

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING TO
RESIDENTIAL USES IN THE B-1(C) DISTRICT

****DRAFT 05-01-2020****

THE CARRBORO TOWN COUNCIL ORDAINS:

Section 1. Section 15-160.1 of the Carrboro Land Use Ordinance is rewritten to read as follows:

Section 15-160.1 Residential Uses in B-1(c)

- (a) Residential uses are not allowed on the ground floor of property within a B-1(c) district.
- (b) Notwithstanding the foregoing, residential uses are allowed on the ground floor in the B-1(c) district when (i) the property is less than 10,000 square feet, (ii) the preexisting land use is residential, (iii) the development creates no more than four dwelling units, and (iv) every dwelling unit is an affordable housing unit pursuant to Subsection 15-182.4(b) of this chapter. Residential developments permitted by this section, shall not be eligible for a density bonus for providing affordable units under 15-182.4(i).

Section 2. Section 15-185.1(c) (Downtown Neighborhood Protection Overlay District Requirements) is amended by adding a fourth provision to read as follows:

- (4) Notwithstanding the foregoing, if more than one building is constructed pursuant to Section 15-160.1(b) and the residentially zoned property is within the Lloyd/Broad Overlay District no separation between buildings shall be required.

Section 3. Section 15-204 (Downtown Livability Area and Urban Living Amenities) is amended by adding a new subsection (e) to read as follows:

- (e) Notwithstanding the foregoing, when property is developed pursuant to Section 15-160.1(b) the dollar value of urban amenities, required by Subsection 15-204(d)(2) may be reduced to 3.5 percent of the assessed value of the land that constitutes the development site.

Section 4. Section 15-178 (Architectural Standards for Downtown Development) is amended by adding a new subsection (c) to read as follows:

- (c) Residential projects in the B-2 district, or the B-1(c) and B-1(g) districts subject to the DNP Overlay District in Section 15-185.1, where every dwelling unit is an affordable unit, as defined in Section 15-182.4(b), may volunteer to adhere to the Village Mixed Use & Affordable Housing Vernacular Standards in Appendix L.

Section 5. Section 15-309 (Flexibility in Administration Required) is amended by adding a fourth provision in subsection (b) to read as follows:

- (4) For use classification 1.320 constructed pursuant to 15-160.1(b) by allowing a less stringent street right-of-way screening.

Section 6. Subsection 15-319(1)(b) is rewritten to read as follows:

(b) Modifications to Canopy Coverage Standards

- (1) The permit issuing authority may approve a development application that does not fully comply with the canopy coverage standards when it finds that the application substantially complies with these standards and that such a deviation enables the development to better achieve other Town objectives, such as the promotion of solar access to encourage active and passive solar technology for water and space heating and renewable energy generation, improved stormwater management, and the preservation of established managed landscapes, or established streetscapes, and the development of affordable housing under 15-161.1(b).
- (2) Modifications for canopy coverage standards may be approved for the development of affordable housing under Subsection 15-161.1(b) so long as the application provides for an increase in canopy coverage by at least double.

Section 7. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed.

Section 8. This ordinance is effective upon adoption.