



## Legislation Details (With Text)

<b>File #:</b>	16-214	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Agendas	<b>Status:</b>		Passed	
<b>File created:</b>	6/21/2016	<b>In control:</b>		Board of Aldermen	
<b>On agenda:</b>	6/28/2016	<b>Final action:</b>		6/28/2016	
<b>Title:</b>	Public Hearing on a LUO Text Amendment to Reduce the Minimum Lot Size for the R-2, Conditional Zoning District, subject to Certain Criteria. PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider a text amendment to the Land Use Ordinance that would reduce the minimum lot size for the R-2-CZ district subject to certain criteria. A draft ordinance has been prepared. The Board must receive public comment before taking action on the amendment.				

### Indexes:

### Code sections:

**Attachments:** 1. Attachment A-1 - Consistency Resolution for Ordinance Adoption, 2. Attachment A-2 - Consistency Resolution for Ordinance Denial, 3. Attachment B - Draft LUO Amendment for Inara Court\_5-26-2016, 4. Attachment C - LUO Text Amend Request-revised, 5. Attachment D - Comments, 6. Attachment E - Excerpts from the LUO Section 15-141.4

Date	Ver.	Action By	Action	Result
6/28/2016	1	Board of Aldermen	approved	Pass

### TITLE:

Public Hearing on a LUO Text Amendment to Reduce the Minimum Lot Size for the R-2, Conditional Zoning District, subject to Certain Criteria.

**PURPOSE:** The purpose of this agenda item is for the Board of Aldermen to consider a text amendment to the Land Use Ordinance that would reduce the minimum lot size for the R-2-CZ district subject to certain criteria. A draft ordinance has been prepared. The Board must receive public comment before taking action on the amendment.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325; Patricia McGuire - 919-918-7327; Marty Roupe - 919-918-7333; Nick Herman - 919-929-3905

**INFORMATION:** In February 2016, the Town received a request from Paul Snow for a text amendment to the Land Use Ordinance to reduce the minimum lot size in the R-2 zoning district from 4,000 square feet to 1,500 square feet for architectural integrated subdivisions (AIS) on tracts of at least 20,000 square feet. The text amendment is associated with a petition to rezone property at 102 and 104 Fidelity Street, an application under consideration as part of a separate agenda item.

A draft ordinance has been prepared which, if adopted, would amend Section 15-181 by adding a new subsection (d). The distinction between the minimum lot size and minimum density is important. If the draft ordinance is adopted, the minimum density for the R-2 district would remain the same, 2,000 square feet per dwelling unit. The size of individual lots, however, could be reduced to 1,500 square feet providing flexibility in project design, particularly for infill projects. The Town currently has two parceled zoned R-2 at the south

end of Hargraves Street. The proposed ordinance would not affect these parcels; the reduced lot size would only apply to property zoned R-2-CZ developed as part of an AIS.

The draft ordinance was referred to Orange County and presented at the Joint Advisory Board Review meeting on June 2, 2016, and the Economic Sustainability Commission on June 8th. Comments and recommendations are provided (Attachment D).

**FISCAL & STAFF IMPACT:** Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review. The applicant has paid the Town fee associated with processing a text amendment to the Land Use Ordinance.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider adopting the resolution finding consistency (Attachment A-1) and the draft ordinance to the Land Use Ordinance provided as (Attachment B).