

# **Town of Carrboro**

*301 W. Main St., Carrboro, NC 27510*



## **Meeting Agenda - Final**

**Tuesday, May 16, 2023**

**7:00 PM**

**Council Chambers - Room 110**

**Town Council**

**7:00-7:05****A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS**

1. [23-172](#) Resolution Supporting the Right of all North Carolinians to Safe and Comprehensive Reproductive Health Care
2. [23-173](#) Police Week Proclamation
3. [23-174](#) Public Works Week Proclamation

**7:05-7:10****B. ANNOUNCEMENT OF UPCOMING MEETINGS****7:10-7:20****C. PUBLIC COMMENT****7:20-7:25****D. CONSENT AGENDA**

1. [23-155](#) Approval of September 13, 2022 Minutes

**E. OTHER MATTERS****7:30-7:45**

1. [23-150](#) Implementation of Carrboro Connects Chapter 5, Strategy 4.2, Reduce negative effectives of parking requirements on housing costs and natural resources.

**PURPOSE:** The purpose of this agenda item is to provide the Town Council with a report on the implementation of Carrboro Connects Transportation & Mobility Strategy 4.2 Reduce negative effects of parking requirements on housing costs and natural resources.

**Attachments:** [A - Resolution](#)  
[B - Report Strategy 4.2a](#)  
[C- Additional maps and charts](#)  
[D- Pocket Questions](#)

**7:45-8:00**

2. [23-151](#) Joint Planning Area Land Use Plan Amendment - 2106 Mount Carmel Church Road

**PURPOSE:** The purpose of this item is to request that the Town Council consider approval of a proposed amendment to the Joint Planning Land Use Plan for a 4.66-acre property at 2106 Mount Carmel Church Road that was annexed into Orange County from Chatham County in 2021.

**Attachments:** [A- Draft Town Council Resolution](#)  
[B-JPA Public Hearing Materials](#)  
[C- Planning Board Recommendation](#)  
[D- Pocket Questions](#)

**F. MATTERS BY COUNCIL MEMBERS**



# Town of Carrboro

301 W. Main St., Carrboro,  
NC 27510

## Agenda Item Abstract

**File Number: 23-172**

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**Agenda Date:** 5/16/2023  
**In Control:** Town Council  
**Version:** 1

**File Type:** Agendas

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Resolution Supporting the Right of all North Carolinians to Safe and Comprehensive Reproductive Health Care



# Town of Carrboro

301 W. Main St., Carrboro,  
NC 27510

## Agenda Item Abstract

**File Number: 23-173**

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**Agenda Date:** 5/16/2023  
**In Control:** Town Council  
**Version:** 1

**File Type:** Agendas

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Police Week Proclamation



# Town of Carrboro

301 W. Main St., Carrboro,  
NC 27510

## Agenda Item Abstract

**File Number: 23-174**

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**Agenda Date:** 5/16/2023  
**In Control:** Town Council  
**Version:** 1

**File Type:** Agendas

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Public Works Week Proclamation



# Town of Carrboro

301 W. Main St., Carrboro,  
NC 27510

## Agenda Item Abstract

**File Number: 23-155**

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**Agenda Date:** 5/16/2023  
**In Control:** Town Council  
**Version:** 1

**File Type:** Agendas

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Approval of September 13, 2022 Minutes



Agenda Item Abstract

File Number: 23-150

Agenda Date: 5/16/2023
In Control: Town Council
Version: 1

File Type: Agendas

Implementation of Carrboro Connects Chapter 5, Strategy 4.2, Reduce negative effectives of parking requirements on housing costs and natural resources.

PURPOSE: The purpose of this agenda item is to provide the Town Council with a report on the implementation of Carrboro Connects Transportation & Mobility Strategy 4.2 Reduce negative effects of parking requirements on housing costs and natural resources.

DEPARTMENT: Planning

CONTACT INFORMATION: Trish McGuire, Planning Director, pmcguire@carrboronc.gov <mailto:pmcguire@carrboronc.gov>, 919-918-7327

COUNCIL DIRECTION:

\_\_ Race/Equity \_\_ Climate \_X\_ Comprehensive Plan \_\_ Other

Carrboro Connects, Town of Carrboro Comprehensive Plan 2022-2042 was adopted on June 7, 2022. The plan is rooted in advancing racial equity and climate action. 175 strategies and projects are included, 35 of which were identified for prioritization in the first five years because of their ability to advance multiple community interests and objectives. Racial Equity Pocket questions related to possible changes to parking requirements close to transit are included as Attachment D.

INFORMATION:

Chapter 11 (Implementation) of the Town’s Comprehensive Plan, Carrboro Connects, adopted in June 2022, identified Transportation and Mobility Chapter 5’s Strategy 4.2, “[r]educe negative effects of parking requirements on housing costs and natural resources,” as one of five priority projects. The initial action noted was “[r]emove minimum vehicular parking requirements for residential development close to transit” and staff reported that a report and text amendments would be forthcoming in 2023 (Town of Carrboro - File #: 22-309 (legistar.com) <https://carrboro.legistar.com/LegislationDetail.aspx?ID=5955232&GUID=E3A499EB-33CB-4782-A7D2-99D783C09996&Options=&Search=>.” During its retreat in January of 2023, the Town Council included the action among 13 Key Strategic Areas and Deliverables for completion in the next 12 - 18 months and indicated that the downtown should be included. These priorities were clarified and confirmed on March 28, 2023 (see item # 23-103 at Town Council on 2023-03-28 7:00 PM (granicus.com) <https://carrboro.granicus.com/player/clip/410?view\_id=2&redirect=true&h=e86b86451e48c6584a5d5d52854ee508>.

This agenda item seeks to provide the Town Council with information regarding removing minimum vehicular parking close to transit. Carrboro Connects defines ‘close to transit’ as within a half mile of a bus stop that is served at least seven days per week at an average of 30-minute intervals on weekdays and 60-minute intervals on weekends.

‘Downtown’ customarily refers to the approximately 100 acres of land included in downtown commercial



zoning districts.

Information on the policy basis for this change, the existing parking regulations, mapping of the areas that meet the locational definition of ‘close to transit’ and possible approaches to implementing this strategy are provided in the attached report (*Attachment B*).

Possible decision points for the Council’s consideration that will assist with framing the LUO amendments are noted below, as well as an anticipated timeline for progress on changes to parking minimums for residential uses close to transit.

- How to proceed regarding current transit frequencies.
- How to consider/incorporate changes in the future if/when routes change.
- Keeping the flexible administration/presumptive standard.
  - Parameters for staff decisions regarding.
- Relationship to infrastructure changes (accessibility, bicycle and pedestrian).

- May 16, 2023 - Update to Town Council
- June 20, 2023 - Request to set Public Hearing on Land Use Ordinance amendments
- Summer 2023 - Public Engagement
- Fall 2023 - Advisory Board Review, Public Hearing

**FISCAL IMPACT:** Significant staff time is required for project planning, analysis, public engagement, and drafting changes.

**RECOMMENDATION:** The Town Manager recommends that the Town Council receives the report and provides direction in anticipation of preparing draft amendments for consideration of setting a public hearing. A draft resolution for this purpose is provided as *Attachment A*.

**A RESOLUTION PROVIDING FEEDBACK ON POSSIBLE CHANGES TO RESIDENTIAL PARKING MINIMUMS NEAR TRANSIT SERVICE**

WHEREAS, Chapter 11 (Implementation) of the Town’s Comprehensive Plan, Carrboro Connects, adopted in June 2022, identified Transportation and Mobility Chapter 5’s Strategy 4.2, “[r]educe negative effects of parking requirements on housing costs and natural resources,” as one of five priority projects.

WHEREAS, the Town Council included this strategy among its top priorities when establishing Key Strategic Areas at its January 2023 retreat,

WHEREAS, a report on the applicable policies and regulations, and possible changes has been prepared.

BE IT HEREBY RESOLVED that the Town Council provides the following comments in relation to possible changes to Town standards related to parking minimums near transit:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

This is the 16th day of May in the year 2023.

## Implementation of Carrboro Connects Chapter 5, Strategy 4.2:

### Reduce negative effects of parking requirements on housing costs and natural resources and removal of residential parking minimums

During its retreat in January of 2023, the Town Council identified 13 Key Strategic Areas and Deliverables for implementation over the next 12 - 18 months including implementation various noted aspects of [Carrboro Connects, Town of Carrboro 2022-2042 Comprehensive Plan \(2022\) \(Carrboro Connects Adopted Comprehensive Plan | Carrboro Connects\)](#). Three top priorities were identified, one of which is to make amendments to Carrboro's land use ordinance to remove residential parking minimums and to allow for greater density near transit and greenways. This staff report focuses on the removal of residential parking minimums and includes the following information: anticipated timeline, summary of relevant policy direction, summary of existing parking requirements, proximity to transit, examples from nearby municipalities, possible changes and considerations. A draft resolution providing a means for Town Council feedback on possible changes is provided as *Attachment A*.


