

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE
TEXT AMENDMENT TO ALLOW RESIDENTIAL USES ON THE GROUND
FLOOR OF BUILDINGS IN THE B-1(C) ZONING DISTRICT UNDER CERTAIN
CIRCUMSTANCES

Resolution No. 148/2005-06

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to consider modifications to existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on August 22, 2006 to consider adopting "An Ordinance Amending the Carrboro Land use Ordinance to Allow Residential Uses on the Ground Floor of Buildings in the B-1(c) Zoning District Under Certain Circumstances."

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County for review per the Joint Planning Agreement and to the Town of Carrboro Planning Board for its recommendations.

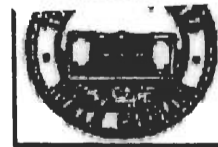
BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> _____ |
| <input checked="" type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____ |

TOWN OF CARRBORO

ATTACHMENT B

LAND USE ORDINANCE AMENDMENT REQUEST



To the Board of Aldermen, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:

1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

Section 15-160.1 – Residential Uses in B –IC Districts. (Amended 2/4/86). Residential uses are not allowed on the ground floor of property within a BI-C district.

2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):

Residential uses (dwelling units and support spaces - lobbies, utility closets, covered bike storage, etc.) are allowed on the first floor of buildings in the BI-C district that share a common boundary or right of way with a zoning district where residential use is allowed on the first floor so long as residential and residential support spaces are not more than 66% of total (heated) first floor square footage.

3) State the reasons for the proposed amendment:

There are areas zoned B-IC that are directly across the street from zoning districts where residential use is allowed on the ground floor eg. Cobb St. The enactment of the DNP (Downtown Neighborhood Protection) Overlay District acknowledges this condition requires special attention, and it controls the physical aspects of lots located adjacent or across a street from residential use to create a physical transition between the adjacent zoning districts. This proposed text amendment would allow use transition in the BI-C where the downtown meets zoning districts where residential uses are allowed on the ground floor and occur there.

SIGNATURE:

[Handwritten Signature]
applicant

JACK HOBERTY
{print}

ADDRESS:

205 W. MAIN ST., STE 213

CARRBORO, NC 27570

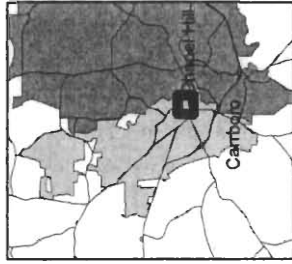
TELEPHONE NUMBER:

967-5111

Section 15-160.1 Residential Uses in B-1(c) Districts. (AMENDED 2/4/86)

Residential uses are not allowed on the ground floor of property within a B-1(c) district.

