

BOARD OF ALDERMEN

ITEM NO. D(1)

AGENDA ITEM ABSTRACT

MEETING DATE: **May 6, 2003**

TITLE: Public Hearing: Land Use Ordinance Text Amendment to Provide for Alternative Parking Area and Public Street Standards

DEPARTMENT: Planning	PUBLIC HEARING: YES
ATTACHMENTS: A. Draft Ordinance B. Land Use Ordinance Amendment Request C. Minutes from March 11, 2003 Board of Aldermen D. Applicable Land Use Ordinance Sections E. Advisory Board Recommendations	FOR INFORMATION CONTACT: Patricia McGuire, Planning Administrator -- 918-7327

PURPOSE

The Board of Aldermen directed staff to prepare a draft ordinance in follow-up to a request from the Carrboro Collaborative Development Association to amend the Land Use Ordinance for street connection and parking lot construction requirements and set a public hearing for May 6, 2003. It is necessary for the Board of Aldermen to receive public comment prior to taking action on the draft ordinance.

INFORMATION

The Carrboro Collaborative Development Association's (CCDA) plans for the Pacifica development are currently under review by Town staff. The CCDA requested amendments to the Land Use Ordinance (*Attachment B*) that would revise ordinance provisions related to street connections, road standards and parking lot construction standards. The Board of Aldermen reviewed the request on March 11, 2003 (*Attachment C*) and directed staff to prepare a draft ordinance that

1. Modifies public street standards to allow for the utilization of alternative street standards for development plans that meet low impact development standards.
2. Establishes those street standards
3. Establishes standards for low impact development (among those standards would be a minimum of 15% affordable housing units provided for under the Affordable Housing Density Bonus provisions).
5. The street standards shall be sensitive to the site and surrounding infrastructure.
6. Establishes an alternative parking area standard that allows the vehicle overhang area that is located behind a parking chock to be unpaved and grassed.

A draft ordinance has been prepared in response to the Board's direction. Applicable existing ordinance sections are attached (*Attachment D*). The draft ordinance contains seven sections, described below:

Section #	Substance of Section	Comments
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1	Amending Section 15-296 (a) to reference the new subsection (h)	
2	Adds a new subsection (h) to 15-296 that whenever a project requires a special or conditional use permit, the vehicle overhang area may be unpaved.	The text changes and new standard will allow, in developments seeking special or conditional use permit approval, parking areas to contain unpaved portions of any space so long as the paved portion is constructed per the new detail, Appendix D-3
3	Amends Appendix D to include the illustration of an alternate parking space treatment.	
4	Adding a new Section 15-216.1 that allows alternative street design in projects requiring a special or conditional use permit and meeting 3 additional conditions dealing with low impact development site design, inclusion of 15 percent affordable housing, and	Additional language is needed to specify circumstances when the sidewalk requirement may be reduced. Suggested provisions, to be included as Section 15-216 (c) follows this table.
5.	Amends Appendix C to include a new public street standard for “Low-Impact Development Street Design Elements.”	Two new standard drawings have been prepared, as shown in draft Standard Drawing No. 27.
6	Amends Section 15-217 (a) to clarify connection requirements to surrounding streets.	
7	Repeals any provisions of a town ordinance that is in conflict with the changes included in these amendments.	
8	Establishes an effective date (upon adoption).	

Reduction in impervious surface may be noted as one aspect of the low-impact development approach to site design. The alternative standard that has been prepared includes a note that the permit-issuing authority may reduce the sidewalk requirement. Conditions that would assist in deciding when such a reduction is appropriate are included in the draft ordinance.

Discussion

The Board of Aldermen has expressed, in its direction regarding this request, a desire to provide alternatives to existing public street standards. In so doing, an opportunity may be established to strengthen the inter-relationship of community objectives that are often dealt with separately (e.g. affordable housing and minimizing long-term environmental impacts of development). Balancing all community objectives in relation to costs, of installation, maintenance, and lifespan, is also of critical importance.

Town staff has examined examples of alternative street designs from a variety of locations and adopted standards from a couple of locations and has identified the minimum elements that might be included within a public street and believes that the standards presented here address the Board’s directions from

March 11th to the maximum extent possible. With regard to the CCDA request, the standard does not specifically permit the inclusion of features within the right-of-way that might also function as water quality treatment devices. This decision was based on reliability and maintenance issues that might arise when the limited area devoted to the right-of-way is also supporting water quality treatment features. The technology associated with these features is still emerging and, as evidenced by the very limited number of “standards” that have been adopted in other local governments, there is some uncertainty associated with the long-term results of the water quality function and the integrity of a street.

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

- 1) Taking no action and leaving ordinance provisions as they are.
- 2) Directing staff to modify the provisions that have been prepared and set another hearing to consider these, if there is a substantial shift in the focus or impact of any amendments.
- 3) Adopt the draft ordinance.

The Board of Aldermen referred the draft ordinance to the Planning Board, Transportation Advisory Board and the Environmental Advisory Board for recommendations. Recommendations are attached (*Attachment E*).

RECOMMENDATION

The Administration recommends that the Board that the Board of Aldermen adopts the draft ordinance.