

Unified Development Ordinance (UDO) changes from CLDO

Article listed here refers to new UDO.

Article 1 – No significant changes.

Article 2 – No significant changes.

Article 3 – Creates new zoning districts and changes minimum lot sizes.

CLDO		UDO	
AG, Agricultural Dist.	3 acres	AG, Agricultural	3 acres
LI, Low Intensity Dist.	1 acre	RR, Rural Residential	2 acres
MI, Medium Intensity Dist.	1 acre	SR, Suburban Residential	1 acre
HI, High Intensity Dist.	1 acre	NC, Neighborhood Comm.	1 acre
		GC, General Commercial	1 acre
		PI, Public Institutional	1 acre
		GI, General Industrial	1 acre
		CS, Conservation	5 acre
		PD, Planned Development	No minimum lot size but PD must be 10 acres

Allows multi-family in SR District. The density is five units per acre and the minimum lot size 5 acres to prevent someone from getting an acre to build five units on it.

Article 4 – **Do we want to put in a height limit for all buildings?**

4.1-Many changes. I want to highlight a few:

Data Centers are only allowed with BOC approval.

Agricultural uses are allowed in all districts.

Rural Business is allowed but defined in 4.3.5.

Do you want to allow commercial uses in the General Industrial District? (GI is listed as LI in the table beginning in 4.1.2. I haven't figured out how to change it yet.)

4.2.8 – Wireless Telecommunications towers- removed staff approval for some towers. All new towers must be approved by BOC. Government uses are exempted.

4.2.9 – Put in some standards for junk and salvage yards.

4.3.2 – A single accessory structure can be built before primary structure. CLDO doesn't allow that.

4.3.8 – Added some derelict vehicle language.

4.3.9 – Developed standards for accessory dwelling. Limited to 1500 sq ft, can't be more than 50% of primary structure, if separate septic must meet minimum lot size for each dwelling, if attached must be on single septic and electrical service.

Article 5 – Planned Development District requirements. The PD District is created to handle those uses which do not easily fit into other districts. For example, a mixed use development where commercial and residential are within the same building along with parks, and other uses would be recommended to go PD. There would be no properties zoned PD initially. Each would be a later development where the plan and development standards would be approved by the BOC.

Article 6 – Overlay Districts

6.1 – Hwy 365 Corridor – I removed all of the very high-density residential standards. During our discussions there was little appetite for allowing high density even along the corridor. This is basically a commercial corridor overlay now. If it is residential, it will fall under the base zoning standards.

6.2 – Airport Overlay District no significant changes

Article 7 – Subdivisions

7.1 – The Director shall have the authority to approve **all** preliminary and final plats, including subdivisions. This would remove the approval from the PC. The thinking was that our attorneys have consistently ruled plats must be approved if they meet the minimum standards. This removes the PC from the highly charged hearings.

7.2 – 7.2.5 requires the creation of an HOA for subdivisions with mandatory membership.

7.2.10 – Family Exemption Plats – Allows a property to be subdivided to create a minimum of one acre lot for family if the overall density of the district is maintained. For example, if a CS property (minimum lot size of 5 acres) has a size of 20 acres, the owner could create an additional 3 lots of one acre size. There would be a total of four dwellings, but the overall density on the 20 acres would remain at one house per 5 acres to meet the minimum lot size requirements of the CS District. The issue is going to be staff maintaining records of when property has been subdivided and how do we ensure the property is sold to family. Or, what if one child gets property this way but decides to sale in three years. I'm not sure we can, or want to, say the property can only be sold to another family member.

7.2.11 – This explains that minor subdivisions are lot splits of three or less. When you hit lot number four you become a major subdivision. Allows for three lots be split from a larger tract as long as each meets the minimum lot size requirements. To prevent chain subdivision along a road, it can't be split again within three years.

7.3 – Preliminary Plats no significant changes other than staff approving the preliminary plat as discussed earlier.

7.4 – 7.6 No significant changes

7.7 – Required Subdivision Improvements – This will apply to all major subdivisions which consist of more than three lots.