#### Anticipated Completion Timeline

- May 16, 2023 – Update to Town Council
- June 20, 2023 – Request to set Public Hearing
- Summer 2023 – Public Engagement
- Fall 2023 – Advisory Review and Public Hearing

#### Policy Direction – Carrboro Connects

Two comprehensive plan priorities directly link to this project,

### Chapter 5 – Transportation & Mobility

Goal 4: Improve the management of parking spaces in the downtown area.					
Strategy 4.2: Reduce negative effects of parking requirements on housing costs and natural resources					
4.2 a) Remove minimum vehicular parking requirements for residential development close to transit. Lower vehicular parking requirements for all residential uses, including ADUs. Further reduce vehicular minimum parking standards for dedicated, long-term affordable housing units. Consider maximum parking ratios to reduce impervious surfaces and make more efficient use of land.					
CROSS-CUTTING	LEAD	PARTNERS	TIMEFRAME	RESOURCES	COST
	Planning, HCS	Econ Dev't	1-5 years	OB	\$

Carrboro Connects Priority Project? No

2023 Town Council Priority? Yes



Status? Analysis

Anticipated Milestone? Remove residential parking requirements close to transit - Fall 2023

### Chapter 9 – Land Use

Goal 4: Promote land use planning and development that reduces GHG emissions through reducing auto-dependence.
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Implementation of Carrboro Connects Chapter 5, Strategy 4.2

Strategy 4.1: Update the Land Use Ordinance to be consistent with the goals of the Comprehensive Plan.					
4.1 c) Update parking requirements to consider adjustments or removal of minimum requirements for affordable housing, accessible dwelling units, and mixed-use development to reduce impervious surfaces and make more efficient use of land.					
CROSS-CUTTING	LEAD	PARTNERS	TIMEFRAME	RESOURCES	COST
 	Planning	PW, HCS, Econ Dev't	1-5 years	OB	\$

Carrboro Connects Priority Project? Yes

2023 Town Council Priority? Yes

Status? Analysis

Anticipated Milestone? Remove residential parking requirements close to transit - Fall 2023

### **Parking in Carrboro – Current Requirements**

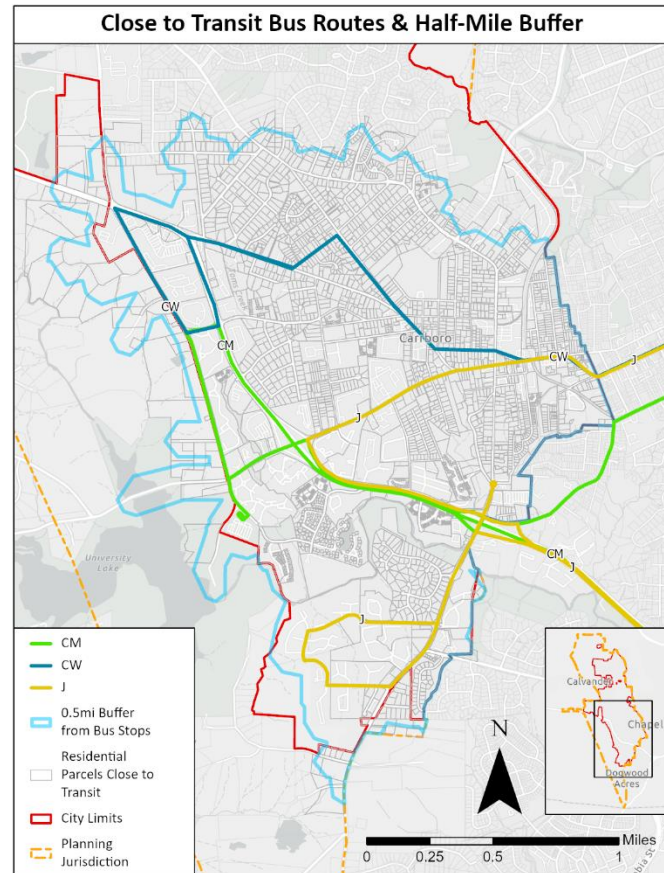
The Town's current parking requirements are established in Article XVIII (18) of the Land Use Ordinance (LUO -). [Article XVIII \(townofcarrboro.org\)](http://townofcarrboro.org). The article includes definitions, requirements for bicycle, vehicle, and electric vehicle charging. For vehicle parking, the Section 15-291(a) establishes the requirement that all developments shall provide a "sufficient number of parking spaces to accommodate the number of vehicles that are ordinarily likely to be attracted to the development in question."

Section 15-291(b) establishes that the requirements are only intended to establish a presumption and should be flexibly administered. Section 15-291(g) Table of Parking Requirements, excerpted in the figure below, lists the numbers of those presumed spaces. For residential uses, required parking spaces based on the number of units and/or bedrooms in a proposed development. Similar requirements apply to other uses (e.g. commercial and office), which are typically based on gross floor area.

<b>USE</b>	<b>PART I.</b>
	<b>PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)</b>
<b>1.100</b>	2 spaces per dwelling unit plus one space per room rented out in each dwelling unit (see Accessory Uses, Section 15-150). These required spaces shall be in addition to any space provided within an enclosed or partially enclosed garage. <b>(AMENDED 2/24/84; 8/27/96)</b>
<b>1.200</b>	2 spaces for each dwelling unit, except that one bedroom units require only one space.
<b>1.300</b>	With respect to multi-family units located in buildings where each dwelling unit has an entrance and living space on the ground floor, the requirement shall be 1½ spaces for each one bedroom unit and 2 spaces for each unit with two or more bedrooms. Multi-family units limited to persons of low- or moderate-income or the elderly require only 1 space per unit. All other multi-family units require 1 space for each bedroom in each unit plus 1 additional space for every four units in the development. <b>(AMENDED 5/10/83)</b>
<b>1.340</b>	1 space per every four dwelling units. <b>(AMENDED 1/11/00)</b>
<b>1.350</b>	2 spaces for each dwelling unit, except that one bedroom units require only one space. <b>(AMENDED 10/22/19)</b>

Section 15-292, Flexibility in Administration Required notes that parking requirements sometimes result in too many or too few parking spaces. Such situations can lead to negative externalities such as overflow parking onto adjacent streets or in the case of excess parking can be a waste of valuable land that could be used for other purposes, unnecessary impervious surfaces, and burdensome development costs. Flexibility in administration allows for the permitting authority to permit deviations from the requirements in Section 15-291 to better satisfy the parking requirements. Many permits approved in the past few years have been permitted with less parking than would be required otherwise by Section 15-291.

Parking requirements allow for reductions based on joint use of property, protection of significant trees, and the provision of bicycle parking and affordable housing units, and exemptions for lots with existing buildings and lots within neighborhood preservation districts. A payment-in-lieu option is provided for development of properties in the B-(c), B-1(g), and B-2 districts (Section 15-292.1). This mechanism has not yet been put into use.



At recent work sessions on March 14 and May 9, 2023, the Town Council discussed the [Parking Study](#) and Recommendations. The Council expressed interest in moving forward with parking management and improvements in downtown. This includes implementing a paid parking system, enforcement, wayfinding exploring parking technologies, creating a Downtown Access Committee, using revenue to fund a municipal service district, and ongoing monitoring.

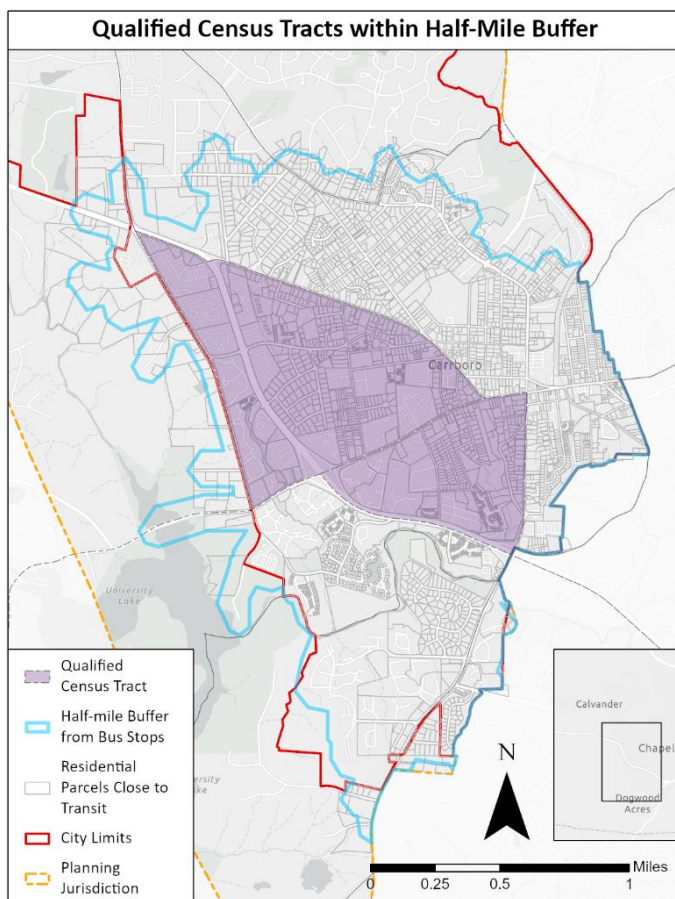
### **Proximity to Transit**

The Carrboro Connects comprehensive plan defines “close to transit” as housing units located within a half mile of a bus stop that is served at least seven days per week at an average of 30-minute intervals on weekdays and 60-minute intervals on weekends.

