



# Planning Board

## Meeting Agenda

June 19, 2018 at 7:00 PM  
Council Chambers, 201 S Main St

Meeting Called to Order, Invocation, and Overview of Board and general meeting rules

1. Approve minutes of the May 15, 2018 meeting

2. New Business

- a. RZ1802 – Rezoning from R-7 to B-3 for property located at 204 E McAden Street. Application by Curt McVey. GPIN 8884223927.
- b. RZ1803 – Rezoning from I-1 to B-2 for property located at 603 W Harden Street. Application by Larry Brooks. GPIN 8874846840.
- c. AM1804 – Application to permit duplexes as use-by-right within the R-7 district. Application by Kristin Foust.
- d. AM1803 -- Entrance Overlays. Discussion by Planning Board with regards to future potential regulations within the City's gateways.

3. Public comment on non-agenda items

Adjourn

*A complete agenda packet is available at [www.cityofgraham.com](http://www.cityofgraham.com)*

PLANNING ZONING BOARD  
Tuesday, May 15, 2018

The Planning & Zoning Board held their regular meeting on Tuesday, May 15, 2018 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Ricky Hall, Nate Perry, Michael Benesch, Bonnie Blalock, Dean Ward and Eric Crissman. Absent was Justin Moody. Staff members present were Nathan Page, Planning Director, Aaron Holland, Assistant City Manager, Debbie Jolly Zoning/Inspection Technician and Alexa Powell, Planner. Chair Hall called the meeting to order, gave the Overview of the Board, general meeting rules and gave the invocation.

1. Approval of the April 17, 2018 meeting minutes. Mike Benesch made a motion for approval, second by Dean Ward. All voted in favor.
2. Old Business
  - a. SUP1801- New St Duplex. Application for a new duplex at 708 ½ New Street, GPIN 8884076833. Application by Mr. Bhatti.

Nathan Page was sworn in. Nathan Page stated he had reached out to the applicant but had not heard back from them. Also, Nathan read a statement from Kevin Pugh, building inspector, stating the only record of permits being pulled for the above address is an electrical permit from 4/27/15 for 200-amp service upgrade and this permit is actually for 708 New St, the existing single-family residence on the property. Then Ricky Hall asked for anyone in the audience to speak on this matter.

Ricky Hall made a motion to adopt the Findings of Fact and Conclusions as drafted by staff, with the addition of the building inspector's testimony, and to deny the application as not consistent with The Graham 2035 Comprehensive Plan, Dean Ward seconded. All voted in favor.

Findings of Fact and Conclusions:

1. All applicable regulations of the zoning district in which the use is proposed are complied with.
  - *The property is zoned R-7, a duplex is permitted only with a special use permit, or a rezoning to R-MF or R-G.*
2. Conditions specific to each use, identified by the Development Ordinance, are complied with.
 

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

  - Minimum of 11,000 square feet for each two dwelling units required. *The property appears to be in excess of 11,000 square feet.*
  - Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width. *The property appears to have street frontage in excess of 80 feet.*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.
  - *The use of the location as a duplex will not materially endanger the public health or safety.*
4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.



The following people spoke against amending the Development Ordinance for various reasons:

|                 |                    |
|-----------------|--------------------|
| Don Penney      | 110 N Main St      |
| Jennifer Talley | 808 Sideview St    |
| Chuck Talley    | 808 Sideview St    |
| Bob Epting      | 3567 Durham St Ext |
| James Fletcher  | 6242 S 87 Hwy      |

Jan Searls of 526 E. Pine St spoke in favor of changing the ordinance.

The Planning Board discussed the options for the language in the Development Ordinance and a way to change it to help everyone. It was noted that this has went back and forth from Planning Board to City Council and the Planning Board feels City Council should make the final determination. Dean Ward made a motion to approve this with a recommendation to add “temporary vehicular outdoor sales” to the Code of Ordinances. Ricky Hall Seconded. The vote was 4 to 2, with Nate Perry and Eric Crissman dissenting.

c. AM1802 – Fencing in Overlays. Application by the Planning Board to clarify the appearance of fencing within the Overlay Districts. After a brief discussion, Eric made a motion to approve and add fencing to the existing language and remove the first sentence, seconded by Nate Perry. All vote Aye.

d. AM1803 – Entrance Overlays. Discussion by Planning Board with regards to future potential regulations within the City’s gateways. After a lengthy discussion about this and sidewalks. The planning board decided to revisit this next month.

#### 4. Public comments on non-agenda items

Jennifer Talley 808 Sideview

Asked the Planning Board to make it easier for a seasonal businesses that are just starting. She stated it would be beautiful to see all the flowers at the Garden Valley Farmer’s Market coming off the interstate.

No further business the meeting was adjourned.

Respectfully Submitted,  
Debbie Jolly



# STAFF REPORT

Prepared by Nathan Page, Planning Director

## McAden Business (RZ1802)

**Type of Request:** Rezoning

### Meeting Dates

Planning Board on June 19, 2018

City Council on July 3, 2018

## Contact Information

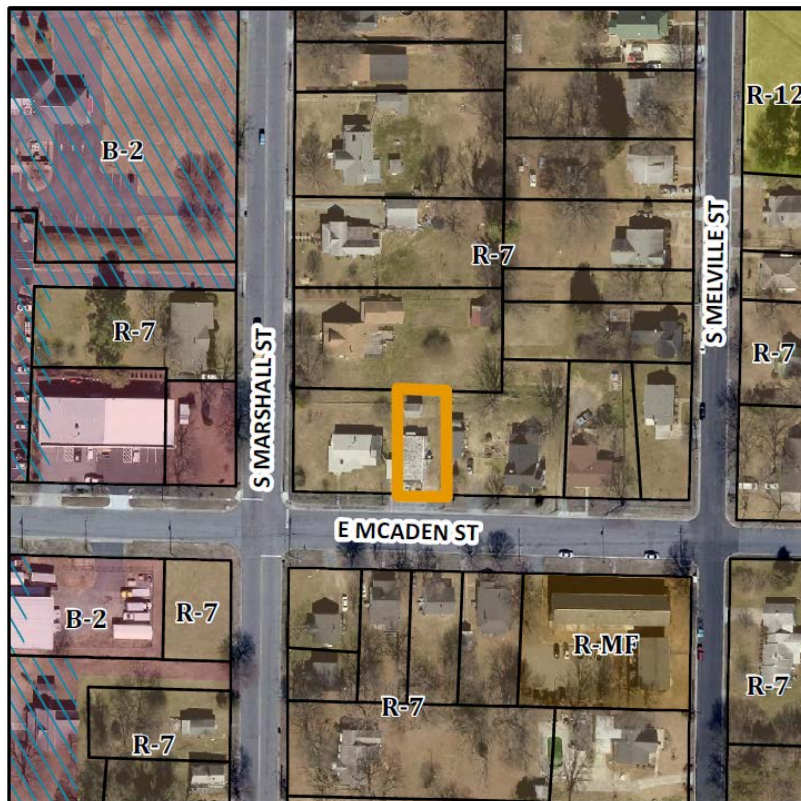
Curt McVey, of McVey Realty

104 E Harden Street, Graham NC 27253

336-380-4891, [curtmcvey@earthlink.net](mailto:curtmcvey@earthlink.net)

## Summary

This property is surrounded by residential properties. Tax records indicate that the structure was built in 1950. This request is to rezone the property to B-3, to allow the current structure to be utilized as a professional office. The prior use as an office was no longer permitted to continue as a nonconformity due the facility being vacant for greater than 180 days.



### Location

204 E McAden St

GPIN: 8884223927

### Current Zoning

High Density Residential (R-7)

### Proposed Zoning

Neighborhood Business (B-3)

### Overlay District

N/A

### Surrounding Zoning

High Density Residential, R-7

### Surrounding Land Uses

Residential

### Size

0.12 acres

### Public Water & Sewer

Connected

### Floodplain

No

### Staff Recommendation

Approval

## Conformity to the *Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Planning District: Downtown Residential

### Applicable Policies;

- **2.2.1 Focused Development.** In order to maintain Graham’s affordability and promote growth, the City will facilitate smart growth development by promoting infill development and focused, walkable, and mixed use built environments. *Permitting a small office in this location would allow the continuation of a mixed use neighborhood.*

### Applicable Strategies;

- **2.3.2 Innovative spaces, spaces of innovation.** Graham promotes the development of flex space, live-work units, and adaptive structures for office, retail, and light industry. *Allowing this rezoning would permit the reuse of an existing commercial structure.*
- **5.2.1 Diverse Neighborhoods.** Encourage a mix of housing types within Graham, including detached, duplex, multifamily, townhomes, and live-work units. *The property owner owns both this parcel, as well as the detached residence nextdoor.*

### Development Type

Downtown Residential

3 to 6 Dwelling Units Per Acre

Principal Uses: Predominately detached single-family homes; new neighborhoods may include duplexes.

