



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinncc.org

PLANNING BOARD MEETING MINUTES

October 19, 2021 – 6:30pm
Village Hall, 10004 New Town Road
Regular Meeting (Virtual Meeting)

AGENDA ITEMS

1. Call to Order

Chairman Jones called the meeting to order at 6:30pm.

2. Determine Quorum

Chairman Jones determined a quorum was present.

Present: Chairman Jones, Vice-Chair Cates, Malinda Daniel

Present Virtually via Webex: Michael Lavelle, Richard Holzberg, Ken Marino, Kent Renner, Councilman Marcolese (*Council Liaison*)

Absent: None

Staff Present: Hunter Nestor, Austin W. Yow

3. Adoption of the Agenda

MOTION: Vice-Chair Cates moved to adopt the agenda as presented. Richard Holzberg seconded the motion.

VOTE: The motion passed unanimously, 7-0.

4. Adoption of the Minutes for: 9/21/21

MOTION: Malinda Daniel moved to adopt the minutes as presented. Richard Holzberg seconded the motion.

VOTE: The motion passed unanimously, 7-0.

5. Public Comment Period

No comments were given.

ITEMS OF DISCUSSION

TIME STAMP 3:20

1. Discuss and Consider Adoption of 2022 Planning Board Meeting Schedule (*See attached, Item 1., which is included as a reference in these minutes.*)

Austin W. Yow, Village Clerk & Assistant to the Manager, presented the draft Planning Board Meeting Schedule for 2022. The Board reviewed the schedule.

MOTION: Malinda Daniel moved to adopt the 2022 Planning Board Meeting Schedule as amended. Richard Holzberg seconded the motion.

VOTE: The motion passed unanimously, 7-0.

MOTION: Vice-Cha moved to amend the 2021 Planning Board Meeting Schedule to shift meetings from 6:30pm to 6pm. Malinda Daniel seconded the motion.

VOTE: The motion passed unanimously, 7-0.

TIME STAMP 8:30

2. Review of Final Plat for Gates at Marvin Rural Subdivision (*See attached Item 2., which is included as a reference in these minutes.*)

Hunter Nestor, Planning & Zoning Administrator, explained that he wanted to inform the Board that the final plat has changed, due to NCDOT requiring shared driveways for four of the six proposed homes.

He explained that final plats are not reviewed the Board, but that he wanted to update the Board on the changes to the plat. The Planning Board had no objections to the final plat.

TIME STAMP 14:50

3. Discussion and Review of the Marvin Heritage District Small Area Plan (See attached Item 3., which is included as a reference in these minutes).

Mr. Nestor explained the origins of the concept of a Village Center District. He then reviewed the process by which the Planning Board updated the Land Use Plan and Future Land Use Map in 2020 to include additional parcels in the Village Center District, now referred to as the Marvin Heritage District. He explained that the Small Area Plan and Form Based Code do not mandate the rezoning and development of parcels, but rather provides the guiding vision for future development, which strengthens the Council’s regulatory authority. The Board discussed this in depth and at length.

MOTION: Michael Lavelle moved to recommend approval of the Marvin Heritage District Small Area Plan. Richard Holzberg seconded the motion.

VOTE: The motion passed 5-2. Vice-Chair Cates and Malinda Daniel voted “No.”

TIME STAMP 1:26:00

4. Discussion of Potential Zoning Text Amendments Needed

a. Marvin Gardens Text Amendments

Mr. Nestor explained that text amendments will be need for Marvin Gardens conditional zoning for outdoor dining equipment, in addition to the “Welcome to Marvin” signage that the Planning Board and Council recently approved. He stated that the Board will review proposed language at a future meeting.

b. Small Wireless Facilities Zoning Language

Mr. Nestor explained that the zoning ordinance needs to be amended to include definitions and regulations for small wireless facilities, such as the 5G nodes that have been recently installed on Rea Road and in Blakeney. He added that the Village cannot regulate where the nodes go but can regulate design standards and colocation. He stated that the Board will review proposed language at a future meeting.

AGENDA ITEMS

1. Review of Action Items

There were no action items.

TIME STAMP 1:47:35

2. Board Member Comments

Chairman Jones: He stated he was glad that the meeting progressed efficiently. He spoke on the results of the 2019 Community Survey, which he believed was representative of the Marvin populace.

Malinda Daniel: She stated she appreciates everyone’s work on the Marvin Heritage District. She stated she does not believe that Marvin residents want the District to develop, based on the results of the 2019 Community Survey.

Richard Holzberg: He thanked staff for their work. He thanked the other Board members for their work on the Heritage District and encouraged future conversations.

Michael Lavelle: He thanked staff for their hard work in preparing for this meeting.

Councilman Marcolese: He thanked everyone for their valuable comments on the Heritage District. He thanked staff for their hard work.

ADJOURNMENT


MOTION: Malinda Daniel moved to adjourn the meeting at 8:22pm. Vice-Chair Cates seconded the motion.

VOTE: The motion passed unanimously, 7-0.

Adopted: 11-16-2021




John Jones, Planning Board Chairman
Village of Marvin


Austin W. Yow
Village Clerk & Assistant to the Manager

Item 1.



