

Rezoning

Background

Zoning is the division of land into districts based on current or intended land use. These districts have uniform zoning regulations, including: land use, height of structures, building setbacks, lot size and other specific zoning requirements.

Zoning regulations help ensure that the town will continue to grow and change in a managed, predictable way while safeguarding the health and safety of the general public.

You must have the appropriate zoning in place before beginning any other development process.

When/why might I use the rezoning process?

If the land you intend to develop is not zoned to permit your proposed use or density.

Where do I initiate the process?

Town of Carrboro Planning Department
Planning Division
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8am-5pm

Phone: (919) 918-7324
Fax: (919) 960-9450

What information will I need to provide for a rezoning in the Town of Carrboro?

Each of the following items must be completed in their entirety:

- A. The appropriate rezoning application completed and signed. The appropriate application can be

obtained in the Carrboro Planning Department (also see Appendix I-2).

- B. The metes and bounds description for the area proposed for rezoning. The description can generally be provided by your surveyor or land planning professional. The description should also state the area (in square feet and acres) for the property proposed for annexation.
- C. Payment of the appropriate fee to the Town of Carrboro. Please see the "Town of Carrboro Schedule of Fees and Miscellaneous Charges" found in Appendix I – 28 (subject to change annually).

Who may be involved in the rezoning process?

- Planning Department
- Planning Division
 - Zoning Division

Text Amendment

Background

The Town of Carrboro Land Use Ordinance is the document that governs all use of property within the Town's jurisdiction. The Land Use Ordinance provides the regulations for various districts and uses, including: permitted land uses, height of structures, building setbacks, lot size, drainage requirements, landscaping requirements and other specific zoning requirements.

The regulations of the Land Use Ordinance help ensure that the town will continue to grow and change in a managed, predictable way while safeguarding the health and safety of the general public.

If a portion of the Land use Ordinance prohibits you from developing your property in the manner that you desire, you may apply for a text amendment. You must have the text amendment approved before beginning any other development process.

When/why might I use the text amendment process?

If the Land Use Ordinance does not permit certain aspects of your desired project (i.e., 4-story buildings, enough limitless impervious surface, detached garages, etc.), you must either modify your project to conform with the ordinance or apply for a text amendment prior to proceeding with your proposed development.

Where do I initiate the process?

Town of Carrboro Planning Department
Planning Division

301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8am-5pm

Phone: (919) 918-7324

Fax: (919) 960-9450

What information will I need to provide for a text amendment in the Town of Carrboro?

Each of the following items must be completed in their entirety:

- D. The appropriate text amendment application completed and signed. The appropriate application can be obtained in the Carrboro Planning Department (also see Appendix I - 3).
- E. A narrative explaining the nature of your desired text amendment (if the application does not provide you with sufficient space).
- F. Payment of the appropriate fee to the Town of Carrboro. Please see the "Town of Carrboro Schedule of Fees and Miscellaneous Charges" found in Appendix I - 28 (subject to change annually).

Who may be involved in the text amendment process?

Planning Department

- Planning Division
- Zoning Division

Town Attorney

Town Engineer

Public Works Department

Orange County Planning

Annexation

When/why might I use the annexation process?

To bring property located outside of the Town's corporate limits but within the Town's planning jurisdiction into the corporate limits.

Where do I initiate the process?

Town of Carrboro Planning Department
Planning Division
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8am-5pm

Phone: (919) 918-7324

Fax: (919) 960-9450

Which type of annexation process do I need to use?

Contiguous: The contiguous annexation procedure is used when the property proposed for annexation is located adjacent (or contiguous) to property currently located within the principal Town limits.

Non-Contiguous: The non-contiguous annexation procedure is used when the property proposed for annexation is not adjacent (or contiguous) to property currently located within the principal Town limits or is adjacent to another non-contiguous annexation (i.e., a satellite portion of the Town).

What information will I need to provide for annexation into the Town of Carrboro?

Each of the following items must be completed in their entirety:

- G. The appropriate annexation application completed and signed. The appropriate application can be obtained in the Carrboro Planning Department (also see Appendix I – 4 and 5).
- H. The metes and bounds description for the area proposed for annexation. This description can generally be provided by your surveyor or land planning professional. The description should also state the area (in square feet and acres) for the property proposed for annexation.
- I. An annexation map (no larger than 18" x 24") showing the metes and bounds of the property proposed for annexation. The map should include:
 1. A location map.
 2. A north arrow and scale.
 3. The written metes and bounds description.
 4. The property to be annexed.
 5. The name(s) of the property owners.
 6. Proposed and existing Town limit lines.
 7. Streets and/or roads and the right-of-way width.
 8. The distance of beginning.

Who may be involved in the annexation process?

Planning Department

- Planning Division
- Zoning Division

Public Works Department
Town Clerk
Town Engineer
OWASA

Subdivision of Property

Background

The subdivision process for the Town of Carrboro was established to subdivide land and prepare infrastructure for development in a comprehensively planned manner.

The size of the proposed subdivision and the zoning district in which you are located will determine the type of subdivision process that will be required.

What is a subdivision?

The division of a tract of land into two or more lots, building sites or other divisions for the purpose of sale or building (whether immediate or future) and including all divisions of land involving the dedication or a new street or a change in existing streets.

When/why might I use the subdivision process?

Anytime when you are changing the lot configuration for a previously platted piece of property, a subdivision plat must be filed.

What are the different subdivision processes that can be used?

There are three different processes that can be used when subdividing property. Exempt subdivisions require only that the plat contain a certificate signed by the Planning Director stating that the plat does not create a subdivision subject to the Town's regulations. Minor subdivisions require staff level approval (a zoning permit), while major subdivisions require Board approval through the public hearing process

(either a Special Use Permit or a Conditional Use Permit).

The three subdivision types follow with detailed explanations for each:

1. Exempt Subdivision Process: Each of the following qualifies as an exempt subdivision:

- a. The combination or recombination of previously platted lots where the total number of lots is not increased and where the resultant lots are equal to or exceed the minimum standards set for in the Land Use Ordinance (LUO).
- b. The division of land into parcels greater than ten acres where no street right-of-way dedication is involved.
- c. The public acquisition by purchase of strips of land for widening or opening streets.
- d. The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the minimum standards set forth in the Land Use Ordinance (LUO).

2. Minor Subdivision Process: A subdivision of property located outside of the watershed districts that does not involve any of the following:

- a. The creation of more than four lots.

- b. The creation of any new public streets.
 - c. The extension of the water or sewer system operated by OWASA.
 - d. The installation of drainage improvements through one or more lots to serve one or more other lots.
3. Major Subdivision Process: A subdivision of property either located in the watershed districts or that does not qualify as an exempt or minor subdivision (see the information above).

Where do I initiate the process?

Town of Carrboro Planning Department
Zoning Division
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8am-5pm

Phone: (919) 918-7336
Fax: (919) 942-1720

What information will I need to provide in order to execute a subdivision of property?

The information needed varies depending on the type of subdivision process that you are using/are eligible for. The following provides a brief description of the information that will be needed for each of the three subdivision processes:

- 1. Exempt Subdivision: Submit the plat along with the appropriate fee to the Zoning Division. Staff will review the plat to ensure that it is an 'exempt plat'. Occasionally, staff will require the verification of information from outside agencies

prior to releasing the plat for recordation.

- 2. Minor Subdivision: Complete and submit the information requested on the "Filing a Final Plat Checklist" – Appendix I – 9. Occasionally, staff will require the verification of information from outside agencies prior to releasing the plat for recordation.

- 3. Major Subdivision: Depending on the zoning district the subject property is located, you may need to complete the requirements of the "Conceptual Preliminary Plan Guide and Checklist for Major Subdivisions" – Appendix I – 6.

Next, all major subdivisions must complete the requirements on either the "Site Plan Guide and Checklist for Standard, Cluster and Architecturally Integrated Subdivisions" or the "Site Plan Guide and Checklist for Standard and Cluster Watershed Residential Subdivisions" – Appendix I – 7 and Appendix I – 8, respectively.

Last, all major subdivisions must complete and submit the final plat requirements on the "Filing a Final Plat Checklist" – Appendix I – 9.

Who else may be involved in the Subdivision Review Process?

Applicable Public/Private Utilities
Chapel-Hill/Carrboro City Schools
Orange County Disability Awareness
Orange County Health Department
Orange County Erosion Control
Town of Carrboro Consulting Engineer
Town of Carrboro Police
Town of Carrboro Fire
Town of Carrboro Planning
Town of Carrboro Public Works
Town of Carrboro Building Inspections
Town of Carrboro Rec. and Parks
Applicable State/Federal Agencies

OWASA
NCDOT

What is the time frame for the subdivision review process?

Exempt subdivisions can typically be reviewed within a few days. If no changes are necessary, then the plat can be signed and released for recording. If changes are necessary, another round of review will be necessary prior to the plat being signed and released.

Minor subdivisions can typically be reviewed within two to three weeks. If no changes are necessary, then the plat can be signed and released for recording. If changes are necessary, another round of review will be necessary prior to the plat being signed and released.

The major subdivision process typically takes at least six months. This time frame is general and can obviously be shortened or lengthened depending on the complexity of the project and how quickly and accurately any requested revisions are made to the plans.

How does the Major Subdivision Process Work?

Please consult a member of the Planning Department's Zoning or Planning Division for more information on the major subdivision review process.

How much do the various subdivision reviews cost?

Please see the "Town of Carrboro Schedule of Fees and Miscellaneous Charges" found in Appendix I – 28 (subject to change annually).

Final Plat Approval

Background

Projects that create new lots either by major or minor subdivision need to submit a final plat to the Zoning Division for review. The final plat is a drawing certified (stamped) by a Registered Land Surveyor used to create a record of the property lines and any legal land restrictions on newly created lots. When complete, the final plat is taken to the Orange County Register of Deeds for official recording. All final plats require various certifications to attest to the ownership, code compliance and legitimacy of the drawing. These certifications must appear on the drawing(s). The certifications can be found in the LUO.

What specific information is required with a final plat submittal?

Please see the "Final Plat Checklist" in Appendix I – 9 for a list of required information. Please keep in mind that, depending on the project; more or less information may be required. Please contact a member of the Planning Department's Zoning Division at (919) 918-7336 for specific information required for your project.

When/why might I use the Final Plat Approval Process?

Any project that involves a Conditional Use Permit or a Special Use Permit for a major subdivision will require final plat approval. Minor subdivisions, whether issued under a zoning permit or not, also require a final plat.

Who else may be involved in the Final Plat Approval Process?