Supporting Uses: Places of worship, daycares, park facilities, schools, civic spaces, designated neighborhood centers may include neighborhood-oriented commercial, small professional offices, live-work units, and home occupations provided they do not generate excessive traffic and parking.

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### Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, staff recommends **approval** of the rezoning. The following supports this recommendation:

- Rezoning of the site will permit the property to be used as it was constructed, prior to the current zoning regulations.

104 E Harden Street  
Graham, NC 27253  
Web: mcveyappraisals.com

Office: (336)229-6777  
Cell: (336)380-4891  
Email: curtmcvey@earthlink.net

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# Application for REZONING or ADDITIONAL REZONING

P.O. Drawer 357  
201 South Main Street  
Graham, NC 27253  
(336) 570-6705  
Fax (336) 570-6703  
www.cityofgraham.com

This application is for both general district rezonings and conditional rezonings. Applications are due on the 25<sup>th</sup> of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

### Site

Street Address: 204 E McAden St

Tax Map#: 171-692-18 GPIN: 8884223927

#### Current Zoning District(s):

- R-7  R-9  R-12  R-15  R-18  
 R-MF  R-G  C-R  C-MXR  
 B-1  B-2  B-3  C-B  C-MXC  
 O-I  C-O-I  I-1  I-2  C-I

#### Overlay District, if applicable:

- Historic  S Main St/Hwy 87  E Harden St/Hwy 54

Current Use: Vacant - Previous Office

Total Site Acres: 0.125 ac

Property Owner: Eleanor H Cooke

Mailing Address: 236 S. Marshall St

City, State, Zip: Graham, NC 27253

### Applicant

- Property Owner Other Agent / Property Mgr.

Application for Conditional Rezoning may only be initiated by the owner of a legal interest in all affected property, any person having an interest in the property by reason of written contract with owner, or an agent authorized in writing to act on the owner's behalf. If the applicant for Conditional Rezoning is other than the Property Owner, documentation in compliance with the preceding statement must be provided in order for this application to be complete.

Name: Curt McVey / McVey Realty

Mailing Address: 104 E Harden St

City, State, Zip: Graham, NC 27253

Phone # (336) 380-4891

Email: curtmcvey@earthlink.net

I have completed this application truthfully and to the best of my ability.

[Signature] 5/18/18  
Signature of Applicant Date

### Proposed Rezoning or Conditional Rezoning

#### Proposed Zoning District(s):

- R-7  R-9  R-12  R-15  R-18  
 R-MF  R-G  C-R  C-MXR  
 B-1  B-2  B-3  C-B  C-MXC  
 O-I  C-O-I  I-1  I-2  C-I

Describe the purpose of this rezoning request. For Conditional Rezoning, also specify the actual use(s) intended for the property (from Sec. 10.135 Table of Permitted Uses) along with other descriptive or pertinent information, such as number of dwelling units, type of multifamily development, square footage and number of buildings:

Building previously used as professional office space under non-conforming / Grandfathered use. New tenant ready to occupy after being vacant for over a year. New tenant use is for a professional office.

For Conditional Rezoning, this application must be accompanied by a Preliminary Site Plan and supporting information specifying the actual use(s) and any rules, regulations or conditions that, in addition to predetermined ordinance requirements, will govern the development and use of the property.

- Site Plan Review Application **must be attached** to this application for Conditional Rezoning

Office Use Only: DEVID# R21902



# PLANNING BOARD Recommendation & Statement of Consistency

*Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.*

**204 E McAden St (RZ1802)**  
**Type of Request**  
Rezoning  
**Meeting Dates**  
Planning Board on June 19, 2018  
City Council on July 3, 2018

I move to **recommend APPROVAL** of the application as presented.

I move to **recommend DENIAL**.

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The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

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The action is reasonable and in the public interest for the following reasons:

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This report reflects the recommendation of the Planning Board, this the 19<sup>th</sup> day of June, 2018.

Attest:

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Ricky Hall, Planning Board Chairman

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Debbie Jolly, Secretary





# STAFF REPORT

Prepared by Nathan Page, Planning Director

## ABC Business (RZ1803)

**Type of Request:** Rezoning

### Meeting Dates

Planning Board on June 19, 2018

City Council on July 3, 2018

## Contact Information

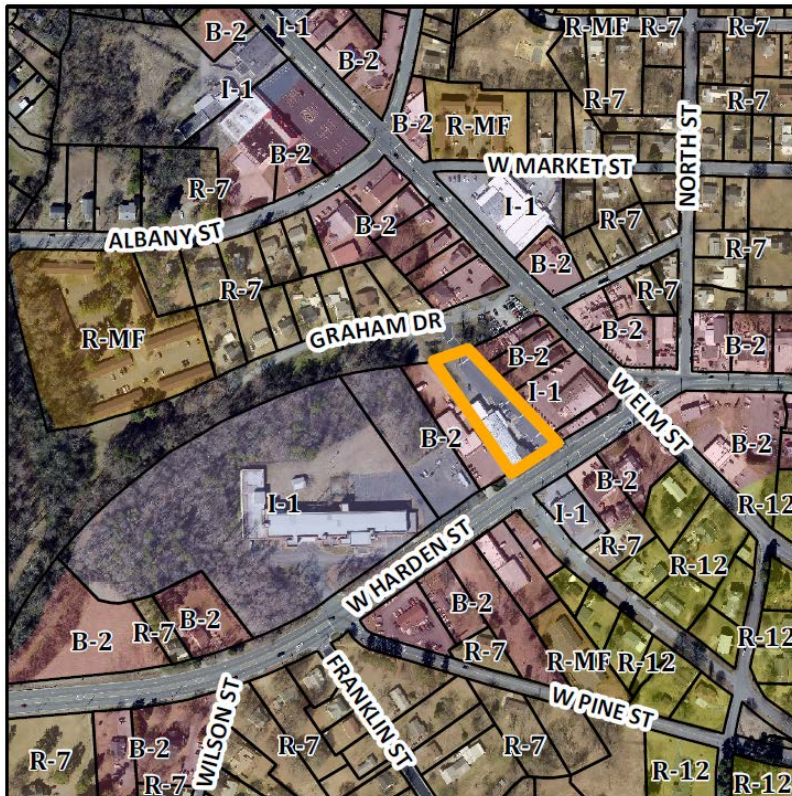
Larry Brooks

603 W Harden Street, Graham NC 27253

336-226-6882, [larrybrooksabc@att.net](mailto:larrybrooksabc@att.net)

## Summary

This property is surrounded by commercial properties, but does not have access to the residential street of Graham Drive via a driveway. This request is to rezone the whole property to B-2, to allow the current structure to come into conformity with the Development Ordinance, as well as to potentially allow for a future expansion with the zero-foot lot line requirements within B-2. The use of the property is not anticipated to change.



