

Attachment A

**A RESOLUTION SPECIFYING FOLLOW-UP TO THE REQUESTS TO AMEND THE LAND
USE ORDINANCE TO ESTABLISH A B-1(G) CONDITIONAL ZONING DISTRICT AND TO
REZONE THE PROPERTY AT 500 N. GREENSBORO STREET**

Resolution No. 111/2009-10

WHEREAS, the Carrboro Board of Aldermen seeks to consider fully policies, plans and regulations pertaining to development opportunities; and

WHEREAS, the Board of Aldermen has received a request to rezone the parcel known as 7.93.A.4 and located at 500 N. Greensboro Street from CT to B-1(g); and

WHEREAS, adopted policies call for new commercial development to minimize negative environmental impact, to emphasize appropriate buffers, and not compromise the integrity of established neighborhoods.

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen:

Accept the petition, direct staff to prepare ordinances that establish a B-1(g) CZ zoning district and that rezone 500 N. Greensboro Street (Orange County TMBL 7.93.A.4) from CT to B-1(g) CZ, set a public hearing for April 27, 2010 and refer the draft ordinance to the Planning Board and Orange county and the rezoning petition and draft ordinance to the Planning Board for review.

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:

☐ Appearance Commission

☒ Transportation Advisory Board

☐ Environmental Advisory Board

☒ Economic Sustainability Commission

☐ Recreation and Parks Commission

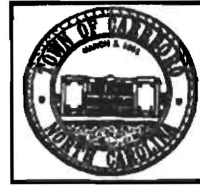
☐ Northern Transition Area Advisory Committee

☐ Greenways Commission

☐ _____

TOWN OF CARRBORO

LAND USE ORDINANCE AMENDMENT REQUEST



"Dear Potential Business Operator:

Please be advised that it may be necessary to meet with several members of Town staff as well as outside agencies to identify and fully understand all rules, regulations, and policies applicable to your business. Please refer to the 'Checklist for Opening a Business in Carrboro.'"

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):**

The conditional zoning standards to be applied to only one general use zoning district: B-2. Article IX, Page 19, Section 15- 141.4

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

The conditional zoning standards to be applied to the B-1 (g) general use zoning district.

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

Provide for a broader application of the conditional zoning standards that enable land owners to establish and overlay conditions on property to ensure compatibility between the property and surrounding neighborhood.

SIGNATURE:

David Bell, Manager
applicant

Green Equity, LLC
{print}

ADDRESS:

119 Viburnum Way, Carrboro, NC 27510

TELEPHONE NUMBER:

(919) 632-2052

Art. IX ZONING DISTRICTS AND ZONING MAP

5. If the conditional use permit is allowed to expire (under Section 15-62), the Board may initiate action to rezone the property to any appropriate general use district classification. In addition, notwithstanding any other provision of this ordinance, the Board shall be under no obligation to consider any major modification of a conditional use permit issued in connection with a conditional use rezoning or any new conditional use permit for property that has been the subject of a conditional use rezoning.
- (f) If a conditional use permit issued in connection with a conditional use rezoning authorizes the creation of a residential subdivision containing lots intended for development with not more than four dwelling units each, and the conditional use permit application does not provide sufficient information to authorize a development permit for such lots, then such lots may be developed pursuant to the issuance of a zoning permit (i.e. each lot will not require an amendment to the conditional use permit issued for the overall development).

Section 15-141.4 Conditional Zoning Districts

(a) Conditional zoning districts are zoning districts in which the development and use of the property so zoned are governed by the regulations applicable to one of the general use zoning districts listed in the Table of Permissible Uses, as modified by the conditions and restrictions imposed as part of the legislative decision creating the district and applying it to the particular property. Accordingly, the following conditional zoning districts may be established: B-2-CZ, ~~and~~ B-1 (g) - CZ.

(b) The conditional zoning districts authorized by this section may be applied to property only in response to a petition signed by all the owners of the property to be included within such district.

(c) The uses permissible within a conditional zoning district authorized by this section, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional district corresponds as described in subsection (a), except as those uses and regulations are limited by conditions imposed pursuant to subsection (d) of this section. For example, property that is rezoned to a B-2-CZ district may be developed in the same manner as property that is zoned B-2, subject to any conditions imposed pursuant to subsection (d).

