

ATTACHMENT A

**A RESOLUTION SPECIFYING FOLLOW-UP ACTIONS TO A LAND USE
ORDINANCE TEXT AMENDMENT REQUEST REGARDING PUBLIC
EASEMENTS OVER PRIVATE ROADS AND GRASSED, UNPAVED AREAS
BEHIND PARKING CHOCKS
Resolution No. 120/2002-03**

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on existing and proposed policies and regulations; and

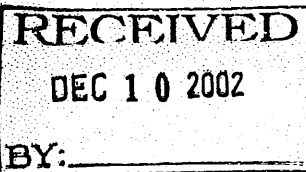
NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen direct staff to prepare a draft ordinance that

1. Modifies public street standards
2. Establishes an alternative parking area standard that allows the vehicles overhang area that is located behind a parking chock to be unpaved and grassed.

BE IT FURTHER RESOLVED that the Aldermen call a public hearing on May ____, 2003.

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board for comment and recommendations to the Board.

This is the 11th day of March in the year 2003.



TOWN OF CARRBORO

LAND USE ORDINANCE AMENDMENT REQUEST



To the Board of Aldermen, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:

1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

1A) 15-220(b)(2): In an architecturally integrated reidential subdivision, private roads may be used as long as no road intended to be private is planned to be extended to serve property outside that development.

15-217(a): "To the extent practicable, all streets shall be interconnected. Cul-de-sacs shall {See ATTACHMENT for 1A) cont'd. and 1B}}

2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):

2A) When a public road is not practicable to provide a connection to an adjacent property, a private road, designed as close as practicable to public road standards, with an easement prescribed for public access may be used to achieve the connection.

2B) The use of an unpaved, grassed, 3-foot strip behind the parking chocks (2.5 feet for compact spaces), ultimately reducing the paved area of each standard sized parking space by 25.5 square feet (18.75 square feet for compact spaces).

3) State the reasons for the proposed amendment:

3A) As the LUO alludes to in 15-217(a), in some cases a public road may not be practicable.

For example:

o It may be impracticable to manage the stormwater from the road at the property edge without a drainage easement (in some cases this type of easement may not be reasonably obtainable).

o The added cost of a public road may limit the ability to provide affordable housing provided under the Affordable Housing Density Bonus.

{See ATTACHMENT for 3A) cont'd. and 3B}}

SIGNATURE:

applicant

Giles W. Blunden

{print}

ADDRESS:

CCDA, Inc., 103 W. Weaver St., Carrboro, NC 27510

TELEPHONE NUMBER:

919-967-8505

ATTACHMENT

TOWN OF CARRBORO, LAND USE ORDINANCE AMENDMENT REQUEST

from CCDA, 103 W. Weaver Street, Carrboro, NC 27510...919.967.8505

1A) cont'd.

not be used unless the topography of the land does not allow a design that would make an interconnecting street practicable."

1B) 15-293(a): "...parking spaces shall contain a rectangular area at least eight and one-half feet wide and nineteen feet long."

15-296(a): Vehicle accommodation areas "shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust."

3A) cont'd.

o Curb and gutter and storm drainage requirements may be inconsistent with the stormwater 'no damage clause' of the LUO (15-263(a)).

While one of these constraints, by itself, might be possible to overcome, the additive nature of multiple constraints may make the use of a public connector road impracticable.

3B) a. There is no need for bearing capacity in this area since the wheels of the vehicles stop at the chock.

b. Less impervious surface results in:

o Reduced storm water runoff.

o Reduced accumulation of chemical pollutants from automobiles.

o Reduced cost, which allows for more affordable homes.

o Reduced heat island effect, an effect that adds to increased ambient air temperature and increased ozone.

c. Additional filter strip increases the capacity for removal of suspended solids, nitrates, phosphate, and other pollutants.

Land Use Ordinance Excerpts

Section 15-217 General Layout of Streets.

(a) To the extent practicable, all streets shall be interconnected. Cul-de-sacs shall not be used unless the topography of the land does not allow a design that would make an interconnecting street practicable. (AMENDED 09/16/97; 09/28/99)

Section 15-220 Public Streets and Private Roads in Subdivisions.

(a) Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street at least to the extent necessary to comply with the access requirement set forth in Section 15-211. For purposes of this subsection, the term "public street" includes a pre-existing public street as well as a street created by the subdivider that meets the public street standards of this chapter and is dedicated for public use. Unless the recorded plat of a subdivision clearly shows a street to be private, the recording of such a plat shall constitute an offer of dedication of such street. (AMENDED 2/14/84)

(b) Architecturally integrated residential subdivisions containing either twenty-five or more units, or consisting of four or more multi-family townhomes, may be developed with private roads that do not meet the public street and sidewalk standards of this chapter as long as: (AMENDED 11/26/85; 6/25/02)

- (1) The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
- (2) No road intended to be private is planned to be extended to serve property outside that development; and
- (3) The standards applicable to unsubdivided developments set forth in Section 15-221 and 15-222 are complied with.

