



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Meeting Agenda Board of Aldermen



Tuesday, October 14, 2014

7:30 PM

Board Chambers - Room 110

7:30-7:35

A. CONSENT AGENDA

1. **14-0291** Request to Make an Appointment to the Recreation and Parks Commission

PURPOSE: The purpose of this item is for the Mayor and Board to consider making an appointment to the Recreation and Parks Commission.

Attachments: Attachment A - Recreation and Parks Commission Appointment
Attachment B - Chair Recommendation Form

B. WORK SESSION

7:35-8:00

1. **14-0290** Continuation of Discussion on Joint Planning Public Hearing Item - Amendments to Allow for the Possibility of Locating Agricultural Support Enterprises in the Rural Buffer

PURPOSE: The purpose of this item is to continue the discussion and consider taking action related to proposed amendments to the Joint Planning Area Land Use Plan and Joint Planning Agreement which will make agricultural support enterprises allowable within the Rural Buffer portion of the Joint Planning Area. These changes are necessary in order for Orange County to approve proposed text amendments to its Unified Development Ordinance that will allow the new uses to occur within the Rural Buffer.

Attachments: Resolution on JPLUP and JPA 10-10-14.pdf

8:00-8:30

2. [14-0288](#) Continuation of Discussion on Proposed General Use Zoning Strategy for NSA Implementation

PURPOSE: The purpose of this item is to hone in further on details relating to a possible new mixed-use zoning classification as part of the

strategy to implement recommendations from the Northern Study Area Plan Implementation Review Committee (NSAPIRC).

- Attachments:** [Att A - Resolution](#)
 [Att B - Staff Memo](#)
 [Att C - Excerpts from Article X of the LUO](#)
 [Att D - Excerpts from Article II of the LUO](#)
 [Att E - Concept Plans from Design Workshop](#)
 [Att F - Images of potential building forms for MURT district](#)

- C. **MATTERS BY TOWN CLERK**

- D. **MATTERS BY TOWN MANAGER**

- E. **MATTERS BY TOWN ATTORNEY**

- F. **MATTERS BY BOARD MEMBERS**



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Agenda Item Abstract

File Number: 14-0291

Agenda Date: 10/14/2014

File Type: Abstract

In Control: Board of Aldermen

Version: 1

TITLE:

Request to Make an Appointment to the Recreation and Parks Commission

PURPOSE: The purpose of this item is for the Mayor and Board to consider making an appointment to the Recreation and Parks Commission.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Daniel Siler, Recreation and Parks Commission Chair

INFORMATION: William Potter has submitted an application to the Recreation and Parks Commission. The Recreation and Parks Commission chair has requested that the Board of Aldermen make the appointment and provided a recommendation form.

FISCAL IMPACT: N/A

RECOMMENDATION: It is recommended that the Mayor and Board adopt the attached resolution.

ATTACHMENT A

**A RESOLUTION MAKING AN APPOINTMENT TO THE
RECREATION AND PARKS COMMISSION**

WHEREAS, William Potter has submitted an application to serve on the Recreation and Parks Commission; and,

WHEREAS, there are three vacant in-town seats on the Recreation and Parks Commission.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES;

Section 1. The Board of Aldermen hereby appoints the following applicants to the Recreation and Parks Commission:

Seat Designation	Appointee	Term Expiration
In-Town	William Potter	2/2017

Section 2. This resolution shall become effective upon adoption.

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Name: Will Potter

Date of application/last contact: 10/06/2014

Summary of qualifications:

Mr. Potter brings a variety of qualifications that will make him an excellent applicant for an open position on the Recreation & Parks Commission. His longstanding personal relationship with its programs and his continued interest in participation as a parent coach give him insight that will prove valuable to the Board of Aldermen.

His professional role as one of the Town's emergency responders should also prove useful in evaluating programs and initiatives that come before the commission.

Advisory Board Chair reconfirmed applicant's interest in serving by phone or e-mail.

Yes No (Briefly explain: Mr Potter's interest in serving on a the Rec+Parks board remains strong.)

Applicant attended Advisory Board meeting prior to BOA review.

Yes (Date: _____) No (Briefly explain: Mr Potter intends on visiting the November meeting.)

Applicant has demonstrated a clear understanding of the time commitment, roles and responsibilities of serving on the Advisory Board.

Yes No

Briefly explain: We discussed the ongoing monthly time commitment as well as the importance of serving a full term.

In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. *Please note that candidates who do not meet any of these qualities are still eligible for appointment.* Please communicate any urgent needs and priorities for Advisory Board composition to your Board of Aldermen Liaison.

Recreation and Parks Commission

To Board Chairs: Please summarize applications as received; contact each applicant for any update one year after last contact; when positions are open, invite each applicant to attend a board meeting prior to making a recommendation.

Gender diversity

Racial or ethnic diversity

Age range diversity

Neighborhood/geographic diversity

Occupation, experience or special skills

Previous public service or community involvement

Other: _____

With the departure of Eric Allman from the Rec+Parks Commission, the prompt review and confirmation of Mr Potter will help ensure that the we have enough members to have regular meetings with the required quorum.



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Agenda Item Abstract

File Number: 14-0290

Agenda Date: 10/14/2014

File Type: Abstract

In Control: Board of Aldermen

Version: 1

TITLE:

Continuation of Discussion on Joint Planning Public Hearing Item - Amendments to Allow for the Possibility of Locating Agricultural Support Enterprises in the Rural Buffer

PURPOSE: The purpose of this item is to continue the discussion and consider taking action related to proposed amendments to the Joint Planning Area Land Use Plan and Joint Planning Agreement which will make agricultural support enterprises allowable within the Rural Buffer portion of the Joint Planning Area. These changes are necessary in order for Orange County to approve proposed text amendments to its Unified Development Ordinance that will allow the new uses to occur within the Rural Buffer.

DEPARTMENT: Planning

CONTACT INFORMATION: Patricia McGuire - 919-918-7327; pmcguire@townofcarrboro.org <<mailto:pmcguire@townofcarrboro.org>>; Christina Moon - 919-918-7325 - cmoon@townofcarrboro.org <<mailto:cmoon@townofcarrboro.org>>; Perdita Holtz - 919-245-2578 - pholtz@orangecountync.gov

INFORMATION: At the October 7th, 2014 meeting, the Board of Aldermen continued its review of a proposal from Orange County to adopt text amendments to the Joint Planning Area Land Use Plan and Joint Planning Agreement. Previous Board of Aldermen and advisory board recommendations and comments, considered at meetings on June 3, September 9 and October 7, are available for review at <https://carrboro.legistar.com/Calendar.aspx>.

Board Comment	Response
1. Modify sunset clause to establish 6-year review period and opportunity for expiration to be avoided.	The draft resolution includes this (see <u>underlined text</u>) as an additional amendment to the Joint Planning Agreement (Attachment A).
2. Modify resolution to indicate that, should ASE provisions expire, that any uses which had been established would be treated as permissible and not nonconforming.	The draft resolution notes this (see <u>underlined text</u>) as an additional change needed to the Orange County UDO in conjunction with the ASE amendments (Attachment A).

The draft resolution which includes proposed amendments to the Joint Planning Land Use Plan and Joint Planning

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Agreement, and other comments, is included as Attachment A.

The additional/modified provisions have been shared with Orange County staff. Any responses will be provided during the discussion of this item on Tuesday evening.

The Board of County Commissioners has continued its consideration of the UDO text amendments to November. The Chapel Hill Town Council is scheduled to continue consideration of the JPA amendments on November 10th.

FISCAL & STAFF IMPACT: None identified in association with approval of the changes to the Plan and Agreement.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the adoption of the resolution that approves amendments to the Joint Planning documents and recommends other actions related to the establishment of agricultural support enterprises in the Rural Buffer.

RESOLUTION AMENDING
THE JOINT PLANNING LAND USE PLAN AND JOINT PLANNING AGREEMENT TO
ALLOW FOR THE POSSIBILITY OF LOCATING APPROPRIATE LOW INTENSITY
AGRICULTURAL SUPPORT ENTERPRISES IN THE
RURAL BUFFER LAND USE CLASSIFICATION

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro entered into a Joint Planning Agreement originally dated September 22, 1987 and amended from time to time, and

WHEREAS, pursuant to the Joint Planning Agreement, a Joint Planning Land Use Plan was adopted on October 13, 1986 by all parties to the Joint Planning Agreement, and has since been amended on several occasions, and

WHEREAS, Orange County initiated amendments to the Orange County Comprehensive Plan and Unified Development Ordinance in order to adopt a regulatory program referred to as "Agricultural Support Enterprises Within the Rural Buffer Land Use Classification," a program the County has been working on since 2001, and

WHEREAS, amendments to the Joint Planning Land Use Plan and Agreement are necessary prior to Orange County adopting the aforementioned Comprehensive Plan and Unified Development Ordinance amendments, and

WHEREAS, a joint public hearing regarding the proposed Joint Planning Land Use Plan and Agreement amendments was held on March 27, 2014, in accordance with the requirements of the Joint Planning Agreement.

NOW THEREFORE, the Carrboro Board of Aldermen hereby resolves that the Joint Planning Land Use Plan and Agreement be amended as shown on the attached pages.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen recommends approval of all but four (i.e. Agricultural Processing Facility, Microbrewery w/Major Events, Winery w/Major Events, and Assembly Facility Greater than 300 Occupants) of the proposed agricultural support uses contained in

the draft ordinance modifying the Orange County Unified Development Ordinance that may only be enacted after the amendments to the Joint Planning Land Use Plan and Joint Planning Agreement have been approved.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen recommends that the Agricultural Preservation Board, the County's appointed agricultural advisory board be given the opportunity to comment on rezoning and land use permits related to ASE in the Rural Buffer.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen recommends that reuse of existing farm buildings, especially those 50 years or older, into new agricultural support enterprises, be encouraged by including in the draft ordinance provisions a mechanism for reducing or waiving the 100-foot property line setback requirements that would otherwise apply to such new enterprises.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen requests that an update on Agricultural Support Enterprises be provided annually at a joint public meeting of the parties to the Joint Planning Agreement.

BE IT FURTHER RESOLVED that the Joint Planning Agreement shall also be amended to include a new subsection 1.3 (D) Effective Date and Duration, to read as follows:

The Agricultural Support Enterprises amendments to the Joint Planning Land use Plan and Joint Planning Agreement approved on _____, shall expire by their own terms six years from their effective date and shall be deleted from the Joint Planning Area Land Use Plan and Joint Planning Agreement, respectively, on that date; provided that, these amendments shall not expire or be deleted from the JPALUP if the governing bodies of Orange County, Chapel Hill, and Carrboro each adopts a resolution expressing that governing body's desire that these amendments remain a part of the specified documents. Such resolutions may be adopted not sooner than five and one-half years and not later than six years following the effective date of the subject amendments.

BE IT FURTHER RESOLVED that the amendments to the Joint Planning Land use Plan and the Joint Planning Agreement described above and indicated on the attached pages shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill, and Carrboro.

BE IT FURTHER RESOLVED that any amendments to the County's Unified Development Ordinance that rely upon the attached amendments to the Joint Planning Area Land Use Plan or the Joint Planning Agreement in order to achieve the consistency with the Joint Planning Area Land Use Plan that the County requires, shall include provisions establishing that (i) such amendments to the County's UDO shall expire by their own terms if and on the date that the amendments to the JPALUP and the JPA expire as provided herein; and (ii) if the amendments to the UDO so expire, then any development or use for which a building permit was issued or that otherwise obtained a vested right during the period when those amendment were in effect (and that could not have been approved but for those amendments) shall be treated as a permissible use, rather than a nonconforming use.



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Agenda Item Abstract

File Number: 14-0288

Agenda Date: 10/14/2014

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Version: 1

TITLE:

Continuation of Discussion on Proposed General Use Zoning Strategy for NSA Implementation

PURPOSE: The purpose of this item is to hone in further on details relating to a possible new mixed-use zoning classification as part of the strategy to implement recommendations from the Northern Study Area Plan Implementation Review Committee (NSAPIRC).

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325; Patricia McGuire - 919-918-7327;
Mike Brough - 919-929-3905

INFORMATION: Since the presentation of the design workshop concept plans during the winter of 2011-2012, the Board has held two work sessions to begin to formulate a possible new general use zoning district to implement the recommendations of the NSAPIRC for mixed-use development opportunities in the Northern Study Area. At the first discussion on January 14, 2014, the Board considered a staff proposal for a new zoning classification, tentatively named Mixed Use Rural-Transition District (MURT) following the framework of the existing Office/Residential Mixed Use District (OR-MU). Staff also provided sample language for the MURT district that responded to the existing rural landscape through open space, screening and buffer requirements. (Information from the meeting can be found at:

<https://carrboro.legistar.com/MeetingDetail.aspx?ID=278049&GUID=9338808C-AF83-4BD4-A2B8-6B1DB90A1C52&Options=info&Search=>>).

At the June 10, 2014 work session, the Board begin a more in-depth conversation relating to the appropriateness of specific land uses, building massing and height. Considerable discussion focused on potential commercial uses and their target markets-surrounding residents, commuters traveling the I-40 corridor and/or a larger regional market. The Board asked staff to meet with the Chapel Hill-Carrboro Chamber of Commerce to better ensure the likelihood that proposed commercial uses would be a good fit. On September 30th Town staff met with Kristen Smith, with the Chamber of Commerce, and Omar Zinn, the owner of study parcel used in the design workshops, to discuss potential uses for the MURT district. Smith reported a deficit in the greater Carrboro community for many commercial uses, particularly retail. With that in mind the discussion shifted from eliminating, or substituting specific uses to focusing on the form of those uses, (e.g. building height and square footage allocations) and their placement on the site. The key takeaways from the meeting along with information relating to suggested uses and overall site design concepts from Mr. Zinn and the design workshops are outlined in the accompanying memo. (Attachment B). The Board has seen some of

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this material before as part of the previous agendas on this topic, but it is helpful to see all of the information together as it begins to frame the potential new district.

FISCAL & STAFF IMPACT: There is no fiscal impact related to the discussion of this item. Additional staff time is expected to finalize ordinance provisions. Costs associated with public hearings should be anticipated at the time the Board decides to advance LUO and map amendments for public input.

RECOMMENDATION: Staff recommends that the Board of Aldermen discuss the framework and proposed land uses relating to a possible new mixed-use zoning district and consider the resolution (Attachment A) to provide staff with direction toward drafting an ordinance that would create the new district.

A RESOLUTION PROVIDING BOARD INPUT ON THE SPECIFICS OF A PROPOSAL TO ESTABLISH A NEW MIXED USE RURAL-TRANSITION ZONING DISTRICT

WHEREAS, in the winter of 2011, the Carrboro Board of Aldermen sponsored a design workshop to explore ways to implement the some of the recommendations of the Northern Study Areas Plan Implementation Review Committee (NSAPIRC); and

WHEREAS, in January of 2014, the Carrboro Board of Aldermen considered a proposal to model a new mixed use zoning district based on the existing Office-Residential Mixed Use Zone (OR-MU); and

WHEREAS, in June of 2014, Town staff presented the Board with a more specific proposal to establish a new mixed use zoning district, described as Mixed Use Rural-Transition (MURT); and

WHEREAS, the Board expressed interest in reviewing and providing input on specific elements of the potential new zoning district; and

WHEREAS, the Board asked staff to consult with the Chapel Hill Chamber of Commerce regarding the market for different types of commercial uses in the proposed new zoning district,

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board directs staff to:

- 1) Prepare a draft ordinance based on the information presented, or with minor refinements, to request a public hearing; or
- 2) Prepare substantial revisions for further consideration at a future Board meeting;
- 3) Other.

This is the 14th day of October in the year 2014.



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL PLANNING DEPARTMENT

DELIVERED VIA: HAND MAIL FAX EMAIL

To: David Andrews, Town Manager
Mayor & Board of Aldermen

From: Tina Moon, Planning Administrator

Date: October 8, 2014

Subject: Input toward Potential new Mixed-Use District

BACKGROUND

During the January 2014 work session, staff provided the Board of Aldermen with a summary of the commonalities from the five 2011 design workshops concept plans and proposed a possible new zoning classification tentatively call Mixed Use Rural-Transition or MURT. Using the existing Office-Residential Mixed Use (OR-MU) as a model, the proposed MURT district could be structured in such a way that it would respond to the rural design emphasis in the concept plans while also implementing the recommendations of the Northern Study Areas Plan Implementation Review Committee (NSAPIRC) for mixed-use development.

At the June 2014 work session, the Board discussed in more detail specific land uses identified by Omar Zinn, owner of the study property used for the design workshops. Mr. Zinn had requested just under twenty land uses (six residential uses and thirteen non-residential uses) which he believed would be well-suited to the location. The uses included multifamily and senior living opportunities as well as a variety of commercial uses such as office, retail and restaurants. Board members asked questions about the potential commercial uses and their target markets—surrounding residents, commuters traveling the I-40 corridor and/or a larger regional market--and asked staff to meet with the Chapel Hill-Carrboro Chamber of Commerce to discuss appropriate uses for the area.

