

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, APRIL 18, 2019

Item	Topic/Action	Person/Agency	Time (Approx)
I.	WELCOME/AGENDA ADJUSTMENTS	Chair	7:30
III.	APPROVAL OF MINUTES		
	A) April 4, 2019	Chair/Planning Board	7:35
IV.	OTHER MATTERS		
	A) Finalize Comments on Draft LUO Text Amendment relating to Historic Rogers Road	Chair/Planning Board	7:40
	B) Discussion on Preliminary Draft Ordinance & Master Plan for Site Specific, Flexible Zoning District at Old NC 86/Eubanks Road	Chair/Planning Board	8:00
V.	ADJOURNMENT	Chair	8:30

Materials (PDF copies to be distributed separately via email):

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.



TOWN OF CARRBORO
PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

THURSDAY, APRIL 4, 2019 JOINT REVIEW

MEMBERS		GUESTS	STAFF
David Clinton	Rachel Gaylord-Miles	Caroline Dwyer, Renaissance Planning	Tina Moon
Braxton Foushee	Susan Poulton	Jay Bryan	Marty Roupe
Andrew Whittemore			Jeff Kleaveland
			Zachary Hallock
			Marsha Pate

Board Liaison: Barbara Foushee, Damon Seils, Bethany Aldermen

Absent/Excused: Catherine Fray, Jaye Meyer, Anise Vance, Kerri Petrin

Rachel Gaylord-Miles opened the meeting at 7:35 and facilitated.

I. AGENDA ADJUSTMENTS

There were no adjustments to the agenda.

II. JOINT REVIEW ITEMS

A) Upcoming Meetings

Tina Moon provided announcements on the upcoming: FLX District drop-in session on April 8th, noting that the information session will be held in Room 100 not Room 110 as previously scheduled, and a reminder of the annual advisory board recognition dinner on Thursday, April 25, 2019 at 6PM at the Century Center.

B) Review of LUO Text Amendments relating to Historic Rogers Road Community

Marty Roupe introduced the presenter from Renaissance Planning, Caroline Dwyer. Renaissance Planning is one of two consultant firms hired by Chapel Hill and Carrboro to orchestrate new land use and zoning concepts. Their work is based on the 2016 report, "Mapping our Community's Future." Dwyer has worked on the project since October 2018, facilitating meetings and drop-in sessions to obtain input from community residents on the potential zoning changes. Specifically, Dwyer provided an update on the development of zoning strategies and consideration of Land Use Ordinance Amendments relating to the Historic Rogers Road Community.

1 Dwyer touched on the history of the discussion groups (up to 40+ participants) and efforts
2 to translate the concepts to new zoning tools, specifically new zoning district categories.
3 The installation of public services—sewer, in particular—opens up the area to more
4 development potential. The neighborhood has expressed interest in limiting development
5 to residential and associated small-scale community commercial, such as home
6 occupations. The neighbors would like to keep the area preserved with some flexibility of
7 the mixed business/home use and create mechanisms to limit a large development.
8

9 Dwyer introduced the four key elements of the project which are to retain families living
10 in the area; connect to both Chapel Hill and Carrboro in meaningful ways, preserve socio-
11 economic limitations that influence housing costs and employment (via service- based on
12 a neighborhood scale with flexible space and limitations that are sensitive to noise limits),
13 and respect of the rural character of the area. The concerns and considerations include:
14 impact of current storm water conditions, traffic, expanding housing choices, inclusion of
15 home based businesses, dis-allowing commercial retail, and maintain a rural look with
16 sensitivity to the (potential) density of the area.
17

18 Moon explained in more detail the key elements of the proposed Land Use Ordinance text
19 amendment which would establish two new zoning districts, one residential and one
20 mixed-use, create new definitions, and related regulations.
21

22 Marty explained the differences between the zoning district categories within Chapel Hill
23 and Carrboro in regard to housing density, special use permits in effect now, and the plans
24 for the St. Pauli AME Retirement community that is unique. The Carrboro portion of the
25 Historic Rogers Road area is currently zoned Rural Residential (RR) which equates to
26 approximately one-acre per dwelling unit in Carrboro. New things: the notion of FLX
27 space, allowance of major home occupations, a more intensive version of home
28 occupations that are not currently allowed in Carrboro, and signage for home occupations.
29

30 **Two members of the public (Lynn Carrino and David Bellen) addressed the boards**
31 **and offered the following comments:**
32

