



TOWN OF CARRBORO
NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

DELIVERED VIA: ☒ *HAND* ☐ *MAIL* ☒ *FAX* ☐ *EMAIL*

To: **David Andrews, Town Manager
Mayor and Board of Aldermen**

From: **Tina Moon, Planning Administrator & Marty Roupe, Development Review
Administrator**

Date: **May 17, 2018**

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Subject: **Responses to Questions about Historic Rogers Road Neighborhood Draft
Zoning Concepts**

At the April 23rd public hearing on the draft text amendments for the Historic Rogers Road Neighborhood that Board requested follow up information on a number of points, including responses to comments from the Advisory Boards and Orange County. The purpose of this memorandum is to provide that information. Responses to the staff observation sheet is attached at the end.

Orange County

The County expressed concern regarding the possibility of rezoning property outside of the Rogers Road community to the new HR districts. The 15-136.1(a) of the draft ordinance states that the purpose of the new zoning districts is to implement the Mapping Our Community's Future planning effort, clearly linking the new districts to the Historic Rogers Road neighborhood. In addition, the text amendment establishes the district. A rezoning would have to take place, as a second step, to change the zoning of the 30 parcels in the portion of the neighborhood in Carrboro's jurisdiction from RR to either HR-R or HR-MU.

Transportation Advisory Board

The TAB expressed support of the text amendment creating the new zoning districts but recommended transportation safety improvements along Rogers Road, particularly for pedestrian safety at potential crossings along Rogers Road.

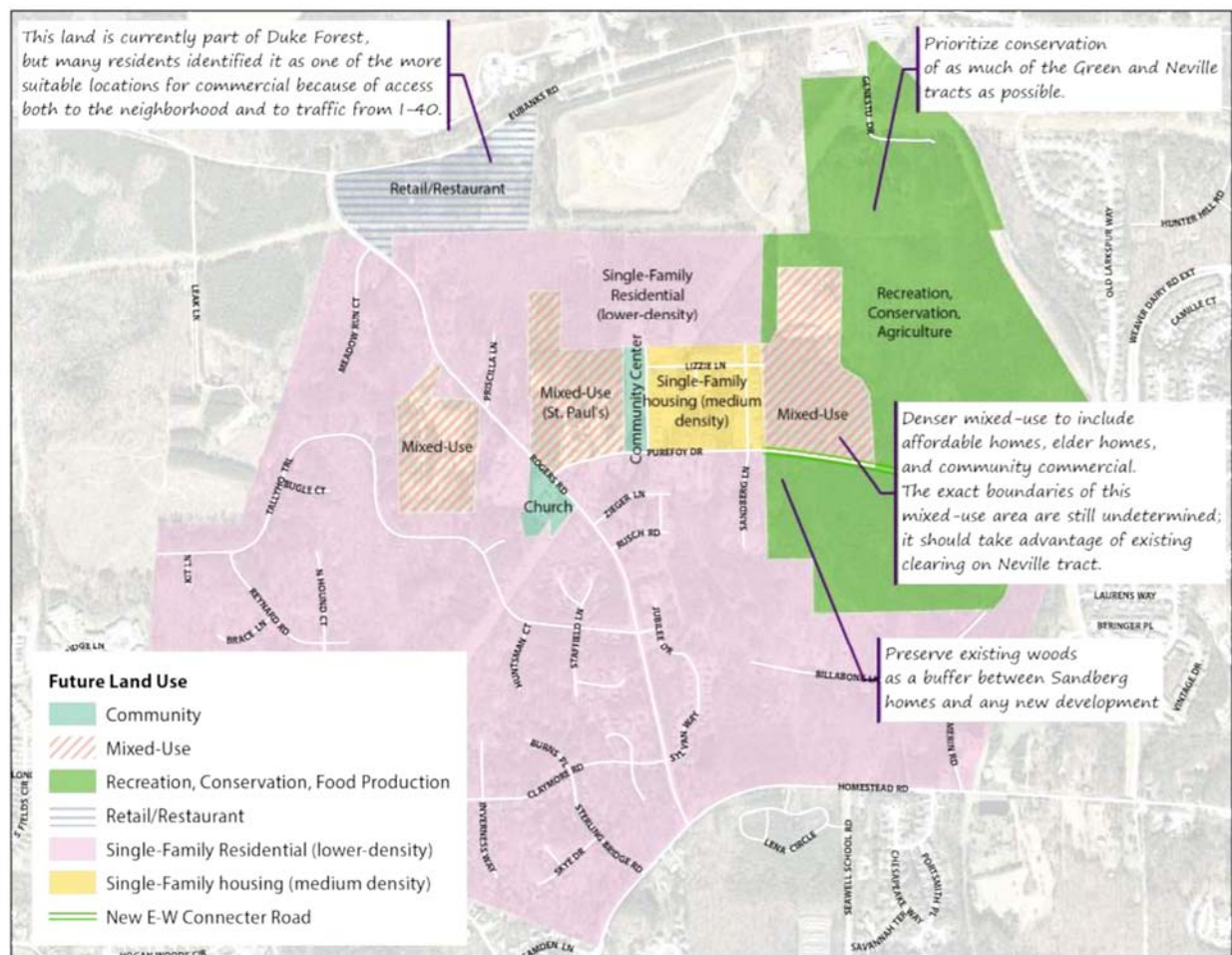
Northern Transition Area Advisory Commission