### Location

603 W Harden St

GPIN: 8874846840

### Current Zoning

Light Industrial (I-1)

### Proposed Zoning

General Business (B-2)

### Overlay District

N/A

### Surrounding Zoning

B-2, I-1

### Surrounding Land Uses

Vacant, Unified Business Development, Car Repair, Construction Offices

### Size

0.9 acres

### Public Water & Sewer

Connected

### Floodplain

No

### Staff Recommendation

Approval

## Conformity to the *Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Planning District: Mixed Use Commercial

### Applicable Policies;

**3.1.2 Safe Access to Businesses and Homes.** Limit direct highway access or the number of curb cuts to commercial activities by directing development to proposed regional and village centers and requiring internal connectivity between commercial uses, uniformity in design standards, and rear alley access where feasible. *This property is located in a proposed community activity center.*

- **2.2.1 Focused Development.** In order to maintain Graham’s affordability and promote growth, the City will facilitate smart growth development by promoting infill development and focused, walkable, and mixed use built environments. *Permitting this property to build to their property lines would facilitate the construction of infill development.*

### Development Type

Mixed Use Commercial

Buildings located no further than 15 feet from the front lot line

3-5 story building heights

Sidewalks, small block lengths, on-street parking, transparent windows on >50% of front façade

A mix of uses is desirable, including retail, commercial, office, multifamily residential, and institutional uses

Built to a human scale

### Applicable Strategies;

- **1.1.5 Discourage Strip Development.** Discourage strip development along transportation arteries and proposed interstate interchanges by directing these commercial activities to proposed activity centers. *This parcel is already being used for a commercial purpose.*
- **2.4.2 Promote Industrial Redevelopment.** Encourage reinvestment and intensification at existing industrial sites. Encourage redevelopment of existing buildings and infrastructure for industrial growth. *The rezoning would permit intensification at an existing site.*

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### Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, staff recommends **approval** of the rezoning. The following supports this recommendation:

- Rezoning of the site will permit the property to come into conformance with the zoning code, and will allow more flexibility for future expansions.



# Application for REZONING or CONDITIONAL REZONING

P.O. Drawer 357  
201 South Main Street  
Graham, NC 27253  
(336) 570-6705  
Fax (336) 570-6703  
www.cityofgraham.com

This application is for both general district rezonings and conditional rezonings. Applications are due on the 25<sup>th</sup> of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

## Site

Street Address: 603 W Harden St.  
Tax Map#: 134742 GPIN: 8874846840  
Current Zoning District(s):  
 R-7  R-9  R-12  R-15  R-18  
 R-MF  R-G  C-R  C-MXR  
 B-1  B-2  B-3  C-B  C-MXC  
 O-I  C-O-I  I-1  I-2  C-I  
Overlay District, if applicable:  
 Historic  S Main St/Hwy 87  E Harden St/Hwy 54  
Current Use: ABC Store  
Total Site Acres: 0.9  
Property Owner: Alamance Municipal Board  
Mailing Address: 603 W Harden St  
City, State, Zip: Graham NC 27253

## Proposed Rezoning or Conditional Rezoning

Proposed Zoning District(s):  
 R-7  R-9  R-12  R-15  R-18  
 R-MF  R-G  C-R  C-MXR  
 B-1  B-2  B-3  C-B  C-MXC  
 O-I  C-O-I  I-1  I-2  C-I

Describe the purpose of this rezoning request. *For Conditional Rezonings*, also specify the actual use(s) intended for the property (from Sec. 10.135 Table of Permitted Uses) along with other descriptive or pertinent information, such as number of dwelling units, type of multifamily development, square footage and number of buildings:

To change setback requirements from I-1 to B-2.

## Applicant

Property Owner  Other \_\_\_\_\_

*Application for Conditional Rezoning may only be initiated by the owner of a legal interest in all affected property, any person having an interest in the property by reason of written contract with owner, or an agent authorized in writing to act on the owner's behalf. If the applicant for Conditional Rezoning is other than the Property Owner, documentation in compliance with the preceding statement must be provided in order for this application to be complete.*

Name: Larry Brooks  
Mailing Address: 603 W Harden St  
City, State, Zip: Graham NC 27253  
Phone #: (336) 226-6882  
Email: larrybrooksabc@att.net

I have completed this application truthfully and to the best of my ability.

Larry C Brooks 5.22.2018  
Signature of Applicant Date

For Conditional Rezonings, this application must be accompanied by a Preliminary Site Plan and supporting information specifying the actual use(s) and any rules, regulations or conditions that, in addition to predetermined ordinance requirements, will govern the development and use of the property.

Site Plan Review Application **must be attached** to this application for Conditional Rezonings

Office Use Only. DEVID# RZ1803



# PLANNING BOARD Recommendation & Statement of Consistency

*Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.*

**603 W Harden St. (RZ1803)**  
**Type of Request**  
Rezoning  
**Meeting Dates**  
Planning Board on June 19, 2018  
City Council on July 3, 2018

I move to **recommend APPROVAL** of the application as presented.

I move to **recommend DENIAL**.

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The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

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The action is reasonable and in the public interest for the following reasons:

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This report reflects the recommendation of the Planning Board, this the 19<sup>th</sup> day of June, 2018.

Attest:

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Ricky Hall, Planning Board Chairman

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Debbie Jolly, Secretary



# STAFF REPORT

Prepared by Nathan Page, Planning Director

**Text Amendment for: Section 10.135 Table of Permitted Uses**

**Type of Request:** Text Amendment

**Meeting Dates**

Planning Board on June 19, 2018

City Council on July 3, 2018

**Contact Information**

Kristin Foust, McPherson Grading Co.  
 2461 Russell McPherson Rd., Burlington NC  
 27215. kfoust@mcphersongrading.com

**Summary**

Kristen Foust has requested an amendment to permit duplex dwellings as use by right in our high density residential zones.

The following amendments to the Development Ordinance are proposed:

**Existing Language:**

**Section 10.15 Definitions**

Dwelling, two-family - A detached building designed for occupancy exclusively by two (2) families living independently of each other.

**Project Name**  
Duplex in High Density (AM1804)

**Location**  
city-wide

**Current Zoning**  
not applicable

**Proposed Zoning**  
not applicable

**Overlay District**  
not applicable

**Staff Recommendation**  
Approval

**Section 10.135 Table of Permitted Uses**

| Use Type         | R-18 | R-15 | R-12 | R-9 | R-7 | C-R | R-MF | R-G | O-I | C-O-I | B-3 | B-2 | B-1 | C-B | I-1 (Note 19) | I-2 (Note 19) | C-I | C-MXR | C-MXC | LUC |   |
|------------------|------|------|------|-----|-----|-----|------|-----|-----|-------|-----|-----|-----|-----|---------------|---------------|-----|-------|-------|-----|---|
| Dwelling, Duplex |      |      |      |     | S   |     | X    | X   |     |       |     |     |     |     |               |               |     |       |       |     | 1 |

**Section 10.149 Special Uses Listed**

**Use:** Duplex Dwelling Unit

**Special Use District:** R-7

Minimum of 11,000 square feet for each two dwelling units required.

Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width.

## Proposed Language:

### Section 10.15 Definitions

Dwelling, ~~two-family duplex~~ - A detached building designed for occupancy exclusively by two (2) families living independently of each other. All duplexes shall maintain sufficient parking for residents on a concrete, asphalt or permeable substitute surface, not to include gravel.

### Section 10.135 Table of Permitted Uses

| Use Type         | R-18 | R-15 | R-12 | R-9 | R-7 | C-R | R-MF | R-G | O-I | C-O-I | B-3 | B-2 | B-1 | C-B | I-1 (Note 19) | I-2 (Note 19) | C-I | C-MXR | C-MXC | LUC |   |
|------------------|------|------|------|-----|-----|-----|------|-----|-----|-------|-----|-----|-----|-----|---------------|---------------|-----|-------|-------|-----|---|
| Dwelling, Duplex |      |      |      |     | XS  |     | X    | X   |     |       |     |     |     |     |               |               |     |       |       |     | 1 |

### Section 10.149 Special Uses Listed

**Use:** ~~\_\_\_\_\_ Duplex Dwelling Unit~~

**Special Use District:** ~~\_\_\_\_\_ R-7~~

Minimum of 11,000 square feet for each two dwelling units required.

Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width.

## Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

### Vision: Diverse Housing, Complete Neighborhoods

Graham will be a desirable place to live because of its variety of high quality housing options, providing affordable choices to people of all backgrounds. Neighborhoods will be walkable, safe, and vibrant and will promote private investment and enhancement of existing and future properties.

### Issue 2: Maximize Land Use Efficiency

Communities are often tempted to support inefficient development in the name of economic growth. This can end up leading to higher costs to the public in the long term. Graham should plan for the efficient allocation and use of infrastructure over time, especially within employment and industrial areas.