On September 30th Town staff from planning and economic development met with Kristen Smith, with the Chamber of Commerce, and Mr. Zinn to discuss potential uses for MURT district. Smith reported a deficit in the greater Carrboro community for many commercial uses, particularly retail, and shared with the group examples of recent economic development studies relating to commercial needs for additional information. Discussion shifted from eliminating, or substituting specific uses to focusing on the form of those uses (e.g. building height and square footage allocations) and their placement on the site.

What follows is the beginning of an outline for a new mixed use general zoning district (MURT) based on the information from the design workshops, Mr. Zinn and existing concepts in the Carrboro Land Use Ordinance. Recommendations are provided as the end of each section in italics.

OUTLINE FOR POSSIBLE NEW MURT DISTRICT

Residential Uses

- 1.110 Single Family Detached
- 1.220 Primary Residence with Accessory Apartment
- 1.320 Multi-Family Townhouses
- 1.330 Multi-Family Apartments
- 1.480 Nursing Care Home
- 1.630 Senior Citizen Residential Complex

The design workshop participants suggested residential density based on R-7.5 to R-15 zoning districts, (7,500 to 15,000 square feet per dwelling unit). The study property contains approximately 27 acres, which if calculating density based on the total acreage without any constraints could yield between 156 to 117 dwelling units, respectively. With natural constraints factored in the yield would be somewhat less. The design workshop participants considered density based on approximately 15 acres, and calculated reductions for open space requirements and environmentally sensitive site features. The resulting dwelling unit yield: approximately 21 units under the existing RR zoning classification (one acre or 43,560 square feet per dwelling unit), 121 units under R-7.5 and 84 units under R-10. Mr. Zinn has expressed a desire to construct approximately 120 multi-family units in an early phase of the development, to help cover infrastructure costs, with the possibility of constructing additional dwelling units later as single family dwellings. These later units could be specialized housing such as small houses, tiny homes, senior houses or something similar.

A residential density of R-7.5 (7,500 sq. ft. per du) with an opportunity for a density bonus for providing affordable housing per the existing Section 182.4, housing above commercial units, additional open space or a civic space amenity could increase the total density to approximately 180 homes. In accordance with the building height limitations in Section 15-185 for R-7.5, the maximum residential building height would be 35 feet. Additional maximums on building size could also be imposed to guide multi-family development to occur as moderate sized garden-type apartments of six to twelve units a building rather than monolithic blocks and/or high rise complexes.

Non-Residential Uses

- 2.110 High Volume Sales and Retail
- 2.112 Specialty High Volume Retail
- 2.120 Display of Goods Outside Fully Enclosed Building - Retail Low-volume Traffic Generation
- 3.110 Office, Clerical, Research and Services designed to attract and serve customers on the premises, such as the office of attorneys, physicians, insurance and stock brokers, etc.) operations
- 3.120 Office, Clerical, Research and Services designed to attract little or no customer or client traffic
- 3.130 Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area
- 5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school buildings) school or secondary
- 8.100 Restaurants
- 8.200 Restaurants Outside Service and Consumption

- 8.700 Mobile Prepared Food Venders
- 10.100 Independent automobile parking lots or garages
- 22.100 Child Day Care-Home
- 22.200 Child Day Care Facility

Mr. Zinn has identified a number of potential commercial uses for the site, as listed above. The selection of uses could support residents living on the site, offer some live-work opportunities, and accommodate some daily needs for senior residents, should the final development include a senior residential component. The addition of restaurant uses, particularly restaurants with outdoor service and consumption and mobile prepared food vendors seems well-suited to the site which is located in close proximity to a school and future park.

Three existing commercial districts--Outlying Concentrated Business (B-4), Neighborhood Business (B-3) and Office/Assembly (O/A)—most closely align with the proposed new MURT district in their purpose statement and selection of allowable uses, but none of the districts really model the envisioned mixed use district for community that will likely become more than just a commercial node. In addition, high volume sales and retail use, which might include a book store, is not allowed in any of the three districts. Restaurants are not permitted in B-3. Independent parking lots, (a staff suggestion to allow for future park-and-ride lots) is only allowed in the B-4 district.

Rather than select a single district to serve as the commercial element, as in a Planned Unit Development, the MURT could follow the Village Mixed Use model outlined in Section 176.2. The language in Section 15-176.2 identifies uses not generally authorized per the underlying zoning (R-7.5) and lists those uses, which could be allowed subject to a conditional use permit. Dimensional limitations could be imposed to prevent businesses uses from becoming too big and eliminate the potential for big box-type stores from overwhelming a medium sized commercial node. Commercial buildings—retail, office uses, restaurants--could be limited to certain size and height. For example a 50,000 square foot building (typical Harris Teeter) may be too large for the site, but a medium size building of 20,000 square feet (Yaggy Building or the Arts Center) may be appropriate. A slightly smaller size of 12,000-14,000 square feet (new PTA Shop) may be appropriate. Building heights could be limited to a maximum of three stories or 35 feet in height.

Commercial building placement on the site is also important. Commercial areas could designed along major transportation corridors for visibility and, in some cases required to have a second façade on the rear elevation to encourage the creation of internal streets, green spaces or courtyard spaces where people could gather.

POTENTIAL PERFORMANCE STANDARDS FOR THE MURT DISTRICT

The participants in the design workshops reiterated a design with nature theme that stressed the importance of green space within the development. Features such as open space, outdoor greens and gathering spaces, undisturbed buffers, tree planning, all emerged in the concept plans. Tree planting may be particularly important for development in this area, not only because environmental benefits but because of ability of trees to help soften the visual impact of new development. The following six bullets, developed from the design workshop analysis provide a potential starting point for performance standards for the MURT district.

- 1) *An overall design that respects the character of surrounding properties, particularly in those cases where the project is creating a transition from low-density community to a more urban development pattern which may require including a substantial (100 foot) perimeter buffer to*

minimize the visual impact of the project from the road and be subject to (15-161) good “neighbors” performance standards.

- 2) A design that respects the existing landscape, maintains a 40% open space requirement including visibly attractive and usable open space near commercial uses that can serve as traditional green square, park or assembly area, and a strong use of shade trees throughout--along street trees and in parking lots.*
- 3) If the development is constructed in phases, each phase shall provide for 40% open space within that phase of the development or within the current phase under development and any previous phases combined. At least 5% of the open space shall be centrally located, usable outdoor space: regularly mowed, and furnished with benches or other outdoor furniture to encourage passive outdoor activities and visual enjoyment.*
- 4) A connected network of complete streets and extra sidewalks to encourage pedestrian and bicycle travel within the complex, and offers multimodal travel as a reasonable alternative to get to and from the complex—TOD along transit route. A traffic study would be required for any project.*
- 5) A clearly defined phased plan, approved as a master plan step, and the ability to increase density as surrounding parcels become more urban. Future subdivision limitations if density calculation—include density bonus for affordable housing, and efforts to encourage transit and multi-model options.*
- 6) OWASA service would be required for any project.*

VISUALS

Images of the concept plans from the design workshops and concept plans are provided as Attachment E.

A selection of photographs submitted by Mr. Zinn is provided as Attachment F. The images convey a sense of potential multi-family residential and medium-sized commercial buildings that would be consistent with the ideas outlined above.

Article X

PERMISSIBLE USES

Section 15-146 Table of Permissible Uses.¹

The following Table of Permissible Uses should be read in close conjunction with the definitions of terms set forth in Section 15-15 and the other interpretative provisions set forth in this article.

¹The Table of Permissible Uses was amended 05/12/81 to add the R-SIR-2 and W categories.

The Table of Permissible Uses was amended 12/07/83 to delete the W category and to add the C, R-40, R-80, B-5, and WM-3 categories.

The Table of Permissible Uses was amended 02/04/86 to add the R-2, B-1(c), B-1(g), and CT categories; 04/05/88 the B-3T; and 04/16/91 the O and OA zones.

The Table of Permissible Uses of the Carrboro Land Use Ordinance was amended 6/22/04 to modify the permit requirements for the 8.000 uses.

The Table of Permissible Uses was amended 5/24/2005 modifying the use classification 15.800.

The Table of Permissible Uses is further amended 5/24/2005 by adding a new classification 17.400 Underground Utility Lines.

The Table of Permissible Uses is amended 3/7/06 by adding the letter “S” opposite use classifications 3.110, 3.120, and 3.130 under the B-3 district column to indicate that these uses are permissible with the special use permit in that district.

The Table of Permissible Uses is further amended 3/7/06 by replacing the designation “ZC” opposite use classification 3.150 under the B-3 district column with the designation “S” to indicate that this use is permissible in this district with a special use permit.

The Table of Permissible Uses is amended 6/26/07 by modifying the use classification 21.000 Cemetery and Crematorium by creating two new subcategories for this use so that the permit requirements now read as follows: 21.200 All other cemeteries; and 21.300 Crematorium.

The Table of Permissible Uses is amended by deleting the entries for 1.510 Hotels and Motels and 1.530 Bed and Breakfast, renumbering the remaining Temporary Residential use classification that is remaining, 1.520 Tourist Homes and other Temporary Residences Renting Rooms for Relatively Short Periods of Time, from 1.520 to 1.510; and a new use classification 34.000 Temporary Lodging with associated permit requirements.

Art. X PERMISSIBLE USES (con't)

The Table of Permissible Uses is amended 6/26/07 by changing adding the letter “S” opposite use classification 22.100 under the B-1-C district column to indicate that this use is permissible with a Special Use Permit in that district. The Table of Permissible Uses is further amended by adding the letter “Z” opposite use classification 22.200 under the B-1-C district column to indicate that this use is permissible in this district with a Zoning Permit.

The Table of Permissible Uses is amended 6/26/07 by changing the letter “S” to letter “Z” opposite the classification 22.200 under the B-2, B-4, and CT district column to indicate that this use is now permissible with a Zoning Permit in these districts.

The Table of Permissible Uses is amended 6/26/07 by relabeling use 22.300 as Senior Citizens Day Care, Class A and by changing the letter “S” to letter “Z” opposite the classification 22.300 under the B-2, B-4, and CT district column to indicate that this use is now permissible with a Zoning Permit in these districts.

The Table of Permissible Uses is amended 6/26/07 by adding a new use classification, 22.400, Senior Citizens Day Care, Class B and adding the letter “S” opposite this use classification under the columns for the R-2, R-3 R-7.5, R-10, R-15, R-20, RR B-2, B-4, and CT zoning districts, by adding a “Z” under the columns for the B-1(G), B-1(C), B-3, M-1, O, and O/A zoning districts.

The Table of Permissible Uses is amended 11/27/07 by adding the letter “C” opposite use classifications 2.112, 2.120, 2.150, 3.120, and 3.220 under the WM-3 district column to indicate that these uses are permissible with a Conditional Use Permit in that district.

The Table of Permissible Uses is amended 6/24/08 by adding a new use classification 8.700 entitled “Mobile prepared food vendors” and by adding the letter “z” opposite this use classification under the B-1(C), B-1(G) and M-1 zoning district columns to indicate that this use is permissible in those districts with a zoning permit.

The Table of Permissible Uses is amended 10/28/08 by adding the letter “C” opposite use classifications 2.210, 2.220, 2.230 under the WM-3 district column to indicate that these uses are permissible with a Conditional Use Permit in that district.

The Table of Permissible Uses is amended 11/24/09 by the addition of a “Z(l)” opposite the 5.110 use classification in the column for the B-4 zoning district to indicate that these uses are permissible with a zoning permit in that district, subject to the limitations provided in Section 15-147(m).

The Table of Permissible Uses is hereby amended 6/22/10 to include “electronic gaming operations” as use # 6.150 and to add the electronic gaming definition. Electronic gaming operations shall be permitted with a special use permit in the B-4 zoning district, and the Table of Permissible Uses is amended accordingly.

Art. X PERMISSIBLE USES (con't)

The Table of Permissible is hereby amended on 4/23/13 is amended by changing the permit designation “ZS” to “ZC” wherever the former designation appears in the table under the zoning district columns applicable to the commercial and manufacturing districts. No change shall be made with respect to use classification 26.100 (major subdivisions).

²Use classifications amendment/repeal dates are as follows:

1.112—Amended 10/01/85	8.600—Amended 06/22/04
1.120—Amended 10/01/85	9.100—Amended 6/25/02
1.420—Amended 05/10/83; 06/22/04	15.147—Amended 06/22/04
1.480-- Amended 04/19/05	15.800—Amended 05/24/05
1.640—Amended 10/22/85	17.400—Amended 05/24/05
1.700—{Repealed}	18.200---Amended 11/12/85
1.800	19.100---Amended 05/12/81
2.110	19.200---Amended 05/12/81
2.120	21.000—Amended 06/20/06
2.111--Amended 04/15/81; 12/14/82	21.100—Amended 06/20/06
2.210—Amended 05/28/02 ; 10/28/08	21.200—Amended 06/20/06
2.220—Amended 10/28/08	21.300—Amended 06/20/06
2.230—Amended 5/28/02; 10/28/08	22.100—Amended 06/26/07
3.110—Amended 03/7/06	22.200—Amended 06/26/07
3.120—Amended 03/7/06	22.300—Amended 06/26/07
3.130---Amended 03/7/06	2.120—Amended 11/27/07
3.140---Amended 12/07/83	2.150—Amended 11/27/07
3.150—Amended 03/7/06	3.120—Amended 11/27/07
7.200---Amended 05/10/83	3.220—Amended 11/27/07
8.100—Amended 06/22/04	8.700—Amended 06/24/08
8.200—Amended 06/22/04	2.210---Amended 10/28/08
8.500—Amended 6/22/04	2.220---Amended 10/28/08
22.400--Amended 6/26/07	2.230---Amended 10/28/08
34.000--Amended 11/28/06	5.110---Amended 11/24/09
34.100--Amended 11/28/06	6.150---Amended 06/22/10
34.200--Amended 11/28/06	ZS to ZC --- Amended 04/23/13
2.112—Amended 11/27/07	

TABLE OF PERMISSIBLE USES

Last Amended: 4/23/13

DESCRIPTION	R-2	R-3	R-7.5	R-SIR, SIR2, 10	R-15	R-20	RR	B-1 (C)	B-1 (G)	B-2	B-3	B-3-T	B-4	M-1	M-2	CT	C	W-R	B-5	WM-3	O	O/A
1.000 Residential																						
1.100 Single Family Residences																						
1.110 Single Family Detached One Dwelling Unit Per Lot																						
1.111 Site Built/Modular	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z		Z			Z	Z
1.112 Class A Mobile Home			Z	Z	Z	Z	Z											Z				
1.113 Class B Mobile Home																						
1.120 Single Family Detached More Than One Dwelling Unit Per Lot																						
1.121 Site Built/Modular	*	*	*	*	*	*	*		*	*	*	*				*					*	*
1.122 Class A Mobile Home			*	*	*	*	*															
1.123 Class B Mobile Home																						
1.200 Two-Family Residences																						
1.210 Two-Family Conversion	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.220 Primary Residence with Accessory Apartment	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.230 Duplex	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.231 Maximum 20% units > 3 bedrms/du	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.232 No bedroom limit	*	*																				
1.240 Two Family Apartment	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.241 Maximum 20% units > 3 bedrms/du	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.242 No bedroom limit	*	*																				
1.300 Multi-Family Residences																						
1.310 Multi-Family Conversion	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.320 Multi-Family Townhomes	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.321 Maximum 20% units > 3 bedrms/du	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.322 No bedroom limit	SC	SC																				
1.330 Multi-Family Apartments	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.331 Maximum 20% units > 3 bedrms/du	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.332 No bedroom limit	SC	SC																				
1.340 Single-Room Occupancy	SC							SC	SC	SC	SC					SC						
1.400 Group Homes																						
1.410 Fraternities, Sororities, Dormitories and Similar Housing	C	C	C	C	C	C	C		C	C						C						
1.420 Boarding Houses, Rooming Houses	S	S	S	S	S	S	S		C	S						C		C				
1.430 Adult Care Home, Class A	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z		Z			Z	Z
1.440 Adult Care Home, Class B	S	S	S	S	S	S	S		Z	Z						Z		S				
1.450 Child Care Home, Class A	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z		Z			Z	Z
1.460 Child Care Home, Class B	S	S	S	S	S	S	S		Z	Z						Z		S				
1.470 Maternity Home	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z		Z			Z	Z
1.480 Nursing Care Home	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z		Z			Z	Z
1.500 Temporary Residences																						
1.510 Tourist Homes and other Temporary Residences Renting Rooms for Relatively Short Periods of Time	S	S	S	S						S									C			
1.600 Homes Emphasizing Services, Treatment or Supervision																						
1.610 Temporary Homes for the Homeless		S	S				S	S		S	S	S										
1.620 Overnight Shelters for Homeless								S		S	S	S										
1.630 Senior Citizen Residential Complex				C	C																	
1.700																						
1.800																						
1.900 Home Occupation	Z	Z	Z	Z	Z	Z	Z			S	S	S				S		Z			Z	Z

