

BOARD OF ALDERMEN

ITEM NO. (3)

AGENDA ITEM ABSTRACT

MEETING DATE: August 22, 2006

TITLE: Public Hearing to Consider a LUO Text Amendment that Establishes Architectural Standards for Major Subdivisions

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO <u> </u>
ATTACHMENTS: A. Approval template for plan/policy consistency findings B. Denial template for plan/policy consistency findings C. Draft Ordinance D. Giles Blunden, April 11, 2006 memo E. LUO Article II, Section 15-177 and guide (15-141.2) F. VAS Review Subcommittee report and recommendations G. Chronology of VAS H. Minutes – Worksession on April 11, 2006 I. Memo from Town Attorney J. Comments and Recommendations	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327 Mike Brough – 929-3905

PURPOSE

The Board of Aldermen requested that staff prepare a draft ordinance from the entirety recommendations made by the Vernacular Architectural Standards Review Subcommittee. It is necessary to receive public comment prior to taking any action on the draft ordinance.

INFORMATION.

Soon after adoption of the Vernacular Architectural Standards (VAS) in May of 1999, the Board of Aldermen initiated a review process. The Board of Aldermen reviewed the VAS Review committee recommendations on March 8, September 20, and October 11, 2005. On April 11, 2006, the Board held a worksession to consider language the staff had prepared that would establish architectural standards in response to eleven of the General Design Standards the VAS committee had prepared.

The Board of Aldermen reviewed those possible ordinance provisions and discussed the various approaches with Giles Blunden and Jay Bryan, members of the VAS Review committee. The Board of Aldermen directed to prepare a draft ordinance, per a memo submitted by Giles Blunden (*Attachment B*).

Background

The Board of Aldermen adopted the Vernacular Architectural Standards as one component of its action to implement major initiatives of the Facilitated Plan for Carrboro's Northern Study Area. As adopted the VAS present a recommended architectural vernacular for three types of developments, major subdivisions, affordable, bonus units, and village mixed use developments. Copies of the VAS and those ordinance provisions referencing it attached. Following adoption of the VAS, the Board of Aldermen established a review process for the Vernacular Architectural Standards (VAS). A committee made up of citizens, architects, realtors, and public officials was established in early 2000. The committee has completed its work and provided a report outlining its recommendation (*Attachment F*). A chronology of specific actions related to the VAS is included (*Attachment G*).

The existing VAS are presented as recommendations for 50 percent of the dwelling units in all major subdivisions in Section 15-177 of the Land Use Ordinance and are illustrated in an attached document. The VAS are required per Section 15-141.2, Village Mixed-Use Development, and Section 15-182.4 Residential Density Bonus for Affordable Housing.

Draft Ordinance

The minutes from the April 11, 2006 meeting are attached (*Attachment H*). A memo from Mike Brough, describing the draft ordinance is also provided (*Attachment I*). The draft ordinance has been referred to the Planning Board, Environmental Advisory Board, Appearance Commission, Economic Sustainability Commission, and Orange County staff for review. Comments and recommendations are attached (*Attachment J*).

Description. The draft ordinance is principally a revision of Section 15-177 of the Land Use Ordinance. Section 15-177 is where recommended architectural standards for major subdivisions are currently detailed. The draft ordinance establishes an architectural standard for major subdivisions of five or more detached, single-family homes where the developer will create lots and control the construction of new homes. However, "housing developed by nonprofit organizations intended for first-time homebuyers earning less than 80% of the annual median income level for a family of four in the Raleigh-Durham-Chapel Hill Metropolitan Statistical Area is exempt from the provisions of this section." The requirement includes a series of general design standards, described more specifically under the headings "Landscape and site," "Context," and "Building design elements" and two options for meeting an architectural standard. The provisions vary in their specificity; per Section 15-177 (d) plans will need to address each of the design considerations set forth in this section. The developer's plans submitted with the application for a special or conditional use permit shall reflect that each of the following design considerations have been addressed, and the application shall contain a written narrative explaining how each of these design considerations have been addressed. The design considerations are divided into three categories: landscape and site, context, and building.

Consistency with the architectural standards will either be demonstrated through meeting the minimum criteria for vernacular architectural standards detailed in Section 15-177 (e) (1) (a) or through requesting approval of an alternative architectural standard described in Section 15-177 (e) (2).

In addition to exempting housing developed by nonprofit agencies to serve first time homebuyers in specified income ranges, the draft ordinance presented in May proposed deletion of the provision that currently requires affordable housing bonus units (allowed under Section 15-182.4 Residential Density Bonus for Affordable Housing) to comply with the “Village Mixed Use and Affordable Housing Vernacular Architectural Standards.” The Board of Aldermen may wish to discuss this further as the affordable housing density bonus is currently available to profit- and nonprofit developers of housing and removing some consideration of architectural standards for developments utilizing the density bonus would seem to be inconsistent with the policy in the Faciliated Small Area Plan for Carrboro’s Northern Study Area that inspired the VAS. Staff has made two revisions to the draft ordinance that was presented in May, as follows:

1. Added a provision that requires bonus units to demonstrate architectural harmony with the other units in the subject development, and
2. Added a provision that renames the the Village Mixed use and Affordable Housing Vernacular Architectural Standards to merely the Village Mixed Use Vernacular Architectural Standards.
3. Clarified that use of the Vernacular Architectural Standards is encouraged in order to comply with the Building design element component of the General Design Standards.

These revisions are shown in **bold** text in the draft ordinance attached to this agenda item.

FISCAL IMPACT

The addition of this requirement for major subdivisions is expected to involve design costs for the applicant and review costs for the Town. The magnitude of these costs has not been estimated and may vary from project to project based on the extent to which the site planning process would otherwise have included the designation of particular housing styles.

RECOMMENDATION

The staff recommends that the Board of Aldermen consider adoption of (*Attachment A*) of the resolution endorsing the consistency of this draft ordinance with established policy should the Board wish to establish architectural standards for major subdivisions (*Attachment C*). Adoption of the resolution finding otherwise should be adopted if the Board of Aldermen wishes to leave the existing regulations as they are.