- 2.2.1: Focused Development** In order to maintain Graham's affordability and promote infill development and focused, walkable, and mixed use built environments. *Permitting duplex structures in Graham will incentivize infill development and allow for greater density without lengthening municipal infrastructure.*



- **2.3.1: Facilitate focused development** Incentivize pedestrian-oriented nodal development consistent with this plan by incentivizing smart growth development. The City could choose to utilize some of the following methods: Expedited permit review... flexible and innovate regulations... *The switch from requiring a special use permit to use by right would require only the building inspector review plans for duplexes, reducing the three month lead time, public hearings and City Council approval currently required.*
- **5.1.1 Housing variety** Encourage a mix of housing types within Graham to increase choice. These can include single family dwelling units, multifamily dwelling units, small units, pre-fabricated homes, co-housing, and clustered housing. *This amendment facilitates a diversity of housing options.*
- **5.2.1 Diverse Neighborhoods** Encourage a mix of housing types within Graham, including detached, duplex, multifamily, townhomes, and live-work units. *This amendment allows additional neighborhood choices.*
- **5.2.2 Multigenerational Housing** Promote buildings and neighborhood designs that serve multiple age groups simultaneously and meet the needs of young people, families, older adults, and people with disabilities, especially in focus areas and in close proximity to services. *Permitting the construction of additional duplex would allow for multi-generational housing, as well as smaller units for families without children living at home.*

**Applicable Planning District Policies and Recommendations**

- Not applicable; city-wide.

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**Staff Recommendation**

Based on the comprehensive plan, staff **recommends approval** of the text amendment. The following supports this recommendation:

- Permitting duplex dwellings in high density areas will allow for a more efficient utilization of City infrastructure and services.

|                                 |
|---------------------------------|
| <u><b>Planning District</b></u> |
| All                             |
| <u><b>Development Type</b></u>  |
| All                             |

## **Nathan Page**

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**From:** Kristin Foust <kfoust@mcphersongrading.com>  
**Sent:** Wednesday, May 30, 2018 11:36 AM  
**To:** Nathan Page  
**Subject:** Washington Street  
**Attachments:** 2018-40-Foust Sketch-20180522.pdf; 12-006 Duplex-Elevations.pdf

Nathan,

Please see attached sketch for our proposal to parcels 135148 and 135149. We propose to divide these 2 parcels into 4 to allow for 4 duplex units to be constructed. We would like to be added to the agenda on the next Planning Board meeting to ask the City to amend the development ordinance to require less standards for duplexes or remove the frontage and square footage requirements or to make the duplexes use by right in the R7 zone, as the property is currently zoned.

We currently own the duplex located at 307/309 Washington Street that is the same plan we propose to construct at this site.

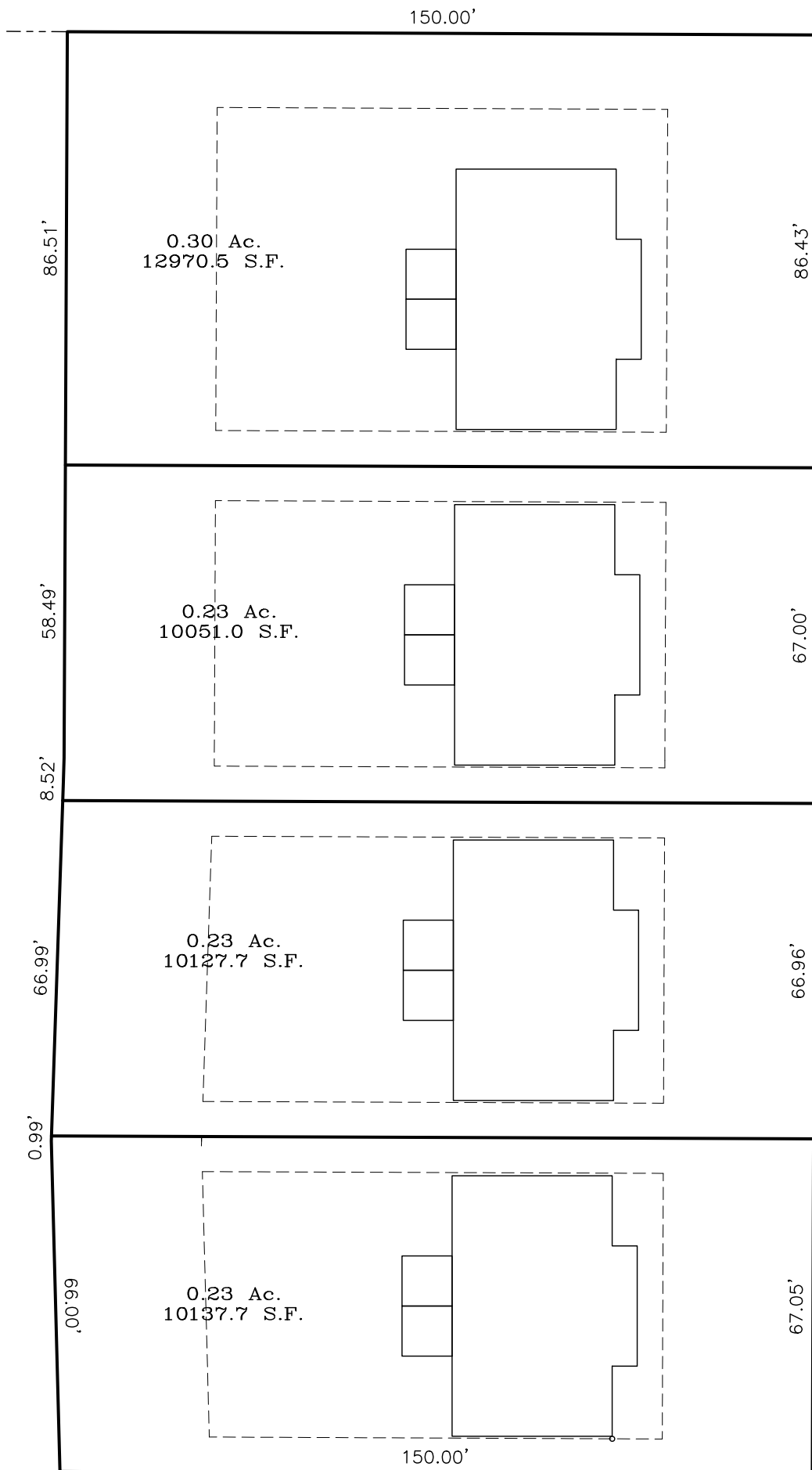
Thank you

*Kristin M. Foust*

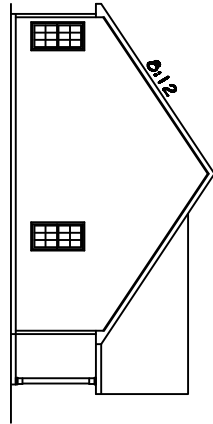
McPherson Grading Co.  
2641 Russell McPherson Road  
Burlington, NC 27215  
Office 336-227-9231  
Fax 336-221-1647  
Mobile 336-516-5013



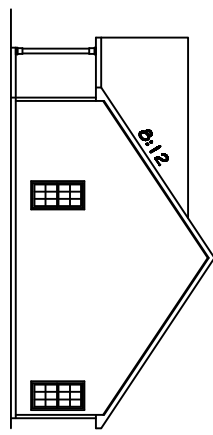
*MARKET STREET*



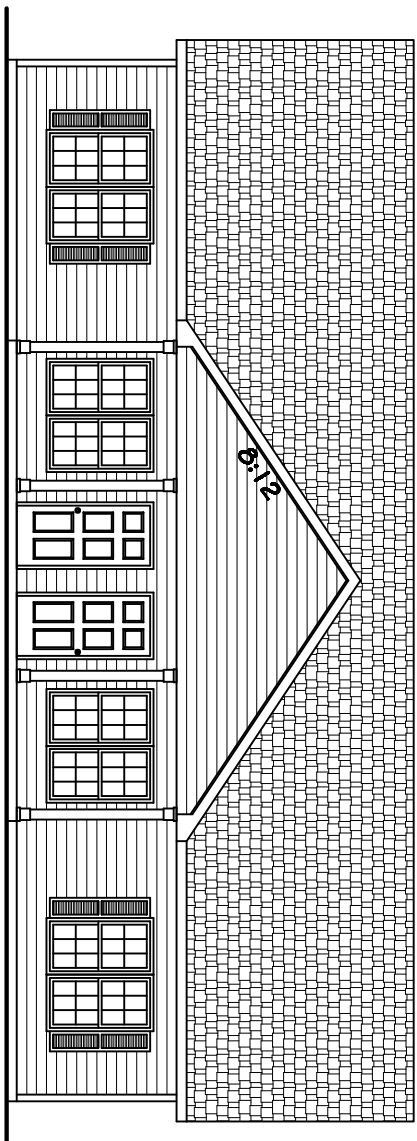
*WASHINGTON STREET*



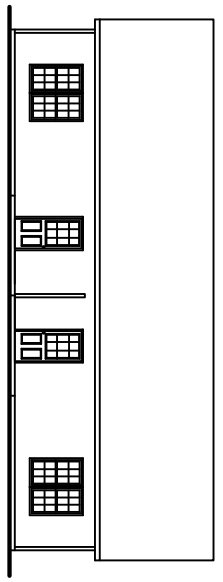
**LEFT SIDE ELEVATION**  
Scale 1/4" = 1'-0"