The following Chapel Hill Transit routes would typically meet the above criteria, however, as of April 2023 these routes are not running with their intended headways due to limited staffing and reduced ridership and thus no routes currently meet the average intervals laid out in Carrboro Connects:

- J
- CW
- CM

The map shown identifies the half-mile buffer from the J, CW, and CM bus route stops. The buffer was created using the service area analysis mapping tool, which determines the distance along roads, rather than as the crow flies. The service area analysis does not take into account existence of or condition of sidewalks, crosswalks, or other pedestrian infrastructure. The buffer captures a total of 3,775 addresses in Carrboro (roughly 2800 individual lots). The buffer includes qualified census tracts 107.7 and 107.8 (as designated by U.S. Housing and Urban Development). Additionally, it encompasses historically Black neighborhoods such as Lloyd-Broad, Carr Court/Tin Top, Lincoln Park, Alabama Avenue/Glosson Circle. Additional maps showing zoning districts, land use, and street widths within the transit buffer area are included as Attachment C.



### Examples from nearby municipalities

Town Council requested that staff consider examples of parking reductions from nearby communities, including Durham, Mebane, Chapel Hill, and Graham. In 2021, the City of Durham reframed many parking minimums as maximums for both residential and commercial uses and changed minimums to on average sixty percent of the previous value. The City of Mebane addresses the flexibility of parking requirements. Much like Carrboro's LUO, Mebane has a provision that allows the permit-issuing authority to recognize permit deviations from the presumptive requirements of the ordinance and may require more parking or allow less parking whenever it finds such deviations meet parking needs.

The Town of Chapel Hill parking provisions establish parking maximums; there are no minimums in the Town Center districts, which

includes the properties along Franklin and Rosemary Streets from Henderson Street west to the Carrboro Town limits. Chapel Hill has no minimums for single family residential uses.

The City of Graham removed minimums and applied maximums to all non-residential uses citywide.



### Possible Changes to Regulations

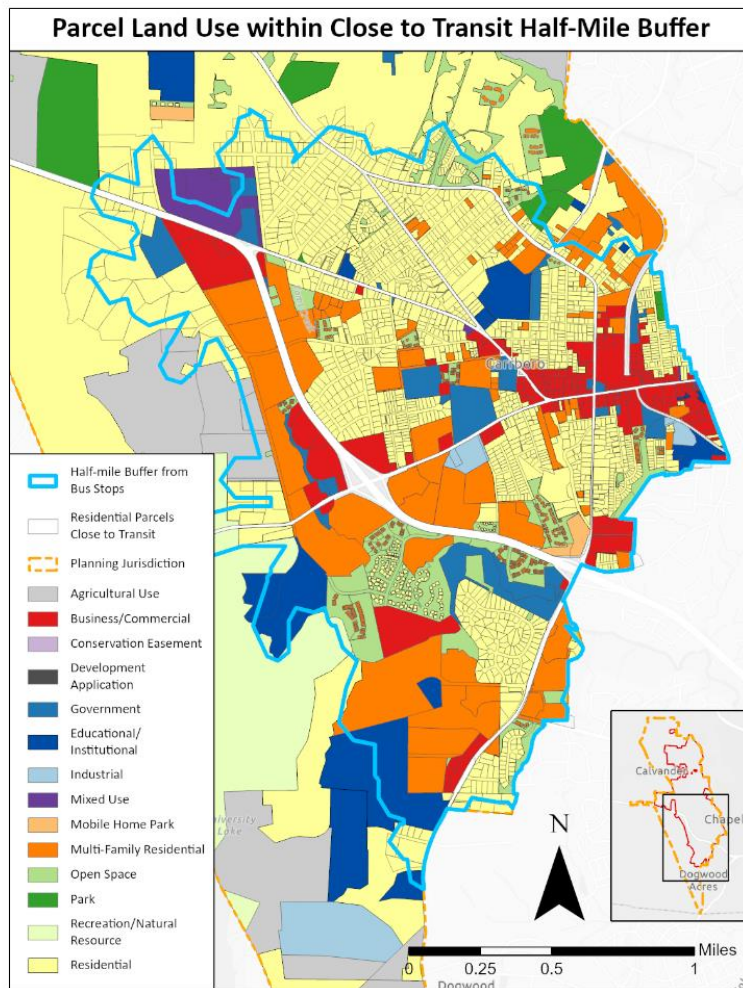
The following table summarizes current parking requirements, guiding language from Carrboro Connects, and potential actions that could be pursued to reduce parking minimums.

Carrboro's Current Parking Regulations -->	Carrboro Connects -->	Possible changes
<p>Carrboro Land Use Ordinance Article 18</p> <p>Single-family, duplex, - 2 spaces per unit</p> <ul style="list-style-type: none"> <li>• Garage spaces do not count</li> </ul> <p>Multifamily - one space per bedroom, plus one per four units</p> <p>Reductions for bike racks and income or age restricted units</p> <p>Non-residential - 1 space per X sq ft of GFA (depending on use)</p> <p>Flexible Administration [15-292]</p>	<p>Strategy 4.2: Reduce negative effects of parking requirements on housing costs and natural resources.</p> <p>Project A (4 parts)</p> <ol style="list-style-type: none"> <li>1. Remove minimum vehicular parking requirements for residential development close to transit.*</li> <li>2. Lower vehicular parking requirements for all residential uses, including ADUs</li> <li>3. Further reduce vehicular minimum parking standards for dedicated, long-term affordable housing units</li> <li>4. Consider maximum parking ratios to reduce impervious surfaces and make more efficient use of land</li> </ol>	<p>Transit Overlay district – could also be used for density</p> <p>Text Amendments</p> <ul style="list-style-type: none"> <li>-Current minimums become maximums?</li> <li>Current minimums are reduced by 1/2</li> </ul> <p>Performance Standards, e.g. Street width, onsite overflow area</p> <p>Keep flexible administration</p>

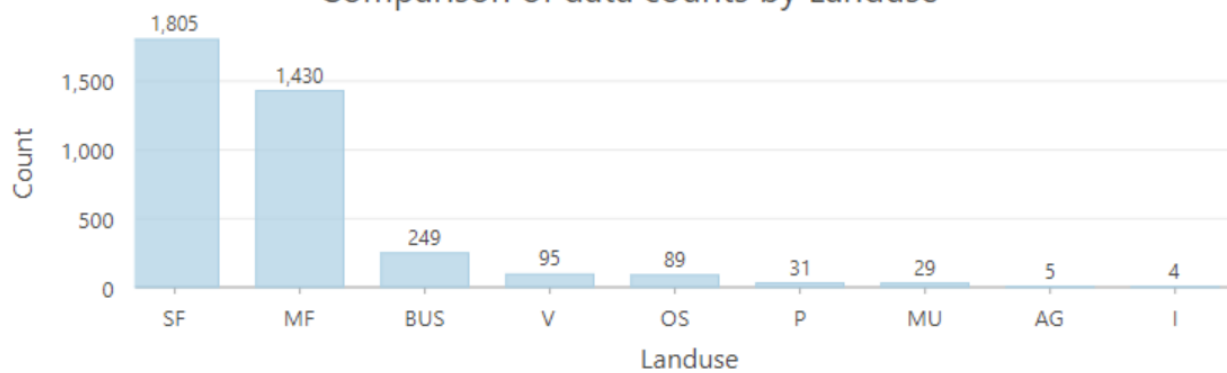
### Considerations Related to Possible Changes

- Current reduced transit frequencies do not meet “close to transit” frequencies
- Infrastructure accessibility to bus stops is incomplete – improvements are in progress and planned
- Interrelation with other projects and LUO changes and phased implementation
- On street parking related to existing street widths/street cross-sections
- Enforcement
- Downtown parking management
- Continued transit, bicycle, and pedestrian improvements

