

**Attachment "A"**

**A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE  
TEXT AMENDMENT TO REVISE PERMIT REQUIREMENTS FOR  
RESTAURANTS IN THE B-1(G) ZONING DISTRICT  
Resolution No. 179/2003-04**

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on policies and regulation; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on June 22, 2004 to consider adopting an amendment to the text of the Land Use Ordinance that would revise the permit requirements for restaurants in the B-1(g) zoning district.

BE IT FURTHER RESOLVED that the draft amendment is referred to Orange County for review per the Joint Planning Agreement and to the Planning Board for comment and recommendation to the Board.

This is the 8<sup>th</sup> day of June in the year 2004.

**EXCERPT OF MINUTES OF APRIL 6, 2004 BOARD OF ALDERMEN MEETING**

**REQUEST TO OPEN A RESTAURANT ADJACENT TO MIDWAY BARBER SHOP**

Alderman Chilton stated that there is a request to open a restaurant in the space adjacent to Midway Barber Shop and asked if there is a land use ordinance provision preventing the restaurant from going in at that location.

Marty Roupe stated that that property is zoned B-1(g) and would require a c.u.p.

Alderman Zaffron and Chilton will meet with town staff to discuss this matter.

EXCERPT OF ARTICLE IX, ZONING DISTRICTS AND ZONING MAP

**Section 15-135.1 Conservation District.(AMENDED 12/7/83)**

There is hereby established a conservation (C) district. The purpose of this district is to protect the public health, safety, and welfare by severely restricting development within and adjacent to certain lakes, ponds, watercourses, streams, creeks, drainage areas, floodplains, wetlands, and other flood-prone areas within the University Lake Watershed. The limited development allowed within a conservation district not only minimizes the danger to the community water supply from the more intensive development of this land but also allows this land to act as a natural buffer between more intensively developed areas and the watercourses contained within a conservation district. (AMENDED 12/7/83)

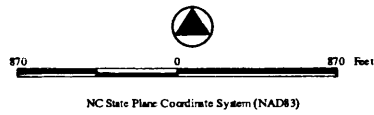
**Section 15-136 Commercial Districts Established. (AMENDED 2/4/86;5/28/02)**

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

- (1) **B-1(C) TOWN CENTER BUSINESS.** This district is designed to encourage and accommodate a unified, compact, contiguous shopping and entertainment area focused around restaurants, specialty shops, arts and crafts. This area is intended for development around a theme or themes consistent with the Carr Mill, The Station, and historic or old Carrboro. The area is intended to accommodate the pedestrian user. (AMENDED 06/09/98)
- (2) **B-1(G) GENERAL BUSINESS.** This district is designed to accommodate a broad range of business uses. This district, because of its close proximity to established residential single family neighborhoods, is limited in the types of night uses permitted. Uses may be restricted in the hours of operation where the permit-issuing authority finds that such restrictions are necessary to prevent unreasonable disruptions to the peace and quiet of a nearby residential area.. In addition, no metal buildings shall be allowed in this district. (AMENDED 12/08/92; 06/09/98)
- (2.1) **(EAT) RESTAURANT DISTRICT OVERLAY.** This overlay district is designed to accommodate on-premises (inside and outside) dining 8.100 and 8.200 restaurant uses in the B-1(g) General Business district. Because of the B-1(g) district's close proximity to established residential single-family neighborhoods, the EAT overlay is restricted to properties a minimum distance of one property width from abutting residential zones and is limited in the types of night uses permitted. In addition, emphasis is given to the existing restrictions in the B-1(g) district and the ability of the permit-issuing authority to limit hours of operation where such restrictions are necessary to prevent unreasonable disruptions to the peace and quiet of

a nearby residential area. Use of property within the overlay district for 8.100 and 8.200 purposes shall require the issuance of a conditional use permit. (AMENDED 03/21/95)

(3) **B-2 FRINGE COMMERCIAL.** This district is a transitional district which is designed to accommodate commercial uses in areas that formerly were residential but that now may be more desirable for commercial activities due to high traffic volumes



### Detail of Downtown Zoning Districts



TOWN OF CARRBORO  
301 W. Main St.  
Carrboro, NC 27510

4 June 2004  
Public Works Planning Department  
919.733.7

THIS MAP IS NOT A CERTIFIED SURVEY AND IS FOR REFERENCE ONLY.  
The requestor must be aware of data conditions and ultimately bear responsibility for the appropriate use of the information with respect to possible errors, or original map scale, collection methodology, currency of data, and other conditions specific to the data.

- Properties
- Site ID Map
- Ally-on-Map
- B1C
- B1D
- B2
- B3
- EAT
- M4
- MFD
- R1D
- R2
- R2S
- R2C
- R2DC
- Overlay Zone
- B3
- 18 16 old ac B3-Map
- 21 acres
- Carrboro City Lines
- Street Names

