



# Town of Carrboro

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

## Meeting Agenda Board of Aldermen



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Tuesday, May 24, 2016

7:30 PM

Board Chambers - Room 110

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### A. RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [16-165](#) Proclamation: Action Against Gun Violence
2. [16-164](#) Proclamation: Immigrant Heritage Month

### B. ANNOUNCEMENT OF UPCOMING MEETINGS

### C. CONSENT AGENDA

1. [16-166](#) Approval of Previous Meeting Minutes of May 10, 2016
2. [16-163](#) Request-to-set Public Hearings on Conditional Rezoning and associated LUO Text Amendments for Inara Court at 102 and 104 Fidelity Street

**PURPOSE:** The Town has received an application to rezone 102 and 104 Fidelity Street to R-2-Conditional (R-2-CZ) for the construction of six single-family residential units. An application for a text amendment to the Land Use Ordinance relating to the project has also been submitted. The Board of Aldermen must receive public input before reaching a decision on requests. A hearing date of June 26, 2016 has been identified. Resolutions setting two public hearings are provided for the Board's use.

**Attachments:** [Attachment A-1 Resolution for Rezoning](#)  
[Attachment A-2 Resolution LUO Text Amendment](#)  
[Attachment B-1 Petition for rezoning](#)  
[Attachment B-2 Request for LUO Text Amendment](#)  
[Attachment C Vicinity Map](#)  
[Attachment C-1 Rezoning Conceptual Plan](#)  
[Attachment C-2 - Draft LUO Amendment for Inara Court](#)  
[Attachment D - Conceptual Image of project inara-aerial-1](#)

3. [16-169](#) Follow-up Report of Advisory Boards' Technical Review of Carrboro Vision2020
- PURPOSE:** The purpose of this item is to provide the Board of Aldermen with an update on the Advisory Boards' second review of the Carrboro Vision2020 document.

**Attachments:** [Attachment A - Resolution](#)  
[Attachment B - Cover Memo Vision2020 2nd review](#)  
[Attachment C - PB-Overview paragraph 2nd review](#)  
[Attachment D - 2nd Round Vision2020 Technical Review](#)  
[Attachment E - 11-3-2015 NTAAC cover letter Vision 2020 Review](#)

**D. OTHER MATTERS**

1. [16-160](#) Update from the Community Home Trust and Renewal of Interlocal Agreement
- PURPOSE:** The purpose of this item is for the Board to receive an update on the activities of the Community Home Trust and to consider renewing the Interlocal Agreement.

**Attachments:** [Attachment A - Resolution](#)  
[Attachment B - Interlocal Agreement](#)

2. [16-167](#) Update on Legislative Changes Relating to Planning and Development

**PURPOSE:** The purpose of this item is to report to the Board of Aldermen on legislative changes in 2015, noting Town action in response.

**Attachments:** [Attachment A - Legislative update memo](#)  
[Attachment B](#)

**E. MATTERS BY BOARD MEMBERS**

**F. MATTERS BY TOWN MANAGER**

**G. MATTERS BY TOWN ATTORNEY**

**H. MATTERS BY TOWN CLERK**



# Town of Carrboro

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

## Agenda Item Abstract

**File Number:**16-163

**Agenda Date:** 5/24/2016

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Request-to-set Public Hearings on Conditional Rezoning and associated LUO Text Amendments for Inara Court at 102 and 104 Fidelity Street

**PURPOSE:** The Town has received an application to rezone 102 and 104 Fidelity Street to R-2-Conditional (R-2-CZ) for the construction of six single-family residential units. An application for a text amendment to the Land Use Ordinance relating to the project has also been submitted. The Board of Aldermen must receive public input before reaching a decision on requests. A hearing date of June 26, 2016 has been identified. Resolutions setting two public hearings are provided for the Board's use.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325; Patricia McGuire - 919-918-7327; Marty Roupe - 919-918-7333; Nick Herman - 919-929-3905

**INFORMATION:** In February 2016, the Town received a request to rezone two lots on Fidelity Street from R-7.5 to R-2-Conditional (R-2-CZ) for the construction of six single-family residential units (the existing R-7.5 zoning would allow three units). A conceptual site plan and illustrative rendering are attached. A draft list of conditions for the rezoning is still being refined; copies will be provided at the meeting. The applicants have also requested a text amendment to the LUO to reduce the minimum lot size in the R-2 zoning district from 4,000 square feet to 2,000 square feet for architectural integrated subdivisions (AIS) on tracts of at least 20,000 square feet. If the text amendment and rezoning are approved, the applicant would follow with an application for a special use permit. A draft ordinance has been prepared.

Lot	PIN	Existing Zoning	Proposed Zoning	Acreage
102	9778-66-3947	R-7.5	R-2-CZ	0.1905
104	9778-67-3076	R-7.5	R-2-CZ	0.4327

The Board of Aldermen must receive public comment before adopting amendments to the Land Use Ordinance (map and text). Planning Board and Orange County review, for the text amendment, is also needed.

**FISCAL & STAFF IMPACT:** The petitioner has submitted fees and materials for reviewing and processing this request, which includes public hearing notice and advisory board evaluation. Staff time will be necessary for public notice, including mailed notice and public hearing agenda preparation.

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**Agenda Date:** 5/24/2016

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the attached resolutions setting two public hearings for June 28, 2016 and for referring both applications to advisory boards: Attachment A-1 for the request for rezoning and Attachment A-2 for the requested LUO text amendments.

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CONDITIONAL  
DISTRICT REZONING FOR 102 and 104 FIDELITY STREET

Draft Resolution No.

**WHEREAS**, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed projects; and

**WHEREAS**, an application has been received for a Conditional District Rezoning for two lots located at 102 and 104 Fidelity Street; and

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Aldermen call a public hearing on June 26, 2016 to discuss the proposed project at 102 and 104 Fidelity Street, also known as Inara Court.

**BE IT FURTHER RESOLVED** that the rezoning petition is referred to the following Town of Carrboro advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

☒ Appearance Commission

☐ Recreation and Parks Commission

☒ Transportation Advisory Board

☐ Northern Transition Area Advisory Committee

☒ Environmental Advisory Board

☐ \_\_\_\_\_

☐ Economic Sustainability Commission

☐ \_\_\_\_\_

This is the 24th day of May in the year 2016.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO  
REDUCE THE MINIMUM LOT SIZE REQUIREMENT FOR THE R-2 DISTRICT IN  
ARCHITECTURALLY INTEGRATED SUBDIVISIONS.

