ATTACHMENT A-1

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ESTABLISH AN AFFORDABLE HOUSING REVIEW REQUIREMENT FOR RESIDENTIAL PROJECTS REQUIRING A SPECIAL OR CONDITIONAL USE PERMIT, WHEN SUCH PROJECTS DO NOT CONTAIN A MINIMUM OF 15 PERCENT AFFORDABLE UNITS

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Article IV of the Carrboro Land Use Ordinance is amended by adding a new Section 15-54.1 that reads as follows:

Section 15-54.1 Affordable Housing Review Requirement

(a) The Board has established a policy that encourages all developers of residential developments to construct or provide for the construction within such developments of a number of affordable housing units (as defined in Section 15-182.4 of this chapter) such that the number of affordable housing units constitutes at least fifteen percent of the total number of housing units within such developments. Sections 15-182.4 and 15-188 provide incentives to developers to construct such affordable housing units. However, the Board finds that some developers may not fully understand how the affordable housing provisions of this chapter operate or the incentives that are available under the ordinance to encourage affordable housing. Therefore, the Board concludes that, when developers of proposed developments containing five or more dwelling units propose to construct such developments without meeting the affordable housing goals established by the town for new developments, it may be beneficial to both the developers and the town for the Board and such developers to have an opportunity, prior to the formal consideration of a permit request, to discuss the town's affordable housing policy, the affordable housing opportunities and incentives provided by this chapter, and any questions or concerns such developers may have about utilizing those provisions. The remaining provisions of this section are designed to provide for that opportunity.

(b) The applicant for any residential development containing five or more dwelling units, and therefore required to obtain either a special use permit from the Board of Adjustment or a conditional use permit from the Board of Aldermen, shall be required to participate in an Affordable Housing Review Meeting with the Board of Aldermen if the residential development does not include fifteen (15) percent affordable housing units as defined in Section 15-182.4 of this chapter.

(c) Should an applicant for any residential development containing five or more dwelling units decide in the course of the development review process to remove any affordable housing that had previously been included, further review of the project will be delayed until the applicant participates in an Affordable Housing Review Meeting with the Board of Aldermen.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

REPORT ON PROPOSAL FOR A TWO-TIERED DEVELOPMENT REVIEW SYSTEM FOR RESIDENTIAL PROJECTS

On November 5, 2004, Alderman Alex Zaffron proposed that the Board of Alderman establish a new procedure for the review of development applications that would give preference to projects that take advantage of the Town's Affordable Housing Density Bonus, and therefore include 15 percent affordable units. A report on this matter has been prepared and a resolution was provided.

Marty Roupe, the town's Zoning Administrator, made the presentation.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION ACCEPTING A REPORT ON A PROPOSAL FOR A TWO-TIERED DEVELOPMENT REVIEW SYSTEM AND DIRECTING STAFF TO DRAFT LAND USE ORDINANCE PROVISIONS REQUIRING AN 'AFFORDABLE HOUSING REVIEW MEETING' FOR RESIDENTIAL PROJECTS REQUIRING A SPECIAL OR CONDITIONAL USE PERMIT, WHEN SUCH PROJECTS DO NOT CONTAIN A MINIMUM OF 15% AFFORDABLE UNITS
Resolution No. 85/2004-05

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that its existing and proposed policies and regulations are responsive to community needs; and

WHEREAS, the Carrboro Board of Aldermen seeks to provide a process that results in the effective implementation of its existing and proposed policies;

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN that the Board of Aldermen accepts the report on a proposal for a two-tiered development review system and directs staff to prepare ordinance provisions requiring an 'affordable housing review meeting,' for any residential project requiring a Special or Conditional Use Permit, when such projects do not contain a minimum of 15% affordable units, as defined by Section 15-182.4 of the Town's Land Use Ordinance. The review sessions will be scheduled on a quarterly basis.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 1st day of February, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Diana McDuffee, John Herrera, Michael Nelson, Alex Zaffron

Noes: Jacquelyn Gist

Absent or Excused: None

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ATTACHMENT C

TOWN OF CARRBORO

PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

JUNE 2, 2005

RECOMMENDATION ON LAND USE TEXT AMENDMENT – AFFORDABLE HOUSING REVIEW REQUIREMENT

Dave Clinton moved that the Planning Board request that the Board of Aldermen consider increasing the incentive used in the affordable housing density bonus provision rather than creating a disincentive penalty as is proposed in the draft ordinance.

VOTE: AYES (8) (Debra Fritz, James Carnahan, Frank Hammill, John Marshall, Dianne Reid, Seth Chadbourn, Ande West, and David Clinton); NOES; (0); ABSTENTIONS (0); ABSENT/EXCUSED (3) (Hogan, Paulsen, Poulton)

James Carnahan, Chair — June 23, 2005 (date)