intent; description of the area boundary; relevant history; a physical description of the area; land use and zoning analysis; and a review of the Greater Kirkwood Community's NCO planning process.

### Purpose & Intent for the Greater Kirkwood Community's NCO

The Greater Kirkwood Community (GKC) has stated that the establishment of a neighborhood conservation overlay is essential to 'preserving for future generations those characteristics we consider to be unique and particularly appealing about our neighborhood.' Among these unique characteristics are a mature tree canopy and a high degree of consistency in development patterns along individual blocks and streets.

The purpose of the GKC's NCO is to protect the uniqueness of the GKC by requiring that new construction be done in a way that is compatible with the existing distinctive characteristics of the neighborhood. Most blocks in the neighborhood show a high degree of consistency in setback and house size, but some of these characteristics are not consistent with the Land Development Ordinance. The NCO is intended to address those inconsistencies that are important to the neighborhood.

### Non-Conformities

The standards in this NCO are based on the context established by the existing structures and pattern of development in the neighborhood. As such, all structures existing inside the GKC NCO boundary at the time of the adoption of this plan shall be considered to be in conformance with the standards of the plan. Damaged structures, up to and including 100% of the pre-damage tax value, will be allowed to rebuild in their existing footprint. Structures existing at the time of the adoption of this plan may be expanded and altered as long as the expansion complies with the dimensional requirements of the Land Development Ordinance and this NCO plan.

### Applicability

All development that occurs within the GKC NCO must adhere to the development standards contained within this NCO Plan as well as to those defined in the underlying zoning. Where the overlay standards are in conflict with the underlying zoning, the overlay standards take precedence.

- **Front Setback:** Applicable to the construction of new principle structures and to existing principal structures undergoing an expansion greater than 25% of the existing footprint.
- **Tree Conservation:** Applicable only to trees in the front yard during the construction of new principal structures and to existing principal structures undergoing an expansion greater than 25% of the existing footprint; the front

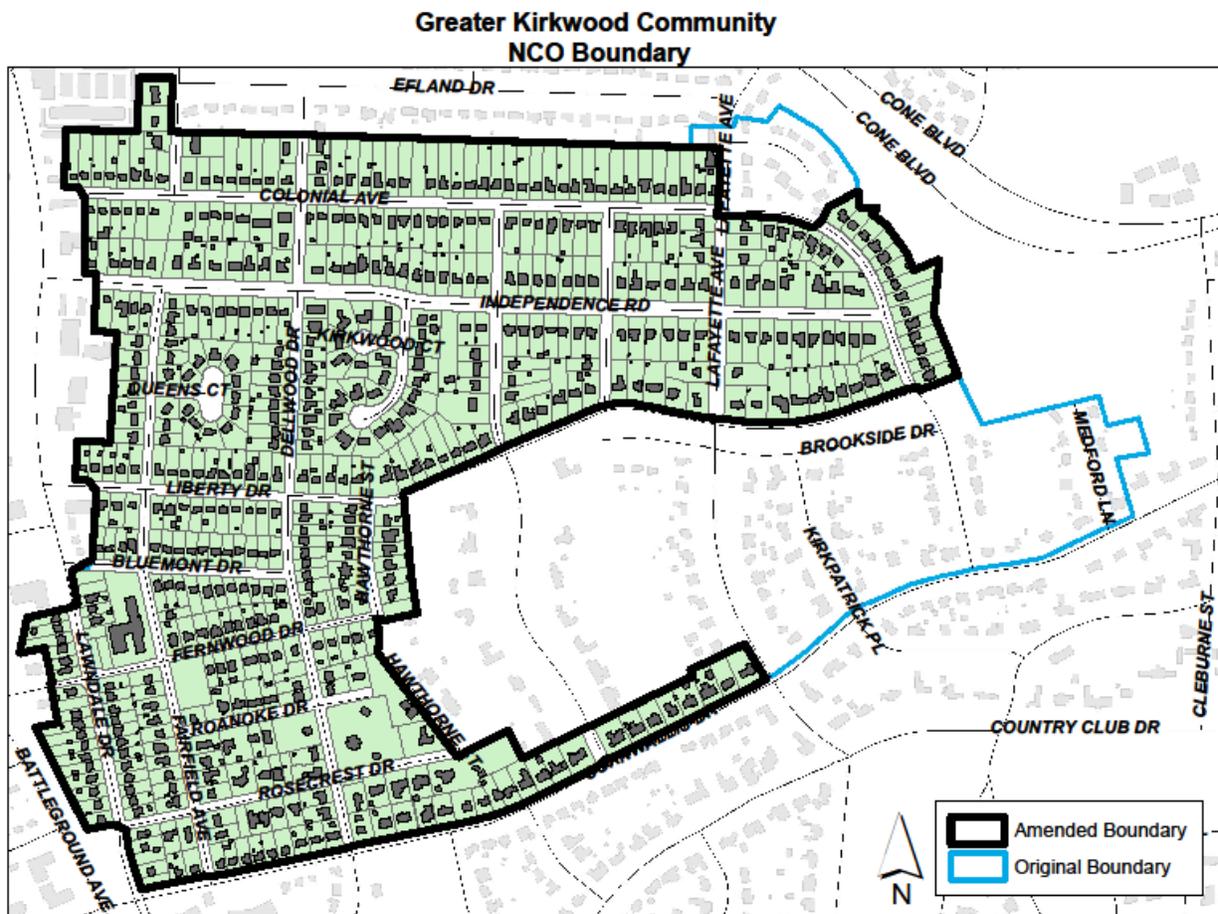
yard is defined as the area between the street and a line across the property drawn at the facade. Once a certificate of occupancy is granted this standard no longer applies.

