



DATE: November 17, 2020

CASE: Text Amendment to Address Oversights

PREPARED BY: Katherine Godwin, AICP –Senior Planner

BACKGROUND

As the Commission is aware, the staff has been in the process of revising the Concord Development Ordinance (CDO) to respond to the recommendations contained in the 2030 Land Use Plan. We have been incrementally working on the revisions with the assistance of Tindale Oliver and Michael Lauer Planning. The permitted use table, conservation subdivision standards and various amendments to articles 7 and 8 have been approved.

Staff has since uncovered an error in the approved Table 8.1.8 Use Table under Commercial Uses, Use Category Vehicle Sales and Service. Automobile Repair, Major which is currently permitted with additional standards in the I-1 (Light Industrial District) is not permitted in the I-2 (Heavy Industrial District). Staff believes that this was a simple oversight during the previous phase of revisions and requests to change the Use Table to read permitted with additional standards (PS) for the use of Automobile Repair, Major in I-2 (Heavy Industrial District).

Staff has also discovered an incorrect cross reference in the approved Article 5 Section 5.5.6 Perimeter Buffer Yard for Residential Subdivisions on pages 26-27 of Article 5. Table 5.5-1 Dimensional and Density Standards incorrectly references the updated Table 7.6.2 A-Dimensional Standards and Table 7.6.2 B- Setbacks found on pages 17-18 of Article 7. Staff requests the CDO be revised to remove Table 5.5-1 and associated notes.

There are also two incorrect cross references in Section 5.5.6 Perimeter Buffer Yard for Residential Subdivisions B & C on pages 25-26 of Article 5. Subsection B currently references Table 9.4-2 and should reference Article 11. Subsection C currently references § 6.5 and should reference Articles 10 and 11. See attached redlined document for complete text.

At the consensus of the Commission, the item can be referred to City Council for consideration at the December meeting.

USE CATEGORY	SPECIFIC USE	AG	RESIDENTIAL						COMMERCIAL					IND		Standards	
		AG	RE	RL	RM-1	RM-2	RV	RC	O-I	B-1	CC	C-1	C-2	I-1	I-2		
	Automobile Parts, Tires and Accessories Store									PS		PS	PS	PS		8.3.6.I	
	Automobile Repair, Major												PS	PS		8.3.6.H & 8.3.6.I	
	Automobile Repair, Minor										PS	PS	PS	PS	PS	8.3.6.D & 8.3.6.I	
	Automobile Wash (carwash) including detailing service												P	P	P		
	Manufactured Home Sales												PS	PS		8.3.6.F	
	Vehicle Sales, Lease, Rental, including boat, RV and storage buildings												PS	PS	PS	8.3.6.G	
	Truck Stop, Travel Plaza													P	P		
INDUSTRIAL USES																	
Light Industrial Service	Truck/Construction Equipment Rental													P	P		
	Flex/Office Space												P	P	S		
	All light industrial service, except as listed below													P			
	Cabinet and Woodwork Shop											P	P	P			
	Equipment Supply House, commercial												P	P	P		
	Food Catering Facility									PS	PS	PS	PS	PS		8.3.7.A	
	LP Gas & Heating Oil Dealer												P	P	P		
	Machine Shop													P	P	P	
	Musical Instrument Manufacturing													P	P	P	
	Pest Control Service												P	P	P		
	Portable Toilet Service															P	
	Small Engine Repair													P	P	P	
	Tire Recap and Repair Facility															P	
	Upholstery Shop													P	P	P	
Warehouse and Freight Movement	Electronic Shopping, Mail Order House													P	P		
	Moving and Storage Facility													P	P		

USE CATEGORY	SPECIFIC USE	AG	RESIDENTIAL						COMMERCIAL					IND		Standards	
		AG	RE	RL	RM-1	RM-2	RV	RC	O-I	B-1	CC	C-1	C-2	I-1	I-2		
	Automobile Parts, Tires and Accessories Store									PS		PS	PS	PS		8.3.6.I	
	Automobile Repair, Major												PS	PS	PS	8.3.6.H & 8.3.6.I	
	Automobile Repair, Minor										PS	PS	PS	PS	PS	8.3.6.D & 8.3.6.I	
	Automobile Wash (carwash) including detailing service												P	P	P		
	Manufactured Home Sales													PS	PS	8.3.6.F	
	Vehicle Sales, Lease, Rental, including boat, RV and storage buildings												PS	PS	PS	8.3.6.G	
	Truck Stop, Travel Plaza													P	P		
INDUSTRIAL USES																	
Light Industrial Service	Truck/Construction Equipment Rental													P	P		
	Flex/Office Space												P	P	S		
	All light industrial service, except as listed below													P			
	Cabinet and Woodwork Shop											P	P	P			
	Equipment Supply House, commercial												P	P	P		
	Food Catering Facility									PS	PS	PS	PS	PS		8.3.7.A	
	LP Gas & Heating Oil Dealer												P	P	P		
	Machine Shop													P	P	P	
	Musical Instrument Manufacturing													P	P	P	
	Pest Control Service												P	P	P		
	Portable Toilet Service														P		
	Small Engine Repair													P	P	P	
	Tire Recap and Repair Facility														P		
	Upholstery Shop													P	P	P	
Warehouse and Freight Movement	Electronic Shopping, Mail Order House													P	P		
	Moving and Storage Facility													P	P		

thoroughfare shall be a Type D buffer as set forth in Table 9.4-2 of this Ordinance.