\*DRAFT 5-18-2016\*

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 June 28, 2016, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance to Reduce the Minimum Lot Size Requirement for R-2 District in Architecturally Integrated Subdivisions.”

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

☒ Appearance Commission

☐ Recreation and Parks Commission

☒ Transportation Advisory Board

☐ Northern Transition Area Advisory Committee

☐ Environmental Advisory Board

☐ \_\_\_\_\_

☒ Economic Sustainability Commission

☐ \_\_\_\_\_

This is the 24<sup>th</sup> day of May in the year 2016.

# TOWN OF CARRBORO

## PETITION FOR CHANGE OF ZONING



PETITIONER:

Paul Snow, Partner, Fireswamp II, LLC & Yates-Greene, LLC

DATE:

02/05/2016

The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from R-7.5 to CZ-R2 zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME Paul Snow, Partner, Yates-Greene, LLC  
ADDRESS: 125 Kingston Drive, Suite 206, Chapel Hill, NC 27514  
TELEPHONE #: (919) 929-9539
2. INTEREST IN PROPERTY (IES):  
Own one of two parcels and have an option to  
purchase the second parcel
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS: Lots C & D Fidelity Street, located on the north side of Fidelity Street  
west of O2 fitness facility. Roughly 300' west of Bim Street.
4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
  - a. OWNER: Fire Swamp II, LLC  
TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE 0.1905 PARCEL: 9778663947  
SUBDIVISION NAME: Fidelity Lot C FRONTAGE +/-74.36' DEPTH: +/-111.88'  
EXISTING STRUCTURES AND USES:  
Gravel path and pine trees.
  - b. OWNER: Michael D. Womble (Fireswamp II, LLC has option)  
TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE 0.4327 PARCEL: 9778673076  
SUBDIVISION NAME: Fidelity Lot D FRONTAGE +/-74.36' DEPTH: +/-183.87'

EXISTING STRUCTURES AND USES:

An old shed and trees. Trees are mostly pines.

c. OWNER: \_\_\_\_\_

TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE: \_\_\_\_\_ PARCEL: \_\_\_\_\_

SUBDIVISION NAME: \_\_\_\_\_ FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_

EXISTING STRUCTURES AND USES:

d. OWNER: \_\_\_\_\_

TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE: \_\_\_\_\_ PARCEL: \_\_\_\_\_

SUBDIVISION NAME: \_\_\_\_\_ FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_

EXISTING STRUCTURES AND USES:

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

NAME	ADDRESS
SEE ATTACHED	

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES \_\_\_ NO X  
IF "YES", WHEN? \_\_\_\_\_ To the best of our knowledge, current use has existed since well before 1979

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

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

SEE ATTACHED



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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 05 DAY OF February, 2016.

PETITIONER'S SIGNATURE: \_\_\_\_\_



### PLEASE NOTE:

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

## PETITION FOR CHANGE OF ZONING - QUESTION 7

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

The Fidelity Lots property (AKA Inara Court, the subject of the rezoning) is located on the western fringe of Downtown Carrboro. The shopping, dining, cultural activities, Farmer's Market and other downtown locations are close by. Fidelity Street terminates into West Main Street just east of the property at O2 Fitness, a commercial (zoned: B1G with DNP overlay) parcel. To the east and southeast along W. Main Street are several commercial / business properties, including the Town office buildings. Directly south of the Fidelity Lots is White Oak Condominiums, a multifamily residential (zoned: R3) parcel. Directly west of the Fidelity Lots is an older apartment building (zoned: R7.5). Further west down Fidelity Street are multifamily developments (zoned: R7.5), an office building (zoned: B3) and some lots with homes (zoned: R7.5) (half of which have two houses on the same lot, one behind the other). To the north of the Fidelity Lots are two single lots. One is owned by the developer of the Fidelity Lots (103B West Poplar Avenue) and, though not included in this rezoning request, it will include a single model unit for the proposed project and will be crossed by a walking path that will link the Fidelity Lots to West Poplar Avenue. The walking path will either be an easement dedicated to the town or a permanent easement to allow pedestrian access for town citizens wishing to walk through Inara Court. The other home (103 West Poplar Avenue) is a bungalow that has been renovated and is owner occupied with additional rooms being rented (zoned: R7.5). Just beyond the two lots to the north are the Looking Glass Café and 605 West Main, a multi-story mixed use project (zoned: B1G with DNP overlay).

Overall, the proposed project which will be developed at roughly 10 units per acre and is congruent with the surrounding multifamily properties, and will serve as a transition between the denser commercial uses downtown and less dense uses further west. It's worth noting that almost 20% of the Fidelity Street frontage is improved with commercial properties including B-1G commercial uses directly east of the subject property, nearby to the north across Poplar Street and to the southeast on Fidelity Street. Over 70% of the Fidelity Street frontage is improved with residential properties that include a development density of over 5 units per acre. White Oak Condominiums, across the street from the subject are zoned R-3 and include a development density of over 14 units per acre. Although a number of properties along Fidelity Street are zoned R-7.5, including the apartments next door, they are actually developed at a higher density than current R-7.5 zoning would allow (only two R-7.5 properties on Fidelity Street would actually be conforming by today's zoning). Most of the properties are developed at 5+ units per acre, which is above the R-7.5 maximum allowable density. For example, the apartments directly west of the subject are zoned R-7.5, but are developed at a density of 13 units per acre. Clearly Fidelity Street is mostly multifamily and commercial in nature. The Fidelity Lots are at the more commercial end of Fidelity with dense residential development or commercial development on three sides.

The requested rezoning would change the site to an R-2 zoning designation, which is a multifamily zoning designation and is the best fit for the proposed project. An R-3 zoning designation would allow the subject density of development, but requires a 40% common/open space area, which is more suited to a suburban model and is not well suited to small infill developments downtown where many sites are too small to allow

for such large common areas. To be clear, R-2 does allow for a maximum building height of 50 feet, but no structure at the subject will exceed 38 feet in height.

Furthermore, this requested rezoning of the parcel from R-7.5 to R-2 would permit the implementation of infill projects on smaller, undeveloped parcels. As the Architecturally Integrated Subdivisions require public input during the review and entitlement process, this would allow for the Board to continue to encourage development that includes the Town's goals while enhancing the neighboring areas. This request would keep with the Carrboro Vision 2020.