Section 15-293 Parking Space Dimensions (AMENDED 9/13/83)

(a) Subject to subsection (b) and (c), parking spaces shall contain a rectangular area at least eight and one-half feet wide and nineteen feet long. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, as long as the parking spaces so created contain within them the rectangular area required by this section.

- (b) In parking areas containing ten or more spaces, up to 40% of the parking spaces may be set aside for the exclusive use of subcompact cars (being defined as a car 175" or less in length), provided the non-subcompact car area is designated for exclusive use by compact, midsize and large cars, and provided that adequate signs are provided and maintained designating and informing the public of the exclusive use. A subcompact parking space shall contain a rectangular area seven and one-half feet wide and sixteen and one-half feet long.

Section 15-295

General Design Requirements

- (a) Vehicle accommodation areas shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas consisting of driveways that serve one or two dwelling units.
- (b) Every vehicle accommodation area shall be designed so that vehicles cannot extend beyond the perimeter of such area onto adjacent properties or public rights-of-way. Such areas shall also be designed so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction.

Section 15-296

Vehicle Accommodation Area Surfaces

- (a) Subject to subsections (e), (f), and (g), vehicle accommodation areas that (i) include lanes for drive-in windows; (ii) are required to contain more than 1,000 square feet of vehicle storage area; or (iii) contain parking areas that are required to have more than ten parking spaces and that are used regularly at least five days per week shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Specifications for surfaces meeting the standard set forth in this subsection are contained in Appendix D. (AMENDED 2/4/86; 3/4/86; 6/26/90)

Section 15-317

Shade Trees In Parking Areas.

- (a) Vehicle accommodation areas that are required to be paved by Section 15-296 must be shaded by deciduous trees (either retained or planted by developer) that have or will have when fully mature a trunk at least twelve inches in diameter. When trees are planted by the developer to satisfy the requirements of this subsection, the developer shall choose trees that meet the standards set forth in Appendix E. (AMENDED 11/10/81)
- (b) Each tree of the type described in subsection (a) shall be presumed to shade a circular area having a radius of fifteen feet with the trunk of the tree as the center, and there must be sufficient trees so that, using this standard, twenty percent of the vehicle accommodation area will be shaded.
- (c) No paving may be placed within 15 feet (measured from the trunk) of any tree retained to comply with subsection (a), unless such tree is eighteen inches or greater in diameter or a very rare species as described in Section 15-316, in which case no paving may be placed within the Tree Protection Perimeter for such trees as described in 15-316(b). New trees planted to comply with subsection (a) shall be located so that they are surrounded by at least 200 square feet of unpaved area. (AMENDED 5/10/83, 03/21/89)
- (d) Vehicle accommodation areas shall be laid out and detailed to prevent vehicles from striking trees. Vehicles will be presumed to have a body overhang of three feet six inches.

February 24, 2003

Roy Williford
Trish McGuire
Town of Carrboro
Planning, Zoning, & Inspections Department
301 W. Main Street
Carrboro, NC 27510

Dear Roy and Trish:

Since the development review meeting the other day, I have had serious second thoughts about removing the "public access on a private road" language from the text amendment. Below are my reasons for back-pedaling on this issue.

The AIS subdivision tool allows for flexible lot sizes and road design to achieve an efficient clustering design. It is an important part of the land use ordinance that allows for more affordable housing and more environmentally sound design through less impervious surface and more undisturbed open space.

Replacing the private road option with a public road removes a lot of that flexibility unless the public road can be designed based on performance standards as opposed to prescriptive standards. Since the liability associated with a public road is significant, it is not clear to me how much flexibility can be built in.

Mike Brough suggested the "public access on a private road" as an alternative in a previous meeting, and I would like to continue down that path conceptually because it allows for tight clustering, more affordable infrastructure, better environmental design, *and* connectivity between neighborhoods.

This is a very important issue and has considerable bearing on Low Impact Design which is becoming increasingly necessary to balance environmental needs with continued development pressure.

Sincerely,

Giles W. Blunden

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BLUNDEN PIESSE ARCHITECTS
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Section 15-187 Architecturally Integrated Subdivisions.

(a) In any architecturally integrated subdivision, the developer may create lots and construct buildings without regard to any minimum lot size or setback restrictions except that: **(AMENDED 2/22/83; 4/24/84)**

- (1) Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision; and
- (2) Each lot shall be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this chapter.

