



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

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To: David Andrews, Town Manager
Mayor and Town Council

From: Tina Moon, Planning Administrator

Date: November 6, 2020

Subject: Discussion of Possible Modifications to Draft Ordinance to Establish Historic Rogers Road Mixed Use District and Associated Development Standards

Over the course of the last several months, staff has been making incremental changes to the draft ordinance that, if adopted, would establish the framework and development standards for a new mixed use district for the Historic Rogers Road neighborhood. After listening to the discussion at the last couple of meetings and reading the public comments, staff went back to *Mapping Our Community's Future* to assess whether the current draft ordinance seems to accomplish the interests expressed in the report.

<http://www.townofcarrboro.org/DocumentCenter/View/5936/Mapping-Our-Communitys-Future-Report>

The report speaks to four principles, including four priorities for future development. Three objectives are particularly pertinent to the framing of the potential mixed use district. These include:

- Interest in expanding economic development opportunities at a community scale;
- Retaining existing and providing new affordable housing; and
- Retaining the existing rural character.

As noted in the agenda abstract, staff has prepared alternative language for some sections of the draft ordinance to better achieve these objectives (*Attachment A*). Where applicable, the alternative language is provided after the original section. Information relating to the suggested new language and rationale for its consideration is provided below.

The term used throughout the *Mapping Our Community's Future* document to describe the types of small-scale business opportunities that residents are seeking is "community commercial." The alternative language in Section 1 would substitute the name of the proposed district from Historic Rogers Road-Mixed Use District (HR-MU) to Historic Rogers Road-Community Commercial (HR-CC) to better reflect the report. Technically, "mixed-use" is a planning term that refers to the inclusion of residential and nonresidential uses within a single district or development. The requirement for residential uses and nonresidential uses in the district would remain in place under the special standards in 15-176.9(i) thereby retaining the interest expressed in the report for housing and economic opportunities, but the name change better reflects the intended scale and density of potential future development.

The alternative language also allows for the proposed HR-CC district to be smaller—no less than five contiguous acres. This size is based on the approximate (2.5-acre) size of the core cluster of parcels earmarked for this new zoning category. Opportunities for future expansion of the district, not to exceed the original eight parcels noted in the report is provided. Considering the need for at least 15-percent residential uses and 15-percent nonresidential uses, five acres may be too small to fully realize the community objectives; further discussion on the minimum size of the district may be needed.

The suggestion for alternative language under Section 3 of the draft ordinance provides more examples of the types of uses that could occur as major home occupations, and specifically identifies uses such as barbershops and hair salons. With the opportunity for up to four employees outside of the household, the major home occupation use category may be suitable for a number of the economic opportunities described in *Mapping Our Community's Future* for community-scale businesses.

The alternative language under Section 4 is shown in the proposed table of permissible uses included as Exhibit 'A' under the zoning district column for HR-CC. The suggested modifications would adjust the permitting requirements, particularly for residential uses, to be more consistent with earlier versions of the Historic Rogers Road districts proposal. The one exception would be to retain the conditional use permit requirement for the restaurant use. Consideration of a conditional use permit involves a public hearing, an opportunity for an applicant to describe the restaurant, proposed hours of operation, anticipated parking and trip generation and to receive public comment.

Other suggestions for alternative language address possible changes in dimensional requirements. For example, as currently drafted, major home occupations can only occur on parcels that are a minimum of one acre in size. Alternative language under draft ordinance Section 6B for Special Standards for Historic Rogers Road Districts (15-176.9(g)) would reduce this size to one half acre and increase the number of eligible lots; this may become more important as the HR-CC district is developed and subdivided. The remaining modification under provisions (10.) and (11.) would reduce the distance from an outdoor activity to the property boundary line from 60 feet to 30 feet. The average width of the five 2.5+acre tracts in the middle of the HR-CC district is about 140-feet wide. If the minimum distance from the boundary to the activity is 60-feet, any open area or open shed could be no larger than 20 feet wide and would have to be centered within the middle of the lot, regardless of topography. The tree screening in provision (12.) may address the interest of nuisance abatement. If not, the existing provisions for (10.) and (11.) could be rewritten to say, if the 60-foot distance cannot be met, a Type "A" screen or solid fence would be required.

Modifications described under alternative sections 7 and 8 would increase the dimensional standards for minimum lot size and residential density from 7,500 square feet to 14,520 square feet, the standards for the HR-R district (Historic Rogers Road-residential), currently the standards in place for the eight lots identified for the possible HR-CC district. Retaining a larger base lot size works better for other dimensional standards such as the building setbacks, currently set at 50-feet from the right-of-way and 50/20 feet from the property boundary line: 50 feet for property lines along the perimeter of the district and 20 feet for the internal property lines. The 50-foot undisturbed buffer along the perimeter of the district to retain rural character along Rogers Road and a separation from surrounding property remains in place.

The proposed changes to the dimensional standards may also serve to better advance other community interests. The *Mapping Our Community's Future* report speaks to affordable housing throughout the document, both retaining existing affordable units and creating new affordable units. The Land Use

Ordinance provides for the creation of affordable housing units in three ways: small lots, the small home provisions (15-188) and the density bonus (15-182.4). Since the AIS provisions (15-187) allow a developer to determine lot size and setback requirements, the opportunity to design smaller lots remains available. Likewise the small home provisions, which are based on the number of dwelling units for sale would still apply would still apply to those project containing at least fourteen units. The affordable housing bonus would allow for increased density, although it should be noted, that the different cost/profit margin for including affordable units can be challenging for some projects.

In addition, reducing the overall density potential for future development may retain more of the existing rural character, an interest expressed by local residents in and adjacent to the neighborhood. Other Land Use Ordinance provisions, such as the required density reduction for natural constraints would remain part of the standards applicable to the new district. The extent of natural constraints particularly for stream buffer and hardwoods would likely require much of the southern portion of the district to remain in open space and provide opportunities for recreational facilities such as walking trails.