



Town of Carrboro

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

Meeting Agenda Board of Aldermen



Tuesday, March 25, 2014

7:30 PM

Board Chambers - Room 110

7:30-7:35

A. CONSENT AGENDA

1. [14-0105](#) A resolution to modify the Wednesday hours of the Carrboro Farmer's Market

PURPOSE: The purpose of this item is to modify the hours of operation on the Wednesday Carrboro Farmer's Market.

Attachments: [resolution to modify the Farmer's Market Agreement 3-25-2014](#)

B. PUBLIC HEARING

7:35-7:50

1. [14-0101](#) Community Input on Town's Website Redesign

PURPOSE: The purpose of this item is for the Board of Aldermen to receive public comments on the Town's website redesign.

7:50-8:15

2. [14-0102](#) Public hearing on Land Use Ordinance Amendments Relating to Design Standards for Bike and Pedestrian Paths

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance to clarify design standards for bike and pedestrian paths. A draft ordinance has been prepared for the Board's consideration. The Board must receive public comments before taking action on the draft ordinance.

Attachments: [Attachment A-1 Consistency Resolution for Ordinance Approval](#)
[Attachment A-2 - Consistency Resolution for Ordinance Denial](#)
[Attachment B - Draft LUO Text Amendment 3-6-2014](#)
[Attachment C - Excerpts from LUO](#)
[Attachment D - Comments](#)

8:15-8:40

3. [14-0100](#) Public hearing on Land Use Ordinance Amendments to Allow Additional Uses in the M-1 Zoning District with a Conditional Use Permit

PURPOSE: The purpose of this item is for the Board to consider amending the Land Use Ordinance to allow additional uses in the M-1 zoning district with a conditional use permit, subject to certain criteria. A draft ordinance has been prepared. The Board must receive public comments before taking action on the draft ordinance.

Attachments: [Attachment A-1 - Consistency Resolution for Ordinance Adoption](#)
[Attachment A-2 - Consistency Resolution for Ordinance Denial](#)
[Attachment B - Draft ordinance 3-18-2014](#)
[Attachment C - Text Amend Request](#)
[Attachment D - Excerpts from LUO Article IX & X](#)
[Attachment E - Recommendations from Advisory Board and Orange County](#)

8:40-9:00

4. [14-0104](#) Public hearing on Land Use Ordinance Amendments Relating to Solar Setbacks

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance relating to solar setbacks. A draft ordinance has been prepared for the Board's consideration. The Board must receive public comments before taking action on the draft ordinance.

Attachments: [Attachment A-1 - Consistency Resolution for Approval](#)
[Attachment A-2 - Consistency Resolution for Ordinance Denial](#)
[Attachment B - Draft LUO Amend requiring solar impact analysis 1-27-2014](#)
[Attachment C - LUO Excerpts](#)
[Attachment D - Comments](#)

- C. MATTERS BY TOWN CLERK
- D. MATTERS BY TOWN MANAGER
- E. MATTERS BY TOWN ATTORNEY
- F. MATTERS BY BOARD MEMBERS



Town of Carrboro

Town Hall
301 W. Main St.
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Legislation Text

File #: 14-0105, **Version:** 1

TITLE:

A resolution to modify the Wednesday hours of the Carrboro Farmer's Market

PURPOSE: The purpose of this item is to modify the hours of operation on the Wednesday Carrboro Farmer's Market.

DEPARTMENT: Economic and Community Development

CONTACT INFORMATION: Annette D. Stone, AICP Economic and Community Development Director

INFORMATION: The Carrboro Farmer's Market is requesting to modify the current hours of operations for the Wednesday Farmer's Market, which will start on April 9th for the 2014 season, from the current hours of 3:30 to 6:30 p.m. to new hours of 3:00 to 6:00 p.m. Set-up for the Market would begin at 2:00 p.m. and the Market would vacate the property by 8:00 p.m. The Market feels these hours better represent the actual hours of use by Farmer's Market customers. Staff has reviewed this request and it does not conflict with any other scheduled events or change the available parking that is currently generated by the Farmer's Market.

FISCAL & STAFF IMPACT: There is no fiscal or staffing impact for the Town

RECOMMENDATION: Staff recommends the Board consider the resolution to modify the hours of operation for the Wednesday Carrboro Farmer's Market

RESOLUTION

TO MODIFY THE AGREEMENT WITH THE CHAPEL HILL-CARRBORO FARMER'S MARKET MARCH 25, 2014

WHEREAS, the Carrboro Board of Aldermen have an agreement with the Chapel Hill-Carrboro Farmer's Market to run the market for the Town, and;

WHEREAS, the Town and the Farmer's Market agree to modify the agreement from time to time.

NOW THEREFORE BE IT RESOLVED, that the agreement is modified to allow change the hours of operation for the Wednesday Markets to begin set-up by 2:00 p.m. and vacating the property by 8:00 p.m. with actual Market hours between 3:00 p.m. and 6:00 p.m.

FURTHER the Manager is authorized to enter into a modified agreement that provides for these items.

This 25th day of March, 2014.



Town of Carrboro

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

Legislation Text

File #: 14-0101, **Version:** 1

TITLE:

Community Input on Town's Website Redesign

PURPOSE: The purpose of this item is for the Board of Aldermen to receive public comments on the Town's website redesign.

DEPARTMENT: MO-IT

CONTACT INFORMATION: Andy Vogel, 919-918-7305; Cathy Wilson, 919-918-7309

INFORMATION: The Town's website is undergoing a redesign and refresh. The new design will incorporate the Town's new logo and design elements taken from the Town's recent branding campaign. New functionality will be added and site navigation is being updated. The Town has a strong desire to incorporate public input into this process and is seeking further input during this public hearing. A community input session was held on February 18th, 2014 and a related survey is currently available on the Town's website front page. There will be a brief presentation showing the sites new design and a description of new functionality.

FISCAL & STAFF IMPACT: None

RECOMMENDATION: The Board of Aldermen receive public comments.



Town of Carrboro

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

Legislation Text

File #: 14-0102, **Version:** 1

TITLE:

Public hearing on Land Use Ordinance Amendments Relating to Design Standards for Bike and Pedestrian Paths

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance to clarify design standards for bike and pedestrian paths. A draft ordinance has been prepared for the Board's consideration. The Board must receive public comments before taking action on the draft ordinance.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 918-7325; Jeff Brubaker - 918-7329; Patricia McGuire - 918-7327; Mike Brough - 929-3905

INFORMATION: The table in Section 15-196 of the Land Use Ordinance, Active Recreational Areas and Facilities Required, lists hiking/biking trail as a potential facility for satisfying recreational point requirements. Two subsequent subsections 15-196(h)(2) and 15-196(e) reference the construction of bike and pedestrian paths, but neither provision specifies design or construction standards.

Section 15-321(c)(1) of the Land Use Ordinance provides for staff to proceed with the preparation of an ordinance to change the LUO if it believes the change to have significant merit and would benefit the general public. A draft ordinance has been prepared that establishes design and construction standards based on the 2012 AASHTO Guide for Bicycle Facilities, 4th Edition, the current standard for these types of facilities.

Staff presented the draft ordinance at the March 6th joint review meeting. The ordinance was also referred to the Recreation and Parks Commission. Inclement weather prevented the Commission from taking formal action on the item, but comments from individual members are included with the recommendations from other advisory boards (*Attachment D*). Comments from Orange County are also provided.

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the resolution finding consistency, and the draft ordinance provided in the attachments.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND
USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO CLARIFY THE DESIGN STANDARDS FOR BIKE AND PEDESTRIAN PATHS INTENDED FOR RECREATIONAL FACILITIES.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020 regarding recreation and parks, and bicycle and pedestrian transportation, specifically in the following provisions:

1.11 The town should encourage and support the development of greenways and parklands dedicated to public use along stream and easements. There should be a network of connected greenways throughout the town. These greenways should serve as nature trails, biking and walking trails, wildlife corridors.

4.0 The safe and adequate flow of bus, auto, bicycle and pedestrian traffic within and around Carrboro is essential.

4.31 The town should fully implement its bicycle and pedestrian network plan. This plan should identify links needed now as well as links that will be needed now as well as links that will be needed by 2020.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, give the added load to the infrastructure and anticipated use of facilities.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to remain consistent with its adopted plans or policies.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of March 2014.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF
THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO CLARIFY THE DESIGN STANDARDS FOR BIKE AND PEDESTRIAN PATHS INTENDED FOR RECREATIONAL FACILITIES.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of March 2014.

ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
CLARIFY THE DESIGN STANDARDS FOR BIKE AND PEDESTRIAN PATHS
INTENDED FOR RECREATIONAL FACILITIES

DRAFT 3-6-2014

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subsection 15-196(H)(2) of the Carrboro Land Use Ordinance shall amended to read as follows:

- (2) Bike and pedestrian paths constructed pursuant to subsection (e) of this section shall be designed and constructed in accordance with the AASHTO 2012 Guide for the Development of Bicycle Facilities, 4th Edition. (Only the area that is within the width of the dedicated easement for the bike and pedestrian areas is subject to the double counting provision.)

Section 2. Section 15-216(i) of the Carrboro Land Use Ordinance shall be amended to read as follows: In subdivision developments that abut a public street, sidewalks shall be constructed adjacent to such street if a sidewalk in that location is required by the officially adopted town sidewalk master plan or subsequent officially adopted transportation plan, (e.g. Safe Routes to School Strategic Action Plan, Comprehensive Bicycle Transportation Plan, Greenways Plan). Where such plans establish conflicting requirements, the most recently adopted plan shall be binding. Whenever possible, such sidewalk shall be constructed within the public right-of-way.

Section 3. Section 15-221(e) of the Carrboro Land Use Ordinance shall be amended to read: In unsubdivided nonresidential developments that abut a public street, sidewalks shall be constructed adjacent to such if a street if a sidewalk in that location is required by the officially adopted town sidewalk master plan or subsequent officially adopted transportation plan, (e.g. Safe Routes to School Strategic Action Plan, Comprehensive Bicycle Transportation Plan, Greenways Plan). Where such plans establish conflicting requirements, the most recently adopted plan shall be binding. Whenever possible, such sidewalk shall be constructed within the public right-of-way.

Section 4. Appendix A, Information Required with Applications, of the Carrboro Land Use Ordinance, Section A-6, Proposed Changes in Existing Features or New Features, subsection (b)(13) shall be rewritten to read as follows:

A-6. Sidewalks and walkways, bikeways and shared use paths, showing widths and surface material.

Section 5. Appendix C, Specifications for Design and Construction, of the Carrboro Land Use Ordinance shall be amended with a new subsection C-16 to read as follows:

C-16. Bike and Pedestrian Paths. All bike and pedestrian paths shall be designed and constructed in accordance with the AASHTO 2012 Guide for the Development of Bicycle Facilities, 4th Edition.

Section 6. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 7. This ordinance shall become effective upon adoption, and its provisions shall be applicable to projects for which permits are issued after the effective date.

ARTICLE XIII

RECREATIONAL FACILITIES AND OPEN SPACE

Section 15-196 Active Recreational Areas and Facilities Required (AMENDED 5/10/83; 4/24/84; 12/10/85; 10/22/13)

(a) Subject to subsection (d) and Sections 15-197 and 15-203, all residential developments shall provide active recreational areas and facilities to such an extent that the sum total of recreation points assigned to each recreational area and facility [under subsection (b)] equals or exceeds the number of recreation points required of that development in accordance with the remaining provisions of this section.

(b) For purposes of this section, a recreation point is a unit of measurement that allows various types of recreational areas and facilities to be compared to one another. As set forth more fully in Appendix G to this chapter, the principal criterion upon which recreation points are assigned to various facilities is the cost associated with the development of such facilities. The following table establishes the recreation points assignable to the facilities listed. Points for facilities not included in the table below shall be determined by the permit issuing authority by applying the methodology set forth in Appendix G.

TYPE FACILITY	POINTS/SQUARE FOOT	TYPICAL POINTS	SQUARE FEET
Swimming Pool	.463	356	(768
Swimming Pool Patio	.020	6	(2820
Tennis Court (1)	.034	245	(7200)
Tennis Court (2)	.028	403	(14400)
Tennis Court (4)	.025	720	(28800)
Basketball Court	.058	139	(2400)
Volleyball Court	.014	25	(1800)
Hiking/Biking Trail	.016	64	(4000)
Fitness Station	.022	9	(400)
Picnic Shelter	.148	37	(250)
Gazebo	.326	102	(314)
Clubhouse	.508	609	(1200)
Play Equipment	.107	136	(1275)
Slide	.514	8	(16)
Swing	.176	8	(48)
Climber	.160	8	(50)
Ladder	.108	5	(48)
Balance Beams	.075	3	(40)
Pullup Bars	.330	3	(8)
Seesaw	.076	6	(80)
Whirl	.333	9	(28)
Sandbox	.097	6	(64)
Baseball Field	.010	675	(67500)
Football/Soccer Field	.011	396	(36000)
Indoor Fitness Center	.81	810	(1000)

(c) The minimum total of recreation points required of any development shall equal the sum of the recreation points assigned to each type of dwelling unit or lot proposed for that development in accordance with the following (The methodology for determining the assignment of recreation points to residential type is set forth in Appendix G.):

TYPE OF RESIDENCE (By Use Classification)	POINTS PER DWELLING UNIT
1.100 Single Family detached	10.39
1.120 Includes mobile home parks	11.25
1.200 Two-family residences	10.39
1.300 Multi-family residences One Bedroom Two Bedroom Three or more Bedroom	5.94 9.47 11.81
1.34 Single-Room Occupancy	2.97

With respect to residential subdivisions other than architecturally integrated subdivisions, each lot that is large enough for only a single dwelling unit or that is limited by restrictive covenants to development only with a single dwelling unit shall be deemed to house one single-family detached dwelling unit. Subject to Section 15-197, lots that are large enough to accommodate more than one dwelling unit and are not so limited by restrictive covenants shall be deemed to house the largest number of two-bedroom multi-family units that could be approved under this chapter. **(AMENDED 10/10/00)**

(d) The Board recognizes that some developments will contain such a small number of dwelling units that the active recreational areas and facilities required pursuant to this section would be of minimal practical value and that maintenance of such areas for so small a development would likely prove problematic. Therefore, the following types of residential developments shall not be required to provide active recreational areas and facilities under this section but shall be required to pay to the town's open space and recreational facilities fund a fee in lieu thereof in accordance with Section 15-203 if the town determines that it will be feasible to provide active recreational areas and facilities on land that can reasonably be expected to serve the residents of such developments:

- (1) Unsubdivided developments that are small enough so that the minimum amount of recreation points required of such developments is not more than 80. **(AMENDED 2/24/87)**
- (2) Subdivided residential developments of less than fifteen dwelling units. **(AMENDED 06/27/95)**
- (3) For purposes of this subsection, the term "development" refers to the entire project developed on a single tract or contiguous multiple tracts under common ownership or control, regardless of whether the development is constructed in phases or stages. **(AMENDED 2/24/87)**

(e) If the proposed development contains land subject to the provisions of 15-198(e), then a bike and pedestrian path that has the potential of connecting with similar type facilities on adjoining tracts that also have lands subject to the provisions of 15-198(e) shall be provided within this area, unless the permit issuing authority concludes that such a bike and pedestrian path would be environmentally undesirable or economically unfeasible. **(AMENDED 06/27/95)**

(f) Play equipment suitable for children under 12 should comprise at least 10% of the total required recreation points of single-family units and 5% of the points required of multi-family units in a development. Residential developments consisting of solely single-room occupancy units shall be exempt from the requirement to provide play equipment suitable for children. **(AMENDED ON 10/10/00)**

(g) Active recreational facilities and areas should be located throughout the development so that they can be reached safely and easily by their anticipated users. Such facilities and areas should be on land that is suitable for the intended use, have a minimum of 1200 square feet per area, and be sufficiently screened to minimize the impacts on adjacent residences.

