

ATTACHMENT A

**A RESOLUTION ACCEPTING THE REPORT ON ALTERNATIVE SOLUTIONS TO
PERMITTING THRESHOLDS FOR DOWNTOWN DEVELOPMENT**

Resolution No. 91/2005-06

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that its existing and proposed policies and regulations are appropriate and beneficial, and;

WHEREAS, the staff has prepared a report on alternative solutions to permitting thresholds for development in downtown zoning districts.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accepts the report.

moderate-income households. Where used, mandatory set-aside programs have been successful. Their use is likely to grow as housing affordability problems become more acute.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT AND NEW URBANISM-SUPPORTIVE REGULATIONS

New urbanism is defined as the process of reintegrating the components of modern life—housing, workplace, shopping, and recreation—into compact, pedestrian-friendly, mixed-use neighborhoods and set in a larger metropolitan framework providing open space and transit. Several forms of new urbanist development have been enabled or required through development regulations.

Traditional Neighborhood Development (TND)

Also referred to as “neotraditional” development, TND is a style of development that works to emulate many of the features of urban neighborhoods of 50 to 100 years ago. It stresses a walkable scale, an integration of different housing types and commercial uses, and the building of true neighborhood centers with civic uses. TNDs were the first new urbanist forms to be recognized by development regulations, most commonly through enactment of a TND ordinance, a floating zone, or a special zoning district with mixed-use standards, extensive street and building design standards intended to establish pedestrian-friendly streetscapes, and its own plan review process.

Transit-Oriented Development (TOD)

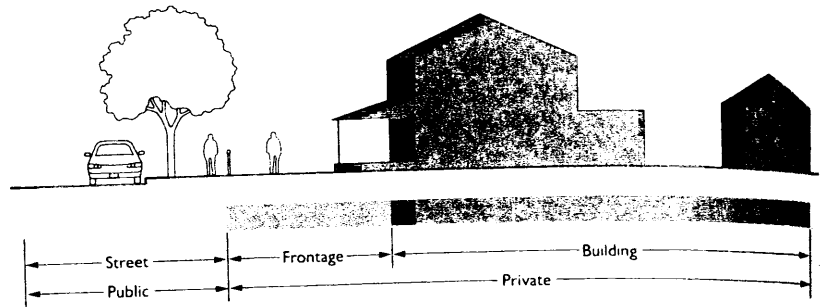
TOD is essentially a compact development built around transit stops, especially rail transit. The same attributes that define a TND—higher density, walkable scale, and mix of uses—are good generators of transit usage. The concept includes neighborhood and community levels of TODs to accommodate different land-use mixes and development intensities in conjunction with different transit types. TOD regulations are generally enacted as overlay or special zoning districts with mixed-use standards and pedestrian-oriented street and building design standards that focus on a central transit stop. (See *Transit-Oriented Development* in Part IV of this book for more information.)

Form-Based Zoning

This approach seeks to regulate building form rather than, or in addition to, land use. It establishes zones of building type based on pedestrian accessibility and the scale and character of surrounding development, but largely allows building owners to determine how the buildings will be used. Form-based codes typically contain a regulating plan that identifies which building envelope standards apply to which block frontages; building envelope standards that set basic parameters for building height, setbacks, roof design, and fenestration; and architectural and streetscape standards.

Transect-Based Code

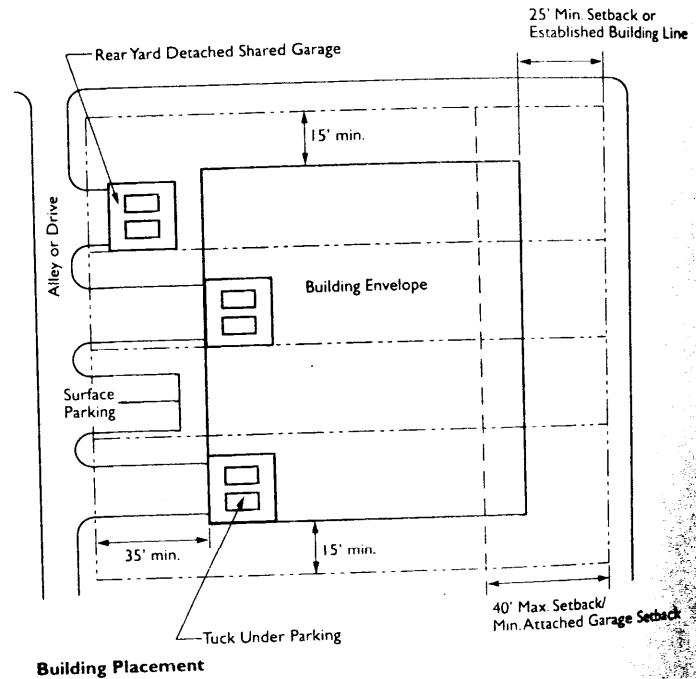
This approach is based on a series of habitats, or “ecozones,” on a continuum from wilderness to