VILLAGE OF MARVIN

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2022 PLANNING BOARD MEETING SCHEDULE

Proposed 10/19/21

(Planning Board Meetings are typically held on the third Tuesday of each month, unless noted)

*(*Please note that the location of Village Hall will be moving from 10004 New Town Road to 10006 Marvin School Road in Early 2022.)*

DATE	TIME	LOCATION
Tuesday, January 18	6pm	Village Hall*
Tuesday, February 15	6pm	Village Hall*
Tuesday, March 1 <i>(Joint Meeting with Council)</i>	6pm	Village Hall*
Tuesday, March 15	6pm	Village Hall*
Tuesday, April 19	6pm	Village Hall*
Tuesday, May 17	6pm	Village Hall*
Tuesday, June 21	6pm	Village Hall*
Tuesday, July 19	6pm	Village Hall*
Tuesday, August 16	6pm	Village Hall*
Tuesday, September 20	6pm	Village Hall*
Tuesday, October 18	6pm	Village Hall*
Tuesday, November 15	6pm	Village Hall*
Tuesday, December 20	6pm	Village Hall*



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2021 PLANNING BOARD MEETING SCHEDULE

Adopted: 10/20/20, Amended 10/19/21

(Planning Board Meetings are typically held on the third Tuesday of each month, unless noted)

DATE	TIME	LOCATION
Tuesday, January 19	6:30pm	Village Hall
Tuesday, February 16	6:30pm	Village Hall
Tuesday, March 16	6:30pm	Village Hall
Tuesday, April 20	6:30pm	Village Hall
Tuesday, May 18	6:30pm	Village Hall
Tuesday, June 15	6:30pm	Village Hall
Tuesday, July 20	6:30pm	Village Hall
Tuesday, August 17	6:30pm	Village Hall
Tuesday, September 21	6:30pm	Village Hall
Tuesday, October 19	6:30pm	Village Hall
Tuesday, November 16	6pm	Village Hall
Tuesday, December 21	6pm	Village Hall

Item 2.



VILLAGE OF MARVIN

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DATE: October 14, 2021
TO: Planning Board
FROM: Hunter Nestor, Planner and Zoning Administrator
SUBJECT: Final Plat for The Gates at Marvin Rural Subdivision

Action Requested

Jones Homes is seeking Final Plat for the 6 Lot Rural Subdivision located at 18.0940 Acres located on the corner of Waxhaw-Marvin Road and Stacy Howie RD (Parcel Number: 06228003L).

Background

Jones Homes has submitted their Final Plat for the 6 Lot Rural Subdivision located at 18.0940 Acres located on the corner of Waxhaw-Marvin Road and Stacy Howie RD (Parcel Number: 06228003L). Planning Staff has determined that the Final Plat is in conformity with the approved submitted preliminary plat and construction plans and meets all requirements of the Marvin Code of Ordinance.

Back in February and March of 2021. An application was submitted to amend the Rural Subdivision language. Village Council voted to amend the language for Rural Subdivisions to the new language below/

- (1) A subdivision that meets all of the following requirements:
 - (a) Involving not more than eight lots;
 - (b) With a parent tract of at least 10 acres;
 - (c) Minimum lot sizes are two acres;
 - (d) A minimum of half of the resulting lots are larger than 2.5 acres; and
 - (e) No more than one new road is created

Sketch Plan

Per the process in Village of Marvin Code of Ordinances § 150.048 PROCEDURE FOR SECURING APPROVAL FOR RURAL SUBDIVISIONS, the Zoning Administrator administratively approved the proposed sketch plan in April of 2021 and directed the applicant to begin working on their preliminary plat and construction plans.

Preliminary Plat and Construction Plans

Per the process in Village of Marvin Code of § 150.048 PROCEDURE FOR SECURING APPROVAL FOR RURAL SUBDIVISIONS. The Planning Board reviewed and discussed The Gates at Marvin Preliminary Plat and Construction Plans during their regular scheduled Planning Board meeting on August 17, 2021.



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The Planning Board unanimously voted to recommend approval of the preliminary plat and construction plan for the Gates at Marvin subdivision, contingent upon submission of the landscape and tree mitigation plan and contingent upon approval from the Village Engineer and outside agencies. NC DOT reviewed the plans, and the only comment was for the applicant to combine the driveways along Waxhaw-Marvin Road. The applicant made the revisions to their plans, and it does not alter the design or overall plans other than the drive-way and tree mitigation to comply with DOT Comments.

A Public Hearing for the Preliminary Plat and Construction Plans was held by Village Council on September 14th, 2021, during their regular scheduled council meeting. The Village Council unanimously voted to approve the preliminary plat and construction plans for the Gates at Marvin, contingent upon outside agency approval.

Final Plat

Per the process in Village of Marvin Code of § 150.048 PROCEDURE FOR SECURING APPROVAL FOR RURAL SUBDIVISIONS the Final Plat does not need to be reviewed by Planning Board but since the Plat has changed slightly from the Preliminary Plat and Construction Plans the Board reviewed in August, Staff is requesting the Planning Board to review and provide a recommendation for the Village Council.

Overview

LOCATION:

18.0940 Acres located on the corner of Waxhaw-Marvin Road and Stacy Howie RD (Parcel Number: 06228003L)

	Existing Land Use	Zoning Designations
Subject Property	Vacant	R-Marvin Residential
North	Residential	Union County R-40
South	Residential	Union County R-40
East	Providence Down South	Union County R-40
West	Residential/Vacant	Union County R-40 Lancaster County, SC Rural Neighborhood (R-N)

The Gates at Marvin Rural Subdivision consists of 6 Lot Rural Subdivision located at 18.0940 Acres. The overall density is .33 residential units per acre. The average lot size is 3.05 acres. The minimum lot size is 2 acres, and more than half of the lots are over 2.5 acres which qualifies the subdivision to follow the Rural Subdivision standards and ordinances outlined in 151.081. All lots meet the minimum lot widths as well as the front, side, and rear yard setbacks.



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Review and Discussion

Approval of the Final Plat shall not authorize the clearing and land disturbing activities, as well as commencement, installation, and construction of improvements in accordance with the approved preliminary site & civil design plans. The applicant is to get a land development permit.

The Land Development Permit is needed to begin this work. the applicant can obtain a Land Development as they have met and complied with all conditions, if any, on the approved preliminary/construction plat, are satisfied.

