



VILLAGE OF MARVIN

10006 Marvin School Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.gov

DATE: August 2, 2022

TO: Village Council

FROM: Hunter Nestor, Planner and Zoning Administrator

SUBJECT: Background Information on the Marvin Heritage District

Overview

The Marvin Heritage District (MHD) is a planned mixed-use district that aims to create a community center that preserves and celebrates the culture and history of Marvin. Village Staff, Council, Planning Board, and the Marvin Heritage District Strategic Planning Committee has dedicated a lot of time over the previous years in getting components of the MHD approved and implemented.

The MHD Small Area Plan (advisory document, no regulatory authority) incorporates years of iterative input from the Resident Survey, Planning Board, Village Council, and a few consultants. This Plan creates a solid mechanism to enable and encourage the Village Council and appointed boards assure what is proposed in the Heritage District is uniform and what residents want to see in their community. This foundational document was approved by the Village Council on December 14, 2021, as an amendment to the Village of Marvin Land Use Plan 2020.

The MHD Form Based Code (regulatory authority) builds off the foundation, goals, policies, and implementation strategies set forth in the MHD Small Area Plan. The Form-Base Code approach was to regulate the district through appearance and feel rather than traditional factors. Overview of the approved regulations:

- ▶ require commercial and residential buildings to look like and be sited like existing single-family houses in the Marvin area,
- ▶ preserve around 30% of land as public open space,
- ▶ prioritize walkability and prohibit parking in front,
- ▶ strictly regulate allowable commercial uses,
- ▶ and much more to capture the rural feeling through design.



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Timeline

- **October 2004 – Village Center District Becomes a Goal in the 2004 Village of Marvin Land Use Plan**
 - The Plan calls for an identifiable “Village Center” to give Marvin a more uniquely identifiable and recognizable character.
 - The Center should be located in the vicinity of the old Village Hall on New Town Road.
- **March 2012 - Identifying the Village of Marvin**
 - A “Master Plan” for the Village of Marvin was presented to all the Boards and Council on recommendations on creating an identity and references the creation of the Village Center District.
- **June 2012 – Town Center Development Guidelines**
 - A consulting firm out of Charlotte created development guidelines for the Village to work on achieving the goal of creating a Village Center District.
 - Recommends that a Village Center Zoning District should be created to promote the development of a pedestrian-oriented Village Center consisting of a diverse mix of residential, business, commercial, office, and institutional, educational and culture uses.
- **2014 – The Proposed 2014 Land Use Plan**
 - Continues to recommend goals and guidelines for creating a Village Center District.
 - Goal is to locate the Village of Marvin Center within our historical roots which lie along New Town Road, between Marvin School Road and Marvin Road.
 - preference for the Village Center is to preserve a significant part of the land for recreation, community gathering, community services, and to preserve the historical heritage of the Village of Marvin.
- **March 2015 – New Village Hall Concept Presented with References to Village Center Mixed-Use District**
 - The Village began working on finding and developing a new location for the Village Hall.
 - In the presented concept plans it shows the location of the new Village Hall where it sits today and identifies surrounding properties and mixed-use and commercial uses.
- **October 2017 – Text Amendments were Approved Referencing a Village Center Zoning District**
 - Zoning Text Amendments were approved updating regulations on Signage, Landscaping and Buffering for the Village and references a Village Center District in those approved regulations.



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- **2019 Community Survey**
 - A community-wide survey conducted in 2019, 54% of households supported the Heritage District while 35% opposed and 11% responded undecided.
 - The community's support for certain land uses, architectural design and development standards for the Heritage District.
- **March 2020 – Village Planner and Planning Board Chair attended the North Carolina Main Street Conference**
 - Went to assess what other communities were doing in their existing downtowns and gather ideas of how the Village should develop its Village Center District.
 - Attend workshops and seminars for concepts, recommendations, resources, and other valuable information to begin creating the regulations for the district.
- **June and July 2020 – Building a Village Center and Creating Initial Growth in the Village of Marvin NC Growth – Smart Up Report (hereinafter, “Village Center Report”)** (Reference the [Report](#))
 - The Village of Marvin hosted a two-day public workshop on June 11 and 12, 2020 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.
 - The study 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.
- **August 2020 – Presentation made to the Village Council on the Village Center Report**(Reference the [Presentation](#))
 - Recommends setting the village center boundaries and consider a special zoning district
 - Also recommends creating a Small, “pod”-like development and cluster buildings together, surrounded by open space
- **November 2020 – The Current Village of Marvin Land Use Plan is Adopted** (Reference the [2020 Land Use Plan](#))
 - Recommends a Creating of a Village Center District and Identify the Boundary on Future Land Use Map.
 - The Village of Marvin, 2019 Community Survey Report and the Building a Village Center and Creating Intentional Growth in the Village of Marvin, NC, both adopted as part of the Village of Marvin 2020 Land Use Plan.
 - Over the two years leading up to the Land Use Plan's 2020 adoption and since then, numerous citizen engagement opportunities have been provided.



