



## Legislation Details (With Text)

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<b>Title:</b>	Consideration of Land Use Ordinance Text Amendments Relating to the Historic Rogers Road Neighborhood PURPOSE: The purpose of this agenda item is for the Town Council to consider proposed text amendments to the Land Use Ordinance to establish new zoning districts and associated development requirements for the Historic Rogers Road neighborhood.				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Attachment A - Consistency Resolution-Text Amend HR-MU_10-2020, 2. Attachment B - Draft LUO Ordinance to Establish HR-MU District_10-02-2020, 3. Attachment C - Public Comments, 4. Attachment D - Comments Combined				

Date	Ver.	Action By	Action	Result
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### TITLE:

Consideration of Land Use Ordinance Text Amendments Relating to the Historic Rogers Road Neighborhood

**PURPOSE:** The purpose of this agenda item is for the Town Council to consider proposed text amendments to the Land Use Ordinance to establish new zoning districts and associated development requirements for the Historic Rogers Road neighborhood.

**DEPARTMENT:** Planning

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**INFORMATION:** On September 22, 2020 the Town Council held a public hearing on proposed text amendments that, if adopted, would establish new mixed-use districts (general and conditional district) for the Historic Rogers Road neighborhood. The purpose of mixed-use district construct is to help implement the vision in the 2016 *Mapping Our Community's Future* report. (A copy of the report may be found at the following link:

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

(Background information from the public hearing may be found here:

[<https://carrboro.legistar.com/LegislationDetail.aspx?ID=4646381&GUID=B03626B2-6CA2-48E3-BAF7-843BEE5E27D3&Options=&Search=>](https://carrboro.legistar.com/LegislationDetail.aspx?ID=4646381&GUID=B03626B2-6CA2-48E3-BAF7-843BEE5E27D3&Options=&Search=>).)

Questions and comments during the meeting included the following:

- The 50-foot building setback requirement for the property boundary lines intended to align with the undisturbed buffer along the perimeter of the district, may be too large for boundary setbacks within/internal to the district.
- What is real potential for the live-work space?
- Where are the locations for ingress/egress?
- Can the Town set the parameters for a HR-MU-conditional district?
- Does the requirement that the HR-MU district contain all eight lots limit opportunities to potential applicants with greater means?
- What can be done to better ensure that the Rogers Road residents are able to benefit from the new uses allowed by the HR-MU and realize the objectives in *Mapping Our Community's Future*?
- How can this occur in a way that does not negatively affect other adjoining property owners?
- The 3000 sq. ft. size for nonresidential buildings is more in scale with existing buildings in the neighborhood.

A revised draft ordinance has been prepared with new language under Section 11 to address the setback requirements for property boundaries along the perimeter of the district and within the district (*Attachment B*). As noted above, there was considerable discussion at the September meeting relating to the appropriate minimum size for the HR-MU district. The district and/or parcels within the district need to be large enough to meet the mixed-use requirements of at least 15% residential and 15% nonresidential uses within a development. The requirements for the district should also be designed such that the existing residents of the Historic Rogers Road community can benefit from the expanded economic opportunities it is intended to provide. Additional revisions to the draft ordinance may be needed to better address this interest.

Comments submitted during the 24 hour period after the close of the public hearing have been provided (*Attachment C*). Comments from advisory boards and Orange County are also provided (*Attachment D*).

The matter under consideration is the text amendment to create the districts. If adopted, a subsequent public hearing process would be needed to consider a map amendment to rezone property to the new district. As noted in the public hearing, the Town could initiate the process to rezone to a general zoning district. The conditional zoning process must be initiated by the owner of the property. Only the conditional zoning process involves the consideration of a specific development project including a conceptual site plan and other conditions.

**FISCAL & STAFF IMPACT:** Public hearings involve staff time and public notice costs associated with advisory board and Town Council review.

**RECOMMENDATION:** Staff recommends that the Town Council continue its discussion and consider adopting the resolution finding consistency (*Attachment A*) and the draft ordinance (*Attachment B*), or provide staff with direction for additional modification.