



MEMORANDUM

DATE: April 5, 2011
TO: Planning Commission
FROM: Roger Mobley, Chief Planner
SUBJECT: UVAP Mixed-Use Overlay Concept

At the March 24th meeting staff suggested the idea of using a **Mixed-Use Overlay** zone on the Masonite property as a method of providing for both the possibility of industrial development or a mixed-use development on the property. In other words, this approach would provide the most flexibility in the future use of the Masonite site.

As there were some questions about the Mixed-Use Overlay concept and possibility some confusion regarding how an “overlay” zone works, staff has prepared a brief explanation of both overlay zones in general and how the Mixed-Use Overlay approach would work.

Overlay Zoning

Description

Overlay zoning (sometimes called combining zones) is a regulatory tool that creates a special zoning district, placed over an existing base zone, which identifies special provisions in addition to those in the underlying base zone. A separate set of development regulations are attached to the overlay district depending on the objective of the overlay. Properties with an overlay zone designation can be developed according to the base district regulations or according to the overlay district regulations.

Common Uses

Overlay zones are typically used to provide special development guidance. They might be used to protect historical areas, to encourage higher intensity of development along a transit corridor, to target specific uses or to control design and development aesthetics.

The County’s Zoning Code currently has several “combining districts” or overlay zones including the P-D Planned Development district which is intended to facilitate “planned community” development or master planning of properties.

Mixed-Use Overlay

In addition to the uses allowed in the underlying base zoning district, the purpose of the Mixed-Use Overlay zone is to provide a mechanism to:

1. Maximize development flexibility on designated properties;

2. Provide for a mix of complementary residential, commercial, recreation and employment uses in an integrated environment;
3. Create a viable, walkable urban environment that encourages pedestrian activity and reduces dependence on the automobile;
4. Revitalize older commercial corridors with residential/commercial mixed-use developments that attract and encourage market-driven private investment;
5. Develop an overall urban design framework and review process to ensure that the quality, appearance and aesthetics of buildings, improvements, and common areas reflect community design objectives; and
6. Implement Smart Growth principles of compact, higher density, walkable urban centers instead of sprawl.

Implementation

Using the Masonite site as an example, the property would have an Industrial base zone designation and a Mixed-Use Overlay zone.

1. The Mixed-Use Overlay zone provides for a mix of uses and development/design standards that apply to new construction of mixed-use projects.
2. In the Industrial base zone, new construction of “industrial only” projects may utilize either the Mixed-Use Overlay development regulations or the Industrial base zone development regulations. Uses would be limited to those permitted in the Industrial base zone.
3. If the initial development proposal for the property utilized the Mixed-Use Overlay regulations, a “master plan” for the entire property would be required to establish an overall development plan showing how the integration of uses, circulation, open space and other required design components would work. Either phased development or initial development of the entire property would have to follow the master plan. Design review would be required for all development.
4. Once the master plan of development was approved all subsequent development would have to be consistent with the master plan and “industrial only” development under the base zone would no longer be possible.

Summary

The Mixed-Use Overlay approach for the Masonite site provides the greatest flexibility in future development opportunities, allowing for either industrial development or mixed-use development with an integrated combination of uses along with community amenities.

Implementation of a mixed-use development concept under the Mixed-Use Overlay will afford the greatest review and control of development on the property as it requires both an up-front master plan of development to be established, along with establishing design guidelines and a design review process for subsequent development on the property. This level of review

and design control is not available for industrial development under the base zoning regulations.

Mixed-use development is “smart growth”, and smart growth is not “no growth” but rather it seeks to revitalize the already built environment and to foster efficient development, and in the process more livable communities.