



# Town of Carrboro

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

## Meeting Agenda Board of Aldermen



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Tuesday, October 23, 2018

7:30 PM

OWASA Community Room

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### 7:30-7:40

#### A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [17-686](#) Proclamation - Honoring Andrew “Andy” Sachs Upon His Retirement

### 7:40-7:45

#### B. ANNOUNCEMENT OF UPCOMING MEETINGS

### 7:45-7:50

#### C. CONSENT AGENDA

1. [17-664](#) Request to Set a Public Hearing on Land Use Ordinance Amendments Relating to Performing Arts Space  
**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance that would create a new use classification and associated permit and development requirements.  
**Attachments:** [Attachment A - Resolution](#)  
[Attachment B - Draft Ordinance PAS 10-19-2018](#)

#### D. PUBLIC HEARING

### 7:50-8:10

1. [17-684](#) Public Hearing on a Land Use Ordinance Amendment Relating to the Standards for Outdoor Lighting  
**PURPOSE:** The purpose of this agenda item is for the Board of Aldermen to consider a text amendment to the Land Use Ordinance regarding the provisions for outdoor lighting. A draft ordinance has been prepared. The Board of Aldermen must receive public input before reaching a decision on the draft ordinance.

**Attachments:** [Attachment A - New Consistency Resolution-outdoor lighting](#)  
[Attachment B - Draft LUO Text Amend Lighting 8-23-2018](#)  
[Attachment C - LUO ART-XV-Part II Outdoor lighting](#)  
[Attachment D - Comments](#)

## E. OTHER MATTERS

**8:10-9:15**

1. [17-685](#) Continuation of Board of Aldermen Consideration and Deliberation on the Proposed Rezoning and Associated Land Use Ordinance Text Amendments relating to the Lloyd Farm Development  
**PURPOSE:** Continuation of the Board's deliberation on the proposed rezoning at 700 Old Fayetteville Road from R-10 and B-4 to B-4-CZ, and associated Land Use Ordinance text amendments for the Lloyd Farm development proposal. Draft ordinances for the Land Use Ordinance map and text amendments have been prepared.

**Attachments:** [Attachment A - Resolution for Text Amendments](#)  
[Attachment B - Draft LUO Text amendment relating to B-4 zoning district 10-19-2018](#)  
[Attachment C - Draft LUO Text amendment relating to B-4 zoning district 10-19-2018 tracking](#)  
[Attachment D - Text Amendment Request](#)  
[Attachment E - Resolution for Rezoning](#)  
[Attachment F - Rezoning Ordinance](#)  
[Attachment G - Petition for Rezoning](#)  
[Attachment H - Illustrative Site Plan](#)  
[Attachment I - Trip Generation Comparison](#)  
[Attachment J - Level of Service Analysis](#)  
[Attachment K - PM Traffic Count Comparison Existing vs Proposed](#)  
[Attachment L - Lloyd Farm Timeline October 2018](#)  
[Attachment M - Economic Impact Analysis](#)

## F. MATTERS BY BOARD MEMBERS

**G. MATTERS BY TOWN MANAGER**

**H. MATTERS BY TOWN ATTORNEY**

**I. CLOSED SESSION - PERSONNEL MATTER NCGS 143-318.11 (a)(6)**





# Town of Carrboro

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

## Agenda Item Abstract

**File Number:** 17-664

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**Agenda Date:** 10/23/2018

**File Type:** Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Request to Set a Public Hearing on Land Use Ordinance Amendments Relating to Performing Arts Space

**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance that would create a new use classification and associated permit and development requirements.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325, [cmoon@townofcarrboro.org](mailto:cmoon@townofcarrboro.org); Patricia McGuire - 919-918-7327, [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org); Bob Hornik - 919-929-3905, [hornik@broughlawfirm.com](mailto:hornik@broughlawfirm.com)

**INFORMATION:** The Board of Aldermen and the community have expressed an ongoing interest in supporting the continued and expanded vitality of businesses, particularly entertainment uses, and in preserving historic areas. A draft ordinance has been prepared that, if approved, would establish a new “performing arts space” use, with permit requirements and development standards. The new use could be allowed with either a zoning permit or a conditional use permit in an existing historic building within certain commercial districts in the downtown such as the B-1(g), B-1(c), and M-1 zoning districts, depending on the distance of the building containing the performance space from residential uses.

The Board of Aldermen must receive public comment before adopting amendments to the LUO. Orange County and Planning Board review are also needed.

**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 attached resolution, setting a public hearing for November 27, 2018 and referring the draft ordinance to Orange County and the Planning Board. The resolution also identifies the Economic Sustainability Commission, the Transportation Advisory Board and the Appearance Commission as reviewers of the draft ordinance.

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE  
LAND USE ORDINANCE TO ALLOW PERFORMING ARTS SPACES IN EXISTING  
BUILDINGS IN CERTAIN DISTRICTS

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on November 27, 2018, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance to Allow Performing Arts Spaces in Existing Buildings in Certain Districts.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County, the Town of Carrboro Planning Board and the following Town of Carrboro advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

☒ Appearance Commission

☐ Recreation and Parks Commission

☒ Transportation Advisory Board

☐ Northern Transition Area Advisory  
Committee

☐ Environmental Advisory Board

☐ \_\_\_\_\_

☒ Economic Sustainability Commission

☐ \_\_\_\_\_

This is the 23<sup>rd</sup> day of October in the year 2018.

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO ALLOW PERFORMING  
ARTS SPACE IN EXISTING BUILDINGS IN CERTAIN DISTRICTS

**\*\*DRAFT 10-19-18\*\***

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-15 (Definitions) of the Carrboro Land Use ordinance is amended by adding a new subsection (68.1) as follows:

(68.1) Performing Arts Space. A commercial enterprise occurring within an existing building or buildings aged fifty years or older and adapted for reuse in which performance art/performance art programming is the primary and principal driver of its business activities as demonstrated by factors specified in Section 15-147(r). This use is distinguished from bar and nightclub uses in that performances are often geared toward standing audiences and the ratio of audience to stage space is approximately four to one.

Section 2. Section 15-146 (The Table of Permissible Uses) is amended by adding a new use classification 8.800 entitled "Performing Arts Space" and by adding the letters "Z, C" opposite this use classification under the B-1(g), B-1(c), and M-1 zoning district columns to indicate that this use is permissible in these districts with a zoning permit or conditional use permit, subject to Subsection 15-147(r).

Section 3. Section 15-147 (Use of the Designations Z, S, C, in Table of Permissible uses) is amended by adding a new subsection (r) that reads as follows:

(r) When used in conjunction with 8.800 uses, the designation "Z, C" means that a zoning permit must be obtained if the performing arts space development is located on a property located in that portion of the B-1(g), B-1(c) or M-1 zoning districts and is located 150 feet or more from the nearest building containing a residential use. A conditional use permit must be obtained if the development is located on a property that is located within portions of the B-1(g), B-1(c) or M-1 zoning districts. The measurement is made from the building containing the main performance space to the nearest existing off-site building containing a residential use.

Section 4. Article XI (Supplementary Use Regulations) is amended by adding a new section 15-176.8 as follows:

**Section 15-176.8 Performing Arts Space**

(a) Performing arts spaces shall be located on lots where an existing permanent structure or structures fifty years of age or older is available for adaptive reuse and such preservation and reuse will provide for the continued vibrancy of the Town's commercial and industrial building fabric and associated heritage.

(b) As set forth in the Table of Permissible Uses, performing arts spaces are permissible only in the B-1(g), B-1(c) and M-1 districts, subject to the permit requirements specified in Section 15-147 (r) and the other provisions of this section.

(c) Performing arts spaces must demonstrate at least four of the following criteria relating to the building facilities and venue operation:

- 1) defined performance space and defined audience space;
- 2) specialty equipment associated with live performances, such as: light mixing desk, public address system, lighting rig, back line equipment;
- 3) applies cover charge to some performances through ticketing or front door entrance fee;
- 4) marketing of specific acts through published advertisements or listings;
- 5) hours of operation for principle use associated with performance times; and
- 6) produces live performances at least five days a week.

(d) Performing arts spaces may include the following related and accessory uses: restaurants (indoor and outside service and consumption), mobile prepared food vendors, office, research, and service, billiards and pool halls, electronic gaming operations, temporary residences, multifamily residences, museums, art galleries and art centers, open air markets and sales and rental of goods, so long as the performing arts spaces is the predominant use and development. The area allocated for such related and accessory uses may be greater than fifty percent with a conditional use permit.

(e) All occupancy provisions for the principle performance uses, and for the accessory and related other uses, shall be in accordance with the State Building Code.

(f) Performing arts spaces shall not impede normal traffic patterns on adjacent public streets. Mobile prepared food vendors associated with a performance art venue must confine their operations to the lot on which the performance art venue is located.

(g) Up to six outdoor performances may be programmed each year, provided that the event sponsor submits for the Town's prior approval a plan for traffic and parking which demonstrates that arrangements have been made to satisfy the required use of parking areas for the primary business on the lot during its regular hours of operation, and will not otherwise interfere in a significant way with the movement of motor vehicles using such area, unless such parking spaces are otherwise provided for.

(h) Mobile prepared food vendor business associated with this use shall not operate between the hours of 2:30 a.m. and 6:00 a.m.

(i) Density of accessory residential units shall be determined in accordance with Section 15-182. Up to four residential units may be allowed in conjunction with a performing arts space permitted with a zoning permit. More than four residential may be allowed in conjunction with a performing arts space permitted with a conditional use permit.

(j) A zoning permit issued for this use may be revoked for the reasons specified in Section 15-115 or if the zoning administrator determines that the performing arts space's operations are causing parking, traffic congestion, or litter problems either on or off the property where the use is located or that such use is otherwise creating a danger to the public health or safety, or is in repeated violation of the Town Code, Chapter 5, General Offenses, Article II Sections 5-11, 5-12, 5-16 and 5-18.

Section 5. Section 15-291(g) (Part I. Parking Requirement (Except as Noted in Part II of This Table)

8.800 1 space per 100 square feet of performing arts space, plus additional spaces for associated and accessory uses as indicated in this table, either Part I or Part II, whichever is less.

Section 6. Section 15-291(g) (Part II. Applies to Properties Located Within the B-1(c), B-1(g), and B-2 Zoning Districts) Parking Requirements is amended by the addition of the following information to the table:

8.800 1 space per 100 square feet of performing arts space plus additional spaces for associated and accessory uses as indicated in this table, either Part I or Part II, whichever is less.

Section 7. Section 15-291(h) Table of Bicycle Parking Standards is amended by adding the new use classification 8.800 to the table so it reads as follows:

<b>Table of Bicycle Parking Standards</b>	
<b>Use</b>	<b>Bicycle Parking Requirement</b>
1.300	1.5 spaces per unit
2.100 2.200 2.300	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces
3.100 3.200	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces
3.260	1 space for every 5 seats in the portion of the building used for dining
5.100	1 space per 10 students plus 1 space per 10 employees
6.200	1 space per 4 presumptively required auto spaces
8.100 8.200 8.800	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces
10.100	1 space per 10 auto spaces, with a minimum of 5 spaces
34.100	1 space per 5 rooms, up to 50 rooms; 1 space per 10 rooms above 50 rooms

Section 8 Subsection 15-299 (a) (Special Provisions for Lots With Existing Buildings and Lots Within Neighborhood Preservation Districts) is amended by the addition of the phrase "to other than a performing arts space (use classification 8.800) so that the subsection now reads as follows:

- (a) Notwithstanding any other provisions of this chapter, whenever (i) there exists a lot with one or more structures on it constructed before the effective date of this chapter, and (ii) a change in use to other than a performing arts space (use classification 8.800) that does not involve any enlargement of a structure is proposed for such lot, and (iii) the parking requirements of Section 15-291 that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking, then the developer need only comply with the requirements of Section 15-291 to the extent that (i) parking space is practicably available on the lot where the development is located, and (ii) satellite parking space is reasonably available as provided in Section 15-298. However, if satellite parking subsequently becomes reasonably available, then it shall be a continuing condition of the permit authorizing development on such lot that the developer obtain satellite parking when it does become available.

Section 9. Subsection 15-298(b)(Satellite Parking) is amended to read as follows:

- (b) All such satellite parking (except spaces intended for employee use or spaces required in relation to use 8.800, Performing Arts Space may be located within 1000 feet of the public entrance of a principal building housing the use associated with such parking.

Section 10. This ordinance shall become effective upon adoption.



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## Agenda Item Abstract

**File Number:** 17-684

**Agenda Date:** 10/23/2018

**File Type:** Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Public Hearing on a Land Use Ordinance Amendment Relating to the Standards for Outdoor Lighting

**PURPOSE:** The purpose of this agenda item is for the Board of Aldermen to consider a text amendment to the Land Use Ordinance regarding the provisions for outdoor lighting. A draft ordinance has been prepared. The Board of Aldermen must receive public input before reaching a decision on the draft ordinance.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325, [cmoon@townofcarrboro.org](mailto:cmoon@townofcarrboro.org); Bob Hornik - 919-929-3905, [hornik@broughlawfirm.com](mailto:hornik@broughlawfirm.com); Patricia McGuire - 919-918-7327, [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org)

**INFORMATION:** The general outdoor lighting standards, described in Section 15-242.5, of the Land Use Ordinance limit the amount of illumination at the property line to 0.2 footcandles (*Attachment C*). Outdoor lighting plans are typically designed to create uniform lighting throughout the site and to darken along the property boundary lines. In situations such as the redevelopment at 501 South Greensboro Street (South Green) where a public road right-of-way extends through the interior of the property, it can be impracticable to provide uniform and sufficient outdoor lighting on the developed properties while meeting the outdoor lighting standard. The necessary roadway lighting would spill back over the property line, nullifying efforts to achieve the 0.2 footcandle limitation in that same location.

A draft ordinance has been prepared which, if adopted, would establish a new subsection 15-242.5(b) enabling the permit-issuing authority to allow a deviation from the footcandle standard in certain situations: a commercial or mixed-use development approved as part of a single conditional use permit, with public right-of-way extending through the interior of the project.

