



# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Meeting Agenda Board of Aldermen



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Tuesday, September 16, 2014

7:30 PM

Board Chambers - Room 110

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7:30-7:35

**A. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR**

7:35-7:45

**B. RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS**

1. [14-0272](#) Fire Prevention Week Proclamation

**Attachments:** [Fire Prevention Week 2014](#)

2. [14-0278](#) Charge Issued - Quinton Harper, OWASA Board of Directors

7:45-7:50

**C. CONSENT AGENDA**

1. [14-0277](#) Approval of Previous Meeting Minutes

2. [14-0263](#) Request-to-set a public hearing on Land Use Ordinance Amendments Relating to the Board of Adjustment

PURPOSE: The purpose of this item is for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance to bring the ordinance into conformity with recent statutory changes relating to the Board of Adjustment.

**Attachments:** [Attachment A - Resolution Setting PH on Board of Adjustment Amendments to LUO.doc](#)  
[Attachment B Draft LUO amendment implementing changes to Board of Adjustment statute 9-12-14](#)  
[Attachment C House Bill 276v5](#)

3. [14-0264](#) A Resolution Establishing a Town Historian

PURPOSE: The purpose of this item is to have the Board of Aldermen consider adopting a resolution to establish a Town historian.

**Attachments:** [Attachment A: Resolution](#)  
[Attachment B: Town Historian Application](#)

4. [14-0273](#) Approval of Interlocal Agreement for Reimbursement of Costs Related to Preliminary Engineering and Community Outreach for the Rogers Road Sewer Project

PURPOSE: The purpose of this agenda item is to provide the Board of Aldermen an opportunity to consider the draft interlocal agreement between the Towns of Chapel Hill Carrboro, and Orange County. The interlocal agreement establishes a responsibility for the Towns to reimburse Orange County a portion of the costs of the preliminary engineering and community outreach associated with the Rogers Road sewer project.

**Attachments:** [Attachment A - Resolution Authorizing Manager to Sign INterlocal PE and outreach.pdf](#)  
[Attachment B - Interlocal for RR Engineering 9-5-14](#)  
[Attachment C - County-OWASA interlocal](#)  
[Attachment D - County and Jackson Center Agreement](#)

### **7:50-8:00**

#### **D. PUBLIC HEARING**

1. [14-0270](#) A Public Hearing on the Temporary Street Closing Permit Application for the Saint Paul AME Church 5K

PURPOSE: The purpose of this item is to receive public input on the Street Closing Permit Application submitted by the Saint Paul AME Church for the temporary closing and usage of streets from 9:00 AM to 10:00 AM on Saturday, March 7th, 2015 to accommodate the Saint Paul AME Church 5K.

**Attachments:** [St Paul AME Road Race Application](#)  
[St Paul AME Road Race Map](#)  
[Public Hearing Resolution](#)

#### **E. OTHER MATTERS**

### **8:00-8:25**

1. [14-0276](#) Tallyho Trail Traffic Calming Request

PURPOSE: The purpose of this item is to provide the Board with information relating to a traffic calming request from residents living along Tallyho Trail, and to consider implementing traffic calming measures.

**Attachments:** [Attachment A RESOLUTION RECOMMENDING TRAFFIC CALMING MEASURES ON TALLYHO TRAIL](#)  
[Attachment B Tallyho Trail traffic calming report - BOA - Fall 2014 - full 2](#)  
[Attachment C TAB REC for Tallyho Trail traffic calming\\_6-5-2014](#)  
[Attachment D Tallyho Trail traffic calming petition 6-26-13](#)

**8:25-8:45**

2. [14-0274](#) Update on Storm Water Flooding Issues

PURPOSE: The purpose of this item is to provide the Board of Aldermen an update on various storm water flooding issues since the last report on May 20, 2014.

**8:45-9:15**

3. [14-0268](#) Minor Modification to the Master Sign Plan for the 300 East Main Street Project

PURPOSE: The purpose of this item is for the Board of Aldermen to consider a Minor Modification request to the Master Sign Plan for the 300 East Main Street Project. Staff requests that the Board of Aldermen discuss, deliberate, and decide whether to adopt the attached resolution approving the Minor Modification to the Master Sign Plan.

**Attachments:** [Attachment A - Resolution](#)  
[Attachment B - Applicant's Explanation of Request](#)

**9:15-9:30**

4. [14-0271](#) TJCOG Livability Assessment Pilot Program

PURPOSE: The purpose of this item is for the Board to consider directing staff to apply for, and if chosen, participate in the TJCOG Livability Assessment Pilot Program.

**9:30-9:45****F. MATTERS BY BOARD MEMBERS**

1. [14-0089](#) Brief Monthly Report/Update from Members of the Board

**G. MATTERS BY TOWN CLERK****H. MATTERS BY TOWN MANAGER****I. MATTERS BY TOWN ATTORNEY**





# CARRBORO FIRE-RESCUE DEPARTMENT CARRBORO, NORTH CAROLINA



## PROCLAMATION “Fire Prevention Week”

**WHEREAS**, Carrboro firefighters responded to 1736 calls for assistance in FY 2013-2014, resulting in no fire deaths or injuries; and

**WHEREAS**, the fire losses for those calls totaled \$ 79,508.00 in property damage, compared to the property value of \$ 4,214,832 or 98% that was saved; and

**WHEREAS**, nationally the month of October is recognized as Fire Prevention Month with this year’s theme being “Working Smoke Detectors Save Lives, Test Yours Every Month”; and

**WHEREAS**, Smoke alarms can make a life-saving difference in a fire, but they need to be working,”  
“Unfortunately, many home fire deaths result from fires where a smoke alarm is present but does not operate; and

**WHEREAS**, Having a working smoke alarm in the home cuts the risk of dying in a fire in half and having an operational residential sprinkler system combined with smoke alarms can reduce the risk of dying in a fire at home by 86%; and

**WHEREAS**, On average each year, three out of five home fire deaths result in fires where there are either no smoke alarms or no working smoke alarms; and

**WHEREAS**, “Nearly 3,000 people continue to die in fires each year, with most of those deaths occurring in their own homes”. “The vast majority of home fire deaths are preventable, and working [smoke alarms](#) play a big role in helping reduce those numbers.”; and

**WHEREAS**, Installing smoke alarms inside every bedroom, outside each sleeping area and on every level of the home, including the basement; and

**WHEREAS**, Testing all smoke alarms every month by using the test button; and

**WHEREAS**, Replacing all smoke alarms every 10 years or sooner if they don’t respond properly when tested; and

**WHEREAS**, the Carrboro Fire-Rescue Department is engaged in a pro-active effort to reduce the number of fires, deaths and injuries by conducting fire inspections and delivering fire prevention education on Saturday, October 4, 2014 from 8:00 AM until 12:00 PM to further that cause.

**NOW THEREFORE BE IT RESOLVED** that, I, Lydia E. Lavelle, Mayor of the Town of Carrboro, North Carolina, do hereby proclaim **the week of October 5-11, 2014** as “**Fire Prevention Week**” in the Town of Carrboro. All citizens are encouraged to observe this week of fire prevention by intentionally being “fire smart”, visiting the Fire Department to obtain more information and attending the Open House.

This the 16<sup>th</sup> day of September 2014

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Lydia E. Lavelle, Mayor





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number: 14-0263**

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**Agenda Date:** 9/16/2014

**File Type:** Abstract

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Request-to-set a public hearing on Land Use Ordinance Amendments Relating to the Board of Adjustment

**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance to bring the ordinance into conformity with recent statutory changes relating to the Board of Adjustment.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325; Mike Brough - 919-929-3905; Marty Roupe - 919-918-7333

**INFORMATION:** In the spring of 2013, the North Carolina General Assembly considered HB 276, An Act to Clarify and Modernize statutes regarding Zoning Boards of Adjustment (Attachment C and <http://www.ncleg.net/sessions/2013/bills/house/pdf/h276v6.pdf>). The bill updated the statute creating boards of adjustment providing greater clarity, standardizing procedures and providing more predictability about the processes used by the board of adjustment. The bill was signed in to law in October of 2013.

The role of the Board of Adjustment is to handle quasi-judicial matters following clear procedures based on evidence and sworn testimony outside of the political pressure that can affect elected officials. In addition to reviewing special use permits, the Town of Carrboro Board of Adjustment considers requests for major subdivisions of between five and 12 units, appeals, interpretations, variances and special exceptions. Among other things, the variance provisions of General Statute 160A-388(d) have been rewritten so that the following standards for granting a variance will be uniform throughout the state:

- Unnecessary hardship would result from the strict application of the ordinance
- The hardship results from conditions that are particular to the property
- The hardship is not self-created
- The applicant must demonstrate that the granting of a variance is consistent with the spirit or intent of the ordinance, will maintain public safety, and achieve substantial justice.

In addition, the new language clearly prohibits any use variances.

The Town Attorney has prepared a draft ordinance (Attachment B) which, if adopted, would amend the Land

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Use Ordinance in accordance with state legislation. The table below identifies the various sections of the LUO impacted by the draft ordinance; the current ordinance provisions may be reviewed at the following link <https://nc-carrboro.civicplus.com/298/Land-Use-Ordinance> .

Article	Title	Section	Name
III	Administrative Mechanisms	15-32	Voting
IV	Permits and Final Plat Approval	15-48 15-49 15-56	Who May Submit Permit Applications Applications to be Complete Recommendation on Special Use Permit
V	Appeals, Variances, Special Exceptions, and Interpretations	15-91 15-92 15-93 15-95 15-96	Appeals Variances Interpretations Burden of Proof in Appeals, Variances, and Special Exceptions Board Action on Appeals, Variances, and Special Exceptions
VI	Hearing Procedures for Appeals and Applications	15-102 15-106	Notice of Hearing Written Decisions
VII	Enforcement and Review	15-116	Judicial Review
XVI	Flood Damage Prevention, Stormwater Management, and Watershed Protection	Part I and Part 3	Included as references in the draft ordinances for requests for variances to water quality stream buffers and the like

The Board of Aldermen must receive public comment before adopting amendments to the LUO; Planning Board and Orange County review is also needed. The Board may also wish to provide the materials to the Board of Adjustment as an informational item; the resolution included makes this referral.

**FISCAL & STAFF IMPACT:** Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the attached resolution setting a public hearing for October 21, 2014 and referring the proposed amendment to Orange County and the Planning Board for consideration and recommendation and the Board of Adjustment for information/review (Attachment A).



**RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE  
AMENDING THE CARRBORO LAND USE ORDINANCE TO BRING THE  
ORDINANCE INTO CONFORMITY WITH RECENT STATUTORY CHANGES  
REGARDING THE BOARD OF ADJUSTMENT**

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on October 21, 2014, to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance to Bring the Ordinance into Conformity with Recent Statutory Changes regarding the Board of Adjustment."

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County, the Town of Carrboro Planning Board for consideration and recommendation prior to the specified public hearing date.

BE IT FURTHER RESOLVED that the draft ordinance is referred to the following Board/Commission for information and review:

- |   |  |
|---|--|
| <input type="checkbox"/> Appearance Commission              | <input type="checkbox"/> Recreation and Parks Commission             |
| <input type="checkbox"/> Transportation Advisory Board      | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Environmental Advisory Board       | <input checked="" type="checkbox"/> Board of Adjustment              |
| <input type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____                                       |

This is Tuesday, the 16th day of September in the year 2014.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO BRING  
THE ORDINANCE INTO CONFORMITY WITH RECENT STATUTORY CHANGES  
REGARDING THE BOARD OF ADJUSTMENT

\*DRAFT 9-9-2104\*

THE BOARD OF ALDERMENT OF THE TOWN OF CARRBORO ORDAINS:

Section 1. All article and section references set forth in the ordinance are to the Carrboro Land Use Ordinance.

Section 2. Subsection 15-102(1) (Notice of Hearing) is amended to read as follows:

- (1) Not later than ten days before the hearing, a written notice of such hearing shall be sent by first class mail to (i) the appellant or applicant, (ii) the owner of the property that is the subject of the hearing if the owner did not initiate the hearing, and (iii) any other person who makes a written request for such notice.

Section 3. Section 15-91 (Appeals) is rewritten to read as follows:

(a) The board of adjustment shall hear and decide appeals of decisions of the administrator in accordance with the provisions of G.S. 160A-388. Those provisions are summarized in the remaining subsections of this section. For purposes of this section, the term “decision” includes any final and binding order, requirement, or determination made by the administrator.

(b) The administrator shall give written notice of the decision to the owner of the property that is the subject of the decision and to the party who sought the decision, if different from the owner. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail.

(c) Any person who has standing under G.S. 160A-393(d), as well as the town, may appeal a decision to the board of adjustment. An appeal is taken by filing a notice of appeal with the town clerk. The notice of appeal shall state the grounds for the appeal.

(d) The owner or other party shall have 30 days from receipt of the written notice within which to file an appeal. Any other person with standing to appeal shall have 30 days from receipt from any source of actual or constructive notice of the decision within which to file an appeal.

(e) It shall be conclusively presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" or "Subdivision Decision" in letters at least six inches high is prominently posted on the property that is the subject of the decision, provided that (i) the sign remains on the property for at least 10 days, and (ii) and the sign states that additional information about the decision can be obtained by calling the planning department at a specified telephone number. Posting of such signs shall

not be required, and is not the only form of constructive notice, but such posting offers the applicant or landowner a means of ensuring that constructive notice of the decision has been provided. Verification of the posting shall be provided to the administrator.

(f) The administrator shall transmit to the board of adjustment all documents and exhibits constituting the record of the action that is the subject of the appeal. The administrator shall also provide a copy of the record to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner.

(g) An appeal of a notice of violation or other enforcement order stays enforcement of the action appealed from unless the administrator certifies to the board of adjustment after notice of appeal has been filed that, because of the facts stated in an affidavit, a stay would cause imminent peril to life or property, or because the violation is transitory in nature, a stay would seriously interfere with enforcement of the ordinance. In that case, enforcement proceedings shall not be stayed except by a restraining order, which may be granted by a court. If enforcement proceedings are not stayed, the appellant may file with the administrator a request for an expedited hearing of the appeal, and the board of adjustment shall meet to hear the appeal within 15 days after such a request is filed. Notwithstanding the foregoing, appeals of decisions granting a permit or otherwise affirming that a proposed use of property is consistent with the ordinance shall not stay the further review of an application for permits or permissions to use such property; in these situations the appellant may request and the board may grant a stay of a final decision of permit applications or building permits affected by the issue being appealed.

(h) Subject to the provisions of subdivision (g) of this section, the board of adjustment shall hear and decide the appeal within a reasonable time.

(i) The administrator shall be present at the hearing as a witness. The appellant shall not be limited at the hearing to matters stated in the notice of appeal. If any party or the town would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the board shall continue the hearing. The board of adjustment may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the administrator.

(j) The parties to an appeal that has been made under this section may agree to mediation or other forms of alternative dispute resolution.

Section 4. Section 15-92 (Variances) is amended to read as follows:

(a) An application for a variance shall be submitted to the board of adjustment by filing a copy of the application with the administrator in the planning department. Applications shall be handled in the same manner as applications for special use permits in conformity with the provisions of Sections 15-48, 15-49, and 15-56.

(b) Subject to the remaining provisions of this section, when unnecessary hardships would result from carrying out the strict letter of this ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

(1) Unnecessary hardship would result from the strict application of this ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance

(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

(4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

(c) No change in permitted uses may be authorized by variance.

(d) Appropriate conditions may be imposed on any variance, provided the conditions are reasonably related to the variance.

(e) A variance may be issued for an indefinite duration or for a specified duration only.

(f) In determining whether a variance should be granted from any of the provisions of Article XVI, Part I, the board of adjustment shall consider the following factors, each of which shall be addressed in a written report that accompanies the application.

(1) The danger that materials may be swept onto other lands to the injury of others;

(2) The danger to life and property due to flooding or erosion damage;

(3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(4) The importance of the services provided by the proposed facility to the community;

(5) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

(6) The compatibility of the proposed use with existing and anticipated development;

(7) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

(8) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(9) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site; and

(10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

(g) Any applicant to whom a variance is granted from the provisions of Article XVI, Part I, shall be given written notice specifying the difference between the Base Flood Elevation (BFE) and the elevation to which the structure is to be built and that such construction below the BFE increases risks to life and property, and that the issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.

(h) With respect to the provisions of Article XVI, Part I, the administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of North Carolina upon request.

(i) With respect to the provisions of Article XVI, Part I:

(1) Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.

(2) Variances shall not be issued within any designated floodway or non-encroachment area if the variance would result in any increase in flood levels during the base flood discharge.

(3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(4) Variances shall only be issued prior to development permit approval.

(5) The Town shall notify the Secretary of the North Carolina Department of Crime Control and Public Safety that a variance has been requested at least 30 days prior to consideration of the application by the board of adjustment.

(i) If the board votes to grant a major variance from any of the provisions of Section 15-266, dealing with requirements peculiar to areas within the University Lake Watershed or Jordan Lake Watershed Protection District, the administrator shall forthwith prepare and send to the Environmental Management Commission a record of the proceedings before the board. The variance shall not be issued until it is approved by the EMC. For purposes of this subsection, a major variance is one that authorizes a relaxation of greater than 10% of any requirement set forth in Section 15-266.

(j) If the board votes to grant a major variance from any of the provisions of Part III (Water Quality Buffers) of Article XVI, the administrator shall forthwith prepare and send to the Environmental Management Commission a record of the proceedings before the board. The variance shall not be issued until it is approved by the EMC. For purposes of this subsection, a major variance is one that pertains to prohibited activities that will impact that portion of Zone One of the riparian buffers that lies within 30 feet of the surface waters subject to buffer requirements of the Jordan Reservoir.

(k) The administrator shall keep a record of all variances granted during any calendar year from the provisions of Sections 15-266 or Part III of Article XVI and shall submit the record of such variances on or before January 1 of the following year to the Division of Water Quality. The record shall contain a description of each project receiving a variance and the reason for granting the variance.

(l) If the board votes to grant a major variance from the provisions of Section 15-263, the board shall then prepare a preliminary record of the hearing and submit it to the Environmental Management Commission for review and approval. If the Commission approves the major variance or approves with conditions or stipulations added, then the Commission shall prepare a Commission decision which authorizes the board to issue a final decision which would include any conditions or stipulations added by the Commission. If the Commission denies the major variance, then the Commission shall prepare a Commission decision to be sent to the board. The board shall prepare a final decision denying the major variance. For all proposed major and minor variances from the other local governments having jurisdiction within the Jordan Lake Watershed Area and any local governments using Jordan Lake as a water supply for consumption. Appeals from a board decision on a major or minor variance request are made on certiorari to the local Superior Court. Appeals from the Commission decision on a major variance request are made on judicial review to Superior Court. For purposes of this subsection, a major variance is one that authorizes a relaxation by more than five percent of any requirement set forth in Section 15-263.

Section 5. Subsection 15-32(a) is amended to read as follows:

(a) The concurring vote of a four-fifths majority of members of the board present at a meeting and not excused from voting (a quorum being present) shall be necessary to grant a variance. All other actions of the board, including decisions relating to appeals and special use permits, shall be taken by majority vote, a quorum being present. If a motion to grant a variance is not made or fails to receive the four-fifths vote necessary for adoption, then a motion to deny

the variance shall be in order. This motion is adopted as the board's decision if support by at least two members.

Section 6. Section 15-93 (Interpretations) is amended by rewriting subsection (a) as follows, deleting subsection (b), and redesignating subsection (c) as subsection (b):

- (a) The administrator is authorized to interpret the official zoning map and to pass upon disputed questions of district boundary lines and similar questions.

Section 7. Subsection 15-95(c) is repealed.

Section 8. Section 15-96 (Board Action) is amended as follows:

(a) With respect to appeals, a motion to reverse, affirm, or modify the order, requirement, decision, or determination appealed from shall include, insofar as practicable, a statement of the specific reasons or findings that support that motion. If a motion to reverse or modify is not made or fails to receive the four-fifths vote necessary for adoption (see Section 15-32), then a motion to uphold the decision appealed from shall be in order. Insofar as practicable, this motion shall include a statement of the findings, or reasons that support it. This motion is adopted as the board's decision if supported by at least two members.