- 33 ■ The property has no (historic) family residents. The Fox Meadow (Tallyho residents
34 outside the Roger’s Road boundaries due to the lack of sewers and the effect of well
35 water.
- 36 ■ Consider the run off from the area construction, consider the traffic and the impact of
37 “mixed use” for this quiet, rural area.
- 38 ■ Refer to the neighborhood as the “Rogers Live/Work Community.”
- 39 ■ Support for maintaining the legacy of the community be preserved and consideration
40 for the appropriate type of setbacks when defining the new ordinance.
- 41 ■ Awareness of the project and the newly proposed considerations for the Old NC
42 86/Eubanks Road.

43
44 *The Joint Review portion of the meeting ended at 8:40.*
45

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2 **III. APPROVAL OF MINUTES**
3

4 Foushee moved to approve the March 21 minutes; Whittefield seconded the motion. The
5 vote was unanimous: AYES (5) Clinton, Gaylord-Miles, Meyer, and Foushee.
6

7
8
9 **IV. OTHER MATTERS**

10 **A) Flexible Zoning District consideration at Old NC 86/Eubanks Road**

11
12 A group made up of staff, Planning Board and neighbors attended a walk about at 8:30
13 AM on April 4, 2019. The general comments of those on the walk about include: Overall
14 density of shaggy bark hickory and oak trees is unique. Concerns for the undergrounds
15 water sources on the property of surrounding neighbors and the affect blasting will have
16 on wells.
17

18 Recommendations are still under consideration but will address:

- 19 · Strengthening language to include the requirement that affordable housing they be
20 scattered throughout development with both multi and single family options.
- 21 · The scale of the office buildings will be best served as a cluster with separate parking.
- 22 · The suggestion that the circulation of the traffic be heavily considered for example, the
23 residential road should extend around the full site that include the two existing road from
24 Eubanks/ at the roundabout and Old 86/Dromoland knowing the area will grow in
25 density.
- 26 · Phasing in appropriate traffic with the understanding that further development will occur
27 in the area in the future.
- 28 · The observation that there might be a consideration for blasting which may affect.
29 drainage vs raising the surface with drainage filler for footings.
- 30 · The undisturbed buffer may need attention with falling trees or invasive species and the
31 amendment includes language to address this issue. The Board has some concern about
32 the mixed use of the buffer (designated in red)
33

34 The Board agreed to circulate the final letter for consideration and seek approval on April 11.
35

36 **B) Text Amendments relating to the Historic Rogers Road**
37

- 38 · The eight parcels that are being suggested for mixed use may not be compatible with the
39 proximity of the zoning with Tallyho Trail and neighborhood for the following reasons:
40 noise, odor use of gasoline and other chemicals. Comments are being drafted and once
41 reviewed and refined will be sent to the Board for consideration and final approval for the
42 recommendations.
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C) Comprehensive Bicycle Transportation Plan Update

- Review of an equity analysis with discussion of how data was obtained.
- Language identified that indicates the low stress islands and barriers for bike riding
- Moving forward with the study to be share with the community soon.
- Open Streets this weekend will have a table to educate the public

V. ADJOURNMENT

- Foushee motioned to adjourn the meeting; Poulson seconded the motion. The April 4, 2019 Planning Board meeting adjourned at 9:30 pm.

DRAFT

JOINT ADVISORY BOARDS

ITEM NO. _____

AGENDA ITEM ABSTRACT**MEETING DATE: April 4, 2019****TITLE: Update on Development of Zoning Strategies and Consideration of Land Use Ordinance Amendments Relating to the Historic Rogers Road Neighborhood**

DEPARTMENT: Planning	PUBLIC HEARING: YES ___ NO_X
ATTACHMENTS: A Recommendation Template B Draft LUO Ordinance	FOR INFORMATION CONTACT: Marty Roupe – 919-918-7333 Christina Moon – 918-7325 Patricia McGuire -- 918-7327 Caroline Dwyer, Renaissance Planning -- 919-636-5032 x 401

PURPOSE

The purpose of this agenda item is for advisory boards to receive a presentation from Renaissance Planning, the consultants leading a collaborative effort to implement the “Mapping Our Community’s Future” report for the Historic Rogers Road neighborhood, and to consider draft amendments to the Land Use Ordinance prepared in response to the report and subsequent community input.