(h) When the cost of the land associated with recreational facilities is included in calculating the recreational points for such facilities under this section, then such land may generally not also be credited toward the fulfillment of the mandatory open space requirements set forth under Section 15-198. Exceptions to this policy are as follows:

- (1) Play fields, including without limitation baseball fields, soccer fields, and football fields;
- (2) Bike and pedestrian paths constructed pursuant to subsection (e) of this section. (Only the area that is within the width of the dedicated easement for the bike and pedestrian area is subject to the double counting provision.)
(AMENDED 06/27/95)

(i) **(AMENDED 4/8/03; REPEALED 6/12/07)**

ARTICLE XIV

STREETS AND SIDEWALKS

Section 15-216 Street Width, Sidewalk, and Drainage Requirements in Subdivisions **(AMENDED 08/27/96)**

(a) Minor and local streets where the grade does not exceed 8% may be constructed without curb and gutter in accordance with the standards set forth in subsection (b). All other streets shall be constructed in accordance with the standards set forth in subsection (c).
(AMENDED 05/12/98)

(b) Subject to subsections (d), (e), and (f), streets constructed without curb and gutter shall conform to the following standards as well as the specifications referenced in Section 15-219. To the extent practicable, the side slope of the drainage swale shall not exceed 4:1 on the street side and on the back side shall not exceed 3:1. When necessary, the minimum right-of-way shall be expanded to accommodate the proper construction of the travel lane, shoulders, swales, and (if applicable) a sidewalk within the right-of-way.

TYPE STREET with Swales	MINIMUM ROW WIDTH	MINIMUM PAVEMENT WIDTH	BIKE LANES	MINIMUM SHOULDER 1 2 WIDTH	SIDEWALK REQUIREMENT
MINOR	47'	18'	NONE	6' 8'	NONE
LOCAL	47'	20'	NONE	6' 8'	ONE SIDE

(AMENDED 11/19/96; 05/12/98)

(c) Subject to subsections (d), (e), and (f), collector streets and other streets not constructed according to the requirement of subsection (b) shall conform to the requirements of this subsection and the specifications referenced in Section 15-219. Only standard 90° curb may be constructed, except that roll-type curb may be authorized by the permit issuing authority. Street pavement width shall be measured from curb face to curb face where 90° curb is used, and from the back of one curb to the back of the opposite curb where roll-type curb is used.

TYPE STREET with Curb & Gutter	MINIMUM ROW WIDTH	MINIMUM PAVE- MENT WIDTH	BIKE LANES	SIDEWALK REQUIREMENT
ALLEY (One-way)	20'	12'	NONE	NONE
Minor	37'	18'	NONE	NONE
Local	43'	20'	NONE	ONE SIDE
Subcollector	50'	26'	NONE	BOTH SIDES
Collector	60'	34'	BOTH SIDES	BOTH SIDES
Arterial	NCDOT Standards	NCDOT Standards	BOTH SIDES	BOTH SIDES

(AMENDED 11/19/96; 05/12/98)

(d) The Board may allow a deviation from the standards set forth in subsections (b) and (c) to allow the construction of a street divided by a landscaped median with one-way traffic proceeding in opposite directions on either side of the median. The Board may allow such a street if it finds that, if completed as proposed, such a street will (i) adequately and safely serve the functions streets are designed to serve, and (ii) will not impose on the town any undue or unreasonable costs or burdens relating to repair and maintenance.

(e) The Board may allow a deviation from the right-of-way minimums set forth in subsections (b) and (c) if it finds that (i) the deviation is needed because in order for a development to be served by a public street the street must be constructed within an area that is not of sufficient width to comply with the right-of-way criteria set forth above, (ii) a street that meets the pavement width criteria and substantially complies with the other criteria set forth above can be constructed within the right-of-way that can be made available; and (iii) that the applicant show that he has made a reasonable effort and attempted to purchase the necessary right-of-way.

(f) The Board may allow a deviation from the standard right-of-way minimums set forth in subsections (b) and (c) if it finds that the developer has obtained an agreement from the utility companies whose lines will need to be located within a street right-of-way to install such lines in a single trench or in some other fashion that allows the street right-of-way to serve all of its intended purposes with a lesser width than that specified in subsections (b) and (c).

(g) The sidewalks required by this section shall be at least five feet wide and constructed with concrete according to the specification set forth in Appendix C, except that the permit issuing authority may permit the installation of walkways constructed with mortarless laid brick pavement according to specifications set forth in Appendix C when it concludes that: **(AMENDED 12/08/98)**

- (1) Such walkways shall serve the residents of the development as adequately as concrete sidewalks; and
- (2) Such walkways shall be more environmentally desirable or more in keeping with the overall design of the development.

(h) Whenever the permit issuing authority finds that a means of pedestrian access is necessary from the subdivision to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the streets, the developer may be required to reserve an unobstructed easement of at least ten feet in width to provide such access.

(i) In subdivision developments that abut a public street, sidewalks shall be constructed adjacent to such street if a sidewalk in that location is required by the officially adopted town sidewalk master plan. Whenever possible, such sidewalk shall be constructed within the public right-of-way.

(j) The sidewalks required by this section along streets with curb and gutter shall be constructed with a planting strip at least three feet in width, unless the permit-issuing authority allows the strip to be omitted or constructed at a lesser width upon a finding that such deviation from the presumptive standard is warranted to avoid environmental damage or to promote public safety. For purposes of this subsection, a planting strip shall mean a strip of land located between the back of the curb and the walkway. Such planting strips shall be planted with grass or otherwise landscaped. (AMENDED 11/19/96; 12/08/98)

Section 15-216.1 Street Widths, Sidewalk and Drainage Requirements in Certain Developments (AMENDED 05/06/03)

(a) When any tract of land is developed under circumstances requiring the issuance of a special or conditional use permit, the street and road design requirements for streets other than collector streets that would otherwise be determined in accordance with the provisions of Sections 15-216 and 15-221 may be modified, by approval of the permit-issuing authority, to alternative street width and construction specifications, sidewalk and drainage requirements, as illustrated in Appendix C, for developments that

- 1) involve the extension of, or connection to, existing Town streets, the construction specifications of which do not meet the minimum standards established in Section 15-216 in association with Section 15-210 Street Classification;
- 2) meet the following low-impact development criteria:
 - a) preserves open space and minimizes land disturbance;
 - b) protects natural systems and preserves natural processes (including, but not limited to, drainage ways, vegetation, soils, and other sensitive areas);
 - c) maximizes the incorporation of natural site elements (including, but not limited to, wetlands, stream corridors, and mature forests), and;
 - d) decentralizes and micromanages stormwater at its source to the maximum extent practicable.
- 3) include a minimum of 15 percent affordable housing units (as defined in Section 15-182.4(a).

(b) Streets constructed in accordance with this Section shall conform to the following standards as well as specifications presented in Appendix C.

Type Street Alternative	Minimum ROW Width	Minimum Pavement Width	Bike Lanes	Minimum Shoulder Width 1 2	Sidewalk Requirement	Re-
Local	59'	20'	NONE	9 (2)	ONE SIDE	
Subcollector	73'	26'(1)	NONE	9 (2)	BOTH SIDES (3)	

- (1) Minimum pavement width may include the concrete grade beam illustrated in Standard Drawing No. 27, or structural equivalent as approved by the Town Engineer.
 - (2) Nine feet of width may include a 3-foot planting strip, 5-foot sidewalk, and 1-foot separation between sidewalk and drainage/water quality structure.
 - (3) May be modified by the permit-issuing authority.
 - (4) Construction requirements as required in Appendix C and D of the Land Use Ordinance, unless otherwise specifically modified by these provisions or the notes included on standards in Appendix C and D.
- (c) The permit-issuing authority may reduce the sidewalk requirement for subcollector streets meeting the alternative street standard from both sides to one side of the road if
- a. The development contains a parallel system that is integrally designed and provides pedestrian access to the interior of the site;
 - b. Any new public street passing through the development and the bulk of the facilities and activities are to occur on one side of the road;
 - c. Any new public street connects to an existing street that does not meet public street standards and where the site conditions indicate that the full upgrade of the street to the town standards would not be practicable; and
 - d. The developer is participating in off-site construction of, or improvements to public sidewalks that will connect the new development with the town's sidewalk system.

Section 15-217 General Layout of Streets.

(a) To the extent practicable, all streets shall be interconnected. Cul-de-sacs shall not be used unless the topography of the land does not allow a design that would make an interconnecting street practicable. **(AMENDED 09/16/97; 09/28/99)**

(b) All permanent dead-end streets [as opposed to temporary dead-end streets, see subsection 15-214(d)] shall be developed as cul-de-sacs in accordance with the standards set forth in subsection (c), unless construction of such cul-de-sacs is not reasonably possible given such factors as steep slopes or right-of-way limitations. Under such circumstances, the town may approve alternative designs that will provide a safe and convenient means for vehicular traffic to turn around (alternatives are suggested in Appendix C, Standard Drawing No. 19). Except where no other practicable alternative is available, such streets may not extend more than 550 feet (measured to the center of the turn-around). **(AMENDED 09/27/94, 09/16/97)**

(c) The right-of-way of a cul-de-sac shall have a radius of 60 feet if constructed without curb and gutter or a radius of 52 feet if constructed with curb and gutter. The radius of the paved portion of the turn-around for streets constructed without curb and gutter shall be 42' (measured to the outer edge of pavement) and for streets constructed with curb and gutter shall be 44.5' (measured to the back of the outer curb). If a developer chooses to provide an unpaved center island in the cul-de-sac, the island shall be landscaped and shall not be dedicated to the public; it shall remain under the ownership and control of the developer (or his successor) or a homeowners

association or similar organization that satisfies the criteria established in Section 15-201. Cul-de-sacs containing center islands shall have a minimum pavement width of 18 feet if constructed without curb and gutter or 20 feet if constructed with curb and gutter (measured from inner edge of pavement to face of curb). Mountable 45° curbing shall be installed around the island in accordance with Town of Carrboro design specifications. Minimum design and construction specifications for cul-de-sacs are set forth in Appendix C.

Asymmetrical cul-de-sacs may be allowed with the approval of the public works director, town engineer, fire chief, and the applicable permit issuing authorities. **(AMENDED 2/20/90; 08/08/95; 09/16/97)**

(d) Half streets (i.e., streets of less than the full required right-of-way and payment width) shall not be permitted except where such streets, when combined with a similar street (developed previously or simultaneously) on property adjacent to the subdivision, creates or comprises a street that meets the right-of-way and pavement requirements of this chapter. **(AMENDED 09/16/97)**

(e) Streets shall be laid out so that residential blocks do not exceed 1,000 feet, unless no other practicable alternative is available. **(AMENDED 09/16/97)**

(f) Alleys shall not intersect with any arterials and shall meet the “Entrances to Streets” standards of Section 15-213. Alley radii at street intersections shall not be less than 15 feet. Alleys may run adjacent to lot line boundaries only and not parallel and adjacent to street right-of-way or front property boundaries. In determining conformance with Section 15-184(a), Setback Requirements, the right-of-way lines associated with alleys shall be regarded as lot boundary lines and not street right-of-way lines. **(AMENDED 09/27/94; 09/16/97)**

(g) To the extent practicable, portions of subcollector and collector streets that consist of stretches of 800 feet or more uninterrupted by intersections suitable for stop signs shall contain design features intended to discourage speeding and cut-through traffic, including but not limited to one or more of the following:

(1) Curves with radius of 800 feet or less; or

(2) Design features described in the town’s Residential Traffic Management Plan.

(AMENDED 09/16/97)

Section 15-218 Street Intersections.

(a) Streets shall intersect as nearly as possible at right angles, and no two streets may intersect at less than 60°. Not more than two streets shall intersect at any one point, unless the public works director certifies to the permit issuing authority that such an intersection can be constructed with no extraordinary danger to public safety.

(b) Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side of such street. In any event, where a center line offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall be not less than 150 feet except as provided in subsection (d). **(AMENDED 4/26/88)**

(c) Except as otherwise provided in subsection (d) and (e): **(AMENDED 4/26/88; REWRITTEN 1/26/10)**

- (1) No two streets may intersect with any other street on the same side at a distance of less than 400 feet measured from centerline to centerline of the intersecting street.
- (2) When the intersected street is an arterial, the distance between intersecting streets shall be at least 1,000 feet.

(d) The provisions of this section shall not operate to prohibit any property from having direct access onto an adjacent public street, and when a literal application of the provisions of this section would otherwise prohibit all such access, the permit-issuing authority may allow the minimum deviation from the requirements of this section that is necessary to provide reasonable access. **(AMENDED 4/26/88)**

(e) Notwithstanding the foregoing, two streets may intersect with another street on the same side at a distance of less than 400 feet, measured from centerline to centerline of the intersecting streets, if the street with which the two streets intersect is connected to a street within a village mixed use development and a development itself is adjacent to a village mixed use development. However, in no event, may the two streets intersect at a distance of less than 125 feet. **(AMENDED 1/26/10).**

Section 15-219 Construction Standards and Specifications.

Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in Appendix C, and all such facilities shall be completed in accordance with these standards.

Section 15-220 Public Streets and Private Roads in Subdivisions.

(a) Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street at least to the extent necessary to comply with the access requirement set forth in Section 15-211. For purposes of this subsection, the term “public street” includes a pre-existing public street as well as a street created by the subdivider that meets the public street standards of this chapter and is dedicated for public use. Unless the recorded plat of a subdivision clearly shows a street to be private, the recording of such a plat shall constitute an offer of dedication of such street. **(AMENDED 2/14/84)**

(b) Architecturally integrated residential subdivisions containing either twenty-five or more units, or consisting of four or more multi-family townhomes, may be developed with private roads that do not meet the public street and sidewalk standards of this chapter as long as: **(AMENDED 11/26/85; 6/25/02)**

- (1) The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
- (2) No road intended to be private is planned to be extended to serve property outside that development; and
- (3) The standards applicable to unsubdivided developments set forth in Section 15-221 and 15-222 are complied with.

(c) Subdivisions containing any number of lots may be developed with private roads that do meet the public street and sidewalk standards of this chapter but that are not intended for dedication to the public so long as:

- (1) The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
- (2) No road intended to be private is planned or expected to be extended to serve property outside the development; and
- (3) The subdivider demonstrates to the reasonable satisfaction of the Board that the private roads will be properly maintained.

(d) A subdivision in which the access requirement of Section 15-211 is satisfied by a private road that meets neither the public street standards nor the standards set forth in Section 15-221 may be developed so long as, since the effective date of this chapter, not more than three lots have been created out of that same tract.