(b) Before granting a variance, the board must take a separate vote and vote affirmatively (by a 4/5 majority--see Section 15-32) on each of the four required findings stated in Subsection 15-92(b). Insofar as practicable, a motion to make an affirmative finding on each of the requirements set forth in Subsection 15-92(b) shall include a statement of the specific reasons for findings of fact supporting such motion.

(c) A motion to deny a variance may be made on the basis that any one or more of the four criteria set forth in Subsection 15-92(b) are not satisfied or that the application is incomplete. Insofar as practicable, such a motion shall include a statement of the specific reasons or findings of fact that support it. This motion is adopted as the board's decision if supported by at least two members.

(d) Before granting a special exception permit, the board shall vote affirmatively on each of the findings required under section 15-92.1. A motion to deny a special exception may be made on the basis that any one or more of the findings required by section 15-92.1 are not satisfied or that the application is incomplete. Insofar as practicable, such a motion shall include a statement of the specific reasons or findings of fact that support it.

Section 9. Section 15-106 (Written Decision) is amended as follows:

(a) As provided in G.S. 160A-388(e2), every quasi-judicial decision made by the board of aldermen or the board of adjustment shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing and reflect the board's determination of contested facts and their application to the applicable

standards. The written decision shall be signed by the chair or other duly authorized member of the board.

(b) A quasi-judicial decision is effective upon filing the written decision in the planning department. The decision of the board shall be delivered by personal delivery, electronic mail, or by first-class mail to the applicant, property owner, and to any person who has submitted a written request for a copy prior to the date the decision becomes effective. The person required to provide notice shall certify that proper notice has been made.

Section 10. Section 15-116 (Judicial Review) is amended to read as follows:

Every quasi-judicial decision of the board shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160A-393. A petition for review shall be filed with the clerk of superior court by the later of 30 days after the decision is filed in the planning department or after a written copy thereof is delivered as provided in Subsection 15-106(b). When first-class mail is used to deliver notice, three days shall be added to the time to file the petition.

Section 11. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 12. This ordinance shall become effective upon adoption.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

HOUSE BILL 276  
RATIFIED BILL

AN ACT TO CLARIFY AND MODERNIZE STATUTES REGARDING ZONING BOARDS  
OF ADJUSTMENT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 160A-388 reads as rewritten:

**"§ 160A-388. Board of adjustment.**

(a) Composition and Duties. – The city council zoning or unified development ordinance may provide for the appointment and compensation of a board of adjustment consisting of five or more members, each to be appointed for three years. In appointing the original members of such board, members or in the filling of vacancies caused by the expiration of the terms of existing members, the city council may appoint certain members for less than three years to the end so that thereafter the terms of all members shall not expire at the same time. The council may, in its discretion, may appoint and provide compensation for alternate members to serve on the board in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a member. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members. Each alternate member, while attending any regular or special meeting of the board and member serving on behalf of any regular member, shall have and may exercise member has all the powers and duties of a regular member. A city The ordinance may designate a planning board or governing board to perform any or all of the duties of a board of adjustment in addition to its other duties. duties and may create and designate specialized boards to hear technical appeals.

(a1) Provisions of Ordinance. – The zoning or unified development ordinance may provide that the board of adjustment hear and decide special and conditional use permits, requests for variances, and appeals of decisions of administrative officials charged with enforcement of the ordinance. As used in this section, the term "decision" includes any final and binding order, requirement, or determination. The board of adjustment shall follow quasi-judicial procedures when deciding appeals and requests for variances and special and conditional use permits. The board shall hear and decide all matters upon which it is required to pass under any statute or ordinance that regulates land use or development.

(a2) Notice of Hearing. – Notice of hearings conducted pursuant to this section shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the zoning or unified development ordinance. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the city shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.

(b) A zoning ordinance or those provisions of a unified development ordinance adopted pursuant to the authority granted in this Part shall provide that the board of adjustment shall hear and decide appeals from and review any order, requirement, decision, or determination made by an administrative official charged with the enforcement of that ordinance. An appeal may be taken by any person aggrieved or by an officer, department, board, or bureau of the city. Appeals shall be taken within times prescribed by the board of adjustment by general rule,



~~by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment, after notice of appeal has been filed with him, that because of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property or that because the violation charged is transitory in nature a stay would seriously interfere with enforcement of the ordinance. In that case proceedings shall not be stayed except by a restraining order, which may be granted by the board of adjustment or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown. The board of adjustment shall fix a reasonable time for the hearing of the appeal, give due notice thereof to the parties, and decide it within a reasonable time. The board of adjustment may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and shall make any order, requirement, decision, or determination that in its opinion ought to be made in the premises. To this end the board shall have all the powers of the officer from whom the appeal is taken.~~

(b1) Appeals. – The board of adjustment shall hear and decide appeals decisions of administrative officials charged with enforcement of the zoning or unified development ordinance and may hear appeals arising out of any other ordinance that regulates land use or development, pursuant to all of the following:

- (1) Any person who has standing under G.S. 160A-393(d) or the city may appeal a decision to the board of adjustment. An appeal is taken by filing a notice of appeal with the city clerk. The notice of appeal shall state the grounds for the appeal.
- (2) The official who made the decision shall give written notice to the owner of the property that is the subject of the decision and to the party who sought the decision, if different from the owner. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail.
- (3) The owner or other party shall have 30 days from receipt of the written notice within which to file an appeal. Any other person with standing to appeal shall have 30 days from receipt from any source of actual or constructive notice of the decision within which to file an appeal.
- (4) It shall be conclusively presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" or "Subdivision Decision" in letters at least six inches high and identifying the means to contact an official for information about the decision is prominently posted on the property that is the subject of the decision, provided the sign remains on the property for at least 10 days. Posting of signs is not the only form of constructive notice. Any such posting shall be the responsibility of the landowner or applicant. Verification of the posting shall be provided to the official who made the decision. Absent an ordinance provision to the contrary, posting of signs shall not be required.
- (5) The official who made the decision shall transmit to the board all documents and exhibits constituting the record upon which the action appealed from is taken. The official shall also provide a copy of the record to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner.
- (6) An appeal of a notice of violation or other enforcement order stays enforcement of the action appealed from unless the official who made the decision certifies to the board of adjustment after notice of appeal has been filed that because of the facts stated in an affidavit, a stay would cause imminent peril to life or property or because the violation is transitory in nature, a stay would seriously interfere with enforcement of the ordinance. In that case, enforcement proceedings shall not be stayed except by a restraining order, which may be granted by a court. If enforcement proceedings are not stayed, the appellant may file with the official a request for an expedited hearing of the appeal, and the board of adjustment shall

meet to hear the appeal within 15 days after such a request is filed. Notwithstanding the foregoing, appeals of decisions granting a permit or otherwise affirming that a proposed use of property is consistent with the ordinance shall not stay the further review of an application for permits or permissions to use such property; in these situations the appellant may request and the board may grant a stay of a final decision of permit applications or building permits affected by the issue being appealed.

- (7) Subject to the provisions of subdivision (6) of this subsection, the board of adjustment shall hear and decide the appeal within a reasonable time.
- (8) The official who made the decision shall be present at the hearing as a witness. The appellant shall not be limited at the hearing to matters stated in the notice of appeal. If any party or the city would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the board shall continue the hearing. The board of adjustment may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision.
- (9) When hearing an appeal pursuant to G.S. 160A-400.9(e) or any other appeal in the nature of certiorari, the hearing shall be based on the record below and the scope of review shall be as provided in G.S. 160A-393(k).
- (10) The parties to an appeal that has been made under this subsection may agree to mediation or other forms of alternative dispute resolution. The ordinance may set standards and procedures to facilitate and manage such voluntary alternative dispute resolution.

(c) Special and Conditional Use Permits. – The zoning ordinance may provide that the board of adjustment may permit special exceptions to the zoning regulations in specified classes of cases or situations as provided in subsection (d) of this section, not including variances in permitted uses, and that the board may use hear and decide special and conditional use permits, all to be permits in accordance with the principles, conditions, safeguards, standards and procedures specified in the ordinance. Reasonable and appropriate conditions may be imposed upon these permits. The ordinance may also authorize the board to interpret zoning maps and pass upon disputed questions of lot lines or district boundary lines and similar questions as they arise in the administration of the ordinance. The board shall hear and decide all matters referred to it or upon which it is required to pass under any zoning ordinance.

(d) Variances. – When practical difficulties or unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall have the power to vary or modify any of the regulations or provisions of the ordinance so that provisions of the ordinance upon a showing of all of the following:

- (1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- (4) The requested variance is consistent with the spirit spirit, purpose, and intent of the ordinance shall be observed, ordinance, such that public safety and welfare secured, safety is secured, and substantial justice done. is achieved.

No change in permitted uses may be authorized by variance. Appropriate conditions, which must be reasonably related to the condition or circumstance that gives rise to the need for a variance, may be imposed on any approval issued by the board. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other ordinance that regulates land use or development may provide for variances consistent with the provisions of this subsection.

(e) Voting. –

(1) The concurring vote of four-fifths of the members of the board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official charged with the enforcement of an ordinance adopted pursuant to this Part, or to decide in favor of the applicant any matter upon which it is required to pass under any ordinance, or to grant a variance from the provisions of the ordinance. grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the board" members of the board for calculation of the requisite supermajority majority if there are no qualified alternates available to take the place of such members.

(e1) A member of the board or any other body exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

(e2) Quasi-Judicial Decisions and Judicial Review. –

(1) The board shall determine contested facts and make its decision within a reasonable time. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing and reflect the board's determination of contested facts and their application to the applicable standards. The written decision shall be signed by the chair or other duly authorized member of the board. A quasi-judicial decision is effective upon filing the written decision with the clerk to the board or such other office or official as the ordinance specifies. The decision of the board shall be delivered by personal delivery, electronic mail, or by first-class mail to the applicant, property owner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective. The person required to provide notice shall certify that proper notice has been made.

(2) Every quasi-judicial decision of the board shall be subject to review by the superior court by proceedings in the nature of certiorari. Any certiorari pursuant to G.S. 160A-393. A petition for review by the superior court shall be filed with the clerk of superior court within by the later of 30 days after the decision of the board is filed in such office as the ordinance specifies, is effective or after a written copy thereof is given in accordance with subdivision (1) of this subsection. When first-class mail is used to deliver notice, three days shall be added to the time to file the petition. delivered to every aggrieved party who has filed a written request for such copy with the secretary or chairman of the board at the time of its hearing of the case, whichever is later. The decision of the board may be delivered to the aggrieved party either by personal service or by registered mail or certified mail return receipt requested.

(f) Oaths. – The chairman chair of the board of adjustment or any member temporarily acting as chairman, chair and the clerk to the board are is authorized in his official capacity to administer oaths to witnesses in any matter coming before the board. Any person who, while under oath during a proceeding before the board of adjustment, willfully swears falsely is guilty of a Class 1 misdemeanor.

(g) Subpoenas. – The board of adjustment adjustment through the chair, or in the chair's absence anyone acting as chair, may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, persons with standing under G.S. 160A-393(d)

may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be appealed to the full board of adjustment. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the board of adjustment or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its order subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties. No testimony of any witness before the board of adjustment pursuant to a subpoena issued in exercise of the power conferred by this subsection may be used against the witness in the trial of any civil or criminal action other than a prosecution for false swearing committed on the examination. Any person who, while under oath during a proceeding before the board of adjustment, willfully swears falsely, is guilty of a Class 1 misdemeanor."

**SECTION 2.(a)** G.S. 160A-388(e1) is recodified as G.S. 160A-388(e)(2).

**SECTION 2.(b)** G.S. 160A-388(e)(2), as recodified by Section 2(a) of this act, reads as rewritten:

"(2) A member of ~~the any board or any other body~~ exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible ~~conflicts~~ violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection."

**SECTION 3.(a)** G.S. 153A-345 is repealed except that any local modification to that section in effect on September 30, 2013, shall be treated as a local modification to G.S. 160A-388 from October 1, 2013, through June 30, 2015.

**SECTION 3.(b)** Article 18 of Chapter 153A of the General Statutes is amended by adding a new section to read:

**"§ 153A-345.1. Board of adjustment.**

(a) The provisions of G.S. 160A-388 are applicable to counties.

(b) For the purposes of this section, as used in G.S. 160A-388, the term "city council" is deemed to refer to the board of county commissioners, and the terms "city" or "municipality" are deemed to refer to the county.

(c) If a board of county commissioners does not zone the entire territorial jurisdiction of the county, each designated zoning area shall, if practicable, have at least one resident as a member of the board of adjustment; otherwise, the provisions of G.S. 153A-25 regarding qualifications for appointive office shall apply to board of adjustment appointments."

**SECTION 4.** G.S. 160A-381(c) reads as rewritten:

"(c) The regulations may also provide that the board of adjustment, the planning board, or the city council may issue special use permits or conditional use permits in the classes of cases or situations and in accordance with the principles, conditions, safeguards, and procedures specified therein and may impose reasonable and appropriate conditions and safeguards upon these permits. When deciding special use permits or conditional use permits, the city council or planning board shall follow quasi-judicial procedures. Notice of hearings on special or conditional use permit applications shall be as provided in G.S. 160A-388(a2). No vote greater than a majority vote shall be required for the city council or planning board to issue such permits. For the purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the board" for calculation of the requisite majority. Every such decision of the city council or planning board shall be subject to review of the superior court in the nature of certiorari in accordance with G.S. 160A-388.

Where appropriate, such conditions may include requirements that street and utility rights-of-way be dedicated to the public and that provision be made of recreational space and facilities."

**SECTION 5.** G.S. 153A-340(c1) reads as rewritten:

"(c1) The regulations may also provide that the board of adjustment, the planning board, or the board of commissioners may issue special use permits or conditional use permits in the classes of cases or situations and in accordance with the principles, conditions, safeguards, and procedures specified therein and may impose reasonable and appropriate conditions and safeguards upon these permits. Where appropriate, the conditions may include requirements that street and utility rights-of-way be dedicated to the public and that recreational space be provided. When deciding special use permits or conditional use permits, the board of county commissioners or planning board shall follow quasi-judicial procedures. Notice of hearings on special or conditional use permit applications shall be as provided in G.S. 160A-388(a2). No vote greater than a majority vote shall be required for the board of county commissioners or planning board to issue such permits. For the purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the board" for calculation of the requisite majority. Every such decision of the board of county commissioners or planning board shall be subject to review of the superior court in the nature of certiorari consistent with G.S. 153A-345."

**SECTION 6.** G.S. 153A-44 reads as rewritten:

**"§ 153A-44. Members excused from voting.**

The board may excuse a member from voting, but only upon questions involving the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234, 153A-340(g), or ~~153A-345(e1), 160A-388(e)(2).~~ For purposes of this section, the question of the compensation and allowances of members of the board does not involve a member's own financial interest or official conduct."

**SECTION 7.** G.S. 153A-336(a) reads as rewritten:

"(a) When a subdivision ordinance adopted under this Part provides that the decision whether to approve or deny a preliminary or final subdivision plat is to be made by a board of commissioners or a planning board, other than a planning board comprised solely of members of a county planning staff, and the ordinance authorizes the board of commissioners or planning board to make a quasi-judicial decision in deciding whether to approve the subdivision plat, then that quasi-judicial decision of the board of commissioners or planning board shall be subject to review by the superior court by proceedings in the nature of certiorari. The provisions of G.S. 153A-340(f), ~~153A-345(e2), 160A-388(e2)(2),~~ and 153A-349 shall apply to those appeals."

**SECTION 8.** G.S. 153A-340(c1) reads as rewritten:

"(c1) The regulations may also provide that the board of adjustment, the planning board, or the board of commissioners may issue special use permits or conditional use permits in the classes of cases or situations and in accordance with the principles, conditions, safeguards, and procedures specified therein and may impose reasonable and appropriate conditions and safeguards upon these permits. Where appropriate, the conditions may include requirements that street and utility rights-of-way be dedicated to the public and that recreational space be provided. When deciding special use permits or conditional use permits, the board of county commissioners or planning board shall follow quasi-judicial procedures. No vote greater than a majority vote shall be required for the board of county commissioners or planning board to issue such permits. For the purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the board" for calculation of the requisite majority. Every such decision of the board of county commissioners or planning board shall be subject to review of the superior court in the nature of certiorari consistent with ~~G.S. 153A-345.~~ G.S. 160A-388."

**SECTION 9.** G.S. 153A-349(c) is repealed.

**SECTION 10.** G.S. 153A-349.8(c) reads as rewritten:

"(c) If the developer fails to cure the material breach within the time given, then the local government unilaterally may terminate or modify the development agreement; provided, the notice of termination or modification may be appealed to the board of adjustment in the manner provided by ~~G.S. 153A-345(b).~~ G.S. 160A-388(b1)."

**SECTION 11.** G.S. 160A-75 reads as rewritten:

**"§ 160A-75. Voting.**

No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234, 160A-381(d), or ~~160A-388(e1), 160A-388(e)(2).~~ In all other cases, a failure to vote by a member who is physically present in the council chamber,

or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. The question of the compensation and allowances of members of the council is not a matter involving a member's own financial interest or official conduct.

An affirmative vote equal to a majority of all the members of the council not excused from voting on the question in issue, including the mayor's vote in case of an equal division, shall be required to adopt an ordinance, take any action having the effect of an ordinance, authorize or commit the expenditure of public funds, or make, ratify, or authorize any contract on behalf of the city. In addition, no ordinance nor any action having the effect of any ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council. For purposes of this section, an ordinance shall be deemed to have been introduced on the date the subject matter is first voted on by the council."

**SECTION 12.** G.S. 160A-377(a) reads as rewritten:

"(a) When a subdivision ordinance adopted under this Part provides that the decision whether to approve or deny a preliminary or final subdivision plat is to be made by a city council or a planning board, other than a planning board comprised solely of members of a city planning staff, and the ordinance authorizes the council or planning board to make a quasi-judicial decision in deciding whether to approve the subdivision plat, then that quasi-judicial decision of the council or planning board shall be subject to review by the superior court by proceedings in the nature of certiorari. The provisions of G.S. 160A-381(c), ~~160A-388(e2)~~, ~~160A-388(e2)(2)~~, and 160A-393 shall apply to those appeals."

**SECTION 13.** G.S. 160A-393(c)(3) reads as rewritten:

"(3) Set forth with particularity the allegations and facts, if any, in support of allegations that, as the result of impermissible conflict as described in ~~G.S. 160A-388(e1)~~, ~~G.S. 160A-388(e)(2)~~, or locally adopted conflict rules, the decision-making body was not sufficiently impartial to comply with due process principles."

**SECTION 14.** G.S. 160A-393(j)(2) reads as rewritten:

"(2) Whether, as a result of impermissible conflict as described in ~~G.S. 160A-388(e1)~~, ~~G.S. 160A-388(e)(2)~~, or locally adopted conflict rules, the decision-making body was not sufficiently impartial to comply with due process principles."

**SECTION 15.** This act becomes effective October 1, 2013, and applies to actions taken on or after that date by any board of adjustment.

In the General Assembly read three times and ratified this the 10<sup>th</sup> day of June, 2013.

s/ Daniel J. Forest  
President of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

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Pat McCrory  
Governor

Approved \_\_\_\_\_ .m. this \_\_\_\_\_ day of \_\_\_\_\_, 2013







# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:** 14-0264

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**Agenda Date:** 9/16/2014

**File Type:** Abstract

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

A Resolution Establishing a Town Historian

**PURPOSE:** The purpose of this item is to have the Board of Aldermen consider adopting a resolution to establish a Town historian.