(d) When a rezoning petition for a conditional zoning district is submitted (in accordance with Article XX of this chapter), the application shall include a list of proposed conditions (which may be in the form of written statements, graphic illustrations, or any combination thereof) to be incorporated into the ordinance that rezones the property to the requested conditional zoning district. The list of proposed conditions may be modified by the planning staff, advisory boards, or Board of Aldermen as the rezoning application works its way through the process described in Article XX, but only those conditions mutually approved by the applicant and the Board may be incorporated into the conditional zoning district. Conditions

and site-specific standards imposed in a conditional district shall be limited to (i) those that address the conformance of the development and use of the site to the provisions of this chapter or to applicable plans adopted by the Board, and (ii) those that address the impacts reasonably expected to be generated by the development or use of the site.

(e) All uses that are permissible in the conditional zoning district shall require the issuance of the same type of permit that such use in the corresponding general use district would ordinarily require (according to the Table of Permissible Uses), i.e. a zoning permit, special use permit, or conditional use permit.

TOWN OF CARRBORO



"Dear Potential Business Operator:

Please be advised that it may be necessary to meet with several members of Town staff as well as outside agencies to identify and fully understand all rules, regulations, and policies applicable to your business. Please refer to the 'Checklist for Opening a Business in Carrboro.'

PETITIONER
Green Equity, LLC

DATE:
Jan. 25, 2010

The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from CT to B-1(g)-CZ zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME: Green Equity, LLC

ADDRESS: 119 Viburnum Way, Carrboro, NC 27510

TELEPHONE #: (919) 632-2052

2. INTEREST IN PROPERTY(IES): Owner

3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS: 0.68 Acre Tract, PIN 9778877556, fronting the east side of North Greensboro Street just north of Shelton Street.

4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:

a. OWNER: Green Equity, LLC

TAX MAP: 7 BLOCK: 93 LOT: A ACREAGE: 0.68 PARCEL: 4

SUBDIVISION NAME: _____ FRONTAGE: 81 LF DEPTH: 355 LF

EXISTING STRUCTURES AND USES: (1) House and (1) detached garage presently used as rental residential

b. OWNER: _____

TAX MAP: _____ **BLOCK:** _____ **LOT:** _____ **ACREAGE:** _____ **PARCEL:** _____

SUBDIVISION NAME: _____ **FRONTAGE:** _____ **DEPTH:** _____

EXISTING STRUCTURES AND USES: _____

c. OWNER: _____

TAX MAP: _____ **BLOCK:** _____ **LOT:** _____ **ACREAGE:** _____ **PARCEL:** _____

SUBDIVISION NAME: _____ **FRONTAGE:** _____ **DEPTH:** _____

EXISTING STRUCTURES AND USES: _____

d. OWNER: _____

TAX MAP: _____ **BLOCK:** _____ **LOT:** _____ **ACREAGE:** _____ **PARCEL:** _____

SUBDIVISION NAME: _____ **FRONTAGE:** _____ **DEPTH:** _____

EXISTING STRUCTURES AND USES: _____

5. NAMES AND ADDRESSES OF ALL PERSONS WHOSE PROPERTY OR ANY PART THEREOF IS WITHIN 1000 FEET IN ANY DIRECTION OF THE PROPERTY SOUGHT TO BE REZONED.

[illegible]

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES X NO
IF "YES", WHEN? 1986

7. PLEASE SET OUT AND EXPLAIN THOSE CIRCUMSTANCES PERTINENT TO THE PROPERTY AND THE MANNER IT RELATES TO THE TOWN THAT DEMONSTRATE THAT THE PROPOSED ZONING DISTRICT CLASSIFICATION IS CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN. MORE SPECIFICALLY:

- (a) How do the potential uses in the new district classification relate to the existing character of the area?

The parcel is located in a transitional area at the western edge of Carrboro's commercial district, with residential neighborhoods to the west and south. The list of general business uses permitted in B1(g) is described in the ordinance as intended not to disrupt the peace and quiet of nearby residential areas. B1(g) is in fact a transitional development zone. Further as a specific condition of this rezoning, an existing residential structure will be relocated and rehabilitated at the front of the property to reinforce the residential scale of the N. Greensboro St. streetscape. Similarly, also as a condition of this rezoning, building height will be limited to two stories and 35 feet.

- (b) In what way is the property proposed for rezoning peculiarly/particularly suited for the potential uses of the new district?

The property is part of the Corporate Town zone intended 25 years ago as a flexible, commercial-use district. Development of the intended large-scale projects on larger lots that would be created by property combinations has not materialized. The B1(g) district permits development of smaller-scale commercial projects on smaller lots such as the property that is subject of this rezoning request.

- (c) How will the proposed rezoning affect the value of nearby buildings?