Staff Recommendation

Staff recommends approval of the Final Plat for the Rural Subdivision.



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Memorandum

TO: Planning Board

FROM: Hunter Nestor, Village Planning & Zoning Administrator

SUBJECT: Proposed Amendments to the Village of Marvin 2020 Land Use Plan – Marvin Heritage District Small Area Plan, Draft #2, October 14, 2021

DATE: October 14, 2021

NEW STAFF COMMENTS AND HIGHLIGHT REVISIONS TO DRAFT #1:

During the Planning Board meeting on September 21, 2021, Staff presented the Marvin Heritage District Small Area Plan, cover page dated September 2, 2021, Draft #1 for discussion and review. Refer to meeting minutes for details of the discussion. In summary, the Planning Board had questions that required research and asked staff to return with answers and provide a more expanded presentation during two Planning Board sessions.

Revisions to Draft #1 have been made and highlighted yellow in the attached Draft #2, dated October 14, 2021 for the Planning Board’s discussion and review:

- References to two new maps were added;
- A paragraph was added under the section “Citizen Engagement” to state two documents are to be adopted as part of this Small Area Plan;
- A new map was added titled “Marvin Heritage District Small Area Plan General Boundary Map;”
- A new map was added titled “Marvin Heritage District Small Area Plan Existing Land Use Map;”
- A map that appeared in Draft #1 was edited. The map is titled “Marvin Heritage District Small Area Plan Future Land Use Map;”
- References to a Municipal Service District for the Heritage District were revised; and
- A new goal (Goal D.12) was added regarding a Municipal Service District.

BACKGROUND (From the Staff Report to the Planning Board dated September 16, 2021):

Earlier this summer, the Village Council scheduled a public hearing to consider adoption of the proposed Marvin Heritage District (MHD) Form-Based Code (amendment to Marvin’s Zoning Ordinance) and then the rezoning of the properties in the district which had been vetted through the Marvin Planning Board and the MHD Strategic Plan Committee throughout a citizen engagement process. One of a few prerequisites to adoption of the proposed Form-Based Code Zoning Ordinance amendment identified during the meeting was the need to update content of

Village Center Development: Policies and Goals references in the [Village of Marvin 2020 Land Use Plan](#) through a proposed plan amendment process.

The [Village of Marvin 2020 Land Use Plan](#), adopted November 10, 2020, provided: the Heritage District's vision, goals, and policies; and identified the general location and future land uses of the Heritage District (referenced as the "Village Center"). Through nearly nine months of work by Village staff, property owners, Marvin residents, the Strategic Plan Committee, the Planning Board, and the Village Council, the Village of Marvin Heritage District Form-Based Code (Zoning Ordinance amendment) was drafted. Before the Code could be adopted, Village staff realized that creation of a small area plan for the Marvin Heritage District became necessary as a proposed amendment to the Village of Marvin 2020 Land Use Plan. The proposed Form-Based Code has guided the principles of the Heritage District to mature to the point where supporting guidelines and goals for the District was needed. This small area plan expands data and planning principles refined throughout this year to reinforce existing policies in the [Marvin 2020 Land Use Plan](#).

Although the [Marvin 2020 Land Use Plan](#), and the addition of this small area plan shall be advisory in nature, without regulatory effect pursuant to North Carolina General Statutes (NCGS) Section 160D-501, plans shall be considered by the Planning Board and Village Council when considering proposed amendments to Marvin's Zoning Ordinance pursuant to NCGS Sections 160D-604 and 160D-605. The creation of this small area plan strengthens the foundation on the Marvin Heritage District Form-Based Code and captures the goals and visions that have been gathered from input from the property owners in the proposed district and surround areas, citizens, the Strategic Plan Committee, the Planning Board, and the Village Council.

In other words, the recently changed state planning law (Chapter 160D) dictates local governments consider the consistency of proposed amendments to the zoning ordinances and zoning map to all their adopted comprehensive plans. The proposed amendment of this small area plan to the [Village of Marvin Land Use Plan 2020](#) will help fulfill the required basis for a finding of consistency by the Planning Board and Village Council when considering adoption of the Marvin Heritage District Form-Based Code as an amendment to the [Village of Marvin Code of Ordinances](#), Title XV, Land Usage, Chapter 151, Zoning [Ordinance].

VILLAGE OF MARVIN



Marvin Heritage District Small Area Plan

Note (to be removed upon adoption): This document (including appendices), once adopted will become part of the Village of Marvin 2020 Land Use Plan and will be located at the back of the 2020 Land Use Plan. The map in this document, entitled, "Marvin Heritage District Small Area Plan – Future Land Use Map," once adopted, will amend and replace the "Village of Marvin Future Land Use Map" inset, currently labeled "Possible Village Center Subzones")

Note (to remain after adoption): This adopted Small Area Plan (including appendices), is part of the adopted Village of Marvin 2020 Land Use Plan. The adopted map included in this Small Area Plan entitled, "Marvin Heritage District Small Area Plan – Future Land Use Map," replaced the "Village of Marvin Future Land Use Map" inset, currently labeled "Possible Village Center Subzones"

Adopted: _____

DRAFT #2
October 14, 2021

Prepared by the Village of Marvin Planning Department

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PURPOSE

One of eight goals adopted in the Village of Marvin 2020 Land Use Plan is to ***“Facilitate a Uniquely Identifiable Village Center that Promotes Marvin’s Heritage.”*** (Reference Goal D). Since the November 10, 2020 adoption of the 2020 Land Use Plan, Planning Staff through proactive citizen engagement began to create the official Marvin Heritage District through adopting language into the Village of Marvin Zoning Ordinance. During that process the Marvin Village Council directed Planning Staff to create the Marvin Heritage District small plan area during the Village Council Work Session on July 29, 2021.