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- **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).**
 - 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 recommendations 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.
- **February 2021 - Village Center Feasibility Analysis**
 - Analysis was to evaluate the financial feasibility of the Marvin Village Center concept.
 - Analysis looked at 3 different density scenarios along with the draft Village Center Development regulations for open space, parking and buffer requirements.
 - The report recommended that the Village consider increasing allowable density and/or decrease open space – as the consultants advised that the greater density helps offset land cost and helps support the desired commercial in the district.
 - The Village Council did not want to increase density but was aware that housing was needed for the overall district to be successful and conceptual wanted to have the residential components clustered to certain properties within the district.
- **June 2021 – Proposed to the Village Council for Adoption**
 - The Council had on their agenda to adopt the proposed language and rezone all the properties in the proposed district to the Marvin Heritage zoning district.
 - The council tabled the vote as there were a few minor amendments needed to be in compliance with state-wide legislative changes (commonly referred to as 160D) made concurrent to the formation of this plan. In addition, Council wanted to assure there were mechanisms in place to have a general oversight on residential aesthetics for uniformity within the district.
- **July 2021 – Village Staff presented to Council on Recommended Options for the Heritage District based on their June Discussion** (Reference item D.9 in the [July 2021 Village Council Work Session](#))
 - Discussed options to regulate the design elements of residential units proposed for the Marvin Heritage District in depth and directed staff to create a conditional zoning district whereby property owners could voluntarily apply for conditional zoning, rather than the previous approach where the Village would rezone the property within the Heritage District with conventional zoning.
 - This giving more mechanisms in place to have a general oversight on residential aesthetics for uniformity within the district and on the potential development as a whole.



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- **December 2021 – The Marvin Heritage District Small Area Plan Adopted** (Reference the [MHD Small Area Plan](#))
 - The Village also approved an amendment to the adopted Marvin 2020 Land Use Plan through the adoption of the Marvin Heritage District Small Area Plan during their December 2021 Regular Meeting.
- **January 2022 – The Marvin Heritage District Form-Based Code Adopted** (Reference the [MHD Form-Based Code](#))
 - Updated from language and regulations that are compliant with 160D and provides clarification and direction on the proposed regulations. This final draft is the regulatory ordinance for the district and include all recommended changes from the Marvin Heritage District Strategic Planning Committee and Planning Board.
 - This Form-Based Code, which is a proposed amendment to the Village of Marvin Zoning Ordinance and Official Zoning Map, is consistent with the adopted Marvin 2020 Land Use Plan and the Plan's proposed Small Area Plan.
 - The membership composition of the appointed Marvin Heritage District Strategic Planning Committee along with following citizen survey results have assured details of the Marvin Heritage District were based on public input
 - Reference the [agenda](#), (E. Public Hearing, #2) for the Staff Memo with additional information on the Heritage District.

Please see the attached Schedule of Approvals and Draft References for information on these meetings and the drafts presented for the Marvin Heritage District Small Area Plan and the Marvin Heritage District Form-Based Code. Additionally, the mentioned documents in the timeline can be made available upon request.



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Schedule of Approvals and Draft References

Marvin Heritage District Strategic Plan Committee

MHD Small Area Plan

Meeting Date: September 9, 2021

Reviewed: Marvin Heritage District Small Area Plan, Draft #1, cover date September 2, 2021.
(Reference the [agenda](#), New Business Items, #1).

Action Taken: Recommended adoption (5-1) to Village Council. Reference [Meeting Minutes](#).

MHD Form-Based Code

Meeting Date: November 4, 2021

Reviewed: Marvin Heritage District Form-Based Code, Draft #4 (4.2.1), cover date October 26, 2021.
(Reference the [agenda](#), Unfinished Business Item #1).