Use of the rezoned property will bring a high-value use to the area. The neighboring property owner's agreement to allow location of a shared access road entrance on his adjacent parcel to the east is evidence of the positive impact the project will have. The relocation of a former residential building to a site next to an existing house on adjacent property to the west will buffer that property as well as residential properties across the street.

- (d) In what way does the rezoning encourage the most appropriate use of the land in the planning jurisdiction?

The rezoning will enable the small parcel to develop with transitional commercial uses consistent with the desire to broaden Carrboro's commercial tax base while co-existing with adjacent residential areas, as intended by the Town's zoning ordinance and the Downtown Neighborhood Protection overlay.

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 25 DAY OF JANUARY, 2010.

PETITIONER'S SIGNATURE:

Tamara Bell, Manager

For all the persons identified under "5", please attach addressed envelopes with the correct postage. Oversight of this requirement could delay processing your rezoning request.

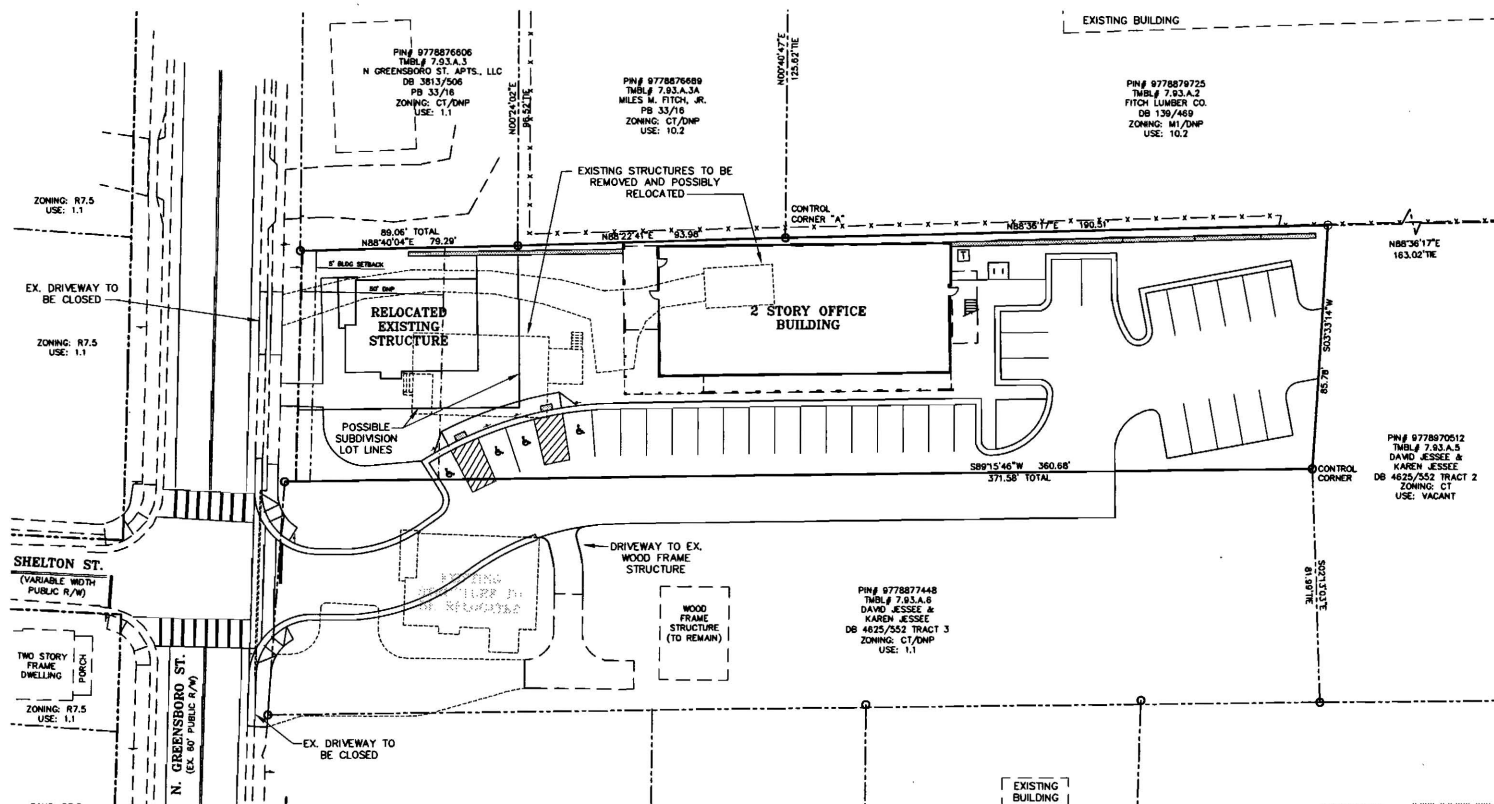
Please see Exhibit "A" for zoning conditions.