The purpose of the Marvin Heritage District Small Area Plan is to set forth goals, policies, and implementation strategies intended to guide the present and future physical, social, and economic development of the Marvin Heritage District based upon data collected and analyses conducted addressing:

1. Inventory of existing conditions;
2. Values expressed by Citizens,
3. Citizen engagement to formulate a community vision;
4. Guiding principles for growth and development;
5. Pattern of desired growth and development and civic design, including the location, distribution, and characteristics of future land uses, form of land development and preservation, utilities, and transportation networks;
6. Plans and policies for provision of and financing of public infrastructure;
7. Recreation and open space;
8. Analysis and evaluation of implementation measures, including regulations and public investments

Applicable Excerpt of North Carolina General Statutes Regarding Adoption and Effect of Local Governments’ Comprehensive Plans, Including Their Small Area Plans

NC General Statutes, Chapter 160D, ‘Local Planning and Development,’ Article 5, ‘Planning,’ Section 160D-501, ‘Plans,’ Subsection (c), ‘Adoption and Effect of Plans,’ states, ***“...Plans adopted under this Chapter shall be advisory in nature, without independent regulatory effect. Plans adopted under this Chapter do not expand, diminish, or alter the scope of authority for development regulations adopted under this Chapter. Plans adopted under this Chapter shall be considered by the planning board and governing board when considering proposed amendments to zoning regulations as required by G.S. 160D-604 and G.S. 160D-605...”***

Note Regarding Boundary Lines on the Heritage District Small Area Plan’s Future Land Use Map

Boundaries of the Marvin Heritage District (external) and Future Land Uses (internal) shown on the Heritage District Small Area Plan’s Future Land Use Map are not zoning districts and are advisory in nature, without independent regulatory effect. These boundaries will be considered by the Planning Board and Village Council when considering map amendments (rezonings) to the Official Zoning Map. When the Planning Board and Village Council consider proposed rezonings, this map will be consulted. These boundary lines (external and internal) are generalized, and as such, are not intended to be precisely aligned with parcel lines.

DATA AND ANALYSIS

Existing Conditions

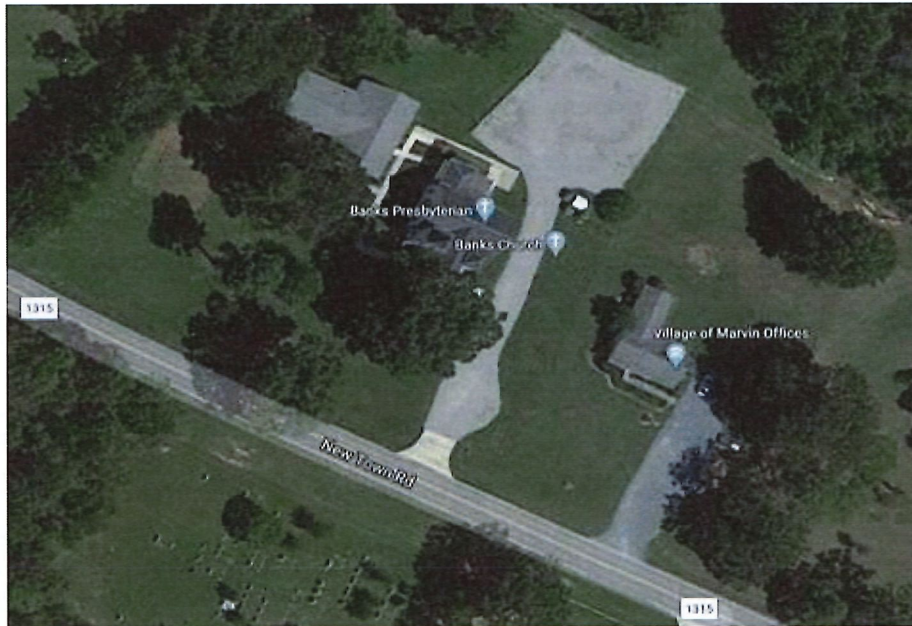
The general boundary of the Heritage District is shown on the Marvin Heritage District, Small Area Plan, General Boundary Map. Existing land uses in the general boundary of the Heritage District are shown on the Marvin Heritage District, Small Area Plan, Existing Land Use Map. The Marvin Campus of the Weddington United Methodist Church lies at the heart of the proposed Heritage District.



Source: Google Earth

The Banks Presbyterian Church property is next to the current Village of Marvin Village Hall.





Source: Google Earth

The proposed Heritage District includes the White residence and the general store.





Citizen Engagement

NC General Statutes Section 160D-501, Plans, (a1), Plans, states, ***“The planning process shall include opportunities for citizen engagement in plan preparation and adoption.”*** Planning during the development of the original version of the Village of Marvin 2020 Land Use Plan, adopted November 10, 2020, provided ample opportunities for citizen engagement. Over the two years leading up to the Land Use Plan’s 2020 adoption in October of 2020 and since then, numerous citizen engagement opportunities have been provided throughout the development of this small area plan.

As allowed by §N.C.G.S. 160D501(a1), two documents, [Village of Marvin, 2019 Community Survey Report](#) and [Building a Village Center and Creating Intentional Growth in the Village of Marvin, NC](#) shall be adopted by the Village of Marvin Village Council concurrent with adoption of this Small Area Plan, and in doing so, these two document are made a part of this Village of Marvin 2020 Land Use Plan – Marvin Heritage Small Area Plan. This Small Area Plan, including these two documents, shall be referenced by Planning Department staff, and appointed and elected officials when considering land use decisions to guide the present and future physical, social, and economic development within the Village of Marvin. Planning processes for these plans included opportunities for citizen engagement in document preparation.

