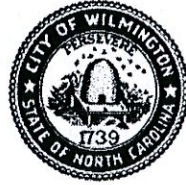


Resolution



City Council
City of Wilmington
North Carolina

Introduced By: Sterling B. Cheatham, City Manager

Date: 5/7/2013

Resolution Amending Criteria to Support Rezoning on Overcapacity Roads (OBG-4-413)

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, this resolution amends the *Criteria to Support Rezoning on Overcapacity Roads*; and

WHEREAS, these criteria were created to allow developers to demonstrate how a proposed rezoning would benefit the community by offsetting the traffic impact or by providing a needed community amenity.


THEREFORE, BE IT RESOLVED:

THAT, the Wilmington City Council adopts the following amendment to the *Criteria to Support Rezoning on Overcapacity Roads* as attached hereto as Exhibit "A."

THAT, this amendment shall be effective immediately upon adoption.

CERTIFIED TO BE A TRUE COPY
CITY CLERK
Penelope Spicer Sidbury

Adopted at a regular meeting
on May 7, 2013


Bill Saffo, Mayor

ATTEST:


Penelope Spicer Sidbury, City Clerk



Exhibit "A"

Options to Mitigate Impact of Rezoning on Overcapacity Roads



The following is a menu of options that can be utilized to demonstrate the merits a more intense zoning classification or land use may have despite being located on an overcapacity roadway. An overcapacity road is defined as any road with an average daily volume of vehicle trips that exceeds its designed capacity (volume/capacity ratio > 1). Applicants who wish to take advantage of this policy should provide a narrative as part of their submittal that outlines how their proposal addresses any or all of these criteria. The greater the number of criteria being addressed generally conveys a greater value to the community. This narrative will be included as part of staff's analysis of a proposed rezoning request for property accessing overcapacity roads.

1. The proposed rezoning would allow for a more viable land use and is consistent with City Council's economic development priorities.

- a. The proposal improves the form and function of an underutilized site and maximizes land use efficiency based on area characteristics such as existing infrastructure, unique site characteristics, adjacent uses, needs of the community and geographic location.

2. The proposed rezoning would ensure a more efficient transportation system relative to:

- a. *Location* - The site is located at an interconnected node of two major roads so that vehicle trips would be dispersed to at least two arterial roadways, or one arterial road and one collector street (as identified by the WMPO Functional Classification Map).
- b. *Interconnectivity* - The proposal provides interconnections to adjacent developments and/or to signalized intersections or completes a collector road network.
- c. *Access management* - The proposal incorporates shared driveways for multiple uses, provides frontage roads and/or alleyways, or closes existing driveways.
- d. *Traffic calming* - The proposal incorporates appropriate traffic calming measures on roadway connections to and from adjacent developments.
- e. *Access to Public Transportation* - The site is located along an established transit route and the proposal incorporates and provides for a public transit stop and shelter (Coordinated with WAVE Transit).
- f. *Access to Bicycle & Pedestrian Facilities* - The site is located adjacent to a city designated bicycle and/or pedestrian route or a facility that connects to a designated route.

3. The proposed rezoning would ensure a more efficient and/or environmentally sensitive development pattern relative to:

- a. *Mix of uses* - The requested rezoning is for a mixed-use zoning classification or a conditional district that incorporates a mix of compatible uses.
- b. *Environmental design* - The proposal meets or exceeds exceptional design criteria, employs low-impact development (LID) techniques, meets LEED or comparable standards in building designs or meets applicable watershed restoration recommendations.

4. The impact of any additional traffic generated by the proposed rezoning would be mitigated by a scheduled/funded city or state transportation project or by guaranteed developer improvements.

- a. There is a currently funded project within the city's Capital Improvements Program;
- b. There is a currently funded project within the NC DOT Transportation Improvement Program;
- c. The proposal includes improvements over and above those identified as part of an approved traffic impact analysis; or
- d. The proposal incorporates improvements consistent with applicable adopted plans.

5. Site is a redevelopment/reuse of a previously developed site and would result in improved site conditions relative to:

- a. *Stormwater management* - The redevelopment would result in a net decrease in impervious coverage and/or an improvement to onsite stormwater treatment (water quality) and storage (water quantity).
- b. *Landscaping* - The redevelopment includes landscaping that significantly exceeds minimum requirements.
- c. *Aesthetics* - The redevelopment would be compatible with and/or would enhance the character of the surrounding area consistent with applicable adopted plans.

6. The proposed development would positively impact other critical infrastructure, including but not limited to:

- a. Overcrowded schools
- b. Regional stormwater management
- c. Bike paths / multi-use trails
- d. Crosswalks (at locations necessary to traverse the overcapacity road)
- e. Parks and recreational land and facilities
- f. Preservation of environmentally sensitive land substantially above minimum requirements