The NTAAC asked about the extent to which residents of the Historic Rogers Road Neighborhood had had sufficient input into the proposal. The proposed text amendment has been prepared to implement the Mapping Our Community's Future document which was a grassroots effort.

Presentations from the consultant, Renaissance Planning have focused on the correlation between the four principals in the MOCF document and the planning concepts outlined in the draft ordinance.

Planning Board

The Planning Board expressed concerns relating to the potential for spot zoning. The map of the greater planning area (shown below) includes three areas for mixed-use (a combination of residential and non-residential uses). Only one of these areas is in Carrboro's jurisdiction. The St. Paul's property has already been approved by the Town of Chapel Hill. Future development of the Greene Tract will be considered as part a separate effort. The eight parcels identified for mixed-use development in the draft ordinance is consistent with the vision for the greater area.



Economic Sustainability Commission

The ESC reviewed the draft text amendments at its May meeting and recommended approval.

STAFF OBSERVATIONS & RESPONSES

- Naming of the mixed-use district. There have been requests to change the name of the mixed use zone to focus/emphasize the live-work concept. Staff suggests changing the name from mixed-use (MU) to live/work (LW) or some similar naming convention.
 - *Staff is working on a different name for the mixed use district that would better reflect the low-intensity nature of the commercial uses.*
- Maximum size in HR-MU. Staff added a subsection, 15-176.8(c) that limits new construction of new homes in HR-MU to 1,500 sf as a size had not yet been specified. This is consistent with the limit in Chapel Hill's draft ordinance.
 - *Staff recommends keeping the 1,500 sf size limit for residential units in the HR-MU district, as is.*
- Maximum size of additions to existing homes. Staff is reviewing the size of existing homes in the area where the ordinance would apply. In relation to what was expressed in *Mapping Our Community's Future* regarding maintaining the scale of existing development, three options have been identified related to how much of an increase in size should be permissible for existing homes: 1) allow 25% additions to what exist only, 2) allow 25% or 500 sf whichever is greater, 3) allow 25% or 500 sf whichever is greater but with a maximum size of 2,500 at any time to limit additions to homes already larger than 2,000 sf.
 - *Staff recommends following the provisions outlined in Option 3 above, which allows all but one of the existing homes to be enlarged to some extent. This change has been incorporated into the draft ordinance.*
- Density in the MU district. Chapel Hill's MU area allows up to eight units per acre, compared to the HR-MU's density standard at 7,500 sf, which is about 5.8 units per acre. Staff has received a request to increase the density to match the proposal for eight units per acre.
 - *This density, approximately, can be achieved through the residential density bonus provisions of the LUO. The use of the density bonus for affordable housing, moreover, is consistent with the interests expressed by the neighborhood for affordability housing options.*
- Coffee shop in the MU district. Some drop-in session participants have expressed an interest in coffee shop-type uses being allowed in the HR-MU. The 8.000 uses are currently not proposed as permissible in that zone. A new, more narrowly defined use would likely be needed, rather than simply including the 8.000 (i.e. restaurant/bar/nightclub) use.
 - *One option would be to include use 8.000 with performance standards: such as hours of use limited to between 6 am and 9 pm, and a maximum size limit of 1,000 sf. These changes have been incorporated into the draft ordinance.*