The community’s support for creation of a Heritage District was expressed in the [Village of Marvin, 2019 Community Survey Report](#) which was carried into the Land Use Plan. (Appendix A, provides key excerpts from the [Village of Marvin 2020 Land Use Plan](#).) Prior to the adoption of the 2020 Land Use Plan, the Village of Marvin hosted a two-day public workshop on June 11th and 12th with Village staff, officials, consulting land development and design experts (Construction Professionals Network Institute and NCGrowth-SmartUp), residents, and community members to study and formulate more focused recommendations for the Heritage District. This workshop would aid in the formation of a report from CPNI and NCGrowth-SmartUp entitled, [Building a Village Center and Creating Intentional Growth in the Village of Marvin, NC](#) (hereinafter, “Village Center Report”). The Village Center Report recommended the Village prepare a form-based code as a strategy to help accommodate the growth of mixed-use development, allowing some retail, commercial, and office

space, while maintaining the aesthetic qualities that makes Marvin unique.

On November 10, 2020, the Village Council established and appointed members to the Village Center District Strategic Plan Committee (which would later be renamed as the Marvin Heritage District Strategic Plan Committee) with the primary objective, *“to create a strategic plan to guide and facilitate the development of the Marvin Heritage District.”* Over the course of its tenure, the Committee has been composed of between seven and nine members, including three members of the Planning Board. In early 2021, the Committee agreed with recommendation of the Village Center Report, that the creation of a form-based code to guide development in the Heritage District would be an appropriate tool as opposed to a conventional zoning ordinance.

Local governments in North Carolina are allowed to develop and implement form-based codes. Chapter 160D of the North Carolina General Statutes, Local Planning and Development Regulation, Article 1 authorizes local governments to divide its territorial jurisdiction into zoning districts of any number, shape, and area deemed best suited to carry out the purposes of 160D, which may regulate zoning districts through conventional as well as *“form-based districts, or development form controls, that address the physical form, mass, and density of structures, public spaces and streetscapes.”* Source of N.C.G.S Quote: [N.C.G.S. Section 160D-703\(a\)\(3\)](#)

Guiding Principles for Growth and Development

Pattern of Design, Growth, and Development.

Community participation in the [2019 Community Survey](#) provided guidance and consistency for a desired pattern of design, growth, and development within the Marvin Heritage District. This input was incorporated in the initially adopted [2020 Land Use Plan](#), and the [Village Center Report](#). The Village Center Report noted suggested strategies for ensuring “homegrown, context-sensitive, commercial development as opposed to development of large chains.” Commercial building types should mimic the allowable housing types without much deviation, to preserve the residential visual character of the Village. The Cottage Commercial Type draws upon the character of the Crane General Store (photograph above) and encourages infill of that nature. The conventional commercial square is included with the limitation of one per parent tract, which will yield at most three in total in the district. The Conventional Square Commercial will be very limited in size, having provisions to require visual variation along the frontage.

Throughout the Heritage District, pedestrian connectivity and the preservation of open space will be maximized. This is reflective of the 2019 Community Survey which showed strong support for an increase in walkability and open space, and concern that traffic is the most pressing issue in Marvin. Design standards for subdistricts protect adjacent existing neighborhoods by requiring transitional density of residential areas, and large, opaque buffers between commercial areas.

Employment Opportunities and Economic Development.

The economic development implications of the Heritage District largely depend on how Marvin decides to develop. Marvin residents and officials have expressed a desire for limited commercial development and local business development. This context is important in shaping the economic development considerations for the Village. In addition to the feasibility studies completed by the UNC’s School of Government’s Development Finance Initiative, further research may be necessary to better understand the economic development impacts of the Heritage District.

Plans and Policies for Public Infrastructure.

Limited Traffic Impact. It is difficult to predict the traffic impacts of the development of the Heritage District without a full traffic impact analysis. However, based on the current traffic situation and experience from similar cases, traffic impacts will likely be limited, especially relative to the current volumes of traffic.

Traffic impact is something that can be managed by thoughtful development of the Heritage District and adjacent neighborhoods. For example, as it stands, the Heritage District is only accessible by vehicle, meaning that any increased development in the Heritage District would likely increase traffic as residents would have to drive out of their subdivision to access the Heritage District. On the other hand, constructing sidewalks and nature trails adjacent to the subdivisions would promote walking and biking, which would have a minimal impact on traffic and could lead to a greater push for more active transportation throughout Marvin. These services could also appeal to neighboring subdivisions who are currently outside of Marvin's corporate limits.

Population Growth and Schools. The Heritage District's effect on population growth and Marvin schools will largely depend on the amount of residential development included in the district. Commercial development will have minimal impact on population growth and the school system, especially if the commercial development focuses on lower-wage work, such as food service, as employees will likely be unable to afford units in the existing housing stock.

Regarding residential development, specifically in the Marvin Heritage District, there is consensus among the community that the approximate number of residential dwelling units that could be developed under a conditional zoning district does not exceed the remain the same approximate number of dwelling units that could be constructed as the standards in the existing R-Marvin residential zoning district.

Recreation and Open Space.

Connectivity for pedestrians and cyclists should be planned throughout the Heritage District with pedestrian access to existing and future sidewalks and trails. Developments with trail networks on the Parks & Greenways Master Plan should provide trail connections from one side of the property to the other. These developments should provide connectivity to neighboring properties whenever possible to maintain continuity of travel through properties that currently remain vacant but are located where development is certain to occur. Pedestrian travel routes should be prioritized from each entryway and parking lots to each use, and the number of driveways that cross pedestrian routes should be minimized.

The pedestrian and cyclist should be prioritized over motorists when deliberating site specific design plans and amenities such as traffic calming methods, speed humps, raised crosswalks and raised intersections, pedestrian beacons/pushbuttons, and pedestrian-friendly materials.