## Context Maps for area within the Close to Transit Buffer



Comparison of data counts by Landuse



SF: Single Family  
MF: Multifamily

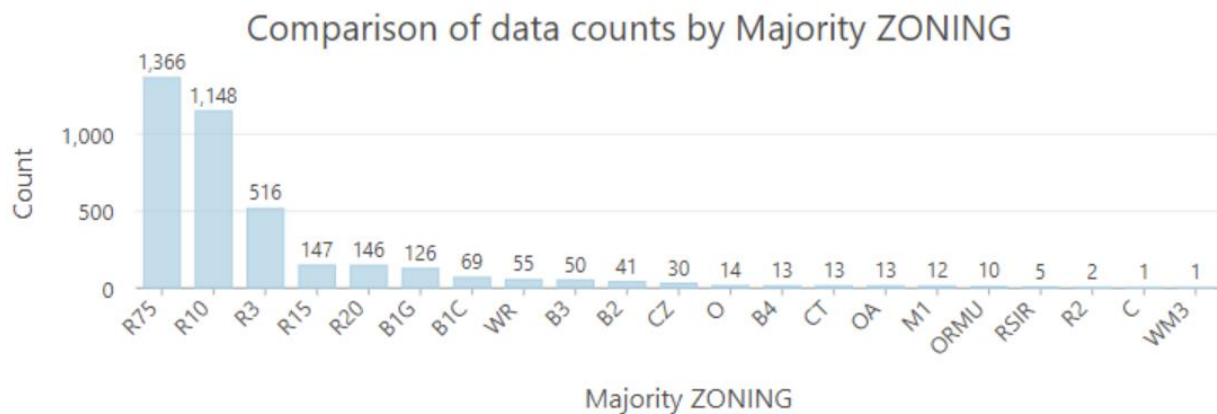
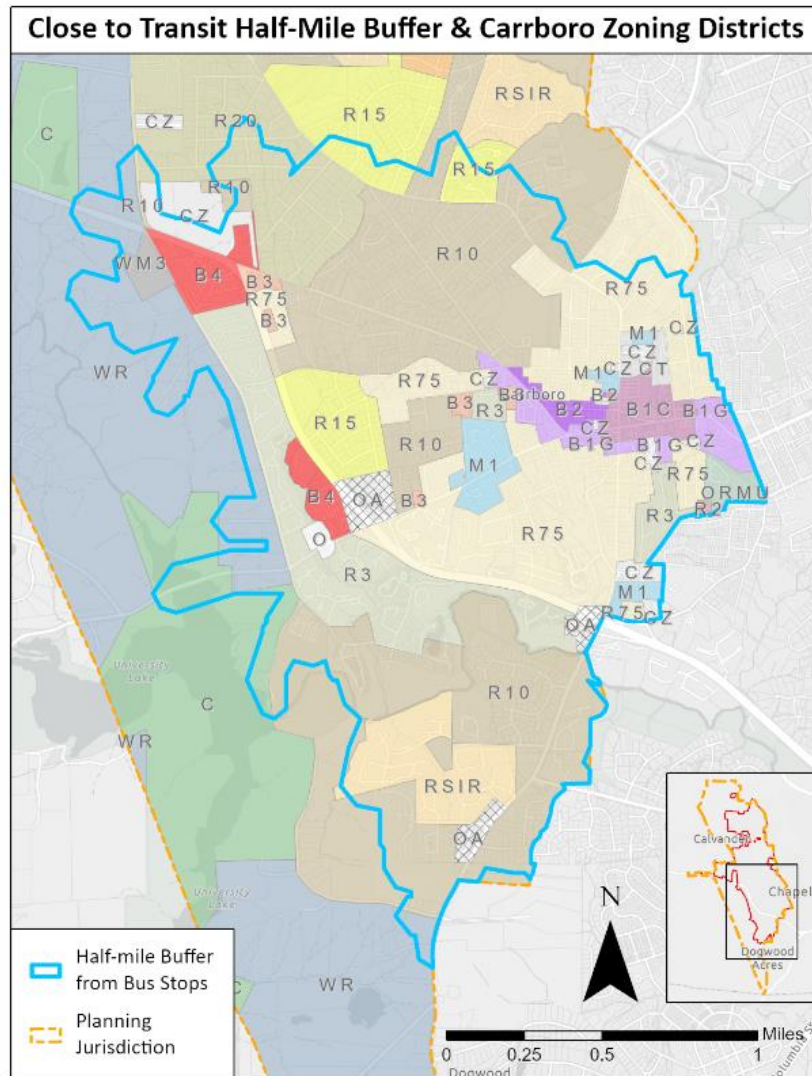
BUS: Business  
V: Vacant

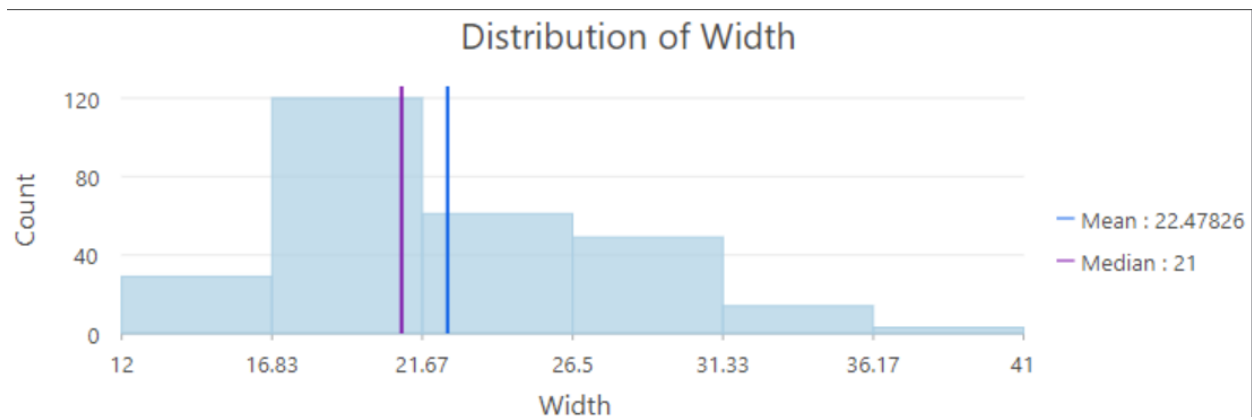
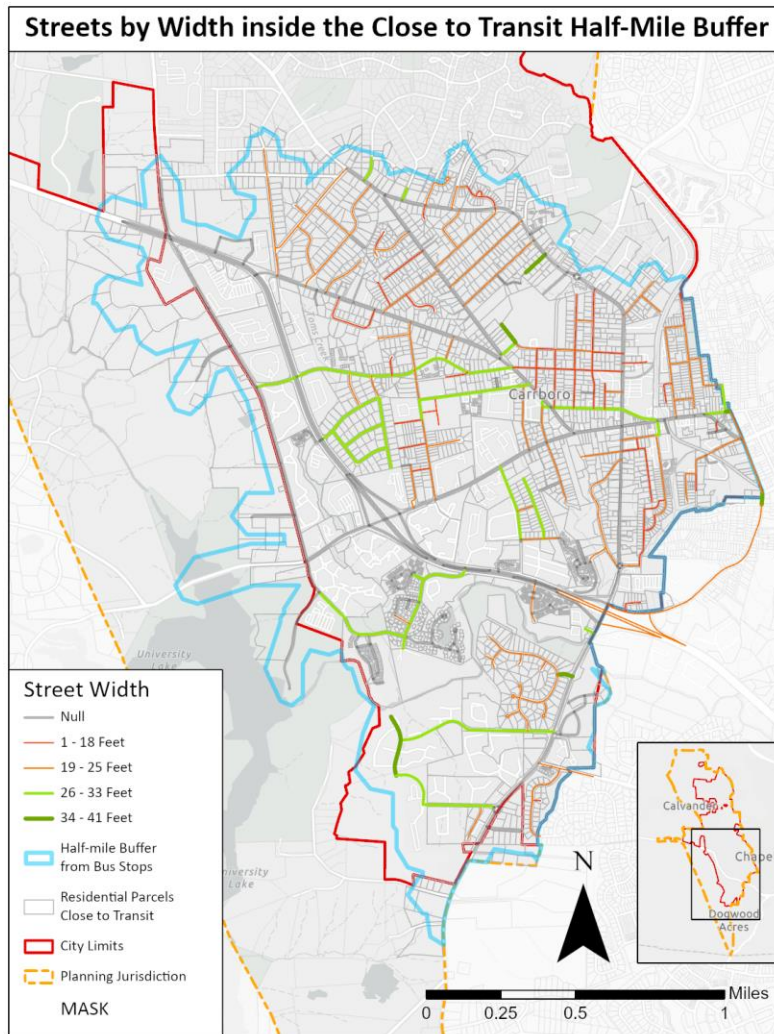
OS: Office Space  
P: Park

MU: Mixed-use  
AG: Agricultural

I: Industrial







## **Racial Equity Pocket Questions - Residential Parking Requirements**

### **What are the racial impacts?**

Spatial analysis finds that residential properties close to transit—defined in the comprehensive plan as “within a half mile of a bus stop that is served at least seven days per week at an average of 30-minute intervals on weekdays and 60-minute intervals on weekends”—indicates most of the parcels in Carrboro’s two qualified census tracts (QCTs) as well as historically Black neighborhoods near Rogers Road and Alabama Avenue would be impacted by changes identified in this project. Additionally, multifamily apartments along NC 54 are included as well. Impacts of the reduction could benefit and harm existing BIPOC and low-income residents. The reduction could reduce impervious surface in neighborhoods (improving stormwater) and allow for more buildable area on smaller lots (increasing density overall and individual property values).

### **Who is or will experience burden?**

Residents that could experience long-term burden include those living in the QCTs, those in historically Black neighborhoods, and those in multifamily homes. Additionally, families and households with multiple cars, frequent visitors, or that are multigenerational may be competing for limited street parking. Residents with mobility issues who cannot walk up to the half mile to the bus stop will experience additional burden if they move into a home without on-site parking. Lots may be developed more intensely for other uses, increasing the number of families in proximity, and resulting in increased competition for on-street parking and lower response times for emergency responders. If reductions occur where infrastructure for safely connecting to pedestrian routes is incomplete, residents, especially those without owners’ abilities to modify conditions on property or decide about assessments for public improvements, may be especially burdened.

Currently the Chapel Hill Transit schedule does not meet the comprehensive plan’s definition of “close to transit.” If bus routes change, or in future cases where service cannot be provided in full, additional residents and households could face burden as well.