The Zoning Division reviews and distributes final plats for review to any and/or all of the following entities (depending on the complexity of the project):

Applicable Public/Private Utilities
Orange County Erosion Control
Town of Carrboro Consulting Engineer
Town of Carrboro Public Works
Town of Carrboro Planning
Town of Carrboro Fire
Town Of Carrboro Inspections
Orange County Environmental Health
OWASA
NCDOT

What is the time frame for the Final Plat Approval Process?

The final plat approval process typically takes between 2 weeks to 4 months. This time frame is general and can obviously be shortened or lengthened depending on the complexity of the project and how quickly and accurately any requested revisions are made to the plat.

How much does the Final Plat Approval Process review cost?

Please see the "Schedule of Fees and Miscellaneous Charges" found in Appendix I – 28 (subject to change annually).

New Residential Construction (Single-Family)

Background

In order to construct a new residential building within the Town of Carrboro, you must receive approval from both the Zoning and Inspections Divisions of the Town of Carrboro Planning Department. This is necessary to ensure that your proposed project complies with all applicable Federal, State and local regulations.

When/why might I need a residential building permit?

A residential building permit is needed for any new residential structure. The permit should be secured prior to any construction activity on the site. For additions and accessory structures on existing residential sites, please consult the Table of Contents for the appropriate section.

Where do I initiate the permit process?

Town of Carrboro Planning Department
Zoning and Inspections Divisions
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8am-5pm

Phone: (919) 918-7336

Fax: (919) 942-1720

What information is required for a residential building permit?

A completed Land Use Permit application and a completed Building Permit application must be submitted, along with two plot plans and two sets

of building plans. Please use the "Zoning Building Permit Review Checklist" found in Appendix I – 11 for the preparation of your plot plan and the "Inspections Building Permit Review Checklist" found in Appendix I – 12 for the preparation of your building plans. Please keep in mind that more or less information may be required depending on the complexity of your project.

Who may be involved in the building permit review process?

Town of Carrboro Planning Department

- Zoning Division
- Inspections Division

Town of Carrboro Public Works Dept.

Town of Carrboro Consulting Engineer

OCEH

OWASA

How does the residential building permit review process work?

The building permit submittal packet is received in the Zoning and Inspections Divisions. The submittal packet is routed to the Zoning Division for a review of the plot plan. If the plot plan is found to be in compliance with the Land Use Ordinance and any approved subdivision plans, the submittal packet is approved by Zoning and forwarded to Inspections. Once in the Inspections Division, the building plans are checked for compliance with the Building Code. If the building plans are in compliance with the Building Code, the submittal packet is approved and you will be contacted to pick up the approved permit and pay your building permit review fees. If any changes are needed

during the review, the reviewer will contact you.

How much does a residential building permit cost?

You will be assessed both a Zoning fee and an Inspections fee for the review. The Zoning fee is the standard land use permit fee. The Inspections fee is based on the scope of your project. Please see the "Town of Carrboro Schedule of Fees and Miscellaneous Charges" found in Appendix I – 28 (subject to change annually).

Accessory Structures (Single-Family)

Background

In order to construct a storage/accessory structure within the Town of Carrboro, you must receive approval from both the Zoning and Inspections Divisions of the Town of Carrboro Planning Department. This is necessary to ensure that your proposed project complies with all applicable Federal, State and local regulations.

When/why might I need a building permit?

A building permit is needed for any structure larger than 144 square feet, a structure with any one dimension greater than 12 feet or if there will be electrical or plumbing service provided to the storage/accessory structure. A land use permit is needed regardless of the need for the building permit.

Where do I initiate the permit process?

Town of Carrboro Planning Department
Zoning and Inspections Divisions
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8am-5pm

Phone: (919) 918-7336
Fax: (919) 942-1720

What information is required for a building permit?

A completed Land Use Permit application and a completed Building Permit application must be submitted, along with two plot plans and two sets

of building plans. Please use the "Zoning Building Permit Review Checklist" found in Appendix I – 11 for the preparation of your plot plan and the "Inspections Building Permit Review Checklist" found in Appendix I – 12 for the preparation of your building plans. Please keep in mind that more or less information may be required depending on the complexity or your project.

Who may be involved in the review process?

Planning Department

- Zoning Division
- Inspections Division

Public Works Department
Town of Carrboro Consulting Engineer
OCEH or OWASA

How does the review process work?

The building permit submittal packet is received in the Zoning and Inspections Divisions. The submittal packet is routed to the Zoning Division for a review of the plot plan. If the plot plan is found to be in compliance with the Land Use Ordinance and any approved subdivision plans, the submittal packet is approved by Zoning and forwarded to Inspections. Once in the Inspections Division, the building plans are checked for compliance with the Building Code. If the building plans are in compliance with the Building Code, the submittal packet is approved and you will be contacted to pick up the approved permit and pay your building permit review fees. If any changes are needed during the review, the reviewer will contact you.

How much does a residential building permit cost?

You will be assessed both a Zoning fee and an Inspections fee for the review. The Zoning fee is the standard land use permit fee. The Inspections fee is based on the scope of your project. Please see the "Town of Carrboro Schedule of Fees and Miscellaneous Charges" found in Appendix I – 28 (subject to change annually).

Home Occupation Permits

Background

As defined by the Land Use Ordinance, a Home Occupation is a secondary use of one's home for *commercial* purposes. No on-premises retail sales can occur, goods or other commodities cannot be displayed and not more than one non-resident may be employed in connection with the home occupation.

A home occupation may not increase traffic in a residential neighborhood or cause noise, glare, vibration, odor or electrical interference that may disturb neighbors.

A home occupation requires a Zoning Permit.

Do all home-based enterprises require a Zoning permit?

No, some uses are considered incidental to the primary residential use. These uses may include but not be limited to offices, studios, or non-commercial hobbies. The final determination is at the discretion of the Administrator.

What are some examples of acceptable home occupations?

Some examples of acceptable home occupations include: accounting, bookkeeping, crafts, tailors, photography studios, dressmaking, the office or studio of a physician, lawyer, artist, musician or similar professional.

What home occupations are not allowed?

Any use that has an adverse impact on the neighborhood, or any use that causes the residential use to become secondary, is prohibited per the definitions of the Land Use Ordinance.

How do I obtain a permit?

To apply for a home occupation permit, the following is to be submitted to the Zoning division for review:

1. A completed Land Use Permit (available from the Zoning Division – also see Appendix I –1).
2. A floor plan showing the location, size and use of each room in your residence. You may draw your own plans as long as they are drawn to scale.
3. A plot plan (in scale) showing the residence, the property lines and the parking spaces delineated on the plan. A home occupation use requires one parking space in addition to the number required for your residence.
4. A clear, written description detailing how you intend to use your residence as a home-based business.

How long does the review take?

Approximately seven to ten (7-10) working days.

Home occupation approval process:

Home occupation permits applications are reviewed by the Zoning Division (sometimes other agencies are involved) and a decision of approval or denial is

rendered. If renovations to the building are proposed additional review for a building permit will be required.

If approved, the permit will be kept on file in the Zoning Division. The home occupation will be approved so long as it adheres to the conditions prescribed in the permit.

How much does a Home Occupation Permit cost?

Please see the "Town of Carrboro Schedule of Fees and Miscellaneous Charges" found in Appendix I – 28. (Fees are subject to change).

Who may be involved in the Home Occupation Permit process?

Town of Carrboro Planning
Town of Carrboro Fire
Town Of Carrboro Inspections
Orange County Environmental Health
OWASA

Special Exception

Background

A special exception is a permit issued by the Board of Adjustment that authorizes the recipient to deviate from the otherwise applicable requirements of the Land Use Ordinance in lot boundary lines (up to 50% reduction in rear and side yard setback) and not street right-of-way lines. The reduction may be permitted only for buildings on lots used for conforming residential purposes in residential districts, where the building in question has existed for at least three years prior to the application for a special exception.

Where do I initiate a special exception?

Town of Carrboro Planning Department
Zoning and Inspection Division
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8AM to 5PM

Phone: (919) 918-7336
Fax: (919) 942-1720

What information is required for a special exception?

A completed Land Use Permit application form with Attachment C. Please see the "Land Use Permit Application" in Appendix I - 1 for a list of the applicable information required. "Attachment C" can be found in Appendix I - 16. Please keep in mind that, depending on the circumstances of the request, more or less information may be required. Please contact a member of the Planning Department's Zoning Division at (919) 918-7336 for

specific information required for your special exception request.

Who may be involved in the special exception?

Town of Carrboro Planning Department

- Planning Department
- Zoning Division

Town of Carrboro Public Works
Town of Carrboro Consulting Engineer
Board of Adjustment

How does the special exception process work?

The special exception packet is received from the applicant. The Zoning Division will schedule the special exception on the proceeding Board of Adjustment's meeting. The Zoning Division will prepare a report stating the facts of the appeal and offer a recommendation of the permit to the Board of Adjustment the night of the meeting. The applicant or a legal representative will be allowed time to present their case to the Board of Adjustment the night of meeting also. Other interested persons may also speak at the hearing. It should be noted, that the applicant will present a petition from all property owners entitled to receive notice of the hearing that their property value will not be adversely affected by the proposed use (this is not required, but is heavily weighed in the decision process). The Board of Adjustment will close the public hearing and decide to grant the special exception if the issuance of the permit will not create a threat to the public health and safety and will not adversely affect the value of adjoining or neighboring properties.

How much does a special exception process cost?

Please see the "Town of Carrboro
Schedule of Fees and Miscellaneous
Charges" found in Appendix I – 28
(subject to change annually).

Variance

Background

A variance is a “granting of permission” by the Board of Adjustment, authorizing the applicant to do that which, according to the strict letter of the Land Use Ordinance, could not otherwise legally be done. A variance may be granted by the Board of Adjustment if it concludes that the strict enforcement of the ordinance would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of the ordinance will be observed, public safety and welfare maintained, and substantial justice done.

Where do I initiate a variance?

Town of Carrboro Planning Department
Zoning and Inspection Division
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8AM to 5PM

Phone: (919) 918-7336
Fax: (919) 942-1720

What information is required for a variance?

A completed Land Use Permit Application form with Attachment A. Please see the “Land Use Permit Application” in Appendix I – 1 for a list of the applicable information required. “Attachment A” can be found in Appendix I – 14. Please keep in mind that, depending on the variance, more or less information may be required. Please contact a member of the Planning Department’s Zoning Division at (919) 918-7336 for specific information required for a variance.

Who may be involved in the variance process?

Town of Carrboro Planning Department

- Planning Department
- Zoning Division

Town of Carrboro Public Works
Town of Carrboro Consulting Engineer
Board of Adjustment

How does the variance process work?

The variance packet is received from the applicant. The Zoning Division will schedule the variance on the proceeding Board of Adjustment’s meeting. The Zoning Division will prepare a report stating the facts and offer a recommendation on the variance to the Board of Adjustment the night of the meeting. The applicant or a legal representative will be allowed time to present their case to the Board of Adjustment the night of meeting also. Other interested persons may also speak at the hearing. The Board of Adjustment will close the public hearing and decide to grant the variance if it can meet the “five findings of fact.” In granting the variance, the Board of Adjustment may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties.