**RIGHT SIDE ELEVATION**  
Scale 1/4" = 1'-0"



**FRONT ELEVATION**  
Scale 1/4" = 1'-0"



**REAR ELEVATION**  
Scale 1/4" = 1'-0"

**CHRIS FOUST DUPLEX PLAN**

Scale: As Shown  
Date: 2-25-12

Job #: 12-005

Elevations

Sheet 1 of 4



# PLANNING BOARD Recommendation & Statement of Consistency

*Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.*

**Fencing in Overlays (AM1804)**  
**Type of Request**  
Text Amendment  
**Meeting Dates**  
Planning Board on June 19, 2018  
City Council on July 3, 2018

- I move to **recommend APPROVAL** of the application as presented.
- I move to **recommend APPROVAL** of the alternative language, as proposed by the Planning Board.
- I move to **recommend DENIAL**.

- 
- The application is **consistent** with *The Graham 2035 Comprehensive Plan*.
  - The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

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This report reflects the recommendation of the Planning Board, this the 19<sup>th</sup> day of June, 2018.

Attest:

\_\_\_\_\_  
Ricky Hall, Planning Board Chair

\_\_\_\_\_  
Debbie Jolly, Secretary



# STAFF REPORT

Prepared by Nathan Page, Planning Director

## **Text Amendment for: Entrance Overlays**

**Type of Request:** Text Amendment

### **Meeting Dates**

Planning Board on May 15, 2018

### **Contact Information**

Not Applicable

### **Summary**

The Planning Board has requested a proposal for the entry corridors into Graham from Burlington and Haw River. There is no formal recommendation of language at this time, it is more an intent to gather information from the Planning Board and begin to draft the Overlay.

### **Proposed Language (from Highway 87 Overlay)**

#### **Project Name**

Entrance Overlays (AM1803)

#### **Location**

city-wide

#### **Current Zoning**

not applicable

#### **Proposed Zoning**

not applicable

#### **Overlay District**

not applicable

#### **Staff Recommendation**

Approval

## DIVISION 1. SOUTH MAIN STREET/HIGHWAY 87 OVERLAY DISTRICT

### **Section 10.436 Purpose**

The South Main Street/Highway 87 Overlay District, referred to in this division as the “Overlay District” is an aesthetically important thoroughfare for the City of Graham. Because the Overlay District starts at the Highway 87 southern boundary of the City Limits, many citizens and visitors will see this part of the City on a daily basis. In order to arrive at the central business district, or “Historic District Overlay Zone”, from the City Limits, one must travel along the Overlay District. It is very important that the Overlay District is compatible with many of the design standards in the historic district since these two overlay zones are adjacent to one another. An easy transition shall occur between the overlay zones in order to create a more pleasing atmosphere.

The purposes of the Overlay District include:

1. Preserving and enhancing the overall image of the Overlay District and Historic District.
2. Encouraging development that compliments and expands the unique character of the Overlay District and its surrounding area.
3. Establishing Graham as a unique high quality community within the Triad by creating development that provides visual interest consistent with the community goals.
4. Enhancing the business economy through the creation of attractive commercial areas.
5. Preserving and enhancing property values through creation of high quality developments.
6. Implementing the goals, policies, and objectives recommendation of the *City of Graham Growth Management Plan 2000-2020*.
7. Promoting the overall health, safety, and welfare of the citizens, residents, workers, and business owners.

### **Section 10.437 Location + Applicability**

The South Main Street Overlay District shall include all parcels that are currently adjacent to either side of South Main Street, beginning at the southern boundary of the Historic District Overlay District and extending south to the Graham City Limits as shown on “The Zoning Atlas of the City of Graham, North Carolina”. If the Graham City Limits are extended in the future, the Overlay District boundary shall be subject to an extension.

### **Section 10.438 Uses Conform to Underlying District**

The South Main Street Overlay District contains several underlying zoning districts and all proposed uses shall be permitted as indicated in Section 10.135, Table of Permitted Uses, with the exception that the uses listed in Section 10.440 shall be prohibited. The terms of this Division shall control and take precedence over conflicting terms of the underlying zoning districts found within this ordinance. Where

this Division is silent as to a term, condition, or requirement, the requirements of this ordinance and/or the approved policies and procedures of the City shall control.

**Section 10.439 Exemptions**

The South Main Street Overlay District shall not apply to detached single family residential dwellings being used for residential purposes.

**Section 10.440 Prohibited Uses**

The following uses shall not be allowed in the South Main Street Overlay District:

Adult Entertainment; All Incinerators; Asphalt Mixing Plant; Vehicle assembling, painting, upholstering, rebuilding, reconditioning, body and fender work with outside storage that is visible from public right of way; Bars (as principal use); Campgrounds, commercial; Flea Market; Hazardous Waste Facilities; Jails; Junkyards, Salvage Yards; Landfill, Demolition Debris; Landfill, for Household and Commercial Waste; Manufactured Dwelling Park; Manufactured Home Sales; Medical Waste Operations; Pawnshops; Petroleum and Petroleum Products Storage, over 100,000 gallons; Racetracks for automobiles, motorcycles; Recycling Facility; Sexually Oriented Business; Shooting Range, Indoor; Shooting Range, Outdoor; Tattoo Business; Towers, Cellular and Digital Communications (excludes government uses); Towers, Radio and Television; Used Tire Sales; Utility Building Sales, Sales of Storage Sheds and Trailers.

**Section 10.441 Building Standards**

When architecture drawings are submitted to the City, the following design standards and prohibitions shall be required:

- (a) Manufactured and mobile units shall be prohibited, except for temporary use during construction or for storage of materials during construction.
- (b) Building facades visible from South Main Street shall be clad with brick or stone masonry, wood, stucco, or similar material. The facades of buildings located on corner lots that are visible from South Main Street and any other road shall be clad with brick or stone masonry, wood, stucco, or similar material. The use of textured vinyl siding or decorative, split-faced cinder blocks may be used but shall not exceed 25% of the visible side of the building. The use of cinder-block, smooth vinyl, and metal siding shall only be allowed on the side and rear of the building if not visible from South Main Street.
- (c) All façade colors shall be of low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors are prohibited. Building trim and accent areas may feature black and brighter colors, including primary colors. Roof colors shall be low reflectance and non-metallic.
- (d) Roof pitches less than 3/12 will require a parapet wall.
- (e) Street level windows should be untinted. Tinted glass with a minimum visual transmittance factor of 35 is permitted. Mirror or reflective glass is not permitted at any location.

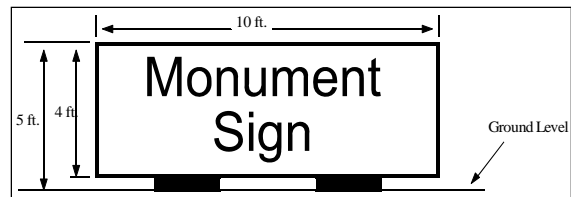
- (f) Accessory structures and signage shall be of consistent design with the primary structure and be constructed of like or architecturally compatible materials.
- (g) The use of decorative materials such as fountains, outdoor seating and benches, and statutes are encouraged in pedestrian and open space areas.

