

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT TO MODIFY FOOT CANDLES LIMITS IN B-1(C) AND B-1(G) DISTRICTS AND PARKING SPACE LENGTH

Resolution No. 52/2007-08

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 Tuesday, January 22, 2008 to consider adopting "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO MODIFY FOOT CANDLES LIMITS IN B-1(C) AND B-1(G) DISTRICTS AND PARKING SPACE LENGTH."

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 type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input checked="" type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input checked="" type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> North Carolina Division of Water Quality |
| <input checked="" type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____ |

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

TOWN OF CARRBORO
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):

SEE ATTACHED

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

SEE ATTACHED

- 3) **State** the reasons for the proposed amendment:

SEE ATTACHED

SIGNATURE: *JLV SA* LAURA VAN SANT (for MAN STREET PROJECTS LLC)
applicant (print)

ADDRESS: PO Box 2152 CHAPEL HILL, NC 27512

TELEPHONE NUMBER: 919-923-4343

APPENDIX A – 3

LAND USE ORDINANCE AMENDMENT REQUEST FORM

Addendum to Land Use Ordinance Amendment Request

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

~~A. Section 15-243(d) provides that: "Under no circumstances may the light level at the lot line exceed 0.2 foot-candles measured at ground level."~~

B. Section 15-293(a) requires that "parking spaces shall contain a rectangular area at least eight and one-half feet wide and nineteen feet long."

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

A. The proposed amendment to section 15-243(d) would create a general exception in B-1(c) and B-1(g) and, in those zoning districts, would provide that the light level at the lot line shall not exceed 2.0 foot-candles measured at ground level.

B. The proposed amendment to section 15-293(a) would reduce the minimum required length of a parking space from nineteen feet to eighteen feet such that the first sentence of Section 15-293(a) would be amended as follows: Subject to subsection (b) and (c), parking spaces shall contain a rectangular area at least eight and one-half feet wide and ~~nineteen~~ eighteen feet long.

3. State the reasons for the proposed amendment:

A. The reason for this amendment is that light levels in downtown commercial districts need to be sufficient to foster a safe and inviting pedestrian experience and this amendment will thus to allow adequate lighting to be placed on multi-story buildings along main street or other rights-of-way in B-1(c) and B-1(g) zoning district to illuminate sidewalks and other pedestrian-oriented areas. Recent tests undertaken at the requests of Main Street Properties showed that existing light levels along Main Street varied from 0.5 foot-candles to 4 foot-candles. Based on these tests and common experience, amending the ordinance to allow a light level of 2.0 foot-candles at the lot line at ground level in B-1(c) and B-1(g) districts represents a fair balance between the goals of avoiding over-lighting and the goal of providing sufficient lighting to create safe and inviting pedestrian areas in downtown commercial districts.

B. The reason for this proposed amendment is that the standard dimensions of pre-cast parking structures allow for parking spaces that, while still eight and one-half feet wide, are only eighteen feet long. This length restriction is important given the standard length of the pre-cast parking deck members in order to maintain the necessary width of the drive lane between the rows of parking spaces. The proposed change is necessary if the Town of Carrboro wishes to permit the construction of pre-cast parking structures to facilitate the provision of parking spaces in downtown Carrboro and facilitate the

development of denser mixed-use projects in downtown Carrboro. The alternatives to pre-cast parking structures are not feasible, as solely providing surface parking is incompatible with the increased density desired in a downtown area, and as the cost of constructing a cast-in-place parking structure is so prohibitive that planned or proposed development projects in downtown Carrboro likely could not be constructed if those projects were, in effect, required by Section 15-293 to provide cast-in-place parking structures rather than pre-cast parking structures.

Proposed Text of Proposed Amendments

(additions shown in underline and deletions stricken through)

- A. Amend Section 15-243(d) to read as follows:

Under no circumstances may the light level at the lot line exceed 0.2 foot-candles, measured at ground level, except that in B-1(c) and B-1(g) zoning districts the light level at the lot line shall not exceed 2.0 foot-candles measured at ground level.

- B. Amend Section 15-293(a) to read as follows:

Subject to subsection (b) and (c), parking spaces shall contain a rectangular area at least eight and one-half feet wide and ~~nineteen~~ eighteen feet long. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, as long as the parking spaces so created contain within them the rectangular area required by this section.

**EXCERPT OF LUO PROVISIONS RELATED TO REQUEST TO MODIFY FOOT CANDLE
LIMITS AND PARKING SPACE DIMENSIONS – NOVEMBER 2007**

Section 15-243 Excessive Illumination (AMENDED 05/25/99)

(a) Outdoor lighting (not including sign lighting) shall be controlled in both height and intensity as provided in this section.

(b) No development shall be permitted to produce a strong light or reflection of that light beyond its lot lines onto neighboring properties, or onto any street so as to impair the vision of the driver of any vehicle upon such street.

(c) Light fixtures may not exceed fifteen (15) feet in height, and luminaries shall be shielded or configured to cast the light downward and to prevent light from shining beyond the lot lines into neighboring properties or public ways. The permit issuing authority may by condition impose additional requirements as necessary to prevent adverse impacts to adjoining properties and residents. Notwithstanding the foregoing, this section shall not apply to the lighting of recreational facilities provided that, to the maximum extent practicable, potential light pollution can be otherwise minimized through the use of shielding and limits on hours of use.

(d) Under no circumstances may the light level at the lot line exceed 0.2 foot-candles, measured at ground level.

Section 15-293 Parking Space Dimensions (AMENDED 9/13/83)

(a) Subject to subsection (b) and (c), parking spaces shall contain a rectangular area at least eight and one-half feet wide and nineteen feet long. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, as long as the parking spaces so created contain within them the rectangular area required by this section.

(b) In parking areas containing ten or more spaces, up to 40% of the parking spaces may be set aside for the exclusive use of subcompact cars (being defined as a car 175" or less in length), provided the non-subcompact car area is designated for exclusive use by compact, midsize and large cars, and provided that adequate signs are provided and maintained designating and informing the public of the exclusive use. A subcompact parking space shall contain a rectangular area seven and one-half feet wide and sixteen and one-half feet long.

(c) Wherever parking consists of spaces set aside for parallel parking, one foot shall be added to the minimum required width, and three feet to the minimum required length.

(d) Motorcycle pads shall contain a rectangular area at least four feet wide and eight feet long. Spaces shall be located at either end of parking aisles and shall have, centered, a concrete or metal strip one square foot in area to accommodate the use of kick stands.

****DRAFT 11-07-07****

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
MODIFY FOOT CANDLE LIMITS IN THE B-1(c) and B-1(G) DISTRICTS AND
PARKING SPACE LENGTH

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subsection (d) of Section 15-243 (Excessive Illumination) of the Carrboro Land Use Ordinance is amended the addition of the phrase “except that in B-1(c) and B-1(g) zoning districts the light level at the lot line shall not exceed 2.0 foot candles measured at ground level” at the end of the subsection.

Section 2. Subsection (a) of Section 15-293 (Parking Space Dimensions) is replacing the word “nineteen” with the word “eighteen” to indicate that the minimum length for a parking space is eighteen 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.

****DRAFT****