

## Agenda item abstract from September 26, 2023:

Review of the Lloyd Broad Neighborhood Overlay District Provisions

**PURPOSE:** The purpose of this agenda item is to request that the Town Council review information about how the overlay district provisions have been working.

**DEPARTMENT:** Planning Department

**CONTACT INFORMATION:** Marty Roupe, Development Review Administrator, 919-918-7333 or [mroupe@townofcarrboro.org](mailto:mroupe@townofcarrboro.org) <<mailto:mroupe@townofcarrboro.org>>; Chris Attack, Police Chief, 919-918-7407 or [catack@carrboronc.gov](mailto:catack@carrboronc.gov) <<mailto:catack@carrboronc.gov>>

### COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☒ Other

### Council Direction Statement

Other marked for Land Use Ordinance. The Lloyd Broad Overlay District provisions contained in the Land Use Ordinance support and facilitate town goals of building and fostering positive and cohesive neighborhoods in town, as expressed through various policy documents including the Carrboro Connects Comprehensive Plan. Racial Equity Pocket Questions are included as Attachment A.

**INFORMATION:** The Lloyd Broad Neighborhood Overlay District was established in June 2018. With adoption, the Town Council requested that a follow up report be provided every 18 months regarding how the district provisions were working. A report was provided to the Town Council in June 2020 and is available here:

Town of Carrboro - File #: 20-236 (legistar.com)

<<https://carrboro.legistar.com/LegislationDetail.aspx?ID=4555143&GUID=DDF8C66B-8ADA-4C6F-9C1B-D0ECF369D9B8&Options=&Search=>>

Community concerns presented by the neighborhood in February 2018 are available here:

Town of Carrboro - File #: 17-424 (legistar.com)

<<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3347013&GUID=1FCF58BF-91C2-47B3-93CB-366C2701E685&Options=ID|Text|Attachments|Other|&Search=overlay>>

The agenda item from when the overlay district was originally considered, in June 2018, is available here:

Town of Carrboro - File #: 17-563 (legistar.com)

<<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3518394&GUID=AF09424B-F564-496D-B159-4B0437627BED&Options=&Search=&FullText=1>>

And the agenda item from when the overlay district was officially adopted, also in June 2018, is available here:

Town of Carrboro - File #: 17-611 (legistar.com)

<<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3537430&GUID=1F2C3B23-9ACF-408D-BD4B-8873D21B2122&Options=&Search=>>>

### Provisions of the overlay district

The provisions of the overlay district are specified in Land Use Ordinance Sections 15-143.5 and 15-185.2 (see Article IX (townofcarrboro.org)

<<https://www.townofcarrboro.org/DocumentCenter/View/686/Article-IX-Zoning-Districts->>, pages 30-31 and Article XII (townofcarrboro.org)

<<https://www.townofcarrboro.org/DocumentCenter/View/693/Article-XII-Density-and-Dimensional-Regulations-PDF>>, page 26), and their related general purpose and goals are as follows:

- Reduce front yard setbacks from 25 feet to 15 feet. This provision was intended to have the development pattern associated with new construction in the district to be more closely aligned with the historical pattern of growth, which includes houses closer to 15 feet from the street right of way line. The former distance of 25 feet had caused a number of homes to be setback further from the street than many of the older, existing homes.

- Establish a maximum height of 23 feet for new construction. Similar to the above provision, the reduced maximum height (formerly 35 feet) causes new construction to be more closely aligned with the heights of older, existing homes in the neighborhood.

- Limit the square footage of new construction to a maximum of 1,750 square feet, and allow for modest additions above that limit for existing homes in the district. This provision addresses the scale of new homes, and additions to existing homes, by keeping their overall size closer to most of the older, existing homes in the neighborhood.

- Requires a minimum of two parking spaces and to the extent practicable prevents front yard areas from being used for parking. This provision ensures that at least two spaces are provided, thereby reducing dependence on street parking in the neighborhood, and attempts to preclude developers from negatively affecting the streetscape and feel of the neighborhood by way of parking multiple cars between the front façade of the home and the street.

- Limits the number of unrelated individuals living in a home to a maximum of four. This provision is intended to prevent large numbers of unrelated individuals from living together in a single home. The provision also facilitates the use of homes by family units, consistent with the historic socioeconomic pattern of the neighborhood.

During adoption of the ordinance creating the standards that would be applied to the overlay district, a section stating, “ [t]his ordinance is effective upon adoption to all new development. This ordinance is effective to all existing development thirty-six (36) months following the date of adoption” was included. To date, no complaints regarding occupancy by more than four unrelated individuals have been received.

## Attachment A

Town staff have received no complaints or assertions of violations of any provisions of this overlay district since the last report in June 2020. With that in mind, Town Council may want to consider sunsetting the need to report on this matter every 18 months, or to allow the Town Manager to convey this information in another format or timeframe.

### Development Activity:

Development and building related activities since the June 2020 report was presented to Town Council are presented below:

-In August 2020, the Zoning Division approved a zoning permit for construction of four homes at 104 Cobb Street. The homes were constructed by Habitat for Humanity. They are all now completed and occupied by new owners.

-In December 2020, the Zoning Division approved a zoning permit for a home addition at 406 Broad Street, in accordance with a variance previously approved by the Board of Adjustment. The addition does meet the provisions of the overlay district.

-In March 2021, the Board of Adjustment approved a variance application related to a stream buffer allowing for a new home to be constructed at 104 Hill Street. Construction of the home has not yet begun.

-In September 2021, Town Council approved a conditional rezoning request to allow for construction of three homes at 106 Hill Street. The zoning permit subsequently submitted for the homes is currently under review and nearing approval.

-In February 2022, the Board of Adjustment approved a variance application involving an encroachment into a stream buffer for the property at 408 Broad Street. In March 2022, the related zoning permit for a home addition was approved by the Zoning Division, in accordance with the variance.

### Complaints and Miscellaneous Issues:

The Police Department reports that they have received several hundred calls per year that appear consistent with calls for service in other parts of town. No calls to the Police Department were directly related to the overlay district provisions.

The Planning Department has also reached out neighborhood resident Hudson Vaughn, who is sharing news of this report with others through the neighborhood listserv. Staff has noted that residents may attend the Town Council meeting if they want to speak directly to Council during the September 26 meeting regarding how the overlay district provisions are working

**FISCAL IMPACT:** There are no fiscal or staff impacts associated with the Town Council reviewing the information provided.

**RECOMMENDATION:** The Town Manager recommends that the Town Council receive the report and consider authorizing staff to provide future updates through existing reports.