Action Taken: Recommended approval as amended (7-0) to Village Council.
Reference [Meeting Minutes](#).



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Marvin Planning Board

MHD Small Area Plan

Meeting Date: September 21, 2021

Reviewed: Marvin Heritage District Small Area Plan, Draft #1, cover date September 2, 2021.
(Reference the [agenda](#), Items of Discussion, #3).

Action Taken: The Planning Board agreed by consensus to defer consideration of the Small Area Plan to their next meeting.
Reference [Meeting Minutes](#).

Meeting Date: October 19, 2021

Reviewed: Marvin Heritage District Small Area Plan, Draft #2, cover date October 14, 2021.
(Reference the [agenda](#), Items of Discussion, #3)

Action Taken: Recommended adoption (5-2) to Village Council.
Reference [Meeting Minutes](#).

MHD Form-Based Code

Meeting Date: November 4, 2021

Reviewed: Marvin Heritage District Form-Based Code, Draft #5 (4.2.2), cover date November 10, 2021.
(Reference the [agenda](#), Items of Discussion, #3)

Action Taken: Recommend approval of the Marvin Heritage District Form-Based Code as amended (7-0) to Village Council.
Reference [Meeting Minutes](#).



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Marvin Village Council

MHD Small Area Plan

Meeting Date: October 28, 2021

Reviewed: Consider Call for Public Hearing on November 9th at 6:00 PM at Village Hall for Adoption of the Marvin Heritage District Small Area Plan, Draft #2, cover date October 14, 2021. (Reference the [agenda](#), Items of Discussion, #2)

Action Taken: Village Council called for a public hearing on November 9th at 6:00 PM at Village Hall for adoption of the Marvin Heritage District Small Area Plan. (The motion passed 3-1)
Reference [Meeting Minutes](#).

Meeting Date: November 9, 2021

Reviewed: Public Hearing for Adoption of the Marvin Heritage District Small Area Plan, Final Draft, cover date October 14, 2021. (Reference the [agenda](#), Public Hearing Item, #1).

Action Taken: Village Council moved to recess the public hearing (due two council members being absent) until the December 14 Council Regular Meeting at 6pm at Village Hall, 10004 New Town Road. (Motion passed 2-0)
Reference [Meeting Minutes](#).

Meeting Date: December 14, 2021

Reviewed: Public Hearing for Adoption of the Marvin Heritage District Small Area Plan, Final Draft, cover date October 14, 2021. (Reference the [agenda](#), Public Hearing Item, #1).

Action Taken: Village Council moved to adopt the Marvin Heritage District Small Area Plan as amended (Motion passed 5-0)
Reference [Meeting Minutes](#).



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MHD Form-Based Code

Meeting Date: June 24, 2021

Reviewed: Discussion of Marvin Heritage District Form-Based Code and Rezoning, Draft #3, cover date June 17, 2021 (Reference the [agenda](#), Item of Discussion, #D.2).

Action Taken: Directed staff to create a conditional zoning district.
Reference [Meeting Minutes](#).

Meeting Date: December 14, 2021

Reviewed: Consider Call for a Public Hearing on January 11th at 6pm at Village Hall to Consider Adoption of the Marvin Heritage District Form-Based Code, Final Draft (4.2.3), cover date December 1st, 2021.
(Reference the [agenda](#), Consent Agenda Item, #2)

Action Taken: Village Council Public Hearing on January 11th at 6pm at Village Hall to Consider Adoption of the Marvin Heritage District Form-Based Code, Final Draft (4.2.3), cover date December 1st, 2021. (The motion passed 4-0)
Reference [Meeting Minutes](#).

Meeting Date: January 11, 2021

Reviewed: Public Hearing for Adoption of the Marvin Heritage District Form-Based Code, Final Draft (4.2.3), cover date December 1st, 2021
(Reference the [agenda](#), E. Public Hearing, #2)

Action Taken: Village Council will discuss and consider adoption of the Marvin Heritage District Form-Based Code, Final Draft (4.2.3), cover date December 1st, 2021, during the January 11th, 2022, Regular Scheduled Village Council Meeting
(Reference to the agenda will be updated in final after the January 11th Meeting).

Reference [Meeting Minutes](#). (See attached, Item E.2., which is included as a reference in these minutes).