TABLE OF PERMISSIBLE USES

Last Amended: 4/23/13

DESCRIPTION	R-2	R-3	R-7.5	R-SIR, SIR2, 10	R-15	R-20	RR	B-1 (C)	B-1 (G)	B-2	B-3	B-3-T	B-4	M-1	M-2	CT	C	W-R	B-5	WM-3	O	O/A
2.000 Sales and Rental of Goods, Merchandise and Equipment																						
2.100 No Storage or Display of Goods Outside Fully Enclosed Building																						
2.110 High-Volume Traffic Generation								ZC	ZC		ZC	ZC	ZC	ZC	ZC	C			C			ZC
2.111 ABC Stores								ZC	ZC		C	C	C			C						
2.112 Specialty High Volume Retail										ZC										C		
2.120 Low-Volume Traffic Generation								ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	C			C	C		ZC
2.130 Wholesale Sales									ZC			ZC	ZC	ZC	ZC	C			C	C		ZC
2.140 Drive-In Windows											C	C	C	C								
2.150 Retail Sales with Subordinate Manufacturing and Processing								ZC												C		
2.200 Display of Goods Outside Fully Enclosed Building																						
2.210 High-Volume Traffic Generation								ZC	ZC					ZC	ZC	ZC			C	C		ZC
2.220 Low-Volume Traffic Generation								ZC	ZC					ZC	ZC	ZC			C	C		ZC
2.230 Wholesale Sales									C					ZC	ZC	ZC			C	C		ZC
2.240 Drive-In Windows											C	C		C								
2.300 Storage of goods outside fully enclosed building																						
2.310 High-volume traffic generation														ZC								
2.320 Low-volume traffic														ZC								
2.330 Wholesale Sales														ZC								
2.340 Drive-in Windows														ZC								
3.000 Office, Clerical, Research and Services Not Primarily Related to Goods or Merchandise																						
3.100 All operations conducted entirely Within Fully Enclosed Building																						
3.110 Operations designed to attract and serve customers or clients on the premises, such as the office of attorneys, physicians, other professions, insurance and stock brokers, travel agents, government office buildings, etc.								ZC	ZC	ZC	S		ZC	ZC	ZC	C			C		ZC	ZC
3.120 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use								ZC	ZC	ZC	S		ZC	ZC	ZC	C			C	C	Z	ZC
3.130 Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area								ZC	ZC	ZC	S		ZC	ZC		ZC			C		ZC	ZC
3.140 Watershed research																	C					
3.150 Copy Centers/Printing Operations								ZC	ZC	ZC	S	ZC	ZC	ZC	ZC	ZC			ZC		ZC	

TABLE OF PERMISSIBLE USES

Last Amended: 4/23/13

DESCRIPTION	R-2	R-3	R-7.5	R-SIR, SIR2, 10	R-15	R-20	RR	B-1 (C)	B-1 (G)	B-2	B-3	B-3-T	B-4	M-1	M-2	CT	C	W-R	B-5	WM-3	O	O/A
3.200 Operations conducted within or outside fully enclosed buildings																						
3.210 Operations designed to affect and serve customers or clients on the premises														ZC	ZC				C			ZC
3.220 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use														ZC	ZC	C			C	C		ZC
3.230 Banks with drive-in window											C	C	C		C							
3.240 Watershed research																	C					
3.250 Automatic Teller Machine, Freestanding								C	C		C		C								C	C
4.000 Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment																						
4.100 All operations conducted entirely within fully enclosed buildings									ZC					ZC	ZC	C				C		C
4.200 Operations conducted within or outside fully enclosed buildings															ZC							
5.000 Educational, Cultural, Religious, Philanthropic, Social, Fraternal Uses																						
5.100 Schools																						
5.110 Elementary and secondary (including associated grounds and athletic and other facilities)	C	C	C	C	C	C	C	C	C				Z(1)					Z	C			
5.120 Trade or vocational school								Z	ZC				C	ZC	C	C			C			
5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc)							C	Z	ZC				C	C		C						
5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school buildings) school or secondary	ZS	ZS	ZS	ZS	ZS	ZS	ZS	Z	ZC	ZC	ZC	ZC	ZC	ZC		ZC		C	C		ZS	ZS
5.300 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities)																						
5.310 Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet	S	S	S	S	S	S	S	ZC	Z	Z	Z	Z	S	ZC		ZC			C		Z	ZS
5.320 Located within any permissible structures								ZC	ZC	ZC			S	ZC		ZC			C		C	ZS
5.400 Social, fraternal clubs and lodges, union halls, and similar uses								ZC	ZC	ZC			S	S		ZC			C			
6.000 Recreation, Amusement, Entertainment																						
6.100 Activity conducted entirely within building or substantial structure																						
6.110 Bowling alley, skating rinks, indoor tennis and squash courts, billiards and pool halls, indoor athletic and exercise facilities and similar uses.								ZC	ZC		ZC	ZC	ZC	ZC		ZC			C			

TABLE OF PERMISSIBLE USES

Last Amended: 4/23/13

DESCRIPTION	R-2	R-3	R-7.5	R-SIR, SIR2, 10	R-15	R-20	RR	B-1 (C)	B-1 (G)	B-2	B-3	B-3-T	B-4	M-1	M-2	CT	C	W-R	B-5	WM-3	O	O/A
6.120 Movie Theaters																						
6.121 Seating capacity of not more than 300								ZC	ZC				ZC	S		ZC						S
6.122 Unlimited Seating Capacity								S	ZC				ZC	S		ZC						
6.130 Coliseums, stadiums, and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1000 people								C	C				C	C		C						
6.140 Community Center--a Town sponsored, non-profit indoor facility providing for one or several of various type of recreational uses. Facilities in a Community Center may include, but are not limited to gymnasias, swimming pools, indoor court areas, meeting/activity rooms, and other similar uses	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z		Z
6.150 Electronic Gaming Operations													S									
6.200 Activity conducted primarily outside enclosed buildings or structures.																						
6.210 Outdoor recreational facilities developed on private lands, without Town sponsorship or investment, such as golf and country clubs, swimming or tennis clubs, etc. and not constructed pursuant to a permit authorizing the construction of a residential development.	S	S	S	S	S	S	S		C							C	C	C	C			
6.220 Outdoor recreational facilities developed on public lands, or on private lands with swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school																						
6.221 Town of Carrboro owned and operated facilities.	Z	Z	Z	Z	Z	Z	Z	Z	Z				Z	Z		Z	Z	Z	Z	Z		
6.222 Facilities owned and operated by public entities other than the Town of Carrboro	C	C	C	C	C	C	C	C	C				C	C		C	C	C	C	C		
6.230 Golf driving ranges not accessory to golf course, par 3 golf courses, miniature golf course, skateboard parks, water slides, and similar uses.														ZC						C		
6.240 Horseback riding stables (not constructed pursuant to permit authorizing residential development)							S							S			Z	C	C			
6.250 Automobile and motorcycle racing tracks															S							
6.260 Drive-in Movie Theaters														C								
7.000 Institutional Residence or Care of Confinement Facilities																						
7.100 Hospitals, clinics, other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area									C							C						

TABLE OF PERMISSIBLE USES

Last Amended: 4/23/13

DESCRIPTION	R-2	R-3	R-7.5	R-SIR, SIR2, 10	R-15	R-20	RR	B-1 (C)	B-1 (G)	B-2	B-3	B-3-T	B-4	M-1	M-2	CT	C	W-R	B-5	WM-3	O	O/A
7.200 Nursing care institutions, intermediate care institutions, handicapped, aged or infirm institutions, child care institutions	C	C					C		C							C			C			
7.300 Institutions (other than halfway houses) where mentally ill persons are confined									C							C						
7.400 Penal and Correctional Facilities																						
8.000 Restaurants (including food delivery services), Bars, Night Clubs																						
8.100 Restaurant with none of the features listed in use classification below as its primary activity								ZC	ZC(l)	C			Z						C			ZC
8.200 Outside Service or Consumption								ZC	ZC(l)	C			S						C			ZC
8.300 Drive-in (service to and consumption in vehicle on premises)													C									
8.400 Drive Through Windows (service directly to vehicles primarily for off-premises consumption)													C									
8.500 Carry Out Service (food picked up inside of off-premises consumption)								ZC	ZC(l)				Z						C			
8.600 Food Delivery								ZC	ZC(l)				Z						C			
8.700 Mobile prepared food vendors								Z	Z					Z								
9.000 Motor Vehicle-Related Sales and Service Operations																						
9.100 Motor vehicle sales or rental of sales and service									C					ZC	ZC							
9.200 Automobile service stations													S	C	Z							
9.300 Gas sales operations											S	S	S	C	Z							
9.400 Automobile repair shop or body shop									C			S	S	C	Z							
9.500 Car wash														C	Z							
10.000 Storage and Parking																						
10.100 Independent automobile parking lots or garages								ZC	Z				Z	Z	Z	C						
10.200 Storage of goods not related to sale or uses of those goods on the same lot where they are stored																						
10.210 All storage within completely enclosed structures														Z	Z							C
10.220 Storage inside or outside completely enclosed structures														C	Z							ZC
10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot														S	S							
11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards															S							
12.000 Services and Enterprises Related to Animals																						
12.100 Veterinarian							S		ZC				S	S	S							
12.200 Kennel							S							S	S							
13.000 Emergency Services																						
13.100 Police Stations	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
13.200 Fire Stations	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
13.300 Rescue Squad, Ambulance Service	S	S	S	S	S	S	Z		S	S	S	S	S	S	Z	S	C	C	C	C	S	S
13.400 Civil Defense Operation	S	S	S	S	S	S	Z		S	S	S	S	S	S	Z	S	C	C	C	C	S	S
14.000 Agricultural, Silvicultural, Mining, Quarrying Operations																						
14.100 Agricultural operations, farming																						
14.110 Excluding livestock		Z	Z	Z	Z	Z	Z							Z			Z	Z	Z			
14.120 Including livestock							Z										Z	Z	Z			
14.200 Silvicultural operations		Z	Z	Z	Z	Z	Z							Z								

TABLE OF PERMISSIBLE USES

Last Amended: 4/23/13

DESCRIPTION	R-2	R-3	R-7.5	R-SIR, SIR2, 10	R-15	R-20	RR	B-1 (C)	B-1 (G)	B-2	B-3	B-3-T	B-4	M-1	M-2	CT	C	W-R	B-5	WM-3	O	O/A
14.300 Mining or quarrying operations, including on-site sales of products															S							
14.400 Reclamation landfill		Z	Z	Z	Z	Z	Z						Z	Z	Z							
15.000 Miscellaneous Public and Semi-Public Facilities																						
15.100 Post Office								C	C		C	C	C	C	C	C						
15.200 Airport							C		S				S	S								C
15.300 Sanitary landfill							C							C								
15.400 Military reserve, National Guard centers														Z								
15.500 Recycling materials collection operations																						
15.510 Using collection facilities other than motor vehicles									Z				Z	Z	Z							
15.520 Aluminum recycling using motor vehicles									S				S	S	S							
15.600 Public utility service complex																			C			
15.700 Cable Television Signal Distribution Center								S	S	S	S		S	S	S	S					S	S
15.800 Town-owned and/or Operated Facilities and Services																						
15.810 Town-owned and/or Operated Public Parking Lot								Z	Z	Z	Z	Z	Z	Z	Z	Z				Z		Z
15.820 All other town-owned and/or operated facilities and services	Z	Z	Z	Z	Z	Z	Z		Z		Z	Z		Z	Z	Z	Z	Z	Z	Z	Z	Z
16.000 Dry Cleaner, Laundromat																						
16.100 With drive-in windows											C	C	C	C								C
16.200 Without drive-in windows									Z		S	S	Z	S		Z			C			S
17.000 Utility Facilities																						
17.100 Neighborhood	S	S	S	S	S	S	S		S	S	S	S	S	S	S	S	C	C	C			S
17.200 Community or regional														S	S		C		C			S
17.300 Cable Television Satellite Station							S			S	S	S	S	S	S	S					S	S
17.400 Underground Utility Lines	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	C	C	Z	C	Z	Z
18.000 Towers and Related Structures																						
18.100 Towers and antennas fifty feet tall or less	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z	Z	Z	C	Z			Z
18.200 Towers and antennas attached thereto that exceed 50 feet in height, and that are not regarded as accessory to residential users under 15-150(c)(5)							C	C			C	C	C	C	C	C			C	C	C	C
18.300 Antennas exceeding 50 feet in height attached to structures other than towers, [other than accessory uses under 15-150(c)(5)]	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
18.400 Publicly-owned towers and antennas of all sizes that are used in the provision of public safety services									ZC													
19.000 Open Air Markets and Horticultural Sales																						
19.100 Open air markets (farm and craft markets, flea markets, produce markets)								ZC	ZC	ZC	S	S		S		S					S	S
19.200 Horticultural sales with outdoor display									ZC	ZC	S	S		S		S					S	S
19.300 Seasonal Christmas or pumpkin sales								Z	Z	Z	Z	Z	Z	Z	Z						Z	Z
20.000 Funeral Homes														Z	Z							
21.000 Cemetery and Crematorium																						
21.100 Town-owned cemetery	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
21.200 All other cemeteries							S							Z	Z		C	C	C			
21.300 Crematorium														Z	Z							
22.000 Day Care																						
22.100 Child Day Care Home	ZZ	Z	Z	Z	Z	Z	Z	S	S	Z	S	S				Z		Z			S	S
22.200 Child Day Care Facility	S	S	S	S	S	S	S	Z	Z	Z	Z	Z	Z	Z		Z		C	C		Z	Z
22.300 Senior Citizens Day Care, Class A	S	S	S	S	S	S	S		Z	Z	Z	Z	Z	Z		Z		C	C		Z	Z
22.400 Senior Citizens Day Care, Class B	S	S	S	S	S	S	S	Z	Z	S	Z	Z	S	Z		S					Z	Z

TABLE OF PERMISSIBLE USES

Last Amended: 4/23/13

DESCRIPTION	R-2	R-3	R-7.5	R-SIR, SIR2, 10	R-15	R-20	RR	B-1 (C)	B-1 (G)	B-2	B-3	B-3-T	B-4	M-1	M-2	CT	C	W-R	B-5	WM-3	O	O/A
23.000 Temporary structure or parking lots used in connection with the construction of a permanent building or for some non-recurring purpose																						
23.100 Temporary structures located on same lot as activity generating need for structure	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	C	C	C	C	Z	Z
23.200 Temporary parking facilities located on or off-site of activity generating need for parking	Z																					
24.000 Bus Station									ZC				S	S		S						
25.000 Commercial Greenhouse Operations																						
25.100 No on-premises sales						S	S							Z								
25.200 On-premises sales permitted							S							Z								
26.000 Subdivisions																						
26.100 Major	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	C	C	C	C	SC	SC
26.200 Minor	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	C	C	C	C	Z	Z
27.000 Combination Uses	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*	*	*	*
28.000 Planned Unit Developments	Permissible only in Planned Unit Development Districts (See Section 15-139) pursuant to a conditional use permit).																					
29.000 Special Events	C	C	C	C	C	C	C	ZC	ZC	ZC	C	C	C	C	C	C	C	C	C	C	C	C
30.000 Planned Industrial Development	Permissible only in Planned Industrial Development Districts [See Subsection 15-137(c)] pursuant to a conditional use permit																					
31.000 Off-Premises Signs															Z							
32.000 Village Mixed Use Development	Permissible only in Village Mixed Use Districts (See Section 15-141.2 pursuant to a conditional use permit).																					
33.000 Office/Assembly Planned Development	Permissible only in Office/Assembly Conditional Use Districts [see Subsection 15-136(11)] pursuant to a conditional use permit].																					
34.000 Temporary Lodging																						
34.100 Hotels and Motels	C							C	C				C			C						C
34.200 Bed and Breakfast	S	S	S	S	S	S	S			S					S		C	S				

*Art. X PERMISSIBLE USES (con't)***Section 15-147 Use of the Designations Z,S,C in Table of Permissible Uses (AMENDED 11/18/03; 6/22/04; 10/25/05; 11/22/05; 6/26/07; 11/27/07; 10/28/08, 11/24/09. REWRITTEN 4/23/09)**

(a) Subject to Section 15-148, and subsection (h) of this section, when used in connection with a particular use in the Table of Permissible Uses (Section 15-146), the letter “Z” means that the use is permissible in the indicated zone with a zoning permit issued by the administrator (except that, in connection with use classification 26.200, minor subdivisions, the letter “Z” means that final plat approval shall be granted by the Planning Director). The letter “S” means a special use permit must be obtained from the board of adjustment, and the letter “C” means a conditional use permit must be obtained from the Board of Aldermen. **(AMENDED 1/22/85; 11/18/03)**

(b) When used in connection with single-family, two-family and multi-family residences (use classifications 1.100, 1.200 and 1.300) outside the watershed districts, the designation “ZSC” or “SC” means that tracts developed with four dwelling units or less require a zoning permit, tracts developed with between five and twelve dwelling units require a special use permit, and tracts developed with more than twelve dwelling units require a conditional use permit. When used in connection with single-family, two-family, and multi-family residences in the watershed districts, the designation “ZC” means that tracts developed with one dwelling unit shall require a zoning permit and tracts developed with two or more dwelling units shall require a conditional use permit. **(AMENDED 1/22/85; 2/24/87; 12/15/87)**

(c) When used in connection with major subdivisions (use classification 26.100) outside the watershed districts, the designation “SC” means that subdivisions containing between five and twelve lots shall require a special use permit, and subdivisions containing thirteen or more lots shall require a conditional use permit. **(AMENDED 7/21/87; 12/15/87)**

(d) Subject to Section 15-148, use of the designation “ZC” (which designation appears only under the zoning district columns applicable to the commercial and manufacturing districts) means that a conditional use permit must be obtained if the development involves the construction of more than 3,000 square feet of new building gross floor area *or* the development is located on a lot of more than one acre, and a zoning permit must be obtained if the development involves the construction of 3,000 square feet or less of new building gross floor area *and* the development is located on a lot of one acre or less. **(AMENDED 11/14/88) (REWRITTEN 4/23/13)**

(e) Subject to Section 15-148, use of the designation “Z,S” means that a zoning permit must be obtained if the development is located on a lot of two acres or less while a special use permit must be obtained for developments in excess of two acres.