Lots in B-1(c) district where ground floor residential uses are permitted nearby



Overlay Zones

ZONE

DNP

EAT

JWP

HHP

ENDC

Zoning

R1

R2

R3

R4

R5

R6

R7

R8

R9

R10

R11

R12

R13

R14

R15

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240
Feet

THIS MAP IS NOT A CERTIFIED SURVEY
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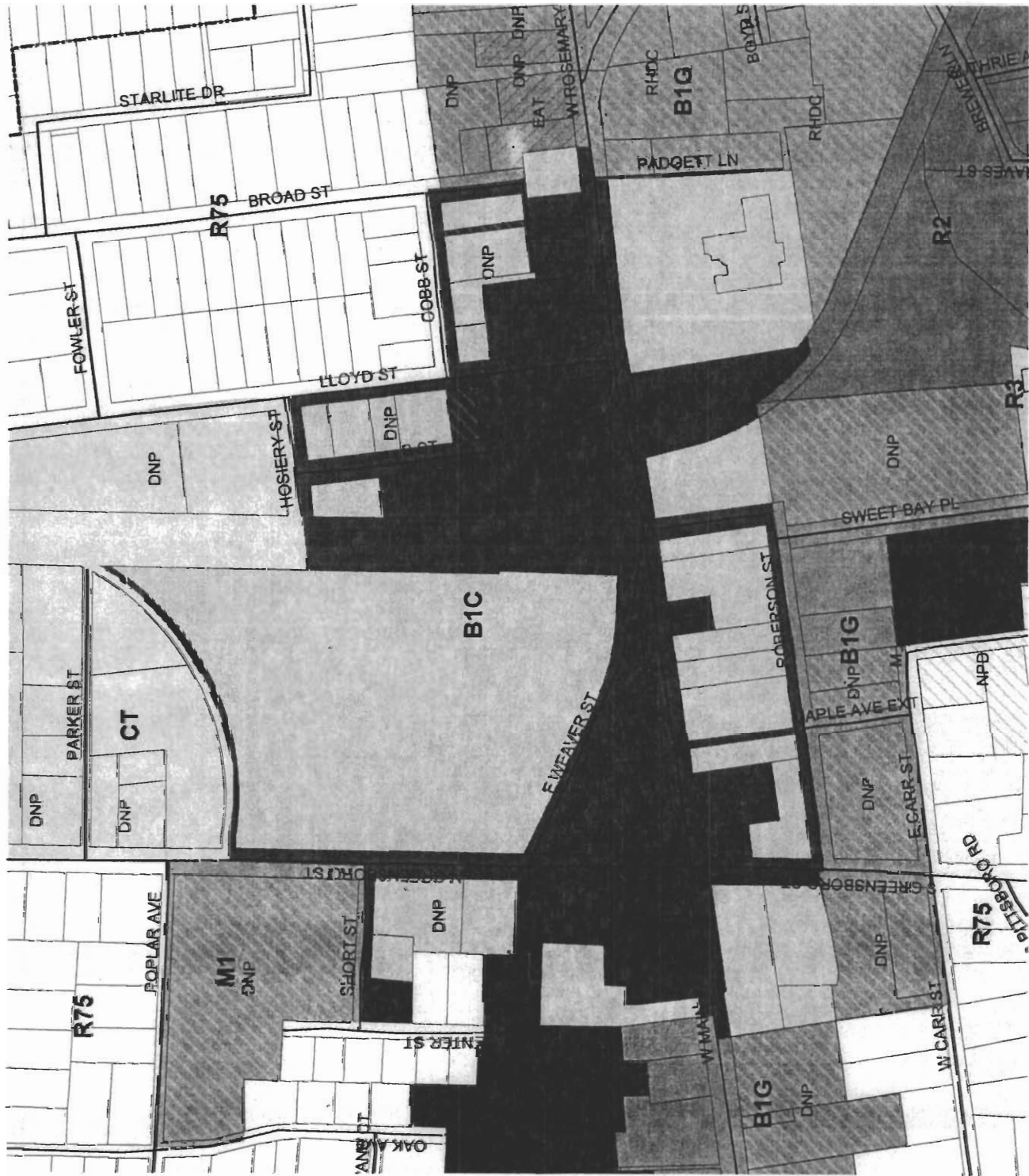
ACCURACY

The Town of Carbone assumes no liability for damages caused by inaccuracies in this map or supporting data and makes no warranty, expressed or implied, as to the accuracy of the information presented. The fact of distribution does not constitute such a warranty.



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

Printed June 15, 2006



AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
ALLOW RESIDENTIAL USES ON THE GROUND FLOOR OF BUILDINGS IN THE
B-1(C) ZONING DISTRICT UNDER CERTAIN CIRCUMSTANCES

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-160.1 of the Carrboro Land Use Ordinance is amended by relabeling the existing provision as subsection (a) and adding a new subsection (b) so that the revised section reads as follows:

(a) Subject to subsection (b), residential uses are not allowed on the ground floor of property within a B-1(c) district.

(b) Notwithstanding the foregoing, residential uses are permitted on the ground floor of property within the B-1(c) district so long as:

- (1) The property shares a common boundary with a lot whose zoning classification allows residential uses on the ground floor, or lies directly across the street from such a lot; and
- (2) The property is developed pursuant to a permit that covers the entire property, and in such a manner that residential uses do not comprise more than fifty percent of the ground floor of any building within such development, and
- (3) To the maximum extent practicable, the ground floor residential component of the development is located on the portion of the property that is closest to, and is oriented toward, the lot or lots referenced in subsection (b)(1) above.

(c) A lot within the B-1(c) district that is developed with residential uses on the ground floor pursuant to this subsection shall not be regarded as “a lot whose zoning classification allows residential uses on the ground floor” for purposes of subsection (b)(1) of this section.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.