

Section 15-136 Commercial Districts Established. (AMENDED 2/4/86)

The districts described below are hereby created to accomplish the purposes and serve the objectives indicated:

- (10) **O/A OFFICE/ASSEMBLY.** This district is intended to provide for office, administrative, professional, research, and specialized manufacturing (such as light assembly and processing) activities in close proximity to an arterial street. This district is intended to provide employment near residential areas; therefore, the required development standards are intended to be compatible to adjacent residential uses and provide a park-like setting for employment. It is strongly encouraged that development in the Office/Assembly zoning district be designed so that employees may easily utilize alternative forms of transportation (such riding buses, cycling or walking) to commute to their place of employment. Any development within the Office/Assembly (O/A) district shall comply with the following requirements:
- a. No area less than five contiguous acres may be zoned as an Office/Assembly district;
 - b. The performance standards (Article XI, Part I) applicable to 4.000 classification uses in business zones shall govern uses in an Office/Assembly zone;
 - c. As shown in Section 15-308, Table of Screening Requirements, screening will be required between non-residential uses in the Office/Assembly district and adjacent residential properties;
 - d. Manufacturer's specifications for proposed outdoor lighting fixtures (including candlepower distribution) must be included in the submitted plans and maximum illumination areas must be delineated on the site plan. Light sources (light bulbs or tubes) shall be shielded to reflect down onto the ground and not out onto neighboring properties. (AMENDED 04/16/91)
 - e. New subsection added here.
- (11) **O/A CU OFFICE/ASSEMBLY CONDITIONAL USE.** This district is identical to the O/A district and shall be subject to all regulations applicable to the O/A district (including but not limited to the performance standards set forth in Part 1 of Article XI) except as follows:
- a. This district shall be a conditional use district authorized under N.C.G.S. 160A-382. As such, property may be placed within this district only in response to a petition by the owners of all the property to be included.
 - b. No area less than four contiguous acres and no more than a total of twenty-five (25) acres may be rezoned to the O/A CU.

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- c. As indicated in the Table of Permissible Uses, the only permissible use within an O/A CU district is an office/assembly planned development, and an office/assembly planned development is permissible only in an O/A CU district.

New subsection added here. Existing subsections renumbered accordingly.

1. The applicant for an office/assembly planned development conditional use permit shall specify which of the use classifications generally permissible with an O/A district the applicant wants to make permissible within the proposed O/A CU district.
 2. Once a conditional use permit authorizing an office/assembly planned development has been issued, then individual tenants or occupants of the spaces or properties covered by the permit may occupy or use such individual spaces or properties without need for additional zoning, special use, or conditional use permits, so long as such use or occupancy is consistent with the approved conditional use permit including limitations on permissible use classifications approved pursuant to subsection 1 above or other conditions or limitations imposed as conditions pursuant to Section 15-59.
 3. Uses within the O/A CU district shall be limited to those where loading and unloading occurs during daylight hours only.
- d. When an O/A CU rezoning petition is submitted (in accordance with Article XX of this chapter), the applicant shall simultaneously submit a conditional use permit application for an office/assembly planned development.
1. The rezoning and conditional use permit applications shall be processed and reviewed concurrently.
 2. The Board of Aldermen shall simultaneously conduct a public hearing on the rezoning and conditional use permit applications, in accordance with the procedures applicable to other conditional use permit applications.
 3. If the Board concludes in the exercise of its legislative discretion that the proposed rezoning would not be consistent with the public health, safety, or welfare, it may deny the application in accordance with the same procedures applicable to any ordinance amendment request.
 4. The Board may not approve the rezoning application unless it simultaneously approves a conditional use permit for an office/assembly planned development, which permit may be issued subject to reasonable conditions and requirements a set forth in Section 15-59.

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e. Buildings within the O/A CU district shall comply with the following standards:

1. Exterior walls shall be constructed of materials commonly used on the exterior walls of single-family residences (such as brick, stone, wood or fabricated residential lap siding made of hardboard or vinyl).
2. The pitch of the roof shall have a minimum vertical rise of one foot for every two feet of horizontal run.
3. Windows shall be of a scale and proportion typical of single-family residences.

(AMENDED 05/25/99)

TABLE OF PERMISSIBLE USES

Last Amended:

DESCRIPTION	R-2	R-3	R-7.5	R-SIR, SIR2, 10	R-15	R-20	RR	B-1 (C)	B-1 (G)	B-2	B-3	B-3-T	B-4	M-1	M-2	CT	C	W-R	B-5	WM-3	O	O/A	
1.000 Residential																							
1.100 Single Family Residences																							
1.110 Single Family Detached One Dwelling Unit Per Lot																							
1.111 Site Built/Modular	Z	Z	Z	Z	Z	Z	Z			Z	Z	Z	Z				Z		Z			Z	Z
1.112 Class A Mobile Home			Z	Z	Z	Z	Z											Z					
1.113 Class B Mobile Home																							
1.120 Single Family Detached More Than One Dwelling Unit Per Lot																							
1.121 Site Built/Modular	*	*	*	*	*	*	*			*	*	*	*				*					*	*
1.122 Class A Mobile Home			*	*	*	*	*																
1.123 Class B Mobile Home																							
1.200 Two-Family Residences																							
1.210 Two-Family Conversion	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.220 Primary Residence with Accessory Apartment	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.230 Duplex	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.231 Maximum 20% units > 3 bedrms/du	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.232 No bedroom limit	*	*						*	*	*	*	*	*				*					*	*
1.240 Two Family Apartment	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.241 Maximum 20% units > 3 bedrms/du	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.242 No bedroom limit	*	*															*					*	*
1.300 Multi-Family Residences																							
1.310 Multi-Family Conversion	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.320 Multi-Family Townhomes	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.321 Maximum 20% units > 3 bedrms/du	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.322 No bedroom limit	SC	SC																				SC	SC
1.330 Multi-Family Apartments	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.331 Maximum 20% units > 3 bedrms/du	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC				SC					SC	SC
1.332 No bedroom limit	SC	SC																					
1.340 Single-Room Occupancy	SC							SC	SC	SC	SC						SC						
1.400 Group Homes																							
1.410 Fraternities, Sororities, Dormitories and Similar Housing	C	C	C	C	C	C	C			C	C						C						
1.420 Homes for Handicapped, Aged or Infirm	Z	Z	Z	Z	Z	Z	Z			Z	Z						Z		C				
1.430 Boarding Houses, Rooming Houses	S	S	S	S	S	S	S			C	S						C		C				
1.500 Temporary Residences																							
1.510 Hotels and Motels	C							C	C				C				C		C				C
1.520 Tourist Homes and other Temporary Residences Renting Rooms for Relatively Short Periods of Time	S	S	S	S							S									C			
1.530 Bed and Breakfast	S	S	S	S	S	S	S																
1.600 Homes Emphasizing Services, Treatment or Supervision																							
1.610 Nursing Care Homes, Intermediate Care Homes	S	S	S	S	S	S	S			C	S						C		C				
1.620 Halfway Houses	S	S	S	S	S	S	S				S								C				
1.630 Child Care Homes	S	S	S	S	S	S	S				S								C				
1.640 Temporary Homes for the Homeless		S	S					S	S		S	S	S										
1.650 Overnight Shelters for Homeless										S	S	S	S										
1.660 Senior Citizen Residential Complex				C	C																		
1.700																							
1.800																							
1.900 Home Occupation	Z	Z	Z	Z	Z	Z	Z				S	S	S				S		Z			Z	Z
2.000 Sales and Rental of Goods, Merchandise and Equipment																							
2.100 No Storage or Display of Goods Outside Fully Enclosed Building																							
2.110 High-Volume Traffic Generation								ZC	ZC		ZC	ZC	ZC	ZC	ZC	ZC	C		C				

TABLE OF PERMISSIBLE USES

Last Amended:

