

## BOARD OF ALDERMEN

ITEM NO. D(1)

### AGENDA ITEM ABSTRACT

**MEETING DATE: Tuesday, March 25, 2003**

**TITLE: Continuation of a Public Hearing: Land Use Ordinance Text Amendments  
Relating to Downtown Building Heights, Sidewalk Widths and Recreational  
Facilities Requirements**

<b>DEPARTMENT: PLANNING</b>	<b>PUBLIC HEARING: YES X NO _</b>
<b>ATTACHMENTS:</b> <b>A. Draft Ordinance – Building Height</b> <b>B. Background Information from Public Hearing</b> <b>C. Excerpt of Minutes – February 4, 2003 Public Hearing</b> <b>D. Comparison Sheet of Draft Ordinances – November 2002 to March 2003</b> <b>E. LUO Sections 15-15, 54, 55, 182, 184, 185, 196, 221</b> <b>F. Summary Sheet – National Register of Historic Places</b> <b>G. Excerpt of TPU requirements in B-1(c), B-1(g) and B-2 districts</b> <b>H. Map of Downtown Building Height and R/W Width</b> <b>I. Advisory Board Recommendations</b>	<b>FOR INFORMATION CONTACT:</b> Patricia McGuire – 918-7327 Mike Brough – 929-3905

#### PURPOSE

A public hearing on Land Use Ordinance amendments related to building height, sidewalk widths, and recreation facilities requirements in downtown zoning districts was held on February 4, 2003. Several provisions have been added to the draft ordinance as directed by the Board of Aldermen in follow-up to comments made during the public hearing. Other information has been compiled per the Board's direction as well.

#### INFORMATION

Background information from the public hearing on a draft ordinance to modify site design and structural parameters for downtown development was provided at the public hearing. A summary of this information is attached (*Attachment B*). Eleven citizens provided comments regarding the draft ordinance as may be noted in an excerpt of the meeting's minutes (*Attachment C*). In follow-up, the Board of Aldermen directed staff to:

Requested Action	Comments
1. Prepare additional ordinance provisions that specify permit type requirements for buildings over three stories in relation to potential impacts and design consideration	New provisions of the draft ordinance are presented in Attachment D.
2. Schedule final action on the draft ordinance in conjunction with additional ordinance provisions and the receipt of recommendations of the Recreation Points Review subcommittee.	The Recreation and Parks Commission and Planning Board met on March 20 <sup>th</sup> to finalize recommendations. A formal presentation of this matter is scheduled on April 15 <sup>th</sup> . The two boards adopted a recommendation (7-5-2) to require payment for recreational facilities requirements unless a project includes connecting trails or provides public access to recreational facilities.
3. Provide information on allowing an additional story if it is designated as residential	See draft ordinance
4. Provide information on conservation area overlay zoning, conditional use district zoning, and modifications to permit requirements.	Per February 11 schedule, information is to be provided at a later date.
5. Schedule advisory boards review of the planning staff's report	Revised draft ordinance presented to advisory boards on February 20.
6. Provide an example of what additional stories would look like from Carr and Maple	Illustration in preparation. To be provided on March 25
7. Illustrate what the performance standards will look like.	The draft ordinance retains the scale and ordinance provisions of Section 15-185 (a) (3) for the B-1(c) district and establishes criteria that will affect the permit requirement for buildings over the heights permitted currently.
8. Determine the existing square footage of the commercial tax base of area under consideration.	Estimate from 2000 planimetric data – 1 million square feet in all downtown commercial districts, with approximately 917, 374 in B-1(c), B-1(g), and B-2 where additional height is proposed.
9. Provide information on the existing and potential square footage yield	An estimate of this is provided in this abstract.
10. Provide a recommendation on February 11th of when this matter can come back to the Board for consideration	Schedule provided – report back on March 25.

More detailed follow-up information, where applicable, is provided below.

