

BOARD OF ALDERMEN

ITEM NO. B(2)

**AGENDA ITEM ABSTRACT
MEETING DATE: May 21, 2002**

TITLE: Request-to-set a Public Hearing: Land Use Ordinance Text Amendment Relating to Private Roads and the Connection of Streets

DEPARTMENT: Planning	PUBLIC HEARING: NO
ATTACHMENTS: A. Resolution B. Connector Roads Policy C. Sections 15-214, 15-217, 15-220 and 15-221 D. Draft Ordinance	FOR INFORMATION CONTACT: Patricia McGuire, Planning Administrator -- 918-7327

PURPOSE

Staff has identified the need to clarify private road and street connection requirements. A draft ordinance has been prepared. In order to consider taking action on these changes, it will be necessary for the Board of Aldermen to receive public comment, a Planning Board recommendation, and Orange County comments regarding consistency with the Joint Planning Area Land Use Plan. A resolution that sets a public hearing for June 25, 2002 is recommended for the Board's adoption.

INFORMATION

For many years, Town staff and officials have worked to develop a connected network of streets in order to link neighborhoods, to spread out vehicle trips, and to maximize access for public service and safety providers. These efforts have been, in large measure, successful. Many neighborhoods are connected via streets and sidewalks, arterials with two vehicle lanes and bike and pedestrian facilities have been planned and improved, and public services have been provided in an efficient and cost-effective manner. There are exceptions to the successes, however, where neighborhoods have not been fully connected. Some result from the odd shapes and sizes of parcels and the timing of development that resulted in designs that were not appropriately "connectable." Others have resulted from a lack of clarity in the particulars of a regulation or policy (i.e. provisions that allow private roads) that have allowed different types of development (e.g. exempt subdivisions or unsubdivided development).

Street connection requirements are spelled out in both policy and regulation for the Town of Carrboro. Foremost is the *Connector Roads Policy (Attachment B)*, a document dating back to 1979 when the Town's first Connector Roads Plan was adopted. The policy specifies major street connections that are needed to establish a grid-like system of streets to achieve various objectives associated with connectedness. Sections 15-214 and 217 (*Attachment C*) specify the Land Use Ordinance requirements for connectivity, and were adopted to connect with, support and enhance the connections that would be established by connector roads.

The need to comply with the Connector Roads Policy is fairly clear, including as it does a map showing road locations. The multi-purpose function, i.e. Vehicles, bikes and pedestrians, at a minimum, of these roads is also clear, although there is room for the specific alignment to be altered somewhat as site-specific information on the appropriateness of different alignments becomes available. Several Land use Ordinance provisions provide opportunities for developers to submit, and have approved, projects that do not meet the connectivity requirements. These include Section 15-220, which allows private roads in subdivisions, and Section 15-221, which allows private roads in unsubdivided developments (*Attachment D*).

Summary of Draft Ordinance

A draft ordinance that would clarify that these provisions may not be used to avoid otherwise applicable interconnection requirements has been prepared (*Attachment E*). The draft ordinance includes the following:

- 1) The addition of new language at the end of Section 15-220 that can be used to override a proposal to develop private roads if this road would avoid the public street interconnection provisions.
- 2) Revision of existing language to state that the need for unsubdivided developments, if they include more than four units or generate more than 40 vehicle trips, will be evaluated in the same manner as for subdivided developments and if a public street connection is found to be needed, than the developer will be required to develop and dedicate a street that will achieve this connection.
- 3) Revision of existing language to allow only architecturally integrated subdivisions developed with multi-family town homes to be developed with private roads, subject to the criteria included in subsection 15-220 (b).

The Board of Aldermen has several options for further action, including:

- 1) Taking no action and leaving the street connection requirements of the Land Use Ordinance as they are.
- 2) Setting a public hearing on the recommended changes to the connection requirements and referring the draft ordinance to the Planning Board, Transportation Advisory Board (TAB), and Orange County to make recommendations or comments.

RECOMMENDATION

The Administration recommends that the Board adopt the resolution setting a public hearing for June 25, 2002, and refer the draft ordinance to the Planning Board, TAB and Orange County for review.