

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
ESTABLISH REGULATIONS FOR FACILITIES THAT PROVIDE SOCIAL SERVICES
INCLUDING DINING

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THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-15 (Definitions) of the Carrboro Land Use Ordinance is amended by adding a new subsection (112), as shown below, and renumbering the subsequent subsections accordingly.

(112) SOCIAL SERVICES PROVIDER WITH DINING: a facility that provides to the public, at little or no charge, various social services, which may include educational programs, counseling services, food pantry facilities, and other supportive services, and which includes dining, wherein free meals are provided on-site on a regular basis to substantial numbers of individuals. This use is distinguished from other social service providers, categorized elsewhere within category 3.000, which may also include a kitchen facility but that are primarily oriented to serving members of the organization, with only incidental service provided to the public.

Section 2. Section 15-146 (Table of Permissible Uses) is amended by adding a new use classification 3.260 "Social Service Provider with Dining" and by adding the letter "Z" opposite this use classification under the B-1(g), R-20 and RR zoning district columns to indicate that this use is permissible in these districts with a zoning permit (subject to the provisions of Subsection 15-147(o)).

Section 3. Section 15-147 (Use of the Designations Z,S,C in the Table of Permissible Uses) is amended by adding a new subsection (o) to read as follows:

(o) Notwithstanding the foregoing, the designation "Z" opposite use classification 3.260 is subject to the qualification that use classification 3.260 may only be allowed with a zoning permit in conjunction with the conditional rezoning of a property and demonstration of compliance with all applicable Land Use Ordinance provisions, including supplementary use regulations in section 15-176.7.

Section 4. Article XI (Supplementary Use Regulations) is amended by adding a new section 15-176.7 to read as follows:

Section 15-176.7 Social Service Provider with Dining.

(a) An application for a zoning permit to allow a Social Service Provider with Dining use shall include documentation of all appropriate licensing for the type of services provided at the particular site, and any required training for staff and volunteers.

(b) A Social Service Provider with Dining must be located within a half block of a public transit service stop.

(c) All facilities shall be designed to provide an on-site, sheltered location with sufficient queuing space for patrons to enter and exit the facility in an orderly manner and without disrupting traffic within public rights of way.

(d) The facility shall have an appropriate management/security system. Examples of potential elements of a security plan may include but not be limited to the following:

- (1) The location and number of security cameras and/or security personnel during operating hours and non-operating hours.
- (2) A single sign no larger than 1 square feet in area, identifying the operator of the facility and providing a telephone number or other contact information for the operator after hours.

Section 5. Section 15-291 (Number of Parking Spaces Required) shall be amended as follows:

The Table in Section 15-291, Part I, shall be amended to add use 3.260 with the following corresponding requirements: 1 space for every full time employee; 1 space for every 2 part time employees; 1 space for every 3 volunteers; 1 space for every 20 seats the portion of the building used for dining, and 1 space for every 100 square feet of the building dedicated toward meeting or educational space (depending on programming needs, this requirement may apply to the kitchen and dining spaces).

The Table of Bicycle Parking Standards shall also be amended to add use 3.260 with the corresponding requirement of 1 space for every 5 seats in the portion of the building used for dining.

Section 6. Subsection (a) of Section 15-48.1, Concept Plan Review Procedures Prior to Submitting Applications, is hereby amended to read as follows:

(a) Prior to submitting an application for a special or conditional use permit, or for conditional zoning to allow use classification 3.260 Social Service Provider/Community Kitchen, the applicant shall comply with the requirements of this section.

Section 7. Subsection (d) of Section 15-141.4 Conditional Zoning Districts is hereby amended so that it reads as follows:

(d) When a rezoning petition for a conditional zoning district is submitted (in accordance with Article XX of this chapter), the application shall include a list of proposed conditions (which may be in the form of written statements, graphic illustrations, or any combination thereof) to be incorporated into the ordinance that rezones the property to the requested conditional zoning district. A rezoning petition submitted to allow use classification 3.260 Social Service Provider with Dining within a building of more than two stories or 35 feet in height shall include information that demonstrates that, if the project is completed as proposed, it

- (1) Will not substantially injure the value of adjoining or abutting property; and

(2) Will be in harmony with the area in which it is to be located. The manner in which a project is designed to accommodate additional building height including, but not limited to, scale, architectural detailing, compatibility with the existing built environment and with adopted policy statements in support of vibrant and economically successful and sustainable, mixed-use, core commercial districts shall be among the issues that may be considered to make a finding that a project is or is not in harmony with the area in which it is to be located. The applicant may use a variety of graphic and descriptive means to illustrate these findings.

(3) Will be in general conformity with the Land Use Plan, Thoroughfare Plan, and other plans officially adopted by the Board.

(d1) The list of proposed conditions may be modified by the planning staff, advisory boards, or Board of Aldermen as the rezoning application works its way through the process described in Article XX, but only those conditions mutually approved by the applicant and the Board may be incorporated into the conditional zoning district. Conditions and site-specific standards imposed in a conditional district shall be limited to (i) those that address the conformance of the development and use of the site to the provisions of this chapter or to applicable plans adopted by the Board, and (ii) those that address the impacts reasonably expected to be generated by the development or use of the site.

(d2) All relevant provisions of the Land Use Ordinance shall apply except to the extent that such provisions are superseded by the provisions of this section or any conditions incorporated into the conditional zoning district described in subsection (d1) above.

Section 8. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 9. This ordinance shall become effective upon adoption.