A map showing the surrounding development is included as part of this attachment.

*7(b). In what way is the property proposed for rezoning peculiarly/particularly suited for the potential uses in the new district?*

The Fidelity Lots site, without a rezoning would likely accommodate two to three large houses on single lots surrounded by dense development. Given the character of Fidelity Street and the goals of the 2020 Plan, this would be an underutilization of the parcel and would work contrary to the goals of the Plan, since it would decrease development density and allow for less walkable dwellings downtown. The Fidelity Street Lots site is an ideal infill parcel for rezoning that is walkable to downtown, located on a street with primarily multifamily uses, has no major barriers to redevelopment and will be underutilized with the current zoning.

Inara Court is designed to specifically meet the goals of the 2020 plan. It comprises six units, a density that is in line with adjacent properties that include residential development densities of 13+ units per acre. Each unit will be built on an individual "0 lot line" single family lot, which will encourage home ownership rather than rental. The majority of the units will be parallel to Fidelity Street and will be accessed by Inara Court, which will be perpendicular to Fidelity and run uphill towards Poplar. The unit front doors will easily access sidewalk on Firefly that ties the project to Fidelity Street and the walking trail connector that allows pedestrian connection between Poplar Avenue and Fidelity Street. The design of the units, long and narrow with deep side yards, allows for customization of the units and makes five of the six units well suited towards passive solar design. Units will range in size from roughly 1,500 to 2,000 square feet. No garages are used in the design since they would increase impervious surface, make the project less inviting visually and not congruent with the neighborhood character.

The R-2 zoning district is designed to provide dense multifamily housing with minimal common areas. The subject site is small and extensive common areas or large setbacks are not possible without creating four story buildings, which neighbors feel would be adverse to the neighborhood character. R-2 would allow the project, a combination of attached and detached housing, which is ideally suited to the site. As discussed earlier, the R-3 zoning district common area requirements make it ill-suited to downtown infill development.

*7 (c). How will the proposed rezoning affect the value of nearby buildings?*

The Fidelity Lots site is already surrounded on three sides by multifamily and commercial property. These properties would not be negatively impacted by a small project congruent to other uses on the street. Other properties nearby to the west, south and east would also not be negatively affected by a project congruent

to the character of Fidelity Street. As Inara Court is targeted towards home ownership, it may increase surrounding values by showing more variety in development since many new homes are rental in nature.

The empty lot located to the north of the Fidelity Lots (103 West Poplar Avenue) has the same ownership as the project. It was specifically left as a single family lot to preserve the character of West Poplar Avenue, which west of Looking Glass Café and 605 West Main is less densely developed with primarily single-family homes.

The home to the north at 103 West Poplar is adjacent to O2 Fitness to the east and Looking Glass Café to its north. The lot to the west, owned by the Fidelity lots ownership, will be improved with an attractive appropriately sized dwelling that will be well suited to the nature of West Poplar Avenue. This property's value will not be adversely affected by having a congruent project located behind. It is very important to note that no buildings in the Fidelity Lots project will be greater in height than 38 feet, which is a typical residential home height limit.

*7(d). In what way does the rezoning encourage the most appropriate use of the land in the Planning Jurisdiction?*

It is the intent of the development to include one (1) cottage development of less than 1,300 square feet in total building size. Furthermore, the overall development strives to integrate green building initiatives, efficient low maintenance and passive solar design. As discussed above, the current R-7.5 zoning would only allow for a house on Lot C (the western lot) and Lot D would likely be developed with one house at the frontage and another behind to maximize the potential. This would be an underutilization of the land that would be contrary to the goals Carrboro laid out in the 2020 Plan. This type of underutilization of land is dangerous to the Town's long-term plans as it takes parcels "out of play" and out of the Town process where future development can be guided towards the goals of the Town.

The 2020 Plan suggested "town policy should accommodate a variety of housing styles, sizes, and pricing. It should also address issues of density, funding, and rezoning to allow for more non-detached housing, mixed use development, and communal living options." The Plan also states an intent to, "encourage the development of underutilized property in the downtown area". The proposed housing associated with the subdivision will range in size from 800 – 2,400 square feet, with an estimated base price of \$250 per square foot.

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## TOWN OF CARRBORO

## LAND USE ORDINANCE AMENDMENT REQUEST



To the Board of Aldermen, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:

- 1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

Article XII Section 15-181: Minimum Lot Size Requirements - R-2 zone requires a minimum 4,000 square feet lot that size may be reduced to 2,000 square feet in an architecturally integrated subdivision on a tract of at least 40,000 square feet.

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

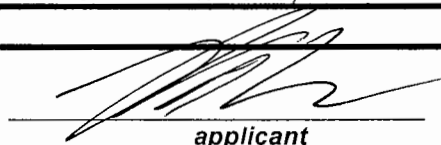
Article XII Section 15-181: Minimum Lot Size Requirements - R-2 zone requires a minimum 4,000 square feet lot that size may be reduced to 2,000 square feet in an architecturally integrated subdivision.

OR - Article XII Section 15-181: Minimum Lot Size Requirements - R-2 zone requires a minimum 4,000 square feet lot that size may be reduced to 2,000 square feet in an architecturally integrated subdivision on a tract of at least **20,000** square feet.

- 3) State the reasons for the proposed amendment:

This requested reduction of the necessary minimum overall lot size requirements in order to satisfy the reduction of subdivided lots to a minimum of 2,000 square feet would permit the implementation of infill projects on smaller, undeveloped parcels. As the Architecturally Integrated Subdivisions require public input during the review and entitlement process, this would allow for the Board to continue to encourage development that includes the Town's goals while enhancing the neighboring areas. This request would keep with the Carrboro Vision 2020, which encourages the development of under-utilized land parcels.

