



Legislation Details (With Text)

<b>File #:</b>	24-032	<b>Name:</b>	
<b>Type:</b>	Agendas	<b>Status:</b>	Agenda Ready
<b>File created:</b>	2/9/2024	<b>In control:</b>	Town Council
<b>On agenda:</b>	2/27/2024	<b>Final action:</b>	
<b>Title:</b>	Legislative Public Hearing on Land Use Ordinance Text Amendments		

PURPOSE: To consider amending the Land Use Ordinance to modify standards relating to height, residential density and non-residential uses in the R-2 conditional district subject to certain criteria. The request is associated with a petition to amend the zoning classification at 1307 West Main Street to R-2-CZ. The Council must receive public comments before taking action on the draft ordinance.

Indexes:

Code sections:

Attachments: 1. A - Consistency Resolution, 2. B - LUO Text Amendment Modifying Standards in R-2-CZ, 3. C - LUO-AME\_TownCouncil - TEMPO - 1307 W MAIN ST, 4. D - Comments Combined.pdf, 5. E - Pocket Questions-Text Amend

Date	Ver.	Action By	Action	Result
2/27/2024	1	Town Council		

Legislative Public Hearing on Land Use Ordinance Text Amendments

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DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon, Planning and Transportation Administrator, 919-918-7325, cmoon@carrboronc.gov; Patricia McGuire, Planning Director, 919-918-7327, pmcguire@carrboronc.gov; Nick Herman, Town Attorney, 919-929-3905, herman@broughlawfirm.com

COUNCIL DIRECTION:

Race/Equity  Climate  Comprehensive Plan  Other

Legislative public hearings are a required step for text amendments in accordance with North Carolina state statutes and Town Regulations. The Council is required to adopt a statement of consistency as part of its decision. Racial Equity pocket questions are provided as Attachment E.

INFORMATION: J. Allen Knight of Tempo Investco, LLC., has submitted a text amendment request to allow an increase in the maximum building height in the R-2 Zoning District from 50 feet to 65 feet (Attachment C). The request was submitted as part of a petition to amend the zoning classification at 1307 West Main Street to allow for the development of a five-story residential project, considered as part of a separate agenda item. A draft text amendment has been prepared, that if approved, would allow the Town Council, as part of a SUP-A to

allow the maximum building height to be increased from 50 to 65 feet, the property to be developed at a higher level of residential density with up to 20-percent of the building's gross floor area designated for non-residential uses not otherwise permissible in the R-2-CZ district, if the proposed development contains site and building elements that will create a more vibrant and successful community and provide essential public infrastructure, such as affordable housing (*Attachment B*).

The Town Council must receive public comments before adopting amendments to the Land Use Ordinance. The draft ordinance was referred to Orange County and presented to advisory boards at the February 1, 2024, Joint Review meeting, and discussed again at the Stormwater Advisory Commission (SWAC) on February 8<sup>th</sup> and the Affordable Housing Advisory Commission on February 21<sup>st</sup>. Comments are attached (*Attachment D*). Of note, the Environmental Advisory Board did not have a quorum and therefore did not provide comments.

**FISCAL IMPACT:** Public hearings involve staff time and public notice costs associated with advisory board and Town Council review. The applicant has paid the Town fees associated with processing a text amendment to the Land Use Ordinance.

**RECOMMENDATION:** Staff recommends that the Town Council consider the resolution finding consistency (*Attachment A*), and the draft ordinance (*Attachment B*).