DESCRIPTION	R-2	R-3	R-7.5	R-SIR	R-15	R-20	RR	B-1 (C)	B-1 (G)	B-2	B-3	B-4	B-5	M-1	M-2	CT	C	W	B-5	WM	O	O/A
2.111 ABC Stores								ZC	ZC		C	C	C			C						
2.112 Specialty High Volume Retail										ZC												
2.120 Low-Volume Traffic Generation								ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	C			C			
2.130 Wholesale Sales									ZC			ZC	ZC	ZC	ZC	C			C	C		ZC
2.140 Drive-In Windows											C	C	C	C								
2.150 Retail Sales with Subordinate Manufacturing and Processing								ZC														
2.200 Display of Goods Outside Fully Enclosed Building																						
2.210 High-Volume Traffic Generation								ZS	ZS					ZC	ZC	ZC			C			
2.220 Low-Volume Traffic Generation								ZS	ZS					ZC	ZC	ZC			C			
2.230 Wholesale Sales									C					ZC	ZC	ZC			C			
2.240 Drive-In Windows											C	C		C								
2.300 Storage of goods outside fully enclosed building																						
2.310 High-volume traffic generation														ZC								
2.320 Low-volume traffic														ZC								
2.330 Wholesale Sales														ZC								
2.340 Drive-in Windows																						
3.000 Office, Clerical, Research and Services Not Primarily Related to Goods or Merchandise																						
3.100 All operations conducted entirely Within Fully Enclosed Building																						
3.110 Operations designed to attract and serve customers or clients on the premises, such as the office of attorneys, physicians, other professions, insurance and stock brokers, travel agents, government office buildings, etc.								ZC	ZC	ZC				ZC	ZC	ZC	C		C		ZC	ZC
3.120 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use								ZC	ZC	ZC				ZC	ZC	ZC	C		C		Z	ZC
3.130 Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area								ZC	ZC	ZC				ZC	ZC		ZC		C		ZC	ZC
3.140 Watershed research																	C					
3.150 Copy Centers/Printing Operations								ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			ZC		ZC	
3.200 Operations conducted within or outside fully enclosed buildings																						
3.210 Operations designed to attract and serve customers or clients on the premises														ZC	ZC				C			ZC
3.220 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use														ZC	ZC	C			C			ZC
3.230 Banks with drive-in window											C	C	C		C							
3.240 Watershed research																	C					
3.250 Automatic Teller Machine, Freestanding								C	C		C		C			C					C	C

Section 15-176.2 Village Mixed Use Developments (AMENDED 05/25/99)

(a) In a village mixed use development, a maximum of ten percent of the total gross acreage of the tract, or five acres, whichever is less, may be used for purposes permissible in the B-3T or OA districts, subject to any conditions or limitations (including limitations on the types of permissible uses) contained in the remaining provisions of this section, the Master Plan, or the conditional use permit that authorizes the development in question.

- (1) Within the portion of the tract developed for commercial purposes, the regulations (other than use regulations, which are governed by the provisions immediately above) applicable to property zoned B-3T shall apply except as otherwise provided in this section or as otherwise allowed by the Board of Aldermen in the approval of the Master Plan or conditional use permit for the development.
- (2) The commercial portions of the village mixed use development shall be contained within a "storefront use area." This area shall be designed to provide a variety of retail shops and services to support the day-to-day needs of village residents and other local residents, complemented by other compatible business, civic and residential uses in commercial-type buildings in a manner consistent with a small downtown or central market place in the community.
- (3) Storefront use areas shall be located so they are easily accessible by pedestrians from as much of the residential areas as possible (preferably within 1,500 feet – a five-minute walk). Nonresidential uses that are intended or expected to serve an area beyond the development itself shall be located to the extent practicable to permit vehicular access from outside the development without passing through residential streets.
- (4) Storefront use areas shall be located at least 200 feet from an arterial street and at least one-half mile from the nearest edge of another commercial center.
- (5) Parking areas that serve commercial facilities shall be screened with a Type A screen from the view of public streets located outside the development.
- (6) If and to the extent that dwelling units are constructed above commercial uses in commercial areas, the additional vehicle accommodation area required to accommodate such residential uses shall not be treated as commercial area for purposes of the "cap" on commercial areas established by this section.
- (7) Commercial areas shall surround or be located adjacent to or across the street from a public park, green, or square, which area may be credited as part of the open space required of the development.

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- (8) Within the commercial areas authorized under this section, buildings shall be designed and constructed so that each individual enterprise occupies (whether as tenant or owner occupant) an area of not more than 6,000 square feet per floor.

(b) Portions of the tract not developed in accordance with the provisions of subsection (a) above may be developed in accordance with the provisions of this chapter applicable to property that is zoned R-10, except as those provisions are modified by the provisions of this section or the Master Plan or conditions imposed by the Board of Aldermen in the issuance of the conditional use permit.

- (1) The number of dwelling units permissible within the entire tract shall be determined in accordance with the provisions of Section 15-182.3 (as adjusted by density bonuses awarded for providing affordable housing under Section 15-182.4), subject to the following:

- a. Areas used for commercial purposes shall *not* be subtracted from the adjusted tract acreage before determining permissible density;
- b. All dwelling units constructed above commercial uses in commercial areas (e.g. a second story apartment located above a first floor retail store or office) shall be permissible *in addition* to the number of dwelling units otherwise authorized under this section.

c. New subsection proposed here.

- (2) The residential portions of the development shall contain a mixture of housing types that are generally reflective of the housing types in Carrboro and ownership/rental options so that the development provides housing opportunities for persons within as broad a range of income levels as is feasible. Different housing types and price ranges shall be intermixed rather than segregated.

- a. The development shall contain an area known as a "townhouse use area." This area shall be designed to provide for a variety of housing opportunities, including residential buildings such as townhouses and/or apartments in close proximity to the storefront area, and to provide for the flexible use of such buildings to accommodate compatible business and civic uses which supplement the storefront area. The townhouse use area shall be a designated geographic unit generally located along neighborhood streets and adjacent to the storefront area. In approving a conditional use permit for a Village Mixed Use Development, the Board may approve the following uses not generally authorized in an area zoned R-10, subject to such restrictions and conditions relating to locations, use classifications, and other matters as the Board may provide:

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1. Personal or business services
2. Office
3. Private club
4. Restaurant
5. Artist studio
6. A maximum of 4 guestrooms for lodging
7. Medical clinic or facility
8. Retail sales, if in conjunction and on the same lot as a home occupation

- b. The development shall also contain a "single-family detached residential use area" designed to provide for single-family detached homes in a residential neighborhood environment. In approving a conditional use permit for a Village Mixed Use Development, the Board may approve the following uses not generally authorized in a single family detached residential area zoned R-10, subject to such restrictions and conditions relating to locations, use classifications, and other matters as the Board may provide:

1. Office, as an accessory use, or for not more than 2 full-time employee equivalents.

(c) In addition to other applicable use regulations as provided above, lots within the following areas may not be used for the purposes indicated below:

(1) Storefront use areas:

- a. drive-in or through windows
- b. uses requiring loading or unloading during non-daylight hours.

(d) In approving a conditional use permit for a village mixed use development, the Board of Aldermen shall ensure, by approval of a condition, phasing schedule, or otherwise, that the nonresidential portions of the development are occupied only in accordance with a schedule that relates occupancy of such nonresidential portions of the development to the completion of a specified percentage or specified number of phases or sections of the residential portions of the development. The purpose and intent of this provision is to ensure that the approval process for a village mixed use development is not used, intentionally or unintentionally, to create nonresidential uses in areas generally zoned for residential uses except as part of an integrated and well-planned primarily residential development.

(e) The open space provided within a village mixed use development pursuant to Section 15-198 shall include areas known as "village conservancy use areas " and "greens, parks, and squares."

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- (1) Conservancy use areas are areas designed to create a visual and physical distinction between the development, the surrounding countryside, and any neighboring developments.
- (2) Greens, parks and squares are spatially defined and distributed open spaces within the village mixed use development designed to serve a variety of outdoor leisure and assembly needs of village residents and to enhance the form and appearance of the development.
- (3) There shall be a main village green, which shall be centrally located in close proximity to the storefront area as described in subsection (a)(2). Other, smaller greens shall be dispersed throughout the remainder of the village center in such a way that no lot is more than a walking distance of 1,320 feet from a green, square or park. The main village green shall be designed to a pedestrian scale and shall be no less than 30,000 square feet in size, while the other, smaller greens, squares and parks shall be no less than 10,000 square feet in size.
- (4) Open space areas set aside in accordance with this section may be used to satisfy the forty percent requirement of subsection 15-198(c). If the areas the developer is required to set aside as open space under Section 15-198 together with the areas required to be set aside under this subsection exceed forty percent of the mixed use development, then the Board of Aldermen shall allow the developer to set aside less than the one or more of the categories of open space otherwise required under Section 15-198 or this subsection so that the developer is not required to preserve as open space more than forty percent of the development tract.

(f) Village Mixed Use Developments shall meet the following objectives with regard to land use arrangement and design criteria:

- (1) Overall Form.
 - a. Open space should be designed to follow the natural features whenever possible and to provide for an agricultural, forest and undeveloped character of the land.
 - b. The core of the village shall be distinguished from the peripheral, contiguous open space by a well-defined "hard edge" of dwellings in contrast with the open, largely agricultural, forest and undeveloped character of the open space.
 - c. The village should be sited so as to best preserve natural vistas and the existing topography.

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- d. The village should be designed in a generally rectilinear pattern of blocks and interconnecting streets and alleys, defined by buildings, street furniture, landscaping, pedestrian ways and sidewalks.

(2) Spatial Relationships of Various Use Areas and Open Space.