- (1) The intent of this subsection is primarily to allow the creation of not more than three lots developed for single-family residential purposes. Therefore, the permit-issuing authority may not approve any subdivision served by a private road authorized under this subsection in which one or more of the lots thereby created is intended for (i) two-family or multi-family residential user or (ii) any non- residential use that would tend to generate more traffic than that customarily generated by three single-family residences.
- (2) To ensure that the intent of this subsection is not subverted, the permit-issuing authority may, among other possible options, require that the approved plans show the types and locations of buildings on each lot or that

the lots in a residential subdivision served by a private road authorized under this subsection be smaller than the permissible size lots on which two-family or multi-family developments could be located or that restrictive covenants limiting the use of the subdivided property in accordance with this subsection be recorded before final plat approval.

(e) No final plat that shows lots served by private roads may be recorded unless the final plat contains the following notations:

- (1) “Further subdivision of any lot shown on this plat as served by a private road may be prohibited by the Carrboro Land Use Ordinance.”
- (2) “The policy of the Town of Carrboro is that, if the town improves streets (i) that were never constructed to the standards required in the Carrboro Land Use Ordinance for dedicated streets, and (ii) on which 75% of the dwelling units were constructed after July 1, 1979, 100% of the costs of such improvements shall be assessed to abutting landowners.”

(f) The recorded plat of any subdivision that includes a private road shall clearly state that such road is a private road. Further, the initial purchaser of a newly created lot served by a private road shall be furnished by the seller with a disclosure statement outlining the maintenance responsibilities for the road, in accordance with the requirements set forth in G.S. 136-102.6. The intention of this subsection is to afford the same protection to purchasers of lots on private roads within the town as is provided to purchasers of lots outside the town by G.S. 136-102.6.

(g) For purposes of this section, a private road meets the public street and sidewalk standards of this chapter if it is designed and constructed and sufficient setbacks are provided so that, if intended for dedication, it could be accepted as a public street in conformity with the requirements of this chapter. **(AMENDED 11/26/85)**

(h) Notwithstanding the other provisions of this section, the town may prohibit the creation of a private road if the creation of such a road would avoid the public street interconnection requirements set forth in Sections 15-214 and 15-217(a). **(AMENDED 6/25/02)**

Section 15-220.1 Design Standards for Village Mixed Use Developments (AMENDED 5/28/02)

- (a) Village mixed use developments may be designed in accordance with the North Carolina Department of Transportation Traditional Neighborhood Development (TND) Guidelines, August 2000. Where specific NCDOT TND design guidelines have been established, these may supercede any related street design standards contained in this Ordinance, as well as standards and guidelines for utilities, landscaping and similar considerations. In the absence of TND specific design guidelines, the existing standards, criteria, guidelines or policies shall be applied.

- (b) For purposes of implementing the NCDOT TND Guidelines, a village mixed use development shall be deemed to be a “classic” TND.

Section 15-221 Road and Sidewalk Requirements in Unsubdivided Developments.

(a) Within unsubdivided developments, all private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicle and pedestrian traffic. Width of roads, use of curb and gutter, and paving specifications shall be determined by the provisions of this chapter dealing with parking (Article XVIII) and drainage (Article XVI). To the extent not otherwise covered in the foregoing articles, and to the extent that the requirements set forth in this article for subdivision streets may be relevant to the roads in unsubdivided developments, the requirements of this article may be applied to satisfy the standards set forth in the first sentence of this subsection.

(b) Whenever (i) a lot is proposed to be developed residentially for more than four dwelling units or non-residentially in such a fashion as to generate more than 40 vehicle trips per day, and (ii) if the lot were to be subdivided, a street would be required running through the lot to provide a connection between existing or planned adjacent streets in accordance with the provisions of Sections 15-214 and 15-217(a), then the developer shall be required to construct and dedicate the same street that would have been required had the property been subdivided.

(AMENDED 6/25/02)

(c) In all unsubdivided residential developments, sidewalks shall be provided linking dwelling units with other dwelling units, the public street, and on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities. Notwithstanding the foregoing, sidewalks shall not be required where pedestrians have access to a road that serves not more than nine dwelling units. **(AMENDED 4/24/84)**

(d) Whenever the permit issuing authority finds that a means of pedestrian access is necessary from an unsubdivided development to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the roads, the developer may be required to reserve an unobstructed easement of at least ten feet to provide such access.

(e) In unsubdivided nonresidential developments that abut a public street, sidewalks shall be constructed adjacent to such street if a sidewalk in that location is required by the officially adopted town sidewalk master plan. Whenever possible, such sidewalk shall be constructed within the public right-of-way.

(f) The sidewalks required by this section shall be at least five feet wide, except that, where practicable, the sidewalks in the B-l(c), B-l(g), B-2, and C-T zoning districts shall be at least ten feet wide. Sidewalks are to be constructed according to the specifications set forth in Appendix C, except that the permit issuing authority may permit the installation of walkways constructed with other suitable materials when it concludes that: **(AMENDED 12/08/98; 4/8/03)**

- (1) Such walkways would serve the residents of the development as adequately as concrete sidewalks; and
- (2) Such walkways could be more environmentally desirable or more in keeping with the overall design of the development.

Appendix A

INFORMATION REQUIRED WITH APPLICATIONS

A-1. In General.

(a) As provided in Section 15-49, it is presumed that all of the information listed in this appendix must be submitted with an application for a zoning, sign, special use, or conditional use permit to enable the permit-issuing authority to determine whether the development, if completed as proposed, will comply with all the requirements of Chapter 15. As set forth in Section 15-92, applications for variances are subject to the same provisions. However, the permit-issuing authority may require more information or accept as sufficient less information according to the circumstances of the particular case. A developer who believes information presumptively required by this appendix is unnecessary shall contact the planning staff for an interpretation.

(b) As also provided in Section 15-49, the administrator shall develop application processes, including standard forms, to simplify and expedite applications for simple development that do not require the full range of information called for in this appendix. In particular, developers seeking only permission to construct single-family houses or duplexes or to construct new or modify existing signs should contact the administrator for standard forms.

A-2. Written Applications.

Every applicant for a variance or a zoning, sign, special use or conditional use permit shall complete a written application containing at least the following information:

- (1) The name, address, and phone number of the applicant.
- (2) If the applicant is not the owner of the property in question, (i) the name, address, and phone number of the owner, and (ii) the legal relationship of the applicant to the owner that entitles the applicant to make application.
- (3) The date of the application.
- (4) Identification of the particular permit sought.
- (5) A succinct statement of the nature of the development proposed under the permit or the nature of the variance.
- (6) Identification of the property in question by street address and tax map reference.
- (7) The zoning district within which the property lies.

- (8) The number of square feet in the lot where the development is to take place.
- (9) The gross floor area of all existing or proposed buildings located on the lot where the development is to take place.
- (10) If the proposed development is a multi-family residential development, the number of one, two, three, or four bedroom dwelling units proposed for consideration.

A-3. Development Site Plans.

Subject to Section A-1 of this appendix, every application for a variance or a zoning, sign, special use, or conditional use permit shall contain plans that locate the development site and graphically demonstrate existing and proposed natural, man-made, and legal features on and near the site in question, all in conformity with Section A-4 through A-6 of this appendix.

A-4 Graphic Materials Required for Plans

(a) The plans shall include a location map that shows the location of the project in the broad context of the town or planning jurisdiction. This location map may be drawn on the development site plans or it may be furnished separately using reduced copies of maps of the Carrboro planning jurisdiction available at the planning department.

(b) Development site plans shall be drawn to scale, using such a scale that all features required to be shown on the plans are readily discernible. Very large developments may require that plans show the development in sections to accomplish this objective without resort to plans that are so large as to be cumbersome, or the objective may be accomplished by using different plans or plans drawn to different scales to illustrate different features. In all cases, the permit-issuing authority shall make the final determination whether the plans submitted are drawn to the appropriate scale, but the applicant for a conditional or special use permit rely in the first instance on the recommendations of the administration.

(c) Development site plans should show on the first page the following information:

- (1) Name of applicant
- (2) Name of development (if any)
- (3) North arrow
- (4) Legend
- (5) Scale

(d) All of the features required to be shown on plans by Sections A-5 and A-6 may be included on one set of plans, so long as the features are distinctly discernible.

A-5. Existing Natural, Man-Made and Legal Features.

(a) Development site plans shall show all existing natural, man-made, and legal features on the lot where the development is to take place, including but not limited to those listed below. In addition, the plans shall also show those features indicated below by an asterisk (*) that are located within fifty feet in any direction of the lot where the development is to take place, and shall specify (by reference to the Table of Permissible Uses or otherwise) the use made of adjoining properties.

(b) *Existing natural features:*

- (1) Tree line of wooded areas.
- (2) The location and sizes of all trees greater than eighteen inches in diameter, clearly illustrating which of these trees are to be retained in accordance with Section 15-316, and which are to be removed, along with a written justification for the need to remove any large or rare species trees protected by the provisions of Article XIX, and description of the extent of the hardship that would occur if such removal were not permitted to occur. **(AMENDED 03/21/89)**
- (3) Orchards or other agricultural groves by common or scientific name.
- *(4) Streams, ponds, drainage ditches, swamps, boundaries of floodways and floodplains.
- (5) (If the proposed development is a subdivision or mobile home park of more than fifty lots or if more than five acres of land are to be developed), base flood elevation data (See Article XVI, Part I). **(AMENDED 4/21/87; REPEALED 1/16/07).**
- *(6) Contour lines (shown as dotted lines) with no larger than two foot contour intervals. (As indicated in Subsection A-6(b)(17), proposed contour lines shall be shown as solid lines.)

(c) *Existing man-made features.*

- *(1) Vehicle accommodation areas (including parking areas, loading areas and circulation areas, see Section 15- 290), all designated by surface material and showing the layout of existing parking spaces and direction of travel lanes, aisles, or driveways.
- (2) Streets, private roads, sidewalks, and other walkways, all designated by surface material.

- (3) Curbs and gutters, curb inlets and curb cuts, and drainage grates.
- (4) Other storm water or drainage facilities, including manholes, pipes, and drainage ditches.
- (5) Underground utility lines, including water, sewer, electric power, telephone, gas, cable television.
- (6) Above ground utility lines and other utility facilities.
- *(7) Fire hydrants.
- *(8) Buildings, structures and signs (including dimensions of each).
- (9) Location of exterior light fixtures.
- *(10) Location of dumpsters.
- (d) *Existing legal features.*
 - (1) The zoning of the property, including zoning district lines where applicable.
 - (2) Property lines (with dimensions identified).
 - (3) Street right-of-way lines.
 - (4) Utility or other easement lines.

A-6. Proposed Changes in Existing Features or New Features (AMENDED 6/20/06).

(a) Development site plans shall show proposed changes in (i) existing natural features [see A-5(b)], (ii) existing man-made features [see A-5(c)], and (iii) existing legal features [see A- 5(d)].

(b) Development site plans shall also show proposed new legal features (especially new property lines, street right-of-way lines, and utility and other easements), as well as proposed man-made features, including, but not limited to, the following:

- (1) The number of square feet in every lot created by a new subdivision.
- (2) Lot dimensions, including lot widths measured in accordance with Section 15-183.

- (3) The location and dimensions of all buildings and freestanding signs on the lot, as well as the distances all buildings and freestanding signs are set back from property lines, streets or street right-of-way lines (see Section 15-184).
- (4) Principal side(s) building elevations for typical units of new buildings or exterior remodelings of existing buildings, showing building heights (see Section 15-185) and proposed wall sign or window sign area.
- (5) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures. **(AMENDED 4/21/87; REPEALED 1/16/07)**
- (6) Elevation in relation to mean sea level to which any non-residential structure will be floodproofed. **(AMENDED 4/21/87; REPEALED 1/16/07)**
- (7) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development. **(AMENDED 4/21/87; REPEALED 1/16/07)**
- (8) The location and dimensions of all recreational areas provided in accordance with Article XIII, with each area designated as to type of use. **(AMENDED 4/21/87)**
- (9) Areas intended to remain as usable open space (Section 15-198) or designated buffer areas (Section 15-265). The plans shall clearly indicate whether such areas are intended to be offered for dedication to public use or shall remain privately owned. **(AMENDED 4/21/87)**
- (10) Streets, labeled by classification (see Section 15-210) and street name showing whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths. Private roads in subdivisions shall also be shown and clearly labeled as such. **(AMENDED 4/21/87)**
- (11) Curb and gutters, curb inlets and curb cuts, drainage grates.
- (12) Other storm water or drainage facilities, including manholes, pipes, drainage ditches, retention ponds, etc.
- (13) Sidewalks and walkways, showing widths and surface material.

- (14) Bridges.
- (15) Outdoor illumination, including the following information:
(REWRITTEN 4/20/10)
 - a. Plans showing the location, type, and height of luminaires including both building and ground fixtures. The plan shall include a point-by-point footcandle array in a printout format indicating the location and aiming of illuminating devices, and indicate compliance with the maximum maintained footcandles required by Section 15-242.4 of this chapter.
 - b. A description of the luminaires, including lamps, supports, reflectors, raised foundations, poles or other supports and shielding devices, which may be provided as electric utility catalogue illustrations, sheets and/or drawings, and product specifications from the manufacturer.
 - c. Photometric data, such as that furnished by the manufacturer, showing the angle of light emission; and
 - d. A demonstration or showing that the applicant has attempted to reduce energy consumption through the selection of energy efficient luminaires, timers, or other methods (such as fixtures that automatically change wattage output). **(AMENDED 05/25/09; REWRITTEN 4/20/10)**
- (16) Underground utility lines, including water, sewer, electric power, telephone, gas, cable television. Water and sewer pipe line signs shall be labeled.
- (17) Above ground utility lines and other facilities.
- (18) Fire hydrants.
- (19) Dumpsters.
- (20) New contour lines resulting from earth movement (shown as solid lines) with no larger than two foot contour intervals (existing lines should be shown as dotted lines).
- (21) Scale drawings of all signs requiring permits pursuant to Article XVII, together with an indication of the location and dimensions of all such signs.

- (22) Vehicle accommodation areas (including parking areas, loading areas, and circulation areas, see Section 15-290), all designated by surface material and showing the dimensions and layout of proposed parking spaces and the dimensions and direction of travel lanes, aisles, and driveways.
- (23) Proposed plantings or construction of other devices to comply with the screening requirements of Article XIX, Part I, as well as proposed plantings of trees to comply with the shading requirements of Article XIX, Part II. Plans shall label shrubbery by common or scientific name, show the distance between plants and indicate the height at the time of planting and expected mature height and width. Plans shall label trees by common or scientific name, show the circles of the mature crowns (major trees shall be drawn at diameter = 30'; dwarf or decorative trees shall be drawn at their actual mature crown), and indicate the height at the time of planting.
- (24) A Tree Protection Plan, illustrating the methods proposed to be used to protect, during construction, the trees greater than eighteen inches in diameter and rare species trees that are to be preserved on the site, including specifications as to how the grade, drainage, and aeration will be maintained around the trees. The location of all large and rare species trees to be retained on the site that will not be within the area to be disturbed by construction activities near a building site, or near roads within the development shall also be shown on the plan, along with a note stating that these trees will not be within the area to be disturbed by construction activities. The Administrator may recommend that applicants consult with experts in landscape architecture or forestry about appropriate tree protection methods for the particular conditions and species in question, and request that their contractors review two videotapes on tree protection during construction developed by the International Society of Arboriculturalists, entitled "Effect of Building Construction on Trees in Wooded Lots" and "Avoidance of Construction Damage to Trees on Wooded Lots" that are on file in the Public Works Department.
(AMENDED 03/21/89)
- (25) Plan for Downtown Architectural Standards to comply with Section 15-178 and including, but not limited to, elevation drawings/illustrations of existing and neighboring property building facades.