SIGNATURE:

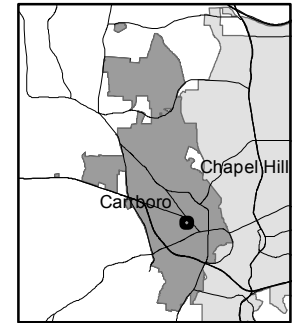
  
applicant


Paul Snow  
{print}

ADDRESS: 125 Kingston Drive, Suite 206, Chapel Hill, NC 27514

TELEPHONE NUMBER: (919) 929-9539

# Proposed R-2CZ Rezoning Inara Court



 Proposed Rezoning

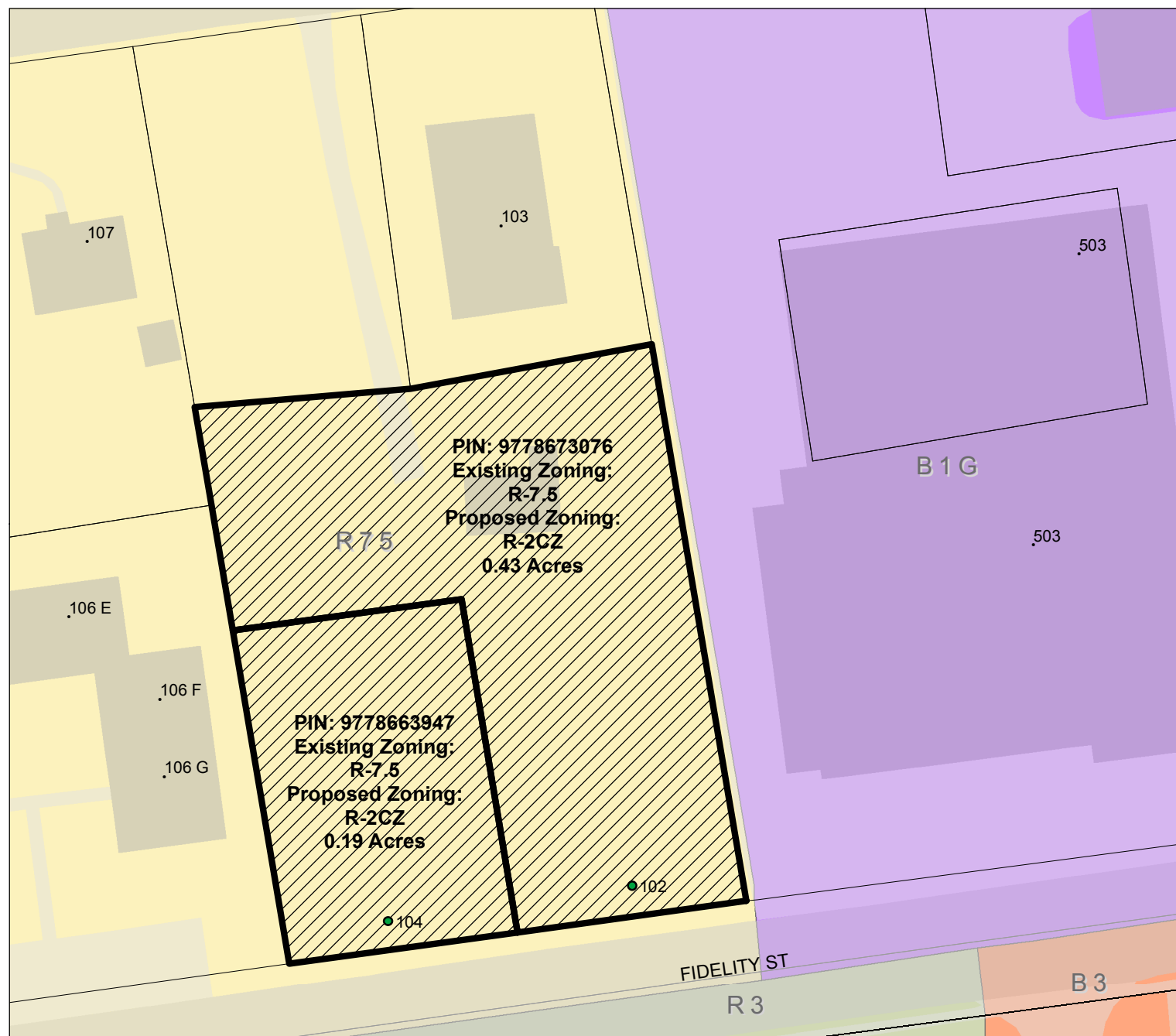
**THIS MAP IS NOT A CERTIFIED SURVEY  
NO RELIANCE MAY BE PLACED IN ITS  
ACCURACY**

The Town of Carrboro assumes no liability for damages caused by inaccuracies in this map or supporting data and makes no warranty, expressed or implied, as to the accuracy of the information presented. The fact of distribution does not constitute such a warranty.

