



SUSTAINABLE ENVIRONMENT for QUALITY of LIFE



MULTI-JURISDICTIONAL LAND USE REGULATIONS

What is it?

Multi-jurisdictional land use regulations may take several forms, but the most likely is a Unified Development Ordinance (UDO). This places all development regulations (zoning, subdivision, etc...) in one document. A UDO adopted on a multi-jurisdictional level allows communities to develop a shared vision for the area. This is important because as the region grows, communities tend to run together, and most communities are concerned about "loss of identity." A UDO adopted on a multi-jurisdictional basis can address not only factors that influence maintaining each community's identity, but also issues such as buffering between communities, consistent land uses along transit or transportation corridors, and other important regional issues.

Shared Impact and Benefits

- The process of adopting a multi-jurisdictional UDO is a chance for neighboring communities to update (and in many cases, completely re-tool) outdated land use regulations with the most up-to-date "smart growth" regulations.
- Implementing smart growth regulations on a regional level will have a positive impact on air quality by reducing sprawl and vehicle miles traveled, which in turn reduces auto emissions.
- There may be a corresponding positive impact on water quality because more land may be left in open space to serve as buffers and surface filters for runoff going into streams and rivers.
- A multi-jurisdictional UDO can lead to consideration of the long-term costs of utility extensions, and potential savings once these true costs are considered.
- Coordinated and joint planning can eliminate conflicts and competition for development that often plays one jurisdiction against another at the long-term disadvantage of both communities.

Costs

If a private consultant is hired, the cost may be as much as \$100,000 plus the cost of staff time. During the time that the ordinance is being updated, staff may need to dedicate as much as 60% of their time to the project.



This Action Item can be implemented as a

- POLICY
- ORDINANCE
- PROGRAM

How long does this take to implement?

It has taken from 2 ½ to as long as five years from the time that the decision is first made until the time that the ordinance is adopted in each of the participating jurisdictions.

The Bottom Line

- A uniform development ordinance that spans municipal boundaries helps foster regional cooperation.
- The process of developing the ordinance is a chance to completely update an ordinance so that it reflects the vision of the community.
- It is generally easier for the development community to work with ordinances when all regulations are contained within one document and when they span multiple jurisdictions.

Interested? Read on!



Who needs to be involved in implementation?

- The governing board of each jurisdiction involved
- The planning board of each jurisdiction involved
- Municipal staff from each jurisdiction
- A steering committee comprised of community

leaders, representatives from each planning board, representatives from each council, and representatives from the development community. Make sure that each jurisdiction is well represented.

Action Steps

1. Read the **Basic Information** section below.
2. If your communities wish to use a consultant, prepare an RFP. Centralina or Catawba Regional planning staff can assist with the procurement process.
3. In hiring a consultant, look for sensitivity to political issues in your selection process.
4. Appoint a steering committee and subcommittees as necessary. Steering committees should include good representation from all the communities to be included in the ordinances, as well as from other groups.
5. Establish a procedure for drafting, reviewing and finalizing the UDO text.
6. Draft the ordinance.
7. Once the ordinance is drafted, it should be sent to the planning board of each jurisdiction for review. Additional changes may be necessary after this review.
8. Once the ordinance is recommended by each local planning board, each jurisdiction must hold a public hearing.
9. After the public hearing, each Council may adopt the ordinance.

Basic Information

- Make sure that there is political and staff support to see the project through until the end. In a process that takes a great deal of time and money, political support in particular is essential.
- Do not announce a proposed completion date until committee meetings have begun and you have a better feel for the process. Be flexible with the schedule.
- Not all of your steering committee members will see the process through until the end. Start with a steering committee of at least 25 members to allow for “drop outs.”
- Understand the role of your consultant. Both Guilford County and Lee County used their consultants less than they originally anticipated. “Long-distance consultants” may not be able to attend every meeting, and the logistics of the drafting process may become difficult. The consultant, however, will be valuable in organizing the process, creating enthusiasm, and providing “cutting edge” ideas.

Resources

- Adopting a multi-jurisdictional UDO may be an extremely time-consuming process. It can be as long as five years between the time that the decision is first made to start the procedure until the time that the ordinances are adopted by the participating jurisdictions.
- Be aware that while hiring a consultant may reduce UDO-related staff workloads, it will not eliminate them. To ensure that the ordinance meets local and multi-jurisdictional needs and interests, staff will need to remain involved throughout the process.
- Staff will be required at meetings as often as once a week. In addition, staff is likely to be preparing agenda packets and drafts.
- There typically are no grant funds available for this process, just as there are typically no grant funds available for local ordinance preparation.



Who's doing this?

