

ATTACHMENT A

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. 89/2007-08

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 Modify Foot Candle Limits in the B-1(c) and B-1(g) districts and parking space length

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 Downtown Carrboro: New Vision.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest as it supports appropriate lighting that creates welcoming and secure conditions inviting evening walks and makes efficient use of resources to meet parking needs.

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. 90/2007-08

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 Land Use Ordinance to Modify Foot Candle Limits in the B-1(c) and B-1(g) districts and parking space length

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.

****DRAFT 1-31-08****

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 to read as follow:

(d) Except as otherwise provided in this subsection, under no circumstances may the light level at a lot line exceed 2.0 foot candles. This limitation shall not generally apply to lot lines in the B-1(c) and B-1(g) zoning districts but shall apply to lot lines of properties zoned B-1(c) or B-1(g) under any of the following circumstances:

(1) Where such lot lines separate properties zoned B-1(c) or B-1(g) from properties zoned residential;

(2) If and to the extent that properties zoned residential lie directly across a street from the lot lines of properties zoned B-1(c) or B-1(g);

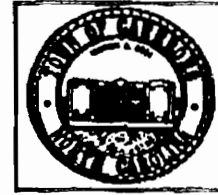
(3) Where such lot lines separate properties zoned B-1(c) or B-1(g) from properties that are not zoned residential but that are used for residential purposes and were so used on the effective date of this subsection.

Section 2. Subsection (a) of Section 15-293 (Parking Space Dimensions) is amended by 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****

CARRBORO DEVELOPMENT GUIDE
APPENDIX ATOWN 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: _____

applicant

LAURA VAN SANT (for MAJESTIC PROPERTIES LLC)
(print)

ADDRESS: _____

PO Box 2152 CHAPEL HILL, NC 27512

TELEPHONE NUMBER: _____

919-923-4343

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

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.

Section 15-242 Lighting Requirements.

(a) Subject to subsection (b), all streets, sidewalks, and other common areas or facilities in subdivisions created after the effective date of this chapter shall be sufficiently illuminated to ensure the security of property and the safety of persons using such streets, sidewalks, and other common areas or facilities.

(b) To comply with subsection (a), the developer shall coordinate with the electric utility company to see that all facilities necessary for eventual installation of street lights are put in place. However, the town shall be responsible for requesting the electric utility company actually to install such street lights at the time the town accepts the streets for maintenance. The developer shall be entirely responsible for the placement of necessary lighting in common areas not dedicated to public use.

(c) All roads, driveways, sidewalks, parking lots, and other common areas and facilities in unsubdivided developments shall be sufficiently illuminated to ensure the security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities.

(d) All entrances and exits in substantial buildings used for non-residential purposes and in multi-family residential dwellings containing more than four dwelling units shall be adequately lighted to ensure the safety of persons and the security of the building.

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.



PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JANUARY 17, 2008

Land use ordinance text amendment to increase the foot candle limitations for developments in the B-1(c) and B-1(g) districts and to decrease the minimum length of a parking space from 19 to 18 feet

Barton moved and Fritz seconded that the Planning Board recommends approval Section 1 of the draft ordinance, so that the Section 15-243 (d) of the Land Use Ordinance would read as follows (underlined text is as included in draft ordinance, bold text are PB additions):

Under no circumstances may the light level at the lot line exceed .2 foot-candles, except that in B-1(c) and B-1(g) zoning districts the light level at lot lines, other than those separating properties zoned or in existing usage for residential purposes, shall not exceed 2.0 foot candles measured at ground level.

VOTE: AYES: (6) Barton, Carnahan, Cook, Fritz, Paulsen, Cook and Poulton; NOES: (0);
ABSENT/EXCUSED: (3) Bell, Chadbourne, Clinton; ABSTENTIONS: (0).

Paulsen moved that we accept section 2 of the draft ordinance regarding the reduction in parking space length and Fritz seconded.

VOTE: AYES: (5) Barton, Carnahan, Fritz, Paulsen, and Poulton; NOES: (1); Cook
ABSENT/EXCUSED: (3) Bell, Chadbourne, Clinton; ABSTENTIONS: (0).

(signed) James Carnahan

James Carnahan, Chair

January 22, 2007

(date)