How much does the variance process cost?

Please see the “Town of Carrboro Schedule of Fees and Miscellaneous Charges” found in Appendix I – 28 (subject to change annually).

Appeal

Background

An appeal from any final decision of the Zoning Administrator may be taken to the Board of Adjustment by any person aggrieved. An appeal is taken by filing with the Zoning Administrator and the Board of Adjustment a written notice of appeal specifying the grounds. An appeal must be taken within thirty (30) days after the date of the decision by the Zoning Administrator. It should be noted that the Board of Adjustment may reverse or affirm (wholly or partly) or may modify the decision of the Zoning Administrator.

Where do I initiate an appeal?

Town of Carrboro Planning Department
Zoning and Inspection Division
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8AM to 5PM

Phone: (919) 918-7336
Fax: (919) 942-1720

What information is required for an appeal?

A completed "Land Use Permit Application" form with Attachment B. Please see the "Land Use Permit Application" in Appendix I – 1 for a list of the applicable information required. "Attachment B" can be found in Appendix I – 15. Please keep in mind that, depending on the appeal, more or less information may be required. Please contact a member of the Planning Department's Zoning Division at (919) 918-7336 for specific information required for an appeal.

Who may be involved in the appeal process?

Town of Carrboro Planning Department

- Planning Department
- Zoning Division

Town of Carrboro Consulting Engineer
Board of Adjustment

How does the appeal process work?

The appeal packet is received from the applicant within thirty 30 days of the ruling made by the Zoning Administrator. The Zoning Division will schedule the appeal on the proceeding Board of Adjustment's meeting. The Zoning Division will prepare a report stating the facts of the appeal and present this to the Board of Adjustment the night of the meeting. The applicant or a legal representative will be allowed time to present their case to the Board of Adjustment the night of meeting also. Other interested persons may also speak at the hearing. The Board of Adjustment will close the public hearing and decide to reverse or affirm (wholly or partly) or may modify the decision of the Zoning Administrator.

How much does the appeal process cost?

Please see the "Town of Carrboro Schedule of Fees and Miscellaneous Charges" found in Appendix I – 28 (subject to change annually).

Sign Permits

Background

Any proposed new sign in the Town of Carrboro must adhere to the requirements found in Article XVII, Signs, of the Town of Carrboro Land Use Ordinance (LUO). All signs, except those noted in Sections 15-272 and 15-273 of the LUO, must acquire a sign permit before they may be erected.

Please note that complete details regarding the sign permit approval process are contained in the Sign Permit Procedure handout, available in the Planning Department at Town Hall. The following information summarizes the information found in the aforementioned handout.

When/why might I need a sign permit?

Anytime you propose to place a sign on your property or make changes to an existing sign, you likely will need to acquire a sign permit. The only exceptions to this statement are identified in Sections 15-272 and 15-273 of the LUO. If your sign does not meet the criteria outlined in either of these sections, you will need a sign permit.

Where do I initiate the permit process?

Town of Carrboro Planning Department
Zoning and Inspections Division
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8:30 am - 5:00 pm

Phone: (919) 918-7336

Fax: (919) 942-1720

What information must be submitted with a sign permit application?

Please see the "Sign Permit Procedure" guideline (available in the Planning Department and in Appendix I – 22) for complete details. In short, the applicant must submit a "Sign Permit Application – Appendix I- 27", a "Land Use Permit Application – Appendix I-1", a rendering of the proposed sign drawn to scale (to include details regarding color, materials, framing, lighting, etc), and a rendering of the building and/or lot showing the proposed location of the sign. The applicant should also contact the Inspections Division at 918-7336 regarding their requirements.

Who else may be involved in the Sign Permit Process?

Town of Carrboro Planning Department

- Zoning Division

Appearance Commission
Town Of Carrboro Inspections

What is the time frame for the Sign Permit Approval Process?

The sign permit approval process typically takes between 3 weeks to 2 months. This time frame is general and can obviously be shortened or lengthened depending on the complexity of the proposed sign project and how quickly and accurately any requested revisions are made to the application. Please note that any sign permit application must be taken before and reviewed by the Town of Carrboro Appearance Commission. The Appearance Commission typically meets twice monthly (usually the first Thursday and third Monday of the month). Applications must be submitted to the Zoning Division one week plus two days prior to a meeting to be included on the Appearance Commission's Agenda. This schedule allows the staff person responsible for processing sign permits ample time to review an

application for compliance with the sign ordinance before sending the application to the Appearance Commission. Generally, the time frame only extends beyond one month if the Appearance Commission requests substantial changes to a proposed sign, in which case the applicant must make revisions and be placed on the agenda for a subsequent meeting.

How does the Sign Permit Approval Process typically work?

Again, please note that complete details are included in the Sign Permit Procedure handout, available in the Planning Department. In short, the applicant submits a sign permit application along with all other applicable information. Next, a Planner/Zoning Development Specialist will review the application for compliance with Article XVII, Signs, of the LUO. If the application meets the requirements of the sign ordinance, the Planner places the application on the agenda for the next Appearance Commission meeting. The applicant's presence is requested at the meeting. The Appearance Commission will comment on the application and recommend either approval, approval with certain conditions, or denial. In turn, the applicant makes any necessary revisions to the application. If necessary, the Planner then places the revised application on the agenda for the following Appearance Commission meeting. After the Appearance Commission's requirements have been satisfied, the Planner will ask a member of the Inspections Division to sign the permit to signify that all of their requirements have been satisfied. Then, the Planner issues the permit.

Please note that all requirements of the Inspections Division must be satisfied before they will sign the permit. Only after the sign permit has been issued may the sign be erected.

How much does the Sign Permit cost?

Please see the "Town of Carrboro Schedule of Fees and Miscellaneous Charges" found in Appendix I - 28 (subject to change annually).

NPDC Approval

Background

In order to construct any new sign or structure within any Neighborhood Preservation District (NPD) in the Town of Carrboro, as well as to modify any existing signs or structures, you must receive approval from both the Zoning and Inspections Divisions of the Town of Carrboro Planning Department, as well as the Town of Carrboro Neighborhood Preservation District Commission (NPDC). This is necessary to ensure that the proposed project is considered to be congruous to the NPD in which you are constructing.

The NPDC is comprised of citizens living, working, or owning a business in the Town. NPDC members are appointed by the Board of Aldermen. These citizens are charged with preserving and enhancing the characteristics of any given NPD, by reviewing proposals and suggesting ways in which projects might be modified to be more compatible with surrounding properties. Generally, the NPDC will try to persuade any person wanting to build in a NPD to create a design that is as similar as possible to existing homes and structures in the area.

Please note that all details regarding the NPDC are described in Article XXI, Neighborhood Preservation, of the Town of Carrboro Land Use Ordinance, which is available for purchase or viewing in the Planning Department.

When/why might I need approval from the NPDC?

Approval from the NPDC is needed for any proposed construction in a NPD. You will be notified of this requirement

upon submitting a Land Use Permit Application for work at an address located in a NPD.

Where do I initiate the permit process?

Town of Carrboro Planning Department
Zoning and Inspections Divisions
301 West Main Street
Carrboro, NC 27510

Hours: Monday-Friday, 8am-5pm

Phone: (919) 918-7336
Fax: (919) 942-1720

What information is required when seeking approval of the NPDC?

A completed "Land Use Permit Application – Appendix I-1" and a completed "Building Permit Application – Appendix I-27" must be submitted, along with two plot plans and two sets of building plans, as identified under the 'New Residential Construction' section of this guide. When submitting such an application in a NPD, the applicant should provide any and all details relevant to the project. These details include, but are not limited to information about building materials, size and scale of building(s), type and style of windows, type and style of doors, type and style of light fixtures, architectural style, general design of the project, et cetera. The applicant also is encouraged to write an explanation of how the project's design has taken into account the characteristics of the NPD in which the project is to be constructed.

Please keep in mind that more or less information may be required depending on the complexity or your project.

Who may be involved in the NPDC review process?

Town of Carrboro Planning Department

- Zoning Division

- Inspections Division
The NPDC (*the NPDC – Neighborhood Preservation District Commission is the Appearance Commission. All members of the Appearance Commission concurrently act as the NPDC. NPDC meetings occur on the same schedule as Appearance Commission meetings, which typically occur on the first Thursday and third Monday of each month. NPDC agenda items are designated as such on the Appearance Commission’s Agenda*)

How does the NPDC review process work?

Applications for construction within a NPD are submitted in the same manner as any other application for construction (see applicable sections within this guide). Regardless of who reviews the application, all information regarding the details of construction (as discussed under ‘*What information,*’ above) will be passed on to the staff’s NPDC liaison. Upon receiving the information, the staff liaison will place the item on the agenda for the NPDC’s upcoming meeting. The applicant is encouraged to attend this meeting to answer any questions that members of the NPDC may have, as well as to respond to suggestions made by the NPDC.

Outside of the NPDC approval process, the application will be reviewed in the same manner as any other application for construction.

How much does NPDC review cost?

No additional charge is levied for NPDC review. Please see the “Town of Carrboro Schedule of Fees and Miscellaneous Charges” found in Appendix I – 28 (subject to change annually) for more information on the costs of your project.

Commercial & Unified Residential Site Plans

Background

Development of new or renovated commercial spaces and/or unified residential structures require the Zoning Division to review and issue permits prior to beginning any site work.

The required permit process depends on the location and size of the proposed project as well as the zoning district in which the project is located. Please consult with a member of the Planning Department's Zoning Division at (919) 918-7336 for information related to the type of permit your project will require.

What information is required for a commercial/unified residential site plan?

Please see the "Commercial Checklist" and/or the "Unified Residential Checklist" found in Appendix I – 17 and Appendix I – 18, respectively, for a list of applicable information required. Please contact a member of the Planning Department's Zoning Division at (919) 918-7336 for specific information required for your project.

When/why might I use the commercial/unified residential site plan review process?

Anytime you are constructing a new commercial or multi-family residential structure, constructing an addition to a commercial or multi-family residential structure or changing the use of an existing structure.

Who else may be involved in the commercial/unified residential site plan review process?

Applicable Public/Private Utilities
Chapel-Hill/Carrboro City Schools
Orange County Disability Awareness
Orange County Health Department
Orange County Erosion Control
Town of Carrboro Consulting Engineer
Town of Carrboro Police
Town of Carrboro Fire
Town of Carrboro Planning
Town of Carrboro Public Works
Town of Carrboro Building Inspections
Town of Carrboro Rec. and Parks
Applicable State/Federal Agencies
OWASA
NCDOT

What is the time frame for the commercial/unified residential site plan review process?