Exhibit "A"

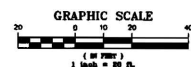
Zoning Conditions:

- Building Height shall be limited to 2 stories and 35'.
- Parking ratio shall not be less than 2.0 parking spaces per 1,000 SF which may include shared parking for any further subdivision of the parcel.
- Driveway access to the parcel shall be aligned with Shelton Street and a shared ingress and egress easement shall be established over and upon the driveway for the common use of the driveway.
- The house presently located on parcel 9778877448 shall be relocated, within 2 years of this re-zoning, to parcel 9778877556; which may be further subdivided.

B-9



**PRELIMINARY
NOT FOR
CONSTRUCTION**



civil consultants
LAND PLANNERS & CIVIL ENGINEERS
220 HERITAGE TRADE DRIVE, SUITE 100, WARE FOREST, NC 27707
919.486.1111
WWW.CIVILCONSULTANTS.COM

GREEN EQUITY, LLC
CARBORO, NORTH CAROLINA
**ZONING
EXHIBIT**

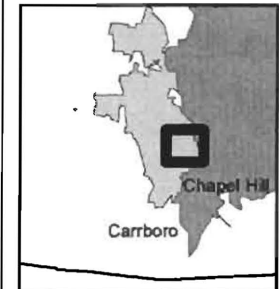
REV.	DATE	DESCRIPTION	BY	DATE	DESCRIPTION	BY
1	02/25/10	TOWN & NCOT COMMENTS	MAF			
2	03/10/10	EXISTING TOWN COMMENTS	MAF			
3	03/10/10	EXISTING TOWN COMMENTS	MAF			
4	03/10/10	EXISTING TOWN COMMENTS	MAF			
5	03/10/10	EXISTING TOWN COMMENTS	MAF			
6	03/10/10	EXISTING TOWN COMMENTS	MAF			
7	03/10/10	EXISTING TOWN COMMENTS	MAF			
8	03/10/10	EXISTING TOWN COMMENTS	MAF			
9	03/10/10	EXISTING TOWN COMMENTS	MAF			
10	03/10/10	EXISTING TOWN COMMENTS	MAF			

DATE: 02/25/10
PROJECT NO.: 1000000000
DRAWING NAME: 1000000000

SHEET NO.

ZE

Location Map 500 North Greensboro Street



Addresses selection

● <all other values>

Status

- Active
- Corner
- Pre-Assigned
- Retired
- Unverified

Parcels selection

□ Parcels

allzone selection

□ <all other values>

ZONING

- B1G
- CT
- B-3 parcels

— Streets

— City Limits

■ Planning Jurisdiction

Feet
675

**THIS MAP IS NOT A CERTIFIED SURVEY
NO RELIANCE MAY BE PLACED IN ITS
ACCURACY**

The Town of Carrboro 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



B1G Zoning District

[Go to the Zoning Map](#)

Section 15-136(2)

B-1(G) GENERAL BUSINESS. This district is designed to accommodate a broad range of business uses. This district, because of its close proximity to established residential single family neighborhoods, is limited in the types of night uses permitted. Uses may be restricted in the hours of operation where the permit-issuing authority finds that such restrictions are necessary to prevent unreasonable disruptions to the peace and quiet of a nearby residential area.. In addition, no metal buildings shall be allowed in this district.

(AMENDED 12/08/92; 06/09/98)

Requirements for the B1G Zoning District

Feature	Requirement
Boundary Setback (ft)	2x adjoining residential setback
Centerline Setback (ft)	30
Cluster Min Sq Ft (sq ft)	
Maximum Height (ft)	3 stories < 50' ROW; 4 stories >= 50' ROW
Min Lot Size (sq ft)	3000
Min Lot Width (ft)	0
Min Sq Ft / Unit (sq ft)	3000
R/W Setback (ft)	10' @ 4 stories; 20' @ 5 stories

Uses Allowed in the B1G Zoning District

Category	Land Use	Required Permit
1.111	Single Family Detached Site Built/Modular 1/lot	Z
1.121	Single Family Detached 1-4 units (site built/modular)	Z
1.1211	Single Family Detached 5-12 units (site built/modular)	SUP
1.1212	Single Family Detached 13+ units (site built/modular)	CUP
1.21	2 Family Conversion 1-4 units	Z
1.2101	2 Family Conversion 5-12 units	SUP
1.2102	2 Family Conversion 13 + units	CUP
1.22	Primary w/Assessory Apartment 1-4 units	Z
1.2201	Primary w/Assessory Apartment 5-12 units	SUP
1.2202	Primary w/Assessory Apartment 13+ units	CUP
1.231	Duplex 1-4 units (Maximum 20% w/> 3 bedrooms)	Z
1.2311	Duplex 5-12 units (Maximum 20% w/> 3 bedrooms)	SUP
1.2312	Duplex 13 + units (Maximum 20% w/> 3 bedrooms)	CUP

