

BOARD OF ALDERMEN

ITEM NO. D(2)

AGENDA ITEM ABSTRACT

MEETING DATE: **Tuesday, March 5, 2002**

TITLE: **WORKSESSION: Setback Requirements**

DEPARTMENT: PLANNING	PUBLIC HEARING: YES ___ NO ___ X ___
ATTACHMENTS: A. Resolution B. Excerpt of Minutes, Board of Aldermen meeting, January 15, 2002	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327

PURPOSE

The Board of Aldermen reviewed a report on screening, setback requirements and special exceptions on January 15, 2002. The Board requested that a worksession be scheduled to review setback requirements in further detail. A resolution that can specify further direction to staff, if desired, is provided for the Board's use.

INFORMATION

A report presenting an overview of the land use ordinance provisions relating to screening and setback requirements and the special exception permit was reviewed in mid-January. Further action was specified in Resolution No.79/2001-2002, adopted by the Board of Aldermen that evening. A copy of the minutes is attached (*Attachment B*).

The screening, setbacks, and special exceptions report had outlined the current Land Use Ordinance provisions and considered additional applications. In discussing the matter in mid-January, Board members noted other related considerations. These are noted below, with comments provided in italics.

- Whether screening and setback requirements meet the Board's interest in developing a safe and pedestrian-friendly community. *Setbacks are used to prevent encroachments by providing adequate area on a property for principal and accessory uses to occur, to create a streetscape that is uniform and pleasing, and to maintain a consistent feel between older and newer developments that occur within particular districts. For the most part, the general pyramidal or hierarchical organization of the Town's zoning districts results in setback requirements that are most relaxed in the most intensive, core commercial areas, and most restrictive in the areas intended for the least intensive uses. Historically, setbacks were developed, with much of the array of zoning regulations, to mitigate the negative effects of living in dense, dirty, urban environments that characterized life in cities at the turn of the 20th century. Setbacks provided a way of ensuring light and air to housing units, and of reducing the risk of spreading fires. In Carrboro, setbacks were established to maintain the character and spacing of neighborhoods already-developed at the time the land use regulations were adopted. Over the years, it has been a goal of the town and an ongoing responsibility to maintain the character of those neighborhoods, and the enforcement of setbacks has been one of the mechanisms used to accomplish this. There is more flexibility in new neighborhoods, with architecturally integrated subdivisions providing a good example. Other flexibility can be considered in the context of pedestrian-friendliness, such as allowing uniform "build-to" lines so that a streetscape is created/maintained, though this might require deviations from the setbacks in a zone. Together with other development regulations and standards, screening*

and setback requirements can affect the extent to which Carrboro may be considered a pedestrian-friendly place. The development regulations work in concert, though, not in isolation. Density and infrastructure must also be considered. For example, additional “eyes on the street” that can result from higher densities, are known to enhance safety and encourage more pedestrian activity. Density is also known to affect the viability and success of public transportation. Lack of sidewalks or lack of connections and continuity can significantly reduce both safety and pedestrian activity. An intensive assessment of Carrboro’s “walkability” has not been conducted, although the Citizen Sidewalk Task Force/Transportation Advisory Board is undertaking a study of how the Town’s current sidewalk planning efforts might be implemented. Anecdotally, the Town is more or less walkable, depending on where one is in town. Clearly, the Town has made a serious commitment to including sidewalks, and recognizing the benefits of a multi-modal transportation infrastructure. This commitment is evidenced through sidewalk requirements in new developments, in conjunction with NCDOT improvement projects, as part of Enhancement projects and the expenditure of Direct Allocation funds available through the Durham-Chapel Hill – Carrboro MPO.

- *How screening and setback requirements affect Village Mixed Use developments. Design principles associated with Village Mixed use developments center on the notion of a pedestrian-friendly place. VMU standards in Carrboro’s Land Use Ordinance specify that storefront areas should be within a 5-minute walk of as much of the residential areas as possible. The mixed-use concept itself is defined, in part, by designs that ensure access and success of various modes. Open space requirements envision connected green space that can be used for wildlife, recreation and transportation.*
- *How screening and setback requirements affect other plans associated with downtown visioning. The relationship of existing regulations to the outcome of downtown visioning is not yet fully known. A review of these issues will be prepared in conjunction with the Board’s review of the final report on the Charrette. The report is nearing completion. Minimal setbacks and lot sizes are currently defined for the downtown zoning districts, and area and locational limitations (e.g. right-of-way constraints, sight triangles) necessitate flexibility in applying screening requirements.*
- *Adjusting open space requirements for affordable housing. The Land Use Ordinance currently allows a 10 percent reduction in open space in conjunction with affordable housing density bonus (AHDB).*
- *Linking affordable housing and architecturally integrated subdivisions (AIS). Since the 40 percent open space requirement was established in 1995, there has been recognition that many projects would utilize the AIS provisions in order to achieve the maximum, permitted density on a tract. This became clearer with the shift from gross-density to net-density calculations in 1999. Though not required, there is a strong likelihood that AHDB developments will also utilize the AIS flexibility associated with lot size and setbacks.*

Maps and other illustrative materials presenting the requested information will be provided at the meeting.

ADMINISTRATION’S RECOMMENDATION

The Administration recommends that the Board of Aldermen determine whether further action is needed on these matters. A resolution that can specify further direction, if desired, is provided (*Attachment A*).