The commercial/unified residential site plan review process typically takes at least six months. This time frame is general and can obviously be shortened or lengthened depending on the complexity of the project and how quickly and accurately any requested revisions are made to the plans.

How does the commercial/unified residential site plan review process work?

Please contact a member of the Planning Department's Zoning Division at (919) 918-7336 for specific information required for your project.

How much do the various commercial/unified residential site plan review cost?

Please see the "Town of Carrboro
Schedule of Fees and Miscellaneous
Charges" found in Appendix I – 28
(subject to change annually).

Village Mixed Use Projects

Background

Development of new Village Mixed Use projects require the applicant to apply for a rezoning and master plan review/approval by the Town of Carrboro Board of Aldermen.

The required rezoning and master plan approval process is quite complicated. For this reason, a separate process and checklist guide/document has been created that better outlines the requirements needed for such an application. This document can be found in Appendix I – 20. Please consult with a member of the Planning Department’s Zoning or Planning Division at (919) 918-7336 for specific information related to the submittal requirements.

What information is required for a village mixed use plan?

Please see the Village Mixed Use Checklist in Appendix I – 20 for a list of applicable information required. Please keep in mind that, depending on the project, more or less information may be required. Please contact a member of the Planning Department’s Zoning Division at (919) 918-7336 for specific information required for your project.

Who else may be involved in the village mixed use review process?

Applicable Public/Private Utilities
Chapel-Hill/Carrboro City Schools
Orange County Disability Awareness
Orange County Health Department
Orange County Erosion Control
Orange County Planning Department
Town of Carrboro Consulting Engineer
Town of Carrboro Police

Town of Carrboro Fire
Town of Carrboro Planning
Town of Carrboro Public Works
Town of Carrboro Building Inspections
Town of Carrboro Rec. and Parks
Applicable State/Federal Agencies
OWASA
NCDOT

What is the time frame for the village mixed use review process?

The review process typically takes at least six months. This time frame is general and can obviously be shortened or lengthened depending on the complexity of the project and how quickly and accurately any requested revisions are made to the plans.

How does the village mixed use review process work?

Please consult a member of the Planning Department’s Zoning or Planning Division for more information on the Village Mixed Use review process.

How much does the village mixed use review cost?

Please see the “Town of Carrboro Schedule of Fees and Miscellaneous Charges” found in Appendix I – 28 (subject to change annually).

Construction Plan Approval

Background

Following the approval of the appropriate land use permit (zoning permit, special use permit or conditional use permit), construction drawings must be prepared. The construction drawings should conform to the requirements of Section 15-49(c) of the Land Use Ordinance (LUO) and the Construction Plan Approval Checklist (Appendix I-__). The construction drawings should expand upon the earlier work prepared to receive the land use permit. If any change to the land use permit is proposed as a result of preparing the construction drawings, additional review by the permit issuing authority may be necessary.

What information is required for the construction plans?

Please see the Construction Plan Approval Checklist in Appendix I - 21 for a list of the applicable information required. Please keep in mind that, depending on the project, more or less information may be required. Please contact a member of the Planning Department's Zoning Division at (919) 938-7336 or the Town Engineer's Office at (919) 859-2243 for specific information required for your project.

When/why might I use the Construction Plan Approval Process?

Anytime you are constructing a new commercial or multi-family residential structure, constructing an addition to a commercial or multi-family residential structure or constructing a residential or commercial subdivision.

On some rare occasions, the land use permit plans can be prepared and reviewed as both permit and construction plans. Please inquire with a member of the Planning Department's Zoning Division at (919) 918-7336 if this process will be available for your project.

Who else may be involved in the Construction Plan Approval Process?

Applicable Public/Private Utilities
Orange County Erosion Control
Town of Carrboro Consulting Engineer
Town of Carrboro Public Works
Town of Carrboro Planning
Town of Carrboro Fire
Town Of Carrboro Inspections
OWASA
NCDOT

What is the time frame for the Construction Plan Approval Process?

The construction plan approval process typically takes between 2 to 4 months. This time frame is general and can obviously be shortened or lengthened depending on the complexity of the project and how quickly and accurately any requested revisions are made to the plans.

How does the Construction Plan Approval Process typically work?

Please contact a member of the Planning Department's Zoning Division at (919) 938-7336 or the Town Engineer's Office at (919) 859-2243 for specific information required for your project.

How much does the Construction Plan Approval Process review cost?

Please see the "Town of Carrboro Schedule of Fees and Miscellaneous

Charges" found in Appendix I – 28
(subject to change annually).

PART I: GLOSSARY OF KEY DEVELOPMENT TERMS

- (1) **Accessory Use.** The Table of Permissible Uses of the LUO classifies different principal uses according to their different impacts. Whenever an activity (which may or may not be separately listed as a principal use in this table) is conducted in conjunction with another principal use and the former use (i) constitutes only an incidental or insubstantial part of the total activity that takes place on a lot, or (ii) is commonly associated with the principal use and integrally related to it, then the former use may be regarded as accessory to the principal use and may be carried on underneath the umbrella of the permit issued for the principal use. (See Section 15-150 of LUO).
- (2) **Administrator.** Primary responsibility for administering and enforcing the LUO may be assigned to one or more individuals by the town manager. The person or persons to whom these functions are assigned shall be referred to as the "land use administrator" or "administrator". The term "staff" or "planning staff" is sometimes used interchangeably with the term "administrator". (See Section 15-37 of the LUO).
- (3) **Antenna.** Equipment designed to transmit or receive electronic signals or energy over the air.
- (4) **Automatic Teller Machine, Freestanding.** A machine or device through which a customer can conduct certain banking transactions and which is not located on the same lot as the bank or financial institution with which such machine is associated. The purpose of this definition is to distinguish between teller machines operated as accessory uses to banks located in principal buildings where customers can choose to do their banking either inside the building or at the teller machine, and teller machines that are totally separate from bank buildings and therefore generate additional traffic.
- (5) **Base Flood.** The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.
- (6) **Bed and Breakfast.** A use that (i) takes place within a building that, before January 1, 1999, was designed and used as a single-family detached dwelling unit, (ii) consists of a single dwelling unit together with the rental of one (1) or more bedrooms on a daily or weekly basis to tourists, vacationers, or similar transients, (iii) where the provision of meals, if provided at all, is limited to registered guests, and (iv) where the bed and breakfast operation is conducted primarily by persons who reside within the dwelling unit, with the assistance of not more than an equivalent of two (2) full-time employees.
- (7) **Bedroom.** A private room planned and intended for sleeping, separated from other rooms by a door, and accessible to a bathroom without crossing another bedroom.

- (8) **Berm.** A man-made mound of earth whose length exceeds its height by a factor or at least five and whose side slopes are constructed at a steepness ratio of 6:1 or steeper. (The side slope of a berm shall not be constructed steeper than 2:1).
- (9) **Boarding House.** A residential use consisting of at least one dwelling unit together with more than two rooms that are rented out or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units. A rooming house or boarding house is distinguished from a tourist home in that the former is designed to be occupied by longer term residents (at least month-to-month tenants) as opposed to overnight or weekly guests.
- (10) **Building.** A structure designed to be used as a place of occupancy, storage or shelter.
- (11) **Building, accessory.** A minor building that is located on the same lot as a principal building and that is used incidentally to a principal building or that houses an accessory use.
- (12) **Building, principal.** The primary building on a lot or a building that houses a principal use.
- (13) **Cable Television Satellite Station.** A site containing one or more satellite dishes and related equipment, operated by a cable television company and used for the reception of electronic signals from satellites.
- (14) **Cable Television Signal Distribution Center.** A fully enclosed building not exceeding 2500 square feet that houses equipment used in connection with the distribution of cable television signals, with no external antennas, towers, satellite dishes, or similar facilities located on site.
- (15) **Certify.** Whenever it is required that some agency certify the existence of some fact or circumstance to the town, the town may require that such certification be made in any manner that provides reasonable assurance of the accuracy of the certification. By way of illustration, and without limiting the foregoing, the town may accept certification by telephone from some agency when the circumstances warrant it, or the town may require that the certification be in the form of a letter or other document.
- (16) **Child Care Home.** A home for not more than nine orphaned, abandoned, dependent, abused, or neglected children, together with not more than two adults who supervise such children, all of whom live together as a single housekeeping unit.
- (17) **Child Care Institution.** An institutional facility housing more than nine orphaned, abandoned, dependent, abused, or neglected children.
- (18) **Child Day Care Facility, STATE REGULATED.** Any child day care arrangement that is subject to regulation by the North Carolina Department of Human Resources, Division of Child Development, or a successor agency, other than a Child Day Care Home. [Child care arrangements for one or two children as well as other specific types of arrangements are excluded from regulation by the State under G.S. 110-86(2).]

- (19) **Child Day Care Home.** Any child day care arrangement wherein any person not excluded in G.S. 110-86(2) provides day care on a regular basis of at least once per week for more than four hours but less than 24 hours per day for more than two children under 13 years of age, but not to exceed a maximum of eight children at any one time. Of the children present at any one time, no more than five children shall be pre-school aged as defined by the NC Child Day Care Commission. Cooperative arrangements among parents to provide care for their own children as a convenience rather than for employment are not included. To determine whether a child care arrangement is a day care home, all children shall be counted except the operator's own school-aged children and school-aged children who reside at the location of the day care home.
- (20) **Circulation Area.** That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.
- (21) **Combination Use.** A use consisting of a combination on one lot of two or more principal uses separately listed in the Table of Permissible Uses, Section 15-146 of the LUO. (Under some circumstances, a second principal use may be regarded as accessory to the first, and thus a combination use is not established. See Section 15.150. In addition, when two or more separately operated enterprises occupy the same lot, and all such enterprises fall within the same principal use classification, this shall not constitute a combination use.)
- (22) **Community Center.** A publicly-sponsored, non-profit indoor facility providing for one or several of various types of recreational uses. Facilities in a Community Center may include, but are not limited to gymnasias, swimming pools, indoor court areas, meeting/activity rooms, and other similar uses. For the purposes of this section, the term publicly-sponsored means that a significant Town investment is involved in some fashion in the facility's development or operations.
- (23) **Conditional Use Permit.** A permit issued by the Board of Aldermen that authorizes the recipient to make use of property in accordance with the requirements of the LUO as well as any additional requirements imposed by the Board of Aldermen.
- (24) **Critical Area.** The critical area of the University Lake Watershed is defined as all area of the watershed within the planning jurisdiction of the Town of Carrboro.
- (25) **Designated Buffer.** An area of land adjacent to lakes or watercourses within the University Lake Watershed that pursuant to Section 15-265 of the LUO remains undisturbed in order to reduce the sedimentation and pollution of such lakes or watercourses.
- (26) **Developer.** A person who is responsible for any undertaking that requires a zoning permit, special use permit, conditional use permit, or sign permit.
- (27) **Development.** That which is to be done pursuant to a zoning permit, special use permit, conditional use permit, or sign permit.