### **Who is or will experience benefit?**

Residents that could experience benefits include those living in the QCTs, those in historically Black neighborhoods, and those in multifamily homes. Families/households/residents that could now reduce the number of cars in the household would benefit, as well as those with no car. Residents/households that have/move into existing on-site parking or could afford to redevelop on-site parking areas into buildable/rentable space could benefit. Families/households/residents who have access to alternate transportation choices could benefit, particularly if safety and bike/ped infrastructure is improved long-term on narrower streets. Increased green spaces for natural areas, gardens, and stormwater improvements could positively impact community members, improve ecosystem resilience, carbon sequestration and counteract urban heat island effects.

### **What are the root causes of inequity?**

Overall, economic disparities from discriminatory lending policies and restrictive covenants have contributed to wealth and land use disparities between white and BIPOC residents; transportation improvement projects are known to have negatively affected communities of color, and predominantly white communities have been afforded infrastructure improvements more readily than communities of color. Carrboro is not known to have as strong of a precedent for decisions like this. Going forward, research and data collection focusing on the experiences and expectations of BIPOC community members, current and new.

### **What might be the unintended consequences of this action or strategy?**

Unintended consequences include the congestion of small streets that are unequipped for street parking (as residents who live or move into the area still have cars). Congested streets could make it difficult for emergency services to access residences, could make the streets more dangerous for walkers and cyclists, and could exacerbate accessibility barriers of community members facing mobility issues and could place multifamily residents, BIPOC residents, and/or low-income residents in a position of feeling incentivized and/or directed to take alternate modes of transit (bike/bus/walk) without sufficient infrastructure.



## Agenda Item Abstract

**File Number: 23-151**

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**Agenda Date:** 5/16/2023  
**In Control:** Town Council  
**Version:** 1

**File Type:** Agendas

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Joint Planning Area Land Use Plan Amendment - 2106 Mount Carmel Church Road

**PURPOSE:** The purpose of this item is to request that the Town Council consider approval of a proposed amendment to the Joint Planning Land Use Plan for a 4.66-acre property at 2106 Mount Carmel Church Road that was annexed into Orange County from Chatham County in 2021.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Trish McGuire, Planning Director, [pmcguire@carrboronc.gov](mailto:pmcguire@carrboronc.gov)  
<<mailto:pmcguire@carrboronc.gov>>, 919-918-7327

**COUNCIL DIRECTION:**

Race/Equity  Climate  Comprehensive Plan  Other

Orange County, Chapel Hill and Carrboro joined together to plan for the southeastern portion of the County in adopting the Joint Planning Land Use Plan in 1986 and 1987, operationalized by the Joint Planning Agreement [see the Joint Planning Land Use Map, Joint Planning Agreement, and Joint Planning Land Use Plan [Planning Library | Carrboro, NC - Official Website \(carrboronc.gov\)](#) <<https://www.carrboronc.gov/750/Planning-Library>>]. Racial Equity Pocket questions related to jointly planning for these areas are included as *Attachment D*.

**INFORMATION:**

As required by the Joint Planning Agreement, a Joint Public Hearing on this matter was held on Thursday, April 20, 2023 at the Whitted Building in Hillsborough with the Board of County Commissioners, Chapel Hill Town Council, and Carrboro Town Council, in attendance. The public hearing agenda materials are included as *Attachment B*.

Perdita Holtz, Deputy Director - Long-Range Planning and Administration for Orange County's Planning and Inspections Department made the presentation and Gordon Brown spoke on behalf of the property owners. A video of the hearing is available at [Video-04-20-2023 Joint Planning Public Hearing \(granicus.com\)](#) <[https://carrboro.granicus.com/player/clip/414?view\\_id=2&redirect=true&h=e6bc09e6e0639ee742acf70e54b989fa](https://carrboro.granicus.com/player/clip/414?view_id=2&redirect=true&h=e6bc09e6e0639ee742acf70e54b989fa)>. There were no other speakers at the public hearing. After the hearing was closed, a motion was made by Carrboro Town Council Member Eliazar Posada, seconded by Carrboro Town Council Member Danny Nowell, to refer the matter to the Carrboro Planning Board for a recommendation which the Council unanimously approved.

The Orange County Planning Board and the Chapel Hill Planning Commission have completed consideration of this item, with both recommending approval of the amendment to designate this property as Rural Buffer/Chapel Hill Joint Development Area.

Carrboro's Planning Board reviewed the matter on May 4, 2023. A recommendation is included as *Attachment C*.

The schedule for the Commissioners and Councils to act on the resolution making changes to the Joint Planning Land Use Plan is included in *Attachment B*.

**FISCAL IMPACT:** There are no fiscal or staff impacts associated with the Town Council approving this amendment.

**RECOMMENDATION:** The Town Manager recommends that the Town Council consider adoption of the draft resolution that adopts the amendment to the Joint Planning Land Use Plan and designates 2106 Mount Carmel Church Road as Rural Buffer/Chapel Hill Joint Development Review Area (*Attachment A*).

AN ORDINANCE AMENDING THE ORANGE COUNTY – CHAPEL HILL-  
CARRBORO JOINT PLANNING LAND USE PLAN TO ADD 4.66 ACRES TO THE  
RURAL BUFFER

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro have engaged in a cooperative planning effort detailed within the Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan (hereafter ‘Joint Planning Land Use Plan’), adopted October 13, 1986, and amended from time to time, and

WHEREAS, on June 30, 2021, North Carolina Session Law 2021-67 annexed 4.66 acres of land from Chatham County into Orange County, and

WHEREAS, a Land Use classification and a Zoning district must be applied to the annexed property by Orange County, and

WHEREAS, the property owner has filed applications to amend the Orange County Comprehensive Plan’s Future Land Use Map and the Zoning Atlas to affix the “Rural Buffer” Land use classification and RB (Rural Buffer) zoning district to the property, and

WHEREAS, the annexed property is part of a parcel of land subject to the Joint Planning Land Use Plan and staff has determined that it should be added to said Plan for continuity and regulatory purposes, and

WHEREAS, Section 2.6.A of the Joint Planning Agreement, which is part of the Joint Planning Land Use Plan, requires that amendments to the Joint Planning Area Land Use Map must be adopted by all parties to the Joint Planning Land Use Plan, and

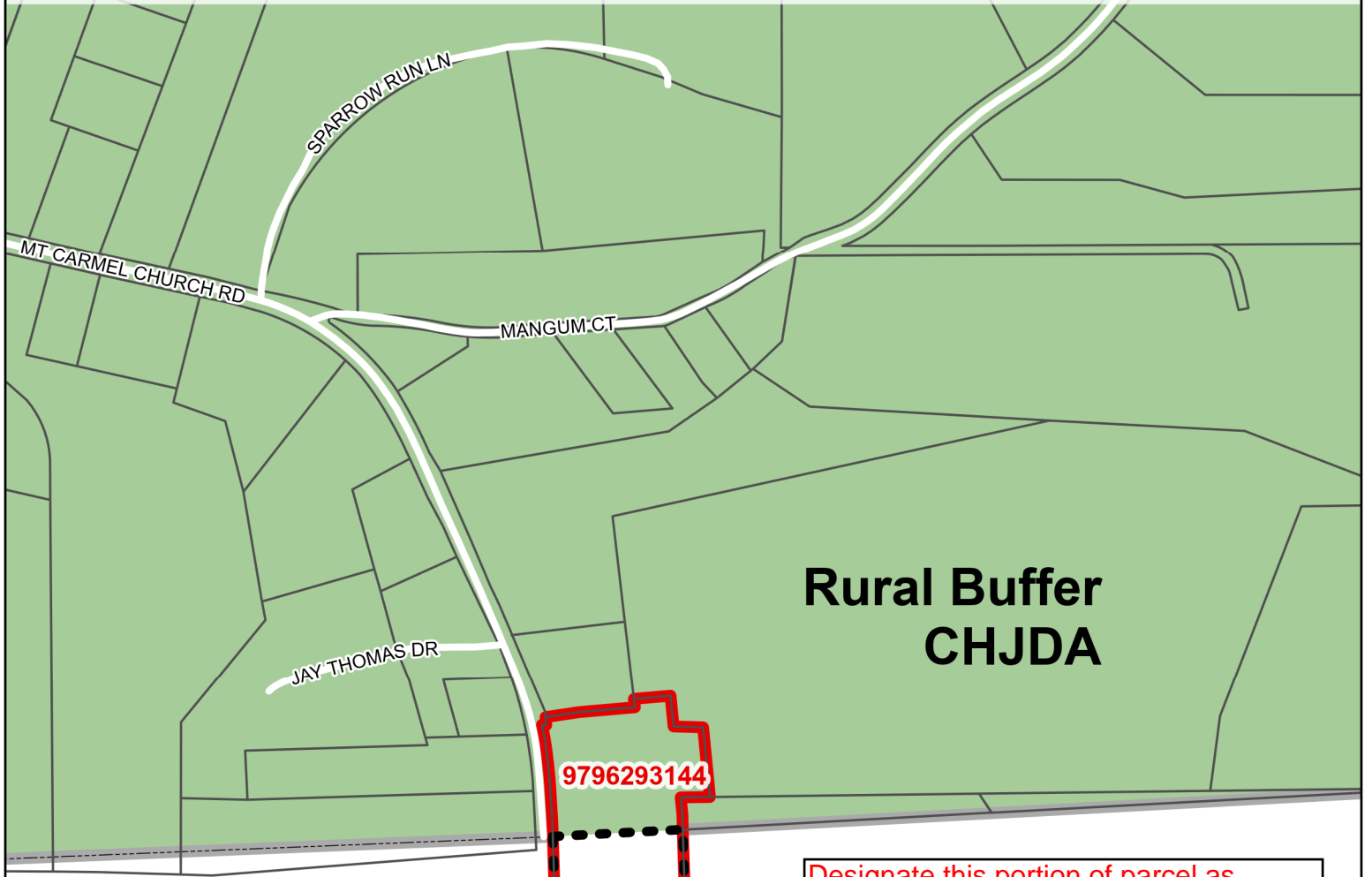
WHEREAS, a joint public hearing regarding the proposed Joint Planning Land Use Plan amendment was held on May 23, 2023, in accordance with the requirements of the Joint Planning Agreement.