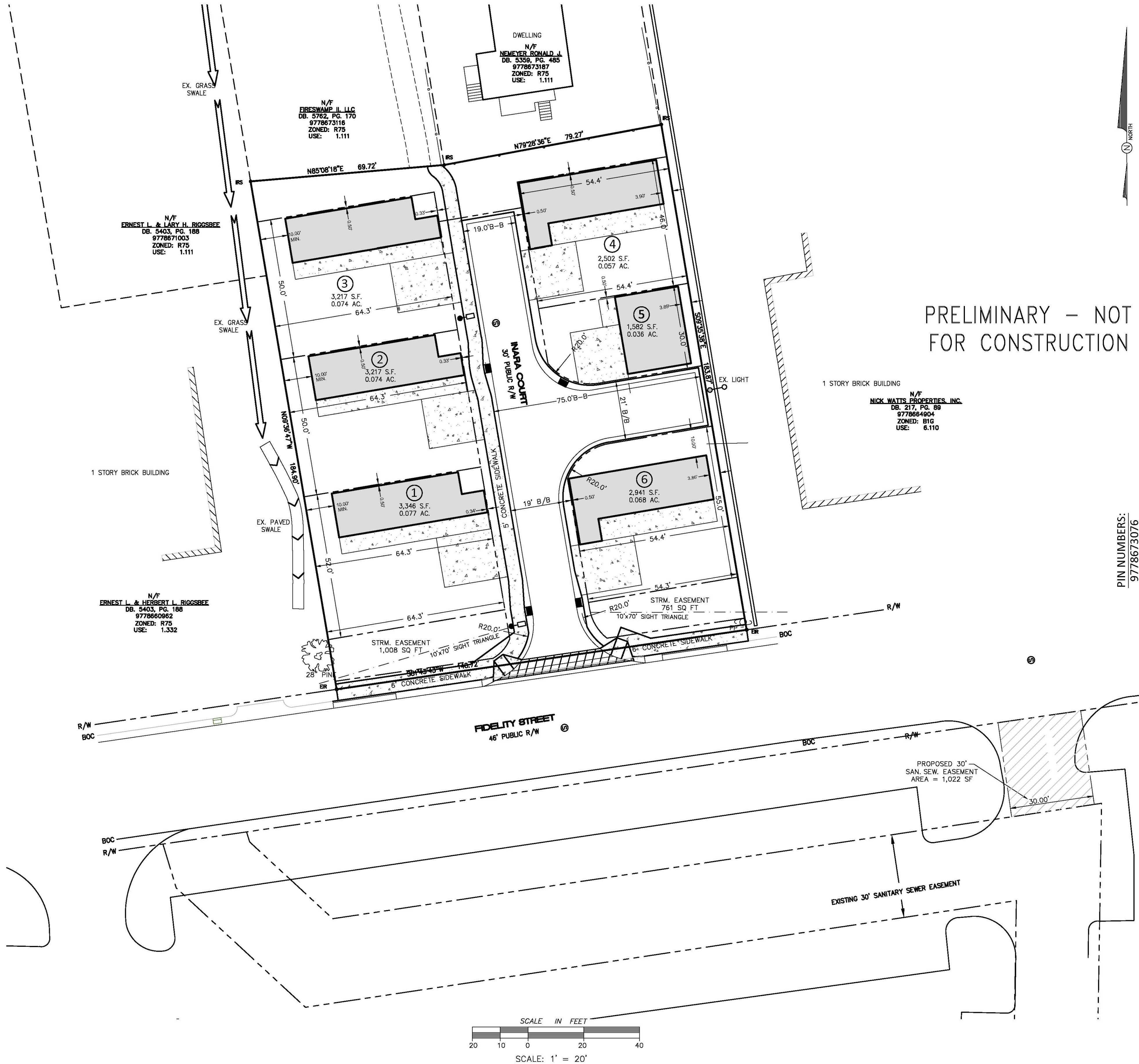


**TOWN OF CARRBORO**  
301 W. Main St.  
Carrboro, NC 27510

Printed May 20, 2016

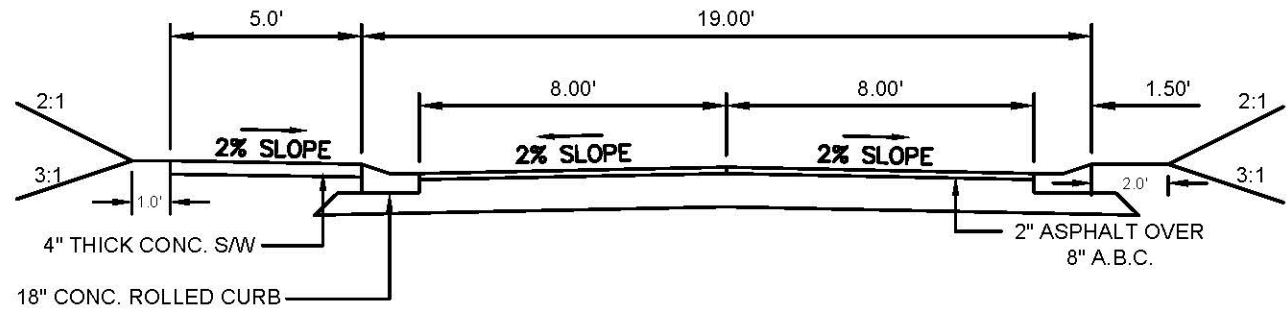
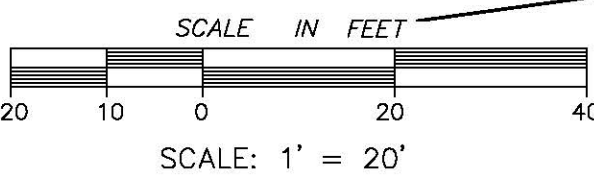






PRELIMINARY – NOT  
FOR CONSTRUCTION

PIN NUMBERS:  
9778673076  
9778663947



TYPICAL ROAD SECTION  
SCALE: 1" = 5'

OWNER:  
ANALYTICAL CONSULTANTS  
125 KINGSTON DRIVE, SUITE 206  
CHAPEL HILL, N.C. 27514  
(919) 929-9539

ENGINEERS  
PLANNERS  
SURVEYORS  
**PHILIP POST  
& ASSOCIATES**  
A Division of Penmon  
Firm License F-1267  
101 Providence Rd. #200  
Chapel Hill, NC 27514  
919.929.1173  
919.493.2800

REZONING CONCEPTUAL PLAN

INARA COURT – FIDELITY STREET  
CONDITIONAL REZONING

TOWN OF CARBORO NORTH CAROLINA

SCALE: 1" = 20'  
DRAWN BY: DC  
CHECKED BY: PNP  
DATE: 5/17/2016  
PROJECT NO. 511501  
DRAWING NO. C853SP03  
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REVISIONS  
05/12/2016: LOT DESIGN

SHEET C-1  
OF 1



AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO  
REDUCE THE MINIMUM LOT SIZE REQUIREMENT FOR R-2 IN  
ARCHITECTURALLY INTEGRATED SUBDIVISIONS