- (28) **Dimensional Nonconformity.** A nonconforming situation that occurs when the height, size, or minimum floor space of a structure or the relationship between an existing building or buildings and other buildings or lot lines does not conform to the regulations applicable to the district in which the property is located.
- (29) **Drainage Facilities.** Any temporary or permanent natural or man-made facility utilized to divert, convey, or store stormwater runoff. Such facilities shall include (but are not limited to): drainage pipes and culverts, swales and ditches, intermittent and permanent streams, catch basins, drainage junction boxes and manholes, yard inlets, retention and detention basins and ponds, curbing which will carry runoff, dams and weirs, and culvert outlet stabilization and protection devices.
- (30) **Driveway.** That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.
- (31) **Duplex.** (See Residence, Duplex)
- (32) **Dwelling Unit.** An enclosure containing sleeping, kitchen, and bathroom facilities designed for and used or held ready for use as a permanent residence by one family.
- (33) **Expenditure.** A sum of money paid out in return for some benefit or to fulfill some obligation. The term also includes binding, contractual commitments to make future expenditures, as well as any other substantial changes in position.
- (34) **Extraterritorial Planning Area.** That portion of the town's planning jurisdiction that lies outside the town's corporate boundaries.
- (35) **Family.** One or more persons living together as a single housekeeping unit.
- (36) **Flag Lot.** An irregularly shaped lot where the buildable portion of the lot is connected to its street frontage by an arm of the lot that is less than fifty percent of the presumptive minimum required lot width as set forth in Section 15-183 of the LUO [or if no minimum lot width is specified therein, is less than the lesser of (i) fifty percent of the width of the buildable portion of the lot, or (ii) fifty feet].
- (37) **Floodplain.** Any land area susceptible to being inundated by water from the base flood. The term refers to that area designated as subject to flooding from the base flood (one hundred year flood) on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development, a copy of which is on file in the planning department.
- (38) **Floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. The term refers to that area designated as a floodway on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development, a copy of which is on file in the planning department.

- (39) **Floor.** The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in a frame construction. The term does not include the floor of a garage used solely for parking vehicles.
- (40) **Gross Floor Area.** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.
- (41) **Halfway House.** A home for not more than nine persons who have demonstrated a tendency toward alcoholism, drug abuse, mental illness [as defined in G.S. 35-17(30)], or antisocial or criminal conduct, together with not more than two persons providing supervision and other services to such persons, all of whom live together as a single housekeeping unit.
- (42) **Handicapped, Aged or Infirm Home.** A residence within a single dwelling unit for at least six but not more than nine persons who are physically or mentally handicapped, aged or infirm, together with not more than two persons providing care or assistance to such persons, all living together as a single housekeeping unit.
- (43) **Handicapped, Aged or Infirm Institution.** A facility that provides residential care for more than nine aged, disabled or handicapped persons whose principal need is a home with the sheltered or personal care their age or disability requires. Medical care at such a facility is only occasional or incidental, such as may be required in the home of any individual or family, but the administration of medication is supervised. The residents of such a facility do not occupy separate dwelling units, and this distinguishes such a facility from a multi-family development occupied by the elderly, handicapped or disabled.
- (44) **Hazardous Substance.** Any substance which may pose a danger to the public health or safety if contained in the public water supply. This includes all substances defined as hazardous chemicals by the community right to know reporting requirements under Sections 311 and 312 of the Superfund Amendments and Reauthorization Act of 1986, and by the North Carolina Hazardous Chemicals Right to Know Act (G.S. 95-173 to 95-218).
- (45) **High Volume Traffic Generation.** All uses in the 2.000 classification other than low volume traffic generation uses.
- (46) **Highest Adjacent Grade.** The highest natural elevation of the ground surface, prior to construction, next to proposed walls of the structure.
- (47) **Home Occupation.** A commercial activity that: (i) is conducted by a person on the same lot where such person resides, and (ii) is not so insubstantial or incidental or is not so commonly associated with the residential use as to be regarded as an accessory use (see Section 15-150 of the LUO), but that can be conducted without any significantly adverse impact on the surrounding neighborhood.

Without limiting the generality of the foregoing, a use may not be regarded as having an insignificantly adverse impact on the surrounding neighborhood if: (i) goods, stock in trade, or other commodities are displayed, (ii) any on-premises retail sales occur, (iii) more than one person not a resident on the premises is

employed in connection with the purported home occupation, (iv) it creates objectionable noise, fumes, odor, dust or electrical interference, or (v) more than twenty-five percent of the total gross floor area of the residential buildings plus other buildings housing the purported home occupation, or more than 500 square feet of gross floor area (whichever is less), is used for home occupation purposes.

The following is a non-exhaustive list of examples of enterprises that may be home occupations if they meet the foregoing definitional criteria: (i) the office or studio of a physician, dentist, artist, musician, lawyer, architect, teacher, or similar professional, (ii) workshops, greenhouses, or kilns, (iii) dressmaking or hairdressing studios.

- (48) **Independent Automobile Lots or Garages.** An area or garage (i) that is used for the temporary parking (not storage) of motor vehicles, (ii) that is located on a lot on which there is no other principal use to which the parking is related, and (iii) where the parking spaces are used by more than one enterprise or by the general public or where the lot is leased by one enterprise for a total period (including automatic renewals or renewal options) of not more than four years.
- (49) **Intermediate Care Home.** A facility maintained for the purpose of providing accommodations for not more than seven occupants needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.
- (50) **Intermediate Care Institution.** An institutional facility maintained for the purpose of providing accommodations for more than seven persons needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.
- (51) **Intermittent Stream.** A stream or portion of a stream that flows only in direct response to precipitation. It receives little or no water from springs and only temporary supply from melting snows or other sources. It is dry for a large part of the year.
- (52) **Joint Planning Transition Area.** That portion of the town's planning jurisdiction which lies generally to the north of the town's corporate boundaries and extraterritorial planning area, and which is defined by the Joint Planning Agreement between Carrboro, Chapel Hill, and Orange County, and described on the Orange County Joint Planning Area Land Use Map. This area is further defined as being in transition from rural to urban or already urban in density. The Transition Area is divided into Transition Area I and Transition Area II on the Joint Planning Area Land Use Map. Under the terms of the Joint Planning Agreement, no tract in Transition Area II may, after the effective date of the Agreement, be approved for development at a density that exceeds one housing unit per gross acre until at least 75% of the gross land area of Transition Area I consists of any combination of:
 - a. lots containing one acre or less;
 - b. residential developments approved for development at a density of at least one unit per acre;

- c. streets, roads, and utility easements located outside of lots containing one acre or less;
 - d. lots or tracts that are used for commercial, industrial, institutional, or governmental purposes;
 - e. tracts that are owned by the University of North Carolina or other non-profit entities and that are not available for development.
- (53) **Kennel.** A commercial operation that: (i) provides food and shelter and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian), or (ii) engages in the breeding of animals for sale.
- (54) **Lake or Watercourse.** Any stream, river, brook, swamp, creek, run, branch, waterway, reservoir, lake, or pond, natural or impounded, in which sediment may be moved or carried in suspension and which could be damaged by accumulation of sediment and pollutants.
- (55) **Loading and Unloading Area.** That portion of the vehicle accommodation area used to satisfy the requirements of Section 15-300 of the LUO.
- (56) **Lot.** A parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or a recorded map and which is recognized as a separate legal entity for purposes of transfer of title.

If a public body or any authority with the power of eminent domain condemns, purchases, or otherwise obtains fee simple title to or a lesser interest in a strip of land cutting across a parcel of land otherwise characterized as a lot by this definition, or a private road is created across a parcel of land otherwise characterized as a lot by this definition, and the interest thus obtained or the road so created is such as effectively to prevent use of this parcel as one lot, then the land on either side of this strip shall constitute a separate lot.

Subject to Section 15-123 of the LUO, the permit-issuing authority and the owner of two or more contiguous lots may agree to regard the lots as one lot if necessary or convenient to comply with any of the requirements of this ordinance.

- (57) **Lot Area.** The total area circumscribed by the boundaries of a lot, except that: (i) when the legal instrument creating a lot shows the boundary of the lot extending to the center of a public street right-of-way or into a public street right-of-way, then the lot boundary for purposes of computing the lot area shall be the street right-of-way line, or a line running parallel to and thirty feet from the center of the traveled portion of the street if the right-of-way line cannot be determined, and (ii) in a residential district, when a private road that serves more than three dwelling units is located along any lot boundary, then the lot boundary for purposes of computing the lot area shall be the inside boundary of the traveled portion of that road.
- (58) **Low Volume Traffic Generation.** Uses such as furniture stores, carpet stores, major appliance stores, etc. that sell items that are large and bulky, that need a relatively large amount of storage or display area for each unit offered for sale,

and that therefore generate less customer traffic per square foot of floor area than stores selling smaller items.

- (59) **Lowest Floor.** The lowest floor of the lowest enclosed area (including basement). An unfurnished or flood resistant enclosure, usable solely for parking vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
- (60) **Mobile Home.** Any structure that: (i) consists of a single unit completely assembled at the factory, or of two (double-wide) or three (triple-wide) principal components totally assembled at the factory and joined together at the site; (ii) is designed so that the total structure (or in the case of double-wides or triple-wides, each component thereof) can be transported on its own chassis; (iii) is over 40 feet in length and over 8 feet in width; (iv) is designed to be used as a dwelling and provides complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation; (v) is actually being used or held ready for use as a dwelling; (vi) is not constructed in accordance with the standards set forth in the North Carolina State Building Code.
- (61) **Mobile Home, Class A.** A mobile home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the following additional criteria:
- (a) The pitch of the mobile home's roof has a minimum vertical rise of two feet for each twelve feet of vertical run.
 - (b) The exterior materials are of wood, hardboard, or aluminum comparable in composition, appearance, and durability to site-built houses in the vicinity.
 - (c) A continuous, permanent masonry foundation, unpierced except for required ventilation and access, is installed under the mobile home; and
 - (d) The tongue, axles, transporting lights, and removable towing apparatus are to be removed subsequent to final placement.
- (62) **Mobile Home, Class B.** A mobile home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction.
- (63) **Mobile Home, Class C.** All mobile homes other than Class A or Class B mobile homes.
- (64) **Modular Home.** A dwelling unit constructed in accordance with the standards set forth in the North Carolina State Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a mobile home (except that the modular home meets the N.C. State Building Code), or a series of panels or room sections transported on a truck and erected or joined together on the site.