**DEPARTMENT:** Town Manager

**CONTACT INFORMATION:** Julie Eckenrode 918-7308

**INFORMATION:** Staff has researched information concerning the possible creation of a Town historian. The Town Attorney has drafted a resolution that would establish a town historian for the Town of Carrboro. The Town historian would be appointed by the Board of Aldermen and would as attached serve a term of 4 years. Duties of the Town historian may include, but not be limited to;

- Represents the town as its spokesperson on Carrboro's history and an interpreter of its past
- Collects and organize local history materials and cooperates with other public officials in the preservation of historically valuable Town records
- Researches, writes, and makes public presentations on aspects of Town history, serving as a resource to the community
- Advocates for the preservation of the Town's historic sites and works with others to maintain records that document the built environment of the community, Advises the Board of Aldermen on historical issues and subjects
- Serves as a liaison with any town historical groups as well as similar groups outside the town to encourage cooperation and resource sharing
- Works with the Board to establish a safe and protected repository for historical town documents and documents donated to the town

If the resolution to establish a Town historian is adopted the Town Clerk would issue a call for applicants.

**FISCAL & STAFF IMPACT:** Depending upon the Board's direction for the Town Historian, supporting funds may be necessary and will need to be identified. Funds have not been approved for a Town Historian in the FY 14-15 budget.

**RECOMMENDATION:** It is requested that the Board review the resolution and list of duties and provide feedback to staff on the appropriate action.

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A RESOLUTION PROVIDING FOR THE APPOINTMENT BY THE BOARD OF ALDERMEN OF A  
TOWN HISTORIAN

WHEREAS, the Town of Carrboro has a rich history; and

WHEREAS, an understanding of the Town's history facilitates more informed discussions and better decisions regarding current policies and future directions for the Town; and

WHEREAS, the Board of Aldermen recognizes the value of designating a Town Historian in order to acknowledge the importance of and increase the awareness of the Town's history;

NOW THEREFORE, the Carrboro Board of Aldermen resolves:

Section 1. The Board shall appoint an individual to serve at its pleasure as the Town Historian.

Section 2. The Town Historian shall:

- Collect and organize local history materials and cooperate with the Town Clerk in the preservation of historically valuable Town records;
- Represents the town as its spokesperson on Carrboro's history;
- Advise the Board of Aldermen on the preservation of Town historic sites;
- Work with the Board of Aldermen to establish a safe and protected repository for historical town documents and documents donated to the town;
- Research, write, and makes public presentations on aspects of Town history, serving as a resource to the community;
- Advise the Board of Aldermen on historical issues and subjects;
- Serve as a liaison with any Town historical groups as well as similar groups outside the Town to encourage cooperation and resource sharing;

Section 3. The Town Historian shall receive no compensation from the Town but the Town may appropriate funds to pay for costs incurred by the Town Historian in performing his or her official duties, so long as such costs are approved in advance by the Town Manager.

Section 4. The Board of Aldermen shall appoint an individual to serve at their pleasure as Town Historian for such term as the Board of Aldermen designates.

Section 5. This resolution shall become effective upon adoption.

CALL FOR APPLICATIONS  
TOWN OF CARRBORO  
TOWN HISTORIAN APPLICATION

The Town of Carrboro Board of Aldermen is seeking applicants for the newly created volunteer position of Town Historian. If interested please submit a letter of interest to the Board including any specific qualifications and skills that you may have.

In the letter, please explain the following:

- How you will engage the citizens of Carrboro to compile a truthful history of the Town keeping in mind that Carrboro is a town with multiple histories. Personal accounts may be different based upon the storyteller. The Town values the diversity and history of its past and seeks a Town Historian with a similar vision.
- Provide initial thoughts of how your time would be used as Town Historian and/or projects you would like to complete. This may include establishing a repository, ideas for community events, or ways to integrate education and collaboration on Carrboro's history into existing community events
- Explain how you intend to maintain the integrity of factual information and describe any experience you have with historical writing and/or preservation.





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:** 14-0273

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**Agenda Date:** 9/16/2014

**File Type:** Abstract

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Approval of Interlocal Agreement for Reimbursement of Costs Related to Preliminary Engineering and Community Outreach for the Rogers Road Sewer Project

**PURPOSE:** The purpose of this agenda item is to provide the Board of Aldermen an opportunity to authorize the Town Manager to execute the draft interlocal agreement between the Towns of Chapel Hill Carrboro, and Orange County. The interlocal agreement establishes a responsibility for the Towns to reimburse Orange County a portion of the costs of the preliminary engineering and community outreach associated with the Rogers Road sewer project.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Patricia McGuire - 919-918-7327; [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org)

**INFORMATION:** On March 4<sup>th</sup>, the Board of Aldermen authorized the allocation of Town funds to be used to contribute to a 14 percent share, \$18,200, of the cost of preliminary engineering of the sewer installation for the 86 parcels identified in the 2012 conceptual sewer layout. OWASA and Orange County entered into an agreement for reimbursement of costs and URS was selected to provide the engineering services. The current expected schedule sees Phase 1a of the work, which looks at the conceptual alignment and preliminary project budget estimate, finishing up around the end of November. Phase 1b, if authorized by the County to start immediately after the first phase finishes, and includes field surveying, geotechnical and subsurface investigation, and a budget level cost estimate, would finish in March. The field work included in Phase 1b can be delayed by weather and property access issues. On April 16<sup>th</sup>, the Board of Aldermen authorized the Town Manager to sign relevant agreements pertaining to community outreach for the sewer project. In mid-June, Orange County entered into an agreement with the Marion Cheek Jackson Center for Saving and Making History for community advocacy and outreach associated with the sewer project. The Town's share of this effort is \$7,000.

Staff and attorneys with the Towns and Orange County have developed an interlocal agreement that seeks reimbursement from Chapel Hill (43 percent) and Carrboro (14 percent) for a share of the engineering and outreach costs (Attachment B). Copies of the contracts between Orange County and OWASA and the Jackson Center are also attached as references (Attachments C and D).

**FISCAL & STAFF IMPACT:** The Town's share of the preliminary engineering and community

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**Agenda Date:** 9/16/2014

**File Type:**Abstract

**In Control:** Board of Aldermen

**Version:** 1

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outreach cost is \$25,200.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen review the information presented in this agenda item and consider authorizing the Town Manager to sign relevant agreements on its behalf. A resolution conveying this authority has been drafted for the Board's consideration (Attachment A).

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN  
INTERLOCAL AGREEMENT FOR ROGERS ROAD ENGINEERING  
AND COMMUNITY OUTREACH

WHEREAS, the Board of Aldermen has supported efforts to make improvements in the Historic Rogers Road area, most recently evidenced by active participation in the work of the Historic Rogers Road Neighborhood Task Force; and

WHEREAS, the Board of Aldermen has previously adopted resolutions expressing its commitment to allocating \$900,000 towards Rogers Road improvements; and

WHEREAS, the Board of Aldermen appropriated \$450,000 from the Town's fund balance to support Rogers Road-related improvements on April 2, 2013; and

WHEREAS, the Board of Aldermen has previously indicated the Town's willingness to participate in funding a 14 Percent share, up to \$25,200 of the preliminary engineering and community outreach activities in support of the Rogers Road sewer project; and

WHEREAS, Orange County has entered into interlocal agreements with Orange Water and Sewer Authority for preliminary engineering and with the Jackson Center for community outreach; and

WHEREAS, an interlocal agreement between the Towns of Carrboro, Chapel Hill, and Orange County which establishes a 14-43-43 percent cost-sharing framework, has been prepared.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen authorizes the Town Manager to sign relevant agreements on behalf of the Town.

This is the 16 th day of September in the year 2014.

**INTERLOCAL AGREEMENT BETWEEN ORANGE COUNTY  
AND THE TOWNS OF CARRBORO AND CHAPEL HILL REGARDING THE  
REIMBURSEMENT OF COSTS FOR ENGINEERING SERVICES AND COMMUNITY  
OUTREACH IN THE HISTORIC ROGERS ROAD AREA**

**THIS AGREEMENT**, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2014 between Towns of Carrboro and Chapel Hill, both North Carolina municipal corporations situated in Orange County, North Carolina (hereinafter referred to individually as the “Town” and jointly as “Towns”); and Orange County, a political subdivision of the State of North Carolina (hereinafter referred to as the “County”), for the reimbursement to the County by the Towns for the County’s expenditures pursuant to the County’s interlocal agreement with Orange Water and Sewer Authority (“OWASA”) dated June 3, 2014 and the County’s community outreach agreement with the Marian Cheek Jackson Center for Saving and Making History, a North Carolina Nonprofit Corporation (hereinafter referred to as “Jackson Center”) dated June 17, 2014. (County and Towns may be referred to collectively as the “Parties”)

**WITNESSETH**

**WHEREAS**, the County and Towns are public bodies, politic and/or corporate, under the laws of the State of North Carolina and are vested with the power and authority by Article 20 of North Carolina General Statute Chapter 160A to enter into this Interlocal Agreement (hereinafter referred to as the “Agreement”); and

**WHEREAS**, representatives of the County and Towns have previously agreed in principle to jointly fund preliminary engineering services performed by OWASA for the purpose of designing sewer lines in the Historic Rogers Road area and community outreach in that area with the County paying forty-three percent (43%), Chapel Hill paying forty-three percent (43%), and Carrboro paying fourteen percent (14%) of the total cost; and

**WHEREAS**, on February 10, 2014 the Town of Chapel Hill approved a resolution authorizing the Town Manager to prepare agreements and take appropriate budget action to initiate preliminary engineering and outreach efforts for the Rogers Road sewer project and on March 4, 2014 the Town of Carrboro approved a resolution authorizing the Town to share in the costs of preliminary engineering and community outreach; and

**WHEREAS**, representatives of the County and Towns also agreed in principle that the County would work directly with OWASA (Agreement attached as Exhibit 1) and the Jackson Center (Agreement attached as Exhibit 2), and that the County would be reimbursed for the designated percentages of the engineering and community outreach costs; and

**WHEREAS**, the County and Towns and now desire to formally establish the terms of the Towns’ reimbursements to the County.

**NOW, THEREFORE**, in consideration of the foregoing and based on mutual promises and obligations set forth herein, the receipt and sufficiency of which is hereby acknowledged, the County and Towns agree as follows:



**1. TERM AND TERMINATION**

- a. This Agreement shall commence upon execution and shall continue until all reimbursements are paid in full with such payment in full occurring no later than June 30, 2015.
- b. This Agreement may be renewed or amended upon written agreement of the Parties.

**2. RESPONSIBILITIES OF TOWNS**

- a. The Town of Carrboro is responsible for fourteen percent (14%) of the total cost of the engineering services and community outreach. The Town of Carrboro shall, upon receipt of a County generated invoice, pay to County Town's respective costs associated with the engineering and community outreach services. The amount paid by Carrboro shall not exceed twenty-five thousand two hundred dollars (\$25,200.00).
- b. The Town of Chapel Hill is responsible for forty-three percent (43%) of the total cost of the engineering services and community outreach. The Town of Chapel Hill shall, upon receipt of a County generated invoice, pay to County Town's respective costs associated with the engineering and community outreach services. The amount paid by Chapel Hill shall not exceed seventy-seven thousand four hundred dollars (\$77,400.00).
- c. Each Town shall pay its full obligation as set out in this Section 2 within thirty (30) days of receipt of the County's invoice.

**3. RESPONSIBILITIES OF COUNTY**

- a. The County shall work directly with OWASA to secure engineering services and the Jackson Center to secure community outreach services.
- b. The County is responsible for forty-three percent (43%) of the total cost of the engineering services and community outreach.
- c. The County shall invoice Towns for the specified reimbursement amounts and/or percentages as shown in Section 2. This invoice will be in the form of a single invoice upon the conclusion of the services contemplated in Exhibit 1 and Exhibit 2 and said invoice shall be accompanied by a written statement indicating those services have concluded.

**4. ENTIRE AGREEMENT**

This Agreement constitutes the entire Agreement of the Parties hereto and is effective the date first above recorded.

[Signature Page to Follow]

In witness whereof, the Parties, by and through their authorized agents, have hereunder set their hands and seals as of the day and year first above written.

\_\_\_\_\_  
Manager, Orange County

\_\_\_\_\_  
Manager, Town of Chapel Hill

\_\_\_\_\_  
Manager, Town of Carrboro

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

\_\_\_\_\_  
Carrboro Finance Officer

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

\_\_\_\_\_  
Chapel Hill Finance Officer

**NORTH CAROLINA  
ORANGE COUNTY**

**INTERLOCAL AGREEMENT  
RELATING TO OWASA'S ASSISTANCE TO ORANGE COUNTY IN PLANNING FOR  
EXTENSION OF WASTEWATER SYSTEM IMPROVEMENTS TO SERVE THE  
ROGERS ROAD AREA**

This Interlocal Agreement for the preliminary engineering for a wastewater system project in the Rogers Road Area is dated as of June 3, 2014, and is entered into by and between Orange Water and Sewer Authority (hereinafter OWASA), an authority organized under Chapter 162A, North Carolina General Statutes, and the County of Orange (hereinafter County), organized under Chapter 153A of the North Carolina General Statutes.

WHEREAS, the County desires at its expense to begin planning for the provision of wastewater system lines and facilities to serve residents located in the Rogers Road area of southern Orange County, herein the "Project," which will be connected to lines in areas already served by OWASA's existing public wastewater collection lines and facilities; and,

WHEREAS, the County is to determine the scope of the Project; and

WHEREAS, the County desires to obtain OWASA's assistance to obtain preliminary engineering work necessary to determine the scope and predict the costs of this Project, to the end that the Project improvements will be constructed and extended in accordance with OWASA's collection system standards, into which the Project lines will flow; and

WHEREAS, OWASA desires and is willing to assist the County with the successful completion of this Project work;

NOW, THEREFORE, the parties agree as follows:

1. Purpose. The purpose of this Agreement is to establish the financial and other responsibilities of the parties for certain preliminary engineering necessary to determine the

scope of the Project, as will be described in Exhibit A, as the same may be revised from time to time by the parties.

2. Preliminary Engineering Activities.

a. OWASA shall undertake to prepare or have prepared preliminary engineering work to assist the County in determining the scope, location, design, and course of work that will be necessary to complete the Project. To the extent known and available at the time this Agreement is executed, the nature and extent of the Project shall be as described in Exhibit A, to be attached. If not available at the time this Agreement is executed, Exhibit A may be hereafter provided, or amended from time to time, by the parties, at the County's direction.

b. OWASA shall employ engineers and consultants as necessary to assist in this work. OWASA's staff may also assist in this work. OWASA shall be solely responsible for costs incurred by its own staff work. Orange County shall reimburse OWASA for the costs of work by outside engineers and consultants engaged by OWASA, with the County's concurrence, for this work.

c. Design plans for the Project shall be consistent with OWASA's usual standards and specifications, and shall be executed in accordance with OWASA's usual procedures, as well as with the County's directions as to scope of the Project facilities. OWASA shall develop the draft scope for this preliminary engineering work; provided, both the County and OWASA shall approve the final scope of work for the preliminary engineering work for the Project.

d. The costs of the preliminary engineering for the Project shall initially be paid for by OWASA. Upon receipt of OWASA's invoices to recover the costs for this work, the County shall reimburse OWASA for all costs associated with the preliminary engineering work

for the Project. OWASA shall be solely responsible for the costs of its own staff's work in coordinating the preliminary engineering work for the Project.

e. In order to ensure proper and effective project management, the engineering consultant and any sub-consultants shall report to OWASA staff who shall work closely with County staff to ensure the County's requirements for the Project are met. In the event of any apparent conflicts between the County's and OWASA's requirements, the parties shall work together to find reasonable compromise and accommodations for the Project, consistent with OWASA's service standards.

f. In close coordination with OWASA and consistent with the need for effective project management, the County Staff will have full access to the engineering consultant(s) and all relevant sub-contractors, who, at the County's request, shall meet with the County representatives or otherwise provide any information needed by the County on any aspect of the Project. OWASA will authorize the engineering and consultant(s) and subcontractors to meet with County representatives and to provide any information needed by the County on any aspect of the Project.

g. The County shall be responsible for contracting with and coordinating community outreach partnering with organizations such as the Jackson Center and Rogers Eubanks Neighborhood Association to identify action steps to provide information and assistance concerning the Project to the Rogers Road neighborhood.

h. Costs for the Project shall not exceed one hundred thirty thousand dollars (\$130,000.00). Should the parties anticipate costs will exceed this amount the parties shall consider an amendment to this Interlocal Agreement to address the cost increase.

3. Ownership Interests of the Parties; Duration of Agreement; Funding; Miscellaneous.

a. Upon satisfactory completion of the Project, OWASA shall retain title to products and deliverables obtained pursuant to this Agreement, and shall share such deliverables with the County as the County may request.

b. The preliminary engineering responsibilities and obligations of the parties shall continue until this phase of Project planning is completed.

c. The County shall allocate sufficient funds to pay for all the expenses actually incurred, and for which it is responsible under the scope of this agreement.

d. Both parties agree that it may be necessary to change the scope of work for the engineering consultant(s) required for the Project, and that any such changes must be approved by both parties. However, OWASA shall keep the County fully advised with respect to all change orders necessary for completion of the Project.

e. Payment of the engineering consultant(s) will be administered and made by OWASA. The County will be invoiced monthly and will reimburse OWASA in full within 30 days for all expenses related to this Project.

f. Each party will designate a single point of contact for the day-to-day administration for all aspects of this agreement for the express purpose of efficient project management. It will be the responsibility of this contact person to disseminate information to their respective organizations.

g. Both parties recognize the importance of timely reviews and approvals. Each party will use their best efforts to provide and complete responses to issues dealing with plan reviews, proposed change orders, payment, and project acceptance.

4. Amendments.

All amendments to this agreement shall be approved by both parties and must be in writing. No amendments not in writing and executed with the formalities of this Agreement shall be valid.

5. Trust and Support; Cooperative Effort.

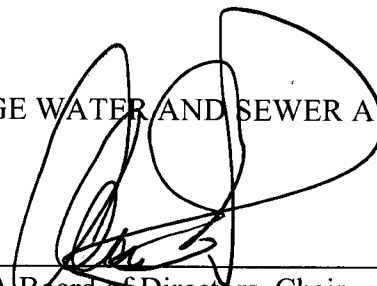
Both parties agree that there are many issues and details relating to the successful completion of this project which are not specifically covered in this agreement. Both parties further agree to observe as a guiding principle, "trust and support," with respect to successfully resolving any issues which may arise during the duration of this agreement.

IN WITNESS WHEREOF, the parties have entered into and caused to be executed in their names this Interlocal Agreement, to be effective from and after this 10 day of June, 2014.

ORANGE COUNTY

  
\_\_\_\_\_  
Orange County Commissioners, Chair


ORANGE WATER AND SEWER AUTHORITY

  
\_\_\_\_\_  
OWASA Board of Directors, Chair

Pre-audit Certification by  
County Finance Officer:

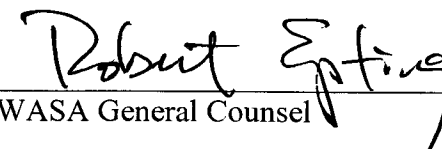
  
\_\_\_\_\_  
Clara A. Lane

Pre-audit Certification by  
OWASA Finance Officer:

 6/11/14  
\_\_\_\_\_

Approved as to form and legality:

  
\_\_\_\_\_  
Orange County Attorney

  
\_\_\_\_\_  
OWASA General Counsel



Historic Rogers Road  
Exhibit A



2014-312  
Attachment D-1  
MGR  
3-6-14  
7a

NORTH CAROLINA  
ORANGE COUNTY

PERFORMANCE AGREEMENT

THIS Agreement, made and entered into the 17<sup>th</sup> day of June, 2014 by and between Orange County, a Political Subdivision of the State of North Carolina hereinafter referred to as "County" and the Marian Cheek Jackson Center for Saving and Making History, a North Carolina Nonprofit Corporation, hereinafter referred to as "Jackson Center." Each may be referred to as "Party" and together as "Parties."

WITNESSETH

WHEREAS, the proposed activities support the goals of the County and of the residents the Historic Rogers Road Community; and

WHEREAS, the County, in partnership with the Town of Carrboro and Town of Chapel Hill, desires to support the Jackson Center in its community advocacy role as outlined in the scope of work titled Outreach Work Plan; RENA/Jackson Center/Rogers Road Partnership Proposal attached hereto for reference and hereafter referred to as "Scope of Work"; and

WHEREAS, it is understood and agreed that the purpose of this Agreement is to outline the responsibilities of the County and the Jackson Center.