- **Garage and Car Port Placement:** Applicable to the construction of new houses or other structures and to existing houses or structures undergoing an expansion greater than 25% of the existing footprint.
- **Minimum Lot Width:** Applicable to all new lots within the GKC NCO boundary after adoption. All existing lots of record can be built upon as long as all other dimensional standards in the LDO can be met except for minimum lot width.
- **Lighting:** applicable within the GKC NCO boundary except as noted in the standards.

The review process under this NCO will remain the same as outlined in the City Code; however, additional materials such as a tree survey may be needed with plan submittal to ensure proposals meet the NCO standards. Review procedures will be handled through a standard staff level review. For specific information regarding application and approval procedures, consult the Greensboro Land Development Ordinance or the Greensboro Department of Planning and Community Development.

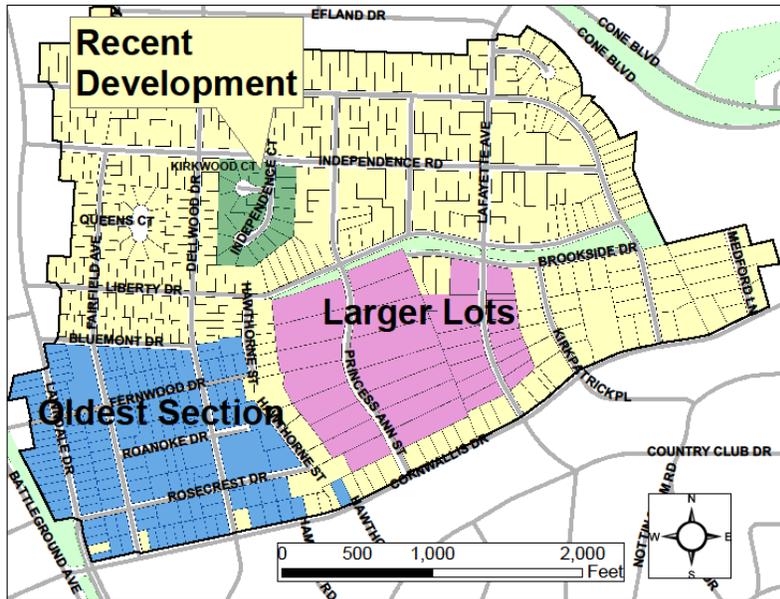
## LOCATION AND BOUNDARIES

The Greater Kirkwood Community's NCO consists almost entirely of residentially zoned and developed lots (with the exception of one church and one house zoned Neighborhood Commercial) and is generally bordered by Lawndale Drive (both sides where houses exist) to the west, both sides of Colonial Avenue to the north and east until Brookside Drive where the eastern boundary moves to Hawthorne Street, and the northern side of West Cornwallis Drive to Lafayette Street to the south. The area is located in the northwest section of Greensboro, about three miles north of the center city. As shown on the map below, the original boundary suggested by the neighborhood and used during the planning process was amended to the smaller boundary based on comments received during the previous public hearing process.