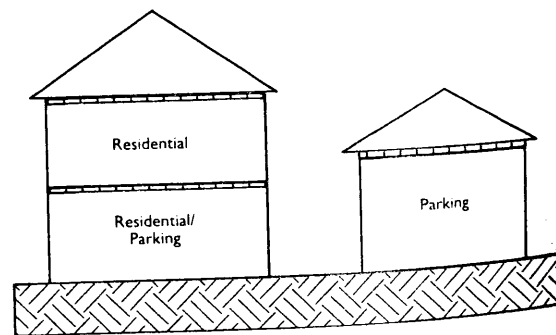
Three urban typologies comprise the public to private transition found in traditional neighborhoods: the street, the frontage, and the building. The frontage is the semi-public private area between the public street and the private building.

FRONTAGE-BASED CODE EXAMPLE

Source: Peter J. Musty, *Charrette Center Town Design*, Minneapolis



Building Placement



Building Use and Height

EXAMPLE OF FORM-BASED CODE, SINGLE-FAMILY ATTACHED

Source: URS Corporation

Stephen G. Sizemore, AICP, American Planning Association, Chicago, Illinois

PART 6 IMPLEMENTATION TECHNIQUES

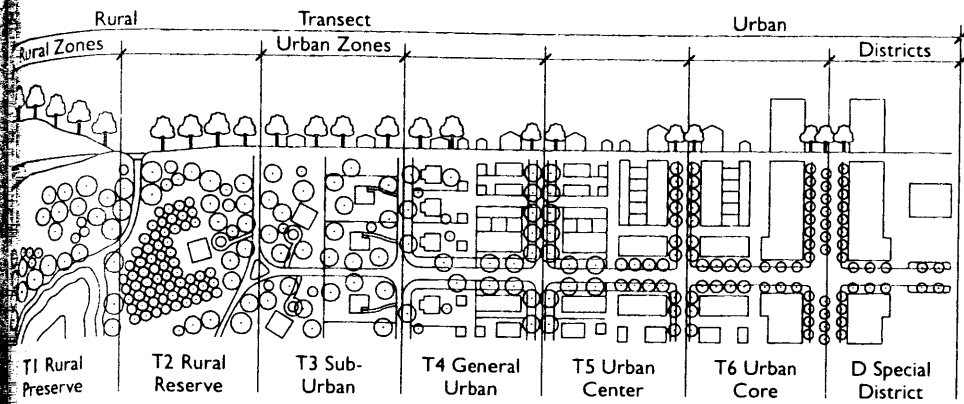


DIAGRAM OF THE TRANSECT SYSTEM

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MAIN CHARACTERISTICS OF TRANSECT ZONES

TRANSECT ZONE	MAIN CHARACTERISTICS
Rural Preserve	Open space legally protected from development in perpetuity. Includes surface water bodies, protected wetlands, public open space, and conservation easements.
Rural Reserve	Open space not yet protected from development but should be. Includes open space identified by public acquisition and areas identified as transfer of development rights (TDR) sending areas. May include floodplains, steep slopes, and aquifer recharge areas.
Sub-Urban	The most naturalistic, least dense, most residential habitat of a community. Buildings consist of single-family, detached houses. Office and retail buildings are permitted on a restricted basis. Buildings are a maximum of two stories. Open space is rural in character. Highways and rural roads are prohibited.
General Urban	The generalized, but primarily residential, habitat of a community. Buildings consist of single-family, detached houses and rowhouses on small and medium-sized lots. Limited office buildings and lodging are permitted. Retail is confined to designated lots, typically at corners. Buildings are a maximum of three stories. Open space consists of greens and squares.
Urban Center	The denser, fully mixed-use habitat of a community. Buildings consist of rowhouses, flex houses, apartment houses, and offices above shops. Office and retail buildings and lodging are permitted. Buildings are a maximum of five stories. Open space consists of squares and plazas.
Urban Core	The densest residential, business, cultural, and entertainment concentration of a region. Buildings consist of rowhouses, apartment houses, office buildings, and department stores. Buildings are disposed on a wide range of lot sizes. Surface parking lots are not permitted on frontages. Open space consists of squares and plazas.