The draft ordinance was referred to Orange County and presented to the Planning Board and Northern Transition Area Advisory Commission on October 4, 2018. Comments are provided (*Attachment D*).

Staff is working on amendments to the Town's street lighting policy for the Board's review and consideration at a future meeting.

**FISCAL & STAFF IMPACT:** Public hearings involve staff and public notice costs associated with

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advisory board and Board of Aldermen review.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the attached resolution finding consistency, (*Attachment A*) and the draft ordinance to the Land Use Ordinance provided as (*Attachment B*).

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 (N.C. Gen. Stat. 160A-383)

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 TO AMEND THE TOWN OF CARRBORO LAND USE ORDINANCE RELATING TO STANDARDS FOR OUTDOOR LIGHTING.

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

**Section 1. The Board has reviewed the draft amendment to the text of the Land Use Ordinance and concludes that the proposed amendment is:**

\_\_\_\_\_ *Consistent* with current adopted plans, the Town of Carrboro Land Use Ordinance for the following reason(s):

Section 15-242 of the Land Use Ordinance speaks to the purpose and intent of the Town's lighting regulations to provide safety for persons and property.

\_\_\_\_\_ *Inconsistent* with current adopted plans. The proposed action is *inconsistent* with the comprehensive plan for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ *Inconsistent* with the current adopted plans; however, because of the following changed circumstance(s), the Board of Aldermen's approval shall also be deemed an amendment to the existing adopted plan, \_\_\_\_\_, as described below.

Changed circumstance(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Amendment to current adopted plan:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Section 2. The Board of Aldermen's action is reasonable and in the public interest for the following reason(s):**

The proposed text amendment is reasonable in the public interest because it addresses a situation, such as public streets internal to a development, where existing regulations can conflict.

**Section 3. Therefore, the Carrboro Board of Aldermen has: approved / denied the proposed amendment to the text of the Carrboro Land Use Ordinance.**

**Section 4. This resolution becomes effective upon adoption.**

Adopted by the Carrboro Board of Aldermen this 23<sup>rd</sup> day of October 2018.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING  
TO THE STANDARDS FOR OUTDOOR LIGHTING

\*DRAFT 8-30-2018\*

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-242.5 of the Carrboro Land Use Ordinance (“LUO”) is amended by adding the following new subsection 15-242.5(b), and renumbering the subsequent subsections (b) through (f) to (c) through (g).

(b) Notwithstanding the foregoing, the permit-issuing authority may allow or require deviations from the lot line footcandle limitations described in Subsection 15-242.5(a), along public rights-of-way, where such rights-of-way are located within an unified commercial or mixed-use development operating under a single conditional use permit. The right-of-way must extend through the development, not along the perimeter, and it must be dedicated to the Town.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

## ARTICLE XV

### **PART II. OUTDOOR LIGHTING**

#### **Section 15-242 Purpose and Intent (AMENDED 4/20/10)**

(a) The Board finds that outdoor lighting serves a number of beneficial purposes. For work or recreation, it enables people to see essential detail in order that they may undertake their activities at night. It facilitates the safety and security of persons and property, for example through lighting on roads and pathways and the entrances to buildings. It may be used to emphasize features of architectural or historical significance, and to light parks and gardens. It is used for advertising or display to promote products or services, or to call attention to commercial premises by means of area lighting or signs. However, excessive or inappropriately directed lighting may create unwanted glare, interfere with observation of the nighttime sky, waste valuable energy supply, and otherwise interfere with the use or enjoyment of adjoining or nearby public or private property.

(b) It is the intent of this part to preserve, protect, and enhance the lawful nighttime use and enjoyment of any and all property through the use of appropriate lighting practices and systems by providing for the installation of individual fixtures and lighting systems that are designed and installed to maintain safety, security and productivity, and to curtail the degradation of the nighttime visual environment.

#### **Section 15-242.1 Definitions**

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

- (1) Direct Light: Light emitted directly from the lamp, off of the reflector diffuser, or through the refractor or diffuser lens, of a luminaire.
- (2) Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.
- (3) Floodlight: A form of lighting designated to direct its output more or less in a specific direction.
- (4) Footcandle: (fc) The total amount of light or illuminance cast on a surface and equivalent to the light produced by a source of one (1) candle measured at a distance of one (1) foot

- (5) Full cut-off luminaires: A luminaire designed and installed where no light is emitted at or above a horizontal plane running through the lowest point on the luminaire.
- (6) Fully Shielded: Outdoor light fixtures with opaque top and sides, capable of only emitting light in the lower photometric hemisphere as installed.
- (7) Glare: Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, or cause annoyance and discomfort, and, in extreme cases, causing momentary blindness.
- (8) IESNA: Illuminating Engineering Society of North America, a non-profit society of professional lighting specialists that has developed a series of recommended standards for a variety of lighting applications.
- (9) Lamp: The component of the luminaire that produces the light and commonly referred to as the "bulb."
- (10) Light Trespass: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.
- (11) Lumen: The unit used to quantify the amount of light energy produced by a lamp at the lamp. Lumen output of most lamps is listed on the packaging. For example, a 60-watt incandescent lamp produces 950 lumens while a 55-watt low-pressure sodium lamp produces 8000 lumens.
- (12) Luminaire: A complete lighting system that includes light source and all necessary mechanical, electrical, and decorative parts.
- (13) Maintained Foot Candle: Illuminance of lighting fixtures adjusted for dirt buildup and lamp output depreciation.
- (14) Wall Pack: A type of light fixture typically flush-mounted on a vertical wall surface.

### **Section 15-242.2 Applicability**

(a) The provisions of this part apply to developments for which permits are issued after the effective date of this part; therefore developments that exist on the effective date of this part that do not comply with its provisions shall not be regarded as nonconforming. However, when new luminaires are installed or existing luminaires are replaced, they shall comply with this part.

(b) Notwithstanding the provisions of subsection (a) of this section, luminaires installed prior to the effective date of this part that violate the following provisions shall be brought into compliance or removed within three months after the date of notification of the violation:  
Section 15-242.5 (d).

(c) Regulations applicable to the lighting of signs are found in Article XVII of this chapter, particularly Section 15-281.

(d) The provisions of this part do not apply to:

- (1) Streetlights installed on public streets.
- (2) Traffic control signals and devices.
- (3) Temporary emergency lighting (i.e. fire, police, repair workers, etc.).
- (4) Moving vehicle lights.
- (5) Navigation lights (i.e. airports, heliports, radio/television towers, etc.).
- (6) Seasonal decorations with individual lights in place no longer than 60 consecutive days.
- (7) Security lights that are controlled by a motion-sensor switch that does not allow the lights to remain on longer than 12 minutes after activation, so long as the lamps do not exceed 150 watts and 2,200 lumens.

#### **Section 15-242.3 Minimum Lighting Requirements for Security**

(a) All streets, sidewalks, and other common areas or facilities in subdivisions shall be sufficiently illuminated to ensure the security of property and the safety of persons using such streets, sidewalks, and other common areas or facilities.

(b) All roads, driveways, sidewalks, parking lots, and other common areas or facilities in unsubdivided developments shall be sufficiently illuminated to ensure the security of property and the safety of persons using such roads, driveways, sidewalks, and other common areas or facilities.

(c) All entrances and exits in buildings used for non-residential purposes and in multi-family residential dwellings containing more than four dwelling units shall be adequately lighted to ensure the safety of persons and the security of such buildings.

#### **Section 15-242.4 Subdivisions**

(a) With respect to street lighting for subdivision streets that (i) are located on property within the town at or about the time of final plat approval, and (ii) are intended to be dedicated to the town, the developer shall coordinate with the electric utility company to ensure that all facilities necessary for the installation of street lights in accordance with the town's street lighting policy are put in place. "As a condition of construction plan approval, all public street lighting is to be installed by the developer prior to street acceptance by the town. The developer shall be responsible for all installation cost and monthly billing until the public streets are accepted onto the town's street maintenance system."

(b) With respect to street lighting for subdivision streets that (i) are located on property that is not within the town at or about the time of final plat approval, and (ii) are intended to be dedicated to the public (i.e. to the N.C. Department of Transportation initially and eventually to the town when the subdivision is annexed), the developer shall coordinate with the electric utility company to see that all facilities necessary for the installation of street lights in accordance with the town's street lighting policy are put in place. The installation of street lights that are consistent with town policies may then be provided for either by an arrangement between the developer or a property owners association and the electric utility company until such time as the subdivision is annexed.

(c) With respect to street lighting for subdivision streets that are not intended to be dedicated to the town, the developer shall provide for the installation and maintenance (either by the developer or a successor property owners association) of a street lighting system that will provide sufficient lighting for safety and security purposes.

#### **Section 15-242.5 General Standards**

(a) Unless otherwise specified, under no circumstances may the light level at a lot line exceed .2 foot candles. A limitation of 2.0 footcandles shall generally apply to lot lines in the B-1(c) and B-1(g) zoning districts. However, a limitation of .2 footcandles shall apply to lot lines of properties zoned B-1(c) or B-1(g) under any of the following circumstances:

- (1) Where such lot lines separate properties zoned B-1(c) or B-1(g) from properties zoned residential;
- (2) If and to the extent that properties zoned residential lie directly across a street from the lot lines of properties zoned B-1(c) or B-1(g);
- (3) Where such lot lines separate properties zoned B-1(c) or B-1(g) from properties that are not zoned residential but that are used for residential purposes and were so used on the effective date of this subsection;
- (4) If and to the extent that properties that are not zoned residential but are used for residential purposes and were so used on the effective date of this

subsection lie directly across a street from the lot lines of properties zoned B-1(c) or B-1(g).

(b) Vegetative buffers shall not be used to satisfy the standards set forth in subsection (a) of this section.

(c) Any luminaire with a lamp or lamps rated at a total of more than 1,800 lumens shall be fully shielded and shall be located to prevent glare and light trespass beyond the property boundary (including onto adjacent streets).

(d) The recommended maximum light output is 70,000 lumens per acre for lots developed for commercial or multi-family purposes and 6,500 lumens per acre for lots developed for all other purposes. This recommended maximum does not apply to those uses regulated by Sections 15-242.6, 15-242.7, and 15-242.8.

(e) Floodlights with external shielding shall be angled provided that no light is directed above a twenty-five (25) degree angle measured from the vertical line from the center of the light extended to the ground, and only if the luminaire does not cause glare or light to shine on adjacent property or public or private rights-of-way. Photocells with timers that allow a floodlight to go on at dusk and off by 11:00 p.m are encouraged.

(f) The presumptive standard for the maximum height of light poles is fifteen (15) feet in height. The Board recognizes that due to the particularities of any given development, the inflexible application of a height maximum for lighting fixtures may result in a development with excessive energy consumption or light fixtures that are incompatible with the scale or style of a development. These situations can result in a waste of money that could more desirably be used for valuable development amenities or environmentally useful features. Therefore, the permit-issuing authority may permit deviations from the presumptive requirements and may require shorter light fixtures or allow taller light fixtures whenever it finds that such deviations are more likely to satisfy the standard set forth in subsections 15-242 (a) and (b) and that the lighting complies in all other respects with the requirements of this part.

(1) Without limiting the generality of the foregoing, the permit-issuing authority may allow or require deviations from the light fixture height maximum set forth in Subsection 15-242.5 (f) when it finds that:

- a. An existing multi-family residential development of greater than four (4) units is seeking to improve security and safety for residents by increasing the number of light fixtures and is also seeking to utilize light fixtures that are similar in size and style to existing fixtures; or
- b. Lighting fixtures on neighboring property are substantially lower in height than the maximum that would be allowed and taller light fixtures would

result in a discernible negative impact in terms of excessive illumination and glare.

(2) Whenever the permit-issuing authority allows or requires a deviation from the presumptive lighting fixture height requirements set forth in Subsection 15-242.5(e) it shall enter on the face of the permit the lighting fixture height requirement that it imposes and the reasons for allowing or requiring the deviation.

- (g) All wall packs shall be fully shielded.
- (h) All luminaires shall be shielded or oriented in such a way as to direct light toward the earth's surface and away from reflective surfaces.
- (i) Luminaires designed to illuminate building facades, architectural features, or landscaping shall be oriented and shielded so that direct illumination is focused exclusively on such building façade, architectural feature, or landscaping and away from adjoining properties, public or private way, and the night sky.
- (j) Upward flagpole lighting is permitted for governmental flags, either publicly or privately owned, provided that the maximum lumen output is 1,300 lumens. It is encouraged that flags be taken down at sunset to avoid the need for lighting.
- (k) Any luminaire must be installed in such a manner that the light emitting source is not visible from any residence not located on the same lot as the luminaire or from any public street.

#### **Section 15-242.6 Vehicular Canopies**

(a) The light level beneath vehicular canopies (e.g. for gas stations or convenience stores) shall not exceed 10 foot candles average maintained at the perimeter of the canopy and measured at ground level. Acceptable ways of achieving this objective include, but are not limited to, one or more of the following:

- (1) Recessed fixtures incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the vehicular canopy.
- (2) Surface mounted fixtures incorporating a flat glass that provides a full cut-off or fully shielded light distribution.
- (3) Indirect lighting where light is beamed upward and then reflected down from the underside of the vehicular canopy. Such fixtures shall be shielded such that direct illumination is focused exclusively on the underside of the vehicular canopy.

- (4) Any other method approved by the permit issuing authority that achieves an effect similar to the foregoing illustrations.

(b) During hours when the business is not open, the lighting level shall be reduced to security lighting only.

#### **Section 15-242.7 Outdoor Display Areas**

(a) All display area lighting shall utilize fully shielded luminaires that are installed in a fashion that maintains the fully shielded characteristics.

(b) Display area lighting shall be installed such that glare is not visible from residential properties.

(c) The display area shall not be illuminated in a manner that exceeds the minimal illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA Rp-33, or as updated).

(d) For purposes of this section, an “outdoor display area” is an outdoor area where nighttime sales activity regularly occurs and where accurate color perception of merchandise by customers is required. Examples include sales areas for automobiles, boats, building supplies, or plants.

