

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE
BOARD OF ALDERMEN'S REASONS FOR ADOPTING
AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE
Resolution No. 17/2006-07

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: 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

NOW THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020: Policies through the year 2020.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to encourage a variety of appropriate residential developments – single-family, multi-family, SROs, et cetera – in the downtown especially as part of mixed-use developments.

Section 3. This resolution becomes effective upon adoption.

ATTACHMENT B

**A RESOLUTION ADOPTING A STATEMENT
EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR REJECTING AN
AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE
Resolution No. 18/2006-07**

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: 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

NOW THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above-described amendment is not consistent with Carrboro Vision 2020: Policies through the year 2020.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing policies are sufficient.

Section 3. This resolution becomes effective upon adoption.

ATTACHMENT C

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.

TOWN OF CARRBORO

ATTACHMENT D

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 B-IC 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 B-IC 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 B-IC where the downtown meets zoning districts where residential uses are allowed on the ground floor and occur there.

SIGNATURE:

Jack Haggerty
applicant

JACK HAGGERTY
{print}

ADDRESS:

205 W. MAIN ST., STE 213
CARRBORO, NC 27700

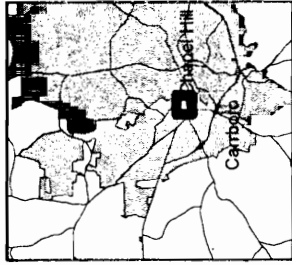
TELEPHONE NUMBER:

967-5191

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	
DA	Mixed Use Zones
DNP	MU
EAT	Residential Zones
LAW	R10
NPD	R15
RHDC	R2
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PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

AUGUST 17, 2006

Land Use Ordinance Text Amendment to allow Ground Floor Residential Use in the B-1(c) District in Certain Circumstances

Motion was made by Mary Rabinowitz and seconded by Dianne Reid that the Planning Board does not support adoption of this ordinance because there is too little space available for commercial development in the downtown.

VOTE: AYES: (7) (James Carnahan, Debra Fritz, Heidi Paulsen, Susan Poulton, Mary Rabinowitz, Dianne Reid, Ande West); ABSENT/EXCUSED: (1) David Clinton; NOES (0); ABSTENTIONS (1) Seth Chadbourne.

Associated Findings

By a unanimous show of hands, the Planning Board membership also indicated that no members have any financial interests that would pose a conflict of interest by not supporting the adoption of this ordinance.

Furthermore, the Planning Board of the Town of Carrboro finds that the proposed text amendment is inconsistent with the following adopted or accepted planning document:

1. Carrboro Vision 2020.

Supporting comment: Vision 2020 Policy 3.21 calls for an increase in commercial development.

Motion in support of this finding was made by Susan Poulton and seconded by Dianne Reid.

VOTE: AYES: (8) (James Carnahan, Seth Chadbourne, Debra Fritz, Heidi Paulsen, Susan Poulton, Mary Rabinowitz, Dianne Reid, Ande West); ABSENT/EXCUSED: (1) David Clinton; NOES (0); ABSTENTIONS (0).

James Carnahan, Chair

August 18, 2006
(date)



TOWN OF CARRBORO

NORTH CAROLINA

WWW.TOWNOFCARRBORO.ORG

Memo

To: Mayor and Board of Aldermen

From: Economic Sustainability Committee *NRm/ly/ll*

CC: James Harris, Director of Economic and Community Development

Date: August 18, 2006

Re: Recommendation of Support for Land Use Text Amendment to Allow Residential Use on the Ground Floor of Buildings in Certain Locations in the Downtown

The Economic Sustainability Committee reviewed the proposed text amendment and recommended approval of the ordinance text amendment with a vote of five for and one against. More specifically the ESC's conceptual support was for a softer edge that would result from allowing residential on the ground floor of the B-1 (c) where it was allowed on the neighboring lots. There was also some interest in limiting the applicability of the provision to lots zoned either residential or B-2.

This recommendation is consistent with the recommendations of the 1983 Hammer Siler George Study recommendations for the downtown, which recommended increased housing in and around the downtown to support the commercial businesses located in the downtown.