\*Draft 5-17-2016\*

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

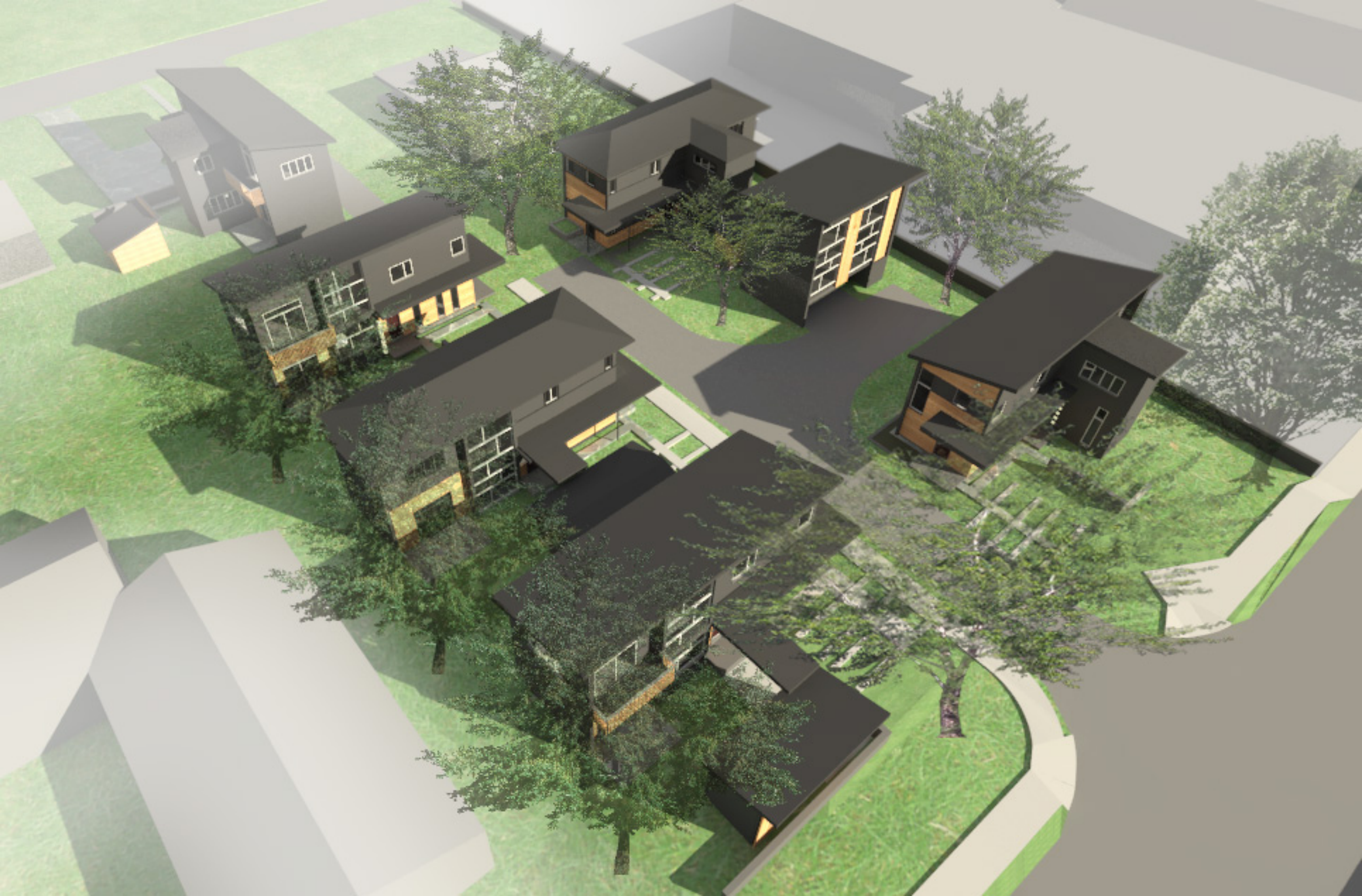
Section 1. Section 15-181 (Minimum Lot Size Requirements) of the Carrboro Land Use Ordinance is amended by adding a new subsection (c), to read as follows:

(c) The minimum lot size requirement within the R-2 district may be reduced to 2000 square feet in an architecturally integrated subdivision (AIS) on a tract containing at least 20,000 square feet.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.











# Town of Carrboro

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

## Agenda Item Abstract

**File Number:**16-169

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**Agenda Date:** 5/24/2016

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Follow-up Report of Advisory Boards' Technical Review of Carrboro Vision2020

**PURPOSE:** The purpose of this item is to provide the Board of Aldermen with an update on the Advisory Boards' second review of the Carrboro Vision2020 document.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325; Patricia McGuire - 919-918-7327

**INFORMATION:** At the February 2, 2016 regular meeting, the Board received a presentation from Jack Haggerty, representing Planning Board, on the results of a technical review of Carrboro Vision2020. Noting the fifteen anniversary of the adoption of Carrboro Vision2020, the Town's principle guiding document, the Planning Board saw an opportunity to use the expertise of the various advisory boards to review the document and offer an initial evaluation of the Town's progress on the goals described within. The effort took the place of the National Community Planning Month forum series that the Planning Board has held in October for the past few years.

After receiving the February presentation, Board members noted that a few advisory boards had not fully participated in the effort and directed staff refer the document back to the advisory boards for a second opportunity to comment on all provisions of the text. As was the case in the first review, advisory boards were invited to comment on any of the provisions in the document. In addition, as part of this second review, advisory boards could add to comments submitted by other boards and/or modify their own previously submitted comments in order to add clarity or further refinement.

In late February 2016, staff distributed an updated memorandum to staff liaisons requesting that the second Vision2020 review be included in March-April agendas. Input from the advisory boards in the initial technical review was compiled and inserted into the Vision2020 text in black boldface italics; language inserted as part of the second technical review is shown in red boldface italics (Attachment D). A supplemental memo submitted by the NTAAC as part of its review is included separately (Attachment E).

The Planning Board reviewed the Vision2020 document with the second round of comments, at its May 5, 2016 meeting and prepared a brief summary paragraph outlining its intention throughout the technical review process to develop brief, aspirational vision statements (Attachment C). Formatting revisions were made to advisory board comments compiled during the first technical review in order to prepare a more polished document; similar work was not undertaken during the second review.

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**Agenda Date:** 5/24/2016

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**In Control:** Board of Aldermen

**Version:** 1

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A resolution has been prepared (Attachment A) to receive the updated Vision2020 materials, and if desired, to provide comments and/or directions for potential next steps. Staff anticipates bringing the document back to the Board at one or more future dates for a more in-depth discussion of the technical review.

**FISCAL & STAFF IMPACT:** There is no fiscal impact for receiving the follow-up report. Fiscal impacts and staff time may be associated with potential next steps.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen adopt the attached resolution receiving the update and technical report, and to consider potential next steps.

A RESOLUTION RECEIVING THE FOLLOW-UP REPORT ON THE ADVISORY  
BOARDS' SECOND TECHNICAL REVIEW OF CARRBORO VISION2020

WHEREAS, for the past three years, the Planning Board has organized a series of three outreach sessions in October to help support National Community Planning Month; and

WHEREAS, for October 2015, the Planning Board called on the collective knowledge of all of the Town's advisory boards to provide a technical review of Carrboro Vision2020, to evaluate the Town's progress toward the goals and directions outlined in that document, to note where goals have been accomplished, where more effort is needed and where goals should be revised or even abandoned; and

WHEREAS, the Planning Board presented the technical review to the Board on February 2, 2016; and

WHEREAS, the Board directed staff to refer the Vision2020 document back to the advisory boards for a second opportunity for comment; and

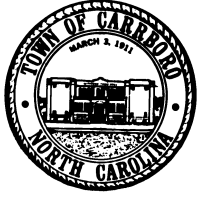
WHEREAS, staff has presented the Board with a follow-up report on comments from the second technical review.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives the follow-up report.