- (65) **Nonconforming Lot.** A lot existing at the effective date of the LUO (and not created for the purposes of evading the restrictions of the LUO) that does not meet the minimum area requirement of the district in which the lot is located.
- (66) **Nonconforming Project.** Any structure, development, or undertaking that is incomplete at the effective date of the LUO and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.
- (67) **Nonconforming Situation.** A situation that occurs when, on the effective date of the LUO, any existing lot or structure or use of an existing lot or structure does not conform to one or more of the regulations applicable to the district in which the lot or structure is located. Among other possibilities, a nonconforming situation may arise because a lot does not meet minimum acreage requirements, because structures exceed maximum height limitations, because the relationship between existing buildings and the land (in such matters as density and set-back requirements) is not in conformity because the signs do not meet the requirements of the LUO (Article XVII), or because land or buildings are used for purposes made unlawful by the LUO.
- (68) **Nonconforming Use.** A nonconforming situation that occurs when property is used for a purpose or in a manner made unlawful by the use regulations applicable to the district in which the property is located. (For example, a commercial office building in a residential district may be a nonconforming use.) The term also refers to the activity that constitutes the use made of the property. (For example, all the activity associated with running a bakery in a residentially zoned area is a nonconforming use.)
- (69) **Nursing Care Home.** A facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to not more than nine persons.
- (70) **Nursing Care Institution.** An institutional facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.
- (71) **Outside Display of Goods for Sale or Rent.** Display outside of a fully enclosed building of the particular goods or pieces of merchandise or equipment that are themselves for sale. Outside display is to be distinguished from outside storage of goods that are not prepared and displayed for immediate sale or rent.
- (72) **Overnight Shelter for Homeless.** A shelter operated by a non-profit agency for not more than fifteen persons (in addition to not more than two resident managers) who are referred to such shelter by an established agency within the community such as OPM Mental Health, the Carrboro or Chapel Hill Police Departments, the Orange County Department of Social Services, the Interfaith Council, the Salvation Army, etc.
- (73) **Parking Area Aisles.** A portion of the vehicle accommodation area consisting of lanes providing access to parking spaces.

- (74) **Parking Space.** A portion of the vehicle accommodation area set aside for the parking of one vehicle.
- (75) **Planned Industrial Development.** A development that (i) is constructed on a tract of at least twenty contiguous acres under single ownership located within a planned industrial district, (ii) is developed in accordance with a comprehensive and unified scheme of development covering the entire tract, (iii) consists of a single principal use or a combination of principal uses as described in the 2.130 wholesale sales, 4.100 manufacturing, 13.100 police station, or 13.200 fire station classifications, and (iv) is otherwise developed according to building height, setback and other regulations applicable to the M-1 zoning district, except that the performance standards (Article XI, Part I) applicable to 4.100 uses in business zones shall govern uses in a planned industrial development.
- (76) **Planned Unit Development.** A development constructed on a tract of land at least twenty-five (25) acres under single ownership, planned and developed as an integral unit, and consisting of a combination of principal uses that could not be combined in any district other than a planned unit development district.
- (77) **Planning Jurisdiction.** The area within the town limits as well as the area beyond the town limits within which the town is authorized to plan for and regulate development pursuant to the authority granted in Article 19 of Chapter 160A of the N.C. General Statutes and Chapter 122 of the Session Laws of 1963.
- (78) **Protective Buffers.** An area of land along both sides of watercourses outside of the University Lake Watershed with drainage areas smaller than one square mile that pursuant to Section 15-268 of the LUO remains undisturbed and naturally vegetated in order to minimize the likelihood of nuisance flooding, promote the infiltration of stormwater into the ground, and help maintain local streams' capacity for carrying off storm water.
- (79) **Public Utility Service Complex.** A development consisting of a combination of offices and one or more of the following types of uses, all of which are operated or conducted by a "public utility" as that term is defined in Section 62-3 of the N.C. General Statutes: motor vehicle repair (use classification 9.400), parking or storage (use classification 10.300), and towers and related structures (use classification 18.000).
- (80) **Public Water Supply System.** Any water supply system furnishing potable water to ten or more dwelling units or businesses or any combination thereof. (See G.S. 130-31).
- (81) **Residence, Duplex.** A two-family residential use in which the dwelling units share a common wall (including without limitation the wall of an attached garage or porch) and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.
- (82) **Residence, Multi-Family.** A residential use consisting of a building containing three or more dwelling units. For purposes of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch).

- (83) **Residence, Multi-Family Apartments.** A multi-family residential use other than a multi-family conversion or multi-family townhome.
- (84) **Residence, Multi-Family Conversion.** A multi-family residence containing not more than four dwelling units, that results from the conversion of a single building containing at least 2,000 square feet of gross floor area that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.
- (85) **Residence, Multi-Family Townhomes.** A multi-family residential use in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one other dwelling unit and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.
- (86) **Residence, Primary With Accessory Apartment.** A residential use having the external appearance of a single-family residence but in which there is located a second dwelling unit that comprises not more than twenty-five percent of the gross floor area of the building nor more than a total of 750 square feet.
- (87) **Residence, Single-Family Detached, More Than One Dwelling Per Lot.** A residential use consisting of two or more single-family detached dwelling units on a single lot.
- (88) **Residence, Single-Family Detached, One Dwelling Unit Per Lot.** A residential use consisting of a single detached building containing one dwelling unit and located on a lot containing no other dwelling units.
- (89) **Residence, Single-Room Occupancy.** A multi-family, residential use in which each dwelling unit includes no more than 450 square feet.
- (90) **Residence, Two-Family.** A residential use consisting of a building containing two dwelling units. If two dwelling units share a common wall, even the wall of an attached garage or porch, the dwelling units shall be considered to be located in one building.
- (91) **Residence, Two-Family Apartment.** A two-family residential use other than a duplex, two-family conversion, or primary residence with accessory apartment.
- (92) **Residence, Two-Family Conversion.** A two-family residence resulting from the conversion of a single building containing at least 2,000 square feet of gross floor area that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.
- (93) **Road.** All private ways used to provide motor vehicle access to (i) two or more lots or (ii) two or more distinct areas or buildings in unsubdivided developments.
- (94) **Rooming House.** (See Boarding House)
- (95) **Satellite Dish.** A dish-shaped antenna designed for the reception of electronic signals from satellites.

- (96) **Senior Citizen Residential Complex.** A residential development consisting of a combination of (i) two-family or multi-family dwelling units, at least 90% of which are one-bedroom units designed for and limited to occupancy by senior citizens, and (ii) an “intermediate care institution” for senior citizens (use classification 7.200) containing a number of bedrooms that does not exceed the number of dwelling units in the complex and that is designed to house a number of senior citizens that does not exceed twice the maximum permissible number of bedrooms in this intermediate care facility. For purposes of this subsection, the term “senior citizen” means a person who is sixty-two (62) years of age or older or a household composed of one or more persons at least one of whom is 62 years of age or older.
- (97) **Senior Citizens’ Day Care Facility.** Any day care arrangement or center which provides day care for more than five senior citizens at any one time, on a regular basis of at least once per week for more than two hours but less than 24 hours per day. Operation of a day care facility for senior citizens is considered use 22.300 Senior Citizens Day Care in the Table of Permissible Uses of the LUO.
- (98) **Sign.** Any device that (i) is sufficiently visible to persons not located on the lot where such device is located to accomplish either of the objectives set forth in subdivision (ii) of this definition; and (ii) is designed to attract the attention of such persons or to communicate information to them. Without limiting the generality of the foregoing, a device that might otherwise be categorized as a sign that is located at least fifteen feet to the interior side of any exterior wall shall not be regarded as a sign so long as it is not internally illuminated, illuminated with spotlights, or otherwise illuminated to draw special attention to it.
- (99) **Sign, Freestanding.** A sign that (i) is not directly attached to, erected on, or supported by a building or other structure having a principal function other than the support of such sign, but (ii) is instead attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of a building or other structure having a principal function other than the support of a sign. A sign that stands without supporting elements, such as a “sandwich sign”, is also a freestanding sign.
- (100) **Sign, Nonconforming.** A sign that, on the effective date of the LUO does not conform to one or more of the regulations set forth in the LUO, particularly Article XVII, Signs.
- (101) **Sign, Off-Premises.** A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold, or offered at a location other than the premises on which the sign is located.
- (102) **Sign Permit.** A permit issued by the land use administrator that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.
- (103) **Special Events.** Circuses, fairs, carnivals, festivals, or other types of special events that (i) run for longer than one day but not longer than two weeks, (ii) are intended to or likely to attract substantial crowds, and (iii) are unlike the customary or usual activities generally associated with the property where the special event is to be located.

- (104) **Special Exception Permit.** A permit issued by the board of adjustment that authorizes the recipient to deviate from the otherwise applicable requirements of the LUO under the specific circumstances and in accordance with the conditions set forth in Section 15-92.1 of the LUO.
- (105) **Special Use Permit.** A permit issued by the board of adjustment that authorizes the recipient to make use of property in accordance with the requirements of the LUO as well as any additional requirements imposed by the board of adjustment.
- (106) **Specialty High Volume Traffic Generation.** Uses such as gift or craft stores, bookstores, music stores and similar uses, to the extent that each individual enterprise occupies (whether as tenant or owner occupant) a gross floor area of not more than 3,000 square feet. Without limiting the generality of the foregoing, pawnshops and firearms sales are specifically excluded from this definition.
- (107) **Story.** That portion of a building included between the surface of any floor and the surface of the floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it, a distance typically measuring between nine and fourteen feet.
- (108) **Stream.** A body of water flowing in a natural surface channel. Flow may be continuous or only during wet periods.
- (109) **Street.** A public street or a street with respect to which an offer of dedication has been made.
- (110) **Street, Arterial.** A major street in the town’s street system that serves as an avenue for the circulation of traffic onto, out, or around the town and carries high volumes of traffic. The following streets are arterial streets:
- | | |
|----------------------|----------------------|
| Culbreth Road | Main Street |
| Dairyland Road | Merritt Mill Road |
| Damascus Church Road | Hwy 54 |
| Estes Drive | Old Greensboro Road |
| Eubanks Road | Old Hwy 86 |
| Greensboro Street | Old Fayetteville Rd. |
| Hillsborough Road | Rogers Road |
| Homestead Road | Smith Level Road |
| Jones Ferry Road | Weaver Street |
- (111) **Street, Collector.** A street whose principal function is to carry traffic between minor, local, and subcollector streets and arterial streets but that may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, more than one hundred dwelling units and is designed to be used or is used to carry more than eight hundred trips per day.
- (112) **Street, Cul-de-sac.** A street that terminates in a vehicular turn-around.
- (113) **Street, Local.** A street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least ten but not more than