(e) During hours when the business is not open, the lighting level shall be reduced to security lighting only.

#### **Section 15-242.8 Outdoor Sports Fields and Performance Areas**

(a) The mounting height of outdoor sports fields and outdoor performance area lighting fixtures shall not exceed 60 feet from finished grade unless approved by the permit-issuing authority after receipt of substantial information justifying the need for additional height.

(b) All outdoor sports field and outdoor performance area lighting fixtures shall be equipped with a glare control package (louvers, shields, or similar devices). The fixtures must be aimed so that their beams are directed and fall within the primary playing or performance area.

(c) Outdoor sports field and performance area lighting systems shall not be operated between the hours of eleven p.m. and sunrise.

#### **Section 15-242.9 Prohibited Uses of Light**

The following are prohibited:

- (1) The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizon;

- (2) The operation of searchlights for advertising purposes;
- (3) Use of mercury vapor luminaires.

**Section 15-242.10 Light Measurement Techniques**

- a) Light measurements shall be made at finished grade (ground level), with the light-registered portion of the meter held parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five (5) percent. Measurements shall be taken with a light meter that has been calibrated within the year. Light levels are specified, calculated and measured in footcandles (FC). All FC values are maintained footcandles unless otherwise specified.
- b) Compliance with an approved light plan associated with a permit can be verified in the field by confirming that the light fixtures and bulbs do not exceed those shown on the engineered plans. When there is no approved light plan then compliance can be verified by enforcing that the light source is blocked and/or directed in compliance with this Part or by the owner obtaining and providing a professional engineer's certification that verifies that the existing conditions comply with the ordinance.

**Section 15-243 RESERVED (AMENDED 4/20/10)**

## 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

October 2, 2018

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 September 21, 2018 and proposed for town public hearing on October 23, 2018:

- *An Ordinance Amending the Carrboro Land Use Ordinance Relating to Standards for Outdoor Lighting.*
- *An Ordinance to Amend the Carrboro Town Code and Land Use Ordinance to Establish Membership Limitations on Boards, Committees, and Commissions.*

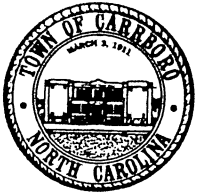
We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

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



# 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, OCTOBER 4, 2018**

### **Land Use Ordinance Text Amendment Relating to Standards for Outdoor Lighting**

Motion was made by Poulton and seconded by Adamson that the Planning Board of the Town of Carrboro recommends that the Board of Aldermen approve the draft ordinance.

**VOTE:**

AYES: (7) Clinton, Poulton, Foushee, Petrin, Meyer, Adamson, Tiemann

ABSENT/EXCUSED: (4) Gaylord-Miles, Rosser, Vance, Whittemore

NOES: (0)

ABSTENTIONS: (0)

**Associated Findings**

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

Motion was made by Foushee and seconded by Meyer that the Planning Boar of the Town of Carrboro finds the proposed text amendment, is consistent with the purpose and intent of the Town's lighting regulations to provide safety for persons and property, as described in Section 15-242 of the Land Use Ordinance.

Furthermore, the Planning Board of the Town of Carrboro finds the proposed text amendment, is reasonable in the public interest because it addresses a situation, such as public streets, internal to a development, where existing regulations can conflict in certain circumstances.

**VOTE:**

AYES: (7) Clinton, Poulton, Foushee, Petrin, Meyer, Adamson, Tiemann

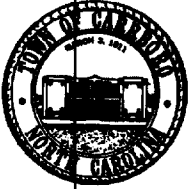
ABSENT/EXCUSED: (4) Gaylord-Miles, Rosser, Vance, Whittemore

NOES: (0)

ABSTENTIONS: (0)

\_\_\_\_\_  
(Chair) Thomas K. Tiemann

October 4, 2018  
(Date)



## TOWN OF CARRBORO

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 301 West Main Street, Carrboro, North Carolina 27510
 

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

THURSDAY, OCTOBER 4, 2018

## Land Use Ordinance Text Amendment Relating to Standards for Outdoor Lighting

Motion was made by McGurk and seconded by Rich that the NTAAC of the Town of Carrboro recommends that the Board of Aldermen Adopt the draft ordinance.

VOTE:

AYES: ( )

ABSENT/EXCUSED: ( )

NOES: ( )

ABSTENTIONS: ( )

Associated Findings

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

Motion was made by McGurk and seconded by Rich that the NTAAC of the Town of Carrboro finds the proposed text amendment, is consistent with the purpose and intent of the Town's lighting regulations to provide safety for persons and property, as described in Section 15-242 of the Land Use Ordinance.

Furthermore, the NTAAC of the Town of Carrboro finds the proposed text amendment, is reasonable in the public interest because it addresses a situation, such as public streets, internal to a development, where existing regulations can conflict in certain circumstances.

VOTE:

AYES: (x)

ABSENT/EXCUSED: (0)

NOES: (0)

ABSTENTIONS: (0)

Amy E. Fuolman  
(Chair)

10/4/2018

(Date)



# Town of Carrboro

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

## Agenda Item Abstract

**File Number:** 17-685

**Agenda Date:** 10/23/2018

**File Type:** Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Continuation of Board of Aldermen Consideration and Deliberation on the Proposed Rezoning and Associated Land Use Ordinance Text Amendments relating to the Lloyd Farm Development

**PURPOSE:** Continuation of the Board's deliberation on the proposed rezoning at 700 Old Fayetteville Road from R-10 and B-4 to B-4-CZ, and associated Land Use Ordinance text amendments for the Lloyd Farm development proposal. Draft ordinances for the Land Use Ordinance map and text amendments have been prepared.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325, [cmoon@townofcarrboro.org](mailto:cmoon@townofcarrboro.org); Nick Herman - 919-929-3905; [herman@broughlawfirm.com](mailto:herman@broughlawfirm.com); Patricia McGuire - 919-918-7327, [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org)

**INFORMATION:** On September 25, 2018, the Board of Aldermen held two public hearings relating to the Lloyd Farm development: consideration of a petition for change of zoning and an application for associated text amendments. (Agenda materials for the meeting may be found at:

<https://carrboro.legistar.com/MeetingDetail.aspx?ID=631174&GUID=141787C4-A501-4EAD-8A38-E49E38D8AC88&Options=&Search=>>.)

The Board closed the hearings and requested that the continuation of the items on October 23<sup>rd</sup> focus on receiving additional information in response to questions and Board deliberation.

The agenda materials include the updated resolutions and draft ordinance relating to the text amendment and rezoning. The text amendment has been modified per the Board's comments and includes the following changes:

- The use classification numbers for all residential uses have been changed to limit the number of units with more than three bedrooms to no more than 20%.
- The new commercial uses-high volume retail with curbside pick-up and medical uses up to 30,000 square feet are limited to the B-4-CU and B-4-CZ, subject to a conditional use permit.

Additional language has also been added to the section relating to bicycle parking to address the number of spaces and the design standards that apply to bicycle parking. These provisions are set up as a parallel to the presumptive parking requirements for vehicles in 15-291 and 15-292 and, like the standards for vehicles, allow the permit-issuing authority to require more or parking or allow less parking based on the particularities of the

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**Agenda Date:** 10/23/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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specific development. A version of the revised text amendment with the changes shown with the tracking tool is also provided (Attachment C).

To assist in the Board's deliberation, the applicant, Ted Barnes with Argus Development Group, LLC, has provided additional information relating to the schedule for completion and anticipated traffic impacts relating to the development and will speak to this information at the meeting. Staff has asked the applicant to address stormwater management and projected traffic relating or resulting from the project, additional information about the residential component of the project and the proposed timeline for project completion and long-term project management under either development option-with the rezoning or without the rezoning.

Additional information will also be provided at the meeting as part of the staff presentation and will be designed to address the existing conditions relating to the Tom's Creek watershed and associated stormwater management, traffic concerns relating to number of trips and speed in Plantation Acres, particularly along Carol Street, residential traffic calming strategies, street infrastructure improvement processes, and a comparison of the development proposal with the rezoning and what could be built under the existing zoning.

Application materials are provided. Advisory board comments and the staff report relating to the rezoning may be found with the September 25<sup>th</sup> materials at the link provided above.

**FISCAL & STAFF IMPACT:** Action on applications for legislative actions such as text and map amendments involve staff time associated with agenda preparation and publication. The petitioner has submitted fees and materials for reviewing and processing this request, which included public hearing notice and advisory board evaluation.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen deliberate and consider adopting the resolutions provided. These include for the text amendments: Attachment A finding consistency and Attachment B for the draft ordinance; and for the map amendment (rezoning) Attachment E for consistency and Attachment F for the draft ordinance and associated conditions.

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 (N.C. Gen. Stat. 160A-383)

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed,  
which amendment is described or identified as follows: LAND USE ORDINANCE TEXT  
AMENDMENTS RELATING TO STREET DESIGN STANDARDS AND MULTI-FAMILY USES IN THE  
B-4-CU AND B-4-CZ DISTRICTS, AND HIGH VOLUME RETAIL, MEDICAL OFFICES, AND BICYCLE  
PARKING REQUIREMENTS

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

**Section 1. The Board has reviewed the draft amendment to the map of the Land Use Ordinance and concludes that the proposed amendment is:**

\_\_\_\_\_ *Consistent* with current adopted plans, Carrboro Vision2020 (provisions 2.52, 3.312, 4.51, 4.52, and 6.11, and 6.16) for the following reason(s):

- 2.52 The town should continue to require the construction of a diverse housing stock.
- 3.312 All shopping centers should be connected to residential areas with increased pedestrian access.
- 4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.
- 4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.
- 6.11 Town policy should accommodate a variety of housing styles, sizes and pricing. It should also address issues of density, funding and rezoning to allow for more non-detached housing, mixed-use development, and communal living options.
- 6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.

\_\_\_\_\_ *Inconsistent* with current adopted plans. The proposed action is *inconsistent* with the comprehensive plan for the following reason(s):

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\_\_\_\_\_ *Inconsistent* with the current adopted plans; however, because of the following changed circumstance(s), the Board of Aldermen's approval shall also be deemed an amendment to the existing adopted plan, \_\_\_\_\_, as described below.

Changed circumstance(s):

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Amendment to current adopted plan:

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**Section 2. The Board of Aldermen's action is reasonable and in the public interest for the following reason(s):**

The above described amendment is reasonable and in the public interest because it links the potential for mixed-use development and more diverse housing options as part of conditional use or conditional zoning, a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

**Section 3. Therefore, the Carrboro Board of Aldermen has: approved / denied the proposed amendment to the map of the Carrboro Land Use Ordinance.**

**Section 4. This resolution becomes effective upon adoption.**

Adopted by the Carrboro Board of Aldermen this the 23rd day of October 2018.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING  
TO STREET DESIGN STANDARDS AND MULTI-FAMILY USES IN THE B-4-CU AND B-  
4-CZ DISTRICTS, AND HIGH VOLUME RETAIL, MEDICAL OFFICES, AND BICYCLE  
PARKING REQUIREMENTS

\*DRAFT 10-19-2018\*

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The first sentence of Subsection 15-216(c) of the Carrboro Land Use Ordinance (“LUO”) is amended to read:

“Subject to subsections (d), (d1), (e), and (f), collector streets and other streets not constructed according to the requirements of subsection (b) shall conform to the requirements of this subsection and the specifications referenced in Section 15-219.”

Section 2. Section 15-216 of the LUO is amended by adding the following new Subsection (d1):

(d1) The Board may, for any development approved with a conditional use permit on property zoned B-4-CU or B-4-CZ, authorize a deviation from the standards set forth in subsection (b) and Appendix C relative to streets and sidewalks if the Board concludes that (i) the proposed streets and sidewalks would serve the functions they are designed to serve as well as or better than streets and sidewalks constructed in conformity with subsection (b) and Appendix C; and (ii) such streets and sidewalks will not impose on the town any undue or unreasonable costs or burdens relating to repairs and maintenance.

Section 3. Section 15-146 (The Table of Permissible Uses) of the Carrboro Land Use Ordinance is amended by adding new use classification 2.250 “High Volume Retail with Outdoor Display and Curb-side Pickup and/or Drive Through Window (service directly to vehicle to pick-up pre-ordered grocery or pharmacy items for off-premises consumption)” and by adding the letter “C” opposite this use classification under the B-4 zoning district columns to indicate that this use is permissible in this district with a conditional use permit.

Section 4. Section 15-146 (The Table of Permissible Uses) of the Carrboro Land Use Ordinance is amended by adding new use classification 3.131 “Office or clinics of physicians or dentists with not more than 30,000 square feet of total building gross floor area.” and by adding the letter “C” under the B-4 zoning district columns to indicate that this use is permissible in this district with a conditional use permit.

Section 5. Section 15-291(g) Part I. Parking Requirement (Except as Noted in Part II of this Table) is amended by the addition of the following information to the table:

2.240	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window.
2.250	
3.130	1 space per 150 square feet of gross floor area
3.131	

Section 6. Subsection 15-141.3(c) is amended to read as follows:

(c) Except as otherwise provided in this subsection, the uses permissible within a

conditional use zoning district established herein, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional use district corresponds. For example, property that is rezoned to a B-2-CU district may be developed in the same manner as property that is zoned B-2, except as provided in this subsection.

- (1) Property that is zoned B-4-CU may be developed for use classifications 1.231 (duplex, maximum 20% units > 3 bedrooms/dwelling unit), 1.241 (two family apartment, maximum 20% units > 3 bedrooms/dwelling unit), 1.321 (multi-family residences, maximum 20% units > bedrooms/dwelling unit and 1.331 (multi-family, maximum 20% units > 3 bedrooms/dwelling unit) in addition to other uses permissible in the B-4 district, subject to a conditional use permit and the following: (i) not more than 25% of the total land area covered by the CUP in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).