(f) Use of the designation Z,S,C, for combination uses is explained in Section 15-154.

(g) When used in connection with use classification 18.400 (publicly-owned towers and antennas of all sizes that are used in the provisions of public safety services), the designation “ZC” means that the development of such towers that are fifty feet tall or less

Art. X PERMISSIBLE USES (con't)

shall require a zoning permit, and the development of such towers that are more than fifty feet tall shall require a conditional use permit. **(AMENDED 10/04/88, 02/18/97)**

- (h) Whenever any 1.000 classification use is proposed for a lot in the R-2, R-3, R-7.5, and R-10 zoning districts and such use would otherwise require the issuance of a zoning permit under the provisions of this section, a special use permit shall nevertheless be required if:
 - (1) The use involves (i) construction of an addition to an existing dwelling, or (ii) construction of an additional dwelling on a lot where at least one dwelling already exists, or (iii) construction of a dwelling on a lot from which a previously existing dwelling has been removed within a period of three years prior to the application for a permit under this chapter, and
 - (2) The gross floor area of any one dwelling unit exceeds 3,500 square feet, or the gross floor area of all dwellings covered by the proposed permit exceeds 5,500 square feet.
 - (3) This requirement shall not apply if at least one of the dwelling units is an affordable housing unit as defined in Section 15-182.4(a).
 - (4) This requirement shall not apply with respect to a proposed one-time addition to a dwelling that has been in existence for a period of at least twenty years if such one-time addition results in less than a 25 percent increase in the gross floor area of such dwelling and less than a 15 percent increase in the gross floor area of all dwellings covered by the proposed permit.
- (i) When used in connection with 8.100, 8.200, 8.500 and 8.600 uses, the designation "ZC(l)" means that a zoning permit must be obtained if the total area within a development to be used for this purpose does not exceed 1,500 square feet and the use is to take place in a building in existence on the effective date of this subsection while a conditional use permit must be obtained whenever the total area to be used for this purpose is equal to or exceeds 1,500 square feet.
- (j) Notwithstanding the other provisions of this section, whenever a building of more than two stories or 35 feet in height is proposed within the B-1(g), B-1(c), B-2, CT or M-1 zoning districts, a conditional use permit must be obtained from the Board of Aldermen. **(AMENDED 10/25/05)**
- (k) Notwithstanding the foregoing, Uses 22.200 Child Day Care Facilities serving nine to fifteen children, and 22.300 Senior Citizen Day Care, Class A, serving four to sixteen seniors, that are located on collector or arterial streets are permissible with a Zoning Permit issued by the

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Administrator. For the purposes of this section, collector streets are those streets whose function and design meet the current town standards for classification as collector streets; and arterial streets are those listed in subsection 15-210.

l) Notwithstanding the foregoing, if a use within use classifications 2.112, 2.120, 2.150, 2.220, 2.230, 3.120, or 3.220 is proposed for an existing building within the WM-3 zoning district, and no other changes to the site are proposed that would require the issuance of a new permit under Section 15-46, then such use shall be permissible with a zoning permit. **(Amended 10/28/08)**

m) Notwithstanding the foregoing, 5.110 uses may be permitted within the B-4 zoning district only when proposed within an existing building and when no other changes to the site are proposed that would require the issuance of a new permit under Section 15-46. **(AMENDED 11/24/09)**

Section 15-148 Board of Adjustment Jurisdiction Over Uses Otherwise Permissible With a Zoning Permit.

(a) Notwithstanding any other provisions of this article, whenever the Table of Permissible Uses (interpreted in the light of Section 15-147 and the other provisions of this article) provides that a use is permissible with a zoning permit, (i) a conditional use permit shall nevertheless be required if the administrator finds that the proposed use is located within the University Lake Watershed (i.e., the C, B-5, and WM-3 districts) and would have a substantial impact on neighboring properties or the general public, and (ii) a conditional use permit shall nevertheless be required if the administrator finds that the proposed use is located in the B-1(c), B-1(g), B-2, or CT zoning districts, the use is shown as permissible in those districts with a "ZC" designation in the Table of Permissible Uses, and the proposed use would have a substantial impact on neighboring properties or the general public; (iii) otherwise, a special use permit shall nevertheless be required if the administrator finds that the proposed use would have a substantial impact on neighboring properties or the general public. **(AMENDED 01/22/85; 12/15/87; 02/25/92)**

(b) A special use permit shall be required for any use that is otherwise permissible with a zoning permit if the administrator concludes that, given the impact of the proposed use on neighboring properties, the vested right conferred upon the permit recipient pursuant to Section 15-128.2 should not be conferred without an opportunity for public input. A conditional use permit shall be required for any use that is otherwise permissible with a zoning permit if the administrator concludes that, given the impact of the proposed use on the general public, the vested right conferred upon the permit recipient pursuant to Section 15-128.2 should not be conferred without an opportunity for public input. However, if the zoning administrator makes this determination, the permit applicant may require that the application be returned to the zoning permit process by submitting to the administrator a written waiver of the vested right normally acquired under Section 15-128.2 upon the issuance of a zoning permit. **(AMENDED 10/01/91; 02/25/92)**

Section 15-149 Permissible Uses and Specific Exclusions **(AMENDED 6/24/08)**

Art. X PERMISSIBLE USES (con't)

(a) The presumption established by this chapter is that all legitimate uses of land are permissible within at least one zoning district in the town's planning jurisdiction. Therefore, because the list of permissible uses set forth in Section 15-146 (Table of Permissible Uses) cannot be all-inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.

(b) Notwithstanding subsection (a), all uses that are not listed in Section 15-146 (Table of Permissible Uses), even given the liberal interpretation mandated by subsection (a), are prohibited. Nor shall Section 15-146 (Table of Permissible Uses) be interpreted to allow a use in one zoning district when the use in question is more closely related to another specified use that is permissible in other zoning districts.

(c) Without limiting the generality of the foregoing provisions, the following uses are specifically prohibited in all districts:

- (1) Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials in violation of the fire prevention code adopted by reference in Section 12-11 of the Town Code.
- (2) Stockyards, slaughterhouses, rendering plants.
- (3) Use of a travel trailer as a residence, temporary or permanent.
- (4) The use of any motor vehicle (as defined in Section 6-1 of the Town Code), parked on a lot, as a structure in which, out of which, or from which any goods are sold or stored, any services performed, or other businesses conducted (as defined in Section 8-1 of the Town Code), except that the following shall not be prohibited by this subdivision: (i) retail sales of goods and food products manufactured, created or produced by the seller, (ii) the sale of food products on town property by persons authorized or acting on behalf of the town; (iii) the sale of prepared food by mobile prepared food vendors to the extent authorized in the Table of Permissible Uses and Section 15-176.5; and (iv) use of a motor vehicle in connection with an aluminum recycling operation to the extent authorized in the Table of Permissible Uses and other provisions of this chapter. Notwithstanding any other provision of this chapter, situations that exist on the effective date of this provision that are in violation thereof shall not be regarded as lawful, nonconforming situations thirty days after the effective date of this subdivision. **(AMENDED 11/10/81; 6/22/82; 6/28/83; 6/24/08)**

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- (5) Construction by the developer of a major residential subdivision of an opaque fence, wall, or berm more than three feet in height around any portion of the periphery of such subdivision, except where such fence, wall or berm is designed to shield the residents of such subdivision from the adverse effects of any adjoining nonresidential use other than a street. Notwithstanding the foregoing, a berm of more than three but less than four feet in height shall be allowed under the foregoing circumstances where (i) the side slopes of the berm are constructed at a steepness ratio of 4:1 to 6:1 and (ii) the average height of the berm does not exceed three feet. For purposes of this subsection, the term “developer” includes any entity that is under the control of the developer, including a homeowners association that is under the developer’s control. **(AMENDED 05/19/98, 08/24/99)**
- (6) Construction of gates that prevent access to private roads serving five or more lots or dwelling units. **(AMENDED 05/25/99)**

Section 15-150 Accessory Uses.

(a) The Table of Permissible Uses (Section 15-146) classifies different principal uses according to their different impacts. Whenever an activity (which may or may not be separately listed as a principal use in this table) is conducted in conjunction with another principal use and the former use (i) constitutes only an incidental or insubstantial part of the total activity that takes place on a lot, or (ii) is commonly associated with the principal use and integrally related to it, then the former use may be regarded as accessory to the principal use and may be carried on underneath the umbrella of the permit issued for the principal use. For example, a service station (use classification 9.200) is permissible in a B-3 district; car washes (9.500) are not. However, many service stations have facilities for washing cars. If such car washing activities are incidental to the principal use, then they may be regarded as accessory to the principal use and a service station with such facilities would be permissible in a B-3 district. However, if the car washing operations are substantial (e.g., if separate from the main building or if there are two or more bays used principally or solely for car washing), then the total operation would be considered a combination use consisting of a service station principal use and a car wash principal use. This combination use would not be permitted within a B-3 district. As another example, a swimming pool/tennis court complex is customarily associated with and integrally related to a residential subdivision or multi-family development and would be regarded as accessory to such principal uses, even though such facilities, if developed (as use classification 6.210 or 6.220) apart from a residential development, would require a special use permit or conditional use permit. **(AMENDED 02/02/88)**

- (b) For purposes of interpreting subsection (a):
- (1) A use may be regarded as incidental or insubstantial if it is incidental or insubstantial in and of itself or in relation to the principal use;

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- (2) To be “commonly associated” with a principal use it is not necessary for an accessory use to be connected with such principal use more times than not, but only that the association of such accessory use with such principal use takes place with sufficient frequency that there is common acceptance of their relatedness.

(c) Without limiting the generality of subsections (a) and (b), the following activities are specifically regarded as accessory to residential principal uses so long as they satisfy the general criteria set forth above:

- (1) Offices or studios within an enclosed building and used by an occupant of a residence located on the same lot as such building to carry on administrative or artistic activities of a commercial nature, so long as such activities do not fall within the definition of a home occupation.
- (2) Hobbies or recreational activities of a noncommercial nature.
- (3) The renting out of one or two rooms within a single-family residence (which one or two rooms do not themselves constitute a separate dwelling unit) to not more than two persons who are not part of the family that resides in the single-family dwelling.
- (4) Yard sales or garage sales, so long as such sales are not conducted on the same lot for more than three days (whether consecutive or not) during any 90-day period. **(AMENDED 4/27/82)**
- (5) Towers and antennas constructed on residential property, as long as:
 - a. Such towers are intended for the personal and noncommercial use of the residents of the property where located; and
 - b. Such towers and antennas comply with the setback requirements of Subsection 15-176(2) and are installed only in rear or side yards; and
 - c. No more than one such tower or antenna may be regarded as an accessory use on a single lot; and
 - d. The owner must be able to demonstrate compliance with Federal Communications Commission regulations, 47 C.F.R. Part 97, Subpart 97.15, Sections (a) through (e), inclusive; and **(REPEALED & AMENDED 02/18/97)**

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(6) Child day care arrangements for one or two children who do not reside with the provider. **(AMENDED 02/04/97; 6/26/07)**

(d) Without listing the generality of subsections (a) and (b), the following activities shall not be regarded as accessory to a residential principal use and are prohibited in residential districts:

(1) Parking outside a substantially enclosed structure of more than four motor vehicles between the front building line of the principal building and the street on any lot used for purposes that fall within the following principal use classifications: 1.100, 1.200, 1.420, or 1.430.

(e) Satellite dishes shall be regarded as accessory uses to any residential or non-residential principal use. However, as set forth in the Table of Permissible Uses, Cable Television Satellite stations shall be regarded as a separate principal use (use classification 17.300). **(AMENDED 02/18/97)**

Section 15-151 Permissible Uses Not Requiring Permits **(AMENDED 06/06/89)**

(a) Notwithstanding any other provisions of this chapter, no zoning, special use, or conditional use permit is necessary for the following uses:

(1) Electric power, telephone, telegraph, cable television, gas, water and sewer lines, wires or pipes, together with supporting poles or structures, located within a public right-of-way.

(2) Neighborhood utility facilities located within a public right-of-way with the permission of the owner (state or town) of the right-of-way, so long as such facilities do not exceed five feet in height, five feet in width, or five feet in depth. **(AMENDED 05/26/81)**

(3) Bus shelters erected by or under the direction of the town. **(AMENDED 01/22/85)**

(4) Space occupied by the Town of Carrboro police department within pre-existing buildings for purposes of allowing police officers to spend time periodically within such buildings or portions thereof conducting official business, including without limitation the completion of paperwork or meeting with neighborhood residents. Such uses shall be permitted in all zoning districts, and no additional parking or screening shall be required when property is used in this fashion. **(AMENDED 04/18/95)**

(b) As described in Section 15-84(b), construction plans for new electric power, telephone, telegraph, cable television, gas, water, and sewer lines, wires or pipes, together with supporting poles or structures, located within a public right-of-way shall be submitted to and approved by the public works director before construction of such facilities may commence. **(AMENDED 06/06/89)**

Art. X PERMISSIBLE USES (con't)

Section 15-152 Change in Use.

(a) A substantial change in use of property occurs whenever the essential character or nature of the activity conducted on a lot changes. This occurs whenever:

- (1) The change involves a change from one principal use category to another.
- (2) If the original use is a combination use (27.000) or planned unit development (28.000), the relative proportion of space devoted to the individual principal uses that comprise the combination use or planned unit development use changes to such an extent that the parking requirements for the overall use are altered.
- (3) If the original use is a combination use or planned unit development use, the mixture of types of individual principal uses that comprise the combination use or planned unit development use changes.
- (4) **(DELETED 10/22/91)**

(b) A mere change in the status of property from unoccupied to occupied or vice-versa does not constitute a change in use. Whether a change in use occurs shall be determined by comparing the two active uses of the property without regard to any intervening period during which the property may have been unoccupied, unless the property has remained unoccupied for more than twelve consecutive months. **(AMENDED 06/18/91)**

(c) A mere change in ownership of a business or enterprise shall not be regarded as a change in use.

Section 15-153 Developments in the B-3 Zoning District.

The 2.000, 3.000, and 4.000 classifications in the Table of Permissible Uses are written in very broad terms. However, it is the intention of this chapter that uses described in those classifications are permissible in an area zoned B-3 only when the particular use is in accordance with the objectives of the B-3 zoning district set forth in Section 15-136. **(AMENDED 5/26/81)**

Section 15-154 Combination Uses.

(a) When a combination use comprises two or more principal uses that require different types of permits (zoning, special use, or conditional use), then the permit authorizing the combination use shall be:

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- (1) A conditional use permit if any of the principal uses combined requires a conditional use permit.
- (2) A special use permit if any of the principal uses combined requires a special use permit but none requires a conditional use permit.
- (3) A zoning permit in all other cases.

This is indicated in the Table of Permissible Uses by the designation “Z,S,C” in each of the columns adjacent to the 27.000 classification.

(b) Subject to subsection (c), when a combination use consists of a residential subdivision and a multi-family development the total density permissible on the developer’s tract shall be determined by having the developer indicate on the plans the portion of the total tract that will be developed for each purpose and calculating the density for each portion as if it were a separate lot. **(AMENDED 11/26/85)**

(c) Notwithstanding Subsection 15-182(b), whenever (i) a combination use consists of a standard residential subdivision and a multi-family development and (ii) the subdivided portion of the tract contains lots that exceed the minimum lot size requirements set forth in Section 15-181, but that do not exceed an average of 30,000 square feet, then the density of the portion of the tract developed for multi-family purposes may be increased beyond the permissible density calculated in accordance with subsection (b). The increase in density shall be determined as follows: **(AMENDED 11/26/85)**

- (1) The minimum lot size requirement for the applicable zoning district shall be subtracted from each lot that exceeds the minimum lot size, and the remainders totaled.
- (2) The sum derived from the calculation in subdivision (1) shall be divided by the minimum lot size requirements. Fractions shall be rounded to the nearest whole number.
- (3) The result of the calculation in subdivision (2) shall yield the number of additional multi-family dwelling units that may be located within the portion of the tract developed for multi-family purposes.

