

•SECTION IV: LAND USE REGULATORY ISSUES AND RECOMMENDED ACTIONS

The following provides a summary of zoning related issues that are currently facing Franklin County. Immediately following the identification of each issue is the recommended action required to address each issue.

Issue: Need to regulate development in all areas that are susceptible to flooding. The county's Conservation Zoning District (CON-D) is currently being used only in areas adjacent to the Tar River.

Recommended Action: Expand the areas of the county zoned CON-D to include the areas located within the 100-year floodplain county-wide.

Issue: Need to preserve the traffic carrying capacity of NC 56, limit truck traffic, and prevent future land use conflicts.

Recommended Actions:

- Re-zone all vacant property adjacent to NC 56 that is currently zoned for Heavy Industrial (HI) use to Light Industrial (LI). To compensate for the reduction in HI zoning, some of the parcels adjacent to US 1 that are currently zoned for Light Industrial (LI) could be re-zoned HI.
- Re-zone all vacant property adjacent to NC 56 between Franklinton and Louisburg that is currently zoned Agriculture - Residential (AR) to Office/Institutional.

Issue: Prevent further degradation of the traffic carrying capacity of US 401.

Recommended Action: Re-zone the US 401 corridor between Louisburg and Wake County consistent with the future land use map. This will involve re-zoning large numbers of parcels currently zoned Agriculture - Residential (AR) to Office/Institutional (O/I) and Highway Business (HB). In addition, design standards should be improved to limit curb cutts and encourage the use of service roads between developments where feasible.

Issue: Although there are a few areas of the county that are accessible to water and sewer service, there are no parcels zoned for multi-family use.

Recommended Action: Amend the county's Zoning Ordinance to allow multi-family development in the O/I district and simultaneously re-zone to provide O/I in suitable areas of the county.

Issue: There is currently a lack of vacant parcels zoned for commercial use.

Recommended Action: Franklin County should consider re-zoning additional parcels for Neighborhood Business (NB) and Highway Business (HB) uses.

Issue: Franklin County’s Zoning Ordinance requires buffer strips whenever an industrial, commercial, or any other non-residential use is established adjacent to a different zoning district. The width of the buffer strip required is determined by the following chart:

<u>Proposed Use</u>	<u>Existing Land Use</u>			
	Conservation District	Residential	Commercial HB/NB	Industrial LI/HI
Industrial	100	50	10	0
Commercial	100	10	0	10

The issue lies in the fact that the required buffer widths outlined above are inadequate at preventing land use conflicts between industrial/commercial and residential land uses.

Recommended Action: Franklin County should consider increasing the buffer requirement included in its Zoning Ordinance. At a minimum, the existing buffer requirements should be doubled in size.

Issue: Franklin County’s Zoning Ordinance includes provisions for several districts that have not been included on the county’s zoning map. This has created some confusion for county staff as well as developers. In addition, the overall county zoning pattern is fairly general and does not reflect recent water and sewer extensions as well as proposed extensions.

Recommended Action: A complete revision of the county’s zoning ordinance and map is required to accommodate changes in the county’s growth patterns and public facilities improvements. Special attention should be given to the usefulness of the county’s R-1 Residential District and Rural Business District (RB).

In addition to addressing the issues identified above, the county’s Unified Development Ordinance should be revised (where applicable) to support the following strategies, reduce obstacles to sound development, and provide attainable solutions as follows:

Strategy	Obstacle	Solution
<u>Efficient Use of Land Resources</u>		
Small-lot in-fill development	Excessive lot area dimensions	Revise setback requirements; minimum lot sizes
In-fill development on large lots	Inflexible subdivision and lot area requirements	Average lot size for whole development, allow flexibility to preserve natural features
Coordinated development	Coordinated development not	Specific development plans;

Strategy	Obstacle	Solution
Better use of deep lots	addressed Excessive frontage and multiple access requirements	master plans Midblock lanes; interior block cluster development, flag lots
Less land for streets	Excessive street design standards	Adopt “skinny” street standards
More efficient use of parking areas	Excessive parking requirements	Reduce minimum parking ratios; set parking ratio maximums; acknowledge on-street parking; encourage shared parking
Full Use of Urban Services		
Achieving planned densities	Underbuilding; no support for density goals	Minimum density standards
Attached units	Lot sizes not in proportion to unit sizes	Reduce lot-size requirements; allow single-family attached in all residential zones
Attached units	Lot-area dimension requirements (excessive side setbacks)	Revise setback requirements
Accessory units	Excessive minimum unit size; density maximums too low	Allow accessory units
Mixed Use		
Mixed-use buildings	Single-use zoning; separation of uses	Allow home occupations and live/work units; density bonus for mixed-use commercial/residential buildings
Mixed-use neighborhoods	Single-use zoning; separation of uses	Limited commercial in residential zones; allow multi-family residential in commercial zones; limited retail in industrial zones
Healthy commercial districts	Separation of uses; proximity	Community shopping centers with street connectivity; main street districts
Transportation Options		
Multi-modal streets	Street design standards over-emphasize autos	Revise street standards; promote “skinny” streets
Transit, bikes, and pedestrian connectivity	Physical barriers or out-of-direction travel	Cul-de-sac and block-length maximums; internal connectivity standards; sidewalk requirements
Transit-supportive development	Transit-supportive development not addressed	Mandate transit-oriented development along transit corridor
Detailed, Human-Scale Design		
Compatibly designed buildings	Too abrupt transitions between zones	Density transitioning; midblock zoning district lines; building