- (2) (Reserved)

Section 7. Subsection 15-141.4(c) is amended to read as follows:

(c) Subject to the provisions of subsections (f) and (g), the uses permissible within a conditional zoning district authorized by this section, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional district corresponds, except as those uses and regulations are limited by conditions imposed pursuant to subsection (d) of this section. For example, property that is rezoned to a B-2-CZ district may be developed in the same manner as property that is zoned B-2, subject to any conditions imposed pursuant to subsection (d).

- (1) Property that is zoned B-4-CZ may be developed for use classifications 1.231 (duplex, maximum 20% units > 3 bedrooms/dwelling unit), 1.241 (two family apartment, maximum 20% units > 3 bedrooms/dwelling unit), 1.321 (multi-family residences, maximum 20% units > bedrooms/dwelling unit and 1.331 (multi-family, maximum 20% units > 3 bedrooms/dwelling unit) 1 in addition to other uses permissible in the B-4 district, subject to a conditional use permit, and the following: (i) not more than 25% of the total land area covered in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).

- (2) (Reserved)

Section 8. Subsection 15-147 is amended by adding a new subsection (p) to read as follows:

(p) Notwithstanding the foregoing, use classifications 1.231, 1.241, 1.320 and 1.331 may only be permitted in the B-4-CU district, subject to subsection 15-141.3(c) and in the B-4-CZ zoning district, subject to a conditional use permit and subsection 15-141.4(c).

Section 9. Subsection 15-147 is amended by adding a new subsection (q) to read as follows:

(q) Notwithstanding the foregoing, use classifications 2.250 and 3.131 may only be permitted in the B-4-CU district and in the B-4-CZ district subject to a conditional use permit.

Section 10. Subsection 15-141.3(d) is amended to read:

(d) Subject to subsection(s) (f) and (g), all uses that are permissible in the conditional use zoning district shall require the issuance of a conditional use permit, regardless of whether a use in the corresponding general use district would ordinarily require (according to the Table of Permissible Uses) a zoning permit, special use permit, or conditional use permit.

Section 11. Subsection 15-141.4 is amended by inserting a new subsection (f) to read as shown below. The existing subsections (f) and (g) to be retained in full and renumbered accordingly as subsections (g) and (h).

(f) Notwithstanding the foregoing, all uses that are permissible in the B-4-CZ zoning district shall require the issuance of a conditional use permit.

Section 12. Section 15-141.3 is amended by adding a new subsection (g) to read as follows:

(g) If a tract is rezoned to a B-4-CU zoning district, the Board of Aldermen may, in connection with that rezoning, approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e, the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

(1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in

such lots, rather than the developer of the entire tract zoned B-4-CU.

- (2) Except as provided in subsection (1), the provisions of Section 15-64 and Subsection 15-141.3 shall apply to proposed changes to a CUP issued in connection with a B-4-CU rezoning.

Section 13. Section 15-141.4 is amended by adding a new subsection (i) to read as follows:

(i) For property that is zoned B-4-CZ, the Board of Aldermen may approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e, the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

- (1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CZ.
- (2) Except as provided in subdivision (1) above, the provisions of Section 15-64 and Subsection 15-141.4 shall apply to proposed changes to a CUP issued in connection with a B-4-CZ rezoning.

Section 14. Article XVIII, Parking, is amended by adding a new subsection 15-292(a1), and subsection 15-292(b1) to read as follows:

(a1) The Board also recognizes that due to the particularities of any given development, the inflexible application of bicycle parking standards set forth in Subsection 15-291(h) and 15-295.1 may result in a development either with inadequate parking space or parking space in excess of its needs. Therefore, the permit-issuing authority may permit deviations from the presumptive requirements of Subsection 15-291(h) and 15-295.1 may require more or less bicycle parking subject to the criteria in Subsection 15-292(b1).

(b1) The permit-issuing authority may allow deviations from the bicycle parking

requirements set forth in Subsection 15-291(h) when it finds at least one of the following:

(1) A residential development is irrevocably oriented toward the elderly, and or persons with disabilities; or

(2) A residential or commercial development is located on a lot, constrained by size or topography, such that the installation of the presumptive number bicycle parking spaces that comply with the Design Standards for Bicycle Parking in Section 15-295.1 is impracticable. In those cases, the development shall instead provide the maximum number of bicycle parking spaces practicable.

Section 15. Subsections 15-292(c) and 15-292(d) are amended as follows:

(c) Whenever the permit-issuing authority allows or requires a deviation from the presumptive parking requirements set forth in subsections 15-291(g), 15-291(h) and 15-295.1, it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

(d) If the permit-issuing authority concludes, based upon information it receives in the consideration of a specific development proposal, that the presumption established by subsections 15-291(g) and 15-291(h) for a particular use classification is erroneous, it shall initiate a request for an amendment to the Table of Parking Requirements in accordance with the procedures set forth in Article XX.

Section 16. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 17. This ordinance shall become effective upon adoption.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING  
TO STREET DESIGN STANDARDS AND MULTI-FAMILY USES IN THE B-4-CU AND B-  
4-CZ DISTRICTS, AND HIGH VOLUME RETAIL, MEDICAL OFFICES, AND BICYCLE  
PARKING REQUIREMENTS

\*DRAFT ~~10-198-24~~-2018\*

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The first sentence of Subsection 15-216(c) of the Carrboro Land Use Ordinance (“LUO”) is amended to read:

“Subject to subsections (d), (d1), (e), and (f), collector streets and other streets not constructed according to the requirements of subsection (b) shall conform to the requirements of this subsection and the specifications referenced in Section 15-219.”

Section 2. Section 15-216 of the LUO is amended by adding the following new Subsection (d1):

(d1) The Board may, for any development approved with a conditional use permit on property zoned B-4-CU or B-4-CZ, authorize a deviation from the standards set forth in subsection (b) and Appendix C relative to streets and sidewalks if the Board concludes that (i) the proposed streets and sidewalks would serve the functions they are designed to serve as well as or better than streets and sidewalks constructed in conformity with subsection (b) and Appendix C; and (ii) such streets and sidewalks will not impose on the town any undue or unreasonable costs or burdens relating to repairs and maintenance.

Section 3. Section 15-146 (The Table of Permissible Uses) of the Carrboro Land Use Ordinance is amended by adding new use classification 2.250 “High Volume Retail with Outdoor Display and Curb-side Pickup and/or Drive Through Window (service directly to vehicle to pick-up pre-ordered grocery or pharmacy items for off-premises consumption)” and by adding the letter “C” opposite this use classification under the B-4 zoning district columns to indicate that this use is permissible in this district with a conditional use permit.

Section 4. Section 15-146 (The Table of Permissible Uses) of the Carrboro Land Use Ordinance is amended by adding new use classification 3.131 “Office or clinics of physicians or dentists with not more than 30,000 square feet of total building gross floor area.” and by adding the letter “C” under the B-4 zoning district columns to indicate that this use is permissible in this district with a conditional use permit.

Section 5. Section 15-291(g) Part I. Parking Requirement (Except as Noted in Part II of this Table) is amended by the addition of the following information to the table:

<u>2.240</u>	<u>1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to</u>
<u>2.250</u>	<u>three spaces per window.</u>
<u>3.130</u>	<u>1 space per 150 square feet of gross floor area</u>
<u>3.131</u>	

Section ~~63~~. Subsection 15-141.3(c) is amended to read as follows:

(c) Except as otherwise provided in this subsection, the uses permissible within a

conditional use zoning district established herein, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional use district corresponds. For example, property that is rezoned to a B-2-CU district may be developed in the same manner as property that is zoned B-2, except as provided in this subsection.

- (1) Property that is zoned B-4-CU may be developed for use classifications 1.231 (duplex, maximum 20% units > 3 bedrooms/dwelling unit), 1.241 (two family apartment, maximum 20% units > 3 bedrooms/dwelling unit), 1.321 (multi-family residences, maximum 20% units > bedrooms/dwelling unit and 1.331 (multi-family, maximum 20% units > 3 bedrooms/dwelling unit) ~~1.322 (multi-family townhomes, no bedroom limits), 1.332 (multi family apartments with no bedroom limits), 1.232 (duplex, no bedroom limit) and 1.242 (two family apartment, no bedroom limit)~~ in addition to other uses permissible in the B-4 district, subject to a conditional use permit and the following: (i) not more than 25% of the total land area covered by the CUP in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).

- (2) (Reserved)

Section 74. Subsection 15-141.4(c) is amended to read as follows:

(c) Subject to the provisions of subsections (f) and (g), the uses permissible within a conditional zoning district authorized by this section, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional district corresponds, except as those uses and regulations are limited by conditions imposed pursuant to subsection (d) of this section. For example, property that is rezoned to a B-2-CZ district may be developed in the same manner as property that is zoned B-2, subject to any conditions imposed pursuant to subsection (d).

- (1) Property that is zoned B-4-CZ may be developed for use classifications 1.231 (duplex, maximum 20% units > 3 bedrooms/dwelling unit), 1.241 (two family apartment, maximum 20% units > 3 bedrooms/dwelling unit), 1.321 (multi-family residences, maximum 20% units > bedrooms/dwelling unit and 1.331 (multi-family, maximum 20% units > 3 bedrooms/dwelling unit) ~~1.322 (multi-family townhomes, no bedroom limits) and 1.332 (multi family apartments with no bedroom limits)~~ 1.232 (duplex, no bedroom limit) and 1.242 (two family apartment, no bedroom limit) in addition to other uses permissible in the B-4 district, subject to a conditional use permit, and the following: (i) not more than 25% of the total land area covered in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).

- (2) (Reserved)

Section ~~85~~. Subsection 15-147 is amended by adding a new subsection (p) to read as follows:

(p) Notwithstanding the foregoing, use classifications ~~1.231, 1.241, 1.320 and 1.331~~ ~~1.322, 1.242, and 1.332~~ may only be permitted in the B-4-CU district, subject to subsection 15-141.3(c) and in the B-4-CZ zoning district, subject to a conditional use permit and subsection 15-141.4(c).

Section 9. Subsection 15-147 is amended by adding a new subsection (q) to read as follows:

(q) Notwithstanding the foregoing, use classifications 2.250 and 3.131 may only be permitted in the B-4-CU district and in the B-4-CZ district subject to a conditional use permit.

Section ~~106~~. Subsection 15-141.3(d) is amended to read:

(d) Subject to subsection(s) (f) and (g), all uses that are permissible in the conditional use zoning district shall require the issuance of a conditional use permit, regardless of whether a use in the corresponding general use district would ordinarily require (according to the Table of Permissible Uses) a zoning permit, special use permit, or conditional use permit.

Section ~~117~~. Subsection 15-141.4 is amended by inserting a new subsection (f) to read as shown below. The existing subsections (f) and (g) to be retained in full and renumbered accordingly as subsections (g) and (h).

(f) Notwithstanding the foregoing, all uses that are permissible in the B-4-CZ zoning district shall require the issuance of a conditional use permit.

Section ~~128~~ Section 15-141.3 is amended by adding a new subsection (g) to read as follows:

(g) If a tract is rezoned to a B-4-CU zoning district, the Board of Aldermen may, in connection with that rezoning, approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e, the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

(1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to

which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CU.

- (2) Except as provided in subsection (1), the provisions of Section 15-64 and Subsection 15-141.3 shall apply to proposed changes to a CUP issued in connection with a B-4-CU rezoning.

Section ~~139~~. Section 15-141.4 is amended by adding a new subsection (i) to read as follows:

(i) For property that is zoned B-4-CZ, the Board of Aldermen may approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e, the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

- (1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CZ.
- (2) Except as provided in subdivision (1) above, the provisions of Section 15-64 and Subsection 15-141.4 shall apply to proposed changes to a CUP issued in connection with a B-4-CZ rezoning.

~~Section 10. — Section 15-146 (Table of Permissible Uses) of the Carrboro Land Use Ordinance is amended by adding new use classification 3.131 "Office or clinics of physicians or dentists with not more than 30,000 square feet of total building gross floor area." and by adding the letters "S-C" opposite this use classification under the B-1(C), B-1(G), B-2, B-4, M-1, CT, O and O/A, and the letter "C" under the B-3 and B-5 zoning district columns to indicate that this use is permissible in those districts with a special use permit or conditional use permit.~~

~~Section 11. Section 15-146 (Table of Permissible Uses) of the Carrboro Land Use Ordinance is amended by adding new use subclassification 2.250 "Curb side Pickup and/or Drive Through Window (service directly to vehicle to pick up pre-ordered grocery or pharmacy items for off-premises consumption)" and by adding the letters "Z C" opposite this use classification under the B-1(C), B-1(G), B-4, M-1, M-2, CT and O/A, zoning district columns to indicate that this use is permissible in those districts with a zoning permit or conditional use permit.~~

Section 1~~42~~. Article XVIII, Parking, is amended by adding a new subsection 15-292(a1), and subsection 15-292(b1) to read as follows:

(a1) The Board also recognizes that due to the particularities of any given development, the inflexible application of bicycle parking standards set forth in Subsection 15-291(h) and 15-295.1 may result in a development either with inadequate parking space or parking space in excess of its needs. Therefore, the permit-issuing authority may permit deviations from the presumptive requirements of Subsection 15-291(h) and 15-295.1 may require more or less bicycle parking subject to the criteria in Subsection 15-292(b1).

(b1) The permit-issuing authority may allow deviations from the bicycle parking requirements set forth in Subsection 15-291(h) when it finds at least one of the following:

(1) A residential development is irrevocably oriented toward the elderly, and or persons with disabilities; or

(2) A residential or commercial development is located on a lot, constrained by size or topography, such that the installation of the presumptive number bicycle parking spaces that comply with the Design Standards for Bicycle Parking in Section 15-295.1 is impracticable. In those cases, the development shall instead provide the maximum number of bicycle parking spaces practicable.