## PHYSICAL CHARACTERISTICS

The following description covers the entire area that the neighborhood association submitted as the boundary of their NCO. Though this NCO boundary has been amended, and though the City of Greensboro does not formally recognize neighborhood boundaries, the development pattern of the entire neighborhood is an important piece to the decision to amend the boundary.



The Greater Kirkwood Community neighborhood is almost entirely made up of detached, single family houses with a generous quantity of mature trees and a wide variety of architectural styles. While there is variety in the overall look and feel of the neighborhood, the homes transition well from each other and overall create a cohesive appearance to the neighborhood. The neighborhood was

developed in several phases during the 20th Century. The initial development period occurred in the 1920s and 1930s but the majority of the neighborhood was developed in the post-War period, with the addition of some newer cul-de-sacs in the 1990s.

More specifically, houses in the neighborhood reflect the neighborhood's four major development periods.

*Pictures to be inserted*

1) The homes developed in the 1920s and 1930s in the oldest section of the neighborhood are predominately brick, vary in size and scale depending on blockface and express greater levels of detail than in other areas of the neighborhood. These homes tend to be located in the southern portion of the neighborhood.

2) The homes from the post-War period have exterior materials varying from brick, asbestos siding, vinyl siding, faux stone and clapboarding and are generally situated on small lots of about 0.25-0.35 acres. These homes are mainly minimal traditional with one story construction and are often referred to as 'cottages.' These homes are generally located in the north and east of the neighborhood.

3) In the mid 1990s a small cul-de-sac community was created from an estate that dates to the 1920s. These are large homes for the area and generally take up more of their lot than houses in other sections of the neighborhood.

4) The neighborhood also contains two streets with large homes that are similar in scale and detail to the nearby neighborhood of Irving Park. The setbacks and lot sizes in this section are of a large scale to match the houses. The homes in this southeastern portion of the neighborhood were built primarily in the 1950s, with some more recent additions.

There is also a scattering of more contemporary homes in the neighborhood that have been built on vacant lots or to replace existing homes that were demolished. Despite the variety of housing and lot types within the neighborhood, most homes along a particular blockface show similar patterns of building size, placement and relationship to the street. The homes transition well from one to another through minor variations in building patterns or through physical boundaries such as park space.

Natural features include the open stream and bottom land that runs eastward from Hawthorne Road and Princess Ann Street through Kirkwood Park toward the east end of Colonial Avenue and beyond. This stream is surrounded by a greenway park between Liberty Drive and Brookside Avenue.

*Pictures to be inserted*

## HISTORY

The Greater Kirkwood Community began as two farms that were purchased and developed on the outskirts of Greensboro in the 1920s: the Kirkpatrick farm with its home place on 906 West Cornwallis, and the Holt farm with its home place on 2000 Dellwood Drive. The Holt Farm property was sold and developed into residential lots in the 1930s, and Kirkpatrick Farm property was developed for post-war housing in the late 1940s and early 1950s. The majority of these hundreds of houses was small and built on deep narrow lots approximately 60 years ago. A few newer streets were developed with larger houses on larger lots in the late 1950s through 1990s, making the Greater Kirkwood Community neighborhood more diverse in size of lots and architectural design.

At the request of the Kirkwood Garden Club in the early 1950s, the City established Kirkwood Recreational Park as part of the City's park system. Since that time the entire surrounding neighborhood has enjoyed the recreational equipment and the Parks and Recreation Department's summer programming. Kirkwood Park has attracted families with young children to buy homes in the neighborhood, and now many of these homes are owned by Greensboro natives who grew up there decades ago.

The part of the neighborhood widely known as Old Kirkwood has small one-story houses in colonial style, mostly with wood exterior. For decades it has hosted the traditional Kirkwood Parade on the Fourth of July as well as other seasonal celebrations.

Most of the homes on the western edge of the neighborhood are one-story homes approximately the same size as those in Old Kirkwood. Other parts of the neighborhood, developed more recently, have larger more modern homes. Though we have a diversity of house styles and home values, with the newer homes complementing architecturally their Irving Park neighbors across West Cornwallis Drive, the homes share common traits on individual blocks and streets, giving the neighborhood a pleasing balance between consistency and variety.