INFORMATION

At the February 19, 2019 Board of Aldermen meeting, the Board received a presentation from Renaissance Planning on the series of community meetings held with residents in the Historic Rogers Road neighborhood on ways to implement the vision outlined in the “Mapping Our Community’s Future” report. (Agenda materials may be found at the following link <https://carrboro.legistar.com/MeetingDetail.aspx?ID=679784&GUID=7D469578-03C6-4BC6-A6F7-DA8A23CD41D9&Options=&Search=>) Renaissance Planning is one of two consultant firms hired by Chapel Hill and Carrboro to develop land use/zoning concepts based on the 2016 report and to facilitate meetings and drop-in sessions to seek additional input from community residents.

Staff from both jurisdictions have been working closely with Renaissance Planning to develop text amendments that would help realize the goals of the report, based on updated resident input from these community meetings. The task is complicated by the fact that the Historic Rogers Road community extends into both jurisdictions. Staff is working to make the ordinances as similar as possible to maintain the overall neighborhood cohesiveness while still meeting the individual requirements of each municipality’s land use plan and zoning regulations.

At the March 21, 2019 Board of Aldermen meeting, the Board set a public hearing on the Carrboro draft ordinance for April 23rd. (Meeting materials may be found at <https://carrboro.legistar.com/MeetingDetail.aspx?ID=678571&GUID=ABCD5145-DDD0-4077-8022-65E70D9C4D59&Options=&Search=>) The ordinance if adopted, would establish two new

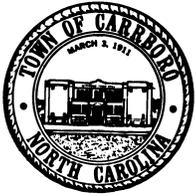
districts, with provisions for slightly higher density, (up to three lots per acre), expanded home occupation choices, and a mixed use area with opportunities for flex space and office uses.

The Board has requested Planning Board, Transportation Advisory Board, Economic Sustainability Commission and Northern Study Area Advisory Commission review of the draft ordinance based on their areas of expertise. Staff anticipates further refinements to the draft ordinance as it moves forward to a public hearing.

RECOMMENDATION

Staff recommends that advisory boards review the draft ordinance (*Attachment B and Attachment C*) and adopt a recommendation for inclusion in the public hearing materials for April 23, 2019. A recommendation template has been provided for the boards to use (*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, APRIL 4, 2019

Land Use Ordinance Text Amendment Relating to the Historic Rogers Road Community

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

VOTE:

AYES: ()

ABSENT/EXCUSED: ()

NOES: ()

ABSTENTIONS: ()

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 the provisions in *Carrboro Vision2020* to promote diverse housing options with regard to type and size, the *Facilitated Small Area Plan for Carrboro's Northern Study Area* to allow for opportunities for commercial uses at a community-scale, and the four principals of the "Rogers Road: Mapping our Community's Future" report.

Furthermore, the _____ of the Town of Carrboro finds the proposed text amendment, prepared in response to a community initiative with considerable public input from the residents it is intended to serve is in the public interest.

VOTE:

AYES: ()

ABSENT/EXCUSED: ()

NOES: ()

ABSTENTIONS: ()

(Chair)

(Date)

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ESTABLISH HISTORIC ROGERS ROAD RESIDENTIAL AND MIXED USE DISTRICTS AND ASSOCIATED DEVELOPMENT STANDARDS

DRAFT 3-15-2019

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. The Carrboro Land Use Ordinance is amended by adding a new Section, 15-136.1 Historic Rogers Road Districts Established, as follows:

Section 15-136.1 Historic Rogers Road Districts Established

- (a) The Historic Rogers Road districts, HR-R (residential) and HR-MU (mixed use), are established to implement the goals and recommendations of the *Mapping Our Community's Future* community planning effort, completed in May 2016. The intent of *Mapping Our Community's Future* and the HR Districts is to:
- 1) Create opportunities for long-term residents to continue living in the community and to age in place;
 - 2) Preserve the socioeconomic and cultural diversity of the neighborhood;
 - 3) Increase physical connections within the neighborhood, including for pedestrians and bicyclists;
 - 4) Respect and protect the natural character of the neighborhood;
 - 5) Ensure that new development is consistent with neighborhood character and the vision that residents have developed for its future;
 - 6) Provide greater residential housing choice, affordability, and diversity;
 - 7) Increase economic opportunities within the neighborhood;
 - 8) Increase recreational resources within the neighborhood; and
 - 9) Ensure that new development is adequately served by infrastructure, including streets, sidewalks, and utilities.
- (b) The HR-R zoning district is designed to protect and preserve the character of existing lower-density areas (minimum lot size 14,520 square feet, or no more than three lots per acre) within the neighborhood while providing for compatible new development, including new housing choice options, and increased home occupation opportunities for residents.
- (c) The HR-MU district is designed to provide for a broader range of housing and employment options by concentrating new development into nodes which will balance providing areas for desired new uses while protecting the overall neighborhood character. Uses appropriate in the HR-MU district include live-work units, flex space, and low-intensity neighborhood-serving establishments such as healthcare, assisted living, elder care, child care, and recreation facilities.