D-2

1.241	2 Family Apartment 1-4 units (Maximum 20% w/> 3 bedrooms)	Z
1.2411	2 Family Apartment 5-12 units (Maximum 20% w/> 3 bedrooms)	SUP
1.2412	2 Family Apartment 13+ units (Maximum 20% w/> 3 bedrooms)	CUP
1.31	Multi Family Conversion 3-4 units	Z
1.3101	Multi Family Conversion 5-12 units	SUP
1.3102	Multi Family Conversion 13+ units	CUP
1.321	Multi Family Townhouse 3-4 units (Maximum 20% w/> 3 bedrooms)	Z
1.3211	Multi Family Townhouse 3-12 units (Maximum 20% w/> 3 bedrooms)	SUP
1.3212	Multi Family Townhouse 13+ units (Maximum 20% w/> 3 bedrooms)	CUP
1.331	Multi Family Apartments 3-4 units (Maximum 20% w/> 3 bedrooms)	Z
1.3311	Multi Family Apartments 5-12 units (Maximum 20% w/> 3 bedrooms)	SUP
1.3312	Multi Family Apartments 13+ units (Maximum 20% w/> 3 bedrooms)	CUP
1.34	Single-Room Occupancy 1-4 units	Z
1.3401	Single-Room Occupancy 5-12 units	SUP
1.3402	Single-Room Occupancy 13+ units	CUP
1.41	Fraternities, Sororities, Dormitories, & Similar Housing	CUP
1.42	Boarding Houses, Rooming Houses	SUP
1.43	Adult Care Home, Class A	Z
1.44	Adult Care Home, Class B	Z
1.45	Child Care Home, Class A	Z
1.46	Child Care Home, Class B	Z
1.47	Maternity Home	Z
1.48	Nursing Care Home	Z
2.11	Sales & Rental\ No Outside Storage\ High-Vol	Z, C(>1 Acre)
2.111	ABC Stores	Z, C(>1 Acre)
2.12	Sales & Rental\ No Outside Storage\ Low-Vol	Z, C(>1 Acre)
2.13	Wholesale Sales\ No Outside Storage	Z, C(>1 Acre)
2.21	Sales & Rental\ With Outside Display\ High-Vol	Z, S(>1 Acre)
2.22	Sales & Rental\ With Outside Display\ Low-Vol	Z, S(>1 Acre)
2.23	Wholesale Sales\ With Outside Display	CUP
3.11	Office serving clients on premises	Z, C(>1 Acre)
3.12	Office attracting little or no client traffic	Z, C(>1 Acre)
3.13	Medical Offices < 10,000 sq. ft.	Z, C(>1 Acre)
3.15	Copy Centers/Printing Operations	Z, C(>1 Acre)
3.25	ATM Freestanding	CUP
4.1	Manufacturing within fully enclosed bldg.	Z, C(>1 Acre)
5.11	Elementary & Secondary Schools	CUP
5.12	Trade or Vocational School	Z, C(>1 Acre)
5.13	Colleges	Z, C(>1 Acre)
5.2	Churches, Synagogues, Temples, etc.	Z, S(>1 Acre)
5.31	Libraries, Cultural Centers in resi. bldg. < 3,500 sf.	Z
5.32	Libraries, Cultural Centers in any other bldg.	Z, S(>1 Acre)
5.4	Social clubs, lodges, etc.	Z, S(>1 Acre)
6.11	Indoor Recreation Facilities	Z, S(>1 Acre)
6.121	Movie Theaters w/ < 301 capacity	Z, S(>1 Acre)
6.122	Movie Theaters w/ unlimited capacity	Z, S(>1 Acre)
6.13	Coliseums etc. for more than 1000 people	CUP
6.14	Community Ctr.(public/ non-profit)	Z

