



The Salisbury Planning Board held its regular meeting Tuesday, July 14, 2020, via virtual zoom meeting, at 4:00 p.m. with the following being present and absent:

**PRESENT:** John Struzick, Tim Norris, Jon Post, Bill Burgin, .Jayne Land, John Schaffer, P.J. Ricks, and Dennis Rogers.

**STAFF:** Teresa Barringer, Hannah Jacobson, and Catherine Garner.

#### **APPROVAL OF MINUTES**

- Planning Board Minutes of June 09, 2020 approved as submitted.

#### **LDO ANALYSIS- FLEXIBLE PRACTICES**

##### **STAFF PRESENTATION**

This discussion included discussing the LDO Analysis of Item#12. After accessing the previous minutes and discussions that have been held with Committee #2 on this topic. The Planning Board collaborated as a whole to research other client community's ordinances and practices and come back to the table prepared to discuss and bring recommendations.

Staff gave a presentation of other municipalities regarding Flexible Practices. First, staff discussed parking. This included parking by right, adaptive re-use, and shared parking. The next topic of discussion included Dimensional Standards. Staff gave examples of how other municipalities review these items as well as new staff proposals.

##### **Flexible Practices**

##### **Other municipalities**

###### **1. Additional Parking by right:**

Staff noted that Asheville, NC allows the number of parking spaces for a proposed use to exceed the maximum number of spaces permitted only if:

- A pervious paving system is used
- The pervious paving system is approved by the planning and development director
- Exceeding number of spaces shall provide additional landscaping

###### **2. Shared Parking**

Staff noted that Concord, NC allows off street off-site parking if:

- Non-residential zoning districts, maximum of 500 feet from the principal structure (that needs the parking);
- Parking demands of both uses (that needing parking and one sharing parking at any time is less than the total parking spaces required;
- A written agreement between the owners and lessees is executed for a minimum of 10 years, approved by the Administrator and recorded.
  - If the lease expires or terminates, the use for which the off-site parking was provided shall be considered nonconforming site improvements.
  - Future improvements then not permitted until parking is provided in compliance with ordinance

Staff also gave an example of Asheville, NC

- **Shared Parking**
  - For two (2) or more uses located on the same or adjacent parcels if the developer can demonstrate that the uses will not overlap in hours of operation or demand for shared spaces;
  - With a written agreement between the owner of the parking area and the owner of any use located on a different parcel and served by the parking area
  - If things change and there is an overlap in hours/demand, the shared parking becomes void and parking must be provided for use.
- **Remote Parking:**
  - Parking within 500 feet walking distance if the zoning district where parking is located permits the principal use for the parking spaces to serve;
  - With a written agreement between owner of the remote parking area and owner of the use that needs the remote parking. Change of ownership of either parcel requires a renewal of the agreement.

### **Flexible Practices**

#### **Staff Proposal**

##### **1. Additional Parking by right:**

- Allow a 10% increase in parking spaces above maximum when:
  - Additional spaces are located in interior side or rear yards
  - Additional 10% landscaping points required on the associated property line (parking spaces in rear yard; 10% increase in rear yard landscaping points)
  - Overflow Parking
    - Pervious paving for overflow parking meeting NC Stormwater Control Measures
    - Must provide a recorded maintenance agreement
  - Other Changes
    - Increase maximum number of parking spaces for medical facilities to 10 spaces per 1,000 sq. ft. of gross interior floor area.

##### **2. Adaptive Re-Use of Existing Commercial Buildings for New Commercial Uses**

- Allow new businesses to utilize existing parking at existing commercial buildings without requiring them to meet minimum parking standards of current ordinance
- Expansions of the parking lot would be allowed, but not to exceed maximum number for the present use under the current ordinance
  - Expansion of 12 or more spaces would be required to follow requirements per LDO Section 6.4
- Will be helpful to encourage adaptive re-use of existing commercial buildings that may be vacant or underutilized otherwise.

##### **3. Shared Parking Requirements:**

- Allow shared parking when:
  - Parking spaces to be utilized are within 500 feet walking distance (with sidewalks) of the site that needs the parking;
  - Zoning district of parking spaces permits the principal use of the building that needs the parking
  - Recorded agreement that becomes null and void if either parcel changes hands (but will allow for new agreement between new owner(s))

### **Dimensional Standards**

#### **Other Municipalities**

1. **Setbacks for Infill Lots:** Staff utilized Charlotte, NC as an example. Charlotte, NC allows alternative setbacks for established block faces that are at least 25% developed or has at least four (4) existing dwellings as follows:

- A single-family detached dwelling may be located no closer to the street than the two closest structures on the same block face
- In no case shall the minimum setback be less than ten (10) feet or intrude a required clear sight triangle

## **2. Flexible Lot Subdivision Requirements**

- Charlotte, NC allows flexibility within approved subdivisions of ten (1) or more lots as follows:
  - Minimum lot size may be reduced by 10% as long as the average size of all lots meets or exceeds minimum lot size; AND
  - If the total number of lots does not exceed the number that would be allowed by the zoning district (density).

## **Dimensional Standards**

### **Staff Proposal**

#### **1. Setbacks for infill lots:**

- Setbacks for established block faces that are at least 25% developed or has at least four(4) existing dwellings as follows:
  - A single-family detached dwelling may be located no closer to the street than the two structures closest to the street on the same block face;
  - But may be located no further back than the furthest back structure on the same block face;
  - In no case shall the minimum setback be less than the minimum setback for the zoning district or intrude into a required clear sight triangle

#### **2. Flexible Lot Subdivision Requirements**

- Allow flexibility within approved subdivisions of ten (10) or more lots as follows:
  - Minimum lot size may be reduced by 10% as long as the average size of all lots meets or exceeds minimum lot size: AND
  - If the total number of lots does not exceed the number that would be allowed by the zoning district (density).

## **DISCUSSION**

Planning Board members briefly discussed pervious vs. impervious parking. Mr. Burgin mentioned problems from shared parking in an old ordinance, but thinks allowing shared parking with an agreement may solve past issues.

Mr. Schaffer proposed changing staff proposed flexible lot subdivision requirements text to read Minimum lot size may be reduced “up to” 10% instead of “by”. The board was very receptive to the proposed flexible practices.

### **ADJOURN 5:37 p.m.**

There being no further business to come before the Planning Board the meeting was adjourned.

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**John Schaffer, Chair**

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**Jessica Harper, Secretary**