Section 2. Article II Section 15-15 Definitions of Basic Terms is amended by the addition of the following in appropriate alphabetical (and associated numerical assignment) order:

Flex Space. A building providing use flexibility for office and light industrial uses, such as printing, design, light assembly of products, artist space, or storage/warehousing. A flex space could also host a coworking center, where many individual small business owners or freelancers work alongside one another in common space, or a business incubator, where individuals working to launch new businesses can rent affordable space in which to perform office work and access shared resources such as printers, scanners, and other tools and services such as financial counseling and management training.

Home Occupation, Major. A Major Home Occupation is an accessory business use of a residentially-zoned property, that meets one or more of the following criteria: (i) employs up to six non-resident employees, who may work on site; (ii) utilizes outdoor storage of materials, supplies, products, or machinery; or (iii) generates noise, vibration, dust, odor, light, or glare that is visible from neighboring properties or the public right-of-way at any hour of the day. Examples of Major Home Occupations include: lawn care or landscaping services, woodworking shops, small engine repair, appliance repair, metalworking, and any home business with more than one non-resident employee. Examples of uses that shall not be allowed as Major Home Occupations include: hauling, and body shops for car, truck or motorcycle repair. Major home occupation uses are only permissible with a zoning permit in the HR-R and HR-MU districts, and are subject to the performance standards specified in Section 15-176.8.

Residence, Triplex. A three-family residential use in which the dwelling units share common vertical walls or horizontal floors/ceilings (including without limitation the wall of an attached garage or porch) and in which each dwelling unit has a living space on the ground floor and a separate, ground floor entrance.

Section 3. Section 15-146 (The Table of Permissible Uses) is amended by adding new use classification 1.350 entitled “Triplex” and by adding the letter “Z” opposite this use classification under the HR-R and HR-MU zoning district columns to indicate that this use is permissible in these districts with a zoning permit. This section is further amended by adding new use classification 1.910 entitled “Major Home Occupation” and by adding the letter “Z” opposite this use classification under the HR-R and HR-MU zoning district columns to indicate that this use is permissible in these districts with a zoning permit.

Section 4. Article XI, Supplementary Use Standards is amended by the addition of a new Section 15-176.8 Special Standards for Historic Rogers Road Districts, which reads as follows:

Section 15-176.8 Special Standards for Historic Rogers Road Districts.

- (a) All applicable provisions of the Carrboro Land Use Ordinance not specifically exempted or modified by this section shall apply to the HR-R and HR-MU districts.
- (b) The maximum size of any single-family dwelling constructed in the HR-R district after the effective date of this section shall be 2,000 square feet of heated floor area; the maximum size of any duplex or triplex dwelling unit constructed in the HR-R district after the effective date of this section shall be 1,200 square feet of heated floor area. Any dwelling unit in existence on the effective date of this subsection containing 2,000 square feet or greater of heated floor area may be increased by a maximum of 25% of the existing heated floor area. Any dwelling unit in existence on the effective date of this subsection containing less than 2,000 square feet of heated floor area may be expanded up to a maximum size of 2,000 square feet of heated floor area.
- (c) An undisturbed buffer, of no less than 30 feet, shall be maintained along the perimeter of the entire HR-MU district.
 - 1. The buffer shall consist of existing vegetation and/or new plantings to meet the requirements in Section 15-307(1) for an Opaque Type A screen.
 - 2. This area shall remain undisturbed except for the removal of noxious weeds and trees determined to be diseased by a Certified Arborist, and the installation of new plantings as required by the standards for a Type A screen described in subsection (c)(1) above.
- (d) Development within the HR-MU district shall be subject to the screening requirements of Section 15-306, to provide sufficient screening between uses, so long as a Type A screen is retained at the boundary line of any parcel in the HR-MU district where that parcel adjoins an adjacent property outside of the district.
- (e) As set forth in the Table of Permissible Uses, Major Home Occupations are permissible only in the HR-R and HR-MU districts, subject to the following standards:
 - 1. Major Home Occupations shall only be located on lots a minimum of one acre in size.
 - 2. No more than 50% of the heated square footage of the home shall be used for business purposes. This calculation does not include accessory structures in the total square footage calculation for the home.
 - 3. The maximum number of trips per day to or from the business shall not exceed 50.
 - 4. The on-premises sale and delivery of goods which are not produced on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service.
 - 5. No more than three business-associated vehicles shall be parked on-site.
 - 6. Business-associated vehicles shall be limited to vehicles allowed under a Class C license.
 - 7. Parking for vehicles associated with the business, including employee and visitor vehicles shall be provided on-site, pursuant to the requirements in Section 15-291.
 - 8. All business activities shall be a minimum of 40 feet from all lot lines.
 - 9. All noise, dust, vibration, odor, light, and glare-producing activities shall be located a minimum of 60 feet from all lot lines, and any activity that results in