Appendix C

SPECIFICATIONS FOR DESIGN AND CONSTRUCTION (AMENDED 04/03/90)

C-1. Design Speed, Sight Distance, Centerline Radius

	MINOR	LOCAL	SUBCOLLECTOR	COLLECTOR	ALLEY
DESIGN SPEED	25 MPH	25 MPH	30 MPH	30 MPH	15 MPH
MINIMUM SIGHT DISTANCE ON VERTICAL CURVE	150'	150'	200'	200'	110'
MINIMUM CENTER-LINE RADIUS	150'	150'	200'	230'	90'

(AMENDED 09/27/94; 11/28/06; 11/27/07)

(a) The design speed, sight distance and centerline radii shall be constructed according to the table above. For stop conditions, sight distance may be designed per the criteria listed in the NCDOT Subdivision Roads Minimum Construction Standards manual (2000) or the most recent version of that document, so long as such standards will result in a street layout with a demonstrable environmental benefit. (AMENDED 11/27/07)

C-2. Cut and Fill Slopes

Cut and fill slopes on any street right-of-way may not exceed 2:1.

C-3. Sight Distances at Intersections

- (a) At non-stop intersections, the intersection shall be constructed so that a person standing at a location on the centerline of any street 90 feet from the intersection of the street centerlines has an unobstructed view to a point located on the centerline of the intersecting street 90 feet (in either direction) from the intersection of the street centerlines. See Standard Diagram No. 1.
- (b) Subject to subsection (c), at stop intersections, the intersection shall be constructed so that a person standing 10 feet back of the intersection of right-of-way lines on the stop street has an unobstructed view to a point on the right-of-way line of the intersecting through street located 70 feet from the intersection of the right-of-way lines. See Standard Diagram No. 2.
- (c) At stop intersections where a residential street intersects with a state-maintained primary road (U.S. or N.C.), the intersection shall be constructed so that a person standing 30 feet back of the intersection of right-of-way lines on the stop street has an unobstructed view to a point on the centerline of the through street located 150 feet from the intersection of the street right-of-way lines. See Standard Diagram No. 3.

C-4. Radius at Street Intersections

At street intersections, the intersections of the paved surfaces shall be rounded with a minimum radius as shown in Standard Diagram No. 4 and No. 5. Where streets intersect at less than right angles, a greater radius may be required.

C-5. Clearing and Grubbing

Clearing and grubbing shall be performed within the limits shown on the plans. All timber, brush, roots, stumps, trees, or other vegetation cut during the clearing operations shall become the contractor's responsibility to dispose of, and shall be either removed from the project by him, or satisfactorily disposed of on-site (See Carrboro Fire Department for burning permit).

C-6. Grading and Compaction

Streets shall be graded in accordance with the lines and grade set by the engineer. Before placing curb and gutter or base on the graded subgrade, the subgrade shall be compacted to 100% ASSHO T99 for a depth of 6 inches and then shall be proof rolled in the presence of the engineer. Places that are found to be loose, or soft, or composed of unsuitable materials, whether in the subgrade or below it, must be dug out and refilled with suitable material. All embankments or fills shall be made in one-foot horizontal lifts of suitable material. The fill shall be rolled with a sheepsfoot roller after each lift, followed by a wheel roller, each weighing not less than eight tons.

C-7. Street Base

Base course for streets shall generally be 8 inches thick, unless otherwise directed by the public works director, and shall be crushed stone conforming to N.C. DOT Type ABC stone. The stone base course shall be placed in 4 inch layers watered as necessary, and compacted to 100% AASHO T99. The contractor shall be responsible for keeping the stone base free of contamination from clay or other foreign materials. Handling and placement of stone base shall all be in accordance with N.C. DOT specifications.

C-8. Street Surfaces.

The asphalt surface course shall meet N.C. DOT specs for Type I-2 asphalt. The asphalt shall be placed in one 2-inch layer, and shall be handled and placed in accordance with N.C. DOT specifications.

C-9. Pavement Section Variations

Sections C-6, C-7, and C-8 set the standards that shall apply under normal soils conditions. However, where soils are unusually good or unusually unstable, the public works director may allow or require the developer to have soil tests run and a pavement design made by a qualified soils engineer. Under these circumstances, the public works director may allow

pavement sections constructed to lesser standards than those set forth above (for good soils) or require pavement sections constructed to greater standards than those set forth above (for unstable soils).

C-10. Street Cross Sections

Streets shall be constructed and utilities located in accordance with Standard Drawing No. 6 or No. 7.

C-11. Curb and Gutter

- (a) The concrete curb and gutter shall be constructed according to the lines and grades established by the engineer. The concrete shall meet the N.C. State Highway requirements, Section 900. The curb and gutter shall be 30 inches wide, and shall have a vertical curb face. The forms shall be of metal, free of marks or kinks, and shall be rigidly held in position. The engineer shall approve the positioning of the forms before concrete is poured. The concrete shall be placed in the forms in a manner to prevent segregation, and tamped or vibrated sufficiently to prevent honeycombs. The concrete shall be finished smooth and even by means of rollers or floats. Expansion joints shall be provided every 300 feet, and false joints every 10 feet.

- (b) Curb and gutter shall be constructed in accordance with Standard Drawing No. 8.

C-12. Sidewalks (AMENDED 08/27/96)

CONCRETE

Concrete sidewalk construction standards shall be similar to street construction standards, with subgrade compacted to 100% AASHTO T99. Concrete sidewalks shall be 4 inches thick (increasing to 6 inches thick at driveway entrances), with alternative paving surfaces constructed to withstand 3000 to 5000 psi. The minimum width of sidewalk shall be constructed to standards as addressed in Article XIV. Expansion joints shall be provided every 30 feet, either side of driveway connections and permanent structures with false joints at 5 foot intervals. **(AMENDED 12/08/98)**

BRICK

Requirements for mortarless laid brick pavement construction, when deemed necessary by the Director of Public Works, shall be modified to accommodate the anticipated usage of the facility. All driveway connections shall be a minimum of 6 inches thick - 3000 psi concrete to the required driveway dimensions from the pavement edge to the extent of the right-of-way and/or property line. A minimum 24 inch flare shall be required at the driveway intersection with the roadway pavement edge, where there is no curb.

The sidewalk sub-grade shall be shaped to conform to the lines, grades and typical sections shown on approved plans. All existing vegetation shall be stripped from the ground surface wherever shaping of the sidewalk sub-grade is required. All unsuitable materials,

boulders, and all vegetative matter shall be removed and replaced with suitable materials. "Soft spots", such as utility trenches or other detected unsuitable load supporting soils shall be removed and refilled with suitable compacted material. The entire sub-grade shall be compacted to a density equal to at least 100 percent of that obtained by compacting a sample of the material in accordance with AASHTO - T99 as modified by the North Carolina Department of Transportation.

Wherever sub-surface drainage problems are anticipated or discovered during construction, the developer/contractor shall provide adequate sub-surface drainage. The trench shall be excavated to the dimensions, depth, line and grade established by the engineer or as directed by the Director of Public Works. Perforated piping shall be laid, coupled securely and backfilled cover and around the pipe with #67 stone or other approved fine aggregate.

Where drainage is to be piped away from the sub-surface drainage system, then a solid pipe without perforations shall be used to the outlet. At locations shown on the plans or as directed by the engineer or the Director of Public Works, the sub-drain system shall be connected to the existing drainage structures or the concrete pads at the outlet end of the sub-drain. Where corrugated plastic pipe is to be used and the outlet is to the through the curb face or to a concrete pad, a minimum 3 feet length of equal diameter PVC piping shall be connected to the corrugated plastic pipe with a suitable fitting. Care shall be taken when backfilling so as to not disturb the installing piping. All earthen backfill shall be firmly tamped.

A minimum 4 inches thick aggregate base course (ABC) shall be applied to all sidewalk paver sub-grade placement areas. The aggregate material shall be placed carefully to minimize segregation of stone and fines. The aggregate base course shall be either watered or dried to obtain optimum moisture content and compacted to at least 100 percent of that obtained by compacting a sample of material in accordance with AASHTO - T180 as modified by the North Carolina Department of Transportation. The aggregate base course surface shall be shaped with a minimum $\frac{1}{4}$ inch to $\frac{1}{2}$ inch per foot cross slope from the back edge of the sidewalk to the curb edge or if a shoulder/swale constructed roadway, the slope would then be directed to the drainage swale.

The use of edge restraints are necessary with mortarless brick pavements as they hold the pavers together, prevent spreading and movement of pavers due to horizontal surface loading. Only brick or stone embedded in concrete or cast-in-place concrete shall be used for edge restraints conforming to the finished sidewalk surface elevation. All edge restraints shall be installed perpendicular to the brick paver surface. Intermediate restraints shall be used at all interruptions of the brick paver surface and where there are sloped or curved locations. Where mortared brick pavers are required, expansion joints shall be provided every 20 linear feet and along fixed objects such as walls or where directed.

Brick pavers are to be set in a 1 to 1.5 inch compacted sand setting bed over the compacted aggregate base course. The finished brick surface shall have a minimum $\frac{1}{4}$ inch to $\frac{1}{2}$ inch per foot cross slope from the back edge of the sidewalk to the curb edge. If it is a

shoulder/swale constructed roadway, the slope shall then be directed to the drainage swale. The brick paver surface pattern shall be of the running bond type and perpendicular to the edge restraints. After brick pavers have been laid between the edge restraints, sand shall be broadcast over the paver surface. The loose sand and brick pavers shall be compacted with a vibratory plate tamp to lock-in paver joints with sand and to set the brick pavers in the underlying sand sitting bed. The remaining sand on the paver surface should be broomed into any other remaining open joints or voids and excess removed.

All brick pavers shall be solid red common wire cut units with a dimension of 2.25 inches x 3.75 inches x 7.5. Reference: Brick Sidewalk Standard Drawings No. 24 and No. 25.

C-13. Wheel Chair Ramps

Where required, wheel chair ramps shall be constructed in accordance with Standard Drawing No. 9.

C-14. Storm Water Runoff Control

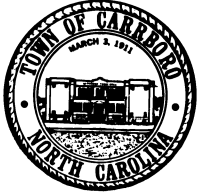
(a) All stormwater drainage facilities other than building foundation and roof drain pipes shall be constructed of materials that meet minimum standards contained in the current version of the N.C. Department of Transportation's Standard Specifications for Roads and Structures, except that culverts described in subsections 1032-1(A) (Plain Concrete Culvert Pipe) and 1033-7 (Vitrified Clay Culvert Pipe) shall not be permitted. **(AMENDED 04/03/90)**

(b) All stormwater drainage facilities shall be designed and installed in accordance with the N.C. Department of Transportation's specifications and the standard specifications and drawings contained herein. In case of conflict, the more stringent specifications shall prevail. **(AMENDED 04/03/90)**

(c) With the exception of building foundation and roof drain pipes, all stormwater drainage culverts, when installed, shall have a minimum cover of 12 inches, unless the town engineer and public works director allow less extensive cover. **(AMENDED 04/03/90)**

C-15 Sedimentation Control

Road shoulders, swales, back-of-curbs, and cut and fill banks shall be completely dressed up by the contractor and seeded as soon as possible. The seeding mixture and application rate shall be approved by the Orange County Erosion Control Officer.



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

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

THURSDAY, MARCH 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO DESIGN STANDARDS FOR BIKE AND PEDESTRIAN PATHS

Motion was made by Adamson and seconded by Poulton that the Planning Board recommends that the Board of Aldermen adopt the draft ordinance, with consideration for the following comment:

- That the AASHTO guidelines be referred to once rather than twice within the ordinance.

VOTE:

AYES: Adamson, Barton, Chaney, Clinton, Cohen, Davis, Foushee, Hunt, Poulton

ABSENT/EXCUSED: Baptista

NOES:

ABSTENTIONS:

Associated Findings

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

Furthermore, the Planning Board of the Town of Carrboro finds that the proposed text amendment is in the public interest because it clarifies the design standards for a recreation facility identified in the table of Active Recreational Areas and Facilities but not otherwise defined in the Land Use Ordinance, and that the proposed text amendment is consistent with Carrboro Vision 2020 regarding recreation and parks, and bicycle and pedestrian transportation, specifically in the following provisions:

- 1.11 The town should encourage and support the development of greenways and parklands dedicated to public use along stream and easements. There should be a network of connected greenways throughout the town. These greenways should serve as nature trails, biking and walking trails, wildlife corridors.

4.0 The safe and adequate flow of bus, auto, bicycle and pedestrian traffic within and around Carrboro is essential.

4.31 The town should fully implement its bicycle and pedestrian network plan. This plan should identify links needed now as well as links that will be needed now as well as links that will be needed by 2020.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, give the added load to the infrastructure and anticipated use of facilities.

VOTE:

AYES: Adamson, Barton, Chaney, Clinton, Cohen, Davis, Foushee, Hunt, Poulton

ABSENT/EXCUSED: Baptista

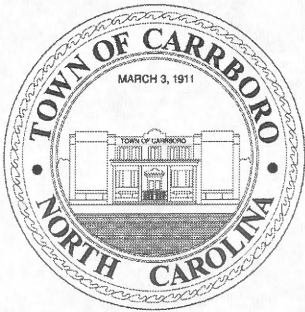
NOES:

ABSTENTIONS:

A handwritten signature in black ink, reading "Bethany E. Chaney". The signature is written in a cursive style with a long, sweeping tail on the last letter.

Bethany E. Chaney, Chair

March 6, 2014



TOWN OF CARRBORO
TRANSPORTATION ADVISORY BOARD
RECOMMENDATION
March 6, 2014

SUBJECT: Land Use Ordinance Amendments Relating to Design Standards for Bike and Pedestrian Paths

MOTION: The Transportation Advisory Board recommends that the Board of Aldermen approve the draft ordinance, with the following recommendation:

- Replace all references to “the AASHTO 2012 Guide for the Development of Bicycle Facilities, 4th Edition” with “the most recent AASHTO guide for the development of bicycle facilities”.

Moved: LaJeunesse

Second: Štolka

VOTE: Ayes (6): Štolka, LaJeunesse, Nicopoulos, Barclay, McDuffee, Boone. Nays (0). Abstain (0). Absent (1): Haac.

* * *

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

Furthermore, the TAB finds that the proposed text amendment is in the public interest because it clarifies the design standards for a recreation facility identified in the table of Active Recreational Areas and Facilities but not otherwise defined in the Land Use Ordinance, and that the proposed text amendment is consistent with Carrboro Vision 2020 regarding recreation and parks, and bicycle and pedestrian transportation, specifically in the following provisions:

1.11 The town should encourage and support the development of greenways and parklands dedicated to public use along stream and easements. There should be a network of connected greenways throughout the town. These greenways should serve as nature trails, biking and walking trails, wildlife corridors.