A-3

	Outdoor Recreation/Private Lands/w/o Town Sponsorship/Not Part of a Residential Development	CUP
6.221	Outdoor Recreation on Public Lands operated by the Town of Carrboro	Z
6.222	Outdoor Recreation on Public Lands operated by a public entity & not the Town	CUP
7.1	Hospitals/ Medical Facilities > 10,000 Sq. Ft.	CUP
7.2	Nursing Care Institutions etc.	CUP
7.3	Mental Institutions	CUP
8.1	Restaurants, Bars, Night Clubs inside service	Z, C(>=1500 Sq Ft)
8.2	Restaurants, Bars, Night Clubs outside service	Z, C(>=1500 Sq Ft)
8.5	Restaurants, Carry out service	Z, C(>=1500 Sq Ft)
8.6	Restaurants, Food delivery	Z, C(>=1500 Sq Ft)
9.1	Automobile sales, rental, & service	CUP
9.4	Automobile repair or body shop	CUP
10.1	Parking lots or garages (Independent)	Z
12.1	Veterinarian	Z, S(>1 Acre)
13.1	Police Stations	Z
13.2	Fire Stations	Z
13.3	Rescue, or Ambulance Service	SUP
13.4	Civil Defense Operation	SUP
15.1	Post Office	CUP
15.2	Airport	SUP
15.51	Recycling using collection other than vehicle	Z
15.52	Aluminum recycling using a motor vehicle	SUP
15.7	Cable Television Signal Distribution Center	SUP
15.8	Town-Owned Facilities and Services	Z
16.2	Dry Cleaner/ Laundromat w/out drive-in windows	Z
17.1	Utility Facility-Neighborhood	SUP
18.1	Towers & Antennas < 50 ft. tall	Z
18.3	Antennas >50 ft. on structures other than towers [Not accessory (c)5]	SUP
18.4	Towers & Antennas for public safety services	Z, C(>1 Acre)
19.1	Open Air Markets	Z, S(>1 Acre)
19.2	Horticultural Sales w/ outdoor display	Z, S(>1 Acre)
21.1	Town-Owned Cemetery	Z
22.1	Child Day Care Home	SUP
22.2	Child Day Care Facility	Z
22.3	Senior Citizens Day Care, Class A	Z
22.4	Senior Citizens Day Care, Class B	SUP
23.1	Temporary Construction. Structures/ parking on site	Z
24	Bus Station	Z, S(>1 Acre)
26.1	Major Subdivisions 5-12 Lots	SUP
26.1001	Major Subdivisions 13+ Lots	CUP
26.2	Minor Subdivisions 2-4 Lots	Z
27	Combination Uses	Z, SUP, or CUP (15-154)
29	Special Events	Z, C(>1 Acre)
34.1	Hotels and Motels	CUP

CT Zoning District

[Go to the Zoning Map](#)

Section 15-136(7)

CT CORPORATE TOWN. This district is designed to create a visually attractive, commercial use district with flexible space. The district is intended to provide space for assemblage and research and development type enterprises. Any structure in this district which is proposed for non-residential use shall be located a minimum distance of 50 feet from any residential dwelling unit in the district that was in existence on July 1, 1985. In order to encourage the creation of flexible space, an average minimum building height of 18 feet for any principal structure is required. In order to preserve the character of North Greensboro Street, the exterior walls of any structure built after July 1, 1985 shall be constructed of brick, stone, or wood. The continued use of existing residential dwelling units along North Greensboro Street is encouraged.

Requirements for the CT Zoning District

Feature	Requirement
Boundary Setback (ft)	0
Centerline Setback (ft)	30
Cluster Min Sq Ft (sq ft)	
Maximum Height (ft)	3 stories
Min Lot Size (sq ft)	40000
Min Lot Width (ft)	100
Min Sq Ft / Unit (sq ft)	7500
R/W Setback (ft)	0

Uses Allowed in the CT Zoning District

Category	Land Use	Required Permit
1.111	Single Family Detached Site Built/Modular 1/lot	Z
1.121	Single Family Detached 1-4 units (site built/modular)	Z
1.1211	Single Family Detached 5-12 units (site built/modular)	SUP
1.1212	Single Family Detached 13+ units (site built/modular)	CUP
1.21	2 Family Conversion 1-4 units	Z
1.2101	2 Family Conversion 5-12 units	SUP
1.2102	2 Family Conversion 13 + units	CUP
1.22	Primary w/Assessory Apartment 1-4 units	Z
1.2201	Primary w/Assessory Apartment 5-12 units	SUP
1.2202	Primary w/Assessory Apartment 13+ units	CUP
1.231	Duplex 1-4 units (Maximum 20% w/> 3 bedrooms)	Z