Section 1~~53~~. Subsections 15-292(c) and 15-292(d) are amended as follows:

(c) Whenever the permit-issuing authority allows or requires a deviation from the presumptive parking requirements set forth in subsections 15-291(g), ~~and~~ 15-291(h) and 15-295.1, it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

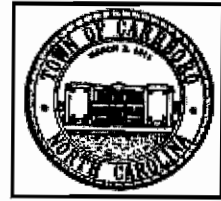
(d) If the permit-issuing authority concludes, based upon information it receives in the consideration of a specific development proposal, that the presumption established by subsections 15-291(g) and 15-291(h) for a particular use classification is erroneous, it shall initiate a request for an amendment to the Table of Parking Requirements in accordance with the procedures set forth in Article XX.

Section 1~~64~~. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 1~~75~~. This ordinance shall become effective upon adoption.

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

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 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):

Street Design - See Attachment A

- 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:  Ted Barnes for Argus  
applicant Development Group, LLC  
{print}

ADDRESS: 2908 Oak Lake Blvd., Ste. 203, Charlotte, NC 28208

TELEPHONE NUMBER: 704-376-9848

Attachment A

LAND USE ORDINANCE AMENDMENT REQUEST

Street Design

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

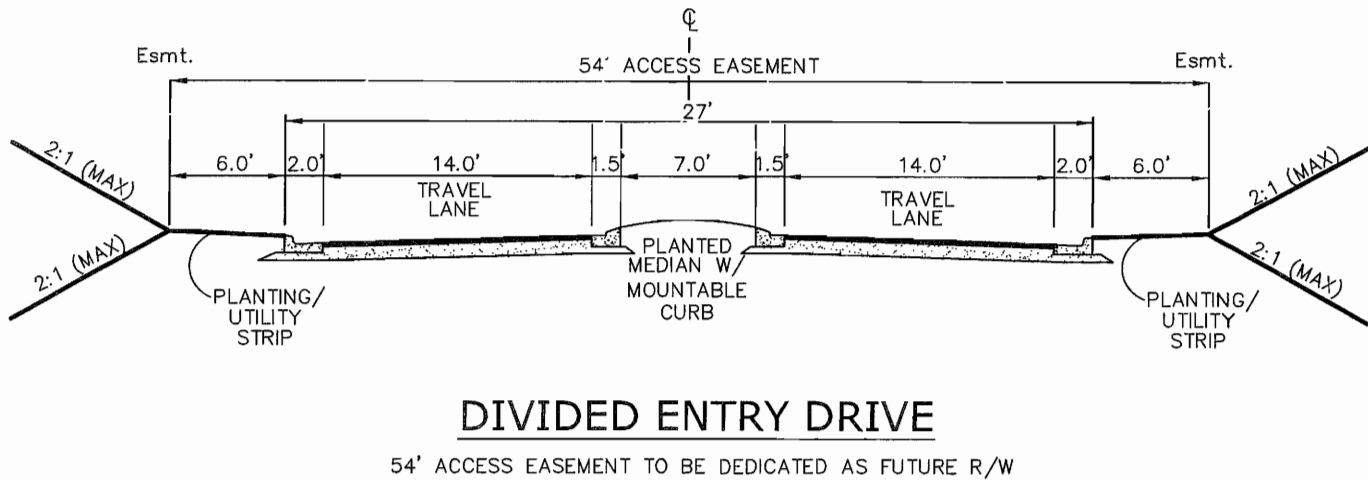
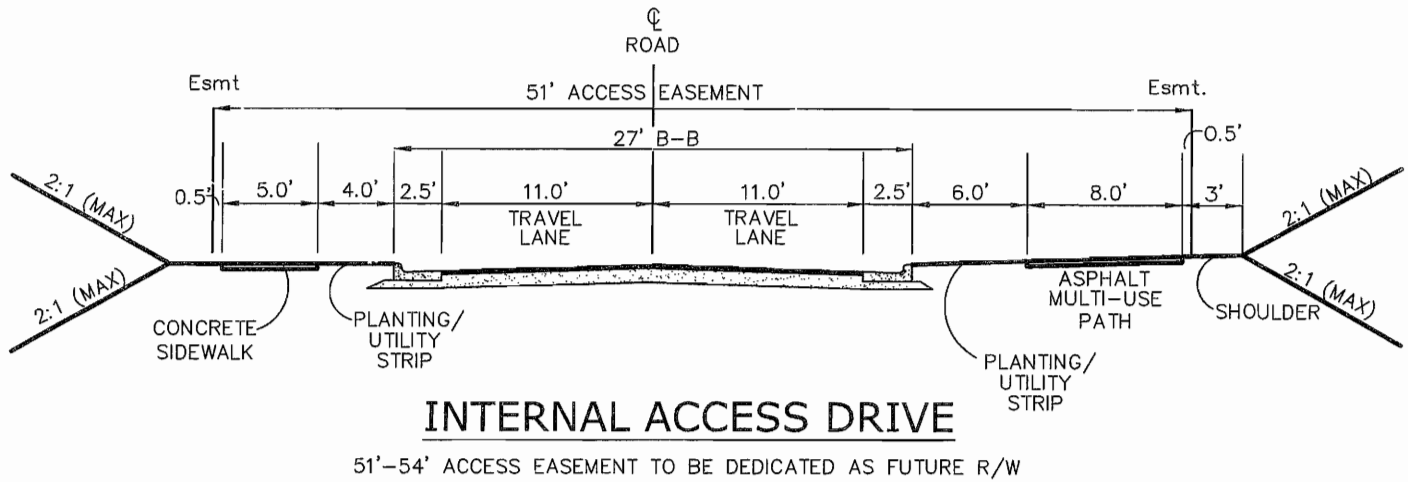
Article XIV (Streets and Sidewalks) contains definitions for various classifications of public streets that are based upon their level of traffic count volume. Article XIV then refers to minimum design components (street width, radius of curves, etc.) contained in Appendix C that would result in a street design speed that would not be appropriate for the level of traffic calming desired for an internal local access road.

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

**Add Section 15-227 "Flexibility in Administration Authorized" to Article XIV (Streets and Sidewalks) to allow the permit issuing authority to be able to lower design speeds and therefore vary the minimum design requirements for internal streets associated with a Conditional Use Permit project.**

3) State the reasons for the proposed amendment:

Without this proposed amendment to Article XIV (Streets and Sidewalks), the permit issuing authority has no means to lower street design speeds below those that are by ordinance associated with a street classification system based solely on traffic counts. Higher minimum design speeds result in streets internal to the project that can be driven faster than might be desirable for traffic calming and pedestrian safety purposes due to increased widths and larger centerline curve radii.



**LLOYD FARM - AIS / CUP / Rezoning**  
Carrboro, North Carolina  
**Street Cross Sections**

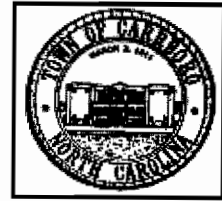


**THE DESIGN RESPONSE**  
214 E. Chatham Street  
P.O. Box 3585  
Cary, NC 27519-3585  
(919) 469-2080

DATE: 6-15-13  
SCALE: NTS  
DRAWN BY: EAP  
JOB NO.: 000-001  
SHEET NO. 1 OF 1 SHEETS

CARRBORO DEVELOPMENT GUIDE  
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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 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):

Permissible Use - See Attachment A

- 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*

Ted Barnes for Argus  
Development Group, LLC

*{print}*

ADDRESS:

2908 Oak Lake Blvd., Ste. 203, Charlotte, NC 28208

TELEPHONE NUMBER:

704-376-9848

Attachment A

LAND USE ORDINANCE AMENDMENT REQUEST

Permissible Use

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

Article X, Section 15-146, Multi-Family Apartments 1.331 Maximum 20% > 3 bedrms/du is currently not an allowable use in the B-4 zoning district.

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

Designate Multi-Family Apartments 1.331 as an allowable use within the B-4 zoning district by adding a "C" in the B-4 column, thereby requiring a Conditional Use Permit.

3) State the reasons for the proposed amendment:

The proposed amendment allows the incorporation of rental multi-family housing into the B-4 zoning district, as allowed within most other business zoning districts, specifically in the form of apartments where no more than 20 percent of the units can be greater than three bedrooms (versus the "no bedroom limit" option).

If deemed desirable, the mixed-use ratio standards incorporated into the B-1(g) zoning district for mixed-use projects could be similarly used for B-4 zoning district mixed-use projects, with a base residential density of R-3.

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

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 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):

Building Height - See Attachment A

- 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:  Ted Barnes for Argus  
*applicant* Development Group, LLC  
*{print}*

ADDRESS: 2908 Oak Lake Blvd., Ste. 203, Charlotte, NC 28208

TELEPHONE NUMBER: 704-376-9848

Attachment A

LAND USE ORDINANCE AMENDMENT REQUEST

Building Height

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

Article XII, Section 15-187 (a)

In any architecturally integrated subdivision, the developer may create lots and construct buildings without regard to any minimum lot size or setback restrictions except that:

(1) Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision; and

(2) Each lot shall be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this chapter.

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

Article XII, Section 15-187 (a)

In any architecturally integrated subdivision, the developer may create lots and construct buildings without regard to any minimum lot size, **building height** or setback restrictions except that:

(1) Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision; and

(2) Each lot shall be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this chapter.

**(3) The building height in B-4 districts may not be increased more than fifteen feet above the district height limitation as set forth on the table in Section 15-185 (a) (2) and is consistent with all other applicable requirements of this chapter.**

3) State the reasons for the proposed amendment:

Since the intent of the Architecturally Integrated Subdivision option is to allow reviewable design flexibility in order to maximize open space preservation, among the dimensional attributes subject to that flexible approach and design review should be the vertical height of the proposed building envelope, not just the horizontal envelope, in order to maximize open space preservation opportunities

Specifically for Lloyd Farm, the design review process afforded by adding building height to the horizontal design elements within the Architectural Integrated Subdivision approach is a more appropriate means to evaluate building heights (both overall and at specific locations) than the standard building height method based on mean average grade. Additionally, only then can building height envelopes be considered in relationship to Lloyd Farm's internal streets, sidewalks, and other public places, plus any external viewsheds, where visual setbacks are much greater. In particular this flexible design review approach will be useful to meaningfully evaluate Lloyd Farm's apartment building that is designed to step up the existing site's slope while wrapping around an internal parking deck.

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APPENDIX A

## 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 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):

L.U.O. doesn't allow Use 2.210 (High Volume Traffic Generation) to display goods outside its enclosed building. See Article X, page 2 of The Table of Permitted Uses

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

A retailer within the 2.210 use category to display goods for sale outside its fully enclosed building.

- 3) State the reasons for the proposed amendment:

Grocery stores and similar retailers, considered high volume generators, have as an integral part of their merchandise and business plan the display of goods for sale outside its fully enclosed building.

SIGNATURE:

Paul Barnes

applicant

Paul Barnes

{print}

For Angus Development

ADDRESS:

13000 S Tryon St, Suite F-302, Charlotte NC 28278

TELEPHONE NUMBER:

704-376-9848

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## 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 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):

L.U.O. requires 1.5 bicycle parking spaces per unit.  
Article XVIII, Section 15.291 For use 1.300

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

Allow the senior living component to reduce the required bicycle parking to a presumptive standard below the 1.5 per unit.

- 3) State the reasons for the proposed amendment:

The age specific demographic of this multi-family development does not require the standard appropriate for a more typical, non-age specific multi-family development.

SIGNATURE:

applicant

{print}

For Argus Development

ADDRESS:

13000 S Tryon St, Suite F-302, Charlotte NC 28278

TELEPHONE NUMBER:

704-376-9848

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## 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 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):

Use 3.130 is allowed in B42C up to 10,000 square feet of gross floor area for offices or clinics

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

Allow use 3.130 in B42C to have offices or clinics greater than 10,000 square feet of gross floor area

- 3) State the reasons for the proposed amendment:

Flexibility to allow a single named operator, such as Duke Medical or UNC Medical, to lease more than 10,000 sf for one or more offices or clinics within a single building.

SIGNATURE:

applicant

{print}

Ron Angus Development

ADDRESS:

13000 S Tryon St, Suite F-302, Charlotte NC 28278

TELEPHONE NUMBER:

704 376 9848

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## 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 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):

THIS LAND USE ORDINANCE CURRENTLY DOES NOT ALLOW ANY DISPLAY (SALES) OF GOODS OUTSIDE A FULLY ENCLOSED BUILDING (2.200 TYPE USES) WITHIN B-4 ZONING DISTRICTS, INCLUDING SURSETS OF THAT USE SUCH AS PICK-UP OF PRE-ORDERED AND/OR PRE-PURCHASED GOODS OUTSIDE THE ENCLOSED BUILDING.

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

DELIVERY OF PRE-ORDERED RETAIL ITEMS BY STORE EMPLOYEES OR MECHANICAL SYSTEMS TO CUSTOMERS IN THEIR VEHICLES WITHOUT THE NEED TO ENTER THE BUILDING (SEPARATE FROM DRIVE-IN WINDOW SERVICE WHERE THE ORDER IS PLACED VIA A SPEAKER SYSTEM AND CUSTOMER WAITS FOR ORDER FULFILLMENT).

- 3) State the reasons for the proposed amendment:

A RELATIVELY NEW FORM OF RETAIL COMMERCE HAS EMERGED UTILIZING ONLINE ORDERING OF GROCERY ITEMS AND PHARMACEUTICAL PRESCRIPTIONS THAT ARE THEN DELIVERED TO WAITING VEHICLES IN EITHER CURBSIDE PARCEL PICKUP LOCATIONS IN FRONT OF THE STORE AND/OR DESIGNATED PARKING SPACES WITHIN THE PARKING LOT.