**Section 10.442 Signage**

All signage within the Overlay District shall conform to the following standards:

- (a) Monument Signs:
  - (1) Monument signs shall exclusively display only the name, trademark, and registered logo.
  - (2) Monument fuel pricing signs shall display only the name, trademark, registered logo, or vehicular fuel product and prices.
  - (3) The area encompassed by the monument sign shall not exceed forty (40) square feet.
  - (4) No monument sign shall exceed five (5) feet in height.
- (b) Walls Signs: The maximum total area of all allowable wall signs shall be equal to no more than ten percent (10%) of the area of the wall of which such sign is a part or to which each such sign is attached.
- (c) Signs shall be located such that there is at every street intersection a clear line of sight, and all signs shall be located outside of the right-of-way of any public street.
- (d) Prohibited Signs: In addition to signage prohibited in Article X of the *City of Graham Development Ordinances*, the following signs shall be prohibited in the Overlay District:

- (1) Animated sign, nor moving or flashing signs, including changeable copy signs, except for ones that display exclusively time, date, and/or temperature.
- (2) Portable signs, unless exempt by Section 10.393 Exemptions.
- (3) Projecting or suspended signs from building or structure.
- (4) Inflatable signs or tethered balloons.
- (5) Backlit monument signage is not permitted except in knockout backlit signs.
- (6) Beacons.
- (7) Roof signs.



(8) Flags used as promotional devices of any type, including but not limited to the promotion of goods, services, business establishments, events, etc.

(9) Posters.

(10) Outdoor Advertising Signs shall be permitted only on properties in the Overlay District adjacent to Interstate 85-40. Such signs shall be directed toward traffic on Interstate 85-40.

(Section 10.442 amended 1/6/2009)

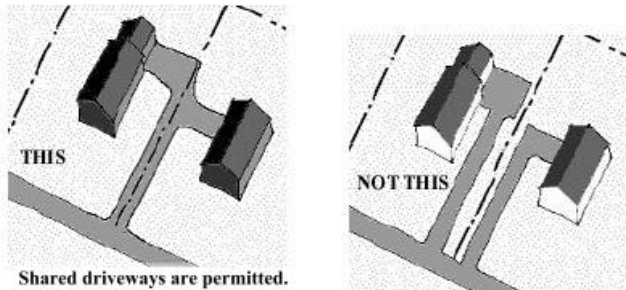
### **Section 10.443            Trees**

All issues involving trees in the South Main Street Overlay District shall conform to Article VII of the *City of Graham Development Ordinances*.

### **Section 10.444            Access Management and Parking Areas**

(a) Standards

(1) Joint driveways are permitted and recommended. Property owners who wish to share driveways should record a driveway maintenance agreement between them.



(2) Normal Landscaping requirements in Article V of the *City of Graham Development Ordinances* will still apply to parking areas. In addition, landscaped areas shall be surrounded by a concrete curb or other material, such as landscape timbers, in order to protect the landscaped area and to define its borders.

(3) When the developer applies for a driveway permit, the City and NCDOT may require the addition of a deceleration lane if the land use has the potential to generate an excessive number of trips per peak hour.

(b) Shared Access

#### **(1) Description and Intent**

(A) Cross-access is an easement or service drive providing access between 2 or more contiguous sites/land-uses so that users do not need to reenter the public street system to gain access to an adjacent site/landuse.

(B) Cross-access between adjacent properties reduces conflicts between motorists on the main street and motorists entering and leaving driveways. Reduced traffic conflicts result in fewer



accidents and improved traffic flow on the main street. The intent of this section is to provide for cross-access between compatible land-uses that front major thoroughfares so that patrons leaving one business may access adjoining businesses without having to reenter a busy public street system.

(C) It is not the intent of this section to reduce the number of driveways beyond what is already allowed in other sections of the Driveway Manual.

(2) **Cross-access Required** All new developments, or additions to existing developments of over 3,000 square feet of gross floor area; all uses of land without buildings involving more than 10,000 square feet must be designed to provide cross-access to their property line.

(3) **Cross-access Not Required** Cross-access is not required when the subject adjacent properties have one or more of the following conditions or barriers:

- (A) the properties do not have common frontage along the same street;
- (B) significant topography differences in existing conditions;
- (C) significant natural features;
- (D) vehicular safety factors;
- (E) existing cross-access provisions; or
- (F) existing infrastructure obstructions.

(4) **Easement Recordation** A cross-access easement must be recorded on the final plat for property involving a subdivision, or recorded by separate instrument when no plat is proposed.

(5) **No Obstruction of Access** All cross access must be built to the property line (or lease line). An accessway may not be blocked off, parked in, or otherwise "obstructed" unless approved by the City of Graham Technical Resources Committee.

(6) **Perimeter Landscaping Requirement Relief** Where a required cross-accessway eliminates otherwise required perimeter landscape planting area, perimeter tree and shrub requirements may be reduced by the length of the perimeter affected by the provision of the cross-accessway.

(7) **Joint Maintenance** When a cross-access easement or shared driveway is created to serve more than one lot, an owners association or binding contract is required for the purpose of maintenance.

(8) **Property Owner Cooperation** Applicants are not required to seek cooperation or permission from the adjacent property owner for use by vehicles whose total weight is under 5 tons.

## **Section 10.445            Building Orientation**

### **(a) Standards**

(1) Service entrances for shipping and receiving shall be oriented away from South Main Street.

(2) Buildings should be located on the site so that services (such as trash collection, dumpsters, outbuildings) are not visible from the street.

**Section 10.446 Sidewalks**

This section shall apply to future development that is located within the Overlay District. Sidewalks shall be installed by the developer along all abutting streets and built in compliance with the City of Graham Standards and Specifications. A grass planting between the sidewalk and curb shall be required.

**Section 10.447 Utility Wiring**

Wiring for utilities such as telephone, electrical, cable television, etc. or related functions shall be placed underground as determined by the Technical Review Committee.

**Section 10.448 Screening/Buffering**

The intent of a screen is to use plants and/or other landscape architectural elements to obscure views from corridor or adjacent properties. Facilities such as solid waste containers, electrical equipment, HVAC equipment etc., which are located on the lot, but which are not contained within the principal building shall be screened from public view by an acceptable means such as vegetation fencing, berming, etc. No chain link fence shall be permitted to fulfill this requirement. Mechanical equipment at ground level shall be placed on the rear or side of the building and away from buildings on adjacent sides. Mechanical equipment on rooftops shall be screened from the view of the public street through the use of parapet wall or other decorative feature. Solid waste containers and dumpsters shall be located to the side or rear of the principal structure.

Features and uses specified above and/or other required screens shall provide a visual obstruction from corridor and adjacent properties in conformance with the following standards:

- (1) The screen may be composed of view-obscuring vegetation, wall, fence, or berm.
- (2) The items may be used individually or in combination.
- (3) The result shall be a screen that reaches an eight (8) foot height within three (3) years.
- (4) Plants shall be at least three (3) feet tall at the time of installation.
- (5) Additionally, screen area shall be sufficient size to allow for the mature growth of plant material.
- (6) Dumpsters or trash handling areas shall always be screened from adjacent properties and from public view, with a minimum of six (6) foot high solid wooden fence or solid (and finished) masonry wall, with a solid and closeable gate.
- (7) Mechanical equipment at ground level shall be placed in the rear yard and away from buildings on adjacent sides. It shall be screened from the public street by walls, fencing, and/or landscaping. Mechanical equipment on rooftops shall be screened from the view of the public street.
- (8) A developer may choose to substantially screen from public view a parking area by utilizing an earthen berm, masonry wall, or other means of screening as approved by the Technical Review Committee.

(9) Fuel tanks shall be placed underground.

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**Staff Recommendation**

- At this time, the Planning Board will discuss the items they wish to see included in the draft overlay. A subsequent draft will be published with potential regulations.

## Making Room for Home-Based Businesses

**I**N AN AGE OF ECONOMIC ANXIETY, the humble home-based business offers an unexpected source of economic development. Consider many of America's most dynamic companies today: A budding Hewlett-Packard garage operation at 367 Addison Avenue in Palo Alto may have been shuttered by restrictions on accessory structures. A young Walt Disney Company team operating out of 4406 Kingswell Avenue in Los Angeles may have been reported by neighbors and closed down for off-site employees.