NOW THEREFORE, the Carrboro Town Council hereby resolves that the Joint Planning Land Use Plan be amended as shown on the attached page.






BE IT FURTHER RESOLVED THAT the amendment to the Joint Planning Land Use Plan shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill, and Carrboro.

This the \_\_\_\_ day of May in the year 2023.


# Orange County-Chapel Hill-Carrboro Joint Planning Area Proposed Land Use Plan and Joint Review Area Amendments



Designate this portion of parcel as "Rural Buffer."  
Also, it will be located in the "Chapel Hill Joint Development Review Area" (CHJDA)

-  PIN: 9796293144
-  Proposed Amendment Area
-  Rural Buffer
-  Orange County Boundary
-  Parcels

1 in = 500 feet



0 500 Feet

ORANGE COUNTY NORTH CAROLINA

Planning and Inspections Department (BC)

2/7/2023





## Town of Carrboro

301 W. Main St., Carrboro,  
NC 27510

### Agenda Item Abstract

**File Number: 23-134**

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**Agenda Date:** 4/20/2023

**File Type:** Agendas

**In Control:** Town Council

**Version:** 1

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Joint Planning Public Hearing with Orange County Board of Commissioners, Chapel Hill Town Council and Carrboro Town Council.

The entire agenda packet for this Joint Planning Public Hearing can be found at this link:

[https://www.orangecountync.gov/AgendaCenter/ViewFile/Agenda/\\_04202023-1747](https://www.orangecountync.gov/AgendaCenter/ViewFile/Agenda/_04202023-1747)

The entire agenda packet is also included as an attachment to this file as Attachment A.

For a link to each agenda item as a separate file, please use this link:

<http://server3.co.orange.nc.us:8088/WebLink/0/fol/69780/Row1.aspx>



**ORANGE COUNTY BOARD OF COMMISSIONERS  
CHAPEL HILL TOWN COUNCIL  
CARRBORO TOWN COUNCIL**

**JOINT PLANNING PUBLIC HEARING and  
ORANGE COUNTY PUBLIC HEARING  
April 20, 2023  
7:00 P.M.  
Donna S. Baker Meeting Room  
Whitted Building  
300 West Tryon Street  
Hillsborough, NC 27278**

**NOTE: Information is available on-line  
at the “BOCC Agendas” link at:  
<http://www.orangecountync.gov/>  
and also in the Orange County  
Planning Department or the County  
Clerk’s Office**

**Compliance with the “Americans with Disabilities Act”** - Interpreter services and/or special sound equipment are available on request. Call the County Clerk’s Office at (919) 245-2130. If you are disabled and need assistance with reasonable accommodations, contact the ADA Coordinator in the County Manager’s Office at (919) 245-2300 or TDD# 919-644-3045.

**A. OPENING REMARKS FROM THE CHAIR AND MAYORS**

**B. PUBLIC CHARGE**

The Board and Councils pledge their respect to all present. The Board and Councils ask those attending this meeting to conduct themselves in a respectful, courteous manner toward each other, staff and the elected officials. At any time should a member of the Board, Councils, or the public fail to observe this charge, the Chair will take steps to restore order and decorum. Should it become impossible to restore order and continue the meeting, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. The Board and Councils ask that all electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate. Please be kind to everyone.

**C. JOINT PUBLIC HEARING**

- 1. Amendment to the Joint Planning Land Use Plan (JPLUP)** – Amend the JPLUP to apply a Land Use classification to a portion of a parcel that was annexed into Orange County from Chatham County in 2021. The annexed portion is 4.66 acres in size; the full parcel is 8.14 acres. The requested Land Use classification is Rural Buffer. The parcel’s address is 2106 Mount Carmel Church Road in the Chapel Hill Township (PIN 9796-29-3144).

**D. ADJOURNMENT OF JOINT PUBLIC HEARING**

**5 Minute break to allow for departure of Town Councilors**

## **E. ORANGE COUNTY PUBLIC HEARING**

- 1. Amendments to the Orange County Comprehensive Plan Future Land Use Map (FLUM) and the Orange County Zoning Atlas** – Amend the FLUM and Zoning Atlas to apply a Land Use classification and Zoning District to a portion of a parcel that was annexed into Orange County from Chatham County in 2021. The annexed portion is 4.66 acres in size; the full parcel is 8.14 acres. The requested Land Use classification is Rural Buffer and the requested Zoning district is RB (Rural Buffer). The parcel's address is 2106 Mount Carmel Church Road in the Chapel Hill Township (PIN 9796-29-3144).

## **F. ADJOURNMENT OF ORANGE COUNTY PUBLIC HEARING**

**ORANGE COUNTY BOARD OF COMMISSIONERS  
TOWN OF CHAPEL HILL COUNCIL  
TOWN OF CARRBORO COUNCIL  
JOINT PLANNING AREA (JPA) JOINT PUBLIC HEARING  
ACTION AGENDA ITEM ABSTRACT  
Meeting Date: April 20, 2023**

**Action Agenda  
Item No.   C.1**

**SUBJECT:** Amendments to the Joint Planning Land Use Plan – 2106 Mount Carmel Church Road within the Chapel Hill Township

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**DEPARTMENT:** Planning and Inspections

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**ATTACHMENTS:**

1. Application for Related County Future Land Use Map Amendment and Zoning Atlas Amendment (**available at link below**)
2. Staff Report for Related Orange County Future Land Use Map and Zoning Atlas Amendments
3. Draft Resolution to Amend the Joint Planning Land Use Plan

**INFORMATION CONTACT:**

Perdita Holtz, Deputy Director – Long-Range Planning & Administration, Orange County, (919) 245-2578  
 Cy Stober, Planning Director, Orange County, (919) 245-2592  
 Judy Johnson, Assistant Planning Director, Town of Chapel Hill, (919) 969-5078  
 Trish McGuire, Planning Director, Town of Carrboro, (919) 918-7327

Link to Application (Attachment 1):

<https://www.orangecountync.gov/AgendaCenter/ViewFile/Agenda/03082023-1719>

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**PURPOSE:** To receive public comment on a proposed amendment to the Joint Planning Land Use Plan to apply the Rural Buffer Land Use designation and assign the “Chapel Hill Joint Development Review Area” (CHJDA) designation to a portion of a parcel (4.66 acres of an 8.14 acre parcel) that was annexed into Orange County from Chatham County in 2021. The parcel is located at 2106 Mount Carmel Church Road (PIN: 9796-29-3144), within the Chapel Hill Township of Orange County.

**BACKGROUND:** In January 2023, Orange County received applications (Attachment 1) to amend the County’s Comprehensive Plan’s Future Land Use Map and Zoning Atlas to apply Orange County designations to 4.66 acres of an 8.14 acre parcel of property that had been annexed into Orange County, from Chatham County, by the North Carolina Legislature in 2021 (see Session Law 2021-67 contained in Attachment 1). The county line had previously split the parcel, and that area already in Orange County is designated as Rural Buffer land use by the Joint Planning Land Use Plan (JPLUP). The Staff Report in Attachment 2, completed for the related Orange County Future Land Use Map and Zoning Atlas amendments, contains additional information, maps, and analysis.

Because this parcel is located within a geographic area subject to the [Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan](#), all three local governments must review and approve amendments to the plan and a joint public hearing of all three elected boards must be held, per Section 2.6(A) of the Joint Planning Agreement (contained in the linked document).

The draft Resolution to Amend the Joint Planning Land Use Plan (Attachment 3) is the resolution and accompanying map each governing board will consider for eventual adoption (see below for expected schedule). The Resolution will be tailored somewhat to match the conventions of each of the three governing boards.