- C. All required buffer yards shall be platted as common areas and may be included as “open space” subject to the standards and criteria as set forth in § 6.5 of this Ordinance.

Table 5.5-1 Dimensional and Density Standards

Zoning District	A Min. Lot Size (sq. ft.)	B Max. Density (per acre)	C Impervious Surface Ratio	E Min. Lot Width (feet)	F Min. Lot Depth (feet)	G Max. Building Height (feet)
AG**	43,560	1	-	200	200	35
RE	43,560	1	-	150	150	35
RL	20,000	2	-	100	125	35
RM-1	15,000	3	-	75	125	35
RM-2	10,000	4	-	75	100	35
RV***	7,500	8	0.5	50	100	35
RC***	5,000	15	0.5	50	100	35
B-1	-	-	0.65	50	100	50
CC	-	-	-	-	-	72
O-1	-	-	0.7	-	-	35
C-1	-	-	0.7	-	-	48
C-2	-	-	0.8	50	100	48 (1)
CD	-	-	0.8	100	100	72
I-1	-	-	0.8	50	100	72
I-2	-	-	0.9	50	100	72

(1) Height may be increased by one foot for each one foot of additional building setback up to a maximum height of 200 feet. Setbacks for Unified Development projects shall be measured from the overall project boundaries. A Unified Development is defined as properties developed as a single-use where the developments on all the parcels are necessary to meet the requirement of this ordinance.

Building Setbacks

ARTICLE 5: SUBDIVISION PLATS, SITE PLANS AND CONSTRUCTION PLANS

Zoning District	PRINCIPAL STRUCTURES			ACCESSORY STRUCTURES			NOTES:
	Min. Front Setback (feet)	Max. Front Setback (feet)	Min. Interior Sideyard Setback (feet)	Min. Interior Sideyard Setback (feet)	Min. Rear Setback (feet)	Min. Rear Setback (feet)	
AG	50	-	20	10	30	10	* Residences permitted in non-residential districts shall conform to the density and dimensional standards of the RC district.
RE	45	-	20	5	30	5	
RL	35	-	15	5	30	5	**Rural subdivisions (AG zone) are subject to the additional provisions of Section 5.25.
RM-1	25	-	10	5	25	5	
RM-2	25	-	10	5	25	5	*** Individual duplex lots, as permitted in Table 4.6-1, shall be required 1.5 times the minimum lot area and minimum lot width. Minimum lot depth shall not be required to increase.
RV	20	-	7	5	5	5	
RC	20	-	7	5	5	5	In the districts where permitted, multi-family and/or single-family attached developments shall only be subject to Columns B, C, , an F. Setbacks for multi-family and single-family attached developments are set forth in Sect. 11.2 of this Ordinance.
B-1	10	-	10	10	20	10	
CC	-	10	-	-	-	-	^ See Sect. 6.6.5 for exceptions.
O-1	10	-	-	-	-	-	
C-1	10	-	-	-	-	-	
C-2	10	-	-	-	-	-	
CD	30	-	-	-	-	-	
I-1	30	-	-	-	-	-	
I-2	30	-	-	-	-	-	

- B.** The buffer yard for abutting non-residential uses shall be designed and landscaped per Article 11 of this Ordinance. The buffer yard for abutting a

thoroughfare shall be a Type D buffer as set forth in ~~Table 9.4-2 of Article 11~~ this Ordinance.

- C. All required buffer yards shall be platted as common areas and may be included as “open space” subject to the standards and criteria as set forth in ~~§ 6.5 Articles 10 and 11~~ of this Ordinance.

~~Table 5.5-1 Dimensional and Density Standards~~

Zoning District	A	B	C	E	F	G
	Min. Lot Size (sq. ft.)	Max. Density (per acre)	Impervious Surface Ratio	Min. Lot Width (feet)	Min. Lot Depth (feet)	Max. Building Height (feet)
AG**	43,560	4	-	200	200	35
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T-1	-	-	0.8	50	100	72
T-2	-	-	0.9	50	100	72

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RM-1	25	-	10	25	5	5	
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RV	20	-	7	5	5	5	
RC	20	-	7	5	5	5	
B-1	10	-	10	20	10	10	
CC	-	10	-	-	-	-	
O-1	10	-	-	-	-	-	
C-1	10	-	-	-	-	-	
C-2	10	-	-	-	-	-	
GD	30	-	-	-	-	-	
T-1	30	-	-	-	-	-	
T-2	30	-	-	-	-	-	