Small and home-based businesses can punch above their weight in innovation. Small businesses created approximately 64 percent of all new jobs in the U.S. between 1993 and 2011, according to the Small Business Administration, and developed more patents per employee than large businesses. When looking exclusively at small businesses that operate from within a home, 9.04 million firms fit that description in 2012. HBBs represented 52 percent of all firms and provided 10 percent of the total receipts of the economy in 1992—and the number of HBBs has only grown since, from 16.37 to 27.63 million in 2012.

For policy makers and planners interested in tapping into the potential of HBBs, reforming applicable zoning ordinances offers a low-cost place to start. Given their small size, zoning-related restrictions may disproportionately burden HBBs. The costs of

complying with regulations are consistently higher for small businesses than their larger counterparts. Regulations can act as a significant barrier to entry for firms, drive companies underground, and inhibit growth of incumbent firms. They also impose high fixed costs—due to a range of activities, from filing paperwork to time spent interpreting rules—that small firms are less equipped to handle.

### Types of regulations—and their costs

Many small business owners have trouble navigating the existing zoning regulatory landscape. While some do the research and pay fees when possible, others are unaware of zoning requirements until they are asked by zoning officials to become compliant or cease operations. Many take operations underground.

Looking at the regulations in place across the country provides a picture of the often harsh environments HBBs face.

**ORDINANCE LANGUAGE.** HBB regulations often include language referring to “customary” businesses, dictating the type that can operate out of a home.

**PERMITTED AND PROHIBITED OCCUPATIONS.** Many ordinances list permitted

For policy makers looking to tap into the potential of home-based businesses, reforming zoning ordinances is a low-cost place to start.

occupations, while some name prohibited occupations. Such lists often include out-of-date home occupations, like millinery and clock repair. Many prohibit occupations like automotive work, adult businesses, and manufacturing.

**AREA RESTRICTIONS.** Difficult to respect and enforce, these restrictions control how much space HBB operators can use.

**MECHANICAL EQUIPMENT.** Many regulations put restrictions on equipment that can be used, often prohibiting any not customarily found in a home, threatening the legal status of construction businesses, the second most common form of HBBs.

**OFF-SITE EMPLOYEES.** Prohibitions on off-site employees deter HBB growth.

**ACCESSORY STRUCTURES.** Many ordi-

nances restrict HBBs from operating in accessory structures, prohibiting popular garage- and shed-based businesses.

**PROHIBITION ON SALES.** Following the rise of online platforms like eBay and Amazon, HBBs with online retail have grown in popularity. However, ordinances often prohibit them or neglect language allowing for them. Broad restrictions on sales may threaten the legal status of retail trade, a significant source of HBB income.

**SIGNS AND EXTERIOR MODIFICATIONS.** Many early HBB regulations prioritized preserving residential character, leading to restrictions on signage. Exterior modifications are often prohibited as well.

**NUISANCE RESTRICTIONS.** Ordinances often include tough language related to noise, vibration, glare, odors, and dust, among other externalities.

**CUSTOMERS AND CLIENTS.** Even if ordinances don't prohibit customer visits, they might restrict the number that can be present at once and any associated traffic.

**PERMITS.** Whether an HBB needs a permit to operate differs and is often up to a zoning administrator.

In communities across the country, the nature of work is changing. Work in manufacturing continues to shrink, and the service industry is being transformed by the rise of automation and internet-based retailers. By understanding the challenges current zoning restrictions pose, policy-makers can find opportunities to reform them—and tap into a rewarding corner of our communities. ■

—M. Nolan Gray and Olivia Gonzalez

Gray is a student in the Master of City and Regional Program at Rutgers University. He earned a BA in philosophy and political science at the University of Kentucky. Gonzalez is an Economics PhD student at George Mason University. She earned a BS in economics from George Mason University and an AS in business administration from Northern Virginia Community College. This is adapted from an article published in the August 2017 issue of the APA Economic Development Division newsletter: <http://bit.ly/2l7G7Fk>.



## Airbnb and Municipal Zoning

IF A CITY WISHES TO REMAIN COMPETITIVE AND ATTRACT YOUNG PROFESSIONALS, it will likely need to embrace the shared economy. But in the case of Airbnb, that has become a complicated problem as municipalities struggle to maintain control over the economic and aesthetic functionality of their zoned districts.

The American zoning system, for the most part, provides municipalities and individuals the flexibility to use their property in a manner beneficial to the individual and community as a whole. In cities across the country, zoning is instrumental in achieving economic and aesthetic appeal, helping to keep housing affordable for lower income residents, and ensuring that residential neighborhoods do not become oversaturated with tourists. As Airbnb and zoning meet at problematic crossroads across the country, future development rests on how the law can be used to alleviate contrasting objectives.

### How have municipalities responded?

New York City has passed numerous regulations to curb the illegal use of single-family dwellings as hotels. Senate Bill S687 makes it illegal for permanent residents to allow occupancy by another for fewer than 30 days and for monetary gain. New York City's applicable Building, Fire, and Housing Maintenance codes set forth different standards for dwellings occupied on a month-to-month basis versus those occupied on a day-to-day basis—the city has even out-lawed for-profit hostels. The courts also decided that the city's Multiple Dwelling Law provides that only the tenant's guests or employees may occupy the dwelling if the tenant is absent.

Some cities have been following New York's lead. Moab, St. George, Park City, and Provo, Utah have ordinances prohibiting residents from renting their properties to transient visitors. The birthplace of Airbnb, however, has learned to embrace it.

Initially, San Francisco had mixed reactions to temporary rentals. As in most cases, some residents valued the additional income, while others said they were being evicted from their homes so landlords could rent rooms full time. But in 2014, Airbnb's hometown positioned itself at the forefront of some progressive solutions and compromise by approving a plan to effectively legalize Airbnb.

The city's Board of Supervisors voted to adopt regulations that require

permanent residents to secure a business license from the city and show that they have occupied their homes for 275 days out of the last year, with a limit of 90 days of occupancy by Airbnb customers. The city also developed a special department to assist with, regulate, and enforce short-term rentals. There are reporting, recordkeeping, and safety regulations that govern short-term listings, and in an effort to address affordable housing concerns, the law prevents landlords from evicting current tenants to create make-shift hotels.

San Francisco serves as a model for the way municipalities can think about Airbnb. While San Francisco amended outdated laws, enacted a series of new requirements, and developed a regulatory board, no capital improvements or infrastructure were needed to address the problems.

### Airbnb's rebuttal

In response to these varying municipal reactions, Airbnb created a section on its website educating customers about regulatory issues: <http://bit.ly/2JQBXPp>. The page explains, "When deciding whether to become an Airbnb host, it's important for you to understand how the laws work in your city."

It goes on to say that some cities require a permit or restrict short-term rentals altogether. "Local governments vary greatly in how they enforce these

laws," it warns. "Penalties may include fines or other enforcement."

Whether or not this shift of responsibility onto the user absolves Airbnb of liability under familiar legal principles (like agency and contributory liability) currently remains to be seen.

### What other solutions are possible?

Absent local ordinances expressly forbidding transient rentals, Airbnb and similar lodging services would still be illegal under most municipal zoning ordinances. For the most part, large-scale enforcement of illegal transient hotels presents a huge challenge because of the inability to know who is renting and when they are doing so. One solution is the municipality's zoning enforcement officer could scan Airbnb's website for listings in that area. This is a potentially time-consuming and costly technique, but in a popular tourist destination, listings can be bought up just moments after they are posted. That does not mean enforcement is impossible, however, as one New York City tenant learned the hard way, with potential fines reaching over \$40,000.

Sharing economy services can benefit economic and social growth. Beneficial as they may be, there are clear and present dangers associated with these uses. In light of these risks, regulation is in order. Most sharing services prefer self-regulation to government-imposed, sometimes burdensome regulation.

Recently, scholars have found that successful self-regulatory organizations exhibit four distinct characteristics. First, they establish credibility early on through its performance. Second, they demonstrate strong enforcement capabilities. Third, they must be perceived as legitimate and independent. And finally, self-regulatory organizations must take advantage of participants' reputational concerns and social capital. ■

—Leonard Cohen

Cohen is an associate at Synder & Synder LLP in New York City and was the APA Planning and Law Division Daniel J. Curtin Fellow in 2016. This article is adapted from the Spring 2017 APA Planning and Law Division newsletter: <http://bit.ly/2jr1010>.





By enacting Vision Zero plans, municipalities can make their roads safer for all residents.