NOW THEREFORE, in consideration of the above mutual covenants and conditions hereinafter set forth, the County and the Jackson Center agree as follows:

**1. County Responsibility**

At its meeting March 6, 2014 the Board of Commissioners of County authorized the appropriation up to \$50,000 from the County's general fund for the purpose of providing community advocacy to "identify action steps to provide sewer services to the Rogers Road Neighborhood and lay the groundwork for a master plan."

**2. Payment and Reporting**

A. Payment

Upon submission of a verifiable invoice County shall pay Jackson Center for work performed in accordance with the Scope of Work. Upon execution of this Agreement and commencement of work Jackson Center may submit an invoice for \$13,175.00. Remaining verifiable invoices may be submitted upon completion of work as described in the Scope of Work. County shall make payment on all verifiable invoices within thirty (30) days of receipt of said verifiable invoices. Final payment by County is contingent upon Jackson Center's verification that all work as described in the Scope of Work has been completed.

B. Reporting

Jackson Center shall provide County, by delivery to the County Manager, reports detailing the work as described in the Scope of Work. Such reports are to be submitted monthly during the Term.

### **3. Time of Performance**

This contract covers the period from June 15, 2014 through September 30, 2014.

### **4. Financial Records**

The Jackson Center agrees to allow the County to inspect its financial books and records relating to the work performed pursuant to the Scope of Work and this Agreement upon reasonable notice during normal working hours.

### **5. Scope of Work**

Jackson Center agrees to provide the services described in the Scope of Work attached hereto. These services shall be provided to Orange County and the residents of the Historic Rogers Road Community. Jackson Center agrees to maintain a high level of professionalism in the provision of these services.

### **6. General Conditions**

#### **A. General Compliance**

Jackson Center agrees to comply with all applicable federal, state, and local laws, regulations, and policies governing the funds provided under this Agreement.

#### **B. Workers' Compensation**

Jackson Center shall provide Workers' Compensation Insurance coverage for all of its employees involved in the performance of this Agreement.

#### **C. Insurance and Bonding**

Jackson Center shall carry general liability insurance with minimum coverage amounts of \$1,000,000 per occurrence and \$2,000,000 aggregate limit. It shall also carry Professional Liability insurance with minimum coverage amounts of \$1,000,000 per occurrence and \$1,000,000 aggregate limit.

#### **D. Amendments**

County and Jackson Center may amend this Agreement at any time provided that such amendments make specified reference to this Agreement, and are executed in writing, signed by a duly authorized representative of both organizations. Such amendments shall not invalidate this Agreement, nor relieve or release the County or the Jackson Center from their obligations

under this Agreement. In its discretion, County may amend this Agreement to conform with federal, state, or local governmental laws, guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the funding, the services, or schedule of the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment signed by both the County and Jackson Center.

E. Suspension or Termination

- i. Either Party may terminate this Agreement at any time by giving written notice to the other Party of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. In the event of any termination for convenience, all unfinished documents, data, reports or other materials prepared by the Jackson Center pursuant to this Agreement shall, at the option of the County, become the property of the County, and the Jackson Center shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents or materials prior to the termination.
- ii. In the event that the Jackson Center shall cease to exist as an organization or shall enter bankruptcy proceedings or be declared insolvent, or liquidate all or substantially all of its assets during the term of this Agreement, or materially fails to comply with any term of this Agreement or with any of the rules, regulations, or provisions referred to herein, or in the event that the Jackson Center shall fail to render a satisfactory accounting as provided herein, then and in that event, the County may suspend or terminate that Agreement.

F. Assignability

Jackson Center shall not assign or transfer any interest in this Agreement without the prior written consent of the County thereto; provided, however, that claims for money due or to become due to the Jackson Center from the County under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Prior notice of any such assignment or transfer shall be provided to the County.

G. Conflict of Interest

Jackson Center has no financial interest and shall not acquire any financial interest, direct or indirect, which would conflict in any manner or degree with the performance or provision of services required under this Agreement. Jackson Center further covenants that in the performance of this Agreement no person having such a financial interest or who will benefit from the funded activity shall be employed or retained by the Jackson Center hereunder. These conflict of interest provisions apply to any person who is an employee, agent, consultant or officer of the Jackson Center or elected or appointed official of the County, or those with whom they have business or immediate family ties.

**7. Hold Harmless**

Jackson Center hereby agrees to defend, indemnify, and hold the County harmless against any claims or actions from damage, injury, or death relating to or arising out of the use of County funds or due to acts or omissions of the Jackson Center's employees, contractors, or agents.

## **8. Administrative Requirements**

### Documentation and Record-Keeping

#### A. Maintenance of Records

Jackson Center shall maintain all records that are pertinent to the activities to be funded under this Agreement. Such records shall include but not be limited to:

- i. Records providing a full description of each activity undertaken;
- ii. Records required to determine the eligibility of activities;
- iii. Financial records; and
- iv. Other records necessary to document compliance as determined by the County.

#### B. Retention of Records

Jackson Center shall retain all records pertinent to expenditures incurred under this Agreement for a period of five (5) years after the termination of all activities funded under this Agreement. Records for non-expendable property acquired with funds under this contract shall be retained for five (5) years after final disposition of such property.

#### C. Access to Records

Jackson Center shall furnish and cause each of its subcontractors to furnish information and reports required hereunder and will permit access to such subcontractors' books, records, and accounts by the County, or other authorized officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.

## **9. Nondiscrimination**

Jackson Center will not discriminate against any employee because of race, color, creed, religion, ancestry, national origin, sex, disability or other handicap, age, marital/familial status, sexual orientation, gender identity, gender expression, or status with regard to public assistance. The Jackson Center will take affirmative action to insure that all employment practices are free from such discrimination. Such employment practices include but are not limited to the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Jackson Center agrees to post in conspicuous places,

available to employees and applicants for employment, notices to be provided by the contracting agency setting forth the provisions of this nondiscrimination clause.

**10. Severability**

If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

IN WITNESS WHEREOF, the parties hereunto cause this agreement to be executed in their respective names.

**MARIAN CHEEK JACKSON CENTER FOR SAVING AND MAKING HISTORY**

[Signature]

Hudson Vaughn, Deputy Director  
Printed Name and Title

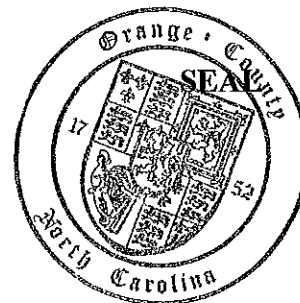
[Signature]  
Attest

Elizabeth L. McCam, Manager of Operations  
Printed Name and Title

**ORANGE COUNTY**

[Signature]  
Barry Jacobs  
Chair, Board of County Commissioners

Attest:  
[Signature]  
Clerk to the Board



Approved as to Form and Authorization  
[Signature]  
County Attorney

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

[Signature]  
OFFICE OF THE CHIEF FINANCE OFFICER

# Outreach Work Plan

## RENA/Jackson Center/Rogers Road Partnership Proposal

### EXHIBIT A: Work Program

#### 1. OVERVIEW

The objective of the Marian Cheek Jackson Center (MCJC) is to work in partnership with Rogers Eubanks Neighborhood Association (RENA) to undertake an extensive community engagement initiative in the Historic Rogers Road Neighborhood as defined by the 2013 Task Force Report. This initiative will connect to all 86 Historic Rogers Road parcels and involve an even broader number of stakeholders in discussion about implementation of the sewer project and implications of potential development after sewer installation. This effort will be grounded in a collaborative and participatory process within the Historic Rogers Road Neighborhood. It will leverage RENA's strengths and connections, and it will utilize the experience that the Jackson Center has gained through the Northside Project and the Sustaining OurSelves coalition work. We will also collaborate with (and contract) mapmakers and technical support to ensure that the deliverables and synthesis documents last far beyond the Jackson Center's active role.

#### 2. OBJECTIVES

The main objectives of this effort will be:

- 1) To affirm neighborhood interests and aspirations throughout the community in collaboration with RENA and other Rogers Road leaders.
- 2) To reach and engage owners of all 86 parcels identified in the Historic Rogers Road Neighborhood plans in discussions about implications of potential development after sewer installation.
- 3) To engage, preserve, and organize the history of the Historic Rogers Road Neighborhood.
- 4) To help residents prepare for sewer installation and begin discussions about broader community development frameworks that would help protect and preserve Historic Rogers Road and lay the groundwork for proactive participation in future development conversations and plans.
- 5) To provide technical support to RENA and the three jurisdictions to meet broad-based goals in timely and comprehensive manner.
- 6) To synthesize data, feedback, and strategies in forms that will be useful for the Historic Rogers Road Neighborhood, Orange County, the Town of Chapel Hill, and the Town of Carrboro.

### 3. SCOPE OF SERVICES

#### **Concentration 1: Historical Research and Stakeholder Connection**

Leaders from the Historic Rogers Road Neighborhood have organized the community for decades. Our collaborative model builds on the history and strengths of their past and present organizing and community work. We will begin with an initial intensive review of historical efforts and archival documents. We will connect with community and municipal stakeholders to understand interests and map existing networks. We utilize creative community-based projects to honor and mobilize history in ways that engage residents and other stakeholders and opens dialogue. We see this work as foundational to coalition-building and planning processes.

The scope of work will include the following:

- Review extensive historical documents from RENA and municipal archives
- Research past and current community organizing efforts to map networks and identify gaps in outreach efforts and household data sources
- Host small group meetings with stakeholders, municipal leaders, long-term, and newer neighbors to engage history of efforts and develop a clear sense of current interests, concerns, and aspirations of various stakeholders.
- Conglomerate most useful historical information and identified gaps as guide to engagement and communication efforts

#### **Concentration 2: Broad-based community engagement and communication**

This will be the primary focus of our effort: three months of intensive outreach, communication, and engagement. We will use broad-based communication (door-to-door conversations, small and large group community forums, church outreach, oral histories, community newsletters, etc), community-mapmaking, and data organization to deepen civic engagement, address identified outreach gaps, and ensure that all historical parcels are reached. We will focus conversations on implications of various potential development scenarios and plans for prudent and equitable growth after sewer installation.

The scope of work will include the following:

- Support and implement broad-based communication strategies that have been successful in Northside. These efforts will allow us to reach and involve households across the neighborhood, with a particular focus on the 86 identified historical parcels.
- Gather and conglomerate household and community data into a community-owned database that allows RENA to organize and access all



needed data easily and provide information necessary for Orange County and the municipalities to implement the sewer project.

- Initiate a community mapmaking initiative to utilize neighborhood expertise, assess potential development scenarios, and engage neighborhood interests (by contracting mapmaker with extensive expertise in coalition-building through mapping)

### **Concentration 3: Synthesis and groundwork for long-term planning**

In our initial analysis, current efforts can be supplemented by: 1) synthesis of community aspirations, feedback and strategies to address concerns, and data on parcels and households transparent for all stakeholders, and 2) laying the community groundwork for addressing questions about potential development and growth in a proactive manner. The primary goals of the Historic Rogers Road Neighborhood Task Force were to identify ways to provide sewer and to support/sustain the community center. As the jurisdictions proceed with these goals, engaging neighbors in discussions about potential development and broader community needs and aspirations will help ensure inclusivity and provide protections for the Historic Rogers Road Neighborhood. Our efforts will allow all stakeholders to see that the “gives” and “gets” of options are being discussed, considered, and clarified by neighbors as implementation of the goals proceed.

The scope of work will include the following:

- Provide weekly intensive technical assistance to RENA and other community leaders to clarify action steps and host conversations about the implications of potential development scenarios
- Coordinate monthly meetings between community stakeholders and key staff of each of the municipalities to discuss ongoing efforts and lingering questions
- Consolidate partnerships in the Historic Rogers Road Neighborhood for more effective creation of an implementation strategy.
- Identify potential make-up of a future “compass” group, including long-term and newer neighbors outside of the public eye.
- Create synthesis document that includes clear summary of interests and aspirations, community maps, and relevant data of the historic neighborhood.
- Incorporate feedback with Historic Rogers Road Neighborhood leaders as basis for action plan.
- Present synthesis document by end of scope of work, with mobilized outreach strategies to address questions by relevant government meetings along the way.

## **EXHIBIT B: Timeline and Compensation**

### **Timeline for 3 areas of concentration and intensive engagement:**

June 15- September 30\*

Benchmarks will be decided on in collaboration with partners.

\*We will provide additional technical support for RENA beyond scope of the contract but the deliverables will be completed by mid-August.

### **Compensation:**

Our model for compensation balances several pieces:

- 1) We will be utilizing our most experienced staff for nearly full-time intensive work over 3 months to ensure that work is completed in a timeline and comprehensive manner (over 700 hours of professional staff time).
- 2) We will be sub-contracting RENA for significant weekly neighborhood organizing and connection, historical exploration, and capacity building. Like our initiative with Self-Help, our subcontract with RENA will go beyond staffing time to include program support that enable their staff to fully participate in this effort and forward overall community goals.
- 3) We will be sub-contracting professional mapping and design services and other technical expertise that will be necessary for effective synthesis, neighborhood connections

<i>Area 1: Historical Research and Stakeholder Connection</i>	\$8,600
<i>Area 2: Broad-based community engagement and communication</i>	\$30,500
<i>Area 3: Synthesis and groundwork for long-term planning</i>	<u>\$10,850</u>
<b>Total Compensation:</b>	<b>\$49,950</b>

\*The total compensation includes all staff costs, sub-contracts (RENA, mapping, database, technical and design, etc) and program support that will enable this initiative to be successful.

Initial advance: We are requesting initial payment of at least \$13,175 (Area 1 plus 15% of area 2) to enable full immediate staffing commitment. The rest of disbursements can be along the way as benchmarks are completed.

**Wednesday: June 18, 2014**

**Administrative Updates**

- Fundraising Success
- New Cleaning Schedule and Front Desk
- Inventory Systems Update
- Social Media Plan this Week
- Lime Fundraiser/Heavenly Groceries Dinner

**Housing and Home**





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number: 14-0270**

**Agenda Date:** 9/16/2014

**File Type:** Abstract

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

A Public Hearing on the Temporary Street Closing Permit Application for the Saint Paul AME Church 5K

**PURPOSE:** The purpose of this item is to receive public input on the Street Closing Permit Application submitted by the Saint Paul AME Church for the temporary closing and usage of streets from 9:00 AM to 10:00 AM on Saturday, March 7<sup>th</sup>, 2015 to accommodate the Saint Paul AME Church 5K.

**DEPARTMENT:** Public Works

**CONTACT INFORMATION:** George Seiz, 919-918-7427

**INFORMATION:** This is the second year for this event. Proceeds will go to the Saint Paul AME Church located at 101 Merritt Mill Road in Chapel Hill, with ten percent of the proceeds being divided between Club Nova and Table. This event coincides with a church festival that includes children's activities geared towards fitness and healthy lifestyles. The festival is open to the public. The event coordinator, Anissa McLendon, has submitted a Street Closing Permit Application for the temporary closing and usage of the following streets on Saturday, March 7<sup>th</sup>, 2015 from 9:00 AM to 10:00 AM:

1. Old Fayetteville Road from McDougle School entrance to Hillsborough Rd
2. Hillsborough Rd from Old Fayetteville Rd to Lorraine St
3. Lorraine St from Hillsborough Rd to Carol St
4. Carol St from Lorraine St to Old Fayetteville Rd
5. Old Fayetteville Rd from Carol St to McDougle School entrance

Streets will remain open to traffic during the event. Drivers may experience intermittent interruptions due to runners crossing streets and traffic control by police, public works, and race organizers. Attached is a map of the event.

In accordance with Section 7-19 of the Town Code, a Public Hearing to receive public input prior to issuing a Street Closing Permit is required for this particular event.

Section 7-23 of the Town Code states that permits for road races may be issued only if such event will benefit a non-profit organization based in or providing services in Orange County. This event meets this requirement as proceeds for the event are benefiting organizations based in Orange County.

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**Agenda Date:** 9/16/2014

**File Type:**Abstract

**In Control:** Board of Aldermen

**Version:** 1

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The applicant has provided Public Works with the required insurance for the event.

**FISCAL & STAFF IMPACT:** The applicant will be responsible for all costs incurred by Public Works and Police to facilitate this event. The applicant will be sent an itemized bill for the final costs incurred by Police and Public Works. The applicant has paid the application fee.

This event will require an estimated nine hours of staff time (excluding planning) for Public Works and Police staff to provide traffic control. Public Works and Police spend about 1300 hours annually on special events, both Town and privately sponsored events.

**RECOMMENDATION:** Staff recommends that the Board approve the attached resolution for the temporary closing and usage of the following streets in order to accommodate the *Saint Paul AME Church 5k* under the following stipulations:

1. Applicant shall distribute flyers of notification, to persons occupying property abutting the streets where the event is to take place, of the contents of any resolution passed.
2. Applicant will be responsible for all costs incurred by Public Works and Police to facilitate this event. Applicant will be sent an itemized bill for the final costs incurred by Public Works and Police.

STREET CLOSING PERMIT APPLICATION

CONCERNING THE USE OF STREETS AND PUBLIC RIGHT-OF-WAY FOR STREET FAIRS, FESTIVALS, CARNIVALS, AND OTHER PUBLIC EVENTS

EVENT: St. Paul AME Church 5K walk/run

EVENT SPONSOR: St. Paul AME Church

IS THE SPONSOR A:  NON-PROFIT  FOR PROFIT  OTHER: \_\_\_\_\_

ANY OTHER INFORMATION ABOUT SPONSOR OR EVENT: This event will combine a 5K walk/run with field games at the M<sup>c</sup>Dougle track. The 5K event will start at the school's driveway (off of the street) and will end on M<sup>c</sup>Dougle track.

EVENT COORDINATOR INFO:

NAME: Anissa M<sup>c</sup>Lendon  
ADDRESS: 110 Alabama Avenue, Carrboro  
TELEPHONE NUMBER: 919-932-5321

PROPOSED DATE AND TIME PERIOD PROPOSED FOR CLOSING:

DATE: March 7, 2015 Time Period: From: 9 am  
RAIN DATE: \_\_\_\_\_ To: 10 am

APPROXIMATE NUMBER OF PERSONS EXPECTED TO ATTEND THE EVENT: 400-500  
including volunteers and participants

ARE ANY SPECIFIC SERVICES REQUESTED OF THE TOWN? YES  NO   
*(traffic control may be required, and event organizers may be required to reimburse the Town for any related expenses):*

If YES, specify

Police and Public Works to control traffic at intersections as needed.