- a. The common, peripheral open space shall surround the village unless explicitly modified upon a finding that unique topographical or other natural features or preexisting boundary conditions require an alternative arrangement.
- b. Village storefront use and townhouse use areas shall be surrounded by the residential use area or, where applicable, by a combination of residential and civic use areas.
- c. Higher density residential lots should be generally located between the designated commercial area and lower density residential lots.
- d. The transition between uses shall be blended to avoid a distinct visual segregation.

(3) Block Design

- a. Blocks of a generally rectangular shape should be the main organizing feature of the village. While topography, existing vegetation, hydrology and design intentions should influence block shape and size, the maximum length for a block is to be four hundred and eighty (480) feet with an allowance for blocks up to six hundred (600) feet when mid-block pedestrian paths or ways are provided. No less than one eight-foot pedestrian alley or way must be provided for every two-hundred (200) feet of road frontage in the storefront use area.
- b. The blocks of the village may be subdivided into lots, having frontage on a street, whose generally rectangular shape should respond to environmental factors, the proposed use and design intentions.
- c. Village lots should minimize front and side yards, garage aprons and entrances and blank walls, and should generally have as narrow a width as is practical to encourage pedestrian movement.
- d. Each block which includes storefront and narrow frontage townhouse lots shall be designed to include an alley or small clusters of parking, with service access in the rear. Blocks of wide frontage

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townhouse lots need not be designed to include an alley and rear parking.

- e. Similar land use types shall generally front one another while dissimilar land use types shall generally abut along alleys or rear parking.
- f. Lot layout, path and sidewalk design shall ensure pedestrian access to each lot.

g. The build-up line specifies a cornice height that establishes the prominent visual dimension of a building and defines its proportion in relation to the street. It should vary, with no more than sixty (60) consecutive feet of the build-up line having a similar cornice or roofline, and be between one and two and one-half stories in height. A two-story build-up line can range from 20 to 25 feet above average ground level.

(4) Storefront and Townhouse use Area Design Components

- a. New multi-family and commercial buildings in storefront and townhouse use areas shall be subject to a maximum front setback (the "build-to" line) in order to maintain a strong sense of streetscape. Such buildings shall generally be of two-story construction (to the so-called "build-up" line) and shall be designed in accordance with the design standards of this chapter and any other applicable standards. To create a defined edge to the village's public space, new multi-family or commercial buildings should conform to a consistent setback from the street. Porches for multi-family or townhouse construction can extend beyond the build-to line. In addition, building faces, as well as a majority of the roof ridgelines should be parallel to the street.
- b. Maximum height regulations are 35 feet and two and a half stories.
- c. Minimum street frontage is 25 feet.
- d. Setback regulations are as follows: Front = no minimum required; maximum is 15 feet; Rear = 20 feet minimum; Side = Zero minimum lot lines are allowed, except at block ends or adjacent to alleys or pedestrian walks as required under block design requirements.

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- e. Parking within this area shall be subject to the other parking requirements of this chapter as well as the following:
 - 1. Non-residential off-street parking shall generally be to the side or the rear, or located within internal parking areas not visible from the street.
 - 2. The permit-issuing authority may allow on-street parking spaces along the front property line (except where there are driveway cuts) to be counted toward the minimum number of parking spaces required for the use on that lot.
 - 3. On-street parking space shall be designed as either parallel to the curb on both sides of the street, or diagonal to the street on the storefront side with landscaped breaks serving the pedestrian alleyways.
 - 4. Off-street parking may be located within 100 feet (measured along a publicly accessible route) from the lot containing the use to which the parking is accessory, if the lot containing the parking is owned or leased to the owner of the principal use, or if the lot containing the parking is dedicated to parking for as long as the use to which it is accessory shall continue, and it is owned by an entity capable of assuring its maintenance as accessory parking.
 - 5. New subsection proposed here.
- f. All public sidewalks and walkways shall:
 - 1. Be constructed of brick or concrete with brick borders in such a way that they do not impede accessibility.
 - 2. Be no less than six feet in width; and
 - 3. Create a completely interconnected network of pedestrian walkways throughout the storefront use and townhouse use areas.
- g. All storefront and townhouse use areas shall contain the following:
 - 1. At least one trash can of approved design in each block;
 - 2. Public benches of approved design at bus stops, green spaces, and at intervals of no greater than 50 feet on each block; and

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3. At least one bike rack on each block.
- h. All new construction shall be of similar scale and massing to small-scale, historic buildings in downtown Carrboro.
- i. All roofs shall be topped with low-pitched roofs with articulated parapets and cornices, or pitched roofs where fascias are emphasized and any roof dormers are functional.
- j. Storefront buildings shall:
 1. Include show windows on the ground level. Storefront windows are to be large and traditional in appearance and are to include low sills and high lintels.
 2. Articulate the line between the ground and upper levels with a cornice, canopy, balcony, arcade, or other visual device.
 3. Include lighting in show windows, which is in conformance with other lighting regulations, herein;
 4. Project lighting on the sidewalk from about eight feet in conformance with other lighting regulations herein;
 5. Present the principal entrance to the sidewalk. Alternatively, if the principle entrance faces onto an interior courtyard, the entrance to the courtyard must be presented to the sidewalk.
- k. The façade of storefront buildings may be separated from the sidewalk surface by a landscaped strip of no greater than three feet, except as necessary to accommodate open-air, food service establishments.
- l. The construction of open colonnades over a sidewalk adjoining storefront buildings may be permitted subject to an appropriate easement over the public right-of-way.
- m. Materials in the exterior of buildings surrounding the greens shall be limited to a diversity of brick textures and colors, with wood being subject to the review of the Appearance Commission and the approval of the permit-issuing authority. Awnings are encouraged. Commercial grade windows and doors shall be used, with wood encouraged and other materials being subject to the review of the Appearance Commission and the approval of the permit-issuing authority.

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- n. All signage shall:
 - 1. Be affixed to building façade, canopy, or arcade;
 - 2. Be located within the first story limit;
 - 3. Be visible to both pedestrians and drivers;
 - 4. Contain visual street numbers for each building; and
 - 5. Utilize lighting conforming to applicable regulations.
 - o. Storefront buildings shall have at least 60 percent of their front facade parallel to the street.
 - p. The principal entrance shall be from the front sidewalk.
 - q. Storefront buildings fronting on the same street and located on the same block shall be attached, except as necessary to accommodate pedestrian ways.
 - r. The street treescape shall require:
 - 1. The planting of species which branch above 8 feet to facilitate viewing of storefronts and signage.
 - 2. The planting of trees every 30 feet to 50 feet depending on size so as to create a regular pattern of street trees through the area.
- (5) Residential uses within the single family detached residential use area shall conform to the following requirements:
- a. Lots shall generally be located along local streets and around the perimeter of the combined storefront and townhouse areas and between those areas and the village conservancy district.
 - b. The minimum lot width at the building line shall be 40 feet;
 - c. Variations in the principal building position and orientation shall be encouraged, but the following minimum standards shall be observed: Front yard: 15 feet minimum (but 8 feet to front porches or steps) and 25 feet maximum; Rear yard: 30 feet minimum for principal

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buildings and 5 feet for accessory buildings; Side yard: 20-foot separation for principal buildings, with no side yard less than 5 feet.

- d. The maximum impervious coverage shall be 50 percent on each lot.
- e. The maximum height of buildings shall be 35 feet.
- f. Residential structures shall be designed to reflect Carrboro's vernacular building tradition in accordance with the design standards described in Section 15-141.2 of this chapter.
- g. Accessory dwelling units shall be architecturally integrated as follows:
 - 1. Accessory dwellings or outbuildings shall be designed to harmonize with the Carrboro vernacular architecture described above.
 - 2. There shall be a maximum of one accessory dwelling unit (ADU) per lot of less than ten (10) acres.
 - 3. The gross floor area in the ADU shall not exceed 900 square feet.
 - 4. Exterior fire-exit stairs are prohibited on any side of ADUs except at their rear.
 - 5. All off-street parking for ADUs shall be located to the side or rear and shall be visually screened from adjoining properties and from all streets.

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(6) Roads and Streets.

- a. Street patterns within the village mixed use shall be a rectilinear network of streets, interconnected with clear, direct, understandable patterns, with variations as needed for topographic and environment and other valid design consideration.
- b. Streets shall be designed generally to:
 - 1. Parallel and preserve existing fence lines, tree lines, hedgerows and stone walls.
 - 2. Minimize alteration of natural site features.
 - 3. Secure the view to prominent natural vistas.
 - 4. Minimize the area devoted to vehicle travel.
 - 5. Promote pedestrian movement so that it is generally more convenient to walk short distances than to drive.
 - 6. Be aligned so that the "terminal vista" is of open space features, either man-made (greens, commons), natural (meadows, large trees in distance), or a community structure of significance.
- c. With the exception of loop roads, all neighborhood and local streets shall terminate at other streets within the village proper and shall provide connections to existing or proposed through streets or collectors outside the village proper where practical. Loop roads, as defined in this chapter, are specifically allowed.
- d. Sidewalks shall be provided as required in Article XIV of this chapter.
- e. Sidewalk widths shall be at least six feet in retail/commercial areas, and at least five feet in residential, as well as townhouse, areas.
- f. A plan for sidewalks and footpaths shall be designed to connect all houses with any of the village's greens and parks.