4.0 The safe and adequate flow of bus, auto, bicycle and pedestrian traffic within and around Carrboro is essential.

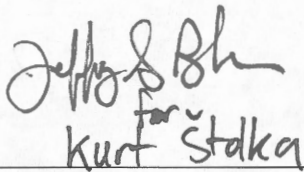
4.31 The town should fully implement its bicycle and pedestrian network plan. This plan should identify links needed now as well as links that will be needed now as well as links that will be needed by 2020.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, give the added load to the infrastructure and anticipated use of facilities.

Moved: Nicopoulos

Second: Štolka

VOTE: Ayes (6): Štolka, LaJeunesse, Nicopoulos, Barclay, McDuffee, Boone. Nays (0). Abstain (0). Absent (1): Haac.


Kurt Štolka

TAB Chair

3 / 18 /14
DATE

From: [Hayne, Cassandra Kay](#)
To: [Anita Jones-McNair](#)
Cc: [Christina Moon](#)
Subject: RE: Recreation and Parks Commission Meeting -weather-cancelled-UPDATE
Date: Tuesday, March 04, 2014 4:36:14 PM
Attachments: [image001.png](#)
[image003.png](#)

Hi All,

I am in support of the amendments listed. I'm particularly excited about 4.31 on the amendment. I think this will increase accessibility where terrain makes bicycling a particular challenge to less confident bikers (many of the areas lacking the paths are up steep, traffic intensive hills).

If anyone has particular issue or discussion about 1.11 I'd be interested.

I don't have any financial connections to these matters (I think we each need to say that?)

-Cassandra

From: Anita Jones-McNair [AMcNair@townofcarrboro.org]
Sent: Tuesday, March 04, 2014 4:06 PM
To: Jacquelyn Gist; Hayne, Cassandra Kay; 'murrelldoris@yahoo.com'; 'Annetta Streater (astreater@chccs.k12.nc.us)'; 'Susan Barry <writer.sjbarry@gmail.com> (writer.sjbarry@gmail.com)'; 'eric allman' (ecallman@hotmail.com); 'venady@msn.com'; 'Daniel Siler'; 'my name'
Cc: Christina Moon
Subject: RE: Recreation and Parks Commission Meeting -weather-cancelled-UPDATE

Recreation and Parks Commission Members:

The next meeting is scheduled for the first Monday in April. Everything will stay on the agenda with the exception of the Proposed LUO Text Amendment referred to Recreation & Parks Commission because it is time sensitive. I've attached the agenda item/recommendation and encourage you to email comments/recommendations to me so that it can be submitted as comments from members of the Recreation and Parks Commission in the Board report.

Let me know if you have any questions.

Anita Jones-McNair, CPRP 

Recreation and Parks Department Director

From: [Daniel Siler](#)
To: [Christina Moon](#)
Cc: [Jeff Brubaker](#); [Anita Jones-McNair](#); [eric](#)
Subject: Re: FW: Recreation and Parks Commission Meeting -weather-cancelled-UPDATE
Date: Wednesday, March 12, 2014 7:35:12 PM

Tina and Jeff, thanks again for the hospitality this afternoon. I reviewed the AASHTO guide as it relates to bicycle facilities and want to offer one point of consideration.

In section 15-196 of the LUO, developers earn recreation points for building certain types of facilities. The current language refers to "Hiking/Biking **Trails**." In the AASHTO guide, there is a clear distinction between trails and paths; **paths** must be ADA compliant, and presumably require a larger upfront cost due to those improvements.

As we consider the amendment, I would ask the question: Is the existing point score appropriate for both trails and paths, or should there be a different value for one over the other? (If trails earn 64 points for every 4000 square feet, should paths earn more than that?) If the existing value is appropriate, then the simplest fix might be to change the word "trail" to "path" in section 15-196.

Please let me know if my point isn't clear (or if I'm misinterpreting the ordinance!)

Thanks, and have a great evening,
Daniel

Daniel Siler
M: 919.597.9447

On Wed, Mar 12, 2014 at 2:50 PM, Christina Moon <CMoon@townofcarrboro.org> wrote:

Daniel,

We will leave a copy of the bike guidelines in the Planning Division side (upstairs and to the left) available for you to look at. No need to make an appointment, unless you would like to be able to discuss what you've read.

Thanks.

Tina

Subject: Re: Recreation and Parks Commission Meeting -weather-cancelled-UPDATE
From: daniel.siler@gmail.com
Date: Sat, 8 Mar 2014 15:29:57 -0500
To: ecallman@hotmail.com

Eric, hello!

Any chance that the AASHTO guide that's referenced in the amendment is available either at Town Hall or the Rec & Parks HQ?

I figure it's probably a good template, but wouldn't mind taking a look. Otherwise, the only comment I'd have is a minor typo in section 4.31.

Thanks, and have a great weekend!

Daniel Siler

[919.597.9447](tel:919.597.9447)

On Mar 7, 2014, at 9:43 PM, eric <ecallman@hotmail.com> wrote:

Anita,

Thanks for getting these to us and thanks to town staff for preparing these amendments. Sorry the weather did not allow us to meet as a committee and hear more about these items and also to discuss their relevance to the Rec and Parks. I am not as familiar with ASHTO '12, but I know that the Rec and Parks Master Plan refers to the older version of ASHTO and many other planning documents mention and defer to ASHTO guidelines. I think the proposed amendments are appropriate and represent the goals and direction of the Recreation and Parks Department.

Eric

From: AMcNair@townofcarrboro.org
To: JGist@townofcarrboro.org; chayne@email.unc.edu; murrelldoris@yahoo.com; astreater@chccs.k12.nc.us; writer.sjbarry@gmail.com; ecallman@hotmail.com; venady@msn.com; daniel.siler@gmail.com; sassyk105@gmail.com
CC: CMoon@townofcarrboro.org
Subject: RE: Recreation and Parks Commission Meeting -

weather-cancelled-UPDATE
Date: Tue, 4 Mar 2014 21:06:03 +0000

Recreation and Parks Commission Members:

The next meeting is scheduled for the first Monday in April.

Everything will stay on the agenda with the exception of the Proposed LUO Text Amendment referred to Recreation & Parks Commission because it is time sensitive. I've attached the agenda item/recommendation and encourage you to email comments/recommendations to me so that it can be submitted as comments from members of the Recreation and Parks Commission in the Board report.

Let me know if you have any questions.

Anita Jones-McNair, CPRP <image003.png>

Recreation and Parks Department Director

<image004.jpg>

[\(919\)918-7381](tel:(919)918-7381)

Visit us on the web at www.carrbororec.org

Twitter: @CarrboroRecPark

FaceBook: @CarrboroRecreation&Parks

OUR MISSION

TO ENRICH THE LEISURE NEEDS AND QUALITY OF LIFE FOR
CITIZENS BY

PROVIDING ACCESSIBLE FACILITIES, CREATIVE AND
DIVERSE RECREATION OPPORTUNITIES AND A SAFE
PUBLIC PARK SYSTEM

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



TRANSMITTAL DELIVERED VIA EMAIL

March 12, 2014

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on February 24, 2014 and proposed for town public hearing on March 25, 2014:

- *Clarifying the Design Standards for Bike and Pedestrian Paths intended for Recreation Facilities.*
- *Modifying the Provisions Relating to Solar Setbacks.*
- *Adding Permissible Uses to M-1 Zoning District subject to a Conditional Use Permit and Certain Criteria.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Perdita Holtz".

Perdita Holtz, AICP
Planning Systems Coordinator



Legislation Text

File #: 14-0100, **Version:** 1

TITLE:

Public hearing on Land Use Ordinance Amendments to Allow Additional Uses in the M-1 Zoning District with a Conditional Use Permit

PURPOSE: The purpose of this item is for the Board to consider amending the Land Use Ordinance to allow additional uses in the M-1 zoning district with a conditional use permit, subject to certain criteria. A draft ordinance has been prepared. The Board must receive public comments before taking action on the draft ordinance.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325; Marty Roupe - 919-918-7333; Mike Brough - 919-929-3905

INFORMATION: On May 28, 2013, Runyon Woods of Woodhill, Inc. LLC, submitted a text amendment request to allow additional uses, such as restaurants, in the M-1 zoning district subject to a conditional use permit (*Attachment C*). If adopted, the additional uses could be included in all M-1 districts including the development proposal for 501 South Greensboro Street (the former Rogers-Triem site) owned by Woodhill, Inc. and currently in its first round of conditional use permit review. During the request to set a public hearing in October of 2013, the Board of Aldermen removed banks with drive-through windows as a potential new use from the draft ordinance. Staff presented a revised ordinance to Town advisory boards at the November 2013 joint review meeting. A public hearing was held on November 19, 2013. The Planning Board and Economic Sustainability Commission had a number of questions and suggestions for refining the draft ordinance. The Board of Aldermen, likewise, had a number of questions during the public hearing and requested additional information.

On January 14, 2014, the Board held a work session item to further discuss the implications of adding new uses to the M-1 zoning district. Prior to the work session, discussions relating to the text amendment focused on different approaches to allow some higher return land uses in exchange for site improvements and/or building elements that would provide essential public infrastructure and create a more vibrant and successful community. The Town adopted similar performance standard language as part of the establishment of the B-1 (g) conditional zoning district (Section 15-141.4) in 2011. The January work session was designed to facilitate a broader discussion of the future of the M-1 zoning classification including potential ways to encourage or even require light manufacturing as a component of a development project in exchange for additional land uses.

After considering alternatives for moving forward, the Board directed staff to modify the draft ordinance (presented at the November 2013 public hearing) to incorporate the recommendations from the advisory boards, in particular requiring site improvements or building elements that would contribute to a more vibrant and successful community for any percentage of additional uses and to adopt a cap to limit the total amount of new uses for any new development. The Board also expressed interest in exploring ways to encourage or

require light manufacturing as part of a future agenda item that could involve a more comprehensive analysis of the Town's long-term needs.

On February 18, 2014, staff presented the Board with a revised ordinance, which incorporated the changes recommended by the advisory boards and included an updated list of building and site elements that would provide essential infrastructure and/or create a more vibrant and successful community. The February 18th ordinance also established a sliding scale mechanism whereby the Board could approve a certain percentage of restaurants and freestanding ATMs in exchange for a certain number of site and building improvements. Subsequent to the February 18th meeting, staff held a conference call with the applicant to discuss the February 18th draft ordinance and based on that discussion staff added other items to the list of potential improvements, but left the percentages in the sliding scale blank.

Staff presented a further revised ordinance (dated February 28, 2014) at the March 6, 2014 joint review meeting; the Economic Sustainability Commission discussed the ordinance on March 12th. The item was also referred to Orange County. The February 28th ordinance included the complete list of building and site improvements, but did not include recommendations for the numbers in the sliding scale in an effort to solicit advisory board input on what those percentages should be. As part of their written comments for distribution at the meeting (*4 page of Attachment C*), the applicants offered recommendations for the sliding scale, which the Planning Board supported in its comments along with other suggestions. The percentages included in the most recent draft ordinance date March 18, 2014 (*Attachment B*) are from the discussion at the joint review meeting. Comments from the advisory boards and from Orange County, including suggestions for additional refinements are provided (*Attachment E*).

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review. The applicant has paid the Town fee associated with processing a text amendment to the Land Use Ordinance.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the resolution finding consistency, and the draft ordinance provided in the attachments.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND
USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ADD FREESTANDING AUTOMATIC TELLER MACHINES, AND CERTAIN TYPES OF RESTAURANTS TO THE LIST OF USES THAT ARE PERMISSIBLE IN THE M-1 DISTRICT WITH A CONDITIONAL USE PERMIT, SUBJECT TO CERTAIN CRITERIA.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020, particularly the following provisions relating to development and economic development.

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.

3.0 With the population of Carrboro expected to increase during the Vision 2020 period, additional commercial development should be anticipated both downtown and in peripheral areas.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to remain consistent with its adopted plans or policies.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of March 2014.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF
THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ADD FREESTANDING AUTOMATIC TELLER MACHINES, AND CERTAIN TYPES OF RESTAURANTS TO THE LIST OF USES THAT ARE PERMISSIBLE IN THE M-1 DISTRICT WITH A CONDITIONAL USE PERMIT, SUBJECT TO CERTAIN CRITERIA.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of March 2014.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ADD FREESTANDING AUTOMATIC TELLER MACHINES, AND CERTAIN TYPES OF RESTAURANTS TO THE LIST OF USES THAT ARE PERMISSIBLE IN THE M-1 DISTRICT WITH A CONDITIONAL USE PERMIT, SUBJECT TO CERTAIN CRITERIA

DRAFT 3-18-2014

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS”

Section 1. Section 15-146 of the Carrboro Land Use Ordinance (the Table of Permissible Uses) is amended by placing the letter “C” in the M-1 district column opposing the following uses classifications to indicate that the Board may consider these uses permissible in the M-1 zoning district with a conditional use permit subject to the criteria in subsection 15-176.6.

~~3.230 Banks with Drive-in window~~

3.250 Freestanding Automatic Teller Machine

8.000 Restaurants (including food delivery services), Bars, Night Clubs

8.100 Restaurants with none of the features listed in the use classification below as its primary activities

8.200 Outside service or consumption

8.500 Carry out service (picked up inside for off-premises consumption)

8.600 Food delivery

8.700 Mobile prepared food vendors

Section 2. Subsection 15-176 is amended with a new Section 15-176.6, Banks and Restaurant Uses Within M-1 Districts. Notwithstanding the foregoing provisions in Section 15-146, uses ~~3.230~~, 3.250, 8.000, 8.100, 8.200, 8.500, 8.600 and 8.700 the Board shall consider these uses allowed in the M-1 zoning district with a conditional use permit subject to the following conditions relating to the provision of site and building elements that will create a more vibrant and successful community and provide essential public infrastructure.

Site and building elements are intended to be selected from the following five areas: stormwater management and water conservation; substantial transportation improvement and alternative transportation enhancement; on-site energy production and energy conservation , creation of new and innovative light manufacturing operations; and the provision of public art and/or provision of outdoor amenities for public use.

The Board shall consider a combined area of uses 3.250, 8.000, 8.100, 8.200, 8.500, 8.600 and 8.700 that shall not exceed 15 percent of total gross floor area for those developments providing 15 percent of the examples of performance measures from the five areas of site and building element categories. The Board shall consider a combined area of uses 3.250, 8.000, 8.100, 8.200, 8.500, 8.600 and 8.700 that shall not exceed 30 percent of total gross floor area for those developments providing 30 percent of the examples of performance measures from the five areas of site and building element categories; and a combined area not to exceed 40 percent of total gross floor area for those developments providing 40 percent of the examples of performance measures from the five areas of site and building element categories.