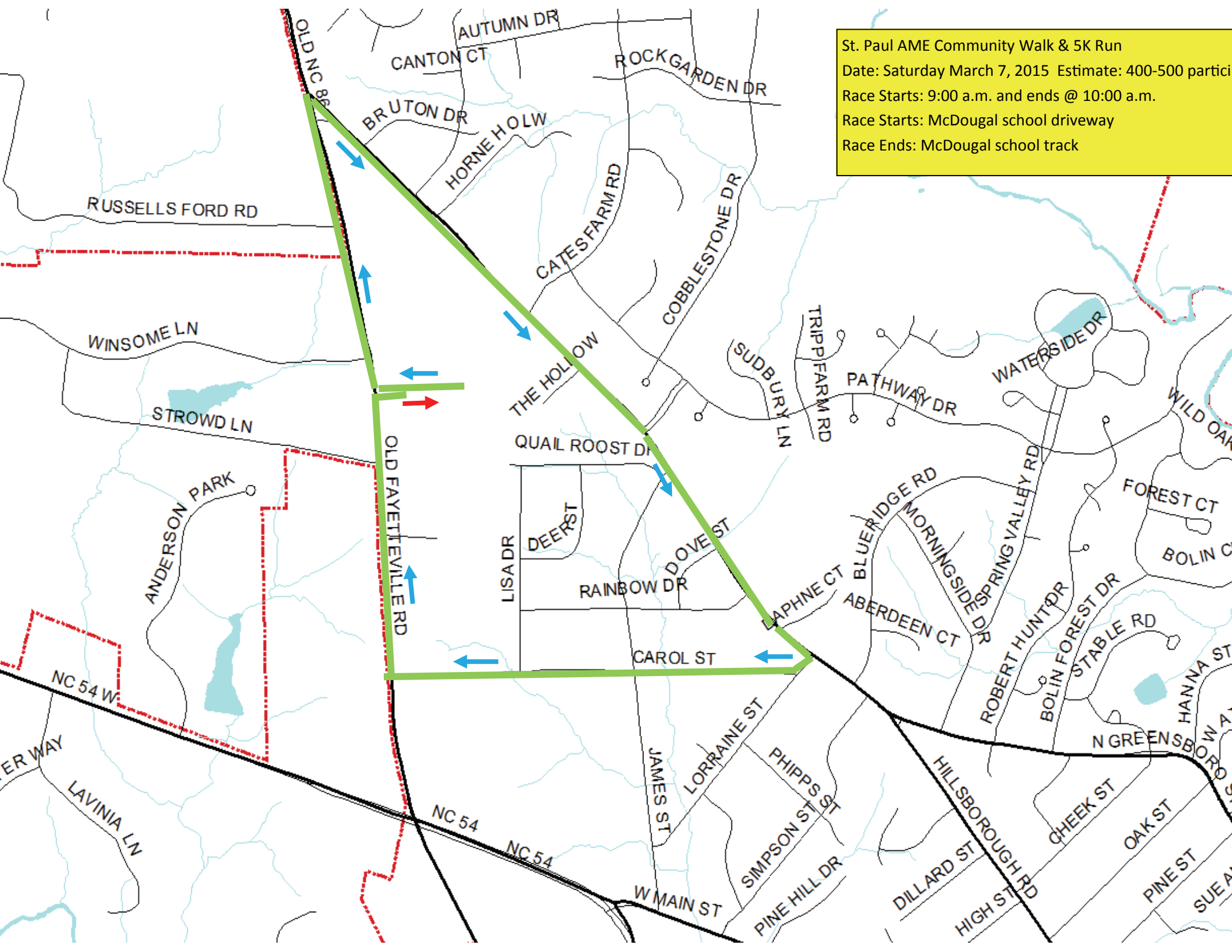
ATTACH A SKETCH SHOWING:

- Area where event is to take place
- Any streets to be closed or obstructed
- Any barriers or traffic control devices to be erected
- Location of any concession stand, booth or other temporary structures
- Location of proposed fences stands, platforms, stages, benches or bleachers

OTHER INFORMATION: \_\_\_\_\_

INSURANCE INFORMATION: Church Mutual Insurance Company, 300 Schuster Lane, Merrill WI 24452, phone #(800) 554-2642, Policy # 0042656-09-415760

St. Paul AME Community Walk & 5K Run  
Date: Saturday March 7, 2015 Estimate: 400-500 partici  
Race Starts: 9:00 a.m. and ends @ 10:00 a.m.  
Race Starts: McDougal school driveway  
Race Ends: McDougal school track





A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING AND USAGE OF THE FOLLOWING STREETS TO ACCOMMODATE THE SAINT PAUL AME CHURCH 5K

Section 1. The following streets shall be temporarily used Saturday, March 7<sup>th</sup>, 2015 from 9:00 to 10:00 AM for the Saint Paul AME Church 5K. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

1. Old Fayetteville Road from McDougle School entrance to Hillsborough Rd
2. Hillsborough Road to from Old Fayetteville Rd to Lorraine St
3. Lorraine St from Hillsborough Rd to Carol St.
4. Carol St from Lorraine St to Old Fayetteville Rd
5. Old Fayetteville Rd from Carol St. to McDougle School entrance.

Section 1. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 2. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 3. Applicant shall distribute flyers of notification, to persons occupying property abutting the streets where the event is to take place, of the contents of any resolution passed.

Section 4. Applicant will be responsible for all costs incurred by Police and Public Works to facilitate this event. Applicant will be sent an itemized bill for the final costs incurred by Police and Public Works.

Section 5. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 6. This resolution is contingent on the applicant providing proper liability insurance to the Town at least 30 days prior the event.

Section 7. This resolution shall become effective upon adoption.





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:** 14-0276

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**Agenda Date:** 9/16/2014

**File Type:** Abstract

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Tallyho Trail Traffic Calming Request

**PURPOSE:** The purpose of this item is to provide the Board with information relating to a traffic calming request from residents living along Tallyho Trail, and to consider implementing traffic calming measures.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325

**INFORMATION:** The Town's Residential Traffic Management Plan (RTMP) provides a mechanism for residents to petition for the installation of traffic calming devices. Information on the RTMP and the associated request form can be found at: <http://nc-carrboro.civicplus.com/719/Transportation>.

Residents from the Fox Meadow subdivision submitted a traffic calming request to Planning Staff in May of 2012 and a signed petition in June of 2013 (Attachment D). A detailed staff report (Attachment B) provides an analysis of the application based on the steps outlined in the RTMP, and includes the results of traffic counts at four locations along Tallyho Trail: the 1000 block between Reynard Road and Bugle Court, the 1200 block between Bugle Court and Lair Court, the 1400 block also between Bugle Court and Lair Court and the 1500 block between Lair Court and Huntsman Court. The recommendations from Town staff, supported by the staff-level Traffic and Parking Committee, the TAB (Attachment C) and the neighborhood contacts, are to pursue Stage 1 traffic calming measures at this time and to reevaluate traffic conditions in three to six months. Stage 1 traffic calming focuses on education and enforcement measures rather than physical controls or impediments on the roadway. Some traffic measures have already been implemented since the time of the submittal. Public Works staff have installed two new speed limit signs on Tallyho Trail, one facing in each direction and have spaced all of the speed limit signs in accordance with today's standards.

**FISCAL & STAFF IMPACT:** Additional Police staff time will be necessary to set up a speed radar sign and to provide any traffic enforcement provided by Board resolution. Public works staff time and signage resources may also be necessary as part of education and outreach efforts.

**RECOMMENDATION:** Staff recommends that the Board review the report and consider implementing Stage 1 traffic calming measures recommended by the Transportation Advisory Board. A

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**Agenda Date:** 9/16/2014

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**Version:** 1

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resolution that provides an opportunity for the Board of Aldermen to specify follow-up action is provided as Attachment A.

While Stage 2 measures are not recommended at this time, they may be considered appropriate if Stage 1 measures are not effective. Per the RTMP, a meeting notice must be provided to surrounding residents at least 10 days in advance of any Board of Aldermen or TAB meeting at which recommendations for Stage 2 measures will be considered.

RESOLUTION RECOMMENDING TRAFFIC CALMING MEASURES  
ON TALLYHO TRAIL

WHEREAS, the Carrboro Board of Aldermen adopted the Residential Traffic Management Plan (RTMP) in June of 1996 to provide “a process for identifying and addressing existing problems related to speeding, excessive volumes, and safety on town maintained residential streets;” and,

WHEREAS, a valid traffic calming petition, in accordance with the RTMP, was submitted by residents of the Fox Meadows neighborhood; and,

WHEREAS, a traffic evaluation has been completed and the findings have been presented to the Board of Aldermen; and,

WHEREAS, the Transportation Advisory Board has recommended implementation of Stage 1 traffic calming measures as detailed in its recommendation;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. The Board received the traffic calming report on Tallyho Trail.
2. The Board recommends implementation of the following Stage 1 traffic control measures:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
3. The Board provides the following direction on the potential for Stage 2 traffic calming measures:
  - a. No additional action is warranted at this time [OR]
  - b. Staff are directed to research the potential for State 2 traffic calming measures, present them to the Transportation Advisory Board for review and recommendation, and report back to the Board of Aldermen [OR]
  - c. \_\_\_\_\_

## Tallyho Trail Traffic Calming Report

Date: June 23, 2014

Jeff Brubaker, Carrboro Planning Department

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Traffic calming requests in Carrboro are processed in accordance with the Residential Traffic Management Plan (RTMP), originally adopted by the Board of Aldermen in June 1996 and most recently revised in October 2006.

### Request

On May 3, 2012, Laura Wenzel of the Fox Meadow neighborhood submitted a traffic calming request for Tallyho Trail from Huntsman Ct. to Reynard Rd. Ms. Wenzel serves as the neighborhood's primary contact person for the traffic calming process, and Molly Mullin is the second contact person.

Ms. Wenzel described the following concerns:

- Tallyho Tr. is narrow with no sidewalks, bike lanes, or shoulders
- The road is windy and hilly with several blind corners
- Residents of the neighborhood and adjacent neighborhood, including many children, walk, jog, and cycle along the road
- Deer cross the road at night
- Driving faster than the 25 mph speed limit occurs frequently and is an easy habit to fall into

Ms. Wenzel offered the following possible solutions:

- Milled rumble strips that discourage higher speeds, are designed to not impede cyclists, and placed with enough distance from residences to avoid noise issues
- Stop signs (although Ms. Wenzel acknowledged they "would inconvenience residents and be subject to being ignored")

In a May 2014 email, Ms. Wenzel suggested that Stage 1 measures be tried before considering Stage 2 measures.

### Petition

After Town staff verified that Tallyho Tr. was a Town-maintained street, a petition packet was mailed by Town staff in June 2012. The petition packet included copies of

Attachment B of the RTMP (neighborhood petition form), an area of influence (AOI) map (see attachments), and an AOI property list.

A petition was received, signed by 69 of the 81 AOI properties. Staff were able to verify 65 of these, or 80% of the AOI. This surpassed the 75% RTMP threshold, so it was determined to be valid, and the evaluation period could begin.

## **Evaluation**

The RTMP states:

In general, streets that receive up to 25 points are eligible for Stage 1 Traffic Calming only. Streets that receive a combined total of at least 12 points in the "Traffic Volume" and "85th Percentile Speed" criteria and more than 25 points total will be eligible for both Stage 1 and Stage 2 Traffic Calming.

RTMP p. 3 lays out the evaluation criteria, performance measures, and scoring.

### *Traffic volume and 85<sup>th</sup> percentile speed*

On Tues., September 17, and Wed., September 18, 2013, Town staff conducted two-way, 48-hr. traffic and speed counts at four mid-block locations along the street:

- 1000 block, between Reynard Rd. and Bugle Ct.
- 1200 block, between Bugle Ct. and Lair Ct.
- 1400 block, between Bugle Ct. and Lair Ct.
- 1500 block, between Lair Ct. and Huntsman Ct.

The speed limit on Tallyho Tr. is 25 mph.

For each counter location, the higher 85<sup>th</sup> percentile speed of the two traffic directions surveyed was used for the analysis.

No segment traffic volumes exceeded the 800 expected vehicles per day threshold in the RTMP for collector/subcollector streets. Tallyho Tr. was considered a collector/subcollector for the purposes of this analysis.

The results are included in the attached sheets.

### *Pedestrian and bicycle volumes*

On Mar. 11, 2014, from 3:00 pm to 5:00 pm, Town staff conducted a two-hour pedestrian and bicycle count on the segment between Huntsman Ct. and Staffield Ln. While this is slightly outside of the area of influence, the location was chosen to allow

for as large of a stretch of road as possible to be visible, and staff believe it is a good proxy location for the entire street. Since it also included pedestrians crossing the street at Staffield Ln. and used the peak 1-hr. pedestrian volume from the 2-hr. period, staff believe it is likely to be a reasonable (or even above average) sample of day-to-day volumes.

The results are included in the attached sheet.

### *Bus stops*

Although the Chapel Hill Transit HS route serves adjacent Rogers Rd., there are no CHT buses on Tallyho Tr. itself.

Consulting a list of bus stops provided by CHCCS, there are three school bus stops on Tallyho Tr., one each at Staffield Ln., Lair Ct., and Reynard Rd.

### *Proximity to pedestrian generator*

This analysis, which applies to retail locations and parks, was conducted via ArcGIS Network Analyst. No parks or retail are within the threshold network distances.

Analysis maps are included as attachments.

### *Scoring summary*

The evaluation shows that three locations are eligible for Stage 2 traffic calming measures.

<b>Location</b>	<b>Total Pts</b>	<b>Vol/spd Pts</b>	<b>Eligible stage</b>
1000 block	23	12	None
1200 block	29	18	Stage 2
1400 block	35	24	Stage 2
1500 block	33	22	Stage 2

### **Initial transportation planner recommendation**

Note that the RTMP (p. 4) states:

For streets eligible for both Stage 1 and Stage 2 traffic calming, town staff may recommend that Stage 1 traffic calming measures be implemented prior to implementing Stage 2 measures. Once Stage 1 Traffic Calming measures are implemented, town staff will wait approximately three to six months and collect traffic speed and volume data and evaluate other traffic conditions on the street. The data would then be analyzed using the Traffic Calming Criteria to determine



if the Stage 1 Traffic Calming measures were successful. If the measures were successful, then the traffic calming process will end at this point. Otherwise, town staff will move on to analyze and recommend possible Stage 2 Traffic Calming methods.

Additionally:

- Ms. Wenzel has recently suggested starting with Stage 1 measures
- Given Tallyho Tr.'s length, the spacing of Stage 2 measures, if they were to be recommended, would first need careful consideration. Spacing them too far apart may reduce their effectiveness at calming mid-point speeds, but spacing them close enough will be more costly.

Given these points, the transportation planner recommendation brought to the staff-level Traffic and Parking Committee was that Stage 1 traffic calming measures be considered on Tallyho Tr.

The RTMP states that Stage 1 traffic calming "does not involve the use of physical controls or impediments on the roadway system" (p. 4). It lists Stage 1 measures as including:

- Neighborhood Awareness Campaigns and Education
- Radar Speed Trailer Deployment [Note: the Police Department has a radar speed sign.]
- Traffic Enforcement Actions
- Traffic Signs and Pavement Marking
- Alternative Transportation Modes

### **Traffic and Parking Committee recommendation**

The Traffic and Parking Committee considered the transportation planner recommendation on June 5, 2014, and recommended that Stage 1 traffic calming measures be implemented, including the use of the speed radar sign and consideration of a neighborhood meeting.

### **Transportation Advisory Board recommendation**

The Transportation Advisory Board considered the T&P Committee recommendation at its June 5, 2014, evening meeting. Two representatives of the neighborhood were also present at this meeting and were able to have a conversation about the reported speeding issues with TAB members.

The TAB recommendation consists of two Stage 1 measures:

1. Installation of a speed radar sign for a period of time
2. Neighborhood-oriented educational efforts

The TAB recommendation also states: "The Board should direct staff to re-evaluate the street after 3 to 6 months. If the Stage 1 measures have not been effective, the Town should begin a process of considering Stage 2 measures at that time."

### **For the Board of Aldermen to consider**

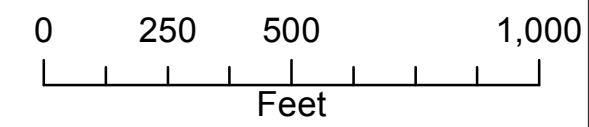
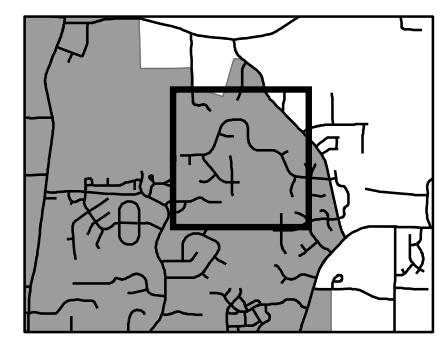
The Board of Aldermen should consider the TAB recommendation of Stage 1 measures. Please note that, per the RTMP, prior to a TAB or Board of Aldermen meeting discussing a Stage 2 recommendation, a 10-day advance notice must be provided to the area of influence. Given this, if the Board wishes to discuss Stage 2 measures, it is recommended that this take place at a future meeting before which the appropriate notice can be provided.

### **Additional notes**




- Tallyho Tr. is 1.07 miles in length.
- Tallyho Tr. has only one access and egress to the arterial street system: Rogers Rd.
- Tallyho Tr. is the only access for several subcollector or local streets:
  - Kit Ln.
  - Brace Ln.
  - Hound Ct.
  - Bugle Ct.
  - Lair Ct.
  - Huntsman Ct.
  - Stafffield Ln.
  - Brendan Ct.
  - Whitmore Cir.
- In total, Tallyho Tr. serves approximately 130 residential properties.
- Tallyho Tr. was previously a State-maintained residential subdivision road. It was accepted by the Town of Carrboro in July 2011, five years after annexation of the Northern Area in 2006. Prior to Town acceptance, it was resurfaced by NCDOT.
- The road is about 20 ft. in width with no centerline and no sidewalks, bike facilities, or curb. Horizontal curves in the road limit sight distance.



### Tallyho Trail: Area of Influence



#### Legend

-  Buildings
-  Area of Influence
-  Properties

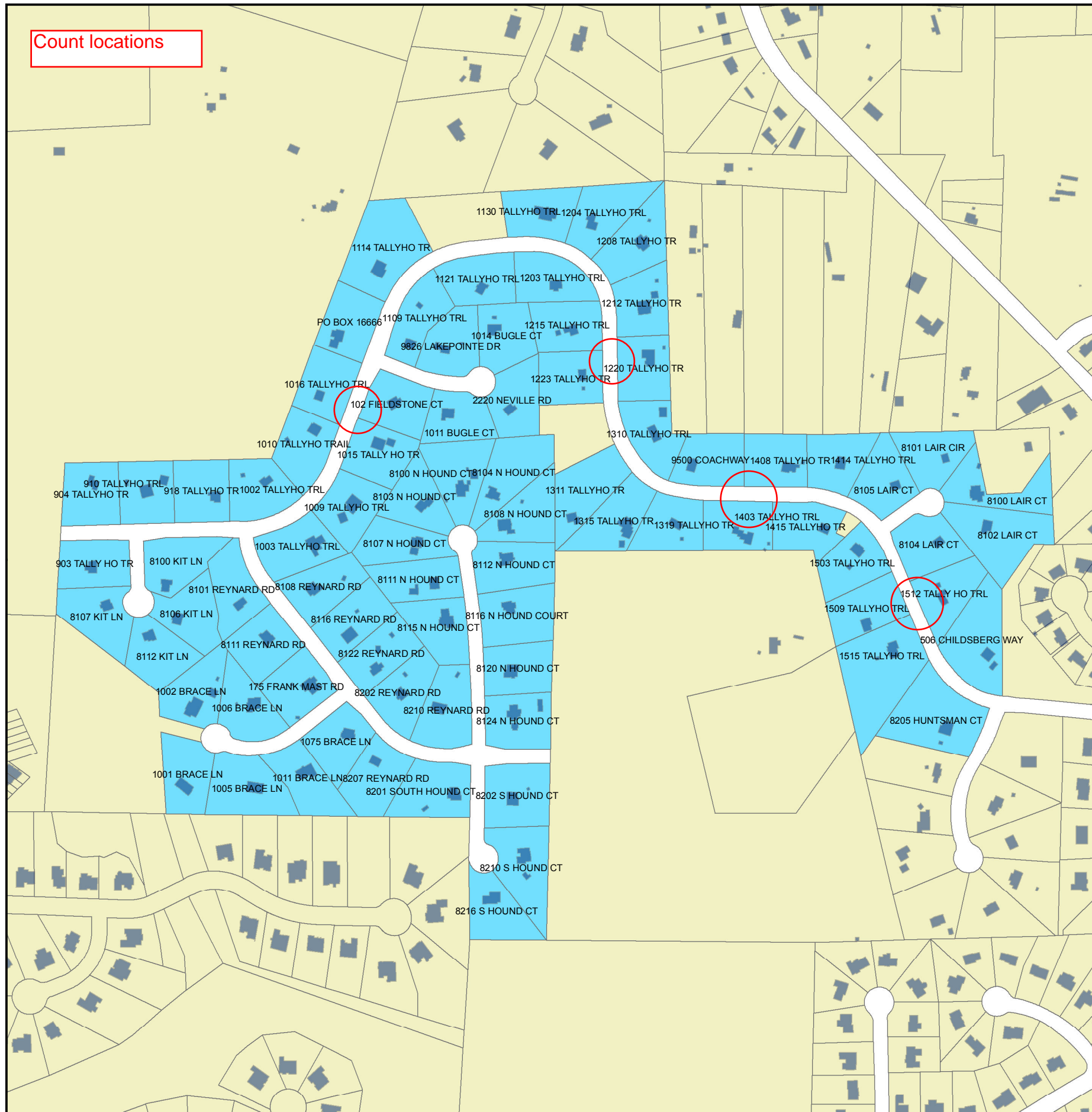


**TOWN OF CARRBORO**  
 301 W. Main St.  
 Carrboro, NC 27510  
 Created May 25, 2012

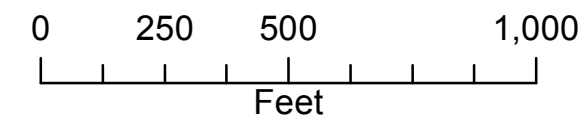
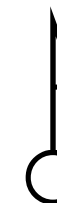
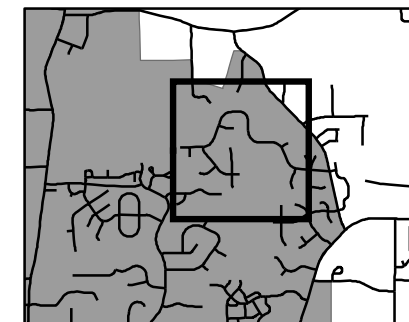
NC State Plane Coordinate System (NAD83)