D-5

1.2311	Duplex 5-12 units (Maximum 20% w/> 3 bedrooms)	SUP
1.2312	Duplex 13 + units (Maximum 20% w/> 3 bedrooms)	CUP
1.241	2 Family Apartment 1-4 units (Maximum 20% w/> 3 bedrooms)	Z
1.2411	2 Family Apartment 5-12 units (Maximum 20% w/> 3 bedrooms)	SUP
1.2412	2 Family Apartment 13+ units (Maximum 20% w/> 3 bedrooms)	CUP
1.31	Multi Family Conversion 3-4 units	Z
1.3101	Multi Family Conversion 5-12 units	SUP
1.3102	Multi Family Conversion 13+ units	CUP
1.321	Multi Family Townhouse 3-4 units (Maximum 20% w/> 3 bedrooms)	Z
1.3211	Multi Family Townhouse 3-12 units (Maximum 20% w/> 3 bedrooms)	SUP
1.3212	Multi Family Townhouse 13+ units (Maximum 20% w/> 3 bedrooms)	CUP
1.331	Multi Family Apartments 3-4 units (Maximum 20% w/> 3 bedrooms)	Z
1.3311	Multi Family Apartments 5-12 units (Maximum 20% w/> 3 bedrooms)	SUP
1.3312	Multi Family Apartments 13+ units (Maximum 20% w/> 3 bedrooms)	CUP
1.34	Single-Room Occupancy 1-4 units	Z
1.3401	Single-Room Occupancy 5-12 units	SUP
1.3402	Single-Room Occupancy 13+ units	CUP
1.41	Fraternities, Sororities, Dormitories, & Similar Housing	CUP
1.42	Boarding Houses, Rooming Houses	CUP
1.43	Adult Care Home, Class A	Z
1.44	Adult Care Home, Class B	Z
1.45	Child Care Home, Class A	Z
1.46	Child Care Home, Class B	Z
1.47	Maternity Home	Z
1.48	Nursing Care Home	Z
1.9	Home Occupation	SUP
2.11	Sales & Rental\ No Outside Storage\ High-Vol	CUP
2.111	ABC Stores	CUP
2.12	Sales & Rental\ No Outside Storage\ Low-Vol	CUP
2.13	Wholesale Sales\ No Outside Storage	CUP
2.21	Sales & Rental\ With Outside Display\ High-Vol	Z, C(>2 Acre)
2.22	Sales & Rental\ With Outside Display\ Low-Vol	Z, C(>2 Acre)
2.23	Wholesale Sales\ With Outside Display	Z, C(>2 Acre)
3.11	Office serving clients on premises	CUP
3.12	Office attracting little or no client traffic	CUP
3.13	Medical Offices < 10,000 sq. ft.	Z, C(>2 Acre)
3.15	Copy Centers/Printing Operations	Z, C(>2 Acre)
3.22	Office attracting little or no client traffic (operations in or outside)	CUP
3.25	ATM Freestanding	CUP
4.1	Manufacturing within fully enclosed bldg.	CUP
5.12	Trade or Vocational School	CUP
5.13	Colleges	CUP
5.2	Churches, Synagogues, Temples, etc.	Z, S(>2 Acre)
5.31	Libraries, Cultural Centers in resi. bldg. < 3,500 sf.	Z, S(>2 Acre)
5.32	Libraries, Cultural Centers in any other bldg.	Z, S(>2 Acre)
5.4	Social clubs, lodges, etc.	Z, S(>2 Acre)
6.11	Indoor Recreation Facilities	Z, S(>2 Acre)
6.121	Movie Theaters w/ < 301 capacity	Z, S(>2 Acre)