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# TABLE OF PERMISSIBLE USES

Last Amended: 05/06/2003

DESCRIPTION	R-2	R-3	R-7.5	R-SIR <sup>2</sup> In	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
6.140 Community Center--a Town sponsored, non-profit indoor facility providing for one or several of various type of recreational uses. Facilities in a Community Center may include, but are not limited to, gymnasias, swimming pools, indoor court areas, meeting/activity rooms, and other similar uses	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
6.200 Activity conducted primarily inside enclosed buildings or structures																						
6.210 Outdoor recreational facilities developed on private lands, without Town sponsorship or investment, such as golf and country clubs, swimming or tennis clubs, etc. and not constructed pursuant to a permit authorizing the construction of a residential development.	S	S	S	S	S	S	S		C							C	C	C	C			
6.220 Outdoor recreational facilities developed on public lands, or on private lands with swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school																						
6.221 Town of Carrboro owned and operated facilities.	Z	Z	Z	Z	Z	Z	Z	Z	Z				Z	Z		Z	Z	Z	Z	Z		
6.222 Facilities owned and operated by public entities other than the Town of Carrboro	C	C	C	C	C	C	C	C	C				C	C		C	C	C	C	C		
6.230 Golf driving ranges not accessory to golf course, par 3 golf courses, miniature golf course, skateboard parks, water slides, and similar uses.														ZS						C		
6.240 Horseback riding stables (not constructed pursuant to permit authorizing residential development)							S							S			Z	C	C			
6.250 Automobile and motorcycle racing tracks															S							
6.260 Drive-in Movie Theaters														C								
<b>7.000 Institutional Residence or Care of Confinement Facilities</b>																						
7.100 Hospitals, clinics, other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area									C							C						
7.200 Nursing care institutions, intermediate care institutions, handicapped, aged or infirm institutions, child care institutions	C	C					C		C							C			C			
7.300 Institutions (other than halfway houses) where mentally ill persons are confined									C							C						
7.400 Penal and Correctional Facilities																						
<b>8.000 Restaurants (including food delivery services), Bars, Night Clubs</b>																						
8.100 Restaurant with none of the features listed in use classification below as its primary activity								ZS		C			Z						C			ZC
8.200 Outside Service or Consumption								ZS		C			S						C			ZC
8.300 Drive-in (service to and consumption in vehicle on premises)													C									
8.400 Drive Through Windows (service directly to vehicles primarily for off-premises consumption)													C									

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# TABLE OF PERMISSIBLE USES

Last Amended: 05/06/2003

DESCRIPTION	R-2	R-3	R-7.5	R-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
8.500 Carry Out Service (food picked up inside of off-premises consumption)								ZS	C				Z									
8.600 Food Delivery								ZS	C				Z							C		
<b>9.000 Motor Vehicle-Related Sales and Service Operations</b>																						
9.100 Motor vehicle sales or rental of sales and service									C					ZC	ZC							
9.200 Automobile service stations													S	C	Z							
9.300 Gas sales operations											S	S	S	C	Z							
9.400 Automobile repair shop or body shop									C			S	S	C	Z							
9.500 Car wash														C	Z							
<b>10.000 Storage and Parking</b>																						
10.100 Independent automobile parking lots or garages								ZC	Z				Z	Z	Z	C						
10.200 Storage of goods not related to sale or uses of those goods on the same lot where they are stored																						
10.210 All storage within completely enclosed structures														Z	Z							C
10.220 Storage inside or outside completely enclosed structures														C	Z							ZC
10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot														S	S							
<b>11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards</b>																						
<b>12.000 Services and Enterprises Related to Animals</b>																						
12.100 Veterinarian							S		ZS				S	S	S							
12.200 Kennel							S							S	S							
<b>13.000 Emergency Services</b>																						
13.100 Police Stations	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
13.200 Fire Stations	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
13.300 Rescue Squad, Ambulance Service	S	S	S	S	S	S	Z		S	S	S	S	S	S	Z	S	C	C	C	C	S	S
13.400 Civil Defense Operation	S	S	S	S	S	S	Z		S	S	S	S	S	S	Z	S	C	C	C	C	S	S
<b>14.000 Agricultural, Silvicultural, Mining, Quarrying Operations</b>																						
14.100 Agricultural operations, farming																						
14.110 Excluding livestock		Z	Z	Z	Z	Z	Z								Z		Z	Z	Z			
14.120 Including livestock							Z										Z	Z	Z			
14.200 Silvicultural operations		Z	Z	Z	Z	Z	Z								Z							
14.300 Mining or quarrying operations, including on-site sales of products																S						
14.400 Reclamation landfill		Z	Z	Z	Z	Z	Z						Z	Z	Z							
<b>15.000 Miscellaneous Public and Semi-Public Facilities</b>																						
15.100 Post Office								C	C		C	C	C	C	C	C						
15.200 Airport								C	S				S	S								C
15.300 Sanitary landfill								C						C								
15.400 Military reserve, National Guard centers														Z								
15.500 Recycling materials collection operations																						
15.510 Using collection facilities other than motor vehicles									Z				Z	Z	Z							
15.520 Aluminum recycling using																						

**\*\* DRAFT 06-04-04 \*\***

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO  
MAKE 8.100 AND 8.200 RESTAURANT USES PERMISSIBLE IN THE B-1(G)

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY  
ORDAINS:

Section 1. Section 15-146, Table of Permissible Uses, of the Carrboro Land Use Ordinance is amended by placing the letter 'ZC(l)' (for limitation) in the B-1(g) column opposite the following restaurant use classifications:

- 8.100 Restaurant Uses with none of the features listed in use classification below as its primary activity.
- 8.200 Outside Service or Consumption

Section 2. Section 15-147, Use of the Designations Z, S, C in Table of Permissible Uses, is amended by the addition of a new subsection (i) that reads as follows:

- (i) When used in connection with 8.100 and 8.200 uses, the designation "ZC(l)" means that a zoning permit must be obtained if the total area within a development to be used for this purpose does not exceed 1,500 square feet and the use is to take place in an existing building while a conditional use permit must be obtained whenever the total area to be used for this purpose is equal to or exceeds 1,500 square feet.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.