(d) When a residential use is combined with a non-residential use in a business district, the lot must have at least the minimum square footage required for the residential use alone. For example, in a B-1 zone, if two dwelling units are combined with a retail store in one building, the lot must have at least 6,000 square feet.

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(e) When two principal uses are combined, the total amount of parking required for the combination use shall be determined by cumulating the amount of parking required for each individual principal use according to the relative amount of space occupied by that use.

Section 15-155 Planned Unit Developments.

(a) In a planned unit development the developer may make use of the land for any purpose authorized in the particular PUD zoning district in which the land is located, subject to the provisions of this chapter. Section 15-139 describes the various types of PUD zoning districts.

(b) Within any lot developed as a planned unit development, not more than ten percent of the total lot area may be developed for purposes that are permissible only in a B-1(g), B-2, or B-3 zoning district (whichever corresponds to the PUD zoning district in question), and not more than five percent of the total lot area may be developed for uses permissible only in the M-1 zoning district (assuming the PUD zoning district allows such uses at all).

(c) The plans for the proposed planned unit development shall indicate the particular portions of the lot that the developer intends to develop for purposes permissible in a residential district (as applicable), purposes permissible in a business district (as applicable), and purposes permissible only in an M-1 district (as applicable). For purposes of determining the substantive regulations that apply to the planned unit development, each portion of the lot so designated shall then be treated as if it were a separate district, zoned to permit, respectively, residential, business or M-1 uses. However, only one permit--a planned unit development permit--shall be issued for the entire development.

(d) The nonresidential portions of any planned unit development may not be occupied until all of the residential portions of the development are completed or their completion is assured by any of the mechanisms provided in Article IV to guarantee completion. The purpose and intent of this provision is to ensure that the planned unit development procedure is not used, intentionally or unintentionally, to create nonresidential uses in areas generally zoned for residential uses except as part of an integrated and well-planned, primarily residential, development.

Section 15-156 More Specific Use Controls.

Whenever a development could fall within more than one use classification in the Table of Permissible Uses (Section 15-146), the classification that most closely and most specifically describes the development controls. For example, a small doctor's office or clinic clearly falls within the 3.110 classification (office and service operations conducted entirely indoors and designed to attract customers or clients to the premises). However, classification 3.130 "Physicians and dentists offices and clinics occupying not more than 10,000 square feet of gross floor area" more specifically covers this use and therefore is controlling.

*Art. X PERMISSIBLE USES (con't)***Section 15-157 Residential Uses in Conservation Districts.**

The Table of Permissible uses indicates that single family residences are permissible in the conservation district. However, this shall be true only if and to the extent a residence is used in conjunction with another permitted use, e.g., a caretaker's house. **(AMENDED 12/7/83)**

Section 15-158 Hazardous Substances in B-5 and WM-3 Districts **(AMENDED 12/7/83)**

(a) Subject to subsection (b), no use involving the possession, storage, maintenance, or use of any quantity of hazardous substance shall be permissible on any lot within the B- 5 or WM-3 zoning districts. **(AMENDED 06/21/88)**

(b) Subsection (a) shall not apply to commercial or industrial enterprises which:

- (1) use, possess, store, or maintain gasoline, kerosene, diesel fuel, and other petroleum products where such products are held solely for the purpose of on-premises sales to retail customers; however, storage tanks for such products must be emptied within sixty days after sale of the products stored is discontinued;
- (2) use, possess, store, or maintain hazardous substances contained in consumer products packaged and held for retail sale to the general public;
- (3) use, possess, store, or maintain hazardous substances contained in commercial products used for janitorial or maintenance purposes on the premises where stored.
- (4) are in possession, on June 21, 1988 of a Hazardous Substances Authorization Certificate issued under the prior subsection (c) of this section; to the extent that such enterprises use, possession, storage, or maintenance of hazardous chemicals is substantially the same as was the case on the date of issuance of such Certificate. This exemption is transferable with the transfer of the enterprise in question only to the extent that the new enterprise will operate substantially the same operation at the same location as that for which the Certificate was issued. **(AMENDED 06/21/88)**

(c) Notwithstanding the provision of Article VIII of this chapter, situations that exist on the effective date of this section that are made non-conforming by this section shall not be allowed to continue beyond sixty days after the effective date of this section.

*Art. X PERMISSIBLE USES (con't)***Section 15-159 Mobile Home Type Structures Prohibited In Business Districts (AMENDED 10/1/85)**

Notwithstanding any other provision of this ordinance, no building that (i) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported on its own chassis, and (ii) is not constructed in accordance with the standards set forth in the North Carolina State Building Code, may be located in any of the commercial districts established in Section 15-136.

Section 15-160 Outside Display of Goods in B-1(c) and B-1(g), and WM-3 Districts (AMENDED 2/4/86; 10/28/08)

(a) As indicated in the Table of Permissible Uses, outside display of goods for sale or rent, but not outside storage, is permitted in the B-1(c), B-1(g) and WM-3 zoning districts. However, such outside display shall only be allowed if and to the extent that:

- (1) Such display is conducted in furtherance of a business operated on such the lot where the display is located, by the person operating such business; and
- (2) Such display is conducted on a lot on which is located a principal building that houses the businesses referenced in subdivision (1); and
- (3) For lots located within the B-1(c) and B-1(g) districts, the area of such display does not exceed 25% of the gross floor area of the principal building referenced as subdivision (2) that is occupied by the business referenced in subdivision (1). For lots located within the WM-3 district the total area of such display does not exceed 5% of the gross floor area of the principal building, the display must be located outside of all required setbacks and areas landscaped to meet screening and shading requirements, and the display must be removed or adequately secured when the business operating on the lot is closed.

(b) For purposes of this section, the term “lot” shall include all contiguous land as well as land immediately on the opposite side of a bisecting street that is in the possession or under the control of the person operating the business referenced in subdivision (a)(1).
(AMENDED 10/28/08)

Section 15-160.1 Residential Uses in B-1(c) Districts (AMENDED 2/4/86)

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

Art. X PERMISSIBLE USES (con't)

Section 15-160.2 Permissible Uses in the Historic District (HD) (AMENDED 11/21/95)

Notwithstanding the provisions of 15-146 (Table of Permissible Uses), only single-family residences (uses classification 1.100) are permitted in the Historic District (HD) on properties with the following underlying zoning district designations: R-20, R-15, R-10, R-7.5, R-3, R-2, R-R, R-40, R-SIR, and R-SIR-2.

ARTICLE II

BASIC DEFINITIONS AND INTERPRETATIONS

Section 15-15 Definitions of Basic Terms. (AMENDED 6/22/04; 5/24/05; 6/26/07; 6/24/08; 3/24/09; 6/22/10)

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this chapter.

- (1) **ACCESSORY USE.** (See Section 15-150). (AMENDED 1/22/85)
- (2) **ADMINISTRATOR.** (See Section 15-37).
- (3) **ADULT CARE HOME, CLASS A.** All group homes for adults other than Class B group homes, maternity homes, or nursing care homes. This definition specifically includes but is not limited to group homes for adults who are in need of such a residential arrangement because they are aged or infirm, or have a “handicap” as defined in the Fair Housing Act (42 U.S.C. § 3602), or are “handicapped” as that term is defined in N.C.G.S. § 168-21. (AMENDED 6/22/05)
- (4) **ADULT CARE HOME, CLASS B.** A group home for adults that serves primarily the needs of those who (i) are “dangerous to others” as those terms are defined in N.C.G.S. 122C-3(11) and (21), or (ii) are currently using or are addicted to controlled substances; or (iii) who have been assigned to a group home as a condition of probation, parole, or intermediate punishment; as defined in G.S. 15 A-1340.11(6). (AMENDED 6/22/04; 4/19/05)
- (5) **ANTENNA.** Equipment designed to transmit or receive electronic signals or energy over the air. (AMENDED 02/18/97)
- (6) **AUTOMATIC TELLER MACHINE, FREESTANDING.** A machine or device through which a customer can conduct certain banking transactions and which is not located on the same lot as the bank or financial institution with which such machine is associated. The purpose of this definition is to distinguish between teller machines operated as accessory uses to banks located in principal buildings where customers can choose to do their banking either inside the building or at the teller machine, and teller machines that are totally separate from bank buildings and therefore generate additional traffic. (AMENDED 09/01/92)
- (7) **BASE FLOOD.** The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.
- (8) **BED AND BREAKFAST.** A use that (i) takes place within a building that, before January 1, 1999, was designed and used as a single-family detached dwelling unit, (ii) consists of a single dwelling unit together with the rental of one (1) or more bedrooms on a daily or weekly basis to tourists, vacationers, or similar transients, (iii) where the provision of meals,

- if provided at all, is limited to registered guests, and (iv) where the bed and breakfast operation is conducted primarily by persons who reside within the dwelling unit, with the assistance of not more than an equivalent of two (2) full-time employees. **(AMENDED 06/22/99)**
- (9) **BEDROOM.** A private room planned and intended for sleeping, separated from other rooms by a door, and accessible to a bathroom without crossing another bedroom. **(AMENDED 10/07/97)**
- (10) **BERM.** A man-made mound of earth whose length exceeds its height by a factor or at least five and whose side slopes are constructed at a steepness ratio of 6:1 or steeper. (The side slope of a berm shall not be constructed steeper than 2:1) **(AMENDED 05/19/98)**
- (11) **BOARDING HOUSE.** A residential use consisting of at least one dwelling unit together with more than two rooms that are rented out or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units. A rooming house or boarding house is distinguished from a tourist home in that the former is designed to be occupied by longer term residents (at least month-to-month tenants) as opposed to overnight or weekly guests.
- (12) **BUILDING.** A structure designed to be used as a place of occupancy, storage or shelter.
- (13) **BUILDING, ACCESSORY.** A minor building that is located on the same lot as a principal building and that is used incidentally to a principal building or that houses an accessory use.
- (14) **BUILDING, PRINCIPAL.** The primary building on a lot or a building that houses a principal use.
- (15) **CABLE TELEVISION SATELLITE STATION.** A site containing one or more satellite dishes and related equipment, operated by a cable television company and used for the reception of electronic signals from satellites. **(AMENDED 02/18/97)**
- (16) **CABLE TELEVISION SIGNAL DISTRIBUTION CENTER.** A fully enclosed building not exceeding 2500 square feet that houses equipment used in connection with the distribution of cable television signals, with no external antennas, towers, satellite dishes, or similar facilities located on site. **(AMENDED 02/18/97)**
- (17) **CERTIFY.** Whenever this chapter requires that some agency certify the existence of some fact or circumstance to the town, the town may require that such certification be made in any manner that provides reasonable assurance of the accuracy of the certification. By way of illustration, and without limiting the foregoing, the town may accept certification by telephone from some agency when the circumstances warrant it, or the town may require that the certification be in the form of a letter or other document.

- (18) **CHILD CARE HOME, CLASS A.** All group homes for minor children other than Class B group homes. This definition specifically includes but is not limited to group homes for minor children who are in need of such a residential arrangement because they are orphaned, abused, neglected, or dependent, or who have a “handicap” as defined in the Fair Housing Act (42 U.S.C. § 3602), or are “handicapped” as that term is defined in N.C.G.S. § 168-21. **(AMENDED 6/22/04)**
- (19) **CHILD CARE HOME, CLASS B.** A group home for minor children that serves primarily the needs of those who (i) are “dangerous to others” as those terms are defined in N.C.G.S. § 122C-3(11) and (21), or (ii) are currently using or are addicted to controlled substances; or (iii) who have been assigned to a group home as a condition of probation, parole, or “intermediate punishment: as defined in G.S. 15A-1340.11(6). **(AMENDED 6/22/04; 4/19/05)**
- (20) **CHILD CARE INSTITUTION.** An institutional facility housing more than nine orphaned, abandoned, dependent, abused, or neglected children.
- (21) **CHILD DAY CARE FACILITY.** A program or arrangement where more than eight children less than 13 years old, who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than two hours but less than 24 hours per day from persons other than their guardians or full-time custodians, or from persons not related to them by birth, marriage, or adoption. **(AMENDED 6/26/07)**
- (22) **CHILD DAY CARE HOME.** A program or arrangement where three to eight children less than 13 years old, who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than two hours but less than 24 hours per day from persons other than their guardians or full-time custodians, or from persons not related to them by birth, marriage, or adoption. **(AMENDED 6/26/07)**
- (23) **CIRCULATION AREA.** That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.
- (24) **COMBINATION USE.** A use consisting of a combination on one lot of two or more principal uses separately listed in the Table of Permissible Uses, Section 15-146. (Under some circumstances, a second principal use may be regarded as accessory to the first, and thus a combination use is not established. See Section 15.150. In addition, when two or more separately operated enterprises occupy the same lot, and all such enterprises fall within the same principal use classification, this shall not constitute a combination use.)
- (25) **COMMUNITY CENTER.** A publicly-sponsored, non-profit indoor facility providing for one or several of various types of recreational uses. Facilities in a Community Center may include, but are not limited to gymnasias, swimming pools, indoor court areas, meeting/activity rooms, and other similar uses. For the purposes of this section, the term

publicly-sponsored means that a significant Town investment is involved in some fashion in the facility's development or operations. **(AMENDED 02/02/88)**

- (26) **CONDITIONAL USE PERMIT.** A permit issued by the Board of Aldermen that authorizes the recipient to make use of property in accordance with the requirements of this chapter as well as any additional requirements imposed by the Board of Aldermen.
- (27) **CRITICAL AREA.** The critical area of the University Lake Watershed is defined as all area of the watershed within the planning jurisdiction of the Town of Carrboro. **(AMENDED 07/06/93)**
- (28) **DAY CARE CENTER. (REPEALED 02/04/97)**
- (29) **DESIGNATED BUFFER.** An area of land adjacent to lakes or watercourses within the University Lake Watershed that pursuant to Section 15-265 remains undisturbed in order to reduce the sedimentation and pollution of such lakes or watercourses. **(AMENDED 12/7/83; 12/06/88).**
- (30) **DEVELOPER.** A person who is responsible for any undertaking that requires a zoning permit, special use permit, conditional use permit, or sign permit.
- (31) **DEVELOPMENT.** That which is to be done pursuant to a zoning permit, special use permit, conditional use permit, or sign permit.
- (32) **DIMENSIONAL NONCONFORMITY.** A nonconforming situation that occurs when the height, size, or minimum floor space of a structure or the relationship between an existing building or buildings and other buildings or lot lines does not conform to the regulations applicable to the district in which the property is located.
- (33) **DRAINAGE FACILITIES.** Any temporary or permanent natural or man-made facility utilized to divert, convey, or store stormwater runoff. Such facilities shall include (but are not limited to): drainage pipes and culverts, swales and ditches, intermittent and permanent streams, catch basins, drainage junction boxes and manholes, yard inlets, retention and detention basins and ponds, curbing which will carry runoff, dams and weirs, and culvert outlet stabilization and protection devices. **(AMENDED 04/03/90)**
- (34) **DRIVEWAY.** That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.
- (35) **DUPLEX.** (See Residence, Duplex)
- (36) **DWELLING UNIT.** An enclosure containing sleeping, kitchen, and bathroom facilities designed for and used or held ready for use as a permanent residence by one family.

