

BOARD OF ALDERMEN

ITEM NO. D(3)

AGENDA ITEM ABSTRACT

MEETING DATE: October 7, 2003

TITLE: Report: Control of Residential Tear-Down and Rebuilding Activities

DEPARTMENT: Planning	PUBLIC HEARING: NO
ATTACHMENTS: A. Resolution/Ordinance (to be attached) B. Article XII of the Land Use Ordinance C. Draft ordinance	FOR INFORMATION CONTACT: Patricia McGuire, Planning Administrator -- 918-7327 Mike Brough, Town Attorney – 929-3905

PURPOSE

The Board of Aldermen's 2003 Action Agenda Project List includes developing an ordinance to control tearing down and rebuilding of residential units where small homes are replaced with considerably larger structures. An overview of this matter is included in this report.

INFORMATION

Residential teardown and rebuilding activities have been on the rise in many communities where older neighborhoods have become desirable or where traditional housing stock no longer meets the needs of new residents. These changes can have a positive impact on an area's tax base as the changes often result in higher property values and may inspire additional improvements to and investments in other properties. The community, however, may view rebuilding and replacement negatively when the size, shape, or style of the new or refurbished structure seems incompatible with the existing homes or when such changes increase the cost of housing

Carrboro has seen a few examples of teardown and rebuilding in recent years. A quick assessment of building activity revealed that two single-family homes have been removed and replaced by larger homes since early 2001. Two other homes have been expanded to include additional dwelling units and one home was moved to allow the construction of two duplexes. Several other homes been expanded by large additions during the same time period. A summary of this activity is included in the table below.

	Original Area (square feet)	New Area (square feet)	Zoning District
<i>Replacements</i>			
Removed in 1996	1,200	2,208	R-7.5
Removed in 2001	700	1,525*	R-10
<i>Addition with no change in number of dwellings</i>			
	931	1,591	R-7.5
	1,600	3,528	R-R

	Original Area (square feet)	New Area (square feet)	Zoning District
	1,300	2,743	R-R
<i>Addition – increase in number of dwellings</i>			
Conversion to duplex	750	1,850	R-10
Accessory apartment added	900	1,272	R-7.5

Note: Non-conforming density- LUO amendments in 2002 to limit size of replacement structures.

Over two hundred permits for new, single-family residences and over two hundred and fifty permits for additions to residential structures were issued during this same time frame. The average sizes of residential units, since January 2001, are noted in the following table.

Housing Unit Type	Average Size (square feet)
Single-family residence	3,499
Duplex	1,189

Note: Includes only those housing types constructed in specified time frame.

Overview of Ordinance Provisions Related to Tear Down and Rebuild

The construction of residential units is controlled by several factors. Those factors with the greatest effect on “build-out” of residential units are the density and dimensional regulations included in Article XII of the Land Use Ordinance (*Attachment B*). These requirements establish limits, often referred to as a “building envelope” within which a residential unit or units may be constructed. Additional factors, such as parking and screening further define the level of intensity that may occur. Other factors, such as location, potential to conduct a home business, rent out rooms, or provide temporary lodging (i.e. bed and breakfast conversion) may influence a property owner’s decision to expand or replace an existing structure.

Per the Board’s direction in the Action Agenda project list, an ordinance has been drafted to control tearing down and rebuilding residential units in circumstances where residential units already exist or have been recently removed. Rather than focusing on situations where small houses are replaced by considerably larger structures, the draft ordinance addresses situations where the existing homes are expanded, additional residential units are added to existing lots, or residential units are removed and replaced with larger structures. The amendment modifies the permit requirements for the construction of or addition to single-family residential dwelling units in the R-2, R-3, R-7.5, and R-10 to require a special use permit whenever the gross square footage of the new structure, if only one, exceeds 3,500 square feet. Where the lot may contain more than one structure, the threshold for the gross square footage of all structures is 5,500 square feet.

FISCAL IMPACT

Amending the Land Use Ordinance would involve staff analysis and administration of the proposed amendment, advisory board review, and advertising costs associated with ordinance preparation and public notice.

RECOMMENDATION

The Administration recommends that the Board of Aldermen set a public hearing date of November 18, 2003 to receive comment on the draft ordinance and refer the draft ordinance to the Planning Board, Appearance Commission, and Orange County for review.