## EXISTING ZONING AND FUTURE LAND USE

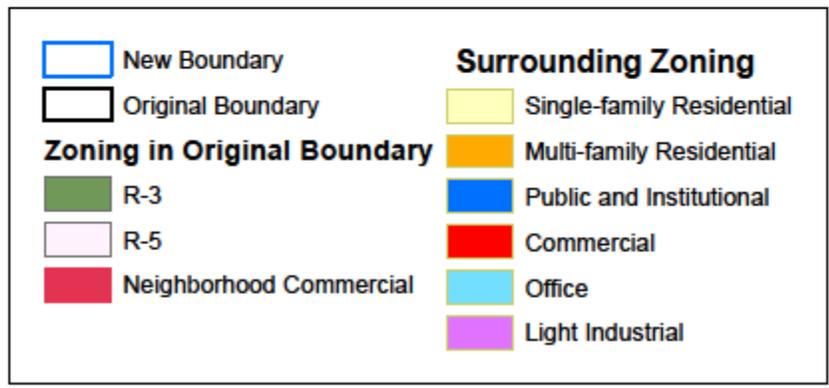
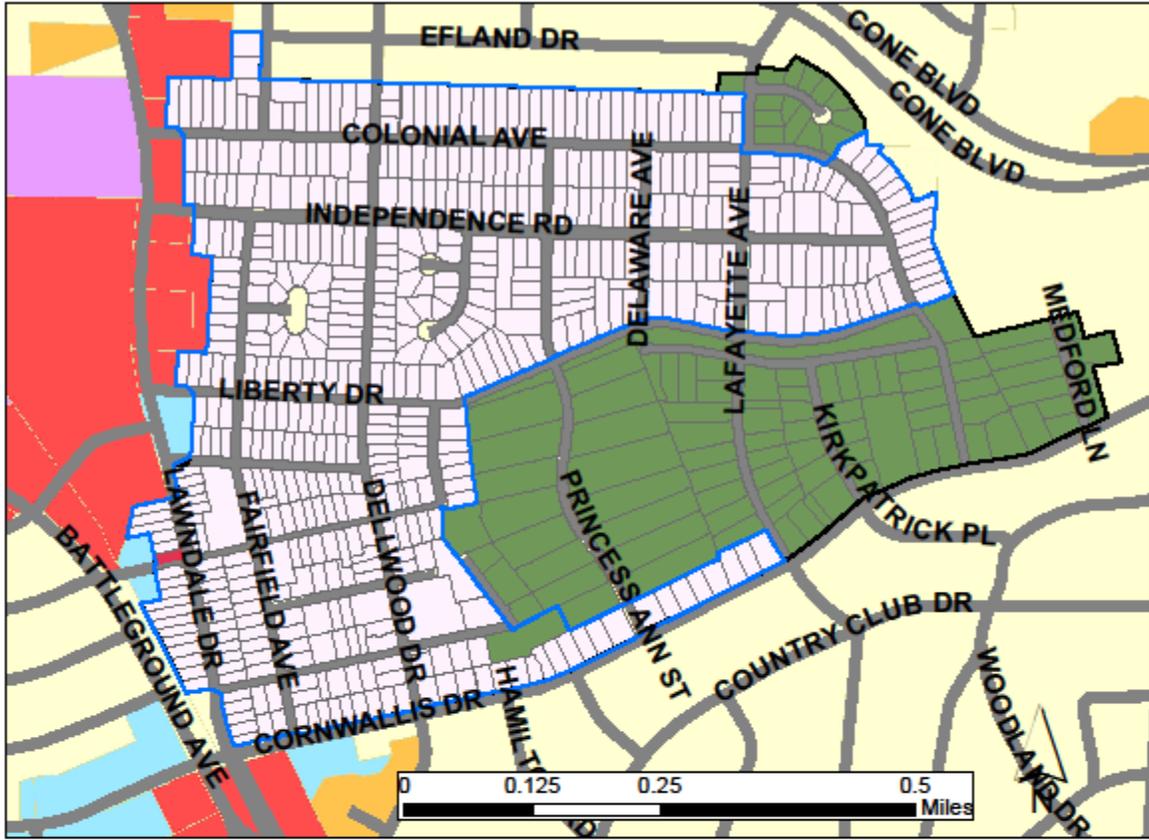
### Existing Zoning