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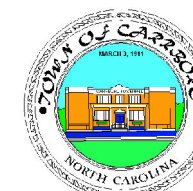


### Tallyho Trail: Area of Influence



#### Legend

- Buildings
- Area of Influence
- Properties



**TOWN OF CARRBORO**  
 301 W. Main St.  
 Carrboro, NC 27510  
 Created May 25, 2012

NC State Plane Coordinate System (NAD83)

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<b>Location</b>	<b>Total Pts</b>	<b>Vol/spd Pts</b>	<b>Eligible stage</b>
1000 block	23	12	None
1200 block	29	18	Stage 2
1400 block	35	24	Stage 2
1500 block	33	22	Stage 2

## Traffic Calming Criteria

Street Name: Tallyho Trail 1000 block

Criteria	Application	Collected Data	Points	Notes
<i>Traffic Volume</i>	<i>Criteria</i> – 5 points for every 20 % of volume that exceeds the expected number of vehicles per day (vpd) on the street, based on the function of the street (75 vpd for minor streets, 200 vpd for local streets, and 800 vpd for subcollector and collector	304	0	Tallyho Trail classified as subcollector/collector
<i>85<sup>th</sup> Percentile Speed</i>	<i>Criteria</i> – 2 points for every mph that the 85 <sup>th</sup> percentile speed exceeds the posted speed limit	31.4 MPH (WB)	12	Highest HDM 85pct
<i>Pedestrian Volume</i>	<i>Criteria</i> – 1 point for every 10 pedestrians if the street has a sidewalk, 5 points per 10 pedestrians if no sidewalk. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	15	5	3/11/2014; peak hour within 3-5pm; Weather: 79 and clear
<i>Bicycle Volume</i>	<i>Criteria</i> – 1 point for every 10 cyclists if the street has bike lanes, 3 points per 10 cyclists if no bike lanes. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	3	0	3/11/2014; peak hour within 3-5pm; Weather: 79 and clear
<i>Bus Stops</i>	<i>Criteria</i> – 1 point for each transit stop and 2 points for each school bus stop on the street	3	6	No transit stops; 3 school bus stops on street (Staffield, Lair, Reynard)
<i>Proximity to Pedestrian Generator (Retail and Parks)</i>	<i>Criteria</i> – 5 points if within 0-0.2 miles; 3 points if within 0.21 and 0.4 miles; 1 point if within 0.41 and 0.6 miles.	0	0	Based on network distance
	<u>Additional Consideration:</u> In some situations the residents' concern is for a few drivers greatly exceeding the speed limit. In this case, town staff would also review the 95th percentile speed on the street.			
<b>TOTAL POINTS</b>			23	

## Traffic Calming Criteria

Street Name: Tallyho Trail 1200 block

Criteria	Application	Collected Data	Points	Notes
<i>Traffic Volume</i>	<i>Criteria</i> – 5 points for every 20 % of volume that exceeds the expected number of vehicles per day (vpd) on the street, based on the function of the street (75 vpd for minor streets, 200 vpd for local streets, and 800 vpd for subcollector and collector	399	0	Tallyho Trail classified as subcollector/collector
<i>85<sup>th</sup> Percentile Speed</i>	<i>Criteria</i> – 2 points for every mph that the 85 <sup>th</sup> percentile speed exceeds the posted speed limit	34.3 MPH (WB)	18	Highest HDM 85pct
<i>Pedestrian Volume</i>	<i>Criteria</i> – 1 point for every 10 pedestrians if the street has a sidewalk, 5 points per 10 pedestrians if no sidewalk. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	15	5	3/11/2014; peak hour within 3-5pm; Weather: 79 and clear
<i>Bicycle Volume</i>	<i>Criteria</i> – 1 point for every 10 cyclists if the street has bike lanes, 3 points per 10 cyclists if no bike lanes. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	3	0	3/11/2014; peak hour within 3-5pm; Weather: 79 and clear
<i>Bus Stops</i>	<i>Criteria</i> – 1 point for each transit stop and 2 points for each school bus stop on the street	3	6	No transit stops; 3 school bus stops on street (Staffield, Lair, Reynard)
<i>Proximity to Pedestrian Generator (Retail and Parks)</i>	<i>Criteria</i> – 5 points if within 0-0.2 miles; 3 points if within 0.21 and 0.4 miles; 1 point if within 0.41 and 0.6 miles.	0	0	Based on network distance
	<u>Additional Consideration:</u> In some situations the residents' concern is for a few drivers greatly exceeding the speed limit. In this case, town staff would also review the 95th percentile speed on the street.			
<b>TOTAL POINTS</b>			29	

## Traffic Calming Criteria

Street Name: Tallyho Trail 1400 block

Criteria	Application	Collected Data	Points	Notes
<i>Traffic Volume</i>	<i>Criteria</i> – 5 points for every 20 % of volume that exceeds the expected number of vehicles per day (vpd) on the street, based on the function of the street (75 vpd for minor streets, 200 vpd for local streets, and 800 vpd for subcollector and collector	447	0	Tallyho Trail classified as subcollector/collector
<i>85<sup>th</sup> Percentile Speed</i>	<i>Criteria</i> – 2 points for every mph that the 85 <sup>th</sup> percentile speed exceeds the posted speed limit	37.1 MPH (WB)	24	Highest HDM 85pct
<i>Pedestrian Volume</i>	<i>Criteria</i> – 1 point for every 10 pedestrians if the street has a sidewalk, 5 points per 10 pedestrians if no sidewalk. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	15	5	3/11/2014; peak hour within 3-5pm; Weather: 79 and clear
<i>Bicycle Volume</i>	<i>Criteria</i> – 1 point for every 10 cyclists if the street has bike lanes, 3 points per 10 cyclists if no bike lanes. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	3	0	3/11/2014; peak hour within 3-5pm; Weather: 79 and clear
<i>Bus Stops</i>	<i>Criteria</i> – 1 point for each transit stop and 2 points for each school bus stop on the street	3	6	No transit stops; 3 school bus stops on street (Staffield, Lair, Reynard)
<i>Proximity to Pedestrian Generator (Retail and Parks)</i>	<i>Criteria</i> – 5 points if within 0-0.2 miles; 3 points if within 0.21 and 0.4 miles; 1 point if within 0.41 and 0.6 miles.	0	0	Based on network distance
	<u>Additional Consideration:</u> In some situations the residents' concern is for a few drivers greatly exceeding the speed limit. In this case, town staff would also review the 95th percentile speed on the street.			
<b>TOTAL POINTS</b>			35	



## Traffic Calming Criteria

Street Name: Tallyho Trail 1500 block

Criteria	Application	Collected Data	Points	Notes
<i>Traffic Volume</i>	<i>Criteria</i> – 5 points for every 20 % of volume that exceeds the expected number of vehicles per day (vpd) on the street, based on the function of the street (75 vpd for minor streets, 200 vpd for local streets, and 800 vpd for subcollector and collector	490	0	Tallyho Trail classified as subcollector/collector
<i>85<sup>th</sup> Percentile Speed</i>	<i>Criteria</i> – 2 points for every mph that the 85 <sup>th</sup> percentile speed exceeds the posted speed limit	35.8 (WB)	22	Highest HDM 85pct
<i>Pedestrian Volume</i>	<i>Criteria</i> – 1 point for every 10 pedestrians if the street has a sidewalk, 5 points per 10 pedestrians if no sidewalk. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	15	5	3/11/2014; peak hour within 3-5pm; Weather: 79 and clear
<i>Bicycle Volume</i>	<i>Criteria</i> – 1 point for every 10 cyclists if the street has bike lanes, 3 points per 10 cyclists if no bike lanes. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	3	0	3/11/2014; peak hour within 3-5pm; Weather: 79 and clear
<i>Bus Stops</i>	<i>Criteria</i> – 1 point for each transit stop and 2 points for each school bus stop on the street	3	6	No transit stops; 3 school bus stops on street (Staffield, Lair, Reynard)
<i>Proximity to Pedestrian Generator (Retail and Parks)</i>	<i>Criteria</i> – 5 points if within 0-0.2 miles; 3 points if within 0.21 and 0.4 miles; 1 point if within 0.41 and 0.6 miles.	0	0	Based on network distance
	<u>Additional Consideration:</u> In some situations the residents' concern is for a few drivers greatly exceeding the speed limit. In this case, town staff would also review the 95th percentile speed on the street.			
<b>TOTAL POINTS</b>			33	

**Speed and volume calculations - Tallyho Trail traffic calming evaluation**

September 17-18, 2013

Tallyho Trail classified as subcollector/collector for this analysis. Serves 131 properties total.

	AADT			Exp VPD	% diff	Pts	85th percentile (mid bin)		85th percentile (HDM)		Limit	Difference (mid bin)		Pts (mid bin)		Difference (HDM)		Pts (HDM)	
	EB	WB	Total				EB	WB	EB	WB		EB	WB	EB	WB	EB	WB	EB	WB
<b>1000 block</b>	150	154	304	800	-248%	0	27	32	29.92	31.41	25	2	7	4	14	4.92	6.41	10	12
<b>1200 block</b>	196	203	399	800	-201%	0	32	32	32.56	34.34	25	7	7	14	14	6.41	9.34	12	18
<b>1400 block</b>	221	226	447	800	-177%	0	32	37	33.42	37.14	25	7	12	14	24	8.42	12.14	16	24
<b>1500 block</b>	252	238	490	800	-155%	0	32	37	34.35	35.8	25	7	12	14	24	9.35	10.8	18	22

Before-after analysis

	AADT			Exp VPD	% diff	Pts	85th percentile		Limit	Difference		Pts	
	EB	WB	Total				EB	WB		EB	WB	EB	WB
<b>1000 block</b>			0		0%	0			25	-25	-25	-50	-50
<b>1200 block</b>			0		0%	0			25	-25	-25	-50	-50
<b>1400 block</b>			0		0%	0			25	-25	-25	-50	-50
<b>1500 block</b>			0		0%	0			25	-25	-25	-50	-50

Date: March 11, 2014

Tallyho Trail

3:00 pm to 5:00 pm

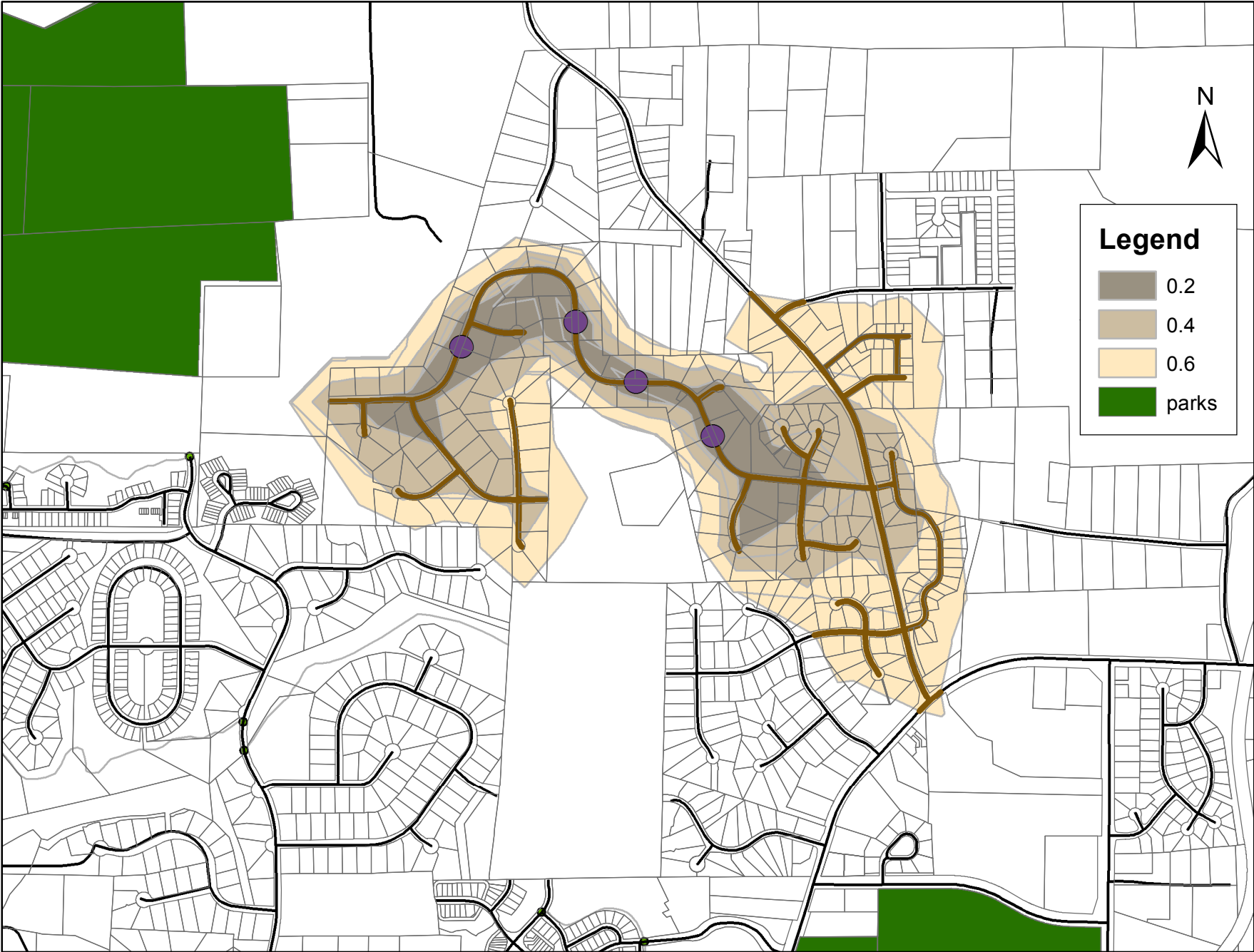
Weather: 79 and clear

Location: Between Huntsman Ct and Staffield Ln

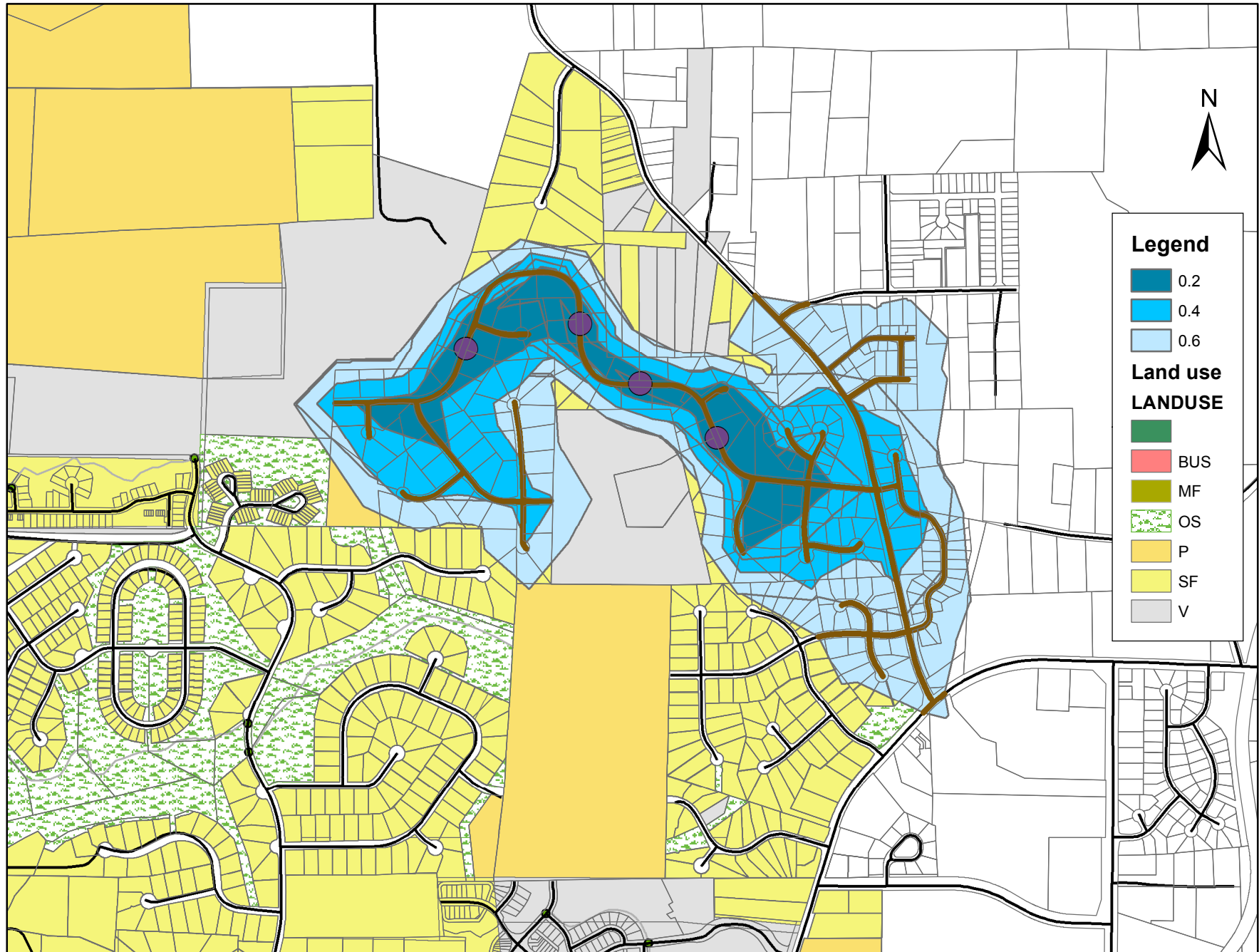
Counter: Jeff Brubaker

<b>15-min period</b>	<b>Peds</b>	<b>Bikes</b>	<b>Ped 1-hr</b>
3:00 PM	5	0	
3:15 PM	6	0	
3:30 PM	3	0	
3:45 PM	1	1	15
4:00 PM	3	1	13
4:15 PM	0	1	7
4:30 PM	4	0	8
4:45 PM	0	0	7
<b>Total</b>	<b>22</b>	<b>3</b>	
<b>Ped peak</b>	<b>15</b>		

# Tallyho Trail traffic calming request: Pedestrian generator network analysis map: parks



# Tallyho Trail traffic calming request: Pedestrian generator network analysis map: retail





**TOWN OF CARRBORO**  
**TRANSPORTATION ADVISORY BOARD**  
**RECOMMENDATION**

**June 5, 2014**

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SUBJECT: Tallyho Trail Traffic Calming

MOTION: The TAB recommends that the Board of Aldermen implement Stage 1 traffic calming measures on Tallyho Trail, including:

1. Installation of a speed radar sign for a period of time
2. Neighborhood-oriented educational efforts

The Board should direct staff to re-evaluate the street after 3 to 6 months. If the Stage 1 measures have not been effective, the Town should begin a process of considering Stage 2 measures at that time.