- (36.1) **ELECTRONIC GAMING OPERATION.** (See Section 15-180). Any business enterprise, whether as a principal or accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of chance, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. Electronic gaming operations may include, but are not limited to, internet cafes, internet sweepstakes, electronic gaming machines/operations, or cybercafés. This does not include any lottery approved by the State of North Carolina. **(AMENDED 6/22/10).**
- (37) **EXPENDITURE.** A sum of money paid out in return for some benefit or to fulfill some obligation. The term also includes binding, contractual commitments to make future expenditures, as well as any other substantial changes in position.
- (38) **EXTRATERRITORIAL PLANNING AREA.** That portion of the town's planning jurisdiction that lies outside the town's corporate boundaries. **(AMENDED 4/27/82).**
- (39) **FAMILY.** One or more persons living together as a single housekeeping unit.
- (40) **FLAG LOT.** An irregularly shaped lot where the buildable portion of the lot is connected to its street frontage by an arm of the lot that is less than fifty percent of the presumptive minimum required lot width as set forth in Section 15-183 [or if no minimum lot width is specified therein, is less than the lesser of (i) fifty percent of the width of the buildable portion of the lot, or (ii) fifty feet]. **(AMENDED 11/21/95)**
- (41) **FLOODPLAIN.** Any land area susceptible to being inundated by water from the base flood. As used in this chapter, the term refers to that area designated as subject to flooding from the base flood (one hundred year flood) on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development, a copy of which is on file in the planning department.
- (42) **FLOODWAY.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. As used in this chapter, the term refers to that area designated as a floodway on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development, a copy of which is on file in the planning department.
- (43) **FLOOR.** The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in a frame construction. See the definition of "Floor" in Subsection 15-251 (5) for all matters pertaining to floodplain and floodway regulations. **(AMENDED 4/21/87; 4/8/03)**
- (44) **GROUP HOME.** A housing arrangement in which up to nine individuals, typically unrelated, live together as a single housekeeping unit in a single dwelling unit, under circumstances

where such residents are under the care, control, and supervision of one or more other persons who are trained to provide such care, control, and supervision. **(AMENDED 6/22/04; 4/19/05)**

- (45) **GROSS FLOOR AREA.** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.
- (46) **HANDICAPPED, AGED OR INFIRM INSTITUTION.** A facility that provides residential care for more than nine aged, disabled or handicapped persons whose principal need is a home with the sheltered or personal care their age or disability requires. Medical care at such a facility is only occasional or incidental, such as may be required in the home of any individual or family, but the administration of medication is supervised. The residents of such a facility do not occupy separate dwelling units, and this distinguishes such a facility from a multi-family development occupied by the elderly, handicapped or disabled. **(AMENDED 5/10/83) (REPEALED 6/22/05)**
- (47) **HAZARDOUS SUBSTANCE.** Any substance which may pose a danger to the public health or safety if contained in the public water supply. This includes all substances defined as hazardous chemicals by the community right to know reporting requirements under Sections 311 and 312 of the Superfund Amendments and Reauthorization Act of 1986, and by the North Carolina Hazardous Chemicals Right to Know Act (G.S. 95-173 to 95-218). **(AMENDED 12/7/83; 06/21/88)**
- (48) **HIGH VOLUME TRAFFIC GENERATION.** All uses in the 2.000 classification other than low volume traffic generation uses.
- (49) **HIGHEST ADJACENT GRADE.** The highest natural elevation of the ground surface, prior to construction, next to proposed walls of the structure. **(AMENDED 4/21/87)**
- (50) **HOME OCCUPATION.** A commercial activity that: *(i)* is conducted by a person on the same lot where such person resides, and *(ii)* is not so insubstantial or incidental or is not so commonly associated with the residential use as to be regarded as an accessory use (see Section 15-150), but that can be conducted without any significantly adverse impact on the surrounding neighborhood. **(AMENDED 04/11/89)**

Without limiting the generality of the foregoing, a use may not be regarded as having an insignificantly adverse impact on the surrounding neighborhood if: *(i)* goods, stock in trade, or other commodities are displayed, *(ii)* any on- premises retail sales occur, *(iii)* more than one person not a resident on the premises is employed in connection with the purported home occupation, *(iv)* it creates objectionable noise, fumes, odor, dust or electrical interference, or *(v)* more than twenty-five percent of the total gross floor area of the residential buildings plus other buildings housing the purported home occupation, or more than 500 square feet of gross floor area (whichever is less), is used for home occupation purposes.

The following is a non-exhaustive list of examples of enterprises that may be home occupations if they meet the foregoing definitional criteria: (i) the office or studio of a physician, dentist, artist, musician, lawyer, architect, teacher, or similar professional, (ii) workshops, greenhouses, or kilns, (iii) dressmaking or hairdressing studios.

- (51) **INDEPENDENT AUTOMOBILE LOTS OR GARAGES.** An area or garage (i) that is used for the temporary parking (not storage) of motor vehicles, (ii) that is located on a lot on which there is no other principal use to which the parking is related, and (iii) where the parking spaces are used by more than one enterprise or by the general public or where the lot is leased by one enterprise for a total period (including automatic renewals or renewal options) of not more than four years. **(AMENDED 3/11/86)**
- (52) **INTERMEDIATE CARE INSTITUTION.** An institutional facility maintained for the purpose of providing accommodations for more than seven persons needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.
- (53) **INTERMITTENT STREAM.** A stream or portion of a stream that flows only in direct response to precipitation. It receives little or no water from springs and only temporary supply from melting snows or other sources. It is dry for a large part of the year. **(AMENDED 12/7/83)**
- (54) **JOINT PLANNING TRANSITION AREA.** That portion of the town's planning jurisdiction which lies generally to the north of the town's corporate boundaries and extraterritorial planning area, and which is defined by the Joint Planning Agreement between Carrboro, Chapel Hill, and Orange County, and described on the Orange County Joint Planning Area Land Use Map. This area is further defined as being in transition from rural to urban or already urban in density. The Transition Area is divided into Transition Area I and Transition Area II on the Joint Planning Area Land Use Map. Under the terms of the Joint Planning Agreement, no tract in Transition Area II may, after the effective date of the Agreement, be approved for development at a density that exceeds one housing unit per gross acre until at least 75% of the gross land area of Transition Area I consists of any combination of:
- a. lots containing one acre or less;
 - b. residential developments approved for development at a density of at least one unit per acre;
 - c. streets, roads, and utility easements located outside of lots containing one acre or less;
 - d. lots or tracts that are used for commercial, industrial, institutional, or governmental purposes;
 - e. tracts that are owned by the University of North Carolina or other non-profit entities and that are not available for development. **(AMENDED 11/14/88)**

- (55) **KENNEL.** A commercial operation that: (i) provides food and shelter and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian), or (ii) engages in the breeding of animals for sale.
- (56) **LAKE OR WATERCOURSE.** Any stream, river, brook, swamp, creek, run, branch, waterway, reservoir, lake, or pond, natural or impounded, in which sediment may be moved or carried in suspension and which could be damaged by accumulation of sediment and pollutants. **(AMENDED 12/7/83)**
- (57) **LOADING AND UNLOADING AREA.** That portion of the vehicle accommodation area used to satisfy the requirements of Section 15.300.
- (58) **LOT.** A parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or a recorded map and which is recognized as a separate legal entity for purposes of transfer of title.

If a public body or any authority with the power of eminent domain condemns, purchases, or otherwise obtains fee simple title to or a lesser interest in a strip of land cutting across a parcel of land otherwise characterized as a lot by this definition, or a private road is created across a parcel of land otherwise characterized as a lot by this definition, and the interest thus obtained or the road so created is such as effectively to prevent use of this parcel as one lot, then the land on either side of this strip shall constitute a separate lot.

Subject to Section 15-123, the permit-issuing authority and the owner of two or more contiguous lots may agree to regard the lots as one lot if necessary or convenient to comply with any of the requirements of this ordinance.

- (59) **LOT AREA.** The total area circumscribed by the boundaries of a lot, except that: (i) when the legal instrument creating a lot shows the boundary of the lot extending to the center of a public street right-of-way or into a public street right-of-way, then the lot boundary for purposes of computing the lot area shall be the street right-of-way line, or a line running parallel to and thirty feet from the center of the traveled portion of the street if the right-of-way line cannot be determined, and (ii) in a residential district, when a private road that serves more than three dwelling units is located along any lot boundary, then the lot boundary for purposes of computing the lot area shall be the inside boundary of the traveled portion of that road.
- (60) **LOW VOLUME TRAFFIC GENERATION.** Uses such as furniture stores, carpet stores, major appliance stores, etc. that sell items that are large and bulky, that need a relatively large amount of storage or display area for each unit offered for sale, and that therefore generate less customer traffic per square foot of floor area than stores selling smaller items.
- (61) **LOWEST FLOOR.** The lowest floor of the lowest enclosed area (including basement). An unfurnished or flood resistant enclosure, usable solely for parking vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor

provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance. **(AMENDED 4/21/87)**

- (62) **MATERNITY HOME.** A group home licensed as a maternity home by the N.C. Department of Health and Human Services pursuant to N.C.G.S. § 131D-1. **(AMENDED 6/22/04)**
- (63) **MOBILE HOME. (REPEALED 4/24/84)**
- (64) **MOBILE HOME.** Any structure that: *(i)* consists of a single unit completely assembled at the factory, or of two (double-wide) or three (triple-wide) principal components totally assembled at the factory and joined together at the site; *(ii)* is designed so that the total structure (or in the case of double-wides or triple-wides, each component thereof) can be transported on its own chassis; *(iii)* is over 40 feet in length and over 8 feet in width; *(iv)* is designed to be used as a dwelling and provides complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation; *(v)* is actually being used or held ready for use as a dwelling; *(vi)* is not constructed in accordance with the standards set forth in the North Carolina State Building Code. **(AMENDED 4/24/84)**
- (65) **MOBILE HOME, CLASS A.** A mobile home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the following additional criteria:
- (a) The pitch of the mobile home's roof has a minimum vertical rise of two feet for each twelve feet of vertical run.
 - (b) The exterior materials are of wood, hardboard, or aluminum comparable in composition, appearance, and durability to site-built houses in the vicinity.
 - (c) A continuous, permanent masonry foundation, unpierced except for required ventilation and access, is installed under the mobile home; and
 - (d) The tongue, axles, transporting lights, and removable towing apparatus are to be removed subsequent to final placement. **(AMENDED 10/1/85)**
- (66) **MOBILE HOME, CLASS B.** A mobile home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction. **(AMENDED 10/1/85, 10/20/87)**
- (67) **MOBILE HOME, CLASS C.** All mobile homes other than Class A or Class B mobile homes. **(AMENDED 10/20/87)**
- (67.1) **Mobile Prepared Food Vendor.** A business in which food that is prepared and ready for consumption at the point of sale is sold from or out of a motor vehicle (as defined in Section 6-1 of the Town Code) that does not exceed eight feet in width or twenty-five feet in length and that is removed each day at the close of the food vendor business from the

lot where the food is sold. In no case may a mobile prepared food vendor business operate between the hours of 2:30 a.m. and 6:00 a.m. (**AMENDED 6/24/08**)

- (68) **MODULAR HOME.** A dwelling unit constructed in accordance with the standards set forth in the North Carolina State Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a mobile home (except that the modular home meets the N.C. State Building Code), or a series of panels or room sections transported on a truck and erected or joined together on the site.
- (69) **NONCONFORMING LOT.** A lot existing at the effective date of this chapter (and not created for the purposes of evading the restrictions of this chapter) that does not meet the minimum area requirement of the district in which the lot is located.
- (70) **NONCONFORMING PROJECT.** Any structure, development, or undertaking that is incomplete at the effective date of this chapter and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.
- (71) **NONCONFORMING SITUATION.** A situation that occurs when, on the effective date of this chapter, any existing lot or structure or use of an existing lot or structure does not conform to one or more of the regulations applicable to the district in which the lot or structure is located. Among other possibilities, a nonconforming situation may arise because a lot does not meet minimum acreage requirements, because structures exceed maximum height limitations, because the relationship between existing buildings and the land (in such matters as density and set-back requirements) is not in conformity with this chapter, because signs do not meet the requirements of this chapter (Article XVII), or because land or buildings are used for purposes made unlawful by this chapter.
- (72) **NONCONFORMING USE.** A nonconforming situation that occurs when property is used for a purpose or in a manner made unlawful by the use regulations applicable to the district in which the property is located. (For example, a commercial office building in a residential district may be a nonconforming use.) The term also refers to the activity that constitutes the use made of the property. (For example, all the activity associated with running a bakery in a residentially zoned area is a nonconforming use.)
- (73) **NURSING CARE HOME.** A group home licensed as a nursing home under the Nursing Home Licensure Act, N.C.G.S. § 131E-100 et. seq. (**AMENDED 6/22/04**)
- (74) **NURSING CARE INSTITUTION.** An institutional facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.

- (75) **OUTSIDE DISPLAY OF GOODS FOR SALE OR RENT.** Display outside of a fully enclosed building of the particular goods or pieces of merchandise or equipment that are themselves for sale. Outside display is to be distinguished from outside storage of goods that are not prepared and displayed for immediate sale or rent. **(AMENDED 2/4/86)**
- (76) **OVERNIGHT SHELTER FOR HOMELESS.** A shelter operated by a non-profit agency for not more than fifteen persons (in addition to not more than two resident managers) who are referred to such shelter by an established agency within the community such as OPM Mental Health, the Carrboro or Chapel Hill Police Departments, the Orange County Department of Social Services, the Interfaith Council, the Salvation Army, etc. **(AMENDED 10/22/85)**
- (77) **PARKING AREA AISLES.** A portion of the vehicle accommodation area consisting of lanes providing access to parking spaces.
- (78) **PARKING SPACE.** A portion of the vehicle accommodation area set aside for the parking of one vehicle.
- (79) **PLANNED INDUSTRIAL DEVELOPMENT.** A development that *(i)* is constructed on a tract of at least twenty contiguous acres under single ownership located within a planned industrial district, *(ii)* is developed in accordance with a comprehensive and unified scheme of development covering the entire tract, *(iii)* consists of a single principal use or a combination of principal uses as described in the 2.130 wholesale sales, 4.100 manufacturing, 13.100 police station, or 13.200 fire station classifications, and *(iv)* is otherwise developed according to building height, setback and other regulations applicable to the M-1 zoning district, except that the performance standards (Article XI, Part I) applicable to 4.100 uses in business zones shall govern uses in a planned industrial development. **(AMENDED 6/22/82)**
- (80) **PLANNED UNIT DEVELOPMENT.** A development constructed on a tract of land at least twenty-five (25) acres under single ownership, planned and developed as an integral unit, and consisting of a combination of principal uses that could not be combined in any district other than a planned unit development district. **(AMENDED 6/22/82)**
- (81) **PLANNING JURISDICTION.** The area within the town limits as well as the area beyond the town limits within which the town is authorized to plan for and regulate development pursuant to the authority granted in Article 19 of Chapter 160A of the N.C. General Statutes and Chapter 122 of the Session Laws of 1963. **(AMENDED 6/22/82)**
- (82) **PROTECTIVE BUFFERS.** An area of land along both sides of watercourses outside of the University Lake Watershed with drainage areas smaller than one square mile that pursuant to Section 15-268 remains undisturbed and naturally vegetated in order to minimize the likelihood of nuisance flooding, promote the infiltration of stormwater into the ground, and help maintain local streams' capacity for carrying off storm water. **(AMENDED 12/06/88)**

- (83) **PUBLIC UTILITY SERVICE COMPLEX.** A development consisting of a combination of offices and one or more of the following types of uses, all of which are operated or conducted by a “public utility” as that term is defined in Section 62-3 of the N.C. General Statutes: motor vehicle repair (use classification 9.400), parking or storage (use classification 10.300), and towers and related structures (use classification 18.000). **(AMENDED 10/25/83)**
- (84) **PUBLIC WATER SUPPLY SYSTEM.** Any water supply system furnishing potable water to ten or more dwelling units or businesses or any combination thereof. (See G.S. 130-31)
- (85) **RECEIVE ONLY EARTH STATION. (DELETED 02/18/97)**
- (86) **RESIDENCE, DUPLEX. (REPEALED 4/24/84)**
- (87) **RESIDENCE, MULTI-FAMILY. (REPEALED 4/24/84)**
- (88) **RESIDENCE, SINGLE-FAMILY. (REPEALED 4/24/84)**
- (89) **RESIDENCE, DUPLEX.** A two-family residential use in which the dwelling units share a common wall (including without limitation the wall of an attached garage or porch) and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance. **(AMENDED 4/24/84)**
- (90) **RESIDENCE, MULTI-FAMILY.** A residential use consisting of a building containing three or more dwelling units. For purposes of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch). **(AMENDED 4/24/84)**
- (91) **RESIDENCE, MULTI-FAMILY APARTMENTS.** A multi-family residential use other than a multi-family conversion or multi-family townhome. **(AMENDED 4/24/84)**
- (92) **RESIDENCE, MULTI-FAMILY CONVERSION.** A multi-family residence containing not more than four dwelling units, that results from the conversion of a single building containing at least 2,000 square feet of gross floor area that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence. **(AMENDED 4/24/84)**
- (93) **RESIDENCE, MULTI-FAMILY TOWNHOMES.** A multi-family residential use in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one other dwelling unit and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance. **(AMENDED 4/24/84)**
- (94) **RESIDENCE, PRIMARY WITH ACCESSORY APARTMENT.** A residential use having the external appearance of a single-family residence but in which there is located a second

dwelling unit that comprises not more than twenty-five percent of the gross floor area of the building nor more than a total of 750 square feet.

