



## Legislation Details (With Text)

**File #:** 24-049 **Name:**  
**Type:** Agendas **Status:** Agenda Ready  
**File created:** 3/1/2024 **In control:** Town Council  
**On agenda:** 3/19/2024 **Final action:**  
**Title:** Request to Set Legislative Public Hearing for Text Amendments

**PURPOSE:** To request the Town Council consider setting a public hearing on text amendments to the Land Use Ordinance relating to Cafes and Residential Density in Certain Zoning Districts. A resolution setting a public hearing for April 23, 2024 has been provided.

**Indexes:****Code sections:**

**Attachments:** 1. A - Resolution for Text Amend-Residential Density & Restaurant Uses, 2. B - Draft LUO Amendment Relating to Cafe Uses and Density, 3. C - LUO Text Amendment Requests 15-146 & 15-182, 4. D - Racial Equity Pocket Questions

Date	Ver.	Action By	Action	Result
3/19/2024	1	Town Council		

Request to Set Legislative Public Hearing for Text Amendments

**PURPOSE:** To request the Town Council consider setting a public hearing on text amendments to the Land Use Ordinance relating to Cafes and Residential Density in Certain Zoning Districts. A resolution setting a public hearing for April 23, 2024 has been provided.

**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

**COUNCIL DIRECTION:**

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other

Setting a public hearing for a text amendment to the Land Use Ordinance is a required step in accordance with North Carolina state statutes and Town regulations. Responses to the racial equity pocket questions related to the legislative public hearing process necessary for the consideration of the text amendment have been prepared and are attached.

**INFORMATION:** The Town has received a text amendment request from Heather Washburn of Calico Studio, to modify the Land Use Ordinance to increase in the amount of residential density in the O Zoning District (Office, 7,500 square feet per dwelling unit) and to allow for the creation of a new type of restaurant land use selling coffee/tea products prepared on site and baked goods prepared off-site. The text amendment request is 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, 2028, the Town Council approved a conditional use permit (which became a special use permit-A with the adoption of Chapter 160D in 2021) 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 would be added to the Permissible Use Table to allow for a coffee-house type use which will allow for the brewing of beverages on site and the sale of prepared foods made off-site.

The Town Council must receive public comment before taking action on the draft ordinance. Orange County and Planning Board review is also needed, and the Town Council may wish to refer the item to advisory boards based on their expertise; staff has identified the Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, Economic Sustainability Commission and Affordable Housing Advisory Commission.

**FISCAL IMPACT:** There is no fiscal impact relating to setting a public hearing. Costs and staff time are associated with public hearing and advisory board review. The applicant has submitted the fee associated with the text amendment request.

**RECOMMENDATION:** Staff recommends that the Town Council consider the resolution (*Attachment A*) setting a public hearing for April 23, 2024, and referring the item to Orange County, the Planning Board, and other advisory boards based on their area of expertise.