## Working Toward Zero Traffic Fatalities

**T**AMPA BAY, FLORIDA, LIKE MANY fast-growing metropolitan areas, has its share of transportation successes and challenges. One of the most daunting challenges—rooted in the region’s automobile-oriented development pattern, built primarily since the 1960s—is the incidence of injuries and fatalities to pedestrians and bicyclists.

The 2016 release of Smart Growth America’s *Dangerous by Design* report once again showed that the Tampa-St. Petersburg–Clearwater region is among most dangerous places for walking and bicycling in the nation, and the trend is on the rise. Hillsborough County experienced a 50 percent increase in pedestrian fatalities from 2014 to 2015.

In Pinellas County, where I live and work, there were nearly 600 pedestrian crashes in 2015, a 27 percent increase since 2011. Pinellas has a pedestrian and bicycle crash and fatality rate that is twice the national average and higher than any large county in Florida.

I experienced that firsthand last year, when I was hit by a car while riding my bike to work on a trail that crossed several driveways. A fence and hedging obstructed the driver’s view of trail users, and a lack of pavement markings indicating the presence of the trail contributed to the crash. The city of Clearwater, Florida, striped the crossing and added signage four days later, but across the city, there remains much work to do—and a Vision Zero plan is an effective tool decision makers can use to eliminate traffic fatalities.

### What is Vision Zero?

Forward Pinellas, the Metropolitan Planning Organization for Pinellas County, is working with law enforcement, transportation agencies, and community-based organizations on a Vision Zero approach to improve safety for cycling and walking and reduce crashes overall.

Vision Zero grew out of an initiative in Sweden to curtail traffic fatalities and crashes. It is a holistic approach to saving lives by focusing on engineering design, education, law enforcement, and understanding the context of neighborhoods that determines how people travel and access destinations in their community. It has since been adopted by New York City, Los Angeles, and several other major cities in North America.

The goal of Vision Zero is to eliminate crash fatalities and reduce injury, but it

will take time, money, and new thinking to overcome a landscape and mindset built over the last 50 years. With daily news reports of deaths and injuries from automobile crashes, we may scoff at a vision of eliminating traffic fatalities. My colleague, Beth Alden, AICP, the executive director for the Hillsborough County MPO in Tampa, states that the airline and passenger train industries both have a goal of zero fatalities, so why not the surface transportation industry?

### The evolving role of MPOs

MPOs have long been at the forefront of funding bicycle and safety projects and advocating for bike lanes and other multimodal strategies. But the emergence of the Vision Zero movement provides a stronger impetus for MPOs to think, plan, and fund more broadly, working with coalitions of advocacy and community-based organizations to extend the reach of traditional transportation planning and funding mechanisms.

Meeting the performance-based, outcome-driven planning requirements of the Fixing America’s Surface Transportation Act means MPOs must define new performance measures and set targets to achieve the outcomes they seek. As a project moves into the Transportation Improvement Program, MPOs must demonstrate how it helps achieve the established target. That puts a focus on improving safety for all users of our roadways.

Forward Pinellas and the Hillsborough County MPO are coordinating their respective Vision Zero efforts through Bike/Walk Tampa Bay, a regional safe streets advocacy organization. While the approaches differ, both MPOs are taking action to make roads safer to cross and travel along for pedestrians and cyclists. In Pinellas, our action plan entails the following steps:

1. **ESTABLISH A VISION ZERO** multidisciplinary and multijurisdictional working group to guide the effort. Members include local engineers and planners and representatives from the state department of



transportation, law enforcement agencies, the department of health, and advocacy groups like AARP.

**2. DEVELOP A VISION STATEMENT** and guiding principles.

**3. SEEK RESOLUTIONS OF SUPPORT** of the vision and guiding principles from Forward Pinellas and local governments.

**4. DEVELOP AN ACTION PLAN** for Gulf Boulevard, one of the county's busiest corridors along the Gulf of Mexico. The objective is to start with one significant corridor, show successful actions, then expand to the rest of the county.

**5. UNDERTAKE A DATA-DRIVEN** crash analysis to examine causes and

locations of serious crashes to provide support for funding improvements through the federal Highway Safety Improvement Program.

**6. REVIEW LAND DEVELOPMENT** policies and municipal technical specifications to identify best practices and modifications that promote safe street design standards.

**7. IDENTIFY AND COORDINATE** physical improvements with responsible agencies and the local community.

**8. ENGAGE LAW ENFORCEMENT** for targeted enforcement using grants and other mechanisms to fund activities.

**9. DEVELOP A COMMUNICATIONS** plan that focuses on education, awareness,

and explaining specific actions to multiple jurisdictions.

**10. DEVELOP A PERFORMANCE** measurement strategy to document progress toward achieving desired outcomes. As part of that strategy, the MPO board and its 25 local governments will be asked to approve the Vision Zero Action Plan. We will develop a biennial performance report card that highlights the actions we've taken, the results we've seen, and any additional steps needed to move toward our Vision Zero goal. ■

—Whit Blanton, FAICP

Blanton is executive director at Forward Pinellas, which serves as the metropolitan planning organization and countywide land-use planning agency for Pinellas County. A version of this article appeared in APA's Transportation Planning Division newsletter: <http://bit.ly/2FzuDFn>.

## RESOURCE FINDER

The shared economy can play a complementary—but also complicated—role in our communities. Take a look at these resources for some guidance on how to determine the best land-use policies for your municipality amid a growing industry of Airbnbs, Ubers, and bike shares.

Addressing the Growth in Short-Term Rentals, on-demand education: [planning.org/events/course/9126542](http://planning.org/events/course/9126542).

"Bike Sharing," *PAS QuickNotes* 6: [planning.org/publications/document/9100472](http://planning.org/publications/document/9100472).

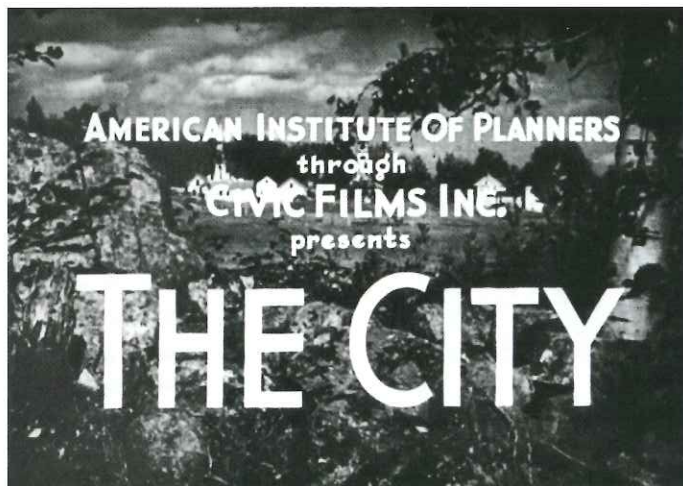
"Connecting the Dots," *Planning*, April 2017: [planning.org/planning/2017/apr/connectingdots](http://planning.org/planning/2017/apr/connectingdots).

"Could You Bnb My Neighbor?" *Planning*, February 2016: <http://bit.ly/2KWYUGS>.

"Regulating Short-Term Rentals," *Planning*, May 2017: [planning.org/planning/2017/may/legallessons](http://planning.org/planning/2017/may/legallessons).

"Peering into the Peer Economy: Short-Term Rental Regulation," *Zoning Practice*, October 2015: [planning.org/publications/document/9006873](http://planning.org/publications/document/9006873).

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## HISTORY YESTERDAY'S CITY OF TOMORROW

*The City* is a 31-minute documentary film produced by the American Institute of Planners for the "City of Tomorrow" exhibit at the 1939 New York World's Fair. The brainchild of Catherine Bauer, urban planner and public housing advocate, the movie was written by Lewis Mumford and Pare Lorentz, directed by Ralph Steiner and Willard Van Dyke, and scored by Aaron Copland. It compares hectic life in the modern congested city of the time with quality of life in a planned community life in Greenbelt, Maryland. In 1998, *The City* was selected for preservation in the U.S. National Film Registry by the Library of Congress.

For a look at how planned communities have changed since 1939, watch *The City*: [youtube.com/watch?v=7nucvcpnysjU](http://youtube.com/watch?v=7nucvcpnysjU).

—Nick Ammerman

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