- (95) **PRIMARY WITH ACCESSORY DETACHED DWELLING.** A residential use in which there is located on the same lot a primary, single family residence and a second dwelling that is detached from the primary residence but that may be attached to another accessory building such as a garage, and which second dwelling unit comprises not more than fifty percent of the gross floor area of the primary residence nor more than a total of 750 square feet, exclusive of garage. **(AMENDED 05/28/02)**
- (96) **RESIDENCE, SINGLE-FAMILY DETACHED, MORE THAN ONE DWELLING PER LOT.** A residential use consisting of two or more single-family detached dwelling units on a single lot.
- (97) **RESIDENCE, SINGLE-FAMILY DETACHED, ONE DWELLING UNIT PER LOT.** A residential use consisting of a single detached building containing one dwelling unit and located on a lot containing no other dwelling units.
- (98) **RESIDENCE, SINGLE-ROOM OCCUPANCY.** A multi-family, residential use in which each dwelling unit includes no more than 450 square feet. **(AMENDED 01/11/00)**
- (99) **RESIDENCE, TWO-FAMILY.** A residential use consisting of a building containing two dwelling units. If two dwelling units share a common wall, even the wall of an attached garage or porch, the dwelling units shall be considered to be located in one building.
- (100) **RESIDENCE, TWO-FAMILY APARTMENT.** A two-family residential use other than a duplex, two-family conversion, or primary residence with accessory apartment.
- (101) **RESIDENCE, TWO-FAMILY CONVERSION.** A two-family residence resulting from the conversion of a single building containing at least 2,000 square feet of gross floor area that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.
- (102) **ROAD.** All private ways used to provide motor vehicle access to (i) two or more lots or (ii) two or more distinct areas or buildings in unsubdivided developments.
- (103) **ROOMING HOUSE.** (See Boarding House)
- (104) **SATELLITE DISH.** A dish-shaped antenna designed for the reception of electronic signals from satellites. **(AMENDED 02/18/97)**
- (105) **SENIOR CITIZEN RESIDENTIAL COMPLEX.** A residential development consisting of a combination of (i) two-family or multi-family dwelling units, at least 90% of which are one-bedroom units designed for and limited to occupancy by senior citizens, and (ii) an “intermediate care institution” for senior citizens (use classification 7.200) containing a number of bedrooms that does not exceed the number of dwelling units in the complex

and that is designed to house a number of senior citizens that does not exceed twice the maximum permissible number of bedrooms in this intermediate care facility. For purposes of this subsection, the term “senior citizen” means a person who is sixty-two (62) years of age or older or a household composed of one or more persons at least one of whom is 62 years of age or older. **(AMENDED 11/28/95)**

- (106) **SENIOR CITIZENS’ DAY CARE FACILITY, CLASS A.** Any day care arrangement or center which provides day care for more than three but not more than sixteen senior citizens at any one time, on a regular basis of at least once per week for more than two hours but less than 24 hours per day. Operation of a class A day care facility for senior citizens is considered use 22.300 Senior Citizens Day Care in the Table of Permissible Uses. **(AMENDED 02/04/97; 6/26/07)**
- (107) **SENIOR CITIZENS’ DAY CARE FACILITY, CLASS B.** Any day care arrangement or center which provides day care for more than sixteen senior citizens at any one time, on a regular basis of at least once per week for more than two hours but less than 24 hours per day. Operation of a class B day care facility for senior citizens is considered use 22.400 Senior Citizens Day Care in the Table of Permissible Uses. **(AMENDED 02/04/97; 6/26/07)**
- (108) **SIGN, FREESTANDING.** A sign that *(i)* is not directly attached to, erected on, or supported by a building or other structure having a principal function other than the support of such sign, but *(ii)* is instead attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of a building or other structure having a principal function other than the support of a sign. A sign that stands without supporting elements, such as a “sandwich sign”, is also a freestanding sign.
- (109) **SIGN, NONCONFORMING.** A sign that, on the effective date of this chapter does not conform to one or more of the regulations set forth in this chapter, particularly Article XVII, Signs.
- (110) **SIGN, OFF-PREMISES.** A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold, or offered at a location other than the premises on which the sign is located.
- (111) **SIGN PERMIT.** A permit issued by the land use administrator that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.
- (112) **SPECIAL EVENTS.** Circuses, fairs, carnivals, festivals, or other types of special events that *(i)* run for longer than one day but not longer than two weeks, *(ii)* are intended to or likely to attract substantial crowds, and *(iii)* are unlike the customary or usual activities generally associated with the property where the special event is to be located. **(AMENDED 10/13/81)**

- (113) **SPECIAL EXCEPTION PERMIT.** A permit issued by the board of adjustment that authorizes the recipient to deviate from the otherwise applicable requirements of this chapter under the specific circumstances and in accordance with the conditions set forth in section 15-92.1. **(AMENDED 06/21/94)**
- (114) **SPECIAL USE PERMIT.** A permit issued by the board of adjustment that authorizes the recipient to make use of property in accordance with the requirements of this chapter as well as any additional requirements imposed by the board of adjustment.
- (115) **SPECIALTY HIGH VOLUME TRAFFIC GENERATION.** Uses such as gift or craft stores, bookstores, music stores and similar uses, to the extent that each individual enterprise occupies (whether as tenant or owner occupant) a gross floor area of not more than 3,000 square feet. Without limiting the generality of the foregoing, pawn shops and firearms sales are specifically excluded from this definition. **(AMENDED 04/27/99)**
- (116) **STORY.** That portion of a building included between the surface of any floor and the surface of the floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it, a distance typically measuring between nine and fourteen feet. The term story does not include any building level(s) that are substantially enclosed below the finished grade at the front of the building, so long as the finished grade does not substantially differ from the pre-construction, natural grade. **(AMENDED 11/14/00; 4/8/03)**
- (117) **STREAM.** A body of water flowing in a natural surface channel. Flow may be continuous or only during wet periods. **(AMENDED 12/7/83)**
- (118) **STREET.** A public street or a street with respect to which an offer of dedication has been made.
- (119) **STREET, ARTERIAL.** A major street in the town's street system that serves as an avenue for the circulation of traffic onto, out, or around the town and carries high volumes of traffic. The following streets are arterial streets:
- | | |
|----------------------|----------------------|
| Culbreth Road | Main Street |
| Dairyland Road | Merritt Mill Road |
| Damascus Church Road | Hwy 54 |
| Estes Drive | Old Greensboro Road |
| Eubanks Road | Old Hwy 86 |
| Greensboro Street | Old Fayetteville Rd. |
| Hillsborough Road | Rogers Road |
| Homestead Road | Smith Level Road |
| Jones Ferry Road | Weaver Street |
- (AMENDED 06/04/91)**
- (120) **STREET, COLLECTOR.** A street whose principal function is to carry traffic between minor, local, and subcollector streets and arterial streets but that may also provide direct access to

abutting properties. It serves or is designed to serve, directly or indirectly, more than one hundred dwelling units and is designed to be used or is used to carry more than eight hundred trips per day.

- (121) **STREET, CUL-DE-SAC.** A street that terminates in a vehicular turn-around.
- (122) **STREET, LOCAL.** A street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least ten but not more than twenty-five dwelling units and is expected to or does handle between seventy-five and two hundred trips per day.
- (123) **STREET, MARGINAL ACCESS.** A street that is parallel to and adjacent to an arterial street and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties.
- (124) **STREET, MINOR.** A street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than nine dwelling units and is expected to or does handle up to seventy-five trips per day.
- (125) **STREET, SUBCOLLECTOR.** A street whose principal function is to provide access to abutting properties but is also designed to be used or is used to connect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least twenty-six but not more than one hundred dwelling units and is expected to or does handle between two hundred and eight hundred trips per day.
- (126) **STRUCTURE.** Anything constructed or erected.
- (127) **SUBDIVISION.** The division of a tract of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and including all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations of this chapter applicable strictly to subdivisions: (i) the combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the minimum standards set forth in this chapter, (ii) the division of land into parcels greater than ten acres where no street right-of-way dedication is involved; or (iii) the public acquisition by purchase of strips of land for widening or opening of streets or for public transportation system corridors; or (iv) the division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the minimum standards set forth in this chapter.
(AMENDED 10/24/06)

- (128) **SUBDIVISION, ARCHITECTURALLY INTEGRATED NONRESIDENTIAL. (REPEALED 4/24/84)**
- (129) **SUBDIVISION, ARCHITECTURALLY INTEGRATED RESIDENTIAL. (REPEALED 4/24/84)**
- (130) **SUBDIVISION, ARCHITECTURALLY INTEGRATED.** A subdivision in which approval is obtained not only for the division of land into lots but also for a configuration of principal buildings to be located on such lots. The plans for an architecturally integrated subdivision shall show the dimensions, heights, and location of all such buildings to the extent necessary to comply with the purpose and intent of architecturally integrated subdivisions as set forth in Section 15-187.
- (131) **SUBDIVISION, MAJOR.** Any subdivision other than a minor subdivision.
- (132) **SUBDIVISION, MINOR.** A subdivision of property located outside of the watershed districts that does not involve the creation of more than a total of four lots or the creation of any new public streets. **(AMENDED 7/21/87; 12/15/87; 6/22/10)**
- (133) **TEMPORARY HOME FOR HOMELESS.** A home owned or operated by a non-profit agency for not more than fifteen persons who satisfy the following criteria and who are in need of temporary housing, together with not more than two resident managers. All residents of such home, other than the manager shall: *(i)* be accepted only upon referral from an established agency within the community such as the Carrboro or Chapel Hill Police Departments, Inter-Faith Council, Salvation Army, etc. *(ii)* need housing and intend to reside within the home for at least a week while looking for more permanent accommodations within the community, *(iii)* be in need of temporary shelter because of some temporary emergency or exigency (e.g., pregnant teenagers, battered wives, newly unemployed persons evicted from their homes) and not because of transiency, de-institutionalization, chronic unemployment, alcoholism, or drug abuse.
- (134) **TEMPORARY SIGN.** A sign that *(i)* is used in connection with a circumstance, situation, or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or *(ii)* is intended to remain on the location where it is erected or placed for a period of not more than fifteen days. If a sign display area is permanent but the message displayed is subject to periodic change, that sign shall be regarded as temporary.
- (135) **TOWER.** A structure whose principal function is to support one or more antennas. **(AMENDED 02/18/97)**
- (136) **TRACT.** A lot (see definition 37). The term is used inter-changeably with the term lot, particularly in the context of subdivisions, where one “tract” is subdivided into several “lots”.

- (137) **TREE DIAMETER.** The width of a tree's trunk, measured four and one half (4½) feet above the ground. (AMENDED 03/21/89)
- (138) **TRAVEL TRAILER.** A structure that is (i) intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and (ii) is designed for temporary use as sleeping quarters, but that does not satisfy one or more of the definitional criteria of a mobile home.
- (139) **UNDERGROUND UTILITY LINE.** Any underground utility lines (including, but not limited to, electrical, cable television, telephone, and natural gas, but excluding water and sewer lines constructed by the Orange Water and Sewer Authority) that are installed outside of public street rights-of-way and are not permitted pursuant to any other land use permit, and where any lines would eventually be dedicated to a governmental entity, nonprofit organization, or any entity defined as a public utility for any purpose by Section 62.3 of the North Carolina General Statutes. (AMENDED 5/24/05)
- (140) **UNIVERSITY LAKE WATERSHED.** All the land area contributing water to University Lake. (AMENDED 12/7/83)
- (141) **USE.** The activity or function that actually takes place or is intended to take place on a lot.
- (142) **USE, PRINCIPAL.** A use listed in the table of permissible uses.
- (143) **UTILITY FACILITIES.** Any above-ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, corporation, or any entity defined as a public utility for any purpose by Section 62.3 of the North Carolina General Statutes and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Excepted from this definition are utility lines and supporting structures listed in subsection 15-151(2).
- (144) **UTILITY FACILITIES, NEIGHBORHOOD.** Utility facilities that are designed to serve the immediately surrounding neighborhood and that must, for reasons associated with the purpose of the utility in question, be located in or near the neighborhood where such facilities are proposed to be located.
- (145) **UTILITY FACILITIES, COMMUNITY OR REGIONAL.** All utility facilities other than neighborhood facilities.
- (146) **VARIANCE.** A grant of permission by the board of adjustment that authorizes the recipient to do that which, according to the strict letter of this chapter, he could not otherwise legally do.

- (147) **VEHICLE ACCOMMODATION AREA.** That portion of a lot that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.
- (148) **VEHICLE STORAGE AREA.** That portion of a vehicle accommodation area used in connection with a 9.200 or 9.400 classification use as a place to park vehicles temporarily while they are waiting to be worked on or pending the pick- up of such vehicles by their owners. **(AMENDED 2/4/86)**
- (149) **WATER DEPENDENT STRUCTURE. (DELETED 3/24/09)**
- (149) **WATERSHED DISTRICTS.** Those zoning districts that are applied to land within the University Lake Watershed, specifically, the C, B-5, WR, and WM-3 districts. **(AMENDED 12/15/87; 05/15/90)**
- (150) **WATERSHED RESEARCH.** Small scale research facilities owned by the federal, state, or local governments and operated by or under contract with such government, which facilities do not involve the use, production, storage, or disposition of toxic or hazardous substances and which facilities relate to the study of the environment of the watershed or some other activity compatible with a close proximity to the community's water source.
- (151) **WHOLESALE SALES.** On-premises sales of goods primarily to customers engaged in the business of reselling the goods.
- (152) **WOODED AREA.** An area of contiguous wooded vegetation where trees are at a density of at least one six-inch or greater caliper tree per 325 square feet of land where the branches and leaves form a contiguous canopy. **(AMENDED 4/24/84)**
- (153) **ZONING PERMIT.** A permit issued by the land use administrator that authorizes the recipient to make use of property in accordance with the requirements of this chapter.

Section 15-16 Lots Divided by District Lines.

(a) Whenever a single lot two acres or less in size is located within two or more different zoning districts, the district regulations applicable to the district within which the larger portion of the lot lies shall apply to the entire lot.

(b) Whenever a single lot greater than two acres in size is located within two or more zoning districts, then: **(AMENDED 1/22/85; 3/12/85; 2/24/87)**

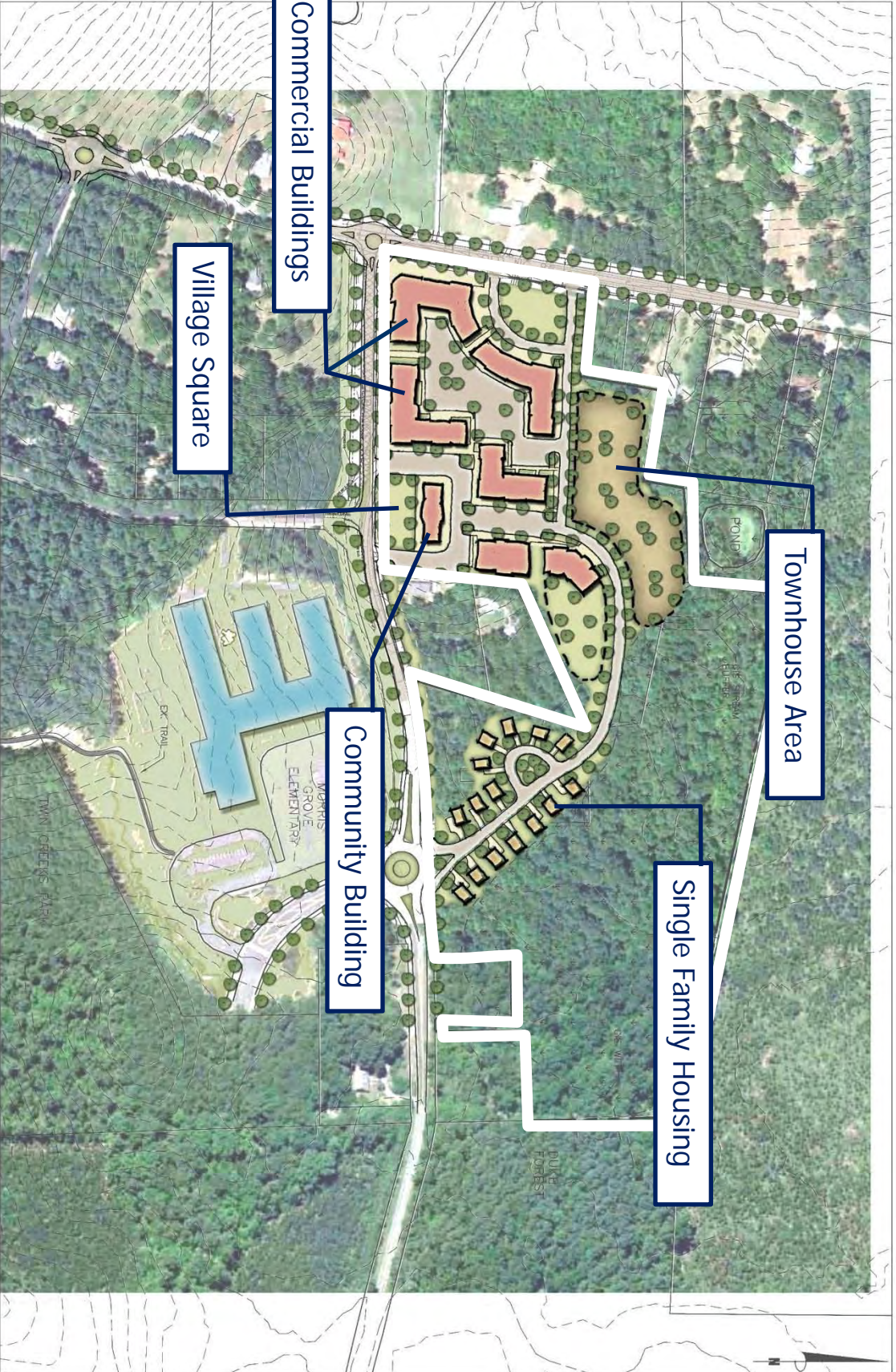
- (1) If each portion of the lot located within a separate district is equal to or greater than the minimum lot size for that district, then each portion of the lot shall be subject to all the regulations applicable to the district in which it is located.

- (2) If any portion of the lot located within a separate district is smaller than the minimum lot size for that district, then such smaller portion shall be regarded as if it were in the same zoning district as the nearest larger portion to which it is attached.

