TOWN OF CARRBORO

PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

7:30 P.M. ***TOWN HALL BOARD ROOM***

A G E N D A

THURSDAY, MAY 7, 2020

Item	Topic/Action	Person/Agency	Time (Approx)
I.	**WELCOME & INTRODUCTIONS**	Chair	7:30
II.	**JOINT REVIEW ITEMS**		
	A) Draft LUO Text Amendments relating to residential uses in the B-1(c) District	Staff	7:40
III.	**APPROVAL OF MINUTES**		
	A) April 30, 2020	Chair/Planning Board	8:00
IV.	**OTHER MATTERS**		
	A) Draft LUO Text Amendments relating to residential uses in the B-1(c) District	Chair/Planning Board	8:05
	B) Officer Elections	Chair/Planning Board	8:25
	C) Comprehensive Plan Committee Selection	Chair/Planning Board	8:40
V.	**ADJOURNMENT**	Chair	9:00

**To view the advisory board meeting, please email Tina Moon at cmoon@townofcarrboro.org to receive an invitation to view the meeting. If you wish to make public comment, at the time of the public comment, the staff person will be able to allow speakers to remotely enter the meeting one-by-one to comment. Please send any written statement or materials to the same email provided above. Requests to remotely attend the meeting shall be made within 24 hours of the meeting start time. The requester should also specify if they wish to make any comments in the email. All written statements and materials will be forwarded to the advisory board members.*

PUBLIC COMMENT AT PLANNING BOARD MEETINGS

If members of the public wish to address the Planning Board, a time will be provided during the meeting. Speakers may address the Board only after being recognized by the Chair and only from the podium, subject to a three-minute time limit.

TOWN HALL IS ACCESSIBLE FOR PERSONS WITH DISABILITIES.

FOR MORE INFORMATION, CONTACT STAFF AT 919-918-7325.

JOINT ADVISORY BOARDS

ITEM NO._____

AGENDA ITEM ABSTRACT

MEETING DATE: May 7, 2020

TITLE: Land Use Ordinance Text Amendments relating to residential uses in the B-1(c) District

DEPARTMENT: Planning	**PUBLIC HEARING: YES ___ NO_X_**
ATTACHMENTS: **A** Recommendation Template **B** Draft LUO Ordinance **C** Application	**FOR INFORMATION CONTACT:** Christina Moon – 918-7325 Patricia McGuire -- 918-7327

PURPOSE

The purpose of this item is to consider an ordinance to amend the text of the Land Use Ordinance relating to residential uses in the B-1(c) Zoning District (Town Center Business). The Town Council has set a public hearing for June 2, 2020 and has requested advisory board review prior to the hearing.

INFORMATION

Jim Spencer Architects, PA, working as the agent for Self-Help Ventures Fund, has submitted an application for text amendments to the Land Use Ordinance (LUO) to allow residential uses on the ground floor of the B-1(c) district to advance an affordable housing proposal (Attachment C). The project is part of a collaboration between Self-Help Ventures Fund and the Marian Jackson Center to redevelop property at 104 Cobb Street to provide four affordable townhome units.

The site is zoned B-1(c); Section 15-160.1 of the LUO prohibits residential uses on the ground floor of the district. A draft ordinance has been prepared to allow ground floor residential uses for affordable housing purposes under specific circumstances (Attachment B). The draft ordinance also allows for modifications to other provisions in the LUO, such as the use of different architectural standards and tree canopy standards, also under specific circumstances.

A public hearing has been set for June 2nd. The Town Council must receive public comments before adopting amendments to the Land Use Ordinance. Orange County and Planning Board review is also needed, and staff has identified the Affordable Housing Advisory Commission and Economic Sustainability Commission as other advisory boards for referral based on their purview.

RECOMMENDATION

Staff recommends that advisory boards review the draft ordinance (*Attachment B*) and consider adopting a recommendation for inclusion in the public hearing materials for June 2nd. A recommendation template has been provided for the boards to use (*Attachment A)*.

Attachment A

TOWN OF CARRBORO

_____

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, MAY 7, 2020

Land Use Ordinance Text Amendment Relating to Residential Uses in the B-1(c) District

Motion was made by _____ and seconded by _____ that the _____ of the Town of Carrboro recommends that the Town Council _____ the draft ordinance.