- twenty-five dwelling units and is expected to or does handle between seventy-five and two hundred trips per day.
- (114) **Street, Marginal Access.** A street that is parallel to and adjacent to an arterial street and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties.
- (115) **Street, Minor.** A street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than nine dwelling units and is expected to or does handle up to seventy-five trips per day.
- (116) **Street, Subcollector.** A street whose principal function is to provide access to abutting properties but is also designed to be used or is used to connect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least twenty-six but not more than one hundred dwelling units and is expected to or does handle between two hundred and eight hundred trips per day.
- (117) **Structure.** Anything constructed or erected.
- (118) **Subdivision.** The division of a tract of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and including all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations of the LUO applicable strictly to subdivisions: (i) the combination or recombination of portions of previously plotted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the minimum standards set forth in the LUO, (ii) the division of land into parcels greater than ten acres where no street right-of-way dedication is involved; or (iii) the public acquisition by purchase of strips of land for widening or opening streets; or (iv) the division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the minimum standards set forth in the LUO.
- (119) **Subdivision, Architecturally Integrated.** A subdivision in which approval is obtained not only for the division of land into lots but also for a configuration of principal buildings to be located on such lots. The plans for an architecturally integrated subdivision shall show the dimensions, heights, and location of all such buildings to the extent necessary to comply with the purpose and intent of architecturally integrated subdivisions as set forth in Section 15-187 of the LUO.
- (120) **Subdivision, Major.** Any subdivision other than a minor subdivision.
- (121) **Subdivision, Minor.** A subdivision that of property located outside of the watershed districts does not involve any of the following: (i) the creation of more than a total of four lots; (ii) the creation of any new public streets, (iii) the extension of the water or sewer system operated by the Orange Water and Sewer Authority, or (iv) the installation of drainage improvements through one or more lots to serve one or more other lots.

- (122) **Temporary Home for Homeless.** A home owned or operated by a non-profit agency for not more than fifteen persons who satisfy the following criteria and who are in need of temporary housing, together with not more than two resident managers. All residents of such home, other than the manager shall: (i) be accepted only upon referral from an established agency within the community such as the Carrboro or Chapel Hill Police Departments, Inter-Faith Council, Salvation Army, etc. (ii) need housing and intend to reside within the home for at least a week while looking for more permanent accommodations within the community, (iii) be in need of temporary shelter because of some temporary emergency or exigency (e.g., pregnant teenagers, battered wives, newly unemployed persons evicted from their homes) and not because of transiency, de-institutionalization, chronic unemployment, alcoholism, or drug abuse.
- (123) **Temporary Sign.** A sign that (i) is used in connection with a circumstance, situation, or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (ii) is intended to remain on the location where it is erected or placed for a period of not more than fifteen days. If a sign display area is permanent but the message displayed is subject to periodic change, that sign shall be regarded as temporary.
- (124) **Tower.** A structure whose principal function is to support one or more antennas.
- (125) **Tract.** A lot (see definition 37). The term is used inter-changeably with the term lot, particularly in the context of subdivisions, where one "tract" is subdivided into several "lots".
- (126) **Tree Diameter.** The width of a tree's trunk, measured four and one half (4½) feet above the ground.
- (127) **Travel Trailer.** A structure that is (i) intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and (ii) is designed for temporary use as sleeping quarters, but that does not satisfy one or more of the definitional criteria of a mobile home.
- (128) **University Lake Watershed.** All the land area contributing water to University Lake.
- (129) **Use.** The activity or function that actually takes place or is intended to take place on a lot.
- (130) **Use, Principal.** A use listed in the table of permissible uses.
- (131) **Utility Facilities.** Any above-ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, corporation, or any entity defined as a public utility for any purpose by Section 62.3 of the North Carolina General Statutes and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Excepted from this definition are utility lines and supporting structures listed in subsection 15-151(2).

- (132) **Utility Facilities, Neighborhood.** Utility facilities that are designed to serve the immediately surrounding neighborhood and that must, for reasons associated with the purpose of the utility in question, be located in or near the neighborhood where such facilities are proposed to be located.
- (133) **Utility Facilities, Community or Regional.** All utility facilities other than neighborhood facilities.
- (134) **Variance.** A grant of permission by the board of adjustment that authorizes the recipient to do that which, according to the strict letter of the LUO, he or she could not otherwise legally do.
- (135) **Vehicle Accommodation Area.** That portion of a lot that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.
- (136) **Vehicle Storage Area.** That portion of a vehicle accommodation area used in connection with a 9.200 or 9.400 classification use as a place to park vehicles temporarily while they are waiting to be worked on or pending the pick-up of such vehicles by their owners.
- (137) **Water Dependent Structure.** A publicly-owned structure, the use of which reasonably requires access or proximity to or sitting within surface waters in order to fulfill its basic function. Water dependent structures are boat ramps, boat houses, a lake warden's office, docks, and bulkheads. Ancillary facilities such as restaurants, retail or wholesale outlets for boat supplies, parking lots, and commercial boat storage areas are not water dependent structures.
- (138) **Watershed Districts.** Those zoning districts that are applied to land within the University Lake Watershed, specifically, the C, B-5, WR, and WM-3 districts.
- (139) **Watershed Research.** Small scale research facilities owned by the federal, state, or local governments and operated by or under contract with such government, which facilities do not involve the use, production, storage, or disposition of toxic or hazardous substances and which facilities relate to the study of the environment of the watershed or some other activity compatible with a close proximity to the community's water source.
- (140) **Wholesale Sales.** On-premises sales of goods primarily to customers engaged in the business of reselling the goods.
- (141) **Wooded Area.** An area of contiguous wooded vegetation where trees are at a density of at least one six-inch or greater caliper tree per 325 square feet of land where the branches and leaves form a contiguous canopy.
- (142) **Zoning Permit.** A permit issued by the land use administrator that authorizes the recipient to make use of property in accordance with the requirements of the LUO.

PART II: ZONING DISTRICTS DEFINED

PLEASE NOTE THAT FOR THE FULL DEFINITION AND EXPLANATION OF EACH DISTRICT, PLEASE CONSULT ARTICLE IX OF THE LAND USE ORDINANCE

- (1) **Residential Districts Established:** The following residential districts are established:
 - A. **R-20, R-15, R-10, R-7.5, R-3, R-2, R-R, R-S.I.R., and R-S.I.R.-2.** The purpose of each of the foregoing residential districts is to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in non-residential districts.
 - B. The **WR** (watershed residential) district is also established. All land within this district is located within the University Lake Watershed, and while this district is designed to achieve the objectives identified in subsection (a), it is also intended to protect the community water supply by allowing residential development of the land within the University Lake Watershed only at reduced density levels.
 - C. The **R-R** (rural residential) district is designed to accommodate the residential and related uses as well as several additional uses that would be appropriate in the more sparsely populated areas of the town's joint planning transition area or extraterritorial planning area, but that would be inappropriate within the more intensively developed residential zones.
 - D. The **R-S.I.R.** (suitable for intensive residential) zone is designed (i) to encourage high density residential development that is compatible with the housing element of the town's Comprehensive Land Use Plan, and (ii) to locate this high density development in areas most suitable for it, thereby reducing pressure for growth in less desirable locations and reducing urban sprawl. Land in this zone is deemed especially suitable for intensive residential development because of (i) the availability of police, fire, and sanitation service at low marginal cost due to existing service patterns, (ii) the availability of public water and sewer service, (iii) the ample road system serving the area, (iv) the compatibility of existing development in the area with high density residential development, and (v) the compatibility of high density residential development with environmental concerns, especially water quality. Developers are encouraged to construct housing that is consistent with the town's housing objectives through density bonuses, as set forth in Section 15-182.1.
 - E. The **R-S.I.R.-2** zoning district is designed to serve essentially the same purposes as the R-S.I.R. zone, but the maximum density allowed in the R-S.I.R.-2 district is less than that permitted in the R-S.I.R. district (see Section 15-182.1). Except as otherwise specifically provided in this chapter, all regulations and standards applicable to the R-S.I.R. district are also applicable to the R-S.I.R.-2 district.
- (2) **Conservation District:** There is hereby established a conservation (C) district. The purpose of this district is to protect the public health, safety, and welfare by severely restricting development within and adjacent to certain lakes, ponds, watercourses, streams, creeks, drainage areas,

floodplains, wetlands, and other flood-prone areas within the University Lake Watershed. The limited development allowed within a conservation district not only minimizes the danger to the community water supply from the more intensive development of this land but also allows this land to act as a natural buffer between more intensively developed areas and the watercourses contained within a conservation district.

- (3) **B-1(c) Town Center Business:** This district is designed to encourage and accommodate a unified, compact, contiguous shopping and entertainment area focused around restaurants, specialty shops, arts and crafts. This area is intended for development around a theme or themes consistent with the Carr Mill, The Station, and historic or old Carrboro. The area is intended to accommodate the pedestrian user.
- (4) **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.
- (5) **(EAT) Restaurant District Overlay:** This overlay district is designed to accommodate on-premises (inside and outside) dining 8.100 and 8.200 restaurant uses in the B-1(g) General Business district. Because of the B-1(g) district's close proximity to established residential single-family neighborhoods, the EAT overlay is restricted to properties a minimum distance of one property width from abutting residential zones and is limited in the types of night uses permitted. In addition, emphasis is given to the existing restrictions in the B-1(g) district and the ability of the permit-issuing authority to limit hours of operation where such restrictions are necessary to prevent unreasonable disruptions to the peace and quiet of a nearby residential area. Use of property within the overlay district for 8.100 and 8.200 purposes shall require the issuance of a conditional use permit.
- (6) **B-2 Fringe Commercial:** This district is a transitional district which is designed to accommodate commercial uses in areas that formerly were residential but that now may be more desirable for commercial activities due to high traffic volumes and proximity to other nonresidential districts. At the same time, continued residential use of existing and nearby structures, and preservation of the existing character and appearance of this area is encouraged. Accordingly, however, whenever the use of the land in this district is changed to commercial, it is intended and desired that existing residential structures be converted and adapted to commercial use rather than new buildings constructed, and to encourage this, the regulations for this district allow development at a lower density than is permitted in the B-1 districts and permit uses that tend to generate minimal traffic. In this way, the B-2 district should provide a smoother transition from the more intensively developed B-1 areas to

residential areas. Any development within the B-2 district shall comply with the following requirements:

- A. To the extent practicable, development shall otherwise retain, preserve and be compatible with the residential character of the older homes within and immediately adjacent to this district;
- B. To the extent practicable, vehicle accommodation areas associated with uses on lots in this district shall be located in the rear of buildings so that parking areas are not readily visible from the streets; and
- C. Whenever a new building is erected in this district, (i) the exterior walls shall be constructed of materials commonly used on the exterior walls of single-family residences (such as brick, stone, wood, or fabricated residential lap siding made of hardboard or aluminum); (ii) the pitch of the roof shall have a minimum vertical rise of one foot for every five feet of horizontal run; provided that this requirement shall not apply to lots that have frontage on any street where, within the same block as the property in question, at least 75% of the buildings (in place on September 6, 1988) within the B-2 district that front along the same side of the street do not have roofs that comply with this pitched roof standard; and (iii) windows shall be of a type commonly used in single-family residences.