	Movie Theaters w/ unlimited capacity	Z, S(>2 Acre)
6.13	Coliseums etc. for more than 1000 people	CUP
6.14	Community Ctr.(public/ non-profit)	Z
6.21	Outdoor Recreation/Private Lands/w/o Town Sponsorship/Not Part of a Residential Development	CUP
6.221	Outdoor Recreation on Public Lands operated by the Town of Carrboro	Z
6.222	Outdoor Recreation on Public Lands operated by a public entity & not the Town	CUP
7.1	Hospitals/ Medical Facilities > 10,000 Sq. Ft.	CUP
7.2	Nursing Care Institutions etc.	CUP
7.3	Mental Institutions	CUP
10.1	Parking lots or garages (Independent)	CUP
13.1	Police Stations	Z
13.2	Fire Stations	Z
13.3	Rescue, or Ambulance Service	SUP
13.4	Civil Defense Operation	SUP
15.1	Post Office	CUP
15.7	Cable Television Signal Distribution Center	SUP
15.8	Town-Owned Facilities and Services	Z
16.2	Dry Cleaner/ Laundromat w/out drive-in windows	Z
17.1	Utility Facility-Neighborhood	SUP
17.3	Cable Television Satellite Station	SUP
18.1	Towers & Antennas < 50 ft. tall	Z
18.2	Towers & Antennas > 50 ft. tall & Satellite Dish	CUP
18.3	Antennas >50 ft.on structures other than towers [Not accessory15-150 (c)5]	SUP
19.1	Open Air Markets	SUP
19.2	Horticultural Sales w/ outdoor display	SUP
21.1	Town-Owned Cemetery	Z
22.1	Child Day Care Home	Z
22.2	Child Day Care Facility	SUP
22.3	Senior Citizens Day Care, Class A	Z
22.4	Senior Citizens Day Care, Class B	SUP
23.1	Temporary Construction. Structures/ parking on site	Z
24	Bus Station	SUP
26.1	Major Subdivisions 5-12 Lots	SUP
26.1001	Major Subdivisions 13+ Lots	CUP
26.2	Minor Subdivisions 2-4 Lots	Z
27	Combination Uses	Z, SUP, or CUP (15-154)
29	Special Events	CUP
34.1	Hotels and Motels	CUP
34.2	Bed and Breakfast	SUP

Section 15-321 Initiation of Amendments

(a) Whenever a request to amend this chapter is initiated by the Board of Aldermen, the planning board, the board of adjustment, the appearance commission, or the town administration, the town attorney in consultation with the planning staff shall draft an appropriate ordinance and present that ordinance to the Board of Aldermen so that a date for a public hearing may be set.

(b) Any other person may also petition the Board to amend this chapter. The petition shall be filed with the planning department and shall include, among the information deemed relevant by the planning department:

- (1) The name, address, and phone number of the applicant.
- (2) A description of the land affected by the amendment if a change in zoning district classification is proposed.
- (3) Stamped envelopes containing the names and addresses of all those to whom notice of the public hearing must be sent as provided in Section 15-323.
- (4) A description of the proposed map change or a summary of the specific objective of any proposed change in the text of this chapter.
- (5) A concise statement of the reasons why the petitioner believes the proposed amendment would be in the public interest.

(c) Upon receipt of a petition as provided in (b), the planning staff shall either:

- (1) Treat the proposed amendment as one initiated by the town administration and proceed in accordance with subsection (a) if it believes that the proposed amendment has significant merit and would benefit the general public interest; or
- (2) Forward the petition to the Board with or without written comment for a determination of whether an ordinance should be drafted and a public hearing set in accordance with subsection (d).

(d) Upon receipt of a proposed ordinance as provided in subsection (a), the Board may establish a date for a public hearing on it. Upon receipt of a petition for an ordinance amendment as provided in subsection (b), the Board may summarily deny the petition or set a date for a public hearing on the requested amendment and order the attorney, in consultation with the planning staff, to draft an appropriate ordinance.

Section 15-322 Planning Board and Other Advisory Consideration of Proposed Amendments (AMENDED 10/24/06)

(a) If the Board sets a date for a public hearing on a proposed amendment, it shall also refer the proposed amendment to the planning board for its consideration and may refer the amendment to the appearance commission if community appearance is involved, and may refer the amendment to the transportation advisory board if the amendment involves community transportation issues. **(AMENDED 09/19/95)**

(b) The planning board shall advise and comment on whether the proposed amendment is consistent with the Land Use Plan, Thoroughfare Plan, or other applicable plans officially adopted by the Board of Aldermen. The planning board shall provide a written recommendation to the Board of Aldermen that addresses plan consistency and other matters as deemed appropriate by the planning board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the Board of Aldermen may proceed in its consideration of the amendment without the planning board report. **(AMENDED 10/24/06)**

(c) A comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan, Thoroughfare Plan or other officially adopted plan shall not preclude consideration or approval of the proposed amendment by the Board of Aldermen, and the Board of Aldermen is not bound by the recommendations of the planning board. **(AMENDED 10/24/06)**

(d) A member of the planning board and any other advisory committee that provides direct advice to the Board of Aldermen (i.e. it does not report to the planning board) shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. **(AMENDED 10/24/06)**

Section 15-325 Ultimate Issue Before Board on Amendments

In deciding whether to adopt a proposed amendment to this chapter, the central issue before the Board is whether the proposed amendment advances the public health, safety or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the mayor and excluded. In particular, when considering proposed minor map amendments:

- (1) Except when the request is to rezone property to a conditional use district or conditional zoning district, the Board shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Board shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification. **(AMENDED 05/25/99; 05/27/08)**
- (2) The Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.