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

DRAFT 3-15-2019

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

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

Section 15-136.1 Historic Rogers Road Districts Established

(a) The Historic Rogers Road districts, HR-R (residential) and HR-MU (mixed use), are established to implement the goals and recommendations of the *Mapping Our Community's Future* community planning effort, completed in May 2016. The intent of *Mapping Our Community's Future* and the HR Districts is to:

1) Create opportunities for long-term residents to continue living in the community and to age in place;
2) Preserve the socioeconomic and cultural diversity of the neighborhood;
3) Increase physical connections within the neighborhood, including for pedestrians and bicyclists;
4) Respect and protect the natural character of the neighborhood;
5) Ensure that new development is consistent with neighborhood character and the vision that residents have developed for its future;
6) Provide greater residential housing choice, affordability, and diversity;
7) Increase economic opportunities within the neighborhood;
8) Increase recreational resources within the neighborhood; and
9) Ensure that new development is adequately served by infrastructure, including streets, sidewalks, and utilities.

(b) The HR-R zoning district is designed to protect and preserve the character of existing lower-density areas (minimum lot size 14,520 square feet, or no more than three lots per acre) within the neighborhood while providing for compatible new development, including new housing choice options, and increased home occupation opportunities for residents.

(c) The HR-MU district is designed to provide for a broader range of housing and employment options by concentrating new development into nodes which will balance providing areas for desired new uses while protecting the overall neighborhood character. Uses appropriate in the HR-MU district include live-work units, flex space, and low-intensity neighborhood-serving establishments such as healthcare, assisted living, elder care, child care, and recreation facilities.

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

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

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

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

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

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

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

(a) All applicable provisions of the Carrboro Land Use Ordinance not specifically exempted or modified by this section shall apply to the HR-R and HR-MU districts.

(b) The maximum size of any single-family dwelling constructed in the HR-R district after the effective date of this section shall be 2,000 square feet of heated floor area; the maximum size of any duplex or triplex dwelling unit constructed in the HR-R district after the effective date of this section shall be 1,200 square feet of heated floor area. Any dwelling unit in existence on the effective date of this subsection containing 2,000 square feet or greater of heated floor area may be increased by a maximum of 25% of the existing heated floor area. Any dwelling unit in existence on the effective date of this subsection containing less than 2,000 square feet of heated floor area may be expanded up to a maximum size of 2,000 square feet of heated floor area.

(c) An undisturbed buffer, of no less than 30 feet, shall be maintained along the perimeter of the entire HR-MU district.

1. The buffer shall consist of existing vegetation and/or new plantings to meet the requirements in Section 15-307(1) for an Opaque Type A screen.
2. This area shall remain undisturbed except for the removal of noxious weeds and trees determined to be diseased by a Certified Arborist, and the installation of new plantings as required by the standards for a Type A screen described in subsection (c)(1) above.

(d) Development within the HR-MU district shall be subject to the screening requirements of Section 15-306, to provide sufficient screening between uses, so long as a Type A screen is retained at the boundary line of any parcel in the HR-MU district where that parcel adjoins an adjacent property outside of the district.

(e) As set forth in the Table of Permissible Uses, Major Home Occupations are permissible only in the HR-R and HR-MU districts, subject to the following standards:

1. Major Home Occupations shall only be located on lots a minimum of one acre in size.
2. No more than 50% of the heated square footage of the home shall be used for business purposes. This calculation does not include accessory structures in the total square footage calculation for the home.
3. The maximum number of trips per day to or from the business shall not exceed 50.
4. The on-premises sale and delivery of goods which are not produced on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service.
5. No more than three business-associated vehicles shall be parked on-site.
6. Business-associated vehicles shall be limited to vehicles allowed under a Class C license.
7. Parking for vehicles associated with the business, including employee and visitor vehicles shall be provided on-site, pursuant to the requirements in Section 15-291.
8. All business activities shall be a minimum of 40 feet from all lot lines.
9. All noise, dust, vibration, odor, light, and glare-producing activities shall be located a minimum of 60 feet from all lot lines, and any activity that results in

DRAFT

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

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

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

ZONE	MINIMUM SQUARE FEET
HR-R	14,250
HR-MU	7,500

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

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

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

ZONE	Lot Width
HR-R	100
HR-MU	50

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

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

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

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

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

ZONE	**Maximum Height**
HR-MU	40’

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

(e) Signs for home occupations and major home occupations shall be permitted subject to the following provisions:

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

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

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

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

Section 14. This ordinance shall become effective upon adoption.