Properties within the originally proposed Greater Kirkwood Community NCO are currently zoned either R-3 (single family residential, up to 3 units/acre) or R-5 (single family residential, up to 5 units/acre), the exception being one house that was rezoned Neighborhood Commercial with the condition that the structure be retained. Future land use designations for the area include Low Residential (3-5 units per acre) and Moderate Residential (5-12 units per acre). As noted previously, certain aspects of the current zoning code do not match the way the neighborhood was built, including the front setbacks and lot width. The neighborhood seeks to use the NCO to address some of these issues. The current, amended boundary does not include R-3 zoning.

### Dimensional Requirements for R-5 zoning (from adopted Land Development Ordinance):

Minimum Lot Size (sq. ft.) R-5	7,000
Minimum Lot Width (ft.) -Interior Lot -Corner Lot	50 58
Minimum Street Setback (ft.) -Front -Side Thoroughfare	20/25 (façade/garage door) 15 35
Minimum Interior Setback (ft.) -Side -Rear	5 20
Maximum Height (ft.)	50/3 Stories
Maximum Building Coverage (% of Lot) R-5	50%

## Neighborhood Zoning and Area Land Uses



## THE GREATER KIRKWOOD COMMUNITY & THE NCO PROCESS

The Greater Kirkwood Community requested an NCO planning process in December 2008. This request followed a successful neighborhood initiative to change the City's Generalized Future Land Use Map to more adequately reflect the character of the neighborhood and encourage compatible growth in areas along and near Lawndale Drive. Meeting with the neighborhood steering committee, staff reviewed the neighborhood's goals for pursuing an NCO, initial boundaries, elements to be evaluated for potential development standards, and the scope of the NCO planning process. Staff also reviewed the petition and application to officially begin the process for accuracy, completeness and eligibility. The neighborhood met the applicable petition thresholds of 25% (with 34% of property owners representing 40% of the total land area signing the initial petition) to officially begin the NCO planning process in June 2009.

Using the suggestions from the steering committee as a starting point for the neighborhood discussion, the neighborhood held their first public meeting on June 4, 2009. Staff and steering committee reviewed the concept of the NCO, described neighborhood characteristics, and asked meeting participants to define the elements of the neighborhood they felt were unique and defined the Greater Kirkwood Community as a desirable place to live.

Some of the major elements discussed were: buffers between unlike land uses, transitions among different building types and sizes, the location of required drives and surface parking, the relationship between setbacks and scale, garage placement, lighting on individual property, tree conservation, small building footprint in relationship to lot size, similar front and side setbacks and building heights by block, small scale cottage style houses, and roof design.

With this feedback in hand, staff researched each element for its frequency in the neighborhood to understand how each element relates to the area. Staff found that while the neighborhood varies in its entirety, most blockfaces exhibited similar patterns of development.

At the second community meeting (October 15, 2009), staff reviewed the research based on the feedback from the first meeting and asked meeting participants to vote on which neighborhood characteristics should be included in the overlay plan. The voting sheet and presentation were also made available via the web and hard copies were provided to those property owners who requested them.

Based on feedback acquired from the voting responses and the steering committee, staff began drafting options for the NCO development standards. In order to address the variety of concerns from the neighborhood, staff offered alternate options to achieve their stated goals. After refinement, staff presented the development

guidelines options to the neighborhood at their third public meeting on January 28, 2010.

The third public meeting offered an opportunity for the neighborhood to react to specific proposals for the Greater Kirkwood Community NCO. A variety of options were presented by City Staff and then voted on by property owners present at the meeting.

By the conclusion of the meeting attendees had identified a total of seven areas to address with the NCO document, though two were removed from the final product:

- 1) Front Yard Setback
- 2) Tree Conservation
- 3) Garage/Carport Placement
- 4) Minimum Lot Width
- 5) Lighting
- 6) Building Heights (Removed)
- 7) Building Lot Coverage (Removed)

Based on the differences in development across the neighborhood but the high degree of consistency on individual blockfaces, the neighborhood and City staff focused on contextual standards. This approach uses the measurements of the adjacent properties to determine the appropriate standards for the subject property, rather than creating one standard across the neighborhood.