Review Cadence / Schedule of Actions

The Planning Board (or Commission) of each jurisdiction reviews amendments to the JPLUP and makes a recommendation to the governing board (commission or council), following the review cadence of each jurisdiction. In Orange County and Chapel Hill, the Planning Board/Commission reviews projects prior to the formal public hearing. In Carrboro, the Planning Board reviews following the referral of an item by the Town Council. The review cadence for this action is expected to be as follows:

Board	Date / Expected Date
Orange County Planning Board (recommendation)	March 8, 2023 (recommended approval – unanimous)
Chapel Hill Planning Board (recommendation)	March 21, 2023 (recommended approval – unanimous)
Joint Public Hearing (elected boards)	April 20, 2023
Carrboro Planning Board (recommendation)	May 4, 2023
Chapel Hill Council (decision)	May 10, 2023
Carrboro Council (decision)	May 16, 2023
Orange County Board of Commissioners (decision) (last because of related County-only actions)	June 6, 2023

**Public Notifications:** Notice of the joint public hearing was included in the notice mailed for the related County actions (also being heard on April 20 at a County public hearing; the notification materials are included as an attachment to the materials for the County public hearing item). In accordance with Section 2.8.7 of the County’s Unified Development Ordinance (UDO), notices were mailed via first class mail to property owners within 1,000 ft. of the subject parcel, including those in Chatham County. These notices were mailed on April 5, 2023 – 15 days before the hearing. Staff also posted the subject parcel with a sign on April 6, 2023 – 14 days before the hearing. Additionally, the required legal advertisement was run in two local newspapers on April 5 and 12.

**FINANCIAL IMPACT:** There is no financial impact in adding recently annexed property to the Joint Planning Land Use Plan.

**SOCIAL JUSTICE IMPACT:** The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES**

The fair treatment and meaningful involvement of people of all races, cultures, incomes and educational levels with respect to the development and enforcement of environmental laws, regulations, policies, and decisions. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

**ENVIRONMENTAL IMPACT:** There is no Orange County Environmental Responsibility Goal impact associated with this item.

**RECOMMENDATION(S):** The Planning Staffs recommend:

1. The governing boards receive public comment on the proposed amendment to the Joint Planning Land Use Plan.
2. The governing boards close the public hearing.
3. The Carrboro Town Council refer the matter to its Planning Board for a recommendation.
4. The governing boards consider deciding on the matter in accordance with the Review Cadence / Schedule of Actions detailed above in this abstract.

# Staff Report

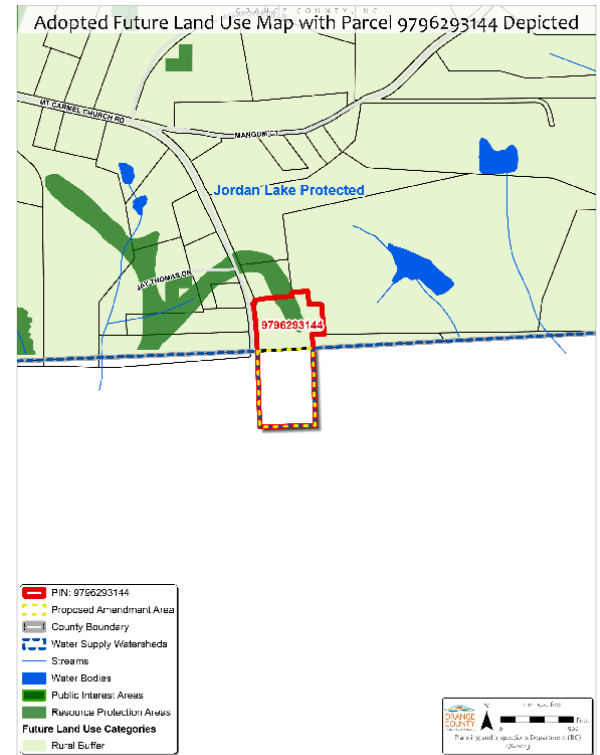
## Zoning Atlas Amendment – Conventional District



### Parcel Information

	Parcel Address	2016 Mt. Carmel Church Rd. Chapel Hill 27517
	Parcel Identification Number (PIN)	9796-29-3144
	Applicant Name and Address	Mt. Carmel Baptist Church of Chapel Hill, NC 2016 Mt. Carmel Church Rd. Chapel Hill, NC 27517
	Property Owner Name and Address (if different from Applicant)	Same as Applicant
	Agent(s), if applicable	Charles Gordon Brown Brown & Bunch, PLLC 101 N. Columbia St., Suite 100 Chapel Hill, NC 27514

Parcel Size	4.6623 acres – affected area 8.1353 acres – total parcel
Future Land Use Map (FLUM) Designation	None – newly annexed land from Chatham County. Portion of parcel that has always been within Orange County is designated Rural Buffer
FLUM Overlay(s)	Resource Protection Area (on northern portion of parcel not included in proposed action)
Growth Management System Designation	Rural
Definition of FLUM Designation (from Article 10 of UDO)	No existing designation for subject area. Rural Buffer definition: Designated lands in the Comprehensive Plan that are adjacent to an urban or transition area that is rural in character and which should remain rural and not require urban services.



<p><b>Zoning Amendment for PIN 9796293144</b></p> <p>Orange County, NC</p> <p>Chatham County</p> <p>Jordan Lake Protected Watershed</p> <p>9796293144</p> <p>Legend:</p> <ul style="list-style-type: none"> <li>PIN: 9796293144</li> <li>Proposed Amendment Area</li> <li>Streams</li> <li>Water Bodies</li> <li>County Boundary</li> <li>Water Supply Watersheds</li> <li>Zoning: EC5, RB</li> </ul> <p>Scale: 0 to 1.0 Miles</p> <p>Prepared by: [unclear] a Department of EBC, Orange County, NC</p>	<p><b>Current Zoning District</b></p>	<p>None – newly annexed land from Chatham County.</p> <p>[Land was zoned “Residential District 1” (R-1) (Chatham County regulations) prior to being annexed into Orange County.]</p>
<p><b>Requested Zoning District</b></p>	<p>RB (Rural Buffer)</p>	
<p><b>Requested Zoning District Consistent with Appendix F of 2030 Comprehensive Plan</b></p>	<p>Yes</p>	
<p><b>Existing Zoning Overlay Districts</b></p>	<p>None – newly annexed land from Chatham County.</p>	
<p><b>Amendments Proposed for Overlay Districts (Y/N)</b></p>	<p>Yes – area will be within the Jordan Lake Protected Watershed Overlay District</p>	



Surrounding Land Uses and Zoning	
North	Church building is located on the northern portion of the parcel. A single-family residence on a 1.73 acre parcel is located to the north of the Church's parcel. All are zoned RB (Rural Buffer).
South	Multi-story attached residences associated with Carolina Meadows Retirement Community. Chatham County R-1 zoning.
East	Attached residences (quadplexes) associated with Carolina Meadows Retirement Community. Chatham County R-1 zoning.
West	Single-family residences on lots ranging from 1 to 4 acres in size. Chatham County R-1 zoning.



Existing Roads	
North	None
South	None
East	None
West	Mt. Carmel Church Rd.

**Existing Conditions/Physical Features**

The affected portion of the parcel currently supports a large, flat, grassed field that appears to be used for field sports such as soccer; a gravel parking area; a fenced community garden; and a fenced children's playground. These uses occupy most of the affected area.

**Public Water and Sewer**

The Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) does not designate this area as a Primary Service Area for water and sewer services. As such, private well and septic systems are used in this area.



## Review Milestones

Application Submittal Date	January 11, 2023, with clarifying information received January 30, 2023
Orange County Development Advisory Committee (DAC) Review	February 16, 2023
Note: the DAC is a staff/agency committee, established in Section 1.9 of the Unified Development Ordinance.	

<b>Joint Planning Review</b>		
The subject parcel is located in a portion of the county included in the <a href="#">Orange-County – Chapel Hill – Carrboro Joint Planning Land Use Plan</a> . All three jurisdictions must approve amendments to the Land Use Map, following a joint public hearing by all three governing bodies. The date for the joint public hearing is still to be determined but is expected to be on either April 20, May 4, or May 30.		
Jurisdiction	Anticipated Planning Board Review Date	Anticipated Governing Board Decision Date
Orange County	March 8, 2023	After Joint Public Hearing
Town of Chapel Hill	March 21, 2023	After Joint Public Hearing
Town of Carrboro	After Joint Public Hearing	After Joint Public Hearing

## Analysis

### **Staff Analysis**

As required under Section 2.8.5 of the UDO, the Planning Director shall cause an analysis to be made of the application. In analyzing this request, the Planning Director offers the following:

1. The application is complete in accordance with the requirements of Section 2.8.3 of the UDO;
2. The proposal appears consistent with the various goals outlined within the Orange County Comprehensive Plan concerning development, including:
  - a. Land Use Goal 2: *Land uses that are appropriate to on-site environmental conditions and features and that protect natural resources, cultural resources, and community character.*
  - b. Objective LU-2.1: Maintain the rural, low-density land surrounding Chapel Hill and Carrboro Transition Areas as Rural Buffer land, as designated on the Future Land Use Map. Future consideration should be given to designating Rural Buffer areas around other municipalities where such interest exists.

The proposal is consistent with this goal and objective because it will assign a Zoning district for the first time to property that was annexed into Orange County. The proposed RB (Rural Buffer) Zoning district is consistent with adjacent and nearby properties.

3. The proposal appears consistent with the Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan. Specifically, the Land Use Plan amendment will apply the “Rural Buffer” land use classification to a portion of a parcel that was annexed into Orange County, from Chatham County, in 2021. The Rural Buffer classification is consistent with adjoining and nearby lands in Orange County.

