



Legislation Details (With Text)

File #: 24-079 **Name:**
Type: Agendas **Status:** Agenda Ready
File created: 4/4/2024 **In control:** Town Council
On agenda: 4/23/2024 **Final action:**
Title: Legislative Public Hearing on Land Use Ordinance Text Amendments

PURPOSE: The Town has received a request for text amendments to the Land Use Ordinance to add a new restaurant use for neighborhood cafes and to allow additional residential density in certain zoning districts. A draft ordinance has been prepared. The Town Council must receive public comment before making a decision.

Indexes:

Code sections:

Attachments: 1. A - Consistency Resolution, 2. B - Draft Ordinance, 3. C - LUO Text Amendment Requests, 4. D - Staff Report - Neighborhood Cafes & Increased Density in O & OA_04-23-2024, 5. E - Comments-combined, 6. F - Pocket Questions for Cafe Res Density (rev 04-17-2024)

Date	Ver.	Action By	Action	Result
4/23/2024	1	Town Council		

Legislative Public Hearing on Land Use Ordinance Text Amendments

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DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon, Planning & Transportation Administrator, 919-918-7325, cmoon@carrboronc.gov; Patricia McGuire, Planning Director, 919-918-7327, pmcguire@carrboronc.gov; Nick Herman - 919-929-3905, herman@broughlawfirm.com

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other

Legislative public hearings are a necessary step for text amendments in accordance with North Carolina state statutes and Town regulations. The Council is required to adopt a statement of consistency as part of its decision. Pocket questions have been provided.

INFORMATION: The Town has received two requests from Heather Washburn of Calico Studio, to modify the text amendment of the Land Use Ordinance: 1) to increase in the amount of residential density in the O Zoning District (Office, 7,500 square feet per dwelling unit) and 2) to allow for the establishment of a new restaurant land use selling coffee/tea products prepared on site and baked goods prepared off-site (*Attachment C*). The requests are to support a pending application for a major modification to an existing special use permit

-A for property at 603 Jones Ferry Road.

Background

On June 26, 2018, the Town Council approved a proposal for a small mixed-use project at 603 Jones Ferry Road. The project allowed for the development of four live-work units consisting of 1,200-square-foot office space on the ground floor and 1,200 square-foot residential units above. Ms. Washburn is seeking to purchase the 1.10 acre (47,916 square foot) property and request a major modification to the permit to allow for approximately 14 residential units, including a combination of 500-1000 square foot live-work units, and a small café space.

A draft ordinance (*Attachment B*) has been prepared. If adopted, the Land Use Ordinance would be amended to allow for an increase in residential density in the O and O/A districts subject to certain criteria. In addition, a new restaurant use category called “neighborhood café” would be added to the Permissible Use Table to allow for a coffee-house type use for the brewing of beverages on site and the sale of prepared foods made off-site.

The Town Council must receive public comments before adopting amendments to the Land Use Ordinance. The draft ordinance was referred to Orange County and presented to the Planning Board and Transportation Advisory Board on the April 4th Joint Advisory Board review meeting; some members from the Appearance Commission and Economic Sustainability Commission also attended the joint review meeting. Comments are provided as *Attachment E*.

FISCAL IMPACT: The applicant has paid the fees associated with a request for a text amendment. Staff time is necessary for public notice and agenda preparation for advisory board review and public hearings.

RECOMMENDATION: Staff recommends that the Town Council receive public input and consider whether the proposed text amendment is consistent with Town plans and policies. A resolution for consistency (*Attachment A*) and a draft ordinance for the text amendments (*Attachment B*) are provided.