1. The streets will be built to county standards with curb and gutter.
2. Dwellings within a major subdivision will be a minimum of 1800 sq ft. If two story, the main level must be at least 1500 sq ft. No vinyl, stucco or aluminum siding on dwellings. A minimum of two car garage is required.
3. At least one 3" caliper tree must be planted in the front yard and side yard if corner lot.
4. If 50 lots or more, 5% of land area must be set aside for common areas to be maintained by HOA.
5. HOA is responsible for all maintenance of common areas, drainage, and amenities.
6. All utilities shall be underground.
7. A roofed common mailbox facility must be provided. This is a requirement of the post office.
8. The entrance may require a deceleration lane on the abutting county road at the discretion of the Public Works Director.
9. A maximum of 24 sq ft subdivision sign within a landscaped is required at all entrances. The sign is required to be brick, rock, or other material.

Did I forget anything you want to require in a subdivision?

7.8 Cluster Subdivision Option – This is in the current CLDO but we have limited the minimum lot size requirements. This gives the option to build at a greater density if the overall density of a tract isn't reduced. We require a subdivision plan showing the max number of lots possible at the regular lot size. This Yield Plan becomes the maximum number of lots allowed on the property. We require the Yield Plan because it isn't simply dividing the total acreage by the minimum lot size. Once you factor in roads and

topography, the yield plan is always less than the simple division. The number of lots can be built but with each minimum lot size reduced to this:

Zoning District	Minimum Lot Size	Min. Lot size in Cluster S/D
AG	3 acres	1 acre
RR	2 acres	1 acre
SR	1 acre	0.5 acres (with public sewer)
CS	5 acres	1 acre

The remaining property must be deeded as open space to be never developed.

Article 8 – No significant changes. These are not currently in the CLDO but we have them in other places.

Article 9 – No significant changes.

10.2 Outlines the buffer standards between incompatible land uses, such as when non-residential is built next to an existing residential property. It outlines the width and the plantings required if clear cut.

10.3 Tree Protection requires the trees within stream and zoning buffers to be preserved. In addition, we put in a provision that 50% of trees, as of the UDO adoption, in subdivision must be preserved. **Is 50% too restrictive?**

10.4 Parking

10.4.1 – The table lists the **maximum** amount of parking allowed.

10.4.2 – Pavement is required. Currently, the CLDO allows gravel parking for commercial. In addition, there is a provision for tree islands within parking lots. Do we want to simply say it must be paved? A local told me it shouldn't be up to the government to tell him how to pave, but only to pave.

10.4.6 – Requires a berm or shrubbery to screen parking lot from public road. The berm or shrubbery must be 4' in height.

10.5 Driveways – No significant changes.

10.6 Outdoor Lighting – No significant changes.

10.7 Lots – 10.7.1(A) does not allow one parcel to be in multiple zoning districts. We do allow this right now.

11.1 No significant changes.

11.2 This is County policy but it is not within the current CLDO.

11.3.1 & 11.3.2 No Significant changes.

11.3.3 The County will require an access road for all major subdivisions (more than 3 lots). A decel lane will be required for subdivisions with 25 or more lots and commercial/ industrial uses with more than 50 trips per day. Traffic impact study for all major subdivisions and all other uses generating more than 50 trips per day.

11.3.4 No Significant changes.

11.3.5 Item D 4 on page 225 outlines that Public Works will review cross lot drainage within proposed rights-of-way. Public Works requested this change. Item I changes the pavement specifications for new subdivision roads to 6" base, 2" binder, and 1.5" of top coat. Non residential subdivision roads change to 8" base, 2.5" binder, and 1.5" top coat.

11.3.6 Guarantee – The subdivision developer will be required to submit a guarantee, usually a bond or letter of credit, in the amount of 15% of improvements (roads, drainage, etc.) for a period of two years or until 90% of subdivision is constructed. The CLDO has a flat 15% requirement for a period of 18 months.

11.3.7 Streets accepted by BOC shall be by warranty deed only.

11.3.8 Allows for a process to have a guarantee form subdivisions where the developed has no property or has gone bankrupt. Each individual lot will have to provide their proportionate share of the guarantee.

11.4 Allows for the paving of existing county roads without obtaining additional right-of-way at the discretion of the BOC.

Article 12 – No significant changes.

Article 13 – The only change is where the Director approves subdivision plats.

14.1 – No significant changes.

14.2 – Makes the BOC the Appeals Board.

Article 15 – I will have to get the County Attorney to review this article to see if it contradicts the earlier section 11.3.6.

Article 16 – No significant changes.