- Guilford County, High Point, Jamestown, Summerfield, Pleasant Garden, Oak Ridge, Stokesdale and Gibsonville adopted uniform ordinances in 1992. http://www.ci.greensboro.nc.us/planning/boards_commissions/mdoc/
- Forsyth County, the City of Winston-Salem, the Town of Kernersville, the Village of Clemmons and the Town of Lewisville have adopted a Unified Development Ordinance. <http://www.co.forsyth.nc.us/CCPB/udo.htm>
- Several in the towns in Cabarrus County have adopted uniform ordinances.
- The City of Sanford, Lee County and the Town of Broadway are currently in the process of adopting a UDO.
- Lancaster County, South Carolina and its municipalities formed a joint planning commission in 1994 and adopted a UDO in 1998. <http://www.lancastercountysc.net/>
- While not a UDO at this point, eleven jurisdictions are coordinating land use and transportation development along the Highway 73 corridor in a pilot project funded by the North Carolina Department of Transportation, the jurisdictions themselves, and staffed by Centralina and a consultant. The final plan developed is proposed to be implemented through an interlocal agreement.
- The Urban Land Institute has prepared a series of "Corridor Visions" for the five transit corridors proposed by the Charlotte Area Transit System to link Charlotte with adjacent communities. Again, these do not represent UDOs but could be considered in future UDO development.
- It is important to note that to work, UDOs and any type of multi-jurisdictional planning effort must include not only cities and towns, but the counties in which they are located as well. Just as an urban growth boundary may provide only a line to "leap-frog" in development if the county has not agreed to it, any type of multi-city UDO will have limited value without county participation.

FAQ's

Q: Why does this take so long?

A: Because multiple jurisdictions are involved, there are a lot of players in the game and they all have to agree. In addition, the steering committee may need to go over the ordinance line by line. After that, it needs to be approved by each planning board and then each council. This can be quite time consuming.

Q: Does every word in each ordinance need to be the same?

A: Not necessarily. Each jurisdiction can make its own amendments to its ordinance. For example, it may not be crucial that the sign regulations in each jurisdiction be exactly the same. Jurisdiction A may want to allow wall signs to be a maximum of 10% of the square footage of the building front, but Jurisdiction B may think that 15% is more practical. When it comes to broader issues such as buffers along streams or land uses and regulations along potential transit corridors, the regulations should remain the same.

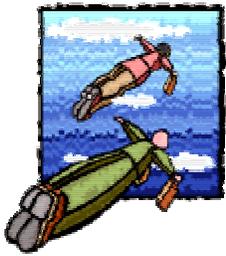
Guilford County and participating municipalities have formed a Multi-jurisdictional Development Ordinance Committee (MDOC). The committee is comprised of representatives from local governments within Guilford County who worked together to develop and adopt the ordinance. Their purpose is to review proposed amendments to the development ordinances of participating jurisdictions in an effort to maintain a high degree of uniformity and foster consistency in the implementation of the Unified Development Ordinance.

The Lancaster County Joint Planning Commission includes representatives from each of the participating jurisdictions, as well as representatives from the County Transportation Commission, Utilities, the County School Board, the Homebuilders Association and the Lancaster County Water and Sewer District. The Commission's responsibilities include making recommendations on changes to the text of the zoning or subdivision regulations in place in the various jurisdictions. In addition, the Commission coordinates the planning activities within the jurisdictions in order for the county to develop in a positive, uniform manner.

Q: If you already have rural sprawl, isn't a UDO sort of like closing the barn door after the horse is loose?

A: Certainly, rural sprawl along transportation corridors makes it more difficult to maintain separate identities for individual jurisdictions. However, a UDO may be valuable nonetheless in helping to address redevelopment issues. It may also provide the basis for developing growth nodes or foci to inhibit additional sprawl.

Intersecting Interests



CLEAN AIR POLICY

Land use regulations play an important part in overall transportation issues, which makes them essential to clean air policy.



ENHANCED OZONE AWARENESS

Land use regulations that encourage transit, bike and pedestrian-friendly development can lead to fewer cars on the road, which helps to reduce the amount of ozone in the air.



SEDIMENTATION & EROSION CONTROL

Requiring more compact transit, bike and pedestrian-friendly development means building fewer roads and parking lots, which means less impervious surface. This will aid with sedimentation and erosion control.



GREENWAYS & OPEN SPACE

Regulations can be adopted requiring the preservation of open space or payment of fees in lieu of dedication.



PEDESTRIAN-FRIENDLY STREETSCAPES

Streetscapes can be addressed with design standards included in the UDO.



TREE PLANTING STANDARDS

Street trees are an important element of a pedestrian-friendly environment and can be required in the development process.

Tracking Progress

Let Centralina Council of Governments know when you've adopted a UDO (or similar agreement) by contacting Carol Lewis at 704-348-2730 or clewis@centralina.org.

For More Information

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