Moved: Štolka

Second: LaJeunesse

VOTE: Ayes (3): Štolka, LaJeunesse, Nicopoulos. Nays (0). Abstain (0). Absent (4): Haac, Barclay, McDuffee, Boone.

*Jeffery D. Bh*  
for  
*Kurt Štolka*

TAB Chair

6 / 20 /14  
DATE

**Attachment B – Neighborhood Petition Form (Page 1)**

Please fill out this form and return with attached sheets to:

Town of Carrboro  
Planning Department  
301 W. Main Street  
Carrboro, NC 27510  
FAX: (919) 918-4454

THE UNDERSIGNED AGREE TO THE FOLLOWING:

- 1. All persons signing this petition do hereby certify that they own property or reside within the following area:

Tallyho Trail (Fox Meadow)

- 2. All persons signing this petition do hereby agree to the following problem in the defined area:

unsafe conditions for pedestrians and children on Tallyho Trail due to the lack of pedestrian areas, the narrowness of the road, and speed of vehicles.

- 3. All persons signing this petition do hereby agree that the following contact person(s) represents the neighborhood in matters pertaining to items 1 and 2 above:

Name of key contact person # 1 (please print): Laura Wenzel  
 Address, City, and Zip Code: 1015 Tallyho Tr Chapel Hill 27516  
 Telephone (day): 919-428-6229 Fax: \_\_\_\_\_ E-mail: laurakaywenzel@gmail.com

Name of key contact person # 2 (please print): Mary (Molly) Mullin  
 Address, City, and Zip Code: 1515 Tallyho Tr, Chapel Hill NC  
 Telephone (day): 517-630-6029 Fax: \_\_\_\_\_ E-mail: mollymullin@gmail.com 27516

*Please attach additional pages if necessary to discuss the request.*

Date Submitted: 10-26-13

**Attachment B – Neighborhood Petition Form (Page 2)**

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The petition must be signed by at least 75 percent of the owners or residents of properties within the “area of influence.” Each property is entitled to one signature. Valid signatures include those from (1) a property owner or spouse, (2) an adult head of household, or (3) an adult renting the property.

SIGNATURE AND PRINTED NAME	ADDRESS OF PROPERTY	DATE
<i>Mary Mullin</i> MARY MULLIN	1515 Tallyho Trail	5/1/13
<del><i>Patricia E. Sanin</i></del> <del>PATRICIA E. SANIN</del>	<del>8222 HUNTSMAN CT</del>	<del>5/28/13</del>
<i>Kristin Newberry</i> KRISTIN NEWBERRY	1522 TALLYHO TRL	5/22/13
<i>Gail Cox</i> GAIL COX	1512 Tallyho Tr	6/14/13
<i>Greg Mimmack</i> <i>Bobbi Mimmack</i>	1509 Tallyho Tr	6/16/13
<i>Syd Taylor</i>	8222 HUNTSMAN CT	6/16/13
<i>Connie Winters</i> <i>Connie Winters</i>	8101 Lark CT CH, NC 27516	6/16/13
<del><i>David L Harrison</i></del> DAVID L HARRISON	1408 TALLYHO TRAIL	06-25-13



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	SIGNATURE and PRINTED NAME	ADDRESS OF PROPERTY	DATE
1	Lucy Burghardt <i>[Signature]</i>	1107 Tallyho	6/8/13
2	LASANA HARRIS <i>[Signature]</i>	1223 Tallyho	6/8/13
3	GUSTAVO PEREZ <i>[Signature]</i>	1114 Tallyho	6/8/13
4	LINDA CHAVIS Linda Chan	1015 BUGLE CT	6/8/13
5	Margaret Ly <i>[Signature]</i>	8115 N. Hound Ct.	6-16-13
6	Alicia Stemper <i>[Signature]</i>	8107 Kit Ln	6-16-13
7	My Leans <i>[Signature]</i> Nancy Agnew	1203 Tallyho	6-16-13
8	<del>Tom Forbes</del> Tim W. FORBES	1011 Bugle CT.	6/16/13
9	<del>[Signature]</del> Greg Hoffmeyer	8112 N Hound Ct.	6/25/13
10	EMILY WEST <i>[Signature]</i>	1319 Tallyho Tr	6/25/13

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	SIGNATURE AND PRINTED NAME	ADDRESS OF PROPERTY	DATE
1	Alison Murray	8119 Reynard Rd.	6/4/13
	<del>Alison D. Murray</del>	<del>Chapel Hill, NC 27516</del>	
2	Rosalie Bateson	2105 Lair Ct.	6/4/13
	<del>Rosalie Bateson</del>	<del>Chapel Hill, NC 27516</del>	
	<del>Suzanne Allen</del>	<del>8217 Huntsman Ct</del>	
		Chapel Hill, NC 27516	6/4/13
3	Camme Brantley	1315 Tallyho Trail	6/4/13
	Wayne Hodges	Chapel Hill, NC 27516	
4	Ede Kahn	1075 Brace Lane 27516	6/4/13
5	<del>Phil Charles Eicker</del>	8100 Lair Ct.	6/4/13
6	Sabara Winstead	1322 Tallyho Tr.	27516
	<del>Sabara Winstead</del>	<del>1139 Tallyho Trail</del>	<del>6-4-13</del>
7	<del>Peggy J. Tucker</del>	1109 Tallyho Tr.	6-4-13
8	Lyn Johnson	8116 N. HOUND CT.	6-8-13
	<del>Lyn Johnson</del>	<del>8104 N. HOUND CT</del>	
9	Homer Foil		6/8/13
10	DAVID SCHILE	8216 S. HOUND CT.	6/8/13
11	Martha Miller	1005 Brace Lane	6/8/13
	Martha Miller	Chapel Hill 27516	

outside area

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	SIGNATURE AND PRINTED NAME	ADDRESS OF PROPERTY	DATE
1	Michael Crowell MICHAEL CROWELL	1011 BRACE LANE	MAY 8, 2013
2	Claude Piercy Claude Piercy	8207 Reynard Ln	May 8, 2013
3	Stephanie Stadler Stephanie C. Stadler	1403 Tallyho Trl	may 8th
4	Mary Sherwyn Moww Mary Sherwyn Moww	1006 Brace Lane	5-8-2013
5	Diana Woodhouse Diana Wood	8210 Reynard Rd.	5/8/13
6	Jonathan Engel Jonathan Engel	8120 W Round Cr 907	5/8/13
	<del>Jonathan Engel</del>	<del>803 Tallyho Trl</del> DUPLICATE	<del>5/8/13</del>
7	Colleen Blue Colleen Blue	8112 Kit lane	5/8/13
8	Jean S. Chitwood Jean S. Chitwood	1003 Tallyho Trail	5/8/13
9	Janet B. Tulowiecki Janet B. Tulowiecki	1503 Tallyho trail	5/9/13
10	Philip J. Hoben Philip J. Hoben	1019 Tallyho TRAIL	5/9/13
11	John F. Fritsch John F. Fritsch	1016 Tallyho Trail	5/8/13

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SIGNATURE AND PRINTED NAME	ADDRESS OF PROPERTY	DATE
<del>STEPHEN R. WERK</del> <del>Stephen R. Werk</del>	DUPLICATE	
1 Susan J. Kelly Susan Kelly	8104 Lair Ct. Chapel Hill NC 27516	June 4, 2013
2 Lynn Carrino Lynn Carrino	1310 Tallyho	4 June 13
3 Kathryn Thomas Kathryn Thomas	1415 Tallyho Tr	June 6, 2013
4 Nathan B. Schme Nathan B. Schme	910 Tallyho	6/4/13
5 Kara Graw Oshorn Kara Graw Oshorn	1212 TALLYHO	6-4-13
<del>Walter Burnett</del> Walter Burnett	8119 Reynard	6-4-13
<del>Gregory W. Allen</del> Gregory W. Allen	8217 Huntsman Ct.	6-4-2013
6 Chris Wedding CHRIS WEDDING	8111 N. Hand Ct	6/4/2013
7 Mary Gratch Mary Gratch	1014 Bugle Ct	6/4/2013
8 Kailani Ward Kailani Ward	1008 Bugle Ct.	6/7/2013
9 LUCILA VARGAS Lucila Vargas	1121 TALLYHO TRAIL	6/7/2013

Duplicate  
outside  
area.

**Attachment B – Neighborhood Petition Form (Page 2)**

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SIGNATURE AND PRINTED NAME	ADDRESS OF PROPERTY	DATE
1 Linda C. McCuskey Linda C. McCuskey	8201 S Hound Ct	5/8/13
2 TRACY KOHLMAN Tracy Kuhlman	1009 Tallyho TR. Chapel Hill, NC 27516	5/8/13
3 Bryan Work Bryan Work	8101 North Hound Ct Chapel Hill, NC 27516	5/8/13
4 Carolyn Busby Carolyn Busby	8100 N Hound Ct Chapel Hill, NC 27516	5/8/13
5 Laura Augustine Laura Augustine	8202 S. Hound Ct. Chapel Hill, NC 27516	5/8/13
6 Natehyma M. J. Natehyma M. J.	8100 Kit Lane, Chapel Hill, NC 27516	5/8/13
7 Polly Dickson Polly Dickson	8202 Reynard Rd. 27516	5/8/13
8 Holly Hollid Holly Hollid	8210 S Hound Ct 27516	5/8/13
<del>8210 S. Hound Ct. DUPPLICATE 27516</del>	<del>8210 S. Hound Ct. DUPPLICATE 27516</del>	<del>5/8/13</del>
9 April Moulton April Moulton	8108 Reynard Rd	05/08/13
<del>8108 Reynard Rd DUPPLICATE</del>	<del>8108 Reynard Rd DUPPLICATE</del>	<del>05/08/13</del>
10 Steve Peck Steve Peck	8124 N. Hound Ct	5/8/13

81/100 = 81/100

81/75 = 405/3375

100/100 = 600/600

B

Handwritten scribbles and signatures

Handwritten scribbles

## Attachment B – Neighborhood Petition Form (Page 2)

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	SIGNATURE AND PRINTED NAME	ADDRESS OF PROPERTY	DATE
1	<i>Laura Wenzel</i> LAURA WENZEL	1015 Tallyho	3/29/13
2	<i>Jan Stoddard</i> Jan Stoddard	903 Tallyho Tr. --	3/30/13
3	<i>Ann Stovman</i> <i>[Signature]</i>	904 Tallyho Trail	3/30/13
4	<i>Thomas Kelly</i> <i>[Signature]</i>	8106 Kit Ln	3/30/13
5	<i>Matt Biele</i> <i>[Signature]</i>	8101 Regard Rd.	3/30/13
6	<i>Leonard Singer</i> <i>[Signature]</i>	8111 Regard Rd	3/30/13
7	<i>Kate Gotelli</i> Kate Gotelli	1414 Tallyho Trail	5/7/13
8	<i>Blair Byley</i> BLAIRE BYLEY	8108 N HOUND CT	5/8/13
9	<i>Philip Kowalski</i> <i>[Signature]</i>	1010 Tallyho Tr.	5/8/13
10	<i>Richard Stover</i> <i>[Signature]</i>	1002 BRACE LN	5/8/13
11	<i>Todd Reid</i> Todd Reid	1001 Brace Lane	5/8/13
12	<i>Ann Glover</i> Ann Glover	8103 N Hound Ct	5/8/13



# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:** 14-0274

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**Agenda Date:** 9/16/2014

**File Type:** Abstract

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Update on Storm Water Flooding Issues

**PURPOSE:** The purpose of this item is to provide the Board of Aldermen an update on various storm water flooding issues since the last report on May 20, 2014.

**DEPARTMENT:** Public Works Department

**CONTACT INFORMATION:** George Seiz, Director of Public Works, 918-7427; Patricia McGuire, Planning Director, 918-7327; Travis Crabtree, Fire Chief, 918-7349

### **INFORMATION:**

#### **A. Overview**

At the regular Board of Aldermen (BOA) meeting on February 11, 2014, town staff provided a report about storm water design standards and possible future considerations related to those standards. Included in the report was a summary and update of various storm water problem areas. As part of the discussion on February 11, the BOA requested staff to provide periodic updates on efforts to address these problem locations. The locations noted in the report were:

1. Tributary to Morgan Creek adjacent to Public Works
2. Areas along Tom's Creek
3. Old Pittsboro Road
4. 400 Block of Broad Street
5. 105 Morningside Drive
6. 1020 West Main Street

At the regular BOA meeting on May 20, 2014, town staff provided an update which included preliminary estimates prepared by Sungate Design to do further evaluation of these problem areas. The total estimated cost for this additional evaluation will be approximately \$26,000. It was noted that after evaluations were completed, staff would make recommendations for the Capital Improvement Plan. The proposed time line was to complete the evaluations from June thru September 2014, and prepare recommendations for the FY 15/16 CIP in the fall.

**B. Actions to date in chronological order:**

- **Tom's Creek - Late Summer 2013** - Following the suggestion of one of the neighbors along Tom's Creek, Town staff set up a series of meetings to go door to door and ask homeowners what problems they have and here about concerns and suggestions. There were 5 neighborhood meetings held from mid-July to early August and 16 out of 39 property owners came to the meetings and helped to answer questions on survey sheets. neighborhood meetings with residents along Tom's creek.
- **July, 2013 re: 400 Block of Broad St.-** Emergency repair of washout in 400 block. Cost for repair approximately \$10,000
- **July 2013 and previous to this date re: 105 Morningside** - Street Supt. had several meetings with property owner regarding nuisance flooding in yard. Looked at things PW could possibly do with regards to curb and gutter work along roadway and driveway improvements. One option is to enlarge existing culvert but may have impacts downstream.
- **October, 2013 re: Flood Mitigation Assistance (FMA) grant, response to flooding along Tom's Creek.** In late July 2013, staff learned that the Federal Emergency Management Agency had released a notice of funds available for the Flood Mitigation program (FMA). An initial letter of interest was submitted, pertaining to four properties in the Plantation Acres neighborhood based on historical and recent flooding, as communicated to staff in meetings held in the neighborhood that summer. After further communication with property owners, four properties were discussed with the Board of Aldermen on October 15<sup>th</sup>. The Board of Aldermen authorized the submittal of two grant applications, one for acquisition of two properties and one for elevation of two properties. The total cost estimate for projects was \$746, 857. A 25 percent local match that could be met through in-kind contributions or cash match from the owners was required. The Town did not receive grant funding.
- **February 5, 2014 re: 1020 Main St.** - PW Director met with two neighbors to review site. Neighbors requested town do some storm water analysis. Made observations of existing storm sewer that crosses church property and PW cleaned out debris near inlet. PW Director also talked to pastor of adjacent church about the situation. Town staff and rep from Sungate Design had previously spoken with residents in 2010. Residents later installed small section of storm water piping (with permission from church) to help bypass storm water.
- **February 11, 2014** - staff provided an update to the BOA (see Overview above)
- **May 20, 2014** - staff provided an update to the BOA (see Overview above)
- **June 2014** - BOA approves FY 15/16 budget which includes \$20,000 for engineering evaluation of the locations noted above in addition to the \$6,000 to be spent in FY 13/14.



- **June 23, 2014** - Initial Service Contract with Sungate signed to identify causes of flooding problems and possible alternatives for remediation of the problem and preliminary costs estimates for possible improvements at the following locations: Amount of contract - \$6,000
  - Tributary to Morgan Creek adjacent to Public Works
  - Areas along Tom's Creek
  - Properties adjacent or near 1020 Main Street.
  
- **August 26, 2014 re: tributary to Morgan Creek adjacent to Public Works** - Meeting between Town staff, Town Engineer and NCDOT regarding erosion along tributary. Discussed possible causes and remedies.
  
- **September 1, 2014, re: FEMA Hazardous Mitigation grant** - On August 8, 2014, the Town of Carrboro was asked to join with the Town of Chapel Hill and Orange County in the pursuit of a \$4 million FEMA Hazardous Mitigation grant to be spread between Alamance and Orange counties. The initial application was turned in on September 1, 2014 which was a letter of interest and that we would like any available funding to help mitigate flooding issues in town. Addresses and estimates were provided with the letter of interest. The North Carolina Department of Emergency Management will review and approve what they feel is relevant based on past claims and then forward those that are approved to FEMA. Additional information deadline will be October 15, 2014, if the state needs additional beyond what was already provided. Property acquisition, flood and drainage mitigation along with power redundancy for important and critical structures were items allowed to be requested. Generator quick connects for key intersections to relieve police from traffic control duties, several culvert improvements and finally a fixed generator to power town hall were requested. All combined were a total of \$2.7 million just for the Town of Carrboro.
  
- **September 12, 2014** - Supplemental service agreement prepared for continued work for the three locations noted above and adding the following locations: amount of Contract \$20,000
  - 400 Block of Board Street
  - Old Pittsboro Rd.
  - 105 Morningside

Sungate and staff will continue to review various options to help mitigate flooding at these locations

### **C. Additional detail about locations - contained in previous updates:**

- **Tom's Creek** - Neighborhood meetings. There were 5 neighborhood meetings held from mid-July to early August and 16 out of 39 property owners came to the meetings and helped to answer questions on survey sheets. More evaluation is needed.

*Most technical information is already available. Will need to prepare mapping to explain impacts to properties - \$4,000 to \$5,000*

- **105 Morningside Drive** - yard flooding, water overtops the road, request to enlarge culvert. Staff has visited with the adjacent resident and discussed possible options. Preliminary analysis indicates that enlarging the culvert under Morningside will likely cause negative impacts downstream. Replacing sections of curb and/or installing some storm inlets may help mitigate the problem.

*Possibly increase culvert size or add additional culvert, but must determine impacts downstream. More analysis to see if culvert can be enlarged and prepare construction cost estimate. - \$2,500 to \$4,000*

- **400 Block of Broad St.** - water overtopped road on June 30<sup>th</sup>, public road damage and private property damage. Petition received, request to enlarge culvert. An emergency repair was made at this location costing about \$10,000. Preliminary review indicates the culvert would need to be enlarged from an 18” to 48” to meet current standards. Potential downstream impacts need to be reviewed as well as well as other possible options. Cost estimates for options need to be determined and programming in the CIP considered.

*Some analysis already completed. Further review and prepare construction cost estimate - \$1,000 to \$1,500*

- **Old Pittsboro Road** - concerns expressed about storm water run-off, sewage in the drainage ditch, sitting water. Staff is still in the early stages of evaluating the storm water run-off issues. Ideas suggested such as widening the drainage ditch or piping the storm water could possibly be considered. OWASA made a repair last summer to address sewage backing into a storm junction box. As a follow up to that repair OWASA also did some public education outreach to citizens and businesses about the detriments of putting fats, oils and grease in sanitary sewers as requested by the BOA.

*Need to determine if under DENR or Corps of Engineers jurisdiction. Agencies may not let us do anything. Further evaluation - \$5,000 to \$7,000*

- **1020 West Main Street** - Private storm sewer on adjacent church property backs up in heavy rains and threatens crawl space and HVAC units of private property. Dillard St., High St. and Goldston Dr. drain to this area. Possible drainage study to evaluate existing storm sewer system. - Study - \$2,000 - \$4,000.

- **Tributary to Morgan Creek adjacent to Public Works** - While clearing scrub trees this winter adjacent to the culvert pipes under Public Works Drive, Public Works staff discovered significant erosion of the stream bank adjacent to the Public Works property. Appeared to be a result from June 30, 2013 storm event. Location is still being evaluated to determine extent of repair work needed. Cost estimate for repair needs to be determined and programming in the CIP considered. A temporary more immediate repair may be necessary.

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**Agenda Date:** 9/16/2014

**File Type:**Abstract

**In Control:** Board of Aldermen

**Version:** 1

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*Sungate Design is working with another consultant to get a preliminary cost estimate for engineering and construction. Close proximity to NCDOT storm water culvert may require coordination with NCDOT. Further evaluation and prepare cost estimate - \$4,000 - \$5,000.*

**FISCAL & STAFF IMPACT:** \$6,000 was allocated in FY 13/14 to begin the storm water flooding evaluation work and \$20,000 has been budgeted in FY 14/15 to continue the evaluations. PW staff will be working with the consultant during the evaluations and staff hours will also be needed for CIP recommendations. There may be significant fiscal impacts in the future depending on solutions determined to adequately address some of the problem areas. How the projects should be funded may become an important issue.