- Tourist home/ short-term rental use in the HR- MU. Participants have also expressed some interest in this use. If included, staff suggests that it be designated as requiring a special use permit consistent with other existing districts.
 - *Only Bed & Breakfast uses are currently allowed in RR. Staff suggests adding that use with SUP but not Tourist Home as it is not in the RR. This change has been incorporated into the draft ordinance.*
- Density in relation to natural constraints. The existing Rural Residential district is subject to Section 15.182.3, which speaks to the constraints factors to the ordinance. This requirement has not been specified for the HR-R and the HR-MU; clear direction on whether or not to include is needed.
 - *Staff is adding language to the draft ordinance to speak to the natural constraints analysis as part of the density calculation and development review design process.*
- Requirement for non-residential development. As currently drafted, the HR-MU neither mandates nor requires nonresidential development but does allow significant density above what the existing RR and the new HR-R allows. Is there interest in requiring commercial uses in relation to the increased residential density?
 - *If the intent is to create some low intensity commercial uses as part of the overall plan for the neighborhood, some sort of mandate to require some portion of the HR-MU parcels to be developed seems appropriate. Staff suggests a requirement that 15% of the HR-MU be nonresidential and that developments include a phasing plan the incorporating the timing of the residential and nonresidential components of the project. These changes have been incorporated into the draft ordinance.*
- Differences in minor and major home occupation standards and allowances. A significant increase in commercial activity on residential lots is provided with the proposed new use, major home occupation. Associated increases in daily vehicle trips, et cetera, are noted. The major home occupation standards are intended to be the same or the same in spirit as the standards for Chapel Hill. Both jurisdictions are still discussing possible additional performance standards such as a maximum decibel level associated with the uses, increased distance from property lines for where the uses occur, and possibly limiting activities to only occurring within fully enclosed structures.
 - *Staff has increased the distance from property lines from 40 feet to 60 feet, unless the use is taking place within a fully enclosed building. This is consistent with Chapel Hill's ordinance.*
 - *Prohibitions on specific business types have been removed from the draft ordinance. This is consistent with Chapel Hill's ordinance.*

- *Screening requirements for parking spaces, when more than three are created on a property, have been incorporated into the draft ordinance.*
- *The maximum number of offsite employees has been reduced from 6 to 4. Chapel Hill's ordinance still allows 6, and they now do not have a minimum lot size.*
- *A decibel level has not been incorporated at this time. An existing performance standard addresses this issue already. This is consistent with Chapel Hill's ordinance.*
- Screening requirements, such as vegetation and fencing or a combination, for triplexes. Not yet included for this new use, but are needed.
 - *Staff is adding screen requirements for triplexes to the draft ordinance, using the same standards required for duplexes.*
- Review of ordinance effectiveness. The Board may want to schedule in the future an opportunity to discuss how the ordinance provisions are working in the neighborhood. Related to this matter, a citizen has asked a question about what the process would be like if community members feel that something needs to be changed in the future.
 - *Staff can provide a short report to the Board a year out from the adoption of the rezoning.*
- Definitions. Chapel Hill has definitions for Flex Office and Live Work; the Carrboro draft ordinance only includes a definition for flex space. Consider a live/work definition.
 - *Staff believes that the existing definitions in the Town of Carrboro Land Use Ordinance are sufficient.*
- One potential change, in part for alignment with what is contained in Chapel Hill's draft ordinance, is to establish a maximum new house size, 1,500 square feet proposed, for the HR-MU district. Another point to consider is whether nonresidential structures in the HR-MU district should be limited to a maximum size as well.
 - *Staff has added language for a maximum building size for dwelling units in the HR-MU district, but has not added language limiting the size of nonresidential buildings. Other dimensional requirements including setbacks and building height will impose some size limitations.*