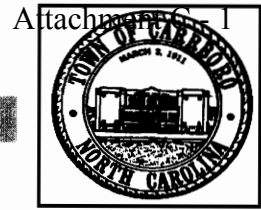
Examples of conditions of site and building elements are intended to create a more vibrant and successful community and provide essential public infrastructure for the purposes of this provision includes but are not limited to the following:

Site and Building Element Categories	Examples of Performance Measures
Stormwater management and Water conservation	1) Substantial stormwater retrofits 2) Reduction in nitrogen loading from the site by at least 8% from the existing condition, as determined by the Jordan Lake Accounting Tool
Substantial transportation improvement and Alternative transportation enhancement	3) Provision of a safe, convenient, and connected internal street system or vehicle accommodation area designed to meet the needs of the expected number of motor vehicle, bicycle, pedestrian, and transit trips 4) Substantial improvement to public infrastructure, such as enhanced bicycle and pedestrian paths, or access to transit 5) Construction of substantially improved site entrance, intersection
On-site energy production and energy conservation	6) Meets or exceeds standards for LEED Gold certification 7) Installation of active and passive solar features such as sufficient solar arrays to account for 50 percent or more of the electrical usage for the property 8) Use of harvested rainwater for toilet flushing 9) Use of devices that shade at least 30% of south-facing and west-facing building elevations 10) Use of low emissivity (low-e ²) windows along south-facing and west-facing building elevations 11) Installation of attic insulation that exceeds the current building code R-value rating by 35% or greater 12) Use of geothermal heat system to serve the entire complex 13) Use of LED fixtures for parking and street lights 14) Meets the Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard, measured from the regional (or country) average for that building type or the US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030
Creation of new and innovative light manufacturing operations	15) The development of clean, innovative light manufacturing operation(s) that creates employment for a more than ten workers 16) Incorporates technologies to reduce production waste by 50 percent or more
The provision of public art and/or provision of outdoor amenities for public use	17) Outdoor amenities such as major public art 18) Amphitheatre or outdoor theater, outdoor congregating/gathering area 19) Outdoor eating facilities 20) Outdoor tables with game surfaces, etc.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.

TOWN OF CARRBORO



LAND USE ORDINANCE AMENDMENT REQUEST

"Dear Potential Business Operator:

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

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

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

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

SEE ATTACHED

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

SEE ATTACHED

- 3) State the reasons for the proposed amendment:

SEE ATTACHED

SIGNATURE:


applicant

PUNYON COLIE WOODS

ADDRESS:

230 DOGWOOD ACRES
CHAPEL HILL

ON BEHALF OF (print) WOODHILL NC. LLC

TELEPHONE NUMBER:

919-418-2121

TOWN OF CARRBORO

LAND USE ORDINANCE AMENDMENT REQUEST

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

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

1) The Land Use Ordinance, at present, would allow property zoned M-1 the following **EXISTING** uses (among others):

2.100 thru 2.140 Sales and Rental of Goods and Merchandise inside
2.210 thru 2.330 Sales and Rental of goods and Merchandise outside

3.110 thru 3.130 Office, Clerical

4.100 Manufacturing inside

5.110 thru 5.5.400 Educational, Cultural, Social

6.110 thru 6.140 Recreation, Amusement, Entertainment
6.220 thru 6.6.240, 6.260 Recreation, Amusement, Entertainment

2) The proposed amendment to the Land Use Ordinance would allow property zoned M-1 the following **ADDITIONAL** uses:

3.230 Banks with drive thru windows
3.250 Automatic teller machines freestanding

8.100 Restaurants
8.200 Outside service or consumption
8.500 Carryout service
8.700 Food delivery

These uses would be subject to a conditional use permit.

3) Reasons for the proposed amendment:

Carrboro has only three clusters or groups of lots zoned M-1: a southern cluster consisting of 4 lots on South Greensboro Street, a western cluster consisting of 7 lots on Jones Ferry Road (grouped around OWASA and Mellot Grading) and a northern cluster

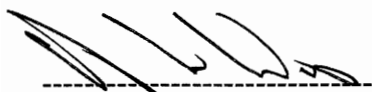
made up of two lots, Fitch Lumber on the west side of North Greensboro and the Fitch Lumber storage shed on the east side of North Greensboro.

With the exception of an empty lot on the south side of Jones Ferry Road, the M-1 lots in the northern cluster and the western cluster are zoned that way in recognition of an historical use, as opposed to a deliberate decision to create a manufacturing district where none currently existed. One of the largest lots in the western cluster was the subject of a permit request for retail redevelopment in 2007.

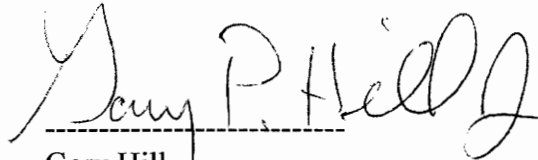
In the southern cluster at the time of the zoning, 3 of the 4 lots in the cluster were empty, the 4th had a factory. Of the three empty lots, two have since become offices and the third a storage facility. The factory lot has been abandoned for years.

While the M-1 zoning recognizes historical use, the most probable future use for the Carrboro M-1 lots is not manufacturing. While the M-1 zone currently allows retail and office use, some of the most probable future uses (i.e. restaurants and bank branches) are prohibited. If Carrboro wishes to encourage the adoptive re use and redevelopment of the M-1 lots, then the table of permitted uses should be amended as suggested above to include these additional probable uses, both of which are consistent and fit well with Retail, Office, Social, Entertainment uses currently allowed. The discouraging burden of a rezoning request should not be a necessary requirement to achieve a workable and feasible adoptive reuse site plan for an M-1 lot in Carrboro. As long as the use is conditional, the Board of Aldermen will still be reviewing and approving the site plan submissions.

Given the existing permitted uses of Retail, Office, Social and Entertainment in M-1, the distinct prohibition of restaurants and banks makes little sense and seems to be an oversight rather than a deliberate prohibition. This petition asked the Board of Aldermen to add those uses to the table of permitted uses for M-1.



Runyon Colie Woods,
partner, Woodhill NC LLC



Gary Hill
partner, Woodhill NC LLC

5-28-13

3/6/2014

Woodhill NC, LLC

PO Box 4022

Chapel Hill NC 27516

919-418-2121

From: Runyon Woods on behalf of Woodhill NC, LLC

To: Town of Carrboro Joint Advisory Board

Re: March 6, 2014 Meeting, Agenda Item 4

Our request for additional permitted uses in M-1 has gone through a number of staff iterations involving the development of a performance standard. The LUO draft attachment C that is before you tonight has 3 blanks in the third paragraph of section 2. We request that these blanks be completed in the following manner.

First blank: "15 percent of the".

Second blank: "30 percent of the".

Third blank: "40 percent or more of the".

We also believe that a minor correction is needed – in the list of uses, the use 8.000 should instead be 8.100.

Filling in the blanks and making the minor correction described above results in the following paragraph:

The Board shall consider a combined area of uses 3.250, 8.100, 8.200, 8.500 and 8.600 that shall not exceed 15 percent of total gross floor area for those developments providing 15 percent of the examples of performance measures from the five areas of site and building element categories. The Board shall consider a combined area of uses 3.250, 8.100, 8.200, 8.500 and 8.600 that shall not exceed 30 percent of total gross floor area for those developments providing 30 percent of the examples of performance measures from the five areas of site and building element categories; and a combined area not to exceed 40 percent of total gross floor area for those developments providing 40 percent or more of the examples of performance measures from the five areas of site and building element categories.

Thank you for your attention to this matter.

ARTICLE IX

ZONING DISTRICTS AND ZONING MAP

PART I. ZONING DISTRICTS

Section 15-137 Manufacturing Districts Established (AMENDED 6/22/82; 2/4/86).

(a) The M-1 and M-2 districts are hereby created to accomplish the purposes and serve the objectives set forth in this subsection. Part of Article XI contains performance standards that place limitations on the characteristics of uses located in the districts created by this section.

- (1) **M-1 LIGHT MANUFACTURING.** This zone is designed to accommodate a limited range of industrial activities and a wide range of commercial uses including wholesaling, storage, mail-order, auto related, and office and retail in conjunction with industrial or wholesaling uses. Permitted industrial uses include enterprises engaged in manufacturing, processing, creating, repairing, renovating, painting, cleaning and assembly where all operations are contained inside a fully enclosed building. The performance standards for the M-1 zone located in Part I of Article XI are more restrictive than those in the M-2 district.
- (2) **M-2 GENERAL MANUFACTURING.** This district is designed to accommodate the widest range of industrial uses. Business operations may be conducted within and outside a fully enclosed building. The performance standards for this zone are less restrictive than those in the M-1 district.

(b) There is also established a watershed light industrial (WM-3) zoning district. The purpose of this district is to allow areas within the University Lake Watershed that have been zoned M-1 prior to the effective date of this subdivision to continue to be used and developed for light industrial and related purposes, subject to certain restrictions designed to protect the watershed. Consistent with the purpose of this zone, this district shall be confined to that area zoned M-1 on the effective date of this subsection; this area shall not be expanded and no new WM-3 areas shall be designated. **(AMENDED 12/7/83)**

(c) There is also established a Planned Industrial Development (PID) zoning district. The purpose of this district is to provide for the possibility of well planned and tightly controlled industrial development in areas that are suitable for such development but that are not deemed appropriate for M-1 or M-2 zoning because of the less restricted types of development that may occur in such zones. **(AMENDED 6/22/82; 12/7/83)**

- (1) No area less than twenty contiguous acres may be zoned as a Planned Industrial Development district, and then only upon a request submitted by

or on behalf of the owner or owners of all the property intended to be covered by such zone.

- (2) As indicated in the Table of Permissible Uses (Section 15-146) a planned industrial development (use classification 30.000) is the only permissible use in a PID zone.
- (3) Subject to subdivision (2) of this subsection, and consistent with the restrictions contained in the definition of a planned industrial development [see Subdivision 15-15(60)], land within a PID zone may be used in a manner that would be permissible if the land were zoned M-1, except that (i) the only permissible uses are those described in the 2.130 and 4.100 classifications and (ii) the performance standards (Article XI, Part I) applicable to 4.100 uses in business zones shall govern uses in a planned industrial development.

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)

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																						
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			

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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	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	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		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		
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		
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						
7.200 Nursing care institutions, intermediate care institutions, handicapped, aged or infirm institutions, child care institutions	C	C					C		C							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
7.300 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(I)	C			Z						C			ZC
8.200 Outside Service or Consumption								ZC	ZC(I)	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(I)				Z						C			
8.600 Food Delivery								ZC	ZC(I)				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
13.300 Rescue Squad, Ambulance Service	S	S	S	S	S	S	Z		S	S	S	S	S	S	S	Z	S	C	C	C	C	S
13.400 Civil Defense Operation	S	S	S	S	S	S	Z		S	S	S	S	S	S	S	Z	S	C	C	C	C	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								
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							

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
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	S	C	C				S
17.300 Cable Television Satellite Station							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
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

Art. X PERMISSIBLE USES (con't)

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)**

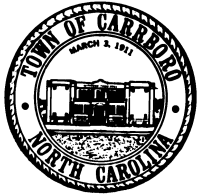
m) Notwithstanding the foregoing, 5.110 uses may be permitted within the B-4 zoning district only when proposed within an existing building and when no other changes to the site are proposed that would require the issuance of a new permit under Section 15-46. **(AMENDED 11/24/09)**

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)



TOWN OF CARRBORO PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

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

MARCH 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO ALLOWING ADDITIONAL USES IN M-1 ZONING DISTRICTS

Motion was made by **A. Cohen** and seconded by **C. Adamson** that the Planning Board recommends that the Board of Aldermen **adopt** the draft ordinance with the following additions and changes:

- That the following restaurant use classifications be added to the permissible uses to ensure the opportunity for sit-down restaurants and mobile food services are included:
 - **8.100** Restaurant with none of the features listed in the use classification below as its primary activities
 - **8.700** Mobile prepared food vendors
- That Section 2 be changed to read:

The Board shall consider a combined area of uses 3.250, **8.100**, 8.200, 8.500, 8.600 and **8.700** that shall not exceed 15 percent of total gross floor area for those developments providing **15 percent of the** examples of performance measures from the five areas of site and building element categories. The Board shall consider a combined area of uses 3.250, 8.100, 8.200, 8.500, 8.600 and 8.700 that shall not exceed 30 percent of total gross floor area for those developments providing **30 percent of the examples** of performance measures from the five areas of site and building element categories; and a combined area of uses 3.250, **8.100**, 8.200, 8.500, 8.600 and **8.700** that shall not exceed 40 percent of total gross floor area for those developments providing **40 percent of the** examples of performance measures from the five areas of site and building element categories.

- That #10, Use of Low Emissivity (low-E) Windows, be removed from the Examples of Performance Measures and be replaced with a daylighting standard instead.

In addition, the planning board recommends that the Board of Aldermen review the examples of performance measures again in the near future. In particular, there is some question about the value of performance measure 11 relative to the value of other items.

VOTE:

AYES: Adamson, Barton, Chaney, Cohen, Davis, Foushee, Hunt, Poulton

ABSENT/EXCUSED: Baptista

NOES: Clinton

ABSTENTIONS:

Associated Findings

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

Furthermore, the Planning Board of the Town of Carrboro finds that the proposed text amendment is consistent with Carrboro Vision 2020, particularly the following provisions relating to development and economic development.

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.

3.0 With the population of Carrboro expected to increase during the Vision 2020 period, additional commercial development should be anticipated both downtown and in peripheral areas.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

VOTE:

AYES: Adamson, Barton, Chaney, Cohen, Davis, Foushee, Hunt, Poulton

ABSENT/EXCUSED: Baptista

NOES: Clinton

ABSTENTIONS:



Bethany E. Chaney, Chair

March 6, 2014

Site and Building Element Categories	Examples of Energy Performance Measures	Relative Cost
On-site energy production and energy conservation	6) Meets or exceeds standards for LEED Gold certification	\$\$\$\$\$
	7) Installation of active and passive solar features such as sufficient solar arrays to account for 50 percent or more of the electrical usage for the property	\$\$\$\$\$
	8) Use of harvested rainwater for toilet flushing	\$\$\$\$\$
	9) Use of devices that shade at least 30% of south-facing and west-facing building elevations	\$\$ *
	10) Use of low emissivity (low-E) windows along south-facing and west-facing building elevations	NCSBC
	11) Installation of attic insulation that exceeds the current building code R-value rating by 35% or greater	\$ **
	12) Use of geothermal heat system to serve the entire complex	\$\$\$\$\$
	13) Use of LED fixtures for parking and street lights	\$\$\$\$\$
	14) Meets the Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard, measured from the regional (or country) average for that building type or the US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030	\$\$\$\$\$\$

* Shading devices are not effective on west-facing elevations

**Additional insulation has inconsequential value except in extreme climates

R-Value Recommendations for New Buildings

Information provided by the US Department of Energy

Heating System: Heat Pump

Cooling System: Electric Air Conditioning

Location: Fargo, ND

Insulation Location R-Value* Notes

Attic 49 -

Floor 30 Over unheated, uninsulated space.

Heating System: Heat Pump

Cooling System: Electric Air Conditioning

Location: Raleigh, NC

Insulation Location R-Value* Notes

Attic 38 -

Floor 25 Over unheated, uninsulated space.

Heating System: Heat Pump

Cooling System: Electric Air Conditioning

Location: Tucson, AZ

Insulation Location R-Value* Notes

Attic 38 -

Floor 13 Over unheated, uninsulated space.