**A RESOLUTION AMENDING  
THE ORANGE COUNTY – CHAPEL HILL – CARRBORO  
JOINT PLANNING LAND USE PLAN  
TO ADD 4.66 ACRES TO THE RURAL BUFFER**

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro have engaged in a cooperative planning effort detailed within the Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan (hereafter ‘Joint Planning Land Use Plan’), adopted October 13, 1986, and amended from time to time, and

WHEREAS, on June 30, 2021, North Carolina Session Law 2021-67 annexed 4.66 acres of land from Chatham County into Orange County, and

WHEREAS, a Land Use classification and a Zoning district must be applied to the annexed property by Orange County, and

WHEREAS, the property owner has filed applications to amend the Orange County Comprehensive Plan’s Future Land Use Map and the Zoning Atlas to affix the “Rural Buffer” Land use classification and RB (Rural Buffer) zoning district to the property, and

WHEREAS, the annexed property is part of a parcel of land subject to the Joint Planning Land Use Plan and staff has determined that it should be added to said Plan for continuity and regulatory purposes, and

WHEREAS, Section 2.6.A of the Joint Planning Agreement, which is part of the Joint Planning Land Use Plan, requires that amendments to the Joint Planning Area Land Use Map must be adopted by all parties to the Joint Planning Land Use Plan, and

WHEREAS, a joint public hearing regarding the proposed Joint Planning Land Use Plan amendment was held on April 20, 2023, in accordance with the requirements of the Joint Planning Agreement.

NOW THEREFORE, the Board of Commissioners of Orange County hereby resolves that the Joint Planning Land Use Plan be amended as shown on the attached page.

BE IT FURTHER RESOLVED THAT the amendment to the Joint Planning Land Use Plan shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill, and Carrboro.

Upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution was adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

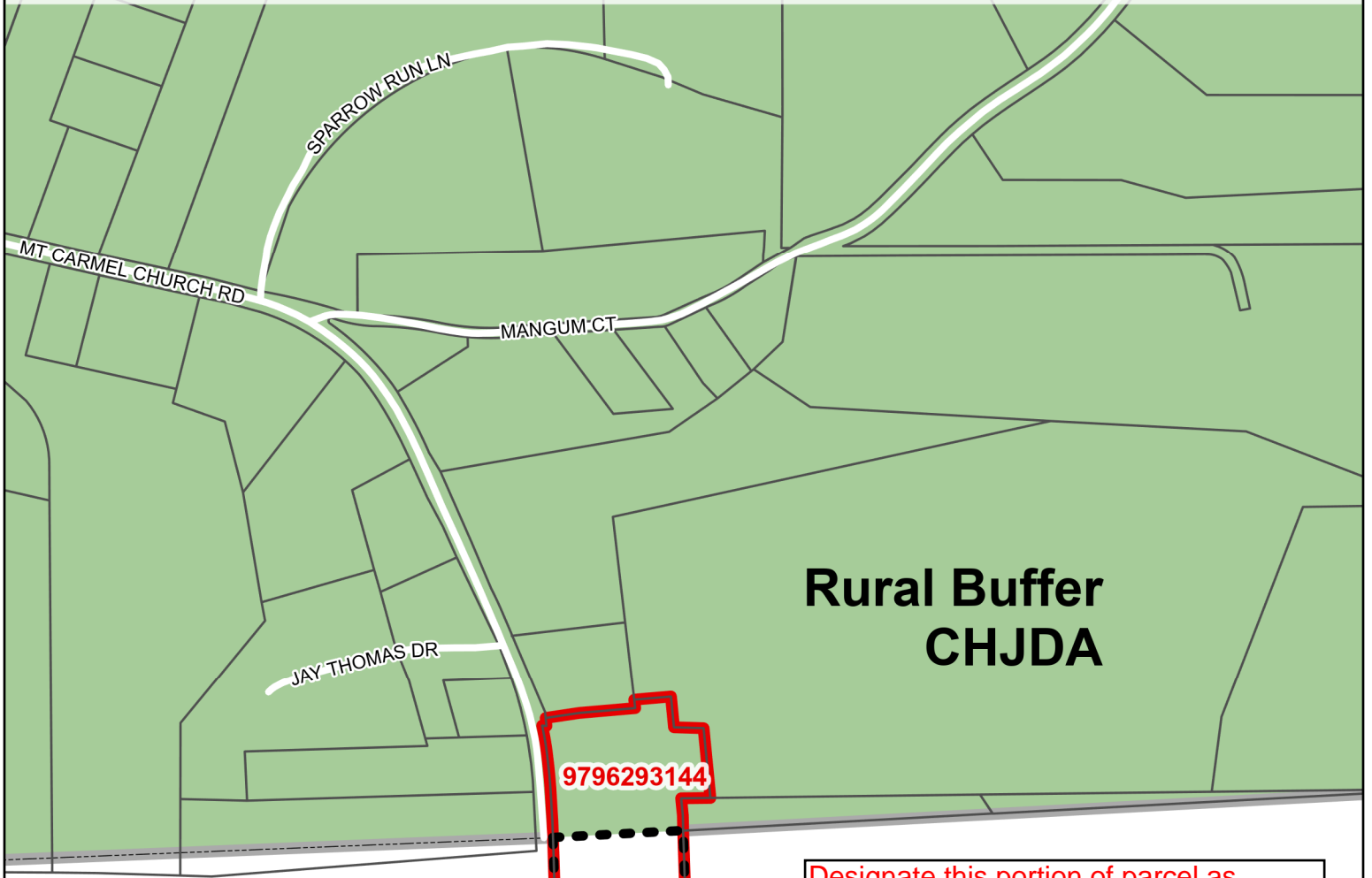
I, Laura Jensen, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on \_\_\_\_\_, 2023 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.






SEAL

\_\_\_\_\_  
Clerk to the Board of Commissioners


# Orange County-Chapel Hill-Carrboro Joint Planning Area<sup>11</sup> Proposed Land Use Plan and Joint Review Area Amendments



Designate this portion of parcel as "Rural Buffer."  
Also, it will be located in the "Chapel Hill Joint Development Review Area" (CHJDA)

-  PIN: 9796293144
-  Proposed Amendment Area
-  Rural Buffer
-  Orange County Boundary
-  Parcels

1 in = 500 feet



0 500 Feet

ORANGE COUNTY NORTH CAROLINA

Planning and Inspections Department (BC)

2/7/2023



TOWN OF CARRBORO  
PLANNING BOARD

*301 West Main Street, Carrboro, North Carolina 27510*

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

THURSDAY, MAY 4, 2023

**Joint Planning Land Use Plan Amendment to Assign Land Use and Joint Development  
Review Area Designations to 2106 Mount Carmel Church Road**

Motion was made by Fray and seconded by Kirkpatrick that the Planning Board of the Town of Carrboro recommends that the Town Council approve the resolution assigning the Rural Buffer Land Use and the Chapel Hill Joint Development Area designations to the property located at 2106 Mount Carmel Church Road.

**VOTE:**

AYES: (9) (Clinton, Foushee, Fray, Gaylord-Miles, Kirkpatrick, Mangum, Poulton, Scales, Sinclair)

NOES: ((0) NONE )

ABSTENTIONS: ((0) NONE )

ABSENT/EXCUSED: ((2) Amina, Peretin)

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(Chair)

(Date)

**Racial Equity Pocket Questions**  
**Joint Planning Land Use Plan Amendment/Mount Carmel Church Road**

**What are the racial impacts?**

The Joint Planning Land Use Plan allows for Orange County, Chapel Hill and Carrboro to jointly plan in areas in southeastern Orange County. This provides more clarity and uniformity about current and existing rural and urban boundaries and expected land uses and development. The amendment seeks to make uniform zoning and land use regulations on a piece of property on Mount Carmel Church Road. The property straddles two large census tracts. In the northern tract, in Orange County, the population is roughly 12 percent Black, 5 percent Asian, and 82 percent white. In the southern tract, in Chatham County, the population is roughly 12 percent multiracial, 3 percent Black, 2 percent Asian, 80 percent white, and 3 percent other. Of note, the parcel makes up less than one percent of the area of either census tract, and there are not census geographies small enough that capture demographics at a scale proportional to the property. The property does not include residences.

**Who is or will experience burden?**

Burdens have not been identified in relation to this amendment.

**Who is or will experience benefit?**

The beneficiaries of the proposed amendment are the property owners, nearby property owners, and the community in greater clarity and uniformity of the use of the parcel at 2106 Mount Carmel Church Road.

**What are the root causes of inequity?**

Root causes of inequity related to governmental actions like land use planning include overlooking the interests of historically Black communities/communities of color that may have been located on land considered to be of lower value/development potential or desirability and/or land where less desirable land uses – e.g. large industrial, large commercial or transportation with associated negative environmental impacts – have been allowed to develop. Conditions related to inequity include barriers to participation in planning processes, such as access to meeting scheduling and content, transportation limitations to meeting locations, lack of BIPOC representation amongst decision makers.

**What might be the unintended consequences of this action or strategy?**

Unintended consequences may be that the change results in a larger or smaller project/development on the property and opportunities and community impacts may be significantly fewer or greater than they would have been otherwise.