SIGNATURE:

applicant

(print)

Ron Arger Development

ADDRESS:

13000 S Tryon St, Suite F-302, Charlotte NC 28278

TELEPHONE NUMBER:

704 376 9848

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF  
ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE MAP OF THE  
CARRBORO LAND USE ORDINANCE (N.C. Gen. Stat. 160A-383)

WHEREAS, an amendment to the map of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 35.4 ACRES OF LAND KNOWN AS 700 OLD FAYETTEVILLE ROAD FROM R-10 AND B-4 to B-4 CZ

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

**Section 1. The Board has reviewed the draft amendment to the map of the Land Use Ordinance and concludes that the proposed amendment is:**

\_\_\_\_\_ *Consistent* with current adopted plans, Carrboro Vision2020 (provisions 2.0, 2.52, 3.0, 3.1, 3.312, 4.51, 4.52, and 6.11, and 6.16) for the following reason(s):

- 2.0 Carrboro's development should take place in a manner consistent with a set of adopted values. Growth should occur in a balanced fashion, and at a rate that does not jeopardized the values set forth by Vision 2020. The interests of all members of the community, including property owners, neighbors, and other interested citizens should be considered when making development decisions.
- 2.52 The town should continue to require the construction of a diverse housing stock.
- 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.
- 3.3 Opportunities for new commercial growth exist primarily in four areas: downtown, across from the Carrboro Plaza Shopping Center, within the commercial core of a village mixed-use development, and within new office/assembly conditional use developments. The latter two options are most obviously appropriate in the transition area, but may be approved throughout the town's jurisdiction.
- 3.312 All shopping centers should be connected to residential areas with increased pedestrian access.
- 4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.
- 4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.
- 6.11 Town policy should accommodate a variety of housing styles, sizes and pricing. It should also address issues of density, funding and rezoning to allow for more non-detached housing, mixed-use development, and communal living options.

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

\_\_\_\_\_ *Inconsistent* with current adopted plans. The proposed action is *inconsistent* with the comprehensive plan for the following reason(s):

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\_\_\_\_\_ *Inconsistent* with the current adopted plans; however, because of the following changed circumstance(s), the Board of Aldermen's approval shall also be deemed an amendment to the existing adopted plan, \_\_\_\_\_, as described below.

Changed circumstance(s):

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Amendment to current adopted plan:

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**Section 2. The Board of Aldermen's action is reasonable and in the public interest for the following reason(s):**

The above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses

**Section 3. Therefore, the Carrboro Board of Aldermen has: approved / denied the proposed amendment to the map of the Carrboro Land Use Ordinance.**

**Section 4. This resolution becomes effective upon adoption.**

Adopted by the Carrboro Board of Aldermen this the 23<sup>rd</sup> day of October 2018.

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE  
APPROXIMATELY 35.4 ACRES OF LAND KNOWN AS 700 OLD FAYETTEVILLE ROAD  
FROM R-10 AND B-4 to B-4 CZ

\*\*DRAFT 9-18-2018\*\*

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

SECTION 1. The Official Zoning Map of the Town of Carrboro is hereby amended as follows:

That property being described on Orange County Tax Maps by parcel identification numbers shown below shall be rezoned as noted and subject to the following conditions:

PIN	Existing Zoning	Proposed Zoning	Acreage
9779-09-7922	R-10	B-4-CZ	10.18
9778-19-6618	R-10	B-4-CZ	8.61
9778-19-6618	B-4	B-4-CZ	16.61

1. The Concept Plan labeled “Lloyd Farm Carrboro, North Carolina Rezoning Site Plan,” dated \_\_\_\_\_ is approved and incorporated herein to indicate all potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, stormwater management features, setbacks, preserved trees and other landscaped areas. Other features and issues remain to be decided at the time a conditional use permit is requested for the development. Those features and issues include, but are not necessarily limited to, traffic improvements at the entrance on Old Fayetteville Road and NC Hwy 54, required parking.
2. The residential density of the project shall be capped at a maximum of 250 dwelling units, comprising of a combination of use classifications 1.232 (duplex, no bedroom limit), 1.242 (two family apartment, no bedroom limit), 1.322 (multi-family townhomes, no bedroom limits), and 1.332 (multi-family apartments with no bedroom limits).
3. The residential portion of the development shall be operated as a 55 and older community. Use classifications 1.322 and 1.332 may include certain dining, health and wellness related amenities not typically included in a multi-family complex intended for the general population.
4. Related to the project’s contribution to the Town’s affordable housing goals, the following shall occur:
  - a) Prior to the issuance of a certificate of occupancy for the residential portion of the development, the applicant shall submit a Payment in Lieu to the Town of Carrboro, determined in accordance with the Town’s Land Use Ordinance in lieu of providing affordable housing on site.
  - b) Prior to the issuance of conditional use permit for the project, the applicant shall affirm its intention to either increase the payment in lieu of providing affordable housing on site by \$250,000 or provide for the Town’s approval a pricing mechanism for a portion of the over-55 rental apartments that results in affordability for such units substantially consistent with the Land Use Ordinance Section 15-148.1.
  - c) The final plat and restrictive covenants shall designate four of the “cottages” as permanently affordable, for-sale units, consistent with the provisions of Land Use Ordinance Section 15-

148.1.

5. Two parcels, (PIN 9779-10-7351 and PIN 9779-20-0449), comprising approximately 4.6 acres shall be dedicated to the Town of Carrboro. These two parcels are not included in the rezoning request.
6. The conditional use permit plans shall be designed such that the meandering multi-use path alongside the internal road shall be constructed with a pavement width of 10-feet.
7. \$15,000 shall be provided to the Town of Carrboro to conduct a neighborhood-level traffic calming study of the Plantation Acres, Plantation Acres Extension, and R.S. Lloyd subdivisions, known collectively as the “Plantation Acres” neighborhood and/or to pay for the installation of traffic calming devices or other improvements. The traffic calming study shall be conducted one-year after at least 80% of the commercial components of the development (including the grocery store) have received certificates of occupancy (CO) and are occupied by tenants, and all of the residential units have received certificates of occupancy and at least 75% of the units have owners/tenants or one and one-half years after all of the residential units have received COs, whichever occurs sooner.

The study shall include an operational analysis of converting some or all of Carol Street to a one-way street, and/or installing bollards or other infrastructure in Carol Street to eliminate through traffic as well as a survey of Carol Street residents to gauge support for either proposal. The study shall also include the consideration of installing MUTCD approved signage on Carol Street to read “Local Traffic Only” (MUTCD R11-3) or “No Thru Traffic” (MUTCD R11-4); installation shall be subject to NCDOT review.

8. The development shall include the design and installation of a visual and physical barrier between the southern boundaries of the lots on Carol Street (from Old Fayetteville Road to the western edge of 211 Carol Street) and the commercial uses and associated vehicle accommodation areas constructed as part of the development. In addition to preserved trees, physical barriers and/or evergreen vegetative materials that will satisfy a Type A screening requirement shall be installed. The visual and physical barrier shall be designed to retain portions of the existing wooded areas immediately adjacent to the northern property line and include additional features such as, but not necessarily limited to, a berm, landscaping or fencing, or a combination of such features, as schematically indicated on the Concept Plan.
9. All commercial buildings shall display a uniformed architectural design in terms of materials and detailing, consisting predominately of brick, and other first-class materials such as but not limited to wood, stone, hardiplank and EFIS, in traditional colors with four primary elevations, rather than a façade and secondary or rear elevations. The commercial buildings shall also conform to the design standards described in Section 15-178(5) of the Carrboro Land Use Ordinance as it relates to articulating large buildings into smaller increments through the use of different techniques such as setbacks or entrances or window bays.
10. Deliveries to retail tenants shall be restricted to the hours of 6 am to 10 pm on weekdays and 7 am to 10 pm on weekends.
11. Trash/recycling collections shall be limited to the hours of 7:30 am and 10:00 pm, and not after 9:00 pm whenever possible
12. Landscaping maintenance shall be limited to the hours of 8 am to 6 pm or sunset, whichever is earlier, Monday through Saturday and 12 pm to 6 pm or sunset, whichever is earlier, on Sundays.

13. The greenspace area shown on the site plan at the southwest corner of the site shall not be developed but shall remain as open greenspace in perpetuity.
14. The conditional use permit plans shall be designed to allow for the Town's future construction of a side path along NC Hwy 54, as per the Town's preliminary plans for bike and pedestrian access to Anderson Park and parts west. The side path project shall be designed so as to not encroach into the parking areas along the southern edge of the developed portion of the site. Coordination with the Town and NCDOT will be needed to ensure that the interface between the side path and any NC 54 access point maintain safe sight lines, signage, pavement markings and other appropriate treatments, and shall occur during the driveway permit application process with NCDOT and/or prior to the installation of final pavement markings or plantings near this intersection.
15. As part of the conditional use permit, the applicant shall demonstrate through a feasibility study compliance with the provisions of Article XVI, Part II, of the LUO, Stormwater Management. Prior to construction plan approval, the applicant shall demonstrate that the post-development peak discharge rates from the project will be less than or equal to the predevelopment peak discharge rates for the 1-, 2-, 5-, 10-, 25- 50- and 100 year 24-hour design storms at the discharge points from the property. (Analysis of the 50 and 100 year storms exceed the requirements of the LUO). The applicant will coordinate the analysis with the Town Engineer.
16. The conditional use permit application shall include a timeline for the installation of stormwater features as well as the schedule for converting erosion control features into permanently maintained BMPs/SCMs. Erosion control features shall be designed and installed to provide sufficient stabilization during each phase of development.
17. In advance of draining the property's constructed ponds near Old Fayetteville Road, the applicant will engage a wildlife relocation organization such as NC State Turtle Rescue Team to assess options for developing and implementing a strategy to relocate turtles currently residing in the ponds. The applicant shall evaluate its stormwater management plan to determine if the construction of stormwater devices can provide a receiving area for some or all of the existing turtles.
18. A left turn out of the site will be provided at the Old Fayetteville Road exit, and applicant will seek approval from NCDOT for a left out of the site at the NC 54 exit during the conditional use permit process. NCDOT's rejection of a left out at the NC 54 exit shall not prevent approval of the conditional use permit for the project.
19. The applicant will coordinate with the Town, Chapel Hill Transit and NCDOT as part of the conditional use permit process, to identify opportunities for transit service with possible stops in the vicinity of the grocery store and senior living complex.
20. The bike-ped trail shown on the conceptual master plan as beginning at the northeast bend of the meandering internal street and ending at the edge of the property line abutting the Lisa Drive right-of-way, shall be extended along the Lisa Drive right-of-way to a point near the intersection of Lisa Drive and Carol Street as mutually agreed upon with the Town. The portion of the path in the abandoned right-of-way shall not exceed the lesser of the width of the right-of-way or 10 feet. Materials used for the construction may be asphalt, raised wood or a combination of those materials. Maintenance of the portion of the path in the Lisa Drive right-of-way shall be the responsibility of the Town.
21. The applicant shall agree to limit the location of the primary construction entrance to Old Fayetteville Rd and/or NC Hwy 54. Some access to the property via James Street, may be necessary to provide for utility connections.

22. As part of final plat approval, the 60-foot easement shown on a 1994 plat, extending from Old Fayetteville Road east, approximately 200 feet, shall be abandoned.

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed.

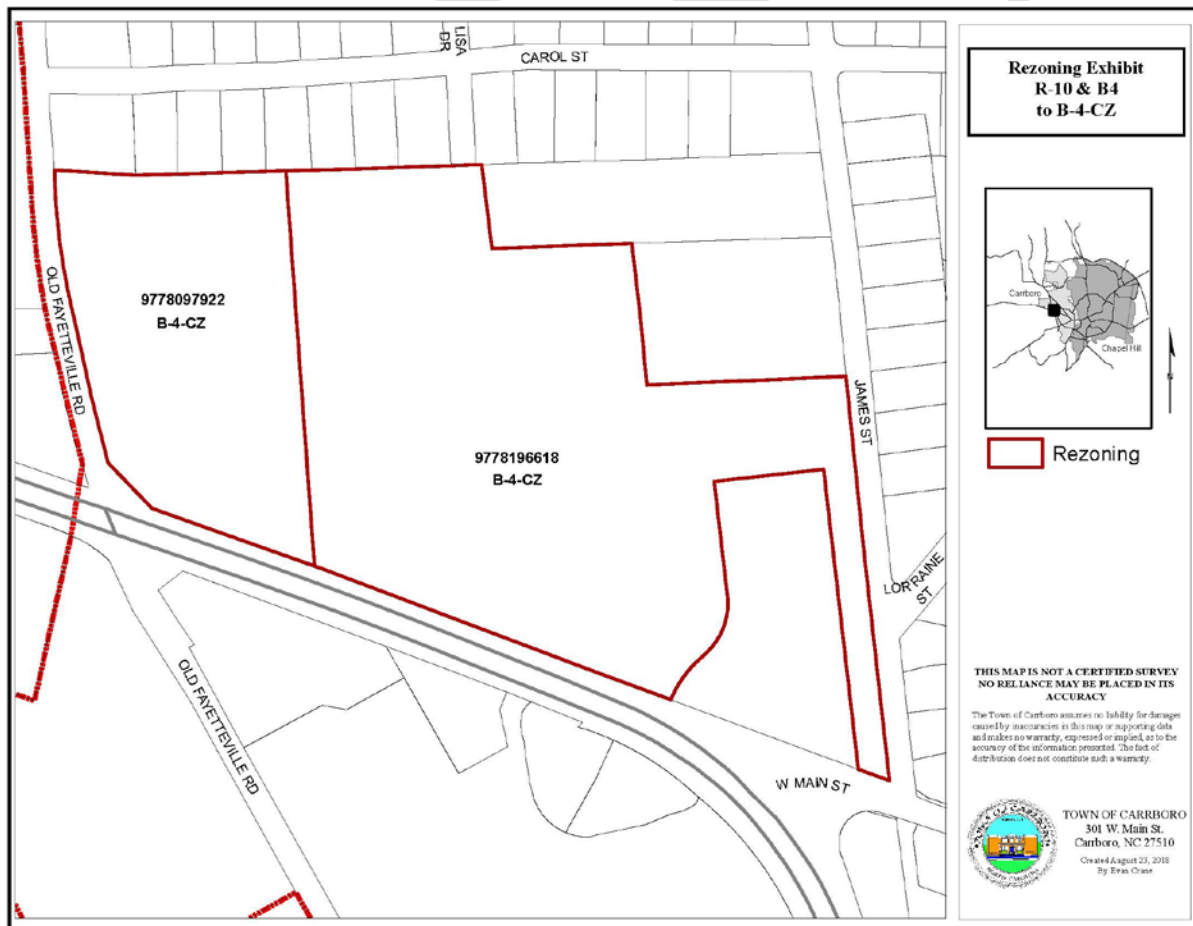
SECTION 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted, this the \_\_\_\_\_ day of \_\_\_\_\_ 2018.