noise, vibration, dust, odor, light, or glare shall only occur between the hours of 6 PM and 8 AM.

10. Any outdoor storage of materials, supplies, products, or machinery (excluding functional vehicles associated with the business) shall be screened with a Type A screen as described in LUO Section 15-307.

Section 5. Section 15-181 Minimum Lot Size Requirements, subsection (a) is revised with the addition of minimum lot size requirements for the HR-R and HR-MU zoning districts as follows:

<u>ZONE</u>	<u>MINIMUM SQUARE FEET</u>
HR-R	14,250
HR-MU	7,500

Section 6. Section 15-182 Residential Density, subsection (a) is revised with the addition of residential density requirements for the HR-R and HR-MU zoning districts, as follows:

<u>ZONE</u>	<u>Minimum Square Feet Per Dwelling Unit, Multi-Family, Triplex and Duplex</u>
HR-R	14,250
HR-MU	7,500

Section 7. Section 15-183 Minimum Lot Widths, subsection (b) is revised with the addition of minimum lot width requirements for the HR-R and HR-MU zoning districts, as follows:

<u>ZONE</u>	<u>Lot Width</u>
HR-R	100
HR-MU	50

Section 8. Subsection 15-184 Building Setback Requirements, subsection (a) is revised with the addition of setback requirements for the HR-R and HR-MU zoning districts, as follows:

<u>ZONE</u>	<u>Minimum Distance from Street Right of Way Line</u>		<u>Minimum Distance from Street Centerline</u>		<u>Minimum Distance from Lot Boundary Line</u>
	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign
HR-R	40	20	70	50	20
HR-MU	40	20	70	50	30

Section 9. Subsection 15-185 (a) (1) is amended to read as follows:

- (1) No building in any of the following zoning districts may exceed a height of thirty-five feet: R-3, R-7.5, R-10, R-15, R-20, RR, C, B-5, M-2, WM-3, O, O/A, and HR-R.

Section 10. The table included in Subsection 15-185 (a) (2) is amended by the addition of information on the maximum building height for the HR-MU zoning district, as follows:

<u>ZONE</u>	<u>Maximum Height</u>
HR-MU	40'

Section 11. Article XVII Signs, Section 15-271 is amended by adding a new subsection (e) to read as follows:

- (e) Signs for home occupations and major home occupations shall be permitted subject to the following provisions:
 - 1. A lot that houses a legally-established home-based occupation as an accessory use may have up to one wall-mounted sign with a maximum area of 4 square feet. In the HR-R and HR-MU districts, legally-established major home occupations may have up to one wall-mounted sign with a maximum area of 8 square feet.
 - 2. Signs must be non-illuminated.
 - 3. Signs shall comply with the standards of Sections 15-271, Permit Required for Signs, 15-275, Computation of Sign Area, and 15-282, Miscellaneous Requirements.

Section 12. Subsection 15-291 Number of Parking Spaces Required, 185, subsection (g) is revised with the addition of parking standards for Use 1.350, Triplex, and 1.910, Major Home Occupations, as follows:

<u>USE</u>	<u>PART I.</u> <u>PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)</u>
1.350	2 spaces for each dwelling unit, except that one bedroom units require only one space
1.910	4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others, plus one space for each non-resident employee

Section 13. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 14. This ordinance shall become effective upon adoption.