Fishing within natural lakes, ponds, or stormwater detention ponds that are stocked could serve as another form of recreational use within the Heritage District. A catch and release fishing ordinance could help reduce maintenance costs associated with stocking water sources. Areas intended for fishing could be covered under a maintenance plan and agreement between the property owner and the Village.

Land dedicated as open space within the Heritage District as part of development proposals should be platted as such with permanent conservation. Areas platted to meet an open space requirement

should be on a property owned by a common entity (such as an HOA or local non-profit) or be dedicated to the Village, and thus cannot be used to meet the minimum lot sizes of commercial or residential buildings.

All public open spaces, parks, and trails should be constructed at minimum to the standards of the Parks & Greenways Master Plan. Additional amenities and wider trails are encouraged. All public open spaces throughout the district should be accessible and connected by pedestrian trails or sidewalks, as well as to parking lots whenever possible. Open spaces with amenities should be either free to access or the membership fee is equal in cost for both the residents of the neighborhood and all residents of Marvin.

A fee-in-lieu program could be developed for consideration as part of development standards within the Heritage District. Specifically, this program would be for when a proposed development cannot provide the required minimum percentage of open space; the fee, as well as the limit of open space that the fee could be paid in lieu of should be established by the Village Council after receiving recommendations from the Planning Board and Marvin Heritage District Strategic Plan Committee, not to reduce open space beyond a minimum percentage of the tract of the proposed development.

The following types of areas could be counted as open space with qualifying thresholds prepared for the Heritage District's design and development standards: viewshed buffers, lake areas, wetland areas, stormwater detention ponds with attractive amenities, cemeteries and native burial grounds, church groves, undeveloped areas of the Village Hall property, neighborhood clubhouses/amenities and other created or natural open spaces the Heritage District design and development standards could include.

Analysis and Evaluation of Implementation Measures

Proposed Design and Development Standards

A Form-Based Code should be prepared and adopted to provide guidance and consistency for required standards and specifications for all properties located within the Marvin Heritage District in response to the 2019 Community Survey Report and to implement the 2020 Land Use Plan and the Village Center Report. The Form-based Code should provide a blueprint for future infill development, adaptive reuse, and preservation of structures within the Marvin Heritage District that reflects the character of the area.

The Village Center Report identified key opportunity parcels for infill development, redevelopment, conservation, and preservation. During the development of the Village Center Report, the community and design team arrived at a series of basic urban design and policy principles to guide appropriate infill development in the Heritage District to promote responsible growth, planning, and development.

The Form-based Code should recognize that rural patterns of development and some building types help perpetuate the character that makes Marvin distinctive. The Code will identify a set of principles to maintain the environment that has made Marvin so desirable, as well as to encourage infill to follow the desired pattern.

The Form-Based Code should include guidelines for design and materials like that of existing structures within the Heritage District boundary.

Sub-districts, house types, and lot characteristics should be carefully selected from the current and

historic character of the Marvin area. Design and development standards should be crafted from current and historic characteristics of the Marvin area for each sub-district along with additional standards that apply to all sub-districts within the Heritage District.

Each of the four sub-district design standards set forth specifications related to building placement (lot size, lot width, setbacks, and building size) and building type. All new buildings in the Marvin Heritage District should meet the criteria of a designated building type to be provided in a Form-Based Code, and therefore should follow the prescribed minimum design standards set forth for that type, within the respective sub-districts. The Code should provide the Zoning Administrator flexibility to consider alternative architectural styles and details of residential building types when proposed alternatives meet or exceed the intent of the sub-district design standards. The minimum design standards should contain regulations for properties in the Marvin Heritage District, based upon the following sub-districts:

Residential Only Heritage District (RO-HD): A sub-district intended for solely residential buildings. This sub-district is intended to provide additional housing to boost the vibrancy and walkability of the district as a whole and should have 100% residential uses.

Mixed Use Heritage District (MU-HD): A sub-district intended to be the bulk of the central area of the district. These parcels include properties that are larger and deeper or include smaller properties that adjoin larger properties, and thus are situated to have residential in the back and commercial in the front. Developments in this district should meet the intent of Mixed-Use and should all have no more than 30% of the total area as residential uses.

Commercial Only Heritage District (CO-HD): A sub-district intended to host only commercial uses. The proximity to Village Hall and narrow properties tend to favor commercial uses, and these uses should be buffered significantly from existing residential uses.

Civic Heritage District (Civic-HD): This sub-district holds the historic churches and site of the new Marvin Village Hall. These properties should be limited to civic uses and similar building vernacular to the churches and Village Hall or other similarly civic vernacular.

Parking space standards should be prepared for the Heritage District to include minimum parking spaces by development type, location of parking lots, parking surfaces, screening of parking lots, internal landscaping, connection of parking to buildings, bicycle racks, and plug-in electric vehicle (PEV) charging stations.

Phased Steps of Public Investments

The streetscape is a vital component of the Heritage District, and so the construction of amenities and features along major roads should be coordinated between the Village and potential developers. Typical streetscapes along major roads should be carefully considered and addressed in the Heritage District's design and development standards, regarding the width between the edge of pavement and the front face of buildings.

During the Heritage District charrette, many participants raised concerns about the heavy traffic along New Town Road. This heavy traffic presents safety and pedestrian accessibility concerns as well as concerns about future congestion on New Town Road. Additionally, there are two traffic circles in the Heritage District with a third planned for 2022 at Marvin and New Town Road, which could potentially contribute to heavier traffic.

The Village should explore enactment of a Municipal Service District (MSD) for all properties within the Heritage District, having an additional tax rate that is yet to be determined. Property owners who currently reside on the property in the district may request to be exempted from the initial boundary of the MSD, but their property should be added into the MSD boundary before an application for development may be submitted.