**The Revised Draft Ordinance.** The revised draft is provided as Attachment A. A sheet comparing the November 2002 draft with the March 2003 draft is attached (*Attachment D*). Existing land use ordinance provisions are attached (*Attachment E*).

**Existing and Potential Square Footage Yield.** Estimates of total building square footage in Carrboro's downtown commercial zoning districts were prepared in 2001 using planimetric data 03-25-2003#6

that was captured from the 1998 aerial photographs of Carrboro. A visual survey was conducted to capture number of building stories and the base data (building footprints) was expanded to estimate total square footage by multiplying the base data by the total number of stories. The table below presents this information, and includes an estimate of the additional square footage that might be possible if the maximum building heights are achieved.

A few words of caution are in order due to the manner in which these data were created. First, since most of the existing buildings do not fill the lots on which they are located, new square footage does not capture expanded building footprints. Second, the estimate does not add square footage to vacant lots. Third, as written, the draft ordinance will preclude the demolition of contributing historic buildings and replacement with buildings of greater height, but will allow additional building area on the lots where contributing buildings are located. The estimate for the B-1(c) is made by adding height to the buildings there, a number of which are National Register properties. The potential yields on some of these lots may be greater as the building footprint is expanded and the maximum building height is achieved. Finally, the square footage for additional floors is not reduced due to stepbacks, setbacks or roof designs.

	<b>B-1(c )</b>	<b>B-1(g)</b>	<b>B-2</b>
<b>Existing Bldg (SQFT)</b>	411,980	428,518	76,876
<b>Possible Bldg (SQFT)</b>	<b><i>1,468,728</i></b>	<b><i>1,593,540</i></b>	<b><i>176,926</i></b>

**National Register of Historic Places.** Information on the National Register was also requested. A summary sheet that describes the register, the results of listing, and Carrboro's listed properties is attached, as are two maps illustrating the boundaries of Carrboro's two districts and the contributing and non-contributing properties located within them (*Attachment F*).

**Permit Requirements in Downtown Districts.** The Table of Permissible Uses (Section 15-146) presents the permit requirements for various use classifications. The Table is fairly straightforward with a "Z" indicating a zoning permit, an "S" indicating a special use permit, and a "C" indicating a conditional use permit. Section 15-147 describes the table and provides guidance, where multiple permit types are specified. In several commercial zones, including the B-1(g), B-1 (c ), and B-2, where the table includes a "ZC," a zoning permit must be obtained for development on lots equal to or less than one acre in size. A conditional use permit must be obtained for lots greater in size. ZC is the typical permit requirement in these zoning districts and applies to uses ranging from high-volume retail sales to manufacturing, churches, and parking garages. Less than 10 percent of the lots in the downtown zoning districts where additional building height is proposed are greater than one acre in size. In those zones, where the table of permissible uses includes a "ZS," a special use must be obtained for lots greater than two acres in size. An excerpt of the TPU illustrating the permit requirements for these zones is attached (*Attachment G*).

**Map of Building Heights and R/W width.** See *Attachment H*.

### Advisory Board Review

The revised draft ordinance was presented to the Planning Board, Transportation Advisory Board, Appearance Commission, Environmental Advisory Board, and Downtown Development Commission on March 5<sup>th</sup>. Advisory Board recommendations are attached (*Attachment I*).

### **FISCAL IMPACT**

Draft ordinance changes associated with building height could result in greater intensity of use in downtown Carrboro and associated increases in tax value. Sidewalk construction costs will be greater with the increase from five to ten feet. The opportunity to provide art or other amenities to meet active recreational facilities requirements may reduce payments-in-lieu and necessitate other Town expenditures to provide active facilities.

### **ADMINISTRATION'S RECOMMENDATION**

The Administration recommends that the Board of Aldermen adopt the revised draft ordinance. Where alternative or optional text is provided in Section 1, the following is recommended:

1. Alternative two of Section 15-185 (a)(3)(b).
2. Including the optional provision (iii) of Section 15-185 (a)(3)(g).