Review Guide

Provision	Text	Notes/Advisory Board Comments
Purpose	The purpose of this district is to establish detailed standards for alternative possibilities for the development of a specific tract of land, thereby facilitating the development of that property according to the demands of the market, but in a way that is consistent with sound planning and the promotion of the public health, safety, and welfare.	Part of language in LUO to allow FLX as a zoning district
	PART I. SITE SPECIFIC FLEXIBLE ZONING DISTRICT AT NC 86 AND EUBANKS ROAD	
15-350(a)	Pursuant to Section 15-141.5 of this Chapter, there is hereby established a Site Specific Flexible Zoning District for property located at the northeast corner of Old NC 86 and Eubanks Road.	Reference to Article IX, Zoning Districts, Zoning Map, identify this specific FLX district.
15-350(b)	The district shall encompass the five tracts or parcels of land that were the subject of the 2011 Northern Study Area—Eubanks Road Site Facilitated Workshop, a site specific planning study initiated by the Town of Carrboro. The district may be expanded to include additional parcels of land as long as such parcels: (i) are contiguous to the district, and (ii) become an integral part of the design for the district.	Reference to site specific planning study. More detail is needed for provisions (i) & (ii) to be clear how additional parcels could be incorporated into an existing district.
15-350(c)	All development in the district shall be governed by the provisions of this article.	
15-350(d)	Any applicable provisions of the Carrboro Land Use Ordinance not specifically exempted or modified by this section shall apply; and, for each of the land uses developed in the district, all provisions of the Land Use Ordinance pertaining to the use classifications for such land uses shall apply except as specifically exempted or modified by this section.	
15-350(e)	Development in the district shall be consistent with the 2011 site specific planning study in that the district shall include: (i) commercial uses at a neighborhood or community scale, (ii) diversity of housing types and sizes, (iii) shared green spaces, (iv) bicycle and pedestrian connectivity, (v) designated locations for transit service serving the district, (vi) central parking areas that can be shared among uses, and (vii) opportunities for uses intended to provide services for senior or elderly populations. Furthermore, development in the district shall be designed to retain a rural setting through the use of undisturbed buffers, building setbacks, landscaping, including, to the extent practicable, existing trees and the natural topography.	Reference to common elements from site specific planning study. More clarity is needed with regard to the term rural, and rural setting.

15-350(f)	The district shall contain four flexible use areas. Two of these areas shall be used for residential purposes, one for low-to- medium density residential and the other for high-density residential such as multifamily units. For the remaining two use areas, one may be used for a mixture of commercial and residential uses and the other for commercial uses. For the purpose of this section, the use areas shall be described with the prefix, “EU,” for example: EU-R1, EU-R2, EU-MU, and EU-C. Residential dwelling units may be located in all use areas, but the maximum density for the district shall be limited to _____; for the purpose of this calculation, accessory dwelling units shall be counted as a half dwelling unit. Specific requirements and performance standards for each use area are described in Subsection (h) below.	
15-350(g)	Development in the district shall be subject to the following requirements:	Subsection (g) speaks to provisions applicable to the district as a whole. It is a lengthy subsection with 11 subparts—itemized with one subpart per cell below.
15-350(g)(1)	<p>The more intensive uses of the district (i.e., EU-R2, EU-MU, and EU-C shall be oriented toward Eubanks Road.</p> <ul style="list-style-type: none"> a. Buildings that are visible from Eubanks Road shall be designed and constructed with two primary elevations or facades, one facing Eubanks and the other facing the corresponding internal street. b. A combination of a Type “B” semi-opaque screen and Type “C” broken screen shall be used along Eubanks Road to soften the visual impact of the building massing while retaining sufficient sight-lines for viewing signage and street intersections. 	
15-350(g)(2)	Development in proximity to Old NC 86 and the northern district boundaries shall: (i) consist of uses that are less intensive (i.e., EU-R1), or (ii) be constructed to bear a resemblance to residential buildings in terms of design or scale and massing. A Type “C” broken screen shall be used along NC Old 86.	
15-350(g)(3)	<p>The district shall contain a minimum of 20-percent open space as defined by Section 15-198(b)(1) of this chapter, except that the requirement for a minimum width of 50 feet, described in subsection 15-198(b)(2), shall be reduced to a minimum width of 25 feet.</p> <ul style="list-style-type: none"> a. At least 5 percent of the open space shall be maintained and centrally located for outdoor activities or visual enjoyment. b. Open space shall be connected to the bicycle and pedestrian 	