Art. XI SUPPLEMENTARY USE REGULATIONS

(7) Parking.

- a. Off-street parking lots and areas shall generally be located at the rear of buildings.
- b. No off-street parking shall be permitted in the front yards of buildings located in the storefront or townhouse use areas, nor shall off street parking be the principal use of corner lots in these areas.
- c. Any off street parking space or parking lot in a storefront, townhouse, or civic area which abuts a street right-of-way shall be buffered from the right-of-way by a landscaped area no less than 4 feet wide in which is located a continuous row of shrubs no less than 3 1/2 feet high, or by a wall no less than 4 feet and no more than 6 feet high.
- d. Off street parking in the storefront and narrow frontage townhouse areas shall generally be accessible from an alley only.
- e. New subsection proposed here.

(8) Landscaping

- a. The applicant shall submit a comprehensive landscape master plan for all areas of the village, and village conservancy areas, identifying the location and size of both existing vegetation to be retained and proposed new vegetation, typical planting materials, the phasing of landscape installation and planting methods.
- b. Shade trees shall be provided along each side of all streets, public or private, existing or proposed. Shade trees shall also be massed at critical points, such as at focal points along a curve in the roadway. In locations where healthy and mature shade trees currently exist, the requirements or new trees may be waived or modified.
- c. Parking lots larger than 19 spaces and/or 6,000 square feet in size shall have internal landscaping as well as buffering landscaping on the edge of the lot.
- d. Trees and other plants should be chosen with reference to the list set forth in Appendix E.
- e. Trees and other public landscaping shall be protected by means of suitable barriers.

Art. XI SUPPLEMENTARY USE REGULATIONS

- f. The method and means for providing quality street trees and other community landscaping such as in village greens, parks, and squares shall be addressed.
- g. The developer shall be required to post a suitable performance bond to ensure that any tree that dies within eighteen (18) months of planting shall be replaced with the same species and size, and that any tree shall be well maintained, i.e., irrigated and fertilized, for a total of thirty-six (36) months from time of planting. If trees are removed, they shall be replaced with trees of similar size and function.

Section 15-176.3 Reserved for Transfer of Development Rights (AMENDED 05/25/99)

Section 15-177 Architectural Standards for Major Subdivisions (AMENDED 05/25/99)

(a) The following standards are recommended for all subdivisions of 5 or more units and shall pertain to 90% of the dwelling units in the subdivision.

- (1) Porches shall span 80 percent of the front façade.
- (2) Roofs shall be as follows:
 - a. Main roof pitch – 10/12 to 12/12
 - b. Lower roof pitches – 3/12 to 4/12
 - c. Roofs shall have a minimum overhang of sixteen (16) inches on all eaves and gables.
- (3) Clapboard or shingle siding shall have a four and a half to five and a half-inch exposure.
- (4) Windows shall have a vertical to horizontal proportion of not less than two to one.
- (5) Trim details – Columns, vents, gables, and other details should reflect details in the recommended “Village Mixed Use and Affordable Housing Vernacular Architectural Standards.” (Section 15-141.2).
- (6) Any chimney must be located within the body of the house.
- (7) Garage doors shall be nine (9) feet wide or under. Door shall not face the street.

Section 15-178 through 15-180 Reserved.

Section 15-220 Public Streets and Private Roads in Subdivisions.

(a) Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street at least to the extent necessary to comply with the access requirement set forth in Section 15-211. For purposes of this subsection, the term "public street" includes a pre-existing public street as well as a street created by the subdivider that meets the public street standards of this chapter and is dedicated for public use. Unless the recorded plat of a subdivision clearly shows a street to be private, the recording of such a plat shall constitute an offer of dedication of such street. **(AMENDED 2/14/84)**

(b) Architecturally integrated residential subdivisions containing either twenty-five or more units, or fifteen or more units and having a ratio of less than 25 feet of linear roadway per dwelling unit, may be developed with private roads that do not meet the public street and sidewalk standards of this chapter as long as: **(AMENDED 11/26/85)**

- (1) The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
- (2) No road intended to be private is planned to be extended to serve property outside that development; and
- (3) The standards applicable to unsubdivided developments set forth in Section 15-221 and 15-222 are complied with.

(c) Subdivisions containing any number of lots may be developed with private roads that do meet the public street and sidewalk standards of this chapter but that are not intended for dedication to the public so long as:

- (1) The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
- (2) No road intended to be private is planned or expected to be extended to serve property outside the development; and
- (3) The subdivider demonstrates to the reasonable satisfaction of the Board that the private roads will be properly maintained.

(d) A subdivision in which the access requirement of Section 15-211 is satisfied by a private road that meets neither the public street standards nor the standards set forth in Section 15-221 may be developed so long as, since the effective date of this chapter, not more than three lots have been created out of that same tract.

Art. XIV STREET AND SIDEWALKS (con't)

- (1) The intent of this subsection is primarily to allow the creation of not more than three lots developed for single-family residential purposes. Therefore, the permit-issuing authority may not approve any subdivision served by a private road authorized under this subsection in which one or more of the lots thereby created is intended for (i) two-family or multi-family residential user or (ii) any non- residential use that would tend to generate more traffic than that customarily generated by three single-family residences.
- (2) To ensure that the intent of this subsection is not subverted, the permit-issuing authority may, among other possible options, require that the approved plans show the types and locations of buildings on each lot or that the lots in a residential subdivision served by a private road authorized under this subsection be smaller than the permissible size lots on which two-family or multi- family developments could be located or that restrictive covenants limiting the use of the subdivided property in accordance with this subsection be recorded before final plat approval.

(e) No final plat that shows lots served by private roads may be recorded unless the final plat contains the following notations:

- (1) "Further subdivision of any lot shown on this plat as served by a private road may be prohibited by the Carrboro Land Use Ordinance."
- (2) "The policy of the Town of Carrboro is that, if the town improves streets (i) that were never constructed to the standards required in the Carrboro Land Use Ordinance for dedicated streets, and (ii) on which 75% of the dwelling units were constructed after July 1, 1979, 100% of the costs of such improvements shall be assessed to abutting landowners."

(f) The recorded plat of any subdivision that includes a private road shall clearly state that such road is a private road. Further, the initial purchaser of a newly created lot served by a private road shall be furnished by the seller with a disclosure statement outlining the maintenance responsibilities for the road, in accordance with the requirements set forth in G.S. 136-102.6. The intention of this subsection is to afford the same protection to purchasers of lots on private roads within the town as is provided to purchasers of lots outside the town by G.S. 136-102.6.

- (g) For purposes of this section, a private road meets the public street and sidewalk standards of this chapter if it is designed and constructed and sufficient setbacks are provided so that, if intended for dedication, it could be accepted as a public street in conformity with the requirements of this chapter. **(AMENDED 11/26/85)**

Section 15-220.1 New Section proposed here.

Section 15-291 Number of Parking Spaces Required.

(a) All developments shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question. In addition, all 9.200 and 9.400 classification uses shall provide sufficient vehicle storage area to accommodate the number of vehicles likely to be on the premises awaiting work or pending removal of their owners. **(AMENDED 2/4/86)**

(b) The presumptions established by this article are that: (i) a development must comply with the parking standards set forth in subsection (g) to satisfy the requirement stated in subsection (a), and (ii) any development that does meet these standards is in compliance. However, the Table of Parking Standards is only intended to establish a presumption and should be flexibly administered, as provided in Section 15-292.

(c) Uses in the Table of Parking Requirements [subsection (g)], are indicated by a numerical reference keyed to the Table of Permissible Uses, Section 15-146. When determination of the number of parking spaces required by this table results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.

(d) With respect to any parking lot that is required to be paved (see Section 15-296): **(AMENDED 9/13/83)**

- (1) The number of parking spaces required by this article may be reduced by a total of one space if the developer provides a bikerack or similar device that offers a secure parking area for at least five bicycles.
- (2) In non-residential districts, the number of parking spaces required by this article may be reduced by one space for each motorcycle pad provided, up to a total of five percent of the required number of spaces.

(e) Whenever a building is constructed with the intention that it be used in whole or in part for use classification 2.120, 2.220, 2.320, 3.120, or 3.220, the building shall be constructed on the lot in such a manner that sufficient usable space remains on the lot to add the additional parking spaces that would be required to convert the use of the building entirely to use classification 2.110, 2.210, 2.310, 3.110, or 3.210. In addition, whenever a developer proposes to construct a building to be used for purposes that require a lesser number of parking spaces than other uses to which the building might well be put at some future date, the administrator shall send to the developer a certified letter explaining that sufficient space should be left on the lot to add parking spaces at a later time if required. **(AMENDED 2/4/86)**

(f) The Board recognizes that the Table of Parking Requirements set forth in subsection (g) cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically covered, the permit-issuing authority is authorized to determine the parking requirements using this table as a guide. In addition, the Board of Aldermen may authorize a reduction of up to 25 percent in the parking requirement when approving a Village Mixed Use Master Plan or Conditional Use Permit or an Office/Assembly development Conditional Use Permit. Land necessary to meet the full, presumptive, parking requirement must be identified during the plan approval process and must be reserved should the need for additional parking arise in the future. **(AMENDED 05/25/99)**

Art. XVIII PARKING

(g) Table of Parking Requirements

USE	PARKING REQUIREMENT
1.100	2 spaces per dwelling unit plus one space per room rented out in each dwelling unit (see Accessory Uses, Section 15-150). These required spaces shall be in addition to any space provided within an enclosed or partially enclosed garage. (AMENDED 2/24/84; 08/27/96)
1.200	2 spaces for each dwelling unit, except that one bedroom units require only one space.
1.300	With respect to multi-family units located in buildings where each dwelling unit has an entrance and living space on the ground floor, the requirement shall be 1½ spaces for each one bedroom unit and 2 spaces for each unit with two or more bedrooms. Multi-family units limited to persons of low- or moderate-income or the elderly require only 1 space per unit. All other multi-family units require 1 space for each bedroom in each unit plus 1 additional space for every four units in the development. (AMENDED 5/10/83)
1.340	1 space per every four dwelling units. (AMENDED 01/11/00)
1.410	1 space for each bedroom.
1.420	
1.430	1 space for each room to be rented.
1.510	1 space per room plus additional space for restaurant or other facilities.
1.520	
1.530	2 spaces per main dwelling unit plus 1 space per room. (AMENDED 06/22/99)
1.61	3 spaces for every five beds except for uses exclusively servicing children under 16,
1.62	in which case 1 space for every 3 beds shall be required.
1.63	
1.900	4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others.
2.110	1 space per 200 square feet of gross floor area.
2.120	1 space per 400 square feet of gross floor area.
2.130	
2.140	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window. (AMENDED 2/4/86)
2.150	1 space per 200 square feet in the portion of the building to be used for retail sales plus 1 space for every two employees on the maximum shift. (AMENDED 04/15/97)
2.210	1 space per 200 square feet of gross floor area. (AMENDED 2/4/86)
2.220	1 space per 400 square feet of gross floor area.
2.230	

Art. XVIII PARKING

USE	PARKING REQUIREMENT
2.240	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window.
2.310	1 space per 200 square feet of gross floor area.
2.320	1 space per 400 square feet of gross floor area.
2.330	1 space per 400 square feet of gross floor area.
3.110	1 space per 200 square feet of gross floor area.
3.120	1 space per 400 square feet of gross floor area.
3.130	1 space per 150 square feet of gross floor area.
3.150	1 space per 200 square feet of ground floor area. (AMENDED 06/20/95)
3.210	1 space per 200 square feet of gross floor area.
3.220	1 space per 400 square feet of gross floor area.
3.230	1 space per 200 square feet of area within main building plus reservoir lane capacity equal to five spaces per window (10 spaces if window serves two stations).
3.250	3 spaces arranged in close proximity to this use. (AMENDED 09/01/92)
4.100 4.200	1 space for every two employees on the maximum shift except that in the B-1-G, B-2, B-3, and B-4 zones, such uses may provide 1 space per 200 square feet of gross floor area.
5.110	1.75 spaces per classroom in elementary schools 5.0 spaces per classroom in high schools.
5.120	1 space per 100 square feet of gross floor area.
5.130	1 space per 150 square feet of gross floor area.
5.200	1 space per every four seats in the portion of the church building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses, plus 1 space for every 200 square feet of gross floor area designed to be used neither for services nor residential purposes.
5.310 5.320	1 space per 300 square feet of gross floor area.
5.400	1 space per 300 square feet of gross floor area.
6.110	1 space for every 3 persons that the facilities are designed to accommodate when fully utilized (if they can be measured in such a fashion -- example tennis courts or bowling alleys) plus 1 space per 200 square feet of gross floor area used in a manner not susceptible to such calculation.
6.120 6.130	1 space for every four seats.
6.140	1 space for every 200 square feet of gross floor area within enclosed buildings

Art. XVIII PARKING

USE	PARKING REQUIREMENT
	(AMENDED 2/2/88)
6.210 6.220	1 space per 200 square feet of area within enclosed buildings, plus 1 space for every 3 persons that the outdoor facilities are designed to accommodate when used to the maximum capacity.
6.230	Miniature golf course -- 1 space per 300 square feet of golf course area plus 1 space per 200 square feet of building gross floor area; Driving range -- 1 space per tee plus 1 space per 200 square feet in building gross floor area; Par Three Course -- 2 spaces per golf hole plus 1 space per 200 square feet of building gross floor area.
6.240	1 space per horse that could be kept at the stable when occupied to maximum capacity.
6.250	1 space for every three seats.
6.260	1 space per speaker outlet.
7.100	2 spaces per bed.
7.200	3 spaces for every 5 beds
7.300 7.400	1 space for every two employees on maximum shift.
8.100	1 space per 100 square feet of gross floor area. (AMENDED 2/24/87)
8.200	1 space for every four outside seats. (AMENDED 2/24/87)
8.300	1 space for each drive-in service spot. (AMENDED 2/24/87)
8.400	Reservoir lane capacity equal to five spaces per drive-in window. (AMENDED 2/24/87)
8.500	Spaces to be determined according to projected level of carry-out service. (AMENDED 2/24/87)
8.600	1 space per 200 square feet of floor area plus one space per employee engaged in delivery service. (AMENDED 2/24/87)
9.100	1 space per 200 square feet of gross floor area.
9.200	2 regular spaces per bay plus a 1,540 square foot vehicle storage area per bay. (AMENDED 2/4/86)
9.300	1 space per 200 square feet of gross floor area of building devoted primarily to gas sales operation; plus sufficient parking area to accommodate 2 vehicles per pump without interfering with other parking spaces.
9.400	2 regular spaces per bay and office plus an 810 square foot vehicle storage area per bay. (AMENDED 2/4/86, 10/20/92)
9.500	Conveyer type--1 space for every three employees on the maximum shift plus reservoir capacity equal to five times the capacity of the washing operation. Self-service type--2 spaces for drying and cleaning purposes per stall plus two reservoir spaces in front of each stall.

Art. XVIII PARKING

USE	PARKING REQUIREMENT
10.210 10.220	1 space for every two employees on the maximum shift but not less than 1 space per 5,000 square feet of area devoted to storage (whether inside or outside).
11.000	1 space per 200 square feet of gross floor area.
12.100 12.200	1 space per 200 square feet of gross floor area.
13.100 13.200 13.300 13.400	1 space per 200 square feet of gross floor area.
14.100 14.200 14.300 14.400	1 space for every 2 employees on maximum shift.
15.100 15.200	1 space per 200 square feet of gross floor area.
15.300	1 space for every 2 employees on maximum shift.
15.400	1 space per 100 square feet of gross floor area.
15.500	1 space per 400 square feet of gross floor area of the collection facility plus 1 space per employee or attendant. (AMENDED 6/28/83)
16.100	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window.
16.200	1 space per 200 square feet of gross floor area.
19.000	1 space per 1,000 square feet of lot area used for storage, display, or sales. (AMENDED 5/12/81)
20.000 21.000	1 space per 200 square feet of gross floor area.
22.000	1 space for every employee plus 1 space per 250 square feet of floor area used for day care in addition to spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses.
23.000 24.000 25.100 25.200	1 space per 200 square feet of gross floor area.
	New parking requirements proposed here.

(AMENDED 02/04/97; 01/11/00)

Status of Requested Amendments – Development in Village Mixed-Use and O/A Districts
May 2, 2002

Requested Amendment	Response to Request	Draft LUO #	Staff Comment (Recommendation)
1 Section 15-176.2: Change to (a) so that it is specified that the approved Master Plan may include more or less strict standards/provisions for the VMU design sections for B-3-T and O/A uses. Change to (b) as in (a) above, pertaining to R-10 uses.	Ordinance language drafted that allows Board's decision on Master Plan to include more or less restrictive regulations/development standards than those otherwise specified for VMU developments.	2, 3, 4	Amendments would allow the Board of Aldermen to approve projects whose development standards did not specifically meet all the provisions spelled out in the Land Use Ordinance. (<i>Adopt revised text</i>)
2 Section 15-15 (92): Addition of a second example of Residence, Primary with Accessory Apartment – a detached ADU that may be located over a garage and include up to 900 square feet of heated space.	Ordinance language drafted that creates new accessory dwelling (ADD) definition, with a limit of 750 square feet. Additional provision included to make it clear that density for ADD units outside of VMUs is calculated in the same manner as that used for primary residences with accessory apartments.	5, 6	Amendments reduce the size of accessory units in VMU developments. The amendments would also allow accessory detached dwellings on lots throughout town where accessory apartments are currently allowed. (<i>Adopt</i>)
3 Section 15-176.2: Change to specify that ADUs do not count towards the density allocation for a property.	Ordinance language drafted that provides Board of Aldermen with two alternatives. First alternative allows accessory units in addition to total number of permissible dwelling units. Second alternative allows units to be counted as a half dwelling unit.	7	Accessory dwellings are permitted in the residential use areas of a VMU. A village development plan currently under review proposes a development density of approximately four units per acre. If all single-family lots included an accessory dwelling, the density would increase to approximately 5 units per acre if counted as a half unit, approximately 6 units per acre if counted as a whole unit. (<i>Adopt 2nd alternative</i>)
4 Section 15-176.2: Change to block design requirements in (f) so that buildings up to 3.5 stories are permitted and that the build-up line for these buildings can range from 30-35 feet above average ground level.	Ordinance language drafted to increase the building height (in stories) from 2.5 to 3.5 and to add a three-story build-up line of between 30 and 35 feet.	8	(<i>Adopt</i>)
5 Section 15-176.2: Changes storefront and townhouse use area design components so that the maximum vertical design is 3.5 stories and 49 feet.	Ordinance language drafted to increase building height in feet and stories in the storefront and townhouse use areas from 2.5 stories and 35 feet to requested maximums.	9	Land Use Ordinance provisions for downtown districts, which may be seen as comparable to the downtown B-1 (c) and B-1(G) districts where up to 49 feet and three stories, are permitted. Buildings may include an attic story, as well (<i>Adopt</i>)
6 Change to storefront and townhouse use	Ordinance language drafted per this		A sidewalk with brick borders is the standard that

Requested Amendment	Response to Request	Draft LUO #	Staff Comment (<i>Recommendation</i>)
design area components so that sidewalks and walkways may be brick or concrete. Brick borders would no longer be required.	request.	10	has been used in the downtown. The change would continue to require either concrete or brick sidewalks. Brick borders would not be prohibited, but would not be required. (<i>Adopt</i>)
7 Section 15-176.2: Change to (f) so that the spacing requirement for public benches is 200 feet rather than 50 feet.	" "	11	The current spacing of public benches along E. Weaver Street in downtown Carboro is approximately 400 feet. Change would allow greater flexibility in determining the spacing. (<i>Adopt revised text</i>)
8 Section 15-176.2: Change to (f) so that the exterior materials requirements as specified apply to at least one half of all the buildings surrounding the greens.	" "	12	Particular features of property and project design warrant consideration of flexibility from the current provisions. (<i>Adopt</i>)
9 Section 15-176.2: Change to (f) that allows deviation from the prescribed minimum lot widths, yard requirements, and separation requirements so long as the Board of Aldermen has also approved the project as an AIS.	" "	13	Particular features of property and project design warrant consideration of flexibility from the current provisions. (<i>Adopt</i>)
10 Section 15-176.2: Change to (f) to increase the maximum impervious coverage to 65 percent on each lot.	Ordinance provision has been drafted that allows an allocation of the total impervious surface to residential use area lots during permit review and final plat preparation.	14	Impervious surface allocations do provide an additional means of managing stormwater quantity and quality by limiting developed area so that stormwater infiltration/groundwater recharge may occur. (<i>Leave impervious surface limitation at 50 percent. Adopt explanatory text allowing additional impervious surface area so long as there is no increase in the volume of stormwater discharge and allowing the sharing/transfer of impervious surface</i>)
11 Section 15-176.2: Change to (f) to specify that the 150 percent requirements for accessory dwelling units do not apply.	Ordinance language drafted per this request.	--	No change needed as this is covered in Sections 5, 6 and 7 of draft LUO amendment.
12 Section 15-176.2: Change to (f) so that fire-exit stairs may be located on a side other than the rear of a garage/ADU (since garages will face the alley). Change to specify that off-street parking for	" "	15	Particular features of property and project design (e.g. use of alleys) warrant consideration of flexibility from the current provisions (<i>Adopt</i>)

Requested Amendment	Response to Request	Draft LUO #	Staff Comment (Recommendation)
ADUs shall be located to the side or rear. Screening is not necessary.			
13 Section 15-176.2: Change to street tree placement requirements.	" "	16	Change clarifies street tree provision, consistent with requirement specified in Section 15-176.2 (f) (4) (r) (1) regarding street tree placement. <i>(Adopt)</i>
14 Section 15-177: Change to (a) to reduce applicability of VAS to 50 percent of dwelling units, to revise the roof pitch, siding reveal, and chimney placement and garage door provisions.	" "	17	Amendments would allow greater diversity/choice of architectural elements, some of which are not as appropriate for all housing types. Greater percentage of dwelling units meeting the standards might result in a more uniform, less architecturally interesting development. <i>(Adopt)</i>
15 Section 15-291: Change to include a parking requirement for VMU developments and to more efficiently manage parking in a VMU.	" "	18	<i>(Adopt revised text)</i>
16. Section 15-220: Adds a new section that specifies that VMU developments may use NCDOT TND standards	" "	19	See attachment D1 for comparison of current Town and NCDOT standards. <i>(Adopt revised text)</i>
17 Section 15-146 *	Adds retail uses to those permitted in O/A developments	20	Addition of limited retail uses would provide opportunity for employees or nearby residents of O/A developments to obtain basic retail goods. <i>(Adopt)</i>
18 Section 15-136 (10)*	Limits permitted retail uses to no more than 25 percent of the developed gross square footage of any development	21	Twenty-five percent cap selected so that retail use could not dominate an O/A development. <i>(Adopt)</i>
19 Section 15-176.2 (f) (5) (g)*	Replaces the term "Accessory Dwelling Unit (ADU)" with Accessory Detached Dwelling (ADD) and replaces 900 with 750 square feet	22, 23	Change made for purposes of consistency. <i>(Adopt)</i>

* Staff-generated

(b) Because the JLWP district is an overlay district, properties within this district are subject to the regulations applicable to the underlying district as well as the requirements of the JLWP district.

Section 15-141.2 Village Mixed Use District Established (AMENDED 05/25/99)

(a) There is hereby established a Village Mixed Use (VMU) district. This district is established to provide for the development of rural new villages at a scale intended to continue Carrboro's small town character as described in its Year 2000 Task Force Report and to promote a traditional concept of villages. The applicant for rezoning to this district must demonstrate that its planning, design and development will achieve, but not necessarily be limited to, all of the following specific objectives:

1. The preservation of open space, scenic vistas, agricultural lands and natural resources within the Town of Carrboro and its planning jurisdiction and to minimize the potential for conflict between such areas and other land uses;
2. The creation of a distinct physical settlement surrounded by a protected landscape of generally open land used for agricultural, forest, recreational and environmental protection purposes.
3. Dwellings, shops, and workplaces generally located in close proximity to each other, the scale of which accommodates and promotes pedestrian travel for trips within the village.
4. Modestly sized buildings fronting on, and aligned with, streets in a disciplined manner.
5. A generally rectilinear pattern of streets, alleys and blocks reflecting the street network in existing small villages which provides for a balanced mix of pedestrians and automobiles.
6. Squares greens, landscaped streets and parks woven into street and block patterns to provide space for social activity, parks and visual enjoyment.
7. Provision of buildings for civic assembly or for other common purposes that act as visual landmarks and symbols of identity within the community.
8. A recognizable, functionally diverse, but visually unified village focused on a village green or square.
9. Development of a size and scale, which accommodates and promotes pedestrian travel rather than motor vehicle trips within the village.
10. Compliance with the policies embodied in this chapter for the development of a village mixed use.

Art. IX ZONING DISTRICTS AND ZONING MAP

(b) The VMU district shall be a conditional use district authorized under N.C.G.S. 160A-382. As such, property may be placed within this district only in response to a petition by the owners of all the property to be included.

(c) As indicated in the Table of Permissible Uses, the only permissible use within a VMU district is a village mixed use development, and a village mixed use development is only permissible within a VMU district.

(d) Property may be rezoned to the VMU district only when the property proposed for such rezoning:

1. Comprises at least fifty, but not more than two hundred, contiguous acres. For purposes of this subsection, acreage is not "contiguous" to other acreage if separated by a public street or connected only at a point less than one hundred feet in width; and
2. Is so located in relationship to existing or proposed public streets that traffic generated by the development of the tract proposed for rezoning can be accommodated without endangering the public health, safety, or welfare; and
3. Will be served by OWASA water and sewer lines when developed;

(e) No more than 350 gross acres may be rezoned to the VMU district and no more than three villages may be approved.

(f) Nothing in this section is intended to limit the discretion of the Board of Aldermen to deny an application to rezone property to a VMU district if it determines that the proposed rezoning is not in the public interest.

(g) When a VMU rezoning application is submitted (in accordance with Article XX of this ordinance), the applicant shall simultaneously submit an application for approval of a master plan for the proposed village mixed use development, in accordance with the following provisions.

1. The master plan shall show, through a combination of graphic means and text (including without limitation proposed conditions to be included in the conditional use permit for the proposed development):
 - a. The location, types, and densities of residential uses;
 - b. The location, types, and maximum floor areas and impervious surface areas for non-residential uses;
 - c. The location and orientation of buildings, parking areas, recreational facilities, and open spaces;
 - d. Access and circulation systems for vehicles and pedestrians;

Art. IX ZONING DISTRICTS AND ZONING MAP

- e. How the development proposes to satisfy the objectives of and comply with the regulations applicable to a village mixed use development as set forth in Section 15-176.1 of this chapter;
 - f. How the development proposes to minimize or mitigate any adverse impacts on neighboring properties and the environment, including without limitation impacts from traffic and stormwater runoff; and
 - g. How the development proposes to substantially comply with the town's recommended "Village Mixed Use and Affordable Housing Vernacular Architectural Standards."
- 2. The planning board, Northern Transition Advisory Committee, Appearance Commission, Environmental Advisory Board, Transportation Advisory Board (and other advisory boards to which the Board of Aldermen may refer the application) shall review the proposed master plan at the same time it considers the applicant's rezoning request. In response to suggestions made by the planning board (or other advisory boards), the applicant may revise the master plan before it is submitted to the Board of Aldermen.
- 3. If the applicant submits a proposed master plan with a VMU rezoning application, then:
 - a. Applicants for VMU districts that are located within the Transition Area portion of the Carrboro Joint Development Area as defined within the Joint Planning Agreement should meet with Carrboro Town and Orange County Planning staff prior to the formal submittal of an application to informally discuss the preliminary rezoning development plan.
 - b. The rezoning application and master plan proposal shall be reviewed concurrently by the Board of Aldermen according to the same procedures and in accordance with the same standards applicable to other zoning amendments; and
 - c. The Board may not approve the VMU rezoning application unless it simultaneously approves the master plan for the development of the property, subject to such reasonable modifications and conditions as the Board may impose in the exercise of its legislative discretion.
- 4. Approval of a VMU rezoning application with a master plan under this section does not obviate the need to obtain a conditional use permit for the village mixed use development in accordance with the provisions of Section 15-176.1 of this chapter.
 - a. With respect to VMU applications involving property that is totally or partly within the Transition Area portion of the Carrboro Joint Development Area as defined within the Joint Planning Agreement, in addition to other grounds for denial of a conditional use permit application under this chapter, a conditional use permit for a village

Art. IX ZONING DISTRICTS AND ZONING MAP

mixed use development shall be denied if the application is inconsistent with the approved master plan in any substantial way. Without limiting the generality of the foregoing, an application for a conditional use permit is inconsistent in a substantial way with a previously approved master plan if the plan of development proposed under the conditional use permit application increases the residential density or commercial floor area permissible on the property or decreases or alters the location of open space areas.

- b. With respect to property that is located totally outside the Transition Area portion of the Carrboro Joint Development Area as defined within the Joint Planning Agreement, in addition to other grounds for denial of a conditional use permit application under this chapter, no conditional use permit for a village mixed use development may be denied on the basis that the application is inconsistent with the approved master plan. However, if the conditional use permit is approved, the Board of Aldermen shall be deemed to have amended the master plan to bring it into conformity with the conditional use permit.
 - c. No conditional use permit for a village neighborhood mixed use development may be denied for reasons set forth in Subsection 15-54(c)(4) if the basis for such denial involves an element or effect of the development that has previously been specifically addressed and approved in the master plan approval process, unless (i) it can be demonstrated that the information presented to the Board of Aldermen at the master plan approval stage was materially false or misleading, (ii) conditions have changed substantially in a manner that could not reasonably have been anticipated, or (iii) a basis for denial for reasons set forth in Subsection 15-54(c)(4) is demonstrated by clear and convincing evidence.
5. Subject to Subsection 15-141.2(g)(4)b, a master plan approved under this section may only be amended in accordance with the provisions applicable to a rezoning of the property in question.

TRANSPORTATION ADVISORY BOARD
RECOMMENDATION
April 18, 2002

SUBJECT: Proposed Land Use Ordinance Text Amendments for the Village Mixed Use District

MOTION: The Transportation Advisory Board (TAB) recommend that the Board of Aldermen approve Sections 2, 3, and 4 as written.

MOTION: Marshall SECOND: Hay VOTE: Ayes (All); Noes (None).

MOTION: The Transportation Advisory Board (TAB) recommend that the Board of Aldermen approve Section 10 as written.

MOTION: Hay SECOND: Marshall VOTE: Ayes (All); Noes (None).

MOTION: The Transportation Advisory Board (TAB) recommend that the Board of Aldermen approve Section 11 as written.

MOTION: Marshall SECOND: Hay VOTE: Ayes (All); Noes (None).

VOTE: Ayes (All); Noes (None).

MOTION: The Transportation Advisory Board (TAB) recommend that the Board of Aldermen approve Section 15 as written.

MOTION: Marshall SECOND: Hay VOTE: Ayes (All); Noes (None).

MOTION: The Transportation Advisory Board (TAB) recommend that the Board of Aldermen approve Section 18 as written, with the additional recommendation that the word "may" be changed to "will" in the sentence: "On-street parking and space provided within enclosed or partially enclosed garages *may* be counted toward fulfillment of parking requirements beyond the off-street minimum."

MOTION: Hay SECOND: Marshall VOTE: Ayes (All); Noes (None).

MOTION: The Transportation Advisory Board (TAB) recommend that the Board of Aldermen approve Section 19 as written, but, with reference to the last paragraph of the NCDOT Traditional Neighborhood Development (TND) Guidelines (page 9), asked for clarification as to whether the Carrboro ordinance or NCDOT guidelines would take precedence.

MOTION: Marshall SECOND: Hay VOTE: Ayes (All); Noes (None).

Ellen Day
TAB Vice-Chair

4 / 19 /02
DATE



TOWN OF CARRBORO

PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

M I N U T E S

APRIL 18, 2002

PLANNING BOARD MEMBERS		GUESTS	STAFF
JOHN MARSHALL	ADAM SEARING	JOAL HALL BROUN	TRISH MCGUIRE
RANDEE HAVEN-O'DONNELL	JESSICA TREAT	PHIL SHOSTACK	NANCY WILLIAMS
STAN BABISS	ANDE WEST		
SUSAN POULTON			
NOTE: Absent/Excused: Rob Hogan			

I. MINUTES APPROVAL

MOTION WAS MADE BY ANDE WEST AND SECONDED BY STAN BABISS TO APPROVE THE APRIL 4, 2002 MINUTES.

VOTE: AYES (7) (BABISS, HAVEN O'DONNELL, MARSHALL, SEARING, POULTON, WEST AND TREAT); NOES (0); ABSENT/EXCUSED (1) (HOGAN).

II. LUO AMENDMENT: AFFORDABLE HOUSING DENSITY BONUS.

TRISH MCGUIRE MADE THE STAFF PRESENTATION OF THE PROPOSED AMENDMENT TO THE LAND USE ORDINANCE. SHE EXPLAINED THE EFFECT OF THE ORDINANCE AMENDMENT ON DEVELOPMENT POTENTIAL, NOTING THAT THE AREA THAT WOULD SEE THE GREATEST CHANCE FOR POTENTIAL INCREASE AS A RESULT OF THE PROPOSED AMENDMENT WOULD BE THE R75 DISTRICT, WHERE AN ADDITIONAL 86 UNITS COULD BE DEVELOPED. THE ADMINISTRATION RECOMMENDS THAT THE BOARD OF ALDERMEN ADOPT SECTION 1 OF "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE PROVISIONS RELATING TO AFFORDABLE HOUSING", NOTING THAT THE BOARD SHOULD EXPECT THAT PROJECTS SEEKING TO UTILIZE THIS DENSITY BONUS PROVISION ARE LIKELY TO RAISE CONCERNS AND ISSUES SIMILAR TO THOSE THAT HAVE BEEN RAISED IN CONJUNCTION WITH THE INFILL DISCUSSIONS/PINE STREET.