BE IT FURTHER RESOLVED, that the Board requests:

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

This is the 10<sup>TH</sup> day of May in the year 2016.



# TOWN OF CARRBORO

## PLANNING BOARD

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

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February 26, 2016

### Request for Comment

Dear Advisory Board Members:

In August of 2015, the Planning Board distributed a memorandum to advisory boards requesting input on the Town's principle guiding document, *Carrboro Vision2020*. Boards were asked to consider Carrboro's progress toward the goals and directions of the document noting where the goals have been accomplished or where more effort is needed. The result of the project would be recommendations for an updated *Vision2020*, one that looks at the town's accomplishments of the last 15 years as well as providing mileposts for the next 5 years.

On February 2, 2016, Jack Haggerty, of the Planning Board, presented the work to the Board of Aldermen. (The meeting may be viewed at the following link. <https://carrboro.legistar.com/MeetingDetail.aspx?ID=454341&GUID=D847232E-1FBC-4EB2-89A9-B911C4FEFD2F&Search=>) At the close of the discussion, the Board asked for the advisory boards to take another look at the document to provide clarity to their previous comments and/or to add new comments. The Board expressed particular interest in hearing from the Appearance Commission and the Human Services Advisory Commission, who had not submitted comments as part of the initial review.

Below is a list of the advisory boards and sections of *Vision2020* that most directly relate to the boards' purview. Please be sure to comment on the sections associated with your board, but do not feel limited to those sections. Advisory boards are welcome to comment on any section that captures their attention.

Arts Committee:

1.2

Economic Sustainability Commission:

3.0 (entire section), 6.0 (entire section)

Human Services Advisory Committee:

1.0 (entire section)

Recreation and Parks Commission:

1.1, 5.3

Appearance Commission:

2.3, 2.4, 3.0 (entire section)

Environmental Advisory Board:

2.4, 5.0 (entire section)

Planning Board:

2.0 (entire section), 3.0 (entire section), 6.0 (entire section)

Transportation Advisory Board:

4.0 (entire section)

Greenways Commission:

1.1, 5.3

Please prepare comments in the format shown in the example below, noting the relevant section number and which board is providing the comment. An excerpt of the document is provided in WORD to allow board members to type directly into the document. Kindly draft comments from this second round of review in colored font so as to distinguish new comments from the ones that the Board has already reviewed. If you feel comfortable with your previous comments, no additional work is needed other than to convey that message on to staff.

**Please return comments to Tina Moon ([cmoon@townofcarrboro.org](mailto:cmoon@townofcarrboro.org)) as a Word document no later than April 22nd.**

Example:

**3.23 Other downtown commercial activity could include restaurants, entertainment venues, technology companies, lodging, and offices.**

- *Planning Board: Carrboro should increase efforts to attract more professional offices. The number of restaurants and bars featuring entertainment has increased significantly, but businesses that generate all-day activity have not.*

*Vision 2020/2015* -A Note on Process

When the Planning Board proposed to revisit the *Vision 2020* document, the intent was to assess the town's progress on the goals of the Vision. We collected comment from the advisory boards. The *Vision 2020* document, given the breadth of subject it engages, is admirably brief, concise and aspirational. We adopted the tone, brevity and generality of the original. We edited the collected comment to that end. We devised a format that shows the new comment below the original. Our goal was readability. We were pleased that so many of the boards commented on aspects of town life beyond the purview of the particular advisory board.
















The draft presented to you earlier this year has been expanded by additional comment. This version is an even broader vision.

