

BOARD OF ALDERMEN

ITEM NO. A(2)

AGENDA ITEM ABSTRACT MEETING DATE: November 28, 2006

TITLE: Public Hearing on a Land Use Ordinance Text Amendment to Establish a New Use Classification for Temporary Lodging

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO <u> </u>
ATTACHMENTS: A. Resolution supporting adoption B. Resolution supporting denial C. Draft Ordinance D. LUO Text amendment request E. Applicable LUO provisions F. Comments and recommendations	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327 Mike Brough – 929-3905 Kendal Brown – 918-7332

PURPOSE

The Board of Aldermen has scheduled a public hearing on a Land Use Ordinance text amendment to establish a new use classification for temporary lodging. It is necessary for the Board to receive public comment before taking any action.

INFORMATION

Description of the draft ordinance

The draft ordinance responds to the request by making the hotel/motel use permissible in the B-1(c) district with a conditional use permit. The approach followed in the draft ordinance is to create a new use classification, 34.000 Temporary Lodging and move three specific uses, hotels and motels, temporary residences, and bed and breakfast establishments to the new classification. The ordinance also adjusts the permit requirements for some of these uses in table of permissible uses in an attempt to clarify and improve the LUO provisions. Specifically, the draft ordinance removes hotel/motel uses from the B-2 and adds bed and breakfast establishments to the B-2, CT, W-R and B-5 districts. Screening and parking requirements are proposed for the new use classification

Background

Town has received a request from Laura van Sant, on behalf of Main Street Properties, LLC to amend the text of the Land Use Ordinance to exempt hotels and motels from the prohibition on ground floor residential uses in the B-1(c) zoning district and from recreation facilities, open space and ballfield requirements. (*Attachment D*). The amendment request seeks to exempt hotel and motel uses from several requirements that pertain to residential development, including recreation facilities, ballfields and open space. The request also seeks to exempt hotels and motels from the prohibition on ground floor residential uses in the B-1(c) zone. These uses are included in the 1.000 Residential use classification of the Table of Permissible Uses.

The request offers the following summarized reasons for the amendment:

- 1) Hotels and motels are currently classified as residential uses because they provide sleeping facilities.

- 2) The prohibition on ground-floor hotel/residential use is inappropriate; the street level activity generated by a hotel is more akin to that desired with ground floor commercial uses than that associated with strictly residential uses.

The staff agrees that the ground-floor prohibition on temporary residential units, such as hotels, is not appropriate in the B-1(c) district. Ms. Van Sant's request identifies practical considerations associated with these uses that suggest that they should be treated differently than residential uses. Regulatory requirements, including sales tax revenues, licensing, and inspection requirements for temporary lodging are additional considerations that support the proposed modification to the classification of these uses in Carrboro's ordinance.

Excerpts of applicable LUO provisions (e.g. definitions, permit requirements, and screening) are attached (*Attachment E*).

The draft ordinance has been referred to Orange County and advisory boards for review. Comments and recommendations are attached (*Attachment F*).

FISCAL IMPACT

The modifications to the ordinance expand slightly the opportunity for temporary lodging uses and as such could support increase development activity and an associated increase in the tax base and associated revenue.

RECOMMENDATION

The staff recommends that the Board of Aldermen adopt the attached resolution supporting adoption of the text amendment and the draft ordinance that would establish a new use classification for temporary lodging (*Attachments A and C*).