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urban core. The ecozones are distinguished by varying density and character of the built environment. Development in each is regulated by design standards for building setbacks, height, and façade treatment, as well as for parking location, street design, and creation of a public realm. Regulation of uses is limited, principally to encourage mixed-use development.

SUMMARY

American communities are in the middle of an extraordinary era of regulatory reform, unmatched since the advent of zoning in the 1920s. Innovations in local development regulations will continue to evolve, and new innovations are sure to arise. What makes the newest innovations special is the context in which they are being developed—not just as variations of conventional development controls, but reflective of new and increasingly accepted concepts about how neighborhoods and communities should be shaped and function.

REFERENCES

Duany, Andrés, and Emily Talen. 2002. "Transect Planning." *JAPA* 68(3): 245–266. Chicago: American Planning Association.

See also:

Conservation Development
Planned Unit Development
Transit-Oriented Development

The MISSION
 of the Office of Design
 Research, Extension
 and Engagement is to
 link resources of the
 College of Design with
 the needs of com-
 munities throughout
 the state and the
 world. This mission is
 accomplished
 through the delivery
 of knowledge and
 education programs
 to help design a
 better world.

The College of Design receives numerous
REQUESTS FOR PROJECT ASSISTANCE. These activities greatly enhance the academic experience as well as fulfill the College's mission and desire to serve the community. To accomplish these goals, projects requests must:

- Address broad community needs/issues.
- Be educational and/or research based.
- Not compete with the professional community.

The College does not have a budget for community projects. Applicants will need, at a minimum, to provide for expenses necessary to conduct the work. We try to fit the request with appropriate faculty interest, expertise and teaching efforts.

Please provide us with the information below to better serve your needs and meet the College's goals.

1. Project description:
 - a) Describe activity or need.
 - b) Identify and describe geographic location, size of area to be considered, or scope of project.
 - c) Identify issues, problems and community concerns that will be addressed.
 - d) Identify educational objectives and audience.
 - e) Identify tasks and timelines.
2. List partnerships and participants.
3. Identify resources available to support project activity such as funds to cover travel, materials, expert personnel to provide information, etc.

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The purpose of the Natural Learning Initiative (NLI) is to promote the importance of the natural environment in the daily experience of all children and families, through environmental design, action research, education, and dissemination of information.

Communities are assisted in creating stimulating places for play, learning, and environmental education – environments that recognize human dependence on the natural world. The NLI Team collaborates with educators, playleaders, environmental educators, planners, politicians, and all professionals working for and with children.

Information: www.naturalllearning.org



As communities across North Carolina cope with the effects of growth, many seek assistance from the state's Cooperative Extension Service, which in 1999 formed partnership with the College of Design to deliver expertise in the areas of planning and design.

Individuals or communities come to the College of Design's Research and Extension Program to receive assistance on issues related to sustainable design, open space and urban planning, downtown revitalization and environmental management, including techniques to restore the landscape. Projects take the form of workshops, interactive charrettes, funded research or in-service learning efforts involving students in landscape architecture, architecture, graphic design or industrial design. Community needs are addressed by engaging citizens, professionals, students, and faculty in a cooperative effort.

Information: www.design.ncsu.edu/research

Since its formation in 1989, the Center for Universal Design has developed an international reputation for expertise in accessible and universal design. The Center's mission is to improve the built environment and products for all users by affecting change through research, design, development, design assistance, information dissemination, and training.



The Center's scope of activities includes all aspects of the built environment, including public and private buildings, housing, landscapes, and tools and objects of daily use. The goal of universal design is to make the practical, day-to-day activities and tasks involved in living possible and safer so no one is excluded due to the design of a product or their environment.

Universal design benefits all people and when done well, like all good design, it is invisible.