VOTE:
AYES: ( )
NOES: ( )
ABSTENTIONS: ( )
ABSENT/EXCUSED: ( )

Associated Findings

By a unanimous show of hands, the _____ membership indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Motion was made by _____ and seconded by _____ that the _____ of the Town of Carrboro finds the proposed text amendment, _____ consistent with *Carrboro Vision2020* particularly the provisions to support the wellbeing of special and vulnerable populations and provide housing for a diverse population, as well as Goal 1.1 and 1.2 in the Town's Affordable Housing Goals and Strategies, to increase the number of homeownership units that are permanently affordable and to allow for increased density for affordable housing purposes.

Furthermore, the _____ of the Town of Carrboro finds the proposed text amendment is reasonable and consistent with the public health, safety and welfare by furthering the Town's efforts toward providing housing for all of its citizens.

VOTE:
AYES: ( )
NOES: ( )
ABSTENTIONS: ( )
ABSENT/EXCUSED: ( )

_____

(Chair) (Date)

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING TO RESIDENTIAL USES IN THE B-1(C) DISTRICT

DRAFT 05-01-2020

THE CARRBORO TOWN COUNCIL ORDAINS:

Section 1. Section 15-160.1 of the Carrboro Land Use Ordinance is rewritten to read as follows:

Section 15-160.1 Residential Uses in B-1(c)

(a) Residential uses are not allowed on the ground floor of property within a B-1(c) district.

(b) Notwithstanding the foregoing, residential uses are allowed on the ground floor in the B-1(c) district when (i) the property is less than 10,000 square feet, (ii) the preexisting land use is residential, (iii) the development creates no more than four dwelling units, and (iv) every dwelling unit is an affordable housing unit pursuant to Subsection 15-182.4(b) of this chapter. Residential developments permitted by this section, shall not be eligible for a density bonus for providing affordable units under 15-182.4(i).

Section 2. Section 15-185.1(c) (Downtown Neighborhood Protection Overlay District Requirements) is amended by adding a fourth provision to read as follows:

(4) Notwithstanding the foregoing, if more than one building is constructed pursuant to Section 15-160.1(b) and the residentially zoned property is within the Lloyd/Broad Overlay District no separation between buildings shall be required.

Section 3. Section 15-204 (Downtown Livability Area and Urban Living Amenities) is amended by adding a new subsection (e) to read as follows:

(e) Notwithstanding the foregoing, when property is developed pursuant to Section 15-160.1(b) the dollar value of urban amenities, required by Subsection 15-204(d)(2) may be reduced to 3.5 percent of the assessed value of the land that constitutes the development site.

Section 4. Section 15-178 (Architectural Standards for Downtown Development) is amended by adding a new subsection (c) to read as follows:

(c) Residential projects in the B-2 district, or the B-1(c) and B-1(g) districts subject to the DNP Overlay District in Section 15-185.1, where every dwelling unit is an affordable unit, as defined in Section 15-182.4(b), may volunteer to adhere to the Village Mixed Use & Affordable Housing Vernacular Standards in Appendix L.

Section 5. Section 15-309 (Flexibility in Administration Required) is amended by adding a fourth provision in subsection (b) to read as follows:

(4) For use classification 1.320 constructed pursuant to 15-160.1(b) by allowing a less stringent street right-of-way screening.

Section 6. Subsection 15-319(1)(b) is rewritten to read as follows:

(b) Modifications to Canopy Coverage Standards

(1) The permit issuing authority may approve a development application that does not fully comply with the canopy coverage standards when it finds that the application substantially complies with these standards and that such a deviation enables the development to better achieve other Town objectives, such as the promotion of solar access to encourage active and passive solar technology for water and space heating and renewable energy generation, improved stormwater management, and the preservation of established managed landscapes, or established streetscapes, and the development of affordable housing under 15-161.1(b).

(2) Modifications for canopy coverage standards may be approved for the development of affordable housing under Subsection 15-161.1(b) so long as the application provides for an increase in canopy coverage by at least double.

Section 7. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed.

Section 8. This ordinance is effective upon adoption.

DRAFT

TOWN OF CARRBORO

LAND USE ORDINANCE AMENDMENT REQUEST

"Dear Potential Business Operator:

Please be advised that it may be necessary to meet with several members of Town staff as well as outside agencies to identify and fully understand all rules, regulations, and policies applicable to your business. Please refer to the 'Checklist for Opening a Business in Carrboro."

To the Town Council, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Carrboro Town Council to amend the Land Use Ordinance. In support of this application, the following facts are shown:

1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

See attached response.

2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):

See attached response.

3) State the reasons for the proposed amendment:

See attached response.