**RECOMMENDATION:** It is recommended the BOA accept the report.





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number: 14-0268**

**Agenda Date:** 9/16/2014

**File Type:** Abstract

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Minor Modification to the Master Sign Plan for the 300 East Main Street Project

**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider a Minor Modification request to the Master Sign Plan for the 300 East Main Street Project. Staff requests that the Board of Aldermen discuss, deliberate, and decide whether to adopt the attached resolution approving the Minor Modification to the Master Sign Plan.

**DEPARTMENT:** Planning Department

**CONTACT INFORMATION:** James Thomas, Planner/Zoning Development Specialist 919-918-7335

**INFORMATION:** The Land Use Ordinance was amended in June 2012 to allow CUP-level developments with multiple commercial enterprises within the B-1(c) and B-1(g) zoning districts that contain one or more buildings of at least three stories in height to apply for a master sign plan that would deviate from the allowable number and type of permissible signs as well as other dimensional restrictions. The Board of Aldermen then approved a Minor Modification to the Conditional Use Permit for 300 East Main to create a Master Sign Plan on September 25<sup>th</sup>, 2012.

Main Street Properties of Chapel Hill, LLC is now requesting a Minor Modification to the Master Sign Plan, as further explained in Attachment B. In summary, this Minor Modification relates to the installation of the following type signs:

1. Blade type sign on the north side of the building that is similar to the existing Hampton Inn sign. The total square footage of the blade sign would be 81 square feet.
2. Unlit sign on the 3<sup>rd</sup> floor of the Fleet Feet Building. The total square footage would be 35 square feet.
3. Addition of "300 East Main" to two (2) previously approved freestanding pole signs at Boyd Street and Lloyd Street entrances. The total square footage would be 7 square feet.

For analysis and comparison, zoning staff calculated the street frontage of this piece of property along East Main Street. The approximate length of this piece of property along West Main Street is 110 feet, which would allow a signage allotment of 55 square feet facing towards West Main Street per Section 15-176 Total Sign

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Surface Area.

In essence, the blade style sign would be the only sign viewable from the West Main Street right of way and this sign would exceed the allowable square footage allotment by 26 square feet.

As with all Minor Modification requests, the Board of Aldermen may choose but are not required to call a public hearing before making a decision on the request.

**FISCAL & STAFF IMPACT:** No fiscal impact has been identified related to consideration of this agenda item.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen review the Minor Modification to the Master Sign Plan for 300 East Main Street Project and consider adopting the attached resolution approving the request.

The following resolution was introduced by Aldermen \_\_\_\_\_ and duly seconded by Aldermen \_\_\_\_\_.

**A RESOLUTION APPROVING A MINOR MODIFICATION TO THE 300 EAST MAIN STREET PROJECT CONDITIONAL USE PERMIT FOR A MASTER SIGN PLAN FOR THE FLEET FEET BUILDING PHASE OF THE PROJECT.**

**WHEREAS**, the Board of Aldermen approved a Conditional Use Permit for the 300 East Main project on September 30, 2008; and

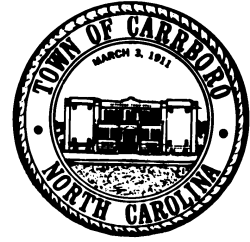
**WHEREAS**, an application has been received in accordance with LUO Section 15-271(d) of the Land Use Ordinance for a Minor Modification to the CUP for a Master Sign Plan for the first phase of the 300 East Main Street Project; and

**WHEREAS**, staff has determined that the application includes information addressing the provisions of Section 15-271(d) for seeking approval of a Master Sign Plan Modification; and

**WHEREAS**, the Board has considered the information, and determined that the application is worthy of approval.

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Master Sign Permit Minor Modification for the Fleet Feet building phase of the project is hereby approved.

This the 16<sup>th</sup> day of September in the year 2014.

**TOWN OF CARRBORO****LAND USE PERMIT APPLICATION****DATE:** \_\_\_\_\_**FEE:** \_\_\_\_\_

APPLICANT: Main Street Properties of Chapel Hill LLC		OWNER: same	
ADDRESS PO Box 2152		ADDRESS:	
CITY/STATE/ZIP Chapel Hill, NC 27515		CITY/STATE/ZIP	
TELEPHONE/EMAIL: PHONE: 919-923-4343 EMAIL: laura@300eastmain.com		TELEPHONE/EMAIL: PHONE: EMAIL:	
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER:		PIN: 9778-96-4112, 9778-96-7280, 9778-96-9391, 9788-06-0110	
PROPERTY ADDRESS:		PROPOSED LAND USE & USE CLASSIFICATION: n/a	
PRESENT LAND USE & USE CLASSIFICATION: n/a		LOT AREA: n/a Acres Square Feet	
ZONING DISTRICT(S) AND AREA WITHIN EACH (including Overlay Districts): B-1(c) and B-1(g)			
# OF BUILDINGS TO REMAIN		# OF BUILDINGS PROPOSED n/a	
EXISTING GROSS FLOOR AREA OF BUILDING(S) square feet	GROSS FLOOR AREA (of proposed BUILDING / proposed ADDITION) square feet	AMOUNT OF IMPERVIOUS SURFACE / proposed square feet	

**NAME OF PROJECT/DEVELOPMENT:** \_\_\_\_\_

TYPE OF REQUEST	**INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT / EXEMPT PLAT	1, 18, 19, 21, 23, 31, 33, 34, 38
CONDITIONAL USE PERMIT (CUP)	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36, 37, 38
CUP MODIFICATION	SAME AS CONDITIONAL USE PERMIT (CUP)
SPECIAL USE PERMIT (SUP)	1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36, 37, 38
SUP MODIFICATION	SAME AS SPECIAL USE PERMIT (SUP)
ZONING PERMIT (Project)	1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 32, 34, 35, 36, 37, 38
ZONING PERMIT (Building) Residential Infill & Additions	9, 10, 22, 24, 34, 37 (also see "Building Permit Review – Residences Only" checklist)
SIGN PERMIT	1, 10, 13, 14, 17, 20, 38
VARIANCE	4, 5, 10, 20, 29, 34, 38, Attachment A
APPEAL	4, 5, 38, Attachment B
SPECIAL EXCEPTION	1, 4, 5, 8, 10, 20, 35, Attachment C

**APPLICANT:** \_\_\_\_\_ **DATE:** \_\_\_\_\_**OWNER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_





7/23/14

To: Carrboro Board of Aldermen, Carrboro Appearance Commission  
 From: Main Street Properties of Chapel Hill, LLC

Attached please find several requests to modify the 300 East Main master sign plan. As you may recall from when that plan was approved in 2012, we believed it would serve ground-floor retail needs for future phases of 300 East Main but anticipated returning with modification requests for upper-floor signs as new buildings came on line. The Fleet Feet economic development efforts and the upcoming opening of the new Fleet Feet building prompts this request.

We are requesting three new sign types: a blade sign identifying the new building as the Fleet Feet building, the addition of “300 E Main” to two previously approved entrance signs, and a smaller unlit upper-floor sign on the east side of the Fleet Feet building identifying the location of the new Carrboro Orthodontics office.

Please see the following narrative describing the need for each sign and the attached information including drawings, dimensions and other information.

Thank you for your consideration.

### **Fleet Feet blade sign**

Fleet Feet is the anchor tenant of the new building, consolidating its corporate headquarters on an entire floor of office space and relocating its flagship retail store to the ground floor. To identify this building as the “Fleet Feet building” requires more than the retail signage, which will resemble adjacent retail signs in size. Fleet Feet feels very strongly about his sign and respectfully requests that this modification be allowed to permit this sign.

A blade sign is an attractive way to identify the building. The Hampton Inn blade sign installed on 300 East Main’s first building has been well received and fits in well with the downtown streetscape. The Fleet Feet blade sign would be of similar size and feel and help identify Fleet Feet as one of the main employers and businesses based in Carrboro.

### **“300 EMain” addition to existing directional signs**

Approved in 300 East Main's 2012 master sign plan are two entrance signs at the Boyd/Main and Lloyd/Main entrances that include a circle P parking symbol and arrows pointing down Boyd Street and into the Lloyd Street entrance. The Boyd Street sign is in place and the Lloyd Street sign will be installed as part of the Fleet Feet-building construction.

The requested modification would add "300 E Main" in a 7-inch tall box to the top of the existing horizontal arm holding the arrows. The change would help visitors locate 300 East Main more easily and help identify the separate buildings as part of the same development. As with the existing sign the box would be internally lit.

**Third-floor sign identifying Carrboro Orthodontics office**

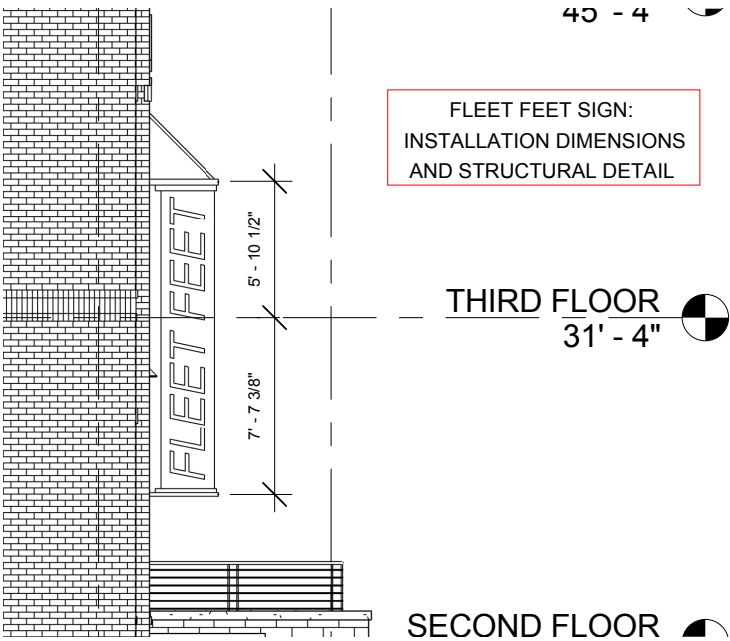
300 East Main's existing master sign plan works well for ground-floor retailers, but leaves the signage needs of upper floor business open for case-by-case review. An orthodontist/dentistry practice is interested in leasing third-floor office space to form Carrboro Orthodontics (or Carrboro Dentistry or a similar name), and that practice will need signage to inform customers of its presence. This requested modification would allow Carrboro Orthodontics to hang an unlit thin metal sign outside their office identifying the business. It would consist of metal lettering no taller than 15 inches.

## Sign checklist

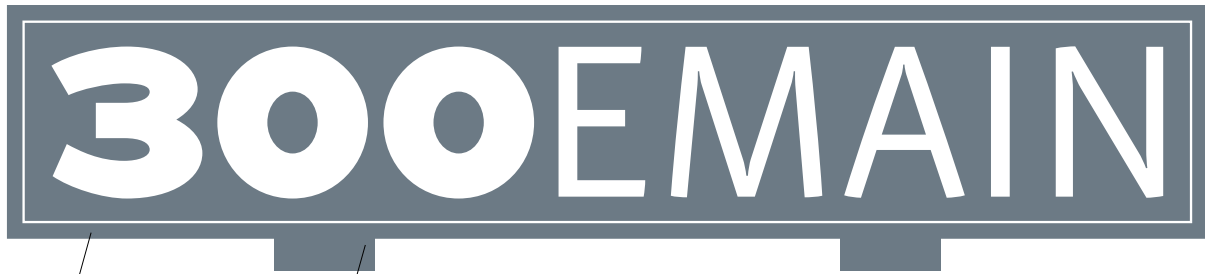
- **Number and location of proposed sign additions:** 2 on upper floors of Fleet Feet building at 310 E. Main St., 2 attached to existing directional signs
- 
- **Shape and location of all proposed signs, and specifications for signs that project from the building:** See attached drawing for details. The signs requested are:
  1. Fleet Feet blade sign, 13.5 feet x 3 feet, which is similar in size to the existing Hampton Inn blade sign at 370 E. Main St. Sign would be internally illuminated and hang vertically along the top half of the second floor and the bottom half of the third floor on the north side of the building.
  2. 7-inch tall x 36-inch long “300 EMain” addition to existing arrows pointing down main road entrances.
  3. Sign identifying Carrboro Orthodontics (or Carrboro Dentistry or similar name) office, to be located on the east side of the building.
- **Height off the ground to the top and bottom of all proposed signs:** See attached drawings.
- **Orientation of all buildings on the site:** Same as in CUP.
- **Identify an anchor business signs:** Fleet Feet is the anchor tenant of the 310 E. Main St. building. The blade sign would identify the building as the Fleet Feet building, something their ground-floor retail signage (subject to already approved master sign plan) doesn't communicate.
- **Identify tenant signs that are likely to have more regular turnover:** The signs requested here are not likely to change soon. Fleet Feet's lease is for 10 years with additional renewal options and the potential orthodontics/dentistry practice's lease would be for a significant term as well. The 300 East Main signs go with the development as a whole and aren't subject to change as tenants turn over.
- **Label any signs intended to draw the traveling public to the site:** The “300 EMain” additions are to help identify separate entrances and buildings as all being part of 300 East Main, as well as to direct customers to the site. Customers have requested better identification of 300 East Main.
- **Label any signs intended to direct the public to parking areas on the site:** N/A
- **Identify any signs that may be excluded from the sign regulations per Section 15-272:** N/A for this application.

Fleet Feet blade sign drawings





### 300 EMain addition drawings

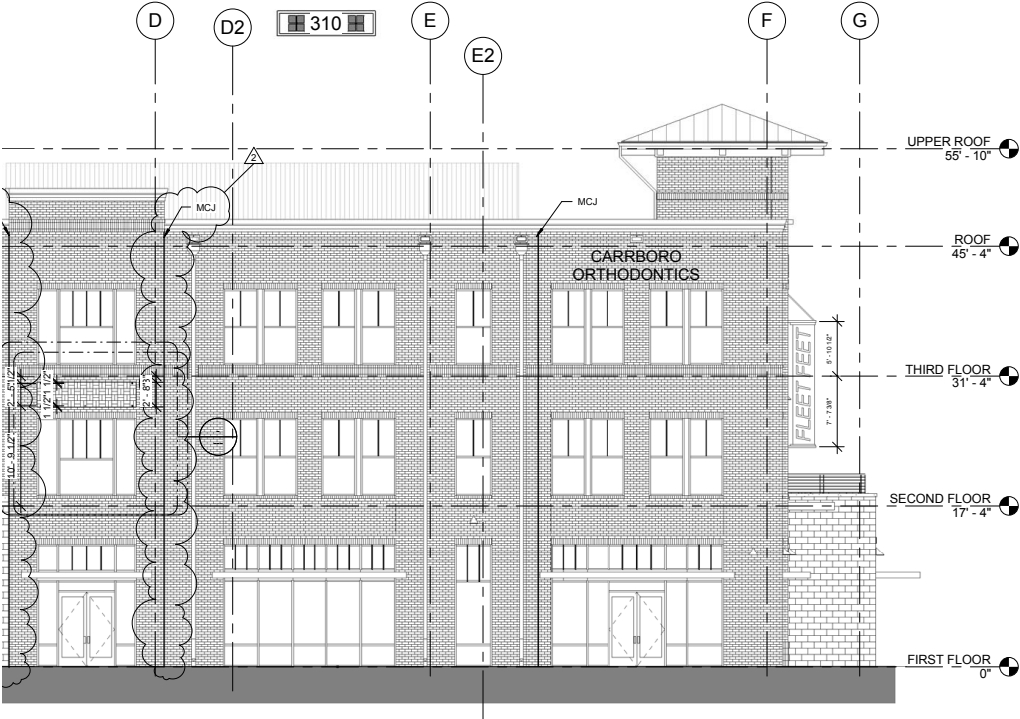


7" x 36" aluminum box with white acrylic face. Double sided. Vinyl graphics to match logo teal color, applied to white acrylic. Logo/letters illuminate at night.

3" x 3" x 1" aluminum "feet" used for mounting sign to existing posts.



### Carrboro Orthodontics sign



	Retail signs square footage (already approved)	Fleet Feet blade sign square footage**	300 EMain addition square footage**	Carrboro Orthodontist square footage	Maximum number of signs
<b>Storefront*</b>					
upper level of FF building	120				5
Loyd/E. Main		72		35	2
Boyd/E. Main			3.5		1
<b>Totals:</b>	120	72	7		9
<b>Square footage of requested new signs:</b>	79				
<b>Total square footage, Fleet Feet building parcel:</b>	192				
	* The square footage is the maximum possible @ 24 square feet times 5 storefronts (2 facing east, 2 facing north and 1 facing west). We are requesting 24 square feet per tenant for each side a store faces.				
	** Square footages are doubled to reflect double-sided signs.				





## Agenda Item Abstract

**File Number:** 14-0271

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**Agenda Date:** 9/16/2014

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### **TITLE:**

TJCOG Livability Assessment Pilot Program

**PURPOSE:** The purpose of this item is for the Board to consider directing staff to apply for, and if chosen, participate in the TJCOG Livability Assessment Pilot Program.

**DEPARTMENT:** Manager's Office

**CONTACT INFORMATION:** Nate Broman-Fulks, [nbroman-fulks@townofcarrboro.org](mailto:nbroman-fulks@townofcarrboro.org)  
<<mailto:nbroman-fulks@townofcarrboro.org>>, 919-918-7314

**INFORMATION:** Board members have expressed interest in ensuring Carrboro is a livable community for people of all ages, income levels, and abilities. This interest has brought about a discussion on understanding Carrboro's current livability status. This report provides a description of one tool that Carrboro could use to measure, understand, and improve upon its current livability status.

A multi-disciplinary team at TJCOG has developed a self-assessment tool and toolkit for municipalities to measure and improve the livability of their community, especially for older adults and persons with disabilities. The assessment is based on a "best practice" report from Stanford Center for Longevity and MetLife Mature Market Foundation, entitled *Livable Community Indicators for Sustainable Aging in Place*. The tool is meant for informing elected officials, planners, advocates and others about the overall livability status of their respective communities.

The self-assessment is a Microsoft Excel Macro-Enabled Workbook that consists of digital assessment worksheets and an accompanying guidebook. It is designed to:

- Utilize existing and universally available data sources (secondary data) to determine livability.
- Be easy to implement without requiring a lot of special expertise to interpret results and determine potential use.
- Require a minimum amount of time, money or other resources in order to implement.
- Present results in a visual or "dashboard" format.
- Serve as a starting point for community discussion and planning.

The self-assessment contains:

- Eight focus areas: Demographics, Housing, Transportation, Safety, Health Care, Supportive Services,

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Retail Services and Social Integration, with approximately 30 questions total.

- Instructions, suggested data sources, and links to online databases.
- Scores reported using 3 progressive levels of achievement, “Meaningful Investment”, “Significant Investment” or “Substantial Investment”.
- Visual displays of section scores and totals.

The assessment tool is now ready for pilot testing. TJCOG is looking to their members to help troubleshoot the assessment by participating in the pilot program. The pilot is scheduled to take place during October, 2014. The application to participate in the pilot program must be turned in by 5:00pm on Thursday, September 18<sup>th</sup>.

TJCOG is expecting 5-6 regional municipalities to participate in the pilot test. Several have expressed interest in participating, so there is no guarantee Carrboro will be selected. However, all TJCOG member governments will all have the opportunity to use the assessment tool and toolkit after the pilot program is finalized, which they expect will be by the end of the fiscal year.

**FISCAL & STAFF IMPACT:** If Carrboro participates in the pilot program, staff would:

- Complete the self-assessment tool and conduct a preliminary review of the accompanying guidebook, noting the time and effort required, as well as any usability issues.
- Participate in an interview of about one hour to answer questions about the experience.
- Be willing to provide feedback on how the self-assessment results are distributed or used.

**RECOMMENDATION:** Staff recommends the Board consider directing staff to apply for, and if chosen, participate in the TJCOG Livability Assessment Pilot Program.