	<p>networks within the district.</p> <p>c. Up to 25 percent of the recreation facilities required for the residential uses pursuant to Section 15-196 of this chapter, may be located within the common open space described in subsection 15-350(g)(4)(a) above so long as such facilities are within a quarter mile of the residential use area they are intended to serve.</p>	
15-350(g)(4)	<p>A traffic impact analysis shall be conducted pursuant to Section 15-141.5(c)(10A) of this chapter as part of the establishment of the district.</p> <p>a. Access points to the district shall be provided off of Eubanks Road.</p> <p>b. Future road improvements to Eubanks Road and Old NC 86 shall be determined in consultation with NCDOT as part of the transportation impact analysis.</p> <ol style="list-style-type: none"> 1. Improvements shall include the construction of bicycle lanes and sidewalks along the road frontage for Eubanks Road. 2. Pursuant to Section 15-316 of this chapter, street trees shall be planted along Eubanks Road. <p>c. All streets shall connect to existing streets or anticipated or proposed surrounding streets pursuant to Sections 15-214 and 15-217.</p> <p>d. Internal streets shall be constructed to the design standards in Article XIV as public streets including, where required, bicycle and pedestrian infrastructure. Street trees shall be required in accordance with Section 15-316.</p> <p>e. Streets shall be designed to accommodate refuse and recycling collection in an efficient manner.</p>	
15-350(g)(5)	<p>The design for the district shall meet or, to the extent practicable, exceed the minimum tree canopy coverage standards described in Section 15-319</p>	
15-350(g)(6)	<p>A master parking plan shall be established for the district based on (i) the presumptive standards in Section 15-291 for the anticipated land uses in the four use areas, and (ii) an additional number of parking spaces equal to 20 percent of the total and located on the master conceptual plan for the district as “over flow parking area.” This additional number of parking spaces is intended to allow for flexibility in the overall development while assuring sufficient parking at any time. Applicant shall provide a table to account for scenarios relating to different use ratios for commercial and mixed-use use areas that</p>	<p>This may be too much parking, are the satellite parking provisions a better fit than the use of an over flow area? Perhaps a modification of the satellite provisions?</p>

	<p>have been used to generate the totals in (i) and (ii) above as well as any anticipated use of satellite parking.</p> <ul style="list-style-type: none"> a. All other standards applicable to parking (i.e., the dimensions for parking spaces, aisle width, percentage of compact and ADA spaces and shading requirements in Article XVIII and XIX) shall apply. b. The number of bicycle parking spaces and design standards in Sections 15-291 and 15-291.5 shall govern. 	
15-350(g)(7)	A bicycle and pedestrian network shall extend throughout the district, connecting the residential use areas to destinations within and outside of the district, including transit stops. The approximate location of this network shall be shown on the master plan. Infrastructure shall extend to the boundaries of the district to provide connections to existing and anticipated bicycle and pedestrian facilities outside of the district.	
15-350(g)(8)	The district shall include infrastructure for transit service, including pull-offs and/or bus shelters alongside and/or within the district. The approximate locations of transit facilities shall be shown on the master plan.	Arrange for discussion with Chapel Hill Transit to pursue bus service to district.
15-350(g)(9)	<p>The master plan for the district shall include a stormwater analysis sufficient to determine compliance with requirements of Article XVI, Part II, Storm Water Management for the overall district as well as each use area or phase of development.</p> <ul style="list-style-type: none"> a. The master plan shall include a timeline for the installation of stormwater features as well as the schedule for converting erosion control features into permanently maintained SCMs. b. Erosion control features shall be designed and installed to provide sufficient stabilization during each phase of development. c. Stream buffers and Town drainage easements located within the district shall be identified and delineated. 	
15-350(g)(10)	<p>Graphic illustrations adopted as part of the establishment of the district shall include examples of buildings and architectural standards for the district overall and for the use areas.</p> <ul style="list-style-type: none"> a. Buildings and architectural standards shall be generally consistent with the conceptual plans and narrative report prepared during the site specific planning study. b. Examples of architectural standards shall include representations of typical buildings and building elements by 	