- (7) **B-3 Neighborhood Business:** This district is designed to accommodate commercial needs arising at the neighborhood level and which are more appropriately dealt with at that level than at the community level. Neighborhood businesses include grocery stores, branch banks, gas sales, and the like. To insure compatibility between B- 3 areas and the neighborhoods, no B-3 district shall be greater than five acres, and no areas shall be zoned B-3 if any portion of a pre-existing business district lies within one-half mile in any direction.
- (8) **B-4 Outlying Concentrated Business:** This zone is designed to accommodate a variety of commercial enterprises that provide goods and services to a larger market area than those businesses permitted in the neighborhood business district. Development regulations also permit higher buildings and increased density over that allowed in the B-3 zone. This zone is intended to create an attractive, concentrated business district in areas that are outside the town's central business district but that are served by the town's major thoroughfares. Examples of permitted uses include shopping centers, professional offices and motels. Uses that are not permitted include outside storage and drive-in theaters.
- (9) **B-5 Watershed Commercial:** This district is designed to accommodate commercial uses within the University Lake Watershed area without adversely affecting the community water supply.
- (10) **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.

- (11) **B-3-T Transition Area Business:** This district is designed to accommodate commercial needs arising in the town's more rural neighborhoods, especially in the joint planning transition areas, and which are more appropriately dealt with at the neighborhood level than at a community or regional level. To insure compatibility between B-3-T areas and their associated rural neighborhoods, no B-3-T district shall be greater than five acres, and no areas shall be zoned B-3-T if any portion of a pre-existing business district lies within one-half mile in any direction.
- (12) **O Office:** This district is intended to provide locations for low intensity office and institutional uses. This district is designed for parcels three (3) acres or less in size. Rather than have new buildings constructed, it is intended and desired that any existing residential structures within the district be converted and adapted to office or institutional use. In order to assure compatibility of residential conversions or new office construction with existing and future residential development, specific performance measures to mitigate negative impacts of office development will be required. Any development within the Office (O) district shall comply with the following requirements:
- A. Type A screening will be required between any non-residential use and adjacent properties, except for openings necessary to allow pedestrian movement between the office or institutional use and adjacent properties;
 - B. To the extent practicable, vehicle accommodation areas associated with uses on lots in this district shall be located in the rear of buildings so that parking areas are not readily visible from the streets, unless doing so would adversely affect adjoining residential properties;
 - C. Whenever a new building is erected in this district, (i) the exterior walls shall be constructed of materials commonly used on the exterior walls of single-family residences (such as brick, stone, wood, or fabricated residential lap siding made of hardboard, vinyl, or aluminum); (ii) the pitch of the roof shall have a minimum vertical rise of one foot for every five feet of horizontal run; provided that this requirement shall not apply to lots that have frontage on any street where, within the same block as the property in question, at least 75% of the buildings (in place on April 16, 1991) that front along the same side of the street do not have roofs that comply with this pitched roof standard; and (iii) windows shall be of a type commonly used in single-family residences;
 - D. Manufacturer's specifications for proposed outdoor lighting fixtures (including candlepower distribution) must be included in the submitted plans and maximum illumination areas must be delineated on the site plan. Light sources (light bulbs or tubes) shall be shielded to reflect down onto the ground and not out onto neighboring properties.

- (13) **O/A Office/Assembly:** This district is intended to provide for office, administrative, professional, research, and specialized manufacturing (such as light assembly and processing) activities in close proximity to an arterial street. This district is intended to provide employment near residential areas; therefore, the required development standards are intended to be compatible to adjacent residential uses and provide a park-like setting for employment. It is strongly encouraged that development in the Office/Assembly zoning district be designed so that employees may easily utilize alternative forms of transportation (such riding buses, cycling or walking) to commute to their place of employment. Any development within the Office/Assembly (O/A) district shall comply with the following requirements:
- A. No area less than five contiguous acres may be zoned as an Office/Assembly district;
 - B. The performance standards (Article XI, Part I) applicable to 4.000 classification uses in business zones shall govern uses in an Office/Assembly zone;
 - C. As shown in Section 15-308, Table of Screening Requirements, screening will be required between non-residential uses in the Office/Assembly district and adjacent residential properties;
 - D. Manufacturer's specifications for proposed outdoor lighting fixtures (including candlepower distribution) must be included in the submitted plans and maximum illumination areas must be delineated on the site plan. Light sources (light bulbs or tubes) shall be shielded to reflect down onto the ground and not out onto neighboring properties.
- (14) **O/A CU Office/Assembly Conditional Use:** This district is identical to the O/A district and shall be subject to all regulations applicable to the O/A district (including but not limited to the performance standards set forth in Part 1 of Article XI) except as is listed in Section 15- 136 of the Land Use Ordinance.
- (15) **M-1 Light Manufacturing:** This zone is designed to accommodate a limited range of industrial activities and a wide range of commercial uses including wholesaling, storage, mail-order, auto related, and office and retail in conjunction with industrial or wholesaling uses. Permitted industrial uses include enterprises engaged in manufacturing, processing, creating, repairing, renovating, painting, cleaning and assembly where all operations are contained inside a fully enclosed building. The performance standards for the M-1 zone located in Part I of Article XI are more restrictive than those in the M-2 district.
- (16) **M-2 General Manufacturing:** This district is designed to accommodate the widest range of industrial uses. Business operations may be conducted within and outside a fully enclosed building. The performance standards for this zone are less restrictive than those in the M-1 district.
- (17) **WM-3 Watershed Light Industrial:** The purpose of this district is to allow areas within the University Lake Watershed that have been zoned M-1 prior to the effective date of this subdivision to continue to be used and developed for light industrial and related purposes, subject to certain

restrictions designed to protect the watershed. Consistent with the purpose of this zone, this district shall be confined to that area zoned M-1 on the effective date of this subsection; this area shall not be expanded and no new WM-3 areas shall be designated.

- (18) **PID Planned Industrial Development:** The purpose of this district is to provide for the possibility of well planned and tightly controlled industrial development in areas that are suitable for such development but that are not deemed appropriate for M-1 or M-2 zoning because of the less restricted types of development that may occur in such zones.
- (19) **P-F Public Facilities:** Within this district, those uses indicated as permissible in the Table of Permissible Uses may be developed, but only if such developments are owned and operated by the United States, the State of North Carolina, Orange County, the Town of Carrboro, or any agency, department, or subdivision of the foregoing governments.
- (20) **PUD Planned Unit Development:** The sixty different PUD zoning districts are derived from the various combinations of possible alternatives within each of the three elements -- residential, commercial, manufacturing/processing. For example, there is an R-20/B-1(g)/M-1 district, an R-20/B-2/M-1 district, an R-20/B-2 district, an R-15/B-1(g)/M-1 district, etc. Each PUD zoning district is designed to combine the characteristics of at least two and possibly three zoning districts from the following categories:
- A. One element of each PUD district shall be the residential element. Here there are six possibilities, each one corresponding to one of the following residential districts identified in Section 15-135: R-20, R-15, R-10, R-7.5, R-3, or R- S.I.R. Within that portion of the PUD zone that is developed for purposes permissible in a residential district, all development must be in accordance with the regulations applicable to the residential zoning district to which the particular PUD zoning district corresponds.
 - B. A second element of each PUD district shall be the commercial element. Here there are five possibilities, each one corresponding to either the B-1(g), B-2, B-3, O, or O/A zoning districts established by Section 15-136. Within that portion of a PUD district that is developed for purposes permissible in a commercial district, all development must be in accordance with the regulations applicable to the commercial district to which the PUD district corresponds.
 - C. A manufacturing/processing element may be a third element of any PUD district. Here there are two alternatives. The first is that uses permitted within the M-1 district would be permitted within the PUD district. The second alternative is that uses permitted only within the M-1 or M-2 zoning districts would not be permitted. If an M-1 element is included, then within that portion of the PUD district that is developed for purposes permissible in an M-1 district, all development must be in accordance with the regulations applicable to the M-1 district.
- (21) **RHDC Residential High Density and Commercial Overlay:** The purpose of this district is to provide for the redevelopment of deteriorating

commercial and manufacturing areas in a manner that is consistent with commercial development goals of the town, namely, for compact, compressed town center growth, for a substantial increase in residential opportunities near the town center, and for mixed use development in the downtown. Property that lies within this overlay district may be developed in accordance with either the regulations applicable to the underlying district or the regulations contained in Section 15-140 of the Land Use Ordinance.

- (22) **HD Historic District:** This district is designed to apply to areas which are deemed to be of special significance in terms of their history, architecture and/or culture, and to possess integrity of design, setting, materials, feeling and association. The historic district is one of Carrboro's most valued and important assets and is established for the following purposes: to protect and conserve the heritage of Carrboro, Orange County and the State of North Carolina; to preserve the social, economic, cultural, political, and architectural history of the district and its individual properties; to promote the education, pleasure and enrichment of residents in the district and Carrboro and Orange County and the State as a whole; to encourage tourism and increased commercial activity; to foster civic beauty; and to stabilize and enhance property values throughout the district as a whole, thus contributing to the improvement of the general health and welfare of Carrboro and any residents of the district.
- (23) **NPD Neighborhood Preservation District:** This district is designed to apply to areas which are deemed to possess form, character, and visual qualities from arrangements or combinations of architectural or appurtenant features or places of historical or cultural significance that create an image of stability, local identity, and livable atmosphere. This district is established to achieve the same objectives and purposes as those set forth above with respect to the historic district.
- (24) **JLWP Jordan Lake Watershed Districts Established:** The purpose of this overlay district is to provide for the imposition of regulations applicable to areas within the town's planning jurisdiction that are part of the Jordan Lake WS-IV Watershed in order to comply with the provisions of Article 21, Chapter 143 of the North Carolina General Statutes. Because the JLWP district is an overlay district, properties within this district are subject to the regulations applicable to the underlying district as well as the requirements of the JLWP district.
- (25) **VMU Village Mixed Use:** This district is established to provide for the development of rural new villages at a scale intended to continue Carrboro's small town character as described in its Year 2000 Task Force Report and to promote a traditional concept of villages. The applicant for rezoning to this district must demonstrate that its planning, design and development will achieve, but not necessarily be limited to, all of the objectives listed in Section 15-141.2 of the Land Use Ordinance.