



Legislation Details (With Text)

File #: 15-0273 **Version:** 1 **Name:**
Type: Agendas **Status:** Agenda Ready
File created: 6/16/2015 **In control:** Board of Aldermen
On agenda: 6/23/2015 **Final action:**
Title: Public Hearing on Land Use Ordinance Amendments to Modify the Presumptive Parking Requirement for Restaurants with Outdoor Seating

PURPOSE: The purpose of item is for the Board of Aldermen to consider amending the Land Use Ordinance to modify the presumptive parking requirements for restaurants with outdoor seating in the B-1(c), B-1(g) and B-2 zoning districts. A draft ordinance has been prepared. The Board must receive public comments before taking action on the draft ordinance.

Indexes:**Code sections:**

Attachments: 1. Attachment A-1 - Consistency Resolution for Ordinance Adoption_3mb, 2. Attachment A-2 - Consistency Resolution for Ordinance Denial, 3. Attachment B - Draft Outdoor Seating LUO Amendment - 6-10-15, 4. Attachment C - Recommendations, 5. Attachment D - Excerpts from 21 ART-XVIII

Date	Ver.	Action By	Action	Result
6/23/2015	1	Board of Aldermen		Pass

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DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325; Nick Herman - 919-929-3905; Marty Roupe - 919-918-7333

INFORMATION: Over the course of the last twenty-five years, interest in restaurants in the downtown area has steadily increased. (The June 22, 2004 Board of Agenda item, Land Use Ordinance Text Amendment: Restaurants in B-1(g), provides a nice overview of the topic and may be found at http://www01.townofcarrboro.org/BoA/Agendas/2004/06_22_2004.htm). A key change to the ordinance occurred in March of 1995, when the Board of Aldermen adopted a text amendment to establish the restaurant district overlay (EAT) which allowed on-premises dining (inside and outside) in the B-1(g) zoning district. Twenty years later, interest in outdoor dining has only become stronger and it is now readily considered an important element of a vibrant downtown. Section 15-321(c)(1) of the Land Use Ordinance indicates that staff may proceed with preparation of an

ordinance if it believes the change to have significant merit and would benefit the general public. The existing presumptive parking requirement for restaurants with outdoor seating is one parking space per four outdoor seats. The use of outdoor seating is, for the most part, seasonal and it coincides with the increased tendency to walk and bike during warmer months. The current LUO requirement does not take into account the non-vehicular opportunities within certain zoning districts to walk and bike to restaurants, access to public parking, as well as the potential to park, once, and walk to multiple venues. Staff noted an opportunity to further refine the presumptive standards for restaurants with outdoor seating in the downtown area. An ordinance has been prepared which, if adopted, would modify the parking standards from one space per four outdoor seats to one space per eight outdoor seats within the three downtown zoning districts: B-1(c), B-1(g) and B-2. The draft ordinance was referred to Orange County and presented to the Planning Board at its June 18, 2015 meeting. Comments are provided (Attachment C).

FISCAL & STAFF IMPACT: Public hearings involve staff and public notices costs associated with advisory board and Board of Aldermen review. Minimal staff impacts are anticipated in relations to incorporating the proposed amendment.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the resolution finding consistency (Attachment A-1) and the draft ordinance (Attachment B).