AYES:

NOES:

ABSENT OR EXCUSED:



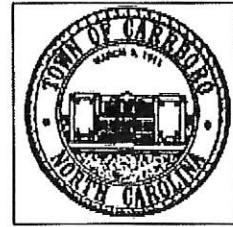
## **APPENDIX A – 2**

# **PETITION FOR CHANGE OF ZONING FORM**

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## TOWN OF CARRBORO

## PETITION FOR CHANGE OF ZONING



PETITIONER:

ARGUS DEVELOPMENT GROUP, LLC  
13000 S. TRYON STREET, SUITE F-203  
CHARLOTTE, NC 28278

DATE:

The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from R-10-B-4 to B-4-CZ zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME TED BARNES FOR ARGUS DEVELOPMENT GROUP, LLC  
 ADDRESS: 13000 S. TRYON STREET, SUITE F-203, CHARLOTTE, NC 28278  
 TELEPHONE #:( ) (704) 376-9848
2. INTEREST IN PROPERTY(IES):  
CONTRACT PURCHASER
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS:  
NE CORNER OF OLD FAYETTEVILLE ROAD AND NC HWY 54
4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
  - (a) OWNER: SHELTON GENE LLOYD & BRODY L. LLOYD  
 TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE 10.21 AC. PARCEL: 9778097922  
 SUBDIVISION NAME: R S LLOYD FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_  
 EXISTING STRUCTURES AND USES:  
CABIN AND OUTBUILDINGS
  - (b) OWNER: ESTATE OF LLOYD ROY S  
 TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE 25.22 AC PARCEL: 9778196618  
 SUBDIVISION NAME: R S LLOYD FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

EXISTING STRUCTURES AND USES:

NONE

c. OWNER: \_\_\_\_\_

TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE: \_\_\_\_\_ PARCEL: \_\_\_\_\_

SUBDIVISION NAME: \_\_\_\_\_ FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_

EXISTING STRUCTURES AND USES:

d. OWNER: \_\_\_\_\_

TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE: \_\_\_\_\_ PARCEL: \_\_\_\_\_

SUBDIVISION NAME: \_\_\_\_\_ FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_

EXISTING STRUCTURES AND USES:

5. NAMES AND ADDRESSES OF ALL PERSONS WHOSE PROPERTY OR ANY PART THEREOF IS WITHIN 1000 FEET IN ANY DIRECTION OF THE PROPERTY SOUGHT TO BE REZONED.

NAME	ADDRESS
(SEE ATTACHMENT A)	

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES \_\_\_ NO X  
If "YES", WHEN? \_\_\_\_\_

7. PLEASE SET OUT AND EXPLAIN THOSE CIRCUMSTANCES PERTINENT TO THE PROPERTY AND THE MANNER IT RELATES TO THE TOWN THAT DEMONSTRATE THAT THE PROPOSED ZONING DISTRICT CLASSIFICATION IS CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN. MORE SPECIFICALLY:

- (a) How do the potential uses in the new district classification relate to the existing character of the area?

(SEE ATTACHMENT B)

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

(b) In what way is the property proposed for rezoning peculiarly/particularly suited for the potential uses of the new district?

(SEE ATTACHMENT B)

(c) How will the proposed rezoning affect the value of nearby buildings?

(SEE ATTACHMENT B)

(d) In what way does the rezoning encourage the most appropriate use of the land in the planning jurisdiction?

(SEE ATTACHMENT B)

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 1 DAY OF March, 2018.

PETITIONER'S SIGNATURE

*Ted Barnes*

TED BARNES FOR ARGUS DEVELOPMENT GROUP, LLC

### PLEASE NOTE.

For all the persons identified under "5", please attach addressed envelopes with the correct postage. Oversight of this requirement could delay processing your rezoning request.

Owner Signature Addendum

Lloyd Farm Conditional Rezoning Application

Shelton Gene Lloyd

Shelton Gene Lloyd, Co-Executor of the  
Estate of Roy Shelton Lloyd

3/20/18

Date

Brody Lemuel Lloyd

Brody Lemuel Lloyd, Co-Executor of the  
Estate of Roy Shelton Lloyd

MAR 20<sup>th</sup> 2018

Date

Shelton Gene Lloyd

Shelton Gene Lloyd

3/20/18

Date

Brody Lemuel Lloyd

Brody Lemuel Lloyd

MAR 20<sup>th</sup> 2018

Date

## **Attachment B**

### PETITION FOR CHANGE OF ZONING

**7. Please set out and explain those circumstances pertinent to the property and the manner it relates to the town that demonstrate that the proposed zoning district classification is consistent with the Town's Comprehensive Plan. More Specifically:**

**(a) How do the potential uses in the new district classification relate to the existing character of the area?**

Lloyd Farm is most visible to the community from its NC Highway 54 frontage. And from that vantage point, the proposed non-residential uses within the eastern portion of the frontage are consistent with the existing retail development on the south side of NC Highway 54 and elsewhere along the highway corridor.

While the economic function of the retail component of Lloyd Farm is similar in nature and scale to neighboring retail, its form is more compact and walkable and its building and landscape design more aesthetically pleasing, including preservation of environmental features and large stands of hardwoods. In addition, although similar in scale to the retail buildings south of the highway corridor, Lloyd Farm proposes a portion of its non-residential development program as low-rise offices and/or offices over retail in a vertically-mixed building.

Lloyd Farm also provides on-site multi-family housing in the form of senior-living apartments and duplexes with ADA-accessible pedestrian-friendly connections provided to food and other essential urban services. The juxtaposition of residential use with Lloyd Farm's non-residential uses is consistent with the development pattern on the south side of NC Highway 54 where an apartment community adjoins a retail center. However, provision of residential uses on-site allows more proximate and coordinated access.

The character of the existing single-family neighborhoods to the north and east of Lloyd Farm is preserved by the establishment of building setbacks 200'+ to 400'+ deep in dimension from exterior property lines, the preservation of substantial stands of mature hardwood trees along the northern and eastern edges of Lloyd Farm, and the dedication of the northeastern portion of the property assemblage to the Town for civic use.

Retention of the existing vegetative edge along Old Fayetteville Road, supplemented as necessary by additional evergreen landscape material, maintains and enhances the current evergreen edge along the property's Old Fayetteville Road frontage.

In particular, preservation of the mature homestead tree stands that comprised the front and rear yard areas of the former Lloyd house location, along with preservation of much of the surrounding southeast corner of the property along the western portion of the Highway NC 54 frontage for gathering and event space, preserves a visual Carrboro entry feature and landmark for those arriving from the west.

**(b) In what way is the property proposed for rezoning peculiarly / particularly sited for the potential uses of the new district?**

This assemblage of properties was identified in the Town's 2006 "Creating Carrboro's Economic Future" report as an opportunity site on the NC Highway 54 corridor for non-residential development:

"The greatest asset of this corridor is that it has the only commercial area in Carrboro with direct access to a four-lane road (the Highway 54 Bypass), which makes it attractive to retailers. There is one available parcel next to the US Post Office large enough (25 acres) to sustain a significant new retail presence."

A portion (16.6 acres) of this property is already zoned B-4 (Outlying Concentrated Business). The net result of the proposed conditional rezoning (B-4-CZ), once the open space area is deducted, is the approximate amount of developable acreage that was anticipated within that report.

Furthermore, the property is well-served by public transit, with three current bus routes having bus stops located within walking distance and with a bus stop pullover area provided along the central access street directly between Lloyd Farm's non-residential and residential areas for future on-site bus service connections.

**(c) How will the proposed rezoning affect the value of nearby buildings?**

The conditional rezoning process provides a means by which specific conditions and plans can be attached to the property's zoning to address identified concerns. The application proposes substantial building setbacks and preserved hardwood stands, with additional evergreen landscaping installed as necessary, to buffer property owners to the north and east of the property and to maintain important elements of their viewshed.

No vehicular connections are proposed to the adjoining neighborhood streets. Instead, paved greenway connections to Lloyd Farm are provided mid-block to the north and mid-block to the east for neighborhood bicycle and pedestrian access and circulation throughout the site.

The introduction of public space and the provision of food and other essential urban services enhances the livability of this area of Carrboro. The value of nearby properties is preserved and enhanced by the provision of convenient and direct access to urban services and amenities within easy walk/bike distance, which is a desirable feature for residential neighborhoods to have as an active-living-by-design option.

**(d) In what way does the rezoning encourage the most appropriate use of the land in the planning jurisdiction?**

Conditional rezoning of the property in the manner proposed fulfills the Town's goal of encouraging non-residential development within designated areas and furthers the goal of creating a diversity of housing by providing senior-living housing proximate to the urban services and amenities provided by Lloyd Farm's non-residential components.

The NC Highway 54 corridor from Jones Ferry Road to Fayetteville Road is designated as being suitable for retail development, particularly because of the access provided to Orange County residents by the divided-median highway corridor. All three of the Town's existing B-4 zoning districts are located along this highway corridor.

This proposed conditional rezoning to B-4-CZ adjusts one of those three existing B-4 zoning districts to be similar in net developable acres to that of neighboring commercial property. However, by use of compact design, shared parking, and vertical construction, the similarly-sized non-residential program includes office uses along with retail uses and also adds senior-living housing within approximately the same total amount of developable acreage as the existing traditional non-residential development on the south side of NC Highway 54.



CARRBORO RETAIL, LLC C/O ARGUS DEVELOPMENT GROUP, LLC

- 1) 35.4 ACRES TO BE REZONED B-4-CZ TO ACHIEVE PROPOSED DEVELOPMENT PLAN
- 2) 4.6 ACRES TO BE DEDICATED TO THE TOWN; NOT INCLUDED IN THE REZONING AND PROPOSED DEVELOPMENT PLAN

EXISTING: B-4 & R-10

PROPOSED: B-4-CZ

ANCHOR: GROCERY STORE	± 64,260 SF
MEZZANINE	± 2,754 SF
MINORS: RETAIL / OFFICE / RESTAURANT	± 26,400 SF
OUTPARCELS: OFFICE / RETAIL / ENERGY CENTER	± <u>51,908 SF</u>
<b>TOTAL</b>	<b>± 145,322 SF</b>

SENIOR LIVING ± 220 UNITS

GROCERY / MAIN RETAIL AREA	± 370 SPACES
OUTPARCELS	± 202 SPACES

1. THE USES ILLUSTRATED ON THE OUTPARCEL LOTS ARE SPECULATIVE IN NATURE AND THESE LOTS COULD BE DEVELOPED WITH OTHER USES PERMISSIBLE IN THE B-4-CZ ZONING DISTRICT.
2. THE USES REFERENCED ON BUILDINGS ON THE CONCEPT PLAN ARE SPECULATIVE AND FOR ILLUSTRATIVE PURPOSES. SO LONG AS ORDINANCE REQUIREMENTS ARE MET FOR A USE, THE FOLLOWING USES ALLOWED AT THE TIME OF APPROVAL UNDER THE B-4 ZONING CLASSIFICATION IN THE TABLE OF PERMISSIBLE USES CONTAINED IN ARTICLE X OF CARRBORO'S LAND USE ORDINANCE ARE ALLOWED (USES INCLUDES ALL SUBCATEGORIES IF OVERALL LAND USE CATEGORY LISTED):
- 1.232 Two-Family Residences - Duplex -No bedroom limit
  - 1.242 Two-Family Residences - No bedroom limit
  - 1.322 Multi-Family Residences- No bedroom limit
  - 1.332 Multi-Family Residences - Multi-Family Apartments - No bedroom limit
  - 2.00 Sales and Rental of Goods, Merchandise and Equipment
  - 3.00 Office, Clerical, Research and Services Not Primarily Related to Goods or Merchandise
  - 5.320 Educational, Cultural, Religious, Philanthropic, Social, Fraternal Uses - Located within any permissible structure
  - 6.121 Recreation, Amusement, Entertainment - Movie Theatres - Seating Capacity of not more than 300
  - 8.000 Restaurants (including food delivery services), Bars, Night Clubs
  - 9.000 Motor Vehicle-Related Sales and Service Operations
  - 12.000 Services and Enterprises Related to Animals
  - 16.000 Dry Cleaner, Laundromat - Without drive-in windows
  - 19.000 Open Air Markets and Horticultural Sales
  - 22.220 Day Care - Child Day Care Facility
  - 22.300 Day Care - Senior Citizens Day Care, Class A
  - 22.400 Day Care - Senior Citizens Day Care, Class B

USES ADDED AS PERMISSIBLE IN THE B-4 ZONING DISTRICT AFTER THE DATE OF APPROVAL MAY BE ALSO ALLOWED SO LONG AS ALL LUO STANDARDS CAN BE MET



