

BOARD OF ALDERMEN

ITEM NO. D(1)

AGENDA ITEM ABSTRACT

MEETING DATE: April 23, 2002

TITLE: Public Hearing: Land Use Ordinance Amendment Relating to Affordable Housing Provisions

DEPARTMENT: Planning	PUBLIC HEARING: YES
ATTACHMENTS: A. Draft Ordinance – Open Space Dedications B. LUO Density-related sections C. Map_ Where AHDB is Presently Available D. Map – Where AHDB is Proposed E. Planning Board recommendation	FOR INFORMATION CONTACT: Patricia McGuire, Planning Administrator --, 918-7327 Michael Brough, Town Attorney - 929-3905

PURPOSE

The Board of Aldermen has set a public hearing to receive comments on a draft ordinance that modifies the permitted locations for and applicable setbacks to projects utilizing the affordable housing density bonus. The Administration recommends that the Board of Aldermen adopt Section 1 of the proposed ordinance.

INFORMATION

During a discussion of infill development in December the Board of Aldermen requested that Town Attorney, Mike Brough, draft an ordinance that would make the affordable housing density bonus applicable in all zoning districts. The bonus is currently available only in those districts located within the area covered by the Facilitated Small Area Plan for Carrboro's Northern Study Area. That area includes, R-10, R-15, R-20, and R-R zoning districts and is defined in Section 15-182.3. The density provisions of the ordinance are attached (*Attachment B*). A map illustrating the locations where the AHDB is presently available is attached (*Attachment C*).

In January, during a discussion of screening and setback requirements, the Board of Aldermen requested a report on options for amending the setback requirements as they apply to developments that include affordable density bonus units. Following from the special exception provision that allows up to a 50 percent reduction in the lot boundary line setback, language that would allow a similar reduction for AHDB projects, and that satisfies the density changes noted above, has been included in a draft ordinance (*Attachment A*). A map showing the zoning districts where the bonus will be permitted if the ordinance is adopted is attached (*Attachment D*).

Effect of Ordinance Amendment on Development Potential

An evaluation of the additional development potential on vacant land was completed in order to determine the effect of the proposed ordinance amendment. The evaluation considers gross density and does not address the ways in which particular site conditions (e.g. steep slopes, streams/buffers, significant trees) or regulations (e.g. public street standards, setbacks, and parking) might reduce the total number of units that could be constructed regardless of the AHDB. Setbacks can reduce the buildable area of a lot by approximately 40 to 50 percent, but do not reduce density. Setback areas are still useable in other ways, as patios, driveways and other non-structural activities can occur within the setbacks. The table below presents a summary of this evaluation.

Zone	Total Area		Vacant Area		Current density	# Units Possible	# Additional Units w/AHDB
	Acres	# Lots	Acres	# Lots			
BIG	37.7	96	3.2	14	3000	46	23
BIC	24.2	62	1.7	12	No min.		
B2	11.88	33	.4	1	7500	2	1
B3	5	9	1.4	1	7500	8	4
B3T	3.4	1	0	0	7500	0	0
CT	9.4	17	2.5	5	7500	14	7
O	5.2	2	1.09	1	7500	6	3
OA	6.5	12	1.1	2	7500	6	3
R2	19.1	27	2	8	2000	43	22
R3	158	389	4.5	5	3000	65	33
R75	339	743	29.6	52	7500	171	86
RSIR	164	275	2.5	1	10000	10	6
RSIR2	30.6	110	.27	2	10000	1	0

The area that would see the greatest change for potential increase as a result of the proposed amendment is the R75 district, where an additional 86 units could be developed. The bulk of the vacant property in the R75 district is located south of Main Street and west of Old Pittsboro Road. Additional opportunities will also occur on property that is not fully developed at present, or that could be redeveloped. In deciding about further action on this matter, the Board of Aldermen may wish to consider the following:

1. Expanding the opportunity for the density bonus to be used is in keeping with town policies to maintain and support a diverse supply of housing for citizens of differing needs and economic means (Goal 6, *Carrboro Vision2020*).
2. Projects utilizing the AHDB provision gain additional density and the open space requirement is slightly reduced. An increase in density results in a greater parking requirement. Overall, the intensity of use on a site is increased. The impacts of increased intensity might suggest that such developments should be subject to a greater setback and a model for this can be found where residential zoning district setbacks are applied to non-residential lots that share a boundary line with a residential lot.
3. A modification of the special exception provision that would allow affordable housing density bonus projects to request setback reductions could be considered. This approach would provide an opportunity for neighboring property owner/resident notification and participation in the decision to reduce setback requirements.
4. While setbacks reduce the buildable area of a lot, they do not reduce the density potential. Changes in design, preferably in keeping with the scale and general style of surrounding uses, can ensure that a development project achieves near to its desired density.
5. Concerns may be the greatest in relation to smaller projects of up to six units as these projects may be approved through the zoning permit process.
6. As projects seeking the AHDB move forward, the Board may receive comments similar to those noted during discussions of infill projects.
7. The constraints of the ordinance itself, particularly the requirement to ensure affordability for 100 years, appear to have limited its use to date. Short of significant changes in policy or an increase in the availability of land or funds to support affordable housing, this will likely continue.

Per the Board's direction, the draft ordinance was submitted to Orange County and the Planning Board. A copy of the Planning Board recommendation is attached (*Attachment E*).

RECOMMENDATION

The Administration recommends that the Board adopt Section 1 of "An Ordinance Amending the Carrboro Land Use Ordinance Provisions Relating to Affordable Housing" (*Attachment A*), noting that the Board should expect

that projects seeking to utilize this density bonus provision are likely to raise concerns and issues similar to those that have been raised in conjunction with the review of Pine Street and Hanna Street.