

Race and Equity Pocket Questions

Title and purpose of this initiative:

Legislative Public Hearing on Carrboro Land Use Ordinance Text Amendment to Update and Clarify Water Quality Buffers, Road Buffers, Setback Exceptions, and Fences. The purpose of this agenda item is to consider a text amendment to the Land Use Ordinance updating and clarifying water quality buffers, road buffers, fences, and setback variances. A draft ordinance has been prepared. The Town Council must receive public comment before making a decision.

Department: Planning

What are the racial and equity impacts?

The changes incorporated into this text amendment apply broadly in town wherever these features are present, making it difficult to forecast specific racial and equity impacts. A brief acknowledgement of potential impacts is provided below:

- Water Quality Buffers – The buffers continue to protect and enhance water quality for all residents. Where these buffers constrain developable areas, this amendment clarifies the variance process, without changing restrictions on exempt or allowable activities in these buffers.
- Road Buffers – The road buffers, established in 1999 as a direct recommendation from the Facilitated Small Area Plan for Carrboro’s Northern Study Area, preserve vegetation and habitat along major roads in Carrboro. Practical application of this provision ensures that new developments that contribute to new housing are no less safe, nor less accessible for residents walking and biking to the site.
- Setback Exceptions – The change in language further clarifies the process for users of the Ordinance. Setback exceptions provide predictability in how any resident can continue a pattern of development on their lot, helping residents and applicants know what to expect.
- Fences – The clarification serves to enhance the safety of residents entering or exiting lots from the street. While adding a zoning permit requirement adds a cost associated with the project, the fee is less than 10% of the estimated average to install a fence (including materials and labor) on lots with the shortest minimum width.

Who is or will experience community burden?

Protective road buffers, setbacks, and water quality buffers can burden property owners with constraints on their sites. This amendment clarifies, but does not inherently change, the processes burdened residents can use to seek variances, exception, and administrative allowances to mitigate development constraints.

Who is or will experience community benefit?

The environmental benefits from continued protection of water bodies, and rural, natural corridors along roads benefit both the larger community, and those that live near to these features. Accessibility and safety improvements benefit nearby residents. Increased clarity and alignment of these and the variance provisions of the Town’s land use regulations will benefit users of the Ordinance by making these sections easier to use and administer.

What are the root causes of inequity?

Historically marginalized communities have often been disproportionately impacted by degraded water quality. Additionally, when new housing is created accessible to BIPOC community members and low-

income community members, it can often be created without sufficient bike and pedestrian infrastructure, limiting transportation options and potentially increasing the need for individuals and families to have to rely on personal vehicles, with associated costs, for transportation.

What might be the unintended consequences of this action or strategy?

With an upcoming change to the Jordan Lake Rules (2025) and the pending LUO Rewrite, these amendments could undergo further change in the future, however this amendment has been identified as timely and appropriate given how applicants, staff, and decision-making boards are currently using the Ordinance and will continue to do so until future amendments may take place.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

The Department will continue to monitor permits, variances, and exceptions provided by the processes clarified in these amendments. The Department will continue to enforce violations of these provisions to ensure protection of water quality, protective road buffers, safety, and facility accessibility. If the newly associated cost of a zoning permit is determined to be burdensome, staff can explore changes to the fee schedule to reduce the cost-burden.