

BOARD OF ALDERMEN

ITEM NO. D(5)

AGENDA ITEM ABSTRACT

MEETING DATE: June 20, 2006

TITLE: Review of Revised Draft Ordinance to Establish Architectural Standards for Downtown Carrboro

DEPARTMENT: PLANNING	PUBLIC HEARING: YES _ NO X _
ATTACHMENTS: A. Revised draft ordinance B. Excerpt of Minutes from 1/24/06, 2/21/06, 5/16/06 C. Draft ordinance that establishes concept plan review requirement D. Recommendation re: Concept plan review process E. Resolution F. Approval template for plan/policy consistency findings G. Denial template for plan/policy consistency findings	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327

PURPOSE

The Board of Aldermen held a public hearing on January 24, 2006 and February 21, 2006 and a review on May 16, 2006 to consider proposed architectural standards for downtown Carrboro. The draft ordinance has been modified per the Board of Aldermen request and staff recommends its adoption.

INFORMATION

Following the public hearing, the Board of Aldermen referred the draft ordinance to the Planning Board, Economic Sustainability Commission and Appearance Commission for further consideration. The Board requested that a report be presented in three months time. A report was provided at the May 16th worksession, presenting the recommendations of a subcommittee of those advisory boards for adoption of the draft ordinance with a number of modifications. The subcommittee of advisory board members also discussed the benefits that a concept plan review process might yield in terms of early input by advisory and elected officials on a proposed project and recommended that an elective process be established. Minutes from the public hearings and worksession are attached (*Attachment B*).

At the conclusion of the discussion on May 16th, the Board of Aldermen directed staff to make several changes to the draft ordinance, as specified below, and to prepare a draft ordinance on the concept plan review process. The requested changes to the draft ordinance include:

1. Reinstate a requirement for a minimum of 60 percent glazing on the ground floor.
2. Add a definition of habitable space to the provision that requires parking to be shielded from rights of way by habitable space.
3. Reinstate the provision that requires building facades to be separated into increments of 45 feet or less using a variety of methods to articulate the façade.

4. Establish a two-year review and annual reporting component, modeled on that adopted in the Fall of 2005 when the amendment establishing a conditional use permit requirement for buildings over two stories in height was adopted.

The draft ordinance has been revised (*Attachment A*) in accordance with these instructions. Staff notes that the two-story/conditional use permit amendment was adopted on October 2005 with a three year “sunset clause”, or expiration. Staff has also prepared a draft ordinance in response to the concept plan proposal submitted by the advisory board subcommittee (*Attachment C*) and the original recommendation (*Attachment D*). It may be noted that the advisory board recommendation was for an elective process, rather than a mandatory one. Staff has prepared an amendment which would make the process mandatory, per the Board’s discussion on May 16, 2006. Should the Board wish to consider adoption of this amendment, a public hearing date must be set and the ordinance referred to the Planning Board and Orange County. A resolution that would accomplish those steps is provided (*Attachment E*). However, the format of the draft ordinance could be modified and incorporated into a policy that encourages, rather than mandates, applicants to participate in a concept plan review process.

The following table was provided for the Board’s review on May 16. The table summarizes the original action that was requested and a comment regarding the response provided by the revised ordinance.

DESIRED ARCHITECTURAL/SITE DESIGN CONTROL	REVISED DRAFT ORDINANCE PROVISION
Parking in rear – not facing the street	Section 15-178 (a) (4) <i>The draft ordinance requires parking areas to be substantially shielded from view by adjoining streets.</i>
Walls broken up by windows, other features that create depth	Section 15-178 (a) (1), (2), and (5)
Consider disallowing wood or vinyl siding on multi-story buildings	Section 15-178 (a) (4). This provision will allow wood-like clapboard or plank- style siding, but will not allow vinyl siding or wood panel products. Metal siding materials with exposed fasteners are also disallowed.
Setbacks for downtown streets – avoidance of canyon effect	Not applicable. Advisory board reviewers propose removal of the “20% shade-free area” that was included in the draft ordinance in response to this issue. Staff recommends that this language be retained.
Specific language about permissible types of metal siding	Section 15-178 (a) (4)
Expand prohibitions on metal buildings to all downtown districts.	“ “
Use design guidelines and VAS commercial center architectural requirements	<i>Of limited applicability. The revised draft ordinance retains the provision that would require building elements to “break up” the façade at 45-foot long intervals. Other provisions modeled on DDG and VAS are deleted in revised ordinance.</i>
Formally reference VAS for B-2 zoning district	<i>Of limited applicability. There are no references to the VAS in the draft ordinance; though the existing LUO provisions pertaining to architectural specifications for buildings in the B-2 are to be retained (the draft ordinance provision that would have removed them has been deleted).</i>

FISCAL IMPACT

The addition of a new Land Use Ordinance requirement can increase the cost of preparing and reviewing development plans. Additional staff time may also be required to support the Appearance Commission in its review of projects seeking approval under the alternative design and architectural review provision.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen consider adoption of the draft ordinance, which includes the recommendations of the joint review worksession advisory board member representatives, revisions requested by the board of aldermen, and the provision that establishes a 20 percent shade-free area requirement for buildings over 40 feet in height. The approval template (*Attachment F*) must also be adopted, if the Board proceeds with adoption of the draft ordinance.

The staff also recommends that the Board of Aldermen consider setting a public hearing (*Attachment E*) on the draft ordinance that establishes a concept plan review process or, alternatively, directing staff to prepare a concept review policy based on the advisory board recommendations that have been incorporated into the draft ordinance.