Due to changes in neighborhood leadership and concerns expressed on overall neighborhood engagement, the neighborhood's Board and NCO steering committee elected to spend several months bringing new members up to speed and thoroughly discussing information presented by staff at the community meeting.

On October 14, 2010 another community meeting was held to present specific development standards, based on numerous revisions and extensive discussion, to be included in the NCO document. This information was generally well received by those in attendance with a few comments proposed for adjusting language for various proposed standards. Based on this feedback staff prepared the full draft NCO document and the final petition needed to begin the public hearing process for adoption.

The Greater Kirkwood Community Board did remove several items from the NCO during the last few months of work. One was for Maximum Building Coverage, based on more careful analysis of conditions in the neighborhood and the standards that were in the newly adopted Land Development Ordinance. The board also removed the

standard for building height, after not being able to reach consensus on what the standard would be.

City staff on April 4 of 2011, giving the neighborhood until October 4, 2011 to gather the required number of signatures: 50% of the property owners in the boundary, both by number and by land area. The neighborhood turned in the petition on the due date, and after review by staff the neighborhood had gotten 356 signatures, which was 55% of the property owners by the number of properties, and 59% by land area. Since this was above the minimum established threshold, the neighborhood initiated a public hearing process by filing a rezoning application.

During the Planning Board and Zoning Commission public hearings, the plan did run into opposition that raised several issues that needed clarification. As a result of the research done by staff, the plan was amended in several key ways:

- The area in the boundary was reduced to exclude properties on the significantly larger lots in the western section of the neighborhood zoned R3, as these lots are of a significantly different character than other sections of the neighborhood and changes on these larger lots are likely not to have as large an impact on neighboring properties.
- Non-conformities were clearly addressed by stating that properties existing in the boundary prior to adoption are considered to be in compliance with the plan, and that properties that were damaged can be rebuilt in their previous footprint.
- Staff interviewed staff of other cities with NCOs, the UNC School of Government, the NC Department of Insurance and the State Attorney General's Office regarding unanticipated problems that adopting an NCO could cause in recouping insurance claims, getting and keeping mortgages or financing, or in selling a home. No one interviewed stated having any problems relating to these issues.

City staff mailed a packet of information to property owners in the neighborhood in September of 2012 explaining many of these issues in some detail. Property owners were also given the opportunity to remove their name from the second petition if they had signed it. Seven people removed their signatures, but the percentages in the amended boundary still met the minimum required with 54% by land area and 53% by number of owners.

In October of 2012, City staff held a neighborhood wide public meeting, advertised in the September letter and by a follow up postcard, to review the changes to the plan. At the end of the meeting, the neighborhood decided to move forward with the

public hearing process. Since there had been significant changes to the plan made since the first public hearings, this will include the Planning Board, Zoning Commission, both of which make recommendations to City Council which makes the final decision on adoption. The Planning Boards recommendation would be on the plan's contents, and the Zoning Commissions recommendation would be on the plan's boundaries.

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# DEVELOPMENT STANDARDS

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## I. FRONT YARD SETBACK

### Purpose

To maintain a consistent look from the roadway.

Applicable to the construction of new principal structures and to existing principal structures undergoing an expansion greater than 25% of the existing footprint.

### Standard

The front yard setback should be no smaller than the smallest front yard setback of the two adjacent properties on both sides of the subject property. The setback is measured at the principal building façade and does not include porches, steps, stoops or balconies, etc.



*The smallest setback of the adjacent lots is 59 feet, which becomes the minimum required setback for the new house on the middle parcel*

## II. TREE CONSERVATION

### Purpose

To conserve the tree canopy in the neighborhood by preventing the clear cutting of lots for new construction

Applicable only to trees in the front yard during the construction of new principal structures and to existing principal structures undergoing an expansion greater than 25% of the existing footprint; the front yard is defined as the area between the street and a line across the property drawn at the nearest part of the building. Once a building is occupied this standard no longer applies.

### Standard

At least 60% of the trees located in the front yard setback with a minimum 4 inch diameter at breast height shall be conserved.

This requirement may be met by either:

1) conserving 60% of the existing trees

OR

2) conserving 30% of the existing trees and reforesting the other 30% anywhere on the property. New trees should be at least 2 inch caliper if understory and 4 inch caliper if canopy. New trees should be of the same type (canopy or understory) but not necessarily of the same species as those replaced.