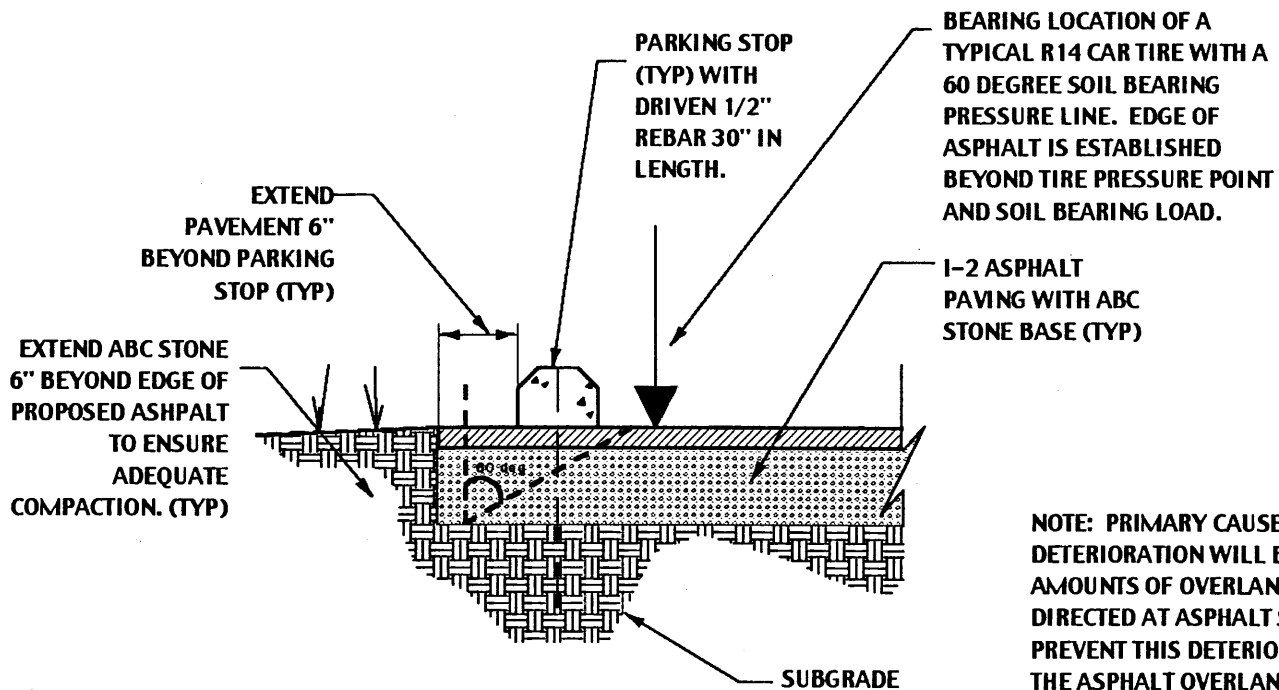
(b) The number of dwelling units in an architecturally integrated subdivision may not exceed the maximum density authorized for the tract under Section 15-182. **(AMENDED 06/27/95; 06/22/99)**

(c) The amount of land "saved" by creating lots that are smaller than the standards set forth in Section 15-181 shall be set aside as open space except that in no case shall a development be required to preserve more than forty percent of the development tract as open space. **(AMENDED 06/27/95)**

(d) The purpose of this section is to provide flexibility, consistent with the public health and safety and without increasing overall density to the developer who subdivides property and constructs buildings on the lots created in accordance with a unified and coherent plan of development. **(REDESIGNATED 06/27/95)**

(e) The Board of Aldermen may approve a conversion to an architecturally integrated subdivision of any multi-family project that was built in accordance with the standards of the zoning ordinance in effect at the time of construction despite the fact that the density of such project exceeds that permissible under this chapter. However, no increase in density may be allowed in connection with such conversion. **(REDESIGNATED 06/27/95)**

(f) Architecturally integrated subdivisions shall not be allowed in the C or WR zoning districts. **(REDESIGNATED 06/27/95)**



ASPHALT BASE WITH PARKING STOP

SCALE: 1" = 1'-0"

NOTE: PRIMARY CAUSE OF ASPHALT DETERIORATION WILL BE LARGE AMOUNTS OF OVERLAND FLOW DIRECTED AT ASPHALT SURFACES. TO PREVENT THIS DETERIORATION OF THE ASPHALT OVERLAND SHEET FLOW SHOULD BE LIMITED TO 50' OR LESS. CONCENTRATED FLOWS OR LONGER THAN 50' OF SHEET FLOW SHOULD BE DIRECTED SO THAT STORMWATER DOES NOT FLOW ONTO THE ASPHALT SURFACES.