The Marvin Loop Trail (North side of New Town Road, with crosswalks across New Town Road in some places) is a federally funded project and should be incorporated in all applicable site plans in the Heritage District. The Village should consider a requirement to have developers fund their proportionate portion of the local match of the trail or construct that section of the trail. Developments should create an easement or create a property which will be dedicated to the Village for the Loop Trail. Other grants may be pursued by the Village to fund trails and open spaces while developers could be invited to assist with the applications for grants as desired.

Municipal Service District (MSD) revenue should be used to fund the development of trails and open spaces. The Village should operate and maintain all trails and public spaces dedicated to the Village. Public open spaces not dedicated to the Village should be maintained privately and obligated by a maintenance plan and agreement.

It is recommended that a Municipal Service District is established to create revenue to use funds for certain installation and maintenance of infrastructure and amenities in the Marvin Heritage District. Article 23 of North Carolina General Statutes 160A sets forth certain requirements and conditions for the establishment of Municipal Service Districts (MSD's). Upon finding that an area within a local government is in need of certain services and that a proposed MSD area meets the specific standards of NCGS 160A - 536 and 537, local governments may define by ordinance a district within their corporate jurisdiction where the local government can levy property taxes in addition to those levied in the rest of the corporate jurisdiction. In the case of the Village of Marvin, the Village Council must determine that a proposed MSD area, to a demonstrably greater extent than the rest of the Village, is in need of one or more services, facilities, or functions listed in NCGS 160A-536 to generate additional revenue collected by establishing the MSD to focus additional financial resources on maintaining and improving the Marvin Heritage District area.

GOALS AND OBJECTIVES

Core Land Use Policy

CORE LAND USE POLICY D. VILLAGE CENTER DEVELOPMENT: FACILITATE A UNIQUELY IDENTIFIABLE VILLAGE CENTER THAT PROMOTES MARVIN'S HERITAGE

Goals and Objectives

PRINCIPLE GOAL: Foster a Village center (hereinafter named the "Marvin Heritage District", "MHD" or "Heritage District") that pays tribute to our rural heritage, incorporates pedestrian-oriented design, neighborhood uses and inter-connected greenways; all arranged to highlight Marvin's rural character.

D.1. Goal 1: ESTABLISH THE PURPOSE, LOCATION, PHYSICAL ELEMENTS AND SCOPE OF DEVELOPMENT STANDARDS TO GUIDE CREATION OF THE HERITAGE DISTRICT

D.1.1 Objective 1: Facilitate a local destination of the Heritage District for residents, families and the community.

D.1.2 Objective 2: Develop a Heritage District between Marvin School Road and Marvin Road, along New Town Road.

D.1.3 Objective 3: Delineate the Heritage District using streetscapes, pedestrian-oriented travelways, furnishings and architecture.

D.1.4 Objective 4: Create Overlay Standards which would guide the creation of the Heritage District.

2. Goal 2: PREPARE STANDARDS AND SPECIFICATIONS TO GUIDE THE CHARACTER AND DESIGN THEMES FOR THE HERITAGE DISTRICT

D.2.1 Objective 1: Facilitate the creation of an identifiable Heritage District designed to give Marvin a uniquely identifiable character.

D.2.2 Objective 2: Require that signs and fixtures reflect rural themes.

D.2.3 Objective 3: Preserve, protect or enhance historically significant sites, buildings and natural scenic areas in the Heritage District.

D.2.4 Objective 4: Establish standards for distinct architecture that exhibits Marvin's rural character.

D.3. Goal 3: PREPARE PLANNING, DESIGN AND DEVELOPMENT STANDARDS FOR THE HERITAGE DISTRICT

D.3.1 Objective 1: Create a walkable, compact core of neighborhood-friendly commercial, civic and public uses and spaces.

- D.3.2 Objective 2: Require usable open space and recreational amenities in conjunction with development within the Heritage District.
- D.3.3 Objective 3: Protect and highlight Marvin's tree lines and the stands o heritage trees located in the Heritage District.
- D.4. Goal 4: *PREPARE PEDESTRIAN-FRIENDLY DESIGN STANDARDS FOR THE HERITAGE DISTRICT*
- D.4.1 Objective 1: Require the development of safe pedestrian travelways, recreation areas and greenspaces with each new use in the Heritage District.
- D.4.2 Objective 2: Provide a network of greenways that connect green spaces and destinations in the Heritage District.
- D.4.3 Objective 3: Provide pedestrian furnishings along landscaped buffers that line Heritage District roadways.
- D.5. Goal 5: *SUPPORT REDEVELOPMENT AND INFILL DEVELOPMENT IN THE HERITAGE DISTRICT*
- D.5.1 Objective 1: Support infill development that is architecturally compatible with design themes for the Heritage District.
- D.5.2 Objective 2: Support adaptive reuse of single-family units architecturally consistent with new and old development in the Heritage District.
- D.5.3 Objective 3: Promote adaptive reuse or preservation of buildings and sites with historic value in the Heritage District.
- D.6. Goal 6: *PREPARE DESIGN AND DEVELOPMENT STANDARDS FOR THE HERITAGE DISTRICT THAT ENSURE THE SCALE AND LAND USES OF NONRESIDENTIAL USES ARE APPROPRIATE FOR NEIGHBORHOOD NEEDS OF LOCAL RESIDENTS*
- D.6.1 Objective 1: Prepare design and development standards specifications for nonresidential uses to establish architectural style, maximum building size and height limits in the Heritage District.
- D.6.2 Objective 2: Ensure the scale of nonresidential development is appropriate for neighborhood needs of local residents.
- D.6.3 Objective 3: Prohibit large-scale uses and high-volume traffic generators in the Heritage District.