(c) This section applies only to lots created on or before the effective date of this chapter unless the board of adjustment, in a proceeding under Section 15-93 to determine district boundaries, concludes that a lot established after the effective date of this section was not created to bring additional lot area within a more intensive zoning district, or otherwise to take unfair or unwarranted advantage of the provisions of this section.

Section 15-17 through 15-20 Reserved.

Team One

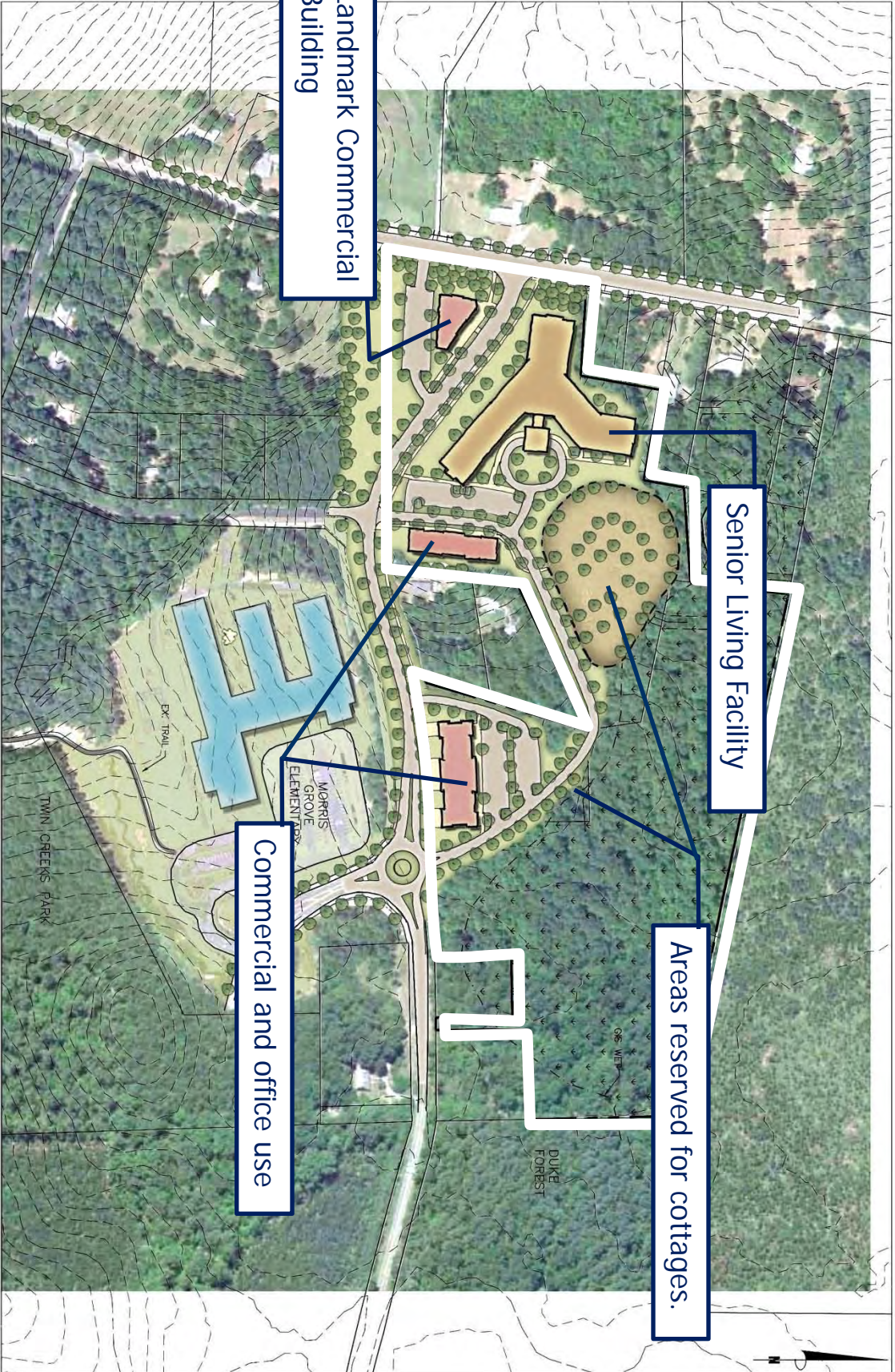


NORTHERN STUDY AREA - EUBANKS ROAD & OLD NC 86

Town of Carboro
Durham Area Designers



Team Two

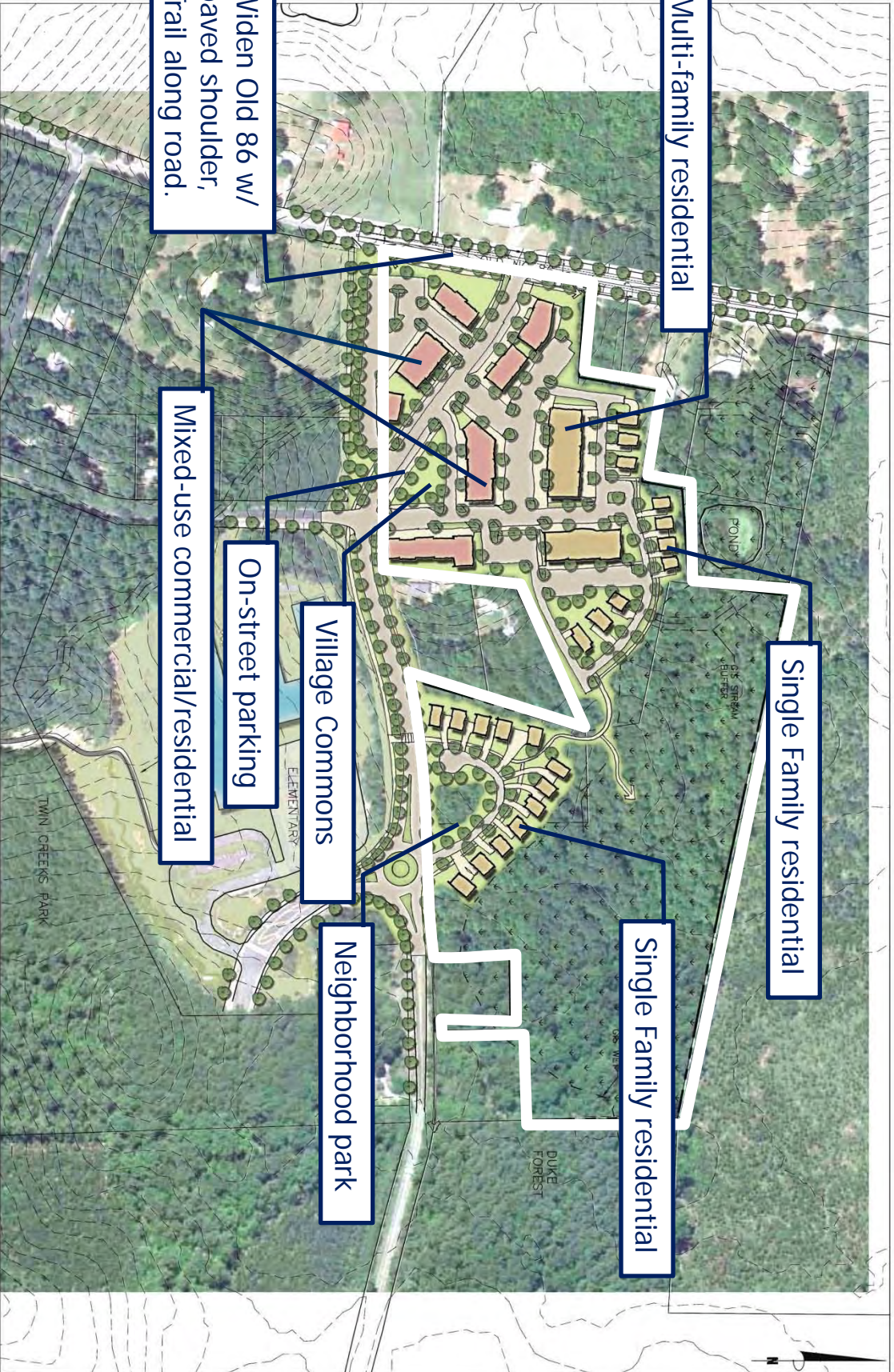


NORTHERN STUDY AREA - EUBANKS ROAD & OLD NC 86

Town of Carboro
Durham Area Designers

Scale 1" = 100'

Team Three



Multi-family residential

Single Family residential

Single Family residential

Neighborhood park

Village Commons

On-street parking

Mixed-use commercial/residential

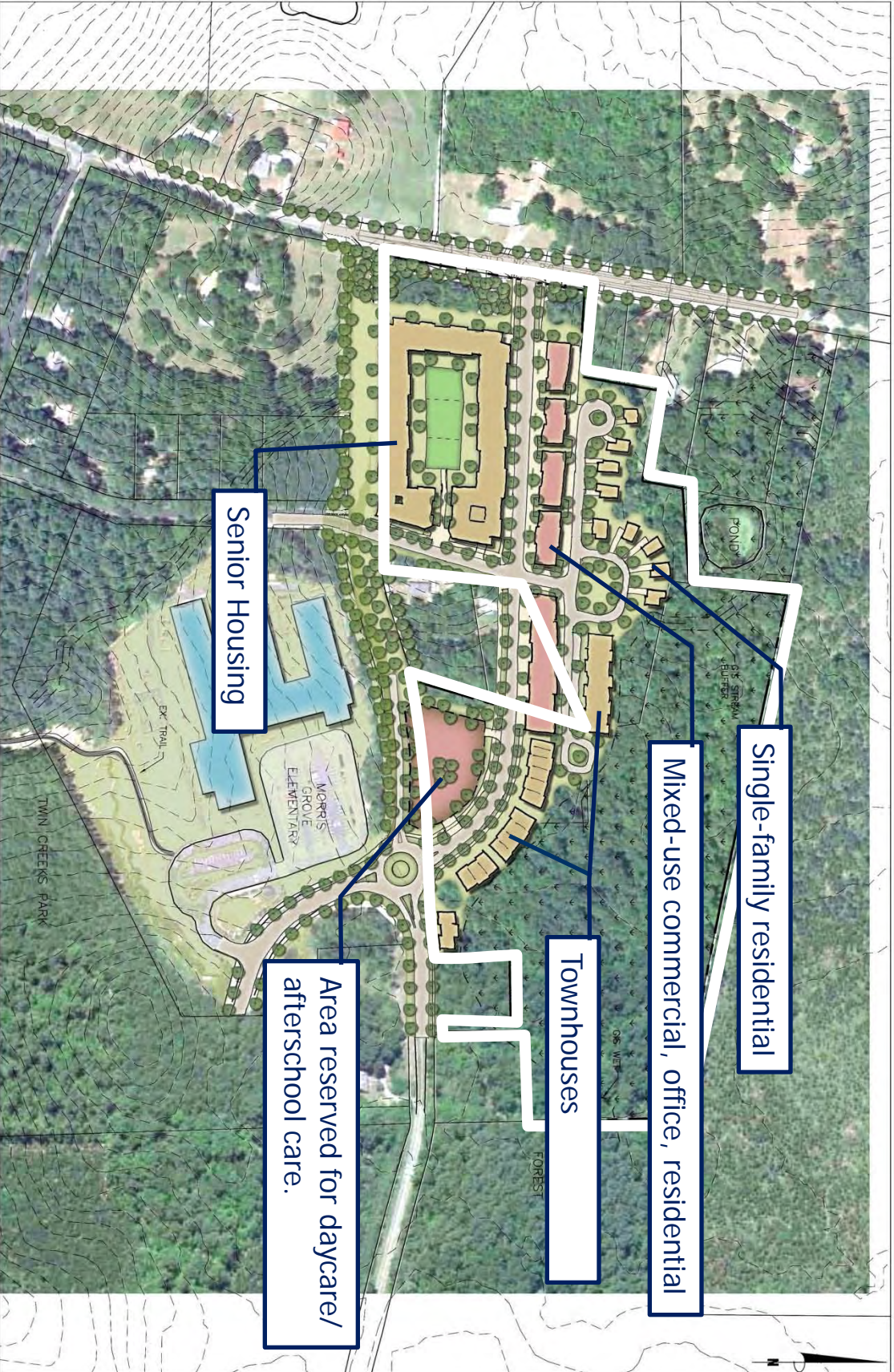
Widen Old 86 w/
paved shoulder,
Trail along road.

NORTHERN STUDY AREA - EUBANKS ROAD & OLD NC 86

Town of Carboro
Durham Area Designers



Team Four

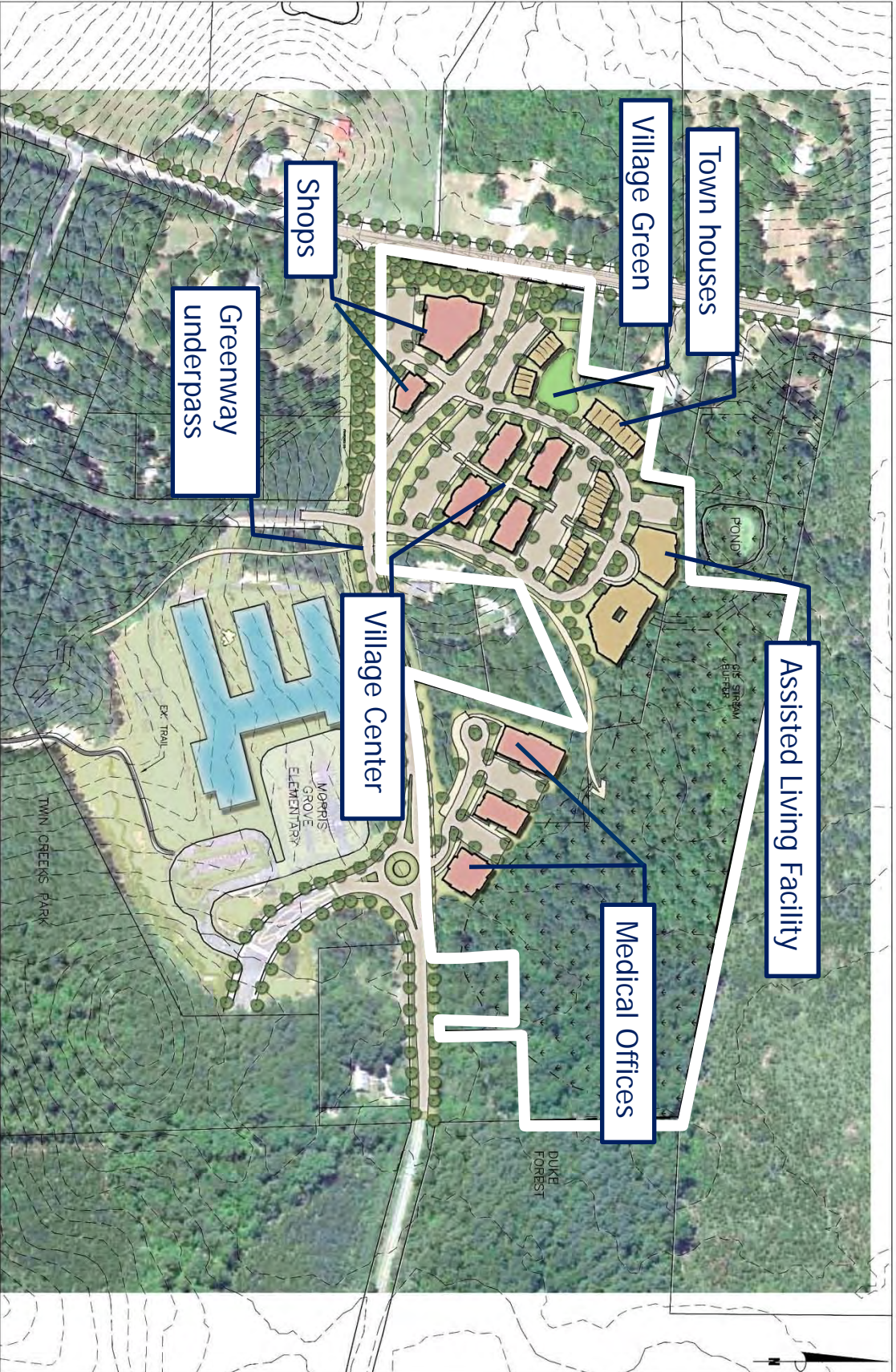


NORTHERN STUDY AREA - EUBANKS ROAD & OLD NC 86

Town of Carboro
Durham Area Designers

1" = 100'
Scale 1" = 100'

Team Five



NORTHERN STUDY AREA - EUBANKS ROAD & OLD NC 86

Town of Carboro
Durham Area Designers

100 0 100 200 300
Scale 1" = 100'

From: [Omar Zinn](#)
To: [Christina Moon](#)
Subject: 12 photos of concepts for eubanks multiform/commercial
Date: Wednesday, October 08, 2014 7:32:39 AM



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apts



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IMG_7539

Homestead Rd



The STATION
at Homestead

GRAPES
WINE CO.

GRAPES
WINE CO.