	<p>use in each use area, such as building massing, roof design, the inclusion of porches or not, exterior cladding, fenestration patterns, etc.</p> <p>c. The adopted standards shall be used for the purposes of approving subsequent zoning and building permits.</p>	
15-350(g)(11)	A master sign plan shall be provided as part of the establishment of the district subject to the standards in Article XVII of this chapter. The total number of freestanding signs shall be limited to entrance signs at each point of access to the district and identification signs for the use areas.	
15-350(h)	For the purposes of this Section, the residential, mixed use and commercial uses areas may consist of the permissible uses identified in the Table of Permissible Uses adopted as part of the establishment of the district (Table 1 attached). All uses shall be subject to a zoning permit in accordance to Subsection 15-141.5(11)(d) and Subsection 15-350(o) of this chapter.	See draft table of permissible uses (Attachment C)
15-350(i)	Dimensional Standards – Tables	<p>Dimensions for the commercial and mixed-use use areas are based off of B-3 and O/A districts.</p> <p>This section could use more work. Should the commercial buildings be taller? Should the setbacks be smaller—allow buildings closer to the street/property line? Are there opportunities for more thoughtful ordinance writing in the design of the streets?</p>
15-350(j)	<p>In accordance with the standards described in Section 15-188 of this chapter, the district shall contain at least 25 percent size-limited dwelling units, consisting of at least 15 percent of the total dwelling units constructed with not more than 1,350 square feet in heated floor area, and 10 percent with not more than 1,100 square feet in heated floor area. The determination of square footage shall be made at the time such units are initially conveyed.</p> <p>The location of the size limited dwelling units shall not be limited to the residential use areas and may be located throughout the district so long as at least 25 percent of the total number of dwelling units meet the size limited criteria at any time.</p> <p>The inclusion of affordable housing units, as defined in Section 15-182.4 is encouraged. The maximum density for the district shall take into account the possible density bonuses permissible by the inclusion of affordable units, in subsection 15-350(f) above.</p>	Be thoughtful of provisions to provide for a diversity of housing types and sizes to encourage affordable housing. Remember that increased density, and more housing doesn't necessarily create affordable housing.

15-350(k)	Pursuant to the Section 15-196 of this chapter, active recreational areas and facilities shall be provided for the residential use areas (EU-R1 and EU-R2) in the district as determined by the calculations in subsections 15-196(b), 15-196(c), and Appendix G. The provisions outlined in subsections 15-196(e) through 15-196(g) shall also apply to the district. The urban amenities provisions, described in subsection 15-204, exclusive of 15-205, shall be applicable to residential units located in the commercial use areas (EU-MU and EU-C).	
15-350(l)	The number of parking spaces in the district for the residential use areas shall conform to the vehicular and bicycle space calculations in Section 15-291, except that parking for restaurant uses (8.000) shall be reduced from 1 space per 100 square feet of gross floor area to 1 space per 200 square feet of gross floor area. Requirements for shading in parking areas described in Section 15-318 shall apply to the district.	
15-350(m)	<p>Provisions for utilities shall be in compliance with Article XV of this chapter.</p> <p>(1) The petitioner seeking to rezone to a FLX district shall provide evidence of approval for water and sewer service by OWASA prior to the establishment of the district. The developer of any use area shall provide evidence of construction plan approval for the installation of water and sewer by OWASA prior to receiving permit approval of each use area.</p> <p>(2) Outdoor lighting in the district shall comply with the requirements of Article XV, Part II.</p>	
15-350(o)	<p>Development in the district shall be approved with a zoning permit, subject to the requirements in Article IV of this chapter.</p> <p>(1) Notwithstanding the foregoing, for the purposes of determining whether the development will have or may have a substantial impact on surroundings properties pursuant to Section 15-52(d), the administrator shall evaluate whether the development is consistent with the requirements of Section 15-350 and any graphic illustrations, such as a master plan, adopted as part of the establishment of the district.</p> <p>(2) The phasing or sequencing of development shall be determined as part of the establishment of the district.</p> <p>(3) Amendments to the provisions of this Section may be made after a new public hearing based on substantial changes in (i)</p>	Letter (n) missing in sequence

	<p>market forces, or (ii) circumstances regarding the use or development of properties within or in the vicinity of the district, or (iii) a request to increase the maximum density for the district.</p> <p>(4) Property within the district may be subdivided following the provisions applicable to minor subdivisions pursuant to Section 15-141.5(g).</p>	
15-350(p)	Pursuant to subsections 15-350(d) and 15-350(e) above, development in the district shall be governed by regulations in this article where articulated; standards are not specifically enumerated in this chapter are subject to the applicable regulations in this chapter.	
Reserved		