Information: www.design.ncsu.edu/cud



Excerpt from the Town of Chapel Hill Land Use Management Ordinance:

4.3 Concept Plan Review

Purpose Statement: *It is the intent of the Site Analysis Data and Conceptual Development Plan process to provide an opportunity for the Town Council, Town Manager, the Community Design Commission and citizens to review and evaluate the impact of a major development proposal on the character of the area in which it is proposed to be located. This process is intended to take into consideration the general form of the land before and after development as well as the spatial relationships of the proposed structures, open spaces, landscaped areas, and general access and circulation patterns as they relate to the proposed development and the surrounding area.*

4.3.1 Applicability

(a) *Proposals Subject to Review by Community Design Commission*

This Section applies to any:

- (1) Special Use Permit or a Special Use Permit Modification; or
- (2) Master Land Use Plan or a Master Land Use Plan Modification; or
- (3) Major Subdivisions.

(b) Proposals Subject to Additional Review by Town Council

- (1) An application that meets any of the minimum thresholds established in subsections (1) or (2), below, shall require Town Council review as provided in Section 4.3.2, below, in addition to Community Design Commission review:

Thresholds (minimum)	TC-1, TC-2 Zoning Districts	All Other Zoning Districts
Land Area	15,000 square feet	5 acres
Floor Area	20,000 square feet	100,000 square feet
Dwelling Units	35 dwelling units	50 dwelling units

- (2) If an application does not meet the thresholds established in subsection (1), above, the applicant may request review by the Town Council. The Town Council may determine to review the application, or it may decline to review the application. Such request shall be filed at least fifteen (15) days in advance of a regular meeting of the Town Council. The Town Council's determination shall be rendered at its next regular meeting after receiving a complete request for Town Council review.

4.3.2 Procedures**(a) Application Submittal Requirements**

Applications for Site Analysis Data and Conceptual Development Plan review shall be filed with the Town Manager. The Town Manager shall prescribe the form(s) on which information shall be submitted. Forms shall include the name and address of the applicant, the name and address of the owner of each zoning lot involved, and the relationship of the applicant and property owner in connection with the plan. If the applicant or property owner is an entity other than an individual, the plans shall also include detailed information regarding the principals of the entity. Forms shall include the name of the project principals and indicate the project principals development experience. The Town Manager shall prescribe any other material that may reasonably be required to determine compliance with this Chapter and relationship to the Town's Comprehensive Plan with sufficient copies for necessary referrals and records.

No application shall be accepted by the Town Manager unless it complies with such submittal requirements. Applications that are not complete shall be returned forthwith to the applicant, with a notation of the deficiencies in the applications

(b) Time Frame for Action on Concept Plans

Upon receipt of a complete Concept Plan, the Town Manager shall forward all information submitted by the applicant for review by the Community Design Commission within thirty (30) days.

(c) Aspects of Review

The Town Council and Community Design Commission, in examining development applications, are to consider the various aspects of design, with special emphasis on whether the proposed development is consistent with the Town's Design Guidelines and the Goals and Objectives of the Town's Comprehensive Plan.

(d) Community Design Commission Review

- (1) The Community Design Commission shall review the application and shall submit its written recommendation to the applicant and Town Council, if applicable.
- (2) The Community Design Commission shall consider public comments and shall base its recommendation on its determination of whether or not the application conforms to applicable provisions of this Chapter.
- (3) The Community Design Commission shall provide its recommendations to the applicant within thirty-five (35) days of the meeting at which a complete application is considered, or within such further time consented to in writing by the applicant or by Town Council resolution. If the Community Design Commission fails to prepare its recommendation to the applicant within this time limit, or extensions thereof, that agency shall be deemed to recommend the application without conditions.

(e) Town Council Review

- (1) After receiving the recommendations of the Community Design Commission, the Town Council shall review the application in the same manner as prescribed in subsection (d), above. The Town Council may appoint a subcommittee to review the application. The Mayor shall determine the membership of the subcommittee.
- (2) The Town Council may conduct its review concurrent with the Community Design Commission.
- (3) After considering public comments and the recommendations of the Community Design Commission, the Town Council shall adopt a resolution transmitting its preliminary recommendations to the applicant.

4.3.3 Criteria

The Concept Plan is a preliminary step toward the preparation of a formal development plan. All Concept Plans should demonstrate a high quality of overall site design. The design and construction of site elements should include appropriate descriptions and explanations of the relationship and balance among site elements, the relationship of the development to natural features, neighboring developments and undeveloped land, access and circulation systems, retention of natural vegetation, minimal alteration of natural

topography, mitigation of erosion and sedimentation, mitigation of stormwater drainage and flooding, arrangement and orientation of buildings and amenities in relation to each other and to neighboring developments and streets, landscaping, preservation or enhancement of vistas, and mitigation of traffic impacts.