SIGNATURE: _____ Jim Spencer Architects

applicant *{print}*

ADDRESS: 109A Brewer Lane, Carrboro, NC 27510

TELEPHONE NUMBER: 919.960.6680

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March 27, 2020

104 Cobb Street
Carrboro, NC 27510
PIN: 9778-96-7546, 9778-96-7518

Land Use Ordinance Amendment Request

1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

The property at 104 Cobb Street in Carrboro is zoned B-1(C) Town Center Business. As stated in section 15-136, 'This district is designed to encourage and accommodate a unified, compact, contiguous shopping and entertainment area focused around restaurants, specialty shops, arts and crafts. This area is intended for development around a theme or themes consistent with the Carr Mill, The Station, and historic or old Carrboro. The area is intended to accommodate the pedestrian user.'

Although B-1(C) allows for residential use under certain circumstances, per section 15-160.1 Residential Uses in B-1(C) Districts, 'Residential uses are not allowed on the ground floor of property within a B-1(C) district.'

2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):

The proposed amendment would allow residential uses on the ground floor in the B-1(C), if the following criteria are met:

1) Every unit is classified as affordable under 15-182.4
2) The maximum number of units is limited to 4

If the above criteria are met, the development would adhere to the following standards:

a) In regards to the Downtown Livability and Urban Amenities Provisions, section 15-204, the dollar value of the urban amenities to be installed within the downtown livability area shall equal an amount to 3.5 percent of the assessed value of the land that constitutes the development site,

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determined as of the date the development permit is approved.

b) In regards to the architectural standards, the development be exempt from the Standards for Downtown Development, section 15-178, and instead adhere to the Vernacular Architectural Standards listed in 15-177 (d)(3).

c) Regarding the tree canopy, section 15-319, the development will adhere to a 15% tree canopy standard. The newly planted trees needed to meet this standard will be chosen from the list of North Carolina native tree canopy, provided in section 15-315.

3) State the reasons for the proposed amendment:

The proposed amendment creates an opportunity for small 100% affordable infill projects in the Town Center Business district that meets the Town's goals of increasing affordable housing stock, particularly housing for seniors, with access to public transit. Only permitting residential uses on the second or higher floors requires the installation of an elevator if units are to be accessible to seniors and persons with mobility issues. The cost of an elevator is cost-prohibitive to creating affordable housing that is accessible to seniors and provides access to transit.

The proposed development at 104 Cobb Street is a project of the Northside Neighborhood Initiative, a partnership between the Marian Cheek Jackson Center and Self-Help Ventures Fund. They are working with Habitat for Humanity of Orange County, and propose demolition of the existing structures and re-development of the site with four (4) affordable unit townhomes.

Self Help Ventures Fund has worked with the Jackson Center's Compass Group over the past two years to identify desired uses for the property by the residents of the neighborhood. The Compass Group identified the need for affordable housing, especially for elderly residents. Allowing residential on the ground floor would accommodate this identified need for the neighborhood.

The townhouses are designed with reverence to the architecture and scale of the Lloyd-Broad Neighborhood, which currently contains a mix of one and two story residences. Each unit will have a front porch, which will sit close to the street setback. The design proposes the use of gable dormers and will incorporate masonry accents, which are both elements found in the architecture of neighboring homes. The height of each unit is 11' above grade at the front porch. The second level is set back 5' off the footprint of the ground level and is 19' above grade at the spring line of the roof. The units are approximately 28' above grade at the ridge.

Regarding Consistency with Carrboro Vision 2020

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This project fully embodies the intent that Carrboro should, "interact with non-profit groups that work to provide affordable housing," stated in Section 6.17 - Housing for a Diverse Population of Carrboro Vision 2020. Further, the proposed text amendment with the specified criteria is an example of how the "town should continue to advocate for inclusionary zoning techniques to increase the local stock of affordable housing," as stated in Section 6.14 of Vision 2020.

The proposed development will be geared towards senior (age 55+) housing, with 2 units as fully ADA compliant and 2 units that can be easily converted to ADA. This would allow Northside Neighborhood elders to age in the neighborhood in which they live (where many of them grew up). It would also, "allow our senior citizens to interact fully with the larger community," and have access to public transit, as stated in Section 6.16 of Vision 2020.

Please see referenced sections of Carrboro Vision 2020 below as well as other sections that support the text amendment for this development.

1.35 Human Services
The town should consider the impact of its ordinances and policies on the well being of its most vulnerable citizens, including the elderly, children, those with disabilities and those living on low-, middle-, or fixed incomes.

2.52 Balanced and Controlled Development
The town should continue to require the construction of a diverse housing stock.