*Existing house with 3 trees in front yard*



*During construction 60% of the trees must be preserved; one has been preserved and one new tree planted in the back yard, as per option 2 above*

### III. ATTACHED GARAGE/CARPORT PLACEMENT

#### Purpose

From the street, existing homes in the neighborhood typically focus on the front door and living spaces, and newer homes with a garage built in the front yard can look out of place; the appearance from the street should emphasize residents and not cars.

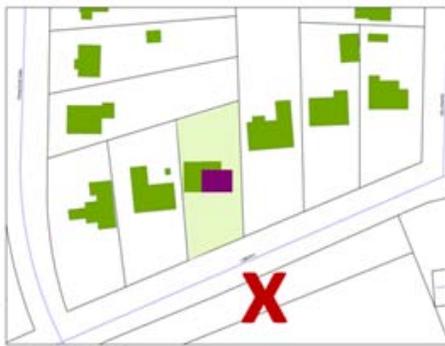
Applicable to the construction of new principal structures and to existing principal structures undergoing an expansion greater than 25% of the existing footprint.

#### Standard

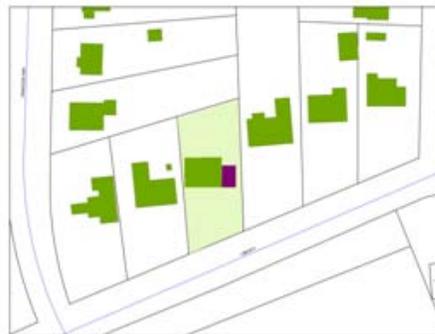
The front of new attached garages and carports regardless of size should not be closer to the street than the principal building façade and should not comprise more than 40% of the width of the façade.

#### Non-Compliant

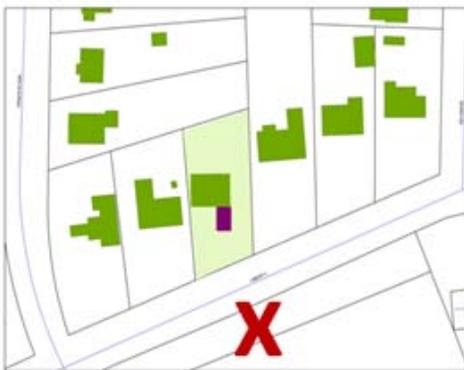
#### Compliant



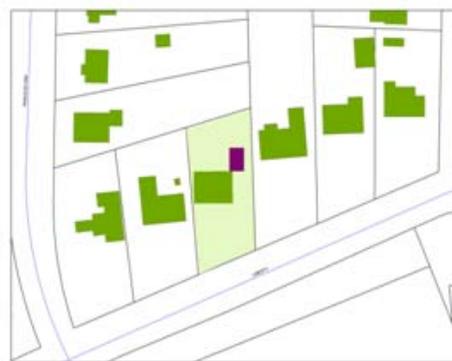
Attached garage comprises more than 40% of the façade



Attached garage located to the side of house and less than 40% of the façade



Attached garage located closer to street than front of house



Attached garage located behind the house

## IV. MINIMUM LOT WIDTH

### Purpose

Maintain the historic lot pattern of the neighborhood while allowing for appropriate infill development.

Applicable to all new lots within the GKC NCO boundary after adoption. All existing lots of record can be built upon as long as all other dimensional standards in the LDO can be met.

### Standard

New lots shall not have minimum widths less than the average width of all lots on the block face.



Average Lot Width (ft.) = 76.66 ft.  
 $460 \text{ ft. (total lot width)} / 6 \text{ (number of lots)}$

## V. LIGHTING

### Purpose

To ensure lighting fixtures are designed to prevent unwanted light from impacting adjacent properties.

Applicable to all lighting within the GKC NCO boundary except as noted below.

### Standard

Light from fixtures for all uses shall illuminate only what they are intended to illuminate. Indiscriminate area lighting is not appropriate; fixtures shall be directionally shielded and designed with tops to focus lighting downward or in a specific direction.

This does not apply to:

- Porch light fixtures
- Decorative exterior light fixtures
- Light posts less than 6 feet in total height
- Landscape lighting with low-level projections or focused on individual features and angled to not shine onto adjacent properties
- Motion lights and spotlights in rear yards