Strategy	Obstacle	Solution
Compatibly designed buildings	No design guidelines for new buildings	height limits Incorporate compatibility guidelines for new in-fill construction
Pedestrian-friendly streetscapes (commercial)	Street standards emphasize cars; design discourages walking	Building orientation; parking lot placement; allow shared access; 50%/80% frontage rule, etc.
Pedestrian-friendly streetscapes (residential)	Street standards emphasize cars; design discourages walking	Require sidewalks; limit setbacks; garage placement; lighting; utility placement; etc.
Quality architectural design	No incentive to provide amenities	Density bonuses for amenities

Implementation

Examining the development review process	Onerous procedures for variances, conditional uses	Allow administrative approval for minor adjustments
Examining the Planned Unit Development (PUD) process	Encouraging use of PUD's	Revise PUD regulations
Flexibility in the design review process	Discretionary design review process; vague standards	Dual-track design review process*

*A dual-track process allows the developer to choose from two options: (1) adherence to prescribed and detailed specific design standards, and (2) a more flexible design review process based on performance guidelines. This approach requires the community to create two sets of development standards. One set of prescriptive standards is defined in terms of distances, heights, density, and other precise and quantifiable standards that can be applied through an administrative process without public notice or hearings. The other set of performance guidelines outline community objectives and are more flexible and likely to result in exciting and innovative design, but do require public notice and hearings.

The key is providing certainty and flexibility. The developer of a smaller, straightforward project can proceed with administrative review, provided the project meets specific standards. A more elaborate or complex project can go before a design review board to provide the design flexibility that some developers or architects prefer.

Franklin County's Planning Board and Board of Commissioners should consult the Land Use Plan during the deliberation of all re-zoning requests.

In addition, Franklin County's Planning Board and Board of Commissioners should consider the following in deliberation of all zoning petitions:

- All uses which are allowed in a zoning district must be considered. A decision to re-zone or not to re-zone a parcel or parcels of property cannot be based on consideration of only one use or a partial list of the uses allowed within a zoning district.
- Zoning decisions will not be based on aesthetic considerations.

- Requests for zoning changes will not be approved if the requested change will result in spot zoning. Spot zoning is a form of discriminatory zoning whose sole purpose is to serve the private interests of one or more landowners instead of furthering the welfare of the entire community as part of an overall zoning plan. Although changing the zoning classification of any parcel of land to permit a more intensive use could possibly constitute spot zoning, the test lies in its relationship to the existing zoning pattern and guidelines of the local land use plan. Spot zoning is based on the arbitrary and inappropriate nature of a re-zoning change rather than, as is commonly believed, in the size of the area being re-zoned.

- Zoning which will result in strip development will be discouraged. Strip development is a melange of development, usually commercial, extending along both sides of a major street. Strip development is often a mixture of auto-oriented enterprises (e.g., gas stations, motels, and food stands), truck-dependent wholesale and light industrial enterprises along with the once-rural homes and farms that await conversion to commercial use. Strip development may severely reduce traffic-carrying capacity of abutting streets by allowing for excessive and conflicting curb cuts.
- The concept of uniformity will be supported in all zoning deliberations. Uniformity is a basic premise of zoning which holds that all land in similar circumstances should be zoned alike; any different treatment must be justified by showing different circumstances.
- Zoning regulations will be made in accordance with the Franklin County Land Use Plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Franklin County's planning jurisdiction.
- Specifically, the Planning Board and Board of Commissioners should ask the following questions:
 1. Does Franklin County need more land in the zone class requested?
 2. Is there other property in the county that might be more appropriate for this use?
 3. Is the request in accordance with the Franklin County land use plan?
 4. Will the request have a serious impact on traffic circulation, parking space, sewer and water services, and other utilities?
 5. Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?
 6. Will the request, as proposed, cause serious noise, odors, light, activity, or unusual disturbances?
 7. Does the request raise serious legal questions such as spot zoning, hardship, violation of precedents, or need for this type of use?