Heating System: Heat Pump

Cooling System: Electric Air Conditioning

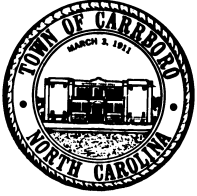
Location: Hartford, CT

Insulation Location R-Value* Notes

Attic 49 -

Floor 30 Over unheated, uninsulated space.

In the Triangle Area of North Carolina the State Energy Code Requires R42 in the Attic and R-38 in the Floor Joists



TOWN OF CARRBORO

Economic Sustainability Commission

301 West Main Street, Carrboro, North Carolina 27510

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

MARCH 12, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO ALLOWING ADDITIONAL USES IN M-1 ZONING DISTRICTS

Motion was made by Sarah Blacklin and seconded by Art Menius that the Economic Sustainability Commission recommends that the Board of Aldermen not approve the draft ordinance.

VOTE:

AYES: 8

ABSENT/EXCUSED: 1

NOES:

ABSTENTIONS:

Associated Findings

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

Furthermore, the Economic Sustainability Commission of the Town of Carrboro finds that the proposed text amendment is NOT consistent with Carrboro Vision 2020, and offered the following reason for their recommendation;

"On Wednesday, January 8, the ESC reviewed a copy of the draft amendment and recommended that the staff revise the performance standards to provide greater clarity. Upon a second review of the amendment (as revised by the staff), on Wednesday, March 12, the commission could not recommend approval of the zoning text amendment. We have no objection to the use of performance standards; they can be an essential tool for creating flexibility for businesses. However, we are concerned that the level of specificity of the standards as drafted in the proposed amendment will create the impression of an easily-satisfiable system, while in reality,

every prospective project will still be evaluated by the governing boards on the basis of many details the standards do not address. We certainly do not want to make it any more difficult to approve development projects than it already is, especially on properties that have been under-utilized for long periods of time. However, given the site-specific nature of any development project, we feel that the performance standards as a means of broadening the definition of M-1 zones offer no benefit over conditional rezoning — the very process this amendment was created to bypass."

VOTE:

AYES: 8

ABSENT/EXCUSED: 1

NOES:

ABSTENTIONS:

Vice- Chair

Date



TOWN OF CARRBORO

TRANSPORTATION ADVISORY BOARD

RECOMMENDATION

March 20, 2014

SUBJECT: Land Use Ordinance to Allow Additional Uses in the M-1 Zoning Districts with a Conditional Use Permit

MOTION: Three TAB members are in favor of approving the text amendment, and three are not. All TAB members are concerned about the implications of this text amendment for potential future uses on the other M-1 districts in town.

The TAB members who are not in favor of the text amendment are uncomfortable with amending an existing zoning district's permissible uses to subvert the rezoning process.

The TAB would like for the 501 S. Greensboro St. development to include:

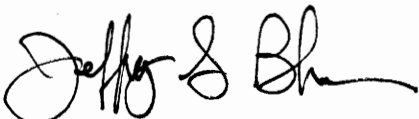
- A roundabout or entrance designed to NCDOT standards, including the NCDOT Complete Streets Guidelines
- A pedestrian-oriented, "park-once" internal circulation system
- A sidewalk on S. Greensboro St.
- Pedestrian-level lighting at the bus stop

The TAB does not recommend codifying a percentage-based system for achieving additional uses based on achieving the same proportion of performance measures.

Moved: Štolka

Second: LaJeunesse

VOTE: Ayes (6): Štolka, LaJeunesse, Nicopoulos, Barclay, McDuffee, Boone. Nays (0). Abstain (0). Absent (1): Haac.


for

Kurt Štolka
TAB Chair

3 / 21 /14
DATE

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



TRANSMITTAL DELIVERED VIA EMAIL

March 12, 2014

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on February 24, 2014 and proposed for town public hearing on March 25, 2014:

- *Clarifying the Design Standards for Bike and Pedestrian Paths intended for Recreation Facilities.*
- *Modifying the Provisions Relating to Solar Setbacks.*
- *Adding Permissible Uses to M-1 Zoning District subject to a Conditional Use Permit and Certain Criteria.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Perdita Holtz".

Perdita Holtz, AICP
Planning Systems Coordinator



Legislation Text

File #: 14-0104, **Version:** 1

TITLE:

Public hearing on Land Use Ordinance Amendments Relating to Solar Setbacks

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance relating to solar setbacks. A draft ordinance has been prepared for the Board's consideration. The Board must receive public comments before taking action on the draft ordinance.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon 919-918-7325; Patricia McGuire 919-918-7327; Marty Roupe 919-918-7333; Mike Brough 919-929-3905

INFORMATION: As part of the implementation of Town goals identified during the Carrboro Vision 2020 process, the Board considered a number of text amendments relating to development in the downtown with a specific focus on building heights and setbacks. By 2005, the Town began to hone in on a series of architectural standards that would guide downtown development toward attractive and innovative building designs that enhanced the existing urban fabric. New standards were ultimately adopted on June 20, 2006 as Section 15-178, Architectural Standards for Downtown Development, and located within Article XI of the Land Use Ordinance, Supplementary Use Regulations (http://www.townofcarrboro.org/BoA/Agendas/2006/06_20_2006.htm).

A potential negative consequence of increased building heights is the possibility of taller buildings blocking natural light and leaving lower areas--sidewalks and smaller buildings--in extended periods of shade, a scenario often referred to as the "canyon effect." Subsection 15-178(3) of the Land Use Ordinance (LUO) was established to address this concern, to prevent taller buildings from shading portions of the sidewalk along the north side of east-west street rights-of-way in the downtown. The subsection reads, "Buildings taller than 40 feet shall maintain a twenty-percent shade free area within the public right of way between two lines extended north from the easternmost and westernmost points of the building at the street right of way as measured at noon on September 21." As opportunities for developing taller buildings extend beyond the downtown core through rezoning, the possibility exists for modest-sized buildings to lose their solar access and become shaded as new buildings come on line. The provisions in subsection 15-178(3) only apply the solar setback to new construction within the B-1(c), B-1(g), CT, M-1 and B-2 zoning districts along public rights of way; they do not extend along the other property lines. The Downtown Neighborhood Protection Overlay District (DNP) has some mitigating effects of these impacts. Adopted in 2005, the DNP creates a buffer zone around certain lots along the edge of the commercially zoned portion of the downtown where such lots abut or are directly across the street from residentially zoned properties.

To better understand the potential for buildings taller than 40 feet to shade their neighbors, the Town could consider requiring applicants to provide a "shadow impact analysis" as part of their submittal materials. Shown as a hatched or grayed area on a site plan, the shadow impact analysis would show the extent to which proposed

building(s) would “throw a shadow.” Information from the analysis would demonstrate compliance with subsection 15-178(3) when applicable, but it would also show where a proposed building might create an extensive area of shadow off-site--on an adjacent property. An applicant could then use the analysis to guide building placement to limit such shading, particularly for preventing new buildings from shading existing residences, garden areas or other adjacent uses and activity areas that benefit from solar access. A proposed new subsection 15-185(i) would require developers to modify development plans that show new construction casting a substantial shadow on buildings and open space with the proposed development or on adjacent buildings, lots and rights-of-way for more than four consecutive hours per day.

Staff presented the draft ordinance at the March 6th joint review meeting and referred the ordinance to Orange County. Advisory board members asked a number of questions during joint review and some members voiced concern over potential unintended consequences from the ordinance, in particular a potential effect of limiting opportunities for developers to construct taller buildings in the downtown-something expressed as a desired outcome in the Carrboro Vision 2020 process. Comments from advisory boards and Orange County are provided (Attachment D).

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the resolution finding consistency, and the draft ordinance provided in the attachments.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND
USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY PROVISIONS RELATING TO SOLAR SETBACKS.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020 regarding development taking place in a manner that is consistent with adopted town values, minimizes negative impacts and promotes energy conservation such as protecting solar access, specifically the following provisions:

2.0 Carrboro's development should take place in a manner consistent with a set of adopted values.

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility. The town should develop a process to mediate disagreements between developers and residents of existing neighborhoods.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

5.51 The town should publicly promote every available means of energy conservation. The town's own alternative and renewable energy targets should include passive and active solar, and composted waster co-generation to fuel public vehicles and the heating of town facilities.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to remain consistent with its adopted plans or policies.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of March 2014.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF
THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY PROVISIONS RELATING TO SOLAR SETBACKS.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 25th day of March 2014.

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY PROVISIONS
RELATING TO SOLAR SETBACKS

****DRAFT 1-27-2014****

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subsection 15-48.1(c)(2)(a), Concept Plan Review Procedures Prior to Submitting Applications, is amended as follows:

- a. A sketch site plan showing the location and size (including floor area) of proposed buildings, (including the extent to which buildings taller than 40 feet may cast a shadow), parking areas, and driveway entrances;

Section 2. Appendix A – Information Required with Applications, is amended with a new subsection A-6(b)(26) to read as follows:

- (a) Plans showing the maximum extent to which all buildings taller than 40 feet will cast a shadow on June 21st and on December 21st.

Section 3. Subsection 15-185 shall be amended with a new subdivision (i) to read as follows:

- (i) The height regulations established in this section shall not be used to prevent adequate solar access to and around buildings, rights-of-way, off-street parking areas, loading space and service areas, space for landscaping, and spacing between buildings and portions of buildings.
 - (1) Notwithstanding the foregoing, developments including buildings taller than 40 feet shall be designed so as not to have an unnecessary substantial shadow impact on neighboring properties and public spaces. Development plans shall contain a shadow impact analysis as described in Appendix A – Information Required with Applications.
 - (2) Development plans which show new construction casting a substantial shadow area on buildings and open space within the proposed development or on adjacent buildings, lots and rights-of-way for more than four consecutive hours per day shall be modified until such shading is removed.

Section 4. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 5. This ordinance shall become effective upon adoption, and its provisions shall be applicable to projects for which permits are issued after the effective date.

ARTICLE IV

PERMITS AND FINAL PLAT APPROVAL

PART I. PERMIT REQUIREMENTS

Section 15-48.1 Concept Plan Review Procedures Prior to Submitting Applications **(Amended 10/24/06.)**

(a) Prior to submitting an application for a special or conditional use permit, the applicant shall comply with the requirements of this section.

(b) The applicant shall attend a regularly scheduled Development Review meeting and discuss the proposed project with staff in attendance at such meeting. This requirement shall not apply to a developer of a proposed major subdivision who has met with the planning staff under the provisions of Subsection 15-50(d) following an “on-site walkabout”.

(c) Following compliance with the provisions of subsection (b), the applicant shall attend a Joint Advisory Board meeting comprising at least the following boards: Planning Board, Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, and Economic Sustainability Commission. The planning staff may notify the Recreation and Parks Commission and the Northern Transition Area Advisory Committee when issues relevant to those boards are raised by a proposed development and members of those boards may attend.

(1) No quorum requirements shall apply to the Joint Advisory Board.

(2) The applicant shall present to the Joint Advisory Board sufficient information about the proposed development to enable the board to have a general understanding of the nature and extent of the development. If the development is a major subdivision, then a “conceptual preliminary plan” prepared in accordance with the provisions of Section 15-50 shall suffice. If the development is not a major subdivision, then the information submitted shall include at least the following:

- a. A sketch site plan showing the location and size (including floor area) of proposed buildings, parking areas, and driveway entrances;
- b. Proposed residential densities and types of residential units (in terms of number of bedrooms);
- c. Illustrations of building elevations.
- d. Other information deemed necessary by the staff to demonstrate to the Joint Advisory Board the concept of the proposed development.

Art. IV PERMITS AND FINAL PLAT APPROVAL

(d) Following the presentation of the concept plan to the Joint Advisory Board, the members of that board may present such feedback to the developer as they deem appropriate. In addition, following the Joint Advisory Board meeting, the component advisory boards may meet separately and make recommendations to the developer.

(e) When the development application comes back before the advisory boards for a recommendation prior to the public hearing on such application, the applicant shall provide a written response to all advisory board comments, and each advisory board that has reviewed the concept plan and made comments on it shall review those comments and may ask the developer to explain how those comments have been addressed or why they have not been addressed.

Appendix A

INFORMATION REQUIRED WITH APPLICATIONS

A-6. Proposed Changes in Existing Features or New Features (AMENDED 6/20/06).

(a) Development site plans shall show proposed changes in (i) existing natural features [see A-5(b)], (ii) existing man-made features [see A-5(c)], and (iii) existing legal features [see A- 5(d)].

(b) Development site plans shall also show proposed new legal features (especially new property lines, street right-of-way lines, and utility and other easements), as well as proposed man-made features, including, but not limited to, the following:

- (1) The number of square feet in every lot created by a new subdivision.
- (2) Lot dimensions, including lot widths measured in accordance with Section 15-183.
- (3) The location and dimensions of all buildings and freestanding signs on the lot, as well as the distances all buildings and freestanding signs are set back from property lines, streets or street right-of-way lines (see Section 15-184).
- (4) Principal side(s) building elevations for typical units of new buildings or exterior remodelings of existing buildings, showing building heights (see Section 15-185) and proposed wall sign or window sign area.
- (5) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures. **(AMENDED 4/21/87; REPEALED 1/16/07)**
- (6) Elevation in relation to mean sea level to which any non-residential structure will be floodproofed. **(AMENDED 4/21/87; REPEALED 1/16/07)**
- (7) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development. **(AMENDED 4/21/87; REPEALED 1/16/07)**
- (8) The location and dimensions of all recreational areas provided in accordance with Article XIII, with each area designated as to type of use. **(AMENDED 4/21/87)**

APPEND. A -- INFORMATION REQUIRED WITH APPLICATIONS

- (9) Areas intended to remain as usable open space (Section 15-198) or designated buffer areas (Section 15-265). The plans shall clearly indicate whether such areas are intended to be offered for dedication to public use or shall remain privately owned. **(AMENDED 4/21/87)**
- (10) Streets, labeled by classification (see Section 15-210) and street name showing whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths. Private roads in subdivisions shall also be shown and clearly labeled as such. **(AMENDED 4/21/87)**
- (11) Curb and gutters, curb inlets and curb cuts, drainage grates.
- (12) Other storm water or drainage facilities, including manholes, pipes, drainage ditches, retention ponds, etc.
- (13) Sidewalks and walkways, showing widths and surface material.
- (14) Bridges.
- (15) Outdoor illumination, including the following information:
(REWRITTEN 4/20/10)
 - a. Plans showing the location, type, and height of luminaires including both building and ground fixtures. The plan shall include a point-by-point footcandle array in a printout format indicating the location and aiming of illuminating devices, and indicate compliance with the maximum maintained footcandles required by Section 15-242.4 of this chapter.
 - b. A description of the luminaires, including lamps, supports, reflectors, raised foundations, poles or other supports and shielding devices, which may be provided as electric utility catalogue illustrations, sheets and/or drawings, and product specifications from the manufacturer.
 - c. Photometric data, such as that furnished by the manufacturer, showing the angle of light emission; and
 - d. A demonstration or showing that the applicant has attempted to reduce energy consumption through the selection of energy efficient luminaires, timers, or other methods (such as fixtures that automatically change wattage output). **(AMENDED 05/25/09; REWRITTEN 4/20/10)**

APPEND. A -- INFORMATION REQUIRED WITH APPLICATIONS

- (16) Underground utility lines, including water, sewer, electric power, telephone, gas, cable television. Water and sewer pipe line signs shall be labeled.
- (17) Above ground utility lines and other facilities.
- (18) Fire hydrants.
- (19) Dumpsters.
- (20) New contour lines resulting from earth movement (shown as solid lines) with no larger than two foot contour intervals (existing lines should be shown as dotted lines).
- (21) Scale drawings of all signs requiring permits pursuant to Article XVII, together with an indication of the location and dimensions of all such signs.
- (22) Vehicle accommodation areas (including parking areas, loading areas, and circulation areas, see Section 15-290), all designated by surface material and showing the dimensions and layout of proposed parking spaces and the dimensions and direction of travel lanes, aisles, and driveways.
- (23) Proposed plantings or construction of other devices to comply with the screening requirements of Article XIX, Part I, as well as proposed plantings of trees to comply with the shading requirements of Article XIX, Part II. Plans shall label shrubbery by common or scientific name, show the distance between plants and indicate the height at the time of planting and expected mature height and width. Plans shall label trees by common or scientific name, show the circles of the mature crowns (major trees shall be drawn at diameter = 30'; dwarf or decorative trees shall be drawn at their actual mature crown), and indicate the height at the time of planting.
- (24) A Tree Protection Plan, illustrating the methods proposed to be used to protect, during construction, the trees greater than eighteen inches in diameter and rare species trees that are to be preserved on the site, including specifications as to how the grade, drainage, and aeration will be maintained around the trees. The location of all large and rare species trees to be retained on the site that will not be within the area to be disturbed by construction activities near a building site, or near roads within the development shall also be shown on the plan, along with a note stating that these trees will not be within the area to be disturbed by construction activities. The Administrator may

APPEND. A -- INFORMATION REQUIRED WITH APPLICATIONS

recommend that applicants consult with experts in landscape architecture or forestry about appropriate tree protection methods for the particular conditions and species in question, and request that their contractors review two videotapes on tree protection during construction developed by the International Society of Arboriculturalists, entitled “Effect of Building Construction on Trees in Wooded Lots” and “Avoidance of Construction Damage to Trees on Wooded Lots” that are on file in the Public Works Department.
(AMENDED 03/21/89)

- (25) Plan for Downtown Architectural Standards to comply with Section 15-178 and including, but not limited to, elevation drawings/illustrations of existing and neighboring property building facades.