- D.7. Goal 7: *PREPARE A TABLE OF PERMITTED USES FOR THE HERITAGE DISTRICT*
 - D.7.1 Objective 1: Permit residential uses in the Heritage District.
 - D.7.2 Objective 2: Permit low-impact specialty shops, services, restaurants, office and civic uses.
 - D.7.3 Objective 3: Permit civic and institutional-type uses that encourage community gathering (e.g. libraries and parks).
 - D.7.4 Objective 4: Encourage desirable, small-scale uses.
- D.8. Goal 8: *MINIMIZE TRAFFIC IMPACTS AND MANAGE TRAFFIC CONCERNS*
 - D.8.1 Objective 1: Carefully consider traffic and other potential impacts on adjacent neighborhoods and the Heritage District area.
 - D.8.2 Objective 2: Minimize any high-traffic Permit low-impact specialty shops, services, restaurants, office and civic uses.
 - D.8.3 Objective 3: Permit civic and institutional-type uses that encourage community gathering (e.g. libraries and parks).
 - D.8.4 Objective 4: Encourage desirable, small-scale uses.
- D.9. Goal 9: *PARKING*
 - D.9.1 Objective 1: Ensure parking areas are well-lit and well-screened from adjacent roadways.
 - D.9.2 Objective 2: Locate parking and other utilitarian uses behind building façade lines, streetscapes and landscaping.
 - D.9.3 Objective 3: Encourage and provide incentives for shared parking solutions within the Heritage District.
- D.10. Goal 10: *PARKING*
 - D.10.1 Objective 1: Limit impact on the natural environment, adjacent neighborhoods, and surrounding roads.
 - D.10.2 Objective 2: Require buffers between nonresidential structures, adjacent neighborhoods and along roadways.
 - D.10.3 Objective 3: Ensure the protection of trees and appropriate landscaping.

D.11. Goal 11: PUBLIC INVOLVEMENT AND HERITAGE DISTRICT CONCEPT CREATION

D.11.1 Objective 1: Utilize and rely on resident opinions provided in the Land Use Plan Survey to draft the Heritage District design and development standards.

D.11.2 Objective 2: Draft Standards and provide preliminary sketches, idea boards and opportunities for resident input.

D.11.3 Objective 3: Encourage citizen participation, invite inspired ideas, listen to concerns and troubleshoot prospective challenges.

D.12. Goal 12: ESTABLISH A MUNICIPAL SERVICE DISTRICT FOR THE HERITAGE DISTRICT

It is recommended that a Municipal Service District is established to create revenue to use funds for certain installation and maintenance of infrastructure and amenities in the Marvin Heritage District.

Article 23 of North Carolina General Statutes 160A sets forth certain requirements and conditions for the establishment of Municipal Service Districts (MSD's). Upon finding that an area within a local government is in need of certain services and that a proposed MSD area meets the specific standards of NCGS 160A - 536 and 537, local governments may define by ordinance a district within their corporate jurisdiction where the local government can levy property taxes in addition to those levied in the rest of the corporate jurisdiction. In the case of the Village of Marvin, the Village Council must determine that a proposed MSD area, to a demonstrably greater extent than the rest of the Village, is in need of one or more services, facilities, or functions listed in NCGS 160A-536 to generate additional revenue collected by establishing the MSD to focus additional financial resources on maintaining and improving the Marvin Heritage District area.

MARVIN HERITAGE DISTRICT SMALL AREA PLAN – FUTURE LAND USE MAP

While the Marvin Heritage District is envisioned as an integrated seamless grouping of land uses and building types, the geographic area of the overall district to be regulated by future design and development standards, are organized into the following four future land use designations within the general boundary of the Heritage District depicted in the map entitled, "Marvin Heritage District Small Area Plan – Future Land Use Map."

- Residential Only Heritage District (RO-HD);
- Mixed Use Heritage District (MU-HD);
- Commercial Only Heritage District (CO-HD); and
- Civic Heritage District (Civic-HD).

Residential Only Heritage District (RO-HD): The future land use for this designation is intended for solely residential buildings. This future land use is intended to provide additional housing to boost the vibrancy and walkability of the District as a whole, and should have 100% residential uses.

Mixed Use Heritage District (MU-HD): Future land uses for this designation are intended to be the bulk of the central area of the District. This designation is envisioned to provide parcels that are larger and deeper and thus are situated to have residential in the back and commercial in the front. Developments in this district should meet the intent of Mixed-Use and should all have no more than 30% of the total area as residential uses.

Commercial Only Heritage District (CO-HD): The future land use for this designation is intended to host only commercial uses. The proximity to Village Hall and narrow properties tend to favor commercial uses, and these uses should be buffered significantly from existing residential uses.

Civic Heritage District (Civic-HD): The future land use for this designation is intended to include the historic churches and site of the new Marvin Village Hall. Properties in this future land use designation should be limited to civic uses and similar building vernacular to churches and the Village Hall or other similarly civic uses.

[This map was added in Draft #2]



Note: The boundary of the Marvin Heritage District shown on this map is generalized, and as such, is not intended to be precisely aligned with parcel lines.

[This map was edited in Draft #2 to add the water/wetlands and Village Hall note]



Note: Boundaries of the Marvin Heritage District (external) and Future Land Uses (internal) shown on this map are not zoning districts and are advisory in nature, without independent regulatory effect. These boundaries will be considered by the Planning Board and Village Council when considering map amendments (rezonings) to the Official Zoning Map. When the Planning Board and Village Council consider proposed rezonings, this map will be consulted. These boundary lines (external and internal) are generalized, and as such, are not intended to be precisely aligned with parcel lines.

APPENDICES

Appendix A: [Village of Marvin 2019 Community Survey Report](#)

Appendix B: [Building a Village Center and Creating Intentional Growth in the Village of Marvin, NC](#)

Appendix A

Village of Marvin 2019 Community Survey Report

Appendix B

Building a Village Center and Creating Intentional Growth in the Village of Marvin, NC