The Planning Board

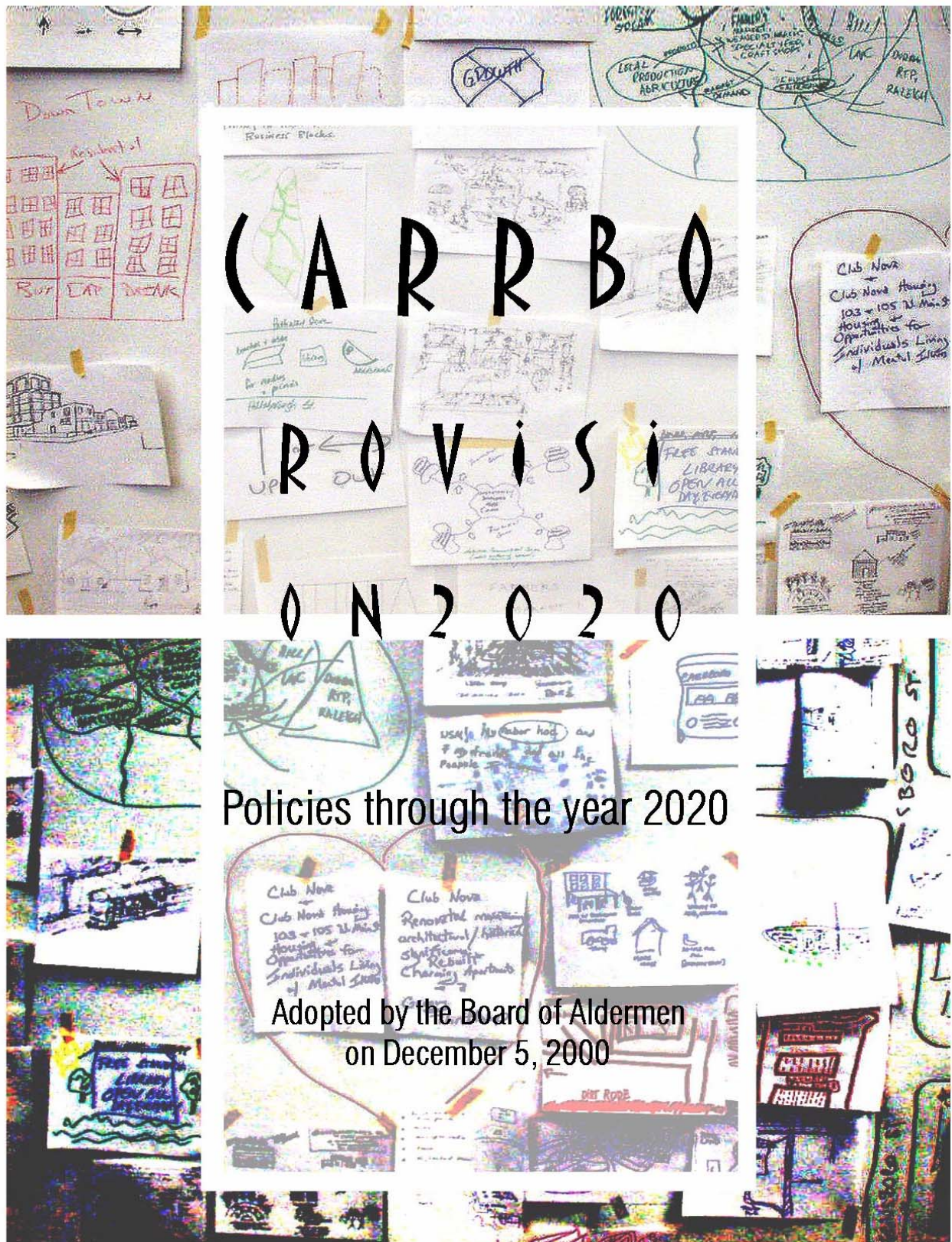


# VISION 2020/2015

an assessment by the advisory boards at the fifteen year mark

				
				
				
2016	2017	2018	2019	2020







## Acknowledgments Vision 2020/2015

### Planning Board

Braxton Foushee, Chair  
Catherine Adamson  
Susan Poulton  
David Clinton  
Heather Hunt  
Andrew Whittemore  
Thomas Tiemann  
Andy Cohen\*  
Jack Haggerty\*  
Tina Moon\*, Town Staff Liaison

### Transportation Advisory Board

Linda Haac, Chair  
Colleen Barclay  
Robert Dow  
Kurt Stolka  
John Nicopoulus  
Diana McDuffee\*  
Sarah Moore  
Bergen Watterson, Town Staff Liaison

### Economic Sustainability Commission

Arthur Beven Ramsey, Chair  
Matthew Neal  
Paul Daughtry  
Leo Gaev  
David Jesse  
Bob Saunders  
Terri Turner  
Annette Stone, Town Staff Liaison

### Greenways Commission

Charlie Hileman, Chair  
Robert Kirschner  
Mary Parker Sonis  
Johnny Randall  
Rob Crook  
Randy Dodd, Town Staff Liaison  
Bergen Watterson, Town Staff Liaison  
Wendell Rogers, Town Staff Liaison

### Recreation and Parks Commission

Daniel Siler, Chair  
Katherine Rosier  
Will Potter  
Barbara Cudmore  
Susan Barry  
Tamara Sanders  
Ben Kittelson  
Annetta Streater  
Kendra Van Pel  
Lisa Smith  
Dennis Joines, Town Staff Liaison

### Environmental Advisory Board

Bruce Sinclair, Chair  
Robert Crook  
Tim Turner  
Rachel Cotter  
Sharon Patrick  
Sheila Walsh-Reddy  
Jeanette O'Connor  
Randy Dodd, Town Staff Liaison

### Arts Committee

Jay Parker, Chair  
Mary Norkus  
Will McNerney  
Daniel Mayer  
Eva Weber  
Jacqueline Marx  
Art Menius  
Christine Abernathy  
Daniel Cefalo  
Rah Trost, Town Staff Liaison

### Northern Transition Area

#### Advisory Committee

Amy Jerolman, Chair  
Jeanette Moore  
Jay Bryan\*  
Jeff Kleaveland, Town Staff Liaison  
Anahid Vrana

Staff assistance from Jane Touhey

\*participant in the original Vision 2020 Steering Committee and/or the Community Forum

# Acknowledgments

## TOWN OF CARRBORO BOARD OF ALDERMEN

Michael Nelson, *Mayor*

Joal Hall Broun	Diana McDuffee
Mark Dorosin	Allen Spalt
Jacquelyn Gist, <i>Mayor Pro-Tem</i>	Alex Zaffron

## VISION 2020 STEERING COMMITTEE

Shirley Marshall, <i>Co-Chair</i>	Diana McDuffee, <i>Co-Chair</i>
Stan Babiss	Berkeley Grimball
Giles Blunden	Jack Haggerty
Stuart Brown	James Morgan
Andy Cohen	Doris Murrell
Jean Earnhardt	Michael Nelson, <i>Mayor</i>
Richard Ellington	Sophie Piesse
Tony Galiani	Amy Singleton
JoAnn Garvin	Steve Small

## PARTICIPANTS IN THE COMMUNITY FORUM, MARCH 25, 2000

Will Allen	Karen Dunn	Jerry Kruter	Jenny Rosser
Stan Babiss	Jean Earnhardt	Nerys Levy and Guest	Jessica Ryan
Giles Blunden	Richard Ellington	Marty Mandell	Amy Sayle
Paul Brewer-Jensen	Joe Farrar	Shirley Marshall	Scott Seibel
Joal Broun	Faye Farrar	Diana McDuffee	Amy Singleton
Merrilie Brown	Allison Frankel	Doris Murrell	Ruffin Slater
Michael Brown	Diane Frazier	Victoria Mendes	Allen Spalt
Sarah Bruce	Jim Frazier	Tom Merz	Ina Stern
Jay Bryan	Tony Galiani	Neal Mochel	William Stott
Kathy Buck	Denise Gammonelly	Tina Moon	Alma Stott
Jane Burns	Jo Ann Garvin	Ken Moore	Liam Stott
Fred Burns	Jasmine Gerard	James Morgan	Amy Sullivan
Ned Burns	Mazzi Ghoddoussi	Chuck Morton	Richard Taylor
Andy Cohen	Diane Gillis	Mike Nelson	Terri Turner
Emilie Condon	Jacquie Gist	Jeff Ottman	Richard Unkiewicz
Mariangela Crowley	Marni Gwyther	Myles Presler	Ted Vaden
Elisabeth Curtis	Jack Haggerty	Alicia Ravetto	Chris Van Hasselt
Shiva Das	Marsha Hawk	Norah Reich	Wendy Wenck
Julie Das	Shelley Higgins	Bill Roach	Tim West
Barbara Dewey	Tom High	Susan Rodemier	James R. Williams
Mark Dorosin	Mary C. Johnson	Kathy Roggenkamp	Mildred Williams
	Alex Zaffron	Robin Zimbler	

