



## Legislation Details (With Text)

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<b>On agenda:</b>	2/9/2021	<b>Final action:</b>	
<b>Title:</b>	Consideration of Proposed Text Amendments to the Land Use Ordinance Relating to the Historic Rogers Road Neighborhood PURPOSE: The purpose of this agenda item is for the Town Council to continue its deliberation on proposed text amendments to the Land Use Ordinance to establish a new zoning district and associated development standards for the Historic Rogers Road neighborhood.		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Attachment A - Consistency Resolution-Text Amend HRCC_2-09-2021, 2. Attachment B - Draft LUO Ordinance to Establish HR-CC District & LUTABLE_02-05-2021		

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

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

**PURPOSE:** The purpose of this agenda item is for the Town Council to continue its deliberation on proposed text amendments to the Land Use Ordinance to establish a new zoning district and associated development standards for the Historic Rogers Road neighborhood.

**DEPARTMENT:** Planning

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**INFORMATION:** On November 10, 2020, the Town Council held a second public hearing to receive comments on draft text amendments relating to the Historic Rogers Road neighborhood. (Meeting materials from the November public hearing and from the first public hearing held on September 22<sup>nd</sup> may be found at the following links: [Town of Carrboro - Meeting of Town Council on 11/10/2020 at 7:00 PM \(legistar.com\)](https://carrboro.legistar.com/MeetingDetail.aspx?ID=802056&GUID=56F10CAB-AE2E-423F-82E3-D2B733F45740&Options=&Search=>) <<https://carrboro.legistar.com/MeetingDetail.aspx?ID=802056&GUID=56F10CAB-AE2E-423F-82E3-D2B733F45740&Options=&Search=>>>; [Town of Carrboro - Meeting of Town Council on 9/22/2020 at 7:00 PM \(legistar.com\)](https://carrboro.legistar.com/MeetingDetail.aspx?ID=802041&GUID=A280180D-38CC-460C-86F6-246D4FC33504&Options=&Search=>) <<https://carrboro.legistar.com/MeetingDetail.aspx?ID=802041&GUID=A280180D-38CC-460C-86F6-246D4FC33504&Options=&Search=>>>.)

Information presented at the November public hearing focused on a review of the key objectives in the *Rogers Road: Mapping Our Community's Future* report and how the different elements of the draft ordinance were intended to help implement those objectives. Suggestions for alternative provisions were identified and discussed. Conceptual development scenarios were shown to help visualize the existing constraints to the site-

the natural constraints associated with the stream buffer requirements and the limited public road access for ingress/egress-information intended to facilitate discussion on an appropriate minimum acreage for the district.

After discussion, Council members requested the following:

- Bring back the draft ordinance for consideration of adoption, include all of the alternative language presented except for the change relating to the minimum size of the HR-CC district, which needs a little more discussion.

*Staff response: The draft ordinance (Attachment B) incorporates all of the alternative language except for the minimum size of the district described in Section 15-136.1(c); the minimum acreage size has been left blank.*

- Provide a brief overview of stormwater management provisions in the Land Use Ordinance to help inform neighboring residents of the existing regulations.

*Staff response: The Town Engineer will provide a short presentation on the existing stormwater management provisions in the Land Use Ordinance at the meeting, and will be available for questions.*

- How can the HR-CC be set up to include the flexibility for small businesses to evolve and expand over time. We need to be able to look out 5-6 years in the future and allow for small businesses to expand. For example, a floral business could expand in size and to include a flower shop. Is there a way to provide for incubator space that could be enlarged over time to provide the next level of business expansion?

*Staff response: Some of the uses in the HR-CC provide for some of the expansion described by way of accessory uses. For example, a light manufacturing site such as a bakery could include some retail sales as an accessory use. With regard to incubator space relating to business use, office uses are permitted in the current draft ordinance. The maximum size of a building housing nonresidential uses is set at 3000 square feet; the maximum size of an accessory building used for a home occupation is 2000 square feet. These dimensions were identified based on an interest in retaining the size/scale of existing buildings in the neighborhood. A small maker's space or office could be enlarged so long as it does not exceed the maximum square footage noted above.*

- More information about the architecturally Integrated Subdivisions (AIS) provisions and the relationship to minimum lots sizes would be helpful.

*Staff response: The minimum lot size in the HR-R district is 14,520 square feet. As part of the alternative language provided at the November public hearing, the minimum lot size for the proposed HR-CC was adjusted to 14,520 square feet to match. The change would be more in keeping with the interest expressed by Historic Rogers Road residents in the Mapping Our Community's Future document for the residential density to be about 3 dwelling units per acre; the larger lot size would also help retain rural character, another interest expressed in the report. The AIS provisions in 15-187, allow a developer to set their own lot size and building setback standards as part of a unified development, so long as the project meets all other requirements of the Land Use Ordinance and does not increase the maximum density. The amount of land "saved" by the smaller lot size would go into open space. If the HR-CC was developed as part of an AIS, the lot could be smaller than 14,520 square feet.*

As a reminder, the matter under consideration is the text amendment to create the district. If adopted, a subsequent public hearing process would be needed to consider a map amendment to rezone property to the new district. 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 deliberation and consider adopting the resolution finding consistency (*Attachment A*) and the draft ordinance (*Attachment B*).