ARTICLE XII

DENSITY AND DIMENSIONAL REGULATIONS

Section 15-185 Building Height Limitations (AMENDED 9/13/83; 2/4/86; 11/14/88; 4/8/03; 6/22/04; 8/23/05; 10/25/05)

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

<u>ZONE</u>	<u>MAXIMUM HEIGHT</u>
R-S.I.R.	100'
R-S.I.R.-II	100'
CT	Three Stories
B-2	Two Stories
B-3	28'
B-3-T	28'
B-4	50'
R-2	50'
M-1	Three Stories
WR	40'

- (3) Buildings in the B-1(c) and the B-1(g) districts may be constructed to a maximum height of three stories where the lot on which the building is located abuts a street right-of-way of fifty feet or less and four stories where the lot on which the building is located abuts a street right-of-way of more than fifty feet or where the lot is located at least fifty feet from the nearest public street right-of-way, except that:
 - a. If a property owner whose property in a B-1(c) or B-1(g) district abuts a street right-of-way of fifty feet or less dedicates additional right-of-way to more than fifty feet, then the developer of a building on such property may take advantage of the additional height authorized under this subsection for buildings on lots that abut street rights-of-way of more than fifty feet, so long as such dedication occurs before a building permit is issued for a building that takes advantage of such additional height.

Art. XII DENSITY AND DIMENSIONAL REGULATIONS

- b. If a building in a B-1(c) or B-1 (g) district is located on a lot that abuts more than one street, then for purposes of determining the height limit under this subsection, the lot shall be treated as if it abutted only the street having the narrowest right-of-way.
 - c. The maximum building height authorized in the first sentence of Subsection (a)(3) of this section may be increased by one story, up to a maximum height of five stories, for every ten feet that the additional story is set back from the street right-of-way beyond the setback specified in Section 15-184.
 - d. Any portion of a building (located on lots within a B-1 (c) or B-1 (g) district) that exceeds thirty-five feet in height must be set back from the property line of any adjoining residentially zoned lot as least a distance equal to twice the lot boundary line setback requirement applicable to such adjoining lot.
 - e. Notwithstanding the other provisions of this section, no building in excess of two stories shall be permitted on (i) any lot within the Town's National Register Commercial District upon which there exists on the effective date of this subsection s contributing building, or (ii) any lot upon which there exists on the effective date of this subsection a building listed on the National Register of Historic Places, if, after the effective date of this subsection, such contributing building or building listed on the National Register of Historic Places is demolished. This limitation shall not apply to the relocation of such building to another lot. For purposes of this subsection, a "contributing building" is a building or structure within the boundaries of the district that adds to the historic associations, historic architectural qualities, or archaeological values for which the historic district is significant. A contributing building must also retain its "integrity." In other words, the property must retain enough of its historic physical features to convey its significance as part of the district. Alterations can damage a property's historic appearance and its integrity.
- (4) Regardless of whether a building in a B-1 (c) or B-1 (g) district is set back from the street beyond the setback specified in Section 15-184, if a mansard, gable, or gambrel roof substantially conceals the existence of a story (i.e. the height of the space that constitutes the story is provided primarily by the roof the building rather than vertical exterior walls), that story shall not be counted toward the maximum number of stories otherwise allowed under this section, except that in no case shall the maximum building height (including the story contained within the mansard, gable, or gambrel roof) exceed five stories in the B-1 (c) or B-1 (g) district.

Art. XII DENSITY AND DIMENSIONAL REGULATIONS

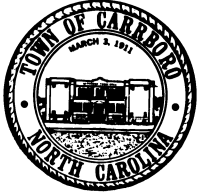
- (b) Subject to subsections (c) and (d) the features listed in this subsection, when attached to a principal building, may be constructed to a height that does not exceed the lesser of (i) 120% of the district height limitation set forth in subsection (a), or (ii) the district height limitation set forth in subsection (a) plus fifteen feet. By way of illustration, in a zoning district with a height limitation of thirty-five feet, the following features may be constructed to a height of forty-two feet, but such features may not exceed the forty-two feet height limit even if a height variance has also been granted for the principal building (unless a variance has also been granted regarding the height limitation affecting such features.)
- (1) Chimneys, church spires, elevator shafts, and similar structural appendages not intended as places of occupancy or storage;
 - (2) Flagpoles and similar devices;
 - (3) Heating and air conditioning equipment, solar collectors, and similar equipment, fixtures and devices.
- (c) The exceptions set forth in subsection (b) to the height limitations set forth in subsection (a) shall not be allowed if and to the extent that the permit issuing authority, or the board of adjustment if the permit-issuing authority is the zoning administrator, concludes that such exception(s) would materially interfere with the legitimate use and enjoyment of neighboring properties (including public properties or rights-of-way) or would otherwise pose a danger to the public health and safety.
- (d) The features listed in subsection (b) may exceed the height limitation set forth in subsection (a) only in accordance with the following requirements:
- (1) Not more than one-third of the total roof area may be consumed by such features.
 - (2) The features described in subdivision (b)(3) above must be set back from the edge of the roof a minimum distance of one foot for every foot by which such features extend above the roof surface of the principal building to which they are attached.
 - (2) Enclosures for any of the features set forth in subsection (b) may not surround a greater area than is reasonably necessary to enclose such features.
 - (3) The permit issuing authority may authorize or require that parapet walls be constructed (up to a height not exceeding that of the features screened) to shield the features listed in subdivisions (b)(1) and (3) from view.
- (e) Towers and antennas shall not be subject to the maximum height limitations set forth in this section but shall be governed by the restrictions inherent on the definitions of such

Art. XII DENSITY AND DIMENSIONAL REGULATIONS

uses as well as the other provisions of this chapter applicable to use classification 18.000. The height of a tower or antenna attached to a structure other than an antenna shall be the vertical distance measured from the main elevation of the finished grade at the front of the building or structure to which the tower is attached to the top of the tower (or antenna, if the antenna extends above the tower). **(AMENDED 02/18/97)**

- (f) Notwithstanding the remaining provisions of this section, the maximum building height for structures utilized for 5.100 use classifications, elementary and secondary schools, may be increased to not more than 50 feet when the permit issuing authority concludes that the additional height is necessary to accommodate specific building elements (e.g. auditorium and support facilities) or to accommodate building designs that seek to minimize building footprints and/or maximize natural lighting. **(AMENDED 6/22/04)**
- (g) For purposes of this section:**(AMENDED 06/28/94; 04/08/03)**
 - 1) Subject to subsection (g) (2), the height of a building shall be the vertical distance measured from the mean elevation of the finished grade at the front of the building to the highest point of the building.
 - 2) With respect to single-family detached residences, the height of a building shall be the vertical distance measured from the floor of the main story of the residence at the front elevation to the top of the roof above the floor.
 - 3) The terms “story” and “floor” are defined in Section 15-15. **(AMENDED 04/08/03)**
- (h) Within the B-1(C), zoning district, all buildings constructed after the effective date of this subsection shall contain at least two stories if such buildings contain more than 1,000 square feet of gross floor area.

Within the B-1(C) zoning district, all new additions to existing buildings shall contain at least two stories if such additions amount to 25% or more of the square footage of the gross floor area of the pre-existing building. **(AMENDED 4/23/13)**



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

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

THURSDAY, MARCH 20, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO SOLAR SETBACKS

Motion was made by **D. Clinton** and seconded by **S. Poulton** that the Planning Board recommends that the Board of Aldermen **oppose** the draft ordinance and offers the following comments and concerns:

The Planning Board appreciates the spirit of the proposed amendment but recommends that the modifications are not necessary on the following grounds:

- The planning and scientific information regarding shading is inconclusive or contradictory; some sources recommend shading and some do not; often for the same building orientations. USGBC LEED, for example, favors reduction of “heat island effect” while promoting daylight and views.
- Existing LUO building setbacks and height restrictions were developed to take solar issues into consideration and these new requirements tend to conflict with existing requirements.
- The specific foot height limitation is at variance with other parts of the LUO that refer to story height.
- The tendency of this proposed revision is to promote suburban sprawl, as it will encourage buildings to be both shorter and farther apart.
- The benefit of making allowance for potential ground-mounted solar arrays is nullified by the potential of creating extensive unshaded paved areas.

The first solar setback dates to the construction of the Equitable Building in New York City, in 1915; a building that is 38 stories, encompasses 1.85 million square feet of floor area and, at the time, enclosed the largest building area in the world. The scale of the Town of Carrboro does not warrant this type of requirement as no building can be conceived of within the Town that would meet the intent of this type of condition.

VOTE:

AYES: Adamson, Baptista, Barton, Chaney, Clinton, Cohen, Foushee, Hunt, Poulton

ABSENT/EXCUSED: Davis

NOES:

ABSTENTIONS:

Associated Findings

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

Furthermore, a motion was made by **C. Adamson** and seconded by **M. Barton** that the Planning Board find the proposed text amendment is **inconsistent** with Carrboro Vision 2020 regarding development taking place in a manner that is consistent with adopted town values, specifically the following provisions:

2.0 Carrboro's development should take place in a manner consistent with a set of adopted values.

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility. The town should develop a process to mediate disagreements between developers and residents of existing neighborhoods.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

VOTE:

AYES: Adamson, Baptista, Barton, Chaney, Clinton, Cohen, Foushee, Hunt, Poulton

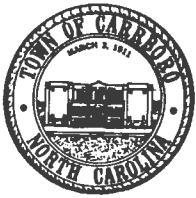
ABSENT/EXCUSED: Davis

NOES:

ABSTENTIONS:



Bethany E. Chaney, Chair March 20, 2014



TOWN OF CARRBORO

Environmental Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

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

THURSDAY, MARCH 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO SOLAR SETBACKS

Motion was made by Sheila Reddy and seconded by Michelle Holder that the EAB recommends that the Board of Aldermen do not adopt the draft ordinance. There doesn't seem to be coherence between this policy and the 2006 policy. The EAB would like more information on the differences between the two ordinances. The EAB does not fully understand the potential unintended consequences of the new ordinance and would like more clarification. The EAB is concerned with what effect this new ordinance has on the town's 2020 goals of encouraging density in the downtown area. With our current understanding of the draft amendment and its potential effects, we cannot support the draft ordinance in its current form. We agree with the positive aspect of informing the public by completing the shading study.

VOTE:

AYES: Arnsberger, Sinclair, Reddy, Rivin, Holder, Furman

ABSENT/EXCUSED: None

NOES: Crook

ABSTENTIONS: None

Associated Findings

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

Furthermore, the EAB of the Town of Carrboro does not find the proposed text amendment consistent with Carrboro Vision 2020 regarding development taking place in a manner that is consistent with adopted town values, minimizes negative impacts and promotes energy conservation such as protecting solar access, specifically the following provisions:

2.0 Carrboro's development should take place in a manner consistent with a set of adopted values.

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility. The town should develop a process to mediate disagreements between developers and residents of existing neighborhoods.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

5.51 The Town should publicly promote every available means of energy conservation. The town's own alternative and renewable energy targets should include passive and active solar, and composted waster co-generation to fuel public vehicles and the heating of town facilities.

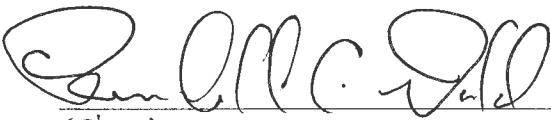
VOTE:

AYES: Arnsberger, Sinclair, Reddy, Rivin, Holder, Furman

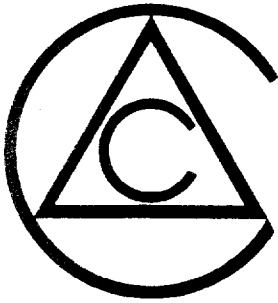
ABSENT/EXCUSED: None

NOES: Crook

ABSTENTIONS: None


for (Chair) 3/2/14
(Date)

Town of Carrboro / Carrboro Appearance Commission / Carrboro, North Carolina 27510



THURSDAY, March 6th, 2014

Text Amendment- Land Use Text Amendment Relating to Solar Setbacks

Motion was made by Tom Wiltberger and seconded by Sheryl Forbis that the Appearance Commission was in favor of the proposed text amendment related to solar setbacks, but would like to see more details due to the present reading of the text amendment leaving a lot of unanswered questions.

VOTING:

AYES: (Tom Wiltberger, Kim Calandra, Sheryl Forbis, Wendy Dale, Emily Kreutzer)

NOES: 0

ABSENT: 0

James Thomas (for chair)
Appearance Commission Chair

3-13-14
Date

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
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131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



TRANSMITTAL DELIVERED VIA EMAIL

March 12, 2014

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on February 24, 2014 and proposed for town public hearing on March 25, 2014:

- *Clarifying the Design Standards for Bike and Pedestrian Paths intended for Recreation Facilities.*
- *Modifying the Provisions Relating to Solar Setbacks.*
- *Adding Permissible Uses to M-1 Zoning District subject to a Conditional Use Permit and Certain Criteria.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Perdita Holtz".

Perdita Holtz, AICP
Planning Systems Coordinator