3.28 Downtown Vitality
Carrboro encourages a variety of appropriate residential developments – single-family, multi-family, SROs, et cetera – in the downtown especially as part of mixed-use developments.

Housing for a Diverse Population
6.11 Town policy should accommodate a variety of housing styles, sizes and pricing. It should also address issues of density, funding and rezoning to allow for more nondetached housing, mixed-use development, and communal living options.

6.14 The town should continue to advocate for inclusionary zoning techniques to increase the local stock of affordable housing.

6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.

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6.17 The town should interact with non-profit groups that work to provide affordable housing, including but not limited to the Land Trust, Orange Community Housing Corporation, Empowerment Inc., and Habitat for Humanity.

6.18 A minimum of 15 percent of the residential units in any residential development should meet the affordability criteria specified in Section 15-182.4 of the Carrboro Land Use Ordinance.

TOWN OF CARRBORO

PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

APRIL 30, 2020 -- REMOTE MEETING

MEMBERS	STAFF
Catherine Fray, Chair	Patricia McGuire
David Clinton	Tina Moon
Braxton Foushee, Vice Chair	Marsha Pate
Rachel Gaylord-Miles, Vice Chair	Marty Roupe
Kirsten Leloudis	Jeff Kleaveland
Elmira Mangum	
Eliazar Posada	
Susan Poulton	
Bruce Sinclair	**TOWN COUNCIL LIAISON**
Rasam Tooloee	Susan Romaine

Absent/Excused**:** n/a

I. WELCOME & AGENDA ADJUSTMENTS

The Planning Board Chair, Catherine Fray opened the meeting at 7:34 PM, and provided information relating to protocol for using the remote meeting platform. Members introduced themselves, and new members were welcomed to the board.

There were no adjustments to the agenda.

II. APPROVAL OF MINUTES

Foushee moved to approve the minutes; Clinton seconded the motion.

VOTE: AYES (10) Fray, Clinton, Foushee, Gaylord-Miles, Leloudis, Mangum, Posada, Poulton, Sinclair, and Tooloee; NOES (0); ABSENT/EXCUSED (0).

The March 5, 2020 Planning Board minutes were approved.

IV. OTHER MATTERS

A) Comments on Possible Adjustments to Planning Board Duties

The Planning Director, Patricia McGuire, provided a brief overview of the suggested adjustments to the Planning Board duties as a follow-up to the discussion on this topic at the March 5th meeting. McGuire noted the interest from the Environmental Advisory Board members, and others, for the EAB to focus on Town's climate action strategies rather than the development review process. The proposed adjustments would provide for the Planning Board and the Appearance Commission to take on some those development review duties—green building and low impact development, renewal energy to the Planning Board. Environmental protection, conservation of natural resources to the Appearance Commission.

Clinton reference the sustainable building worksheet and expressed comfort taking the additional subject matter for development review. Other members expressed some reticence as to whether they had the sufficient knowledge base to cover the additional duties, and asked if extra expertise could be brought in as needed?

McGuire noted the traditional role of the Planning Board as having a more comprehensive role in plan review than some of the boards, noting also that at times advisory board comments have overlapped. Council Member Romaine asked if the adjustments could be considered as a pilot, which could be revisited if needed. Members also expressed regret over the loss of the Environmental Advisory Board, an advisory board with special expertise, and wanted to be sure that their knowledge based would not be lost. McGuire and Romaine expressed the desire and necessity to strike a balance between the needs of the community, staffing restraints and overall development growth. It was agreed that the process and role of the newly, suggested boards will be monitored and adapt as other needs affect it.

B) Comprehensive Plan Committee Selection

McGuire provided an overview of the upcoming comprehensive planning effort scheduled to get underway during the summer/early fall, focusing on the process and the elements that will make up the plan. The process will include a significant amount of public input, and Town advisory boards are being asked to select representatives to participate on the Comprehensive Plan Task Force. The Planning Board has been allocated five seats on the task force, the three officers (chair and two vice chairs) and two other members of the board. A tentative schedule has been set for four task group meetings (most likely on a weeknight) in September, October, December (2020), and February (2021). Break out groups will have various tasks and roles that will result in the final plan.

Several members of the Planning Board expressed interest in participating on the task force. Since the recommended task force structure includes the officers, and the Planning Board has delayed elections for new member appointments, the group agreed by consensus to hold officer elections at the upcoming meeting on May 7th and to select the remaining two task force members afterward.

IV. ADJOURNMENT

Motion was made by Foushee to adjourn the meeting, seconded by Poulton. The April 30, 2020 Planning Board meeting adjourned at 8:52 PM.

DRAFT