## Lloyd Farm - April 2018 Illustrative Plan

Table 1 - Trip Generation

Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
252 Senior Adult Housing - Attached	220 d.u.	678	339	339	44	15	29	54	29	25
710 General Office Building	51,908 s.f.	805	403	402	111	98	13	137	23	114
820 Shopping Center	26,400 s.f.	2,858	1,429	1,429	70	43	27	245	120	125
850 Supermarket	64,260 s.f.	5,694	2,847	2,847	231	141	90	561	286	275
945 Gasoline/Service Station with Convenience Market	14 f.p.	2,280	1,140	1,140	142	71	71	187	94	93
<b>Subtotal</b>		<b>12,315</b>	<b>6,158</b>	<b>6,157</b>	<b>598</b>	<b>368</b>	<b>230</b>	<b>1,184</b>	<b>552</b>	<b>632</b>
<i>Internal Capture</i>										
Senior Adult Housing - Attached		245	116	129	0	0	0	22	10	12
General Office Building		129	52	77	0	0	0	11	6	5
Shopping Center		585	293	292	0	0	0	37	18	19
Supermarket		1,221	624	597	42	21	21	106	54	52
Gasoline/Service Station with Convenience Market		960	485	475	42	21	21	84	42	42
<b>Internal Capture Total</b>	<b>21.91%</b>	<b>3,140</b>	<b>1,570</b>	<b>1,570</b>	<b>84</b>	<b>42</b>	<b>42</b>	<b>259</b>	<b>130</b>	<b>130</b>
<b>Total External Trips</b>		<b>9,175</b>	<b>4,588</b>	<b>4,587</b>	<b>514</b>	<b>326</b>	<b>188</b>	<b>925</b>	<b>422</b>	<b>502</b>
<i>Pass-By Traffic (ITE)</i>										
	<u>AM</u> <u>PM</u>									
Shopping Center	0% 34%	580	290	290	0	0	0	58	28	30
Supermarket	0% 36%	1,737	869	869	0	0	0	179	91	88
Gasoline/Service Station with Convenience Market	62% 56%	580	290	290	62	31	31	58	29	29
<b>Pass-By Capture Total</b>	<b>24.92%</b>	<b>2,897</b>	<b>1,449</b>	<b>1,449</b>	<b>62</b>	<b>31</b>	<b>31</b>	<b>295</b>	<b>148</b>	<b>147</b>
<b>Net New External Trips</b>		<b>6,278</b>	<b>3,140</b>	<b>3,139</b>	<b>452</b>	<b>295</b>	<b>157</b>	<b>630</b>	<b>274</b>	<b>355</b>
<b>Bike/Ped/Transit Capture</b>	<b>10.00%</b>	<b>628</b>	<b>314</b>	<b>314</b>	<b>45</b>	<b>29</b>	<b>16</b>	<b>63</b>	<b>27</b>	<b>36</b>
<b>Total Net New External Vehicle Trips - Proposed</b>		<b>5,650</b>	<b>2,826</b>	<b>2,825</b>	<b>407</b>	<b>266</b>	<b>141</b>	<b>567</b>	<b>247</b>	<b>319</b>
<b>Total Net New External Vehicle Trips - From 2016 TIA</b>		<b>6,256</b>	<b>3,128</b>	<b>3,128</b>	<b>380</b>	<b>218</b>	<b>162</b>	<b>616</b>	<b>311</b>	<b>305</b>
<b>Difference in Trips - Proposed Uses minus 2016 TIA</b>		<b>-606</b>	<b>-303</b>	<b>-304</b>	<b>27</b>	<b>48</b>	<b>-21</b>	<b>-49</b>	<b>-64</b>	<b>14</b>

Lloyd Farm Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
<b>James Street – Carol Street (All-Way Stop)</b>		
Existing Traffic	A (7.4)	A (7.3)
Projected Background Traffic	A (7.4)	A (7.3)
Projected Build-out Traffic - <i>Current Zoning</i>	A (7.5)	A (7.4)
Projected Build-out Traffic – <i>2016 TIA</i>	A (7.5)	A (7.5)
Projected Build-out Traffic - <i>Proposed Plan</i>	A (7.5)	A (7.5)
<b>Carol Street – Lisa Drive (All-Way Stop)</b>		
Existing Traffic	A (7.2)	A (7.1)
Projected Background Traffic	A (7.2)	A (7.1)
Projected Build-out Traffic - <i>Current Zoning</i>	A (7.2)	A (7.1)
Projected Build-out Traffic – <i>2016 TIA</i>	A (7.2)	A (7.2)
Projected Build-out Traffic - <i>Proposed Plan</i>	A (7.2)	A (7.2)
<b>Carol Street – Old Fayetteville Road (Unsignalized)</b>		
Existing Traffic	WB – C (16.4) SBL – A (9.1)	WB – C (17.3) SBL – A (8.6)
Projected Background Traffic	WB – C (17.1) SBL – A (9.2)	WB – C (18.2) SBL – A (8.7)
Projected Build-out Traffic - <i>Current Zoning</i>	WB – C (23.1) SBL – A (9.3)	WB – C (21.9) SBL – A (8.8)
Projected Build-out Traffic – <i>2016 TIA</i>	WB – D (26.2) SBL – A (9.4)	WB – C (24.1) SBL – A (8.9)
Projected Build-out Traffic - <i>Proposed Plan</i>	WB – D (25.6) SBL – A (9.3)	WB – C (23.0) SBL – A (8.9)
<b>Old Fayetteville Road – Site Drive</b>		
Projected Build-out Traffic - <i>Current Zoning</i>	WB – C (24.8) SBL – A (9.1)	WB – C (23.8) SBL – A (8.9)
Projected Build-out Traffic – <i>2016 TIA</i>	WB – D (34.5) SBL – A (9.2)	WB – E (79.6) SBL – A (9.0)
Projected Build-out Traffic - <i>Proposed Plan</i>	WB – D (26.0) SBL – A (9.1)	WB – D (31.1) SBL – A (8.9)

## Lloyd Farm

## Comparison of PM Peak Hour Traffic Impact - Current Zoning and Proposed Zoning

<u>Intersection</u>	<u>Movement Direction</u>	<u>Current Zoning Projection</u> (Cars per Peak PM Hour)	<u>Proposed Zoning Projection</u> (Cars per Peak PM Hour)	<u>Delta</u> (Cars per Peak PM Hour)
James St/Carol St	Eastbound Carol	15	18	3
	Eastbound Carol to Northbound James	7	10	3
	Eastbound Carol to Southbound James	15	15	0
	Westbound Carol	22	23	1
	Westbound Carol to Northbound James	4	4	0
	Westbound Carol to Southbound James	4	4	0
	Southbound James	46	47	1
	Southbound James to Westbound Carol	9	10	1
	Southbound James to Eastbound Carol	4	4	0
	Northbound James	50	52	2
	Northbound James to Westbound Carol	6	6	0
	Northbound James to Eastbound Carol	4	4	0
Carol St/Lisa Dr	Westbound Carol	30	35	5
	Eastbound Carol	32	37	5
	Westbound Carol to Northbound Lisa	4	4	0
	Eastbound Carol to Northbound Lisa	4	4	0
	Southbound Lisa to Westbound Carol	9	9	0
	Southbound Lisa to Eastbound Carol	9	9	0
Old Fayetteville/Carol St	Northbound Old Fayetteville	551	568	17
	Southbound Old Fayetteville	465	465	0
	Northbound OF to Eastbound Carol	18	25	7
	Southbound OF to Eastbound Carol	17	17	0
	Westbound Carol to Northbound OF	8	8	0
	Westbound Carol to Southbound OF	28	31	3
Old Fayetteville/Old Fayetteville Site Entrance	Northbound Old Fayetteville	520	515	-5
	Northbound OF into Site Entrance	73	91	18
	Southbound Old Fayetteville	389	386	-3
	Southbound OF into Site Entrance	55	68	13
	Site Entrance onto Northbound OF	55	84	29
	Site Entrance onto Southbound OF	72	106	34

Note: Current Zoning based on assumption of 64k Grocery, Fuel Center, 4000 sf restaurant and 150 apartments

Proposed Zoning based on 2018 Concept Plan

# Current Zoning

PM Peak Hour Traffic Volumes



# Proposed Plan

PM Peak Hour Traffic Volumes



***Lloyd Farm Timeline***

<b><u>Event</u></b>	<b><u>Start</u></b>	<b><u>Complete</u></b>
Zoning Decision	4/1/2018	10/23/2018
Plan Preparation for CUP	11/1/2018	4/1/2019
CUP Application Filed/Approval	4/1/2019	10/31/2019
Construction Drawings Preparation/Review/Approval	11/1/2019	5/31/2020
Contractor Mobilization/Construction Commencement	7/1/2020	
Phase I Opening (HT/Shops/Energy Center)		1/1/2022



TO: Carrboro Advisory Boards

FROM: Annette Stone, Economic and Community Development Director

DATE: August 31, 2018

RE: Economic Impacts of Development of Lloyd Farm

The following report is the estimated economic impact of the development of the Lloyd Farm. If the conditional rezoning is approved, the developer has reported his estimated construction cost to be \$105,850,000. The Orange County Tax Assessor has reviewed the proposed plans and estimates the property will be assessed at approximately \$64,000,000. Based on this estimated value using current tax rates, staff has calculated the tax revenues that would be realized at 100% build-out (attachment 1).

Orange County	\$	544,256
CH/Carrboro Schools	\$	129,152
Carrboro	\$	380,416
Total Property Taxes	\$	1,053,824

A similar analysis was completed on the property under the current zoning. The developer reported there would still be a grocery store, energy center and about 4000 sq. ft. of retail. The property as currently zoned could yield approximately 250 bedrooms or 150 1 and 2 bedroom apartment units and 15 townhomes. The estimated tax value if developed under existing zoning is \$44,194,400. The following amounts are taxes that would be collected on an annual basis if developed under current zoning.

Orange County	\$	375,829
CH/Cboro Schools	\$	89,184
Carrboro	\$	262,692
Total Property Taxes	\$	727,705

In addition, staff has provided a 10 year estimate of revenues based on the conditional rezoning assuming 50% completion in Year 1, 75% completion in Year 2, 85% completion in Year 3, and 100% Year 4 (attachment 2). By Year 5 Carrboro would collect an estimated \$387,009 in property tax on the project. This amount is equal to 1.75 cents on the Town's current tax rate.

Sales tax is based on estimated annual gross sales of \$48,250,000. The total tax collected is \$1,055,469, however that would be distributed over the county and the municipalities, including Chapel Hill and Hillsborough. Orange County would realize approximately \$666,833 annually and Carrboro \$93,219. Sales tax is expected to continue to grow at about a 2% annual increase. This increase is reflected in the 10 year analysis.

The project would provide 425 full and part-time jobs. The construction project will provide 350 temporary construction jobs.

Other one-time revenues from the project include a payment-in-lieu for affordable housing. The developer has suggested that he would pay \$743,000 toward the Town's affordable housing fund and try to provide some affordable units. And an additional \$250,000 if he is unable to provide any affordable units on site.

The current property owner is required to pay a deferred tax payment at the sale of the property in the amount of \$326,695. Finally, the developer has offered to donate 4.6 acres of the property to the Town. The property is valued at \$1,150,000.

## Attachment 1

**Lloyd Farm Economic Development Impact Analysis**  
**Carrboro Economic and Community Development Office**  
**August 2018**

<b>Economic Impact – Source of Revenue</b>	<b>*Developer's Estimate/Cost</b>	<b>**County/Town Staff Estimates</b>
<u>Estimated Property Value</u> <ul style="list-style-type: none"> <li>Orange County Taxes</li> <li>CH/Carrboro Schools Taxes</li> <li>Carrboro Taxes</li> <li>❖ <b>Total Property Taxes</b></li> </ul>	<u>\$105,850,000</u>	<u>\$64,000,000</u> \$544,256 \$129,152 \$380,416 <b>\$1,053,824</b>
<u>Estimated Annual Sales Taxes</u> (based on developers estimate of \$48,250,000 gross sales) <ul style="list-style-type: none"> <li>Orange County</li> <li>Carrboro</li> </ul>		\$1,055,469  \$666,833 \$93,219
<u>Jobs/Salaries</u> <ul style="list-style-type: none"> <li>Harris Teeter</li> <li>Specialty Stores and Restaurants</li> <li>Senior Living Complex</li> <li>Medical Office Staff</li> <li>Shopping Center Maintenance Crew</li> <li>Construction Project</li> </ul>	<u>Est. Jobs</u> 125 220 15 50 15 350	<u>Avg. Salary</u> \$27,412 \$23,737 \$24,910 \$33,340 \$22,781 \$35,840
Affordable Housing Contribution (additional \$250,000 if affordable units are not located on site)	\$743,000	\$743,000
Donation of land to the Town 4.6 acres	\$1,150,000	
One-time Deferred Tax Payment (All Jurisdictions)		\$326,695.92
Estimated Carrboro Portion		\$117,610.53

\*\*Estimated assessed values calculated by Orange County Tax Assessors Office. Retail Sales Taxes calculated using model sales tax calculator provided by Orange County. Average Salary based on data from NC Works.

## Attachment 2

## Lloyd Farm 10 Year Revenue Analysis

Revenues	YR 1	YR 2	YR 3	YR 4	YR 5	YR 6	YR 7	YR 8	YR 9	YR 10	TOTALS
<b>Property Taxes</b>											
Carrboro	\$ 193,408	\$ 290,112	\$ 328,794	\$ 386,816	\$ 387,009	\$ 387,009	\$ 387,009	\$ 387,009	\$ 387,009	\$ 387,009	\$ 3,521,186
CH/Carrboro School	\$ 64,576	\$ 96,864	\$ 109,779	\$ 129,152	\$ 129,217	\$ 129,217	\$ 129,217	\$ 129,217	\$ 129,217	\$ 129,217	\$ 1,175,671
Orange County	\$ 272,128	\$ 408,192	\$ 462,618	\$ 544,256	\$ 544,528	\$ 544,528	\$ 544,528	\$ 544,528	\$ 544,528	\$ 544,528	\$ 4,954,362
TOTALS											\$ 9,651,219
<b>Sales Taxes</b>											
Carrboro	\$ 46,610	\$ 71,313	\$ 82,437	\$ 95,102	\$ 97,004	\$ 98,944	\$ 100,923	\$ 102,941	\$ 105,000	\$ 107,100	\$ 907,374
Orange County	\$ 333,417	\$ 510,127	\$ 589,707	\$ 693,773	\$ 707,648	\$ 721,801	\$ 736,237	\$ 750,962	\$ 765,981	\$ 781,301	\$ 6,590,956
<b>Affordable Housing</b>											
		\$ 743,000									
<b>One Time Tax Deferred Payment</b>											
Orange and Carrboro	\$326,696										
<b>YEARLY TOTALS</b>	\$ 1,236,834	\$ 2,119,608	\$ 1,573,335	\$ 1,849,099	\$ 1,865,407	\$ 1,881,500	\$ 1,897,915	\$ 1,914,658	\$ 1,931,736	\$ 1,949,155	