ADAM SEARING, PLANNING BOARD CHAIR, OPENED THE FLOOR FOR DISCUSSION OF THE PROPOSED AMENDMENT. STAN BABISS INQUIRED ABOUT THE IMPACT ON THE HISTORIC DISTRICT. JOAL HALL BROUN, BOARD OF ALDERMEN LIAISON, ADDRESSED THE PROCESSES OF DEEDING LAND FOR AFFORDABLE HOUSING AND FOR PREPARING DENSITY CALCULATIONS. MR. SEARING CONFIRMED THAT THE AMENDED TEXT WOULD BE APPLICABLE TO SEVENTY PER CENT (70%) OF

THE TOWN. JOHN MARSHALL QUESTIONED THE IMPACT ON THE R75 DISTRICT AND HOW MUCH INCREASE COULD BE EXPECTED. MS. MCGUIRE RESPONDED THAT ONE MIGHT EXPECT UP TO ONE HUNDRED FIFTY PERCENT INCREASE (150%). MR. SEARING CALLED FOR FURTHER DISCUSSION. THERE BEING NO FURTHER DISCUSSION, THE CHAIR ENTERTAINED MOTIONS.

MOTION WAS MADE BY RANDEE HAVEN-O'DONNELL AND SECONDED BY ANDE WEST THAT THE PLANNING BOARD RECOMMENDS THAT THE BOARD OF ALDERMEN ADOPT SECTION 1 OF "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE PROVISIONS RELATING TO AFFORDABLE HOUSING" AS RECOMMENDED BY STAFF.

VOTE: AYES (6) BABISS, HAVEN-O'DONNELL, POULTON, SEARING, TREAT AND WEST; NOES (0); ABSTENTIONS (1) MARSHALL; ABSENT/EXCUSED (1) HOGAN

III. OLD/NEW BUSINESS

A. LUO TEXT AMENDMENT: INFILL DEVELOPMENT

TRISH MCGUIRE PRESENTED A DRAFT ORDINANCE AMENDMENTS, PREPARED AT THE BOARD OF ALDERMEN'S REQUEST IN RESPONSE TO NEIGHBORHOOD CONCERNS OVER THE IMPACTS OF INFILL DEVELOPMENT, TO CLARIFY ORDINANCE PROVISIONS AND STRENGTHEN PROTECTION FOR EXISTING DEVELOPMENT. SHE STATED THAT STAFF DID NOT HAVE A RECOMMENDATION COMPLETED AND THE CONSENSUS WAS TO POSTPONE FURTHER DISCUSSION UNTIL A RECOMMENDATION COULD BE PRESENTED AT THE MAY 2, 2002 MEETING OF THE PLANNING BOARD.

B. LUO TEXT AMENDMENT: VILLAGE MIXED USE & OFFICE/ASSEMBLY DISTRICTS

THE DISCUSSION OF THE PROPOSED AMENDMENTS TO THE LAND USE ORDINANCE RELATIVE TO VILLAGE MIXED USE AND OFFICE/ASSEMBLY DISTRICTS WAS CONTINUED FROM THE APRIL 4, 2002 PLANNING BOARD MEETING. THERE WERE MANY CONCERNS EXPRESSED OVER THE VALUE OF AN ORDINANCE THAT CHANGES ON A CASE BY CASE BASIS. PHIL SHOSTACK, REPRESENTING WINMORE, SPOKE IN FAVOR OF THE PROPOSED AMENDMENT. THE RESULTS OF THE SECTION BY SECTION DISCUSSION WERE AS FOLLOWS:

SECTION 1	DEFINES REFERENCES CONTAINED IN ORDINANCE	OKAY
SECTION 2,3,4	TEXT CHANGES	POSTPONE
SECTION 5	DEFINES ACCESSORY DETACHED DWELLING	OKAY
SECTION 6	LIMITATION ON SQUARE FOOTAGE	OKAY
SECTION 7	DEFINES DENSITY REQUIREMENTS ON DETACHED DWELLING	OKAY
SECTION 8	INCREASE BUILDING HEIGHTS	OKAY
SECTION 9	MAXIMUM HEIGHT REGULATIONS	OKAY
SECTION 10	BRICK BORDERS AND SIDEWALKS	DELETE
SECTION 11	PUBLIC BENCH INTERVALS	
ONE/BLOCK		
SECTION 12	BRICK FAÇADE (SUBJECT TO APPROVAL BY APPEARANCE COMM.)	50% / 50%

F-4

SECTION 13 MINIMUM LOT WIDTH

OKAY

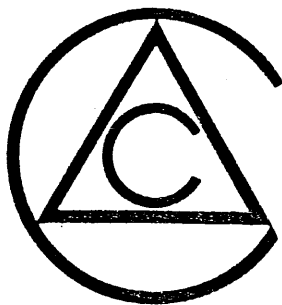
THE CHAIR CALLED FOR A CONSENSUS OF THE MEMBERS, AND IT WAS DETERMINED THAT THE DISCUSSION OF THE REMAINING SECTIONS OF THE AMENDMENT BE POSTPONED UNTIL THE MAY 2, 2002 MEETING.

C. CALL FOR NEW BUSINESS

IV. ADJOURN

THERE BEING NO FURTHER BUSINESS, THE CHAIR ADJOURNED THE MEETING AT 8:00 P.M.

ADJOURN!!



THURSDAY, MAY 2, 2002

**PROPOSED TEXT AMENDMENTS TO THE LAND USE ORDINANCE FOR VILLAGE
MIXED USE PROJECTS AND OFFICE/ASSEMBLY DISTRICTS**

The Appearance Commission has examined the above-referenced proposal by Winmore Land Management, LLC, in terms of its philosophical and practical implications. Our recommendations reflect much careful discussion:

- We support allowing one Accessory Dwelling Unit (ADU) per lot, not to exceed 750 heated square feet per staff recommendation.
- We support the increased density allowance recommended by staff (1/2 unit per ADU) that comes with ADU's.
- We support allowing building heights up to 49 feet in VMU and Office/Assembly districts, potentially accommodating 3.5 stories.
- We do not recommend that any of the other proposed text changes pertaining to VMUs be incorporated into the Land Use Ordinance at this time. The Appearance Commission did not consider the proposed text amendments for the Office/Assembly district to be within its purview.

The Appearance Commission voted unanimously on each of the above points, and wishes to make a strong statement with this last one:

- By agreeing to consider any number of changes to the LUO at the behest of one developer, the Town sets a dangerous precedent – treating developers like customers and the LUO like a product for sale. The Appearance Commission thinks this looks bad.

VOTING:

AYES: 5 (Chuck Morton, Wendy Wenck, Catherine Devine, Leslie Rountree, and Doug Kopec)

NOES: 0

Members Present (5):

Chuck Morton, Wendy Wenck, Leslie Rountree, Doug Kopec,
and Catherine Devine

Members Absent or Excused (2):

Ruben Hayes and Richard Taylor

Mary Kay (on behalf of Chair)
Appearance Commission Chair

5-3-2
Date

TOWN OF CARRBORO
ENVIRONMENTAL ADVISORY BOARD



Meeting on May 2, 2002
at the Carrboro Town Hall
Carrboro, North Carolina

RECOMMENDATION

Proposed Village Mixed Use Text Amendments

- I. Motion was made by Keith Burwell, and seconded by John Gallagher that the Environmental Advisory Board recommend denial of proposed text amendment sections numbered 2, 3, and 4 to the Village Mixed Use Ordinance.

VOTE: AYES (3-Burwell, Pohlman, Gore); NOES (1-Brown) ; ABSTAIN (1 - Gallagher)
ABSENT/EXCUSED (1) (Mathews).

- II. Motion was made by Keith Burwell, and seconded by Scott Pohlman, that the Environmental Advisory Board recommends approval of Administration's provisional recommendations for adopting the proposed text amendment sections numbered 14 and 16 (as numbered on the staff summary dated April 25, 2002) to the Village Mixed Use Ordinance.

Specifically, with number 14 - change to impervious surface - the Environmental Advisory Board recommends that the limit remain at 50 percent with provision for increase if linked to demonstrable, commensurate reduction in stormwater runoff volume through on-site infiltration or other approved controls.

The Environmental Advisory Board further supports the Administration recommendation to include a requirement for recycling stations in conjunction with trash cans in the storefront and townhouse use areas.

The Environmental Advisory Board chose not to comment on any remaining proposed text amendments.

VOTE: AYES (5) (Brown, Pohlman, Gallagher, Burwell, Gore); NOES (0); ABSENT/EXCUSED (1)
(Mathews).

Glynis M. Gore, Chair

(date)