

# BOARD OF ALDERMEN

ITEM NO. B(5)

## AGENDA ITEM ABSTRACT

MEETING DATE: May 25, 2004

**TITLE: Public Hearing to consider a LUO Text Amendment to provide for conditional use districts.**

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| <b>DEPARTMENT: PLANNING</b>   | <b>PUBLIC HEARING: YES <u>X</u> NO <u>  </u></b>   |
| <b>ATTACHMENTS:</b><br><b>A. Draft Ordinance</b><br><b>B. Planning Board recommendation</b> | <b>FOR INFORMATION CONTACT:</b><br>Patricia McGuire – 918-7327<br>Mike Brough – 929-3905 |

### PURPOSE

The purpose of this item is to consider the possibility of developing conditional use districts for use in the downtown and elsewhere in Carrboro's jurisdiction. The draft ordinance entitled AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FOR CONDITIONAL USE ZONING DISTRICTS creates conditional use district "twins" for all but the watershed and overlay zoning districts. Following the receipt of public comments, the Administration recommends that the Board of Aldermen adopt the draft ordinance.

### INFORMATION

The draft ordinance creates conditional use district "twins" for all but the watershed and overlay zoning districts that are currently provided. A copy of the draft ordinance is attached (*Attachment A*). The development requirements and permitted uses are the same as those that apply within the general use district on which the new district is based, except for the following:

- 1) Applications for rezoning can only be initiated by the owner of the affected property.
- 2) All uses within the conditional use district will require a conditional use district.
- 3) A rezoning application for property must be accompanied by an application for a conditional use permit for any development that is to occur in the new district.

Adoption of the ordinance would create an opportunity for a site-specific development plan to be linked to a requested rezoning, an avenue which is currently only available for village mixed-use and office/assembly conditional use rezonings.

Per the requirements of the Joint Planning Agreement and the Land Use Ordinance, the draft ordinance was referred to Orange County and the Planning Board, respectively. A copy of the Planning Board recommendation is attached (*Attachment B*).

### FISCAL IMPACT

No fiscal impacts are expected in association with the adoption of the draft ordinance

### ADMINISTRATION'S RECOMMENDATION

The Administration recommends that the Board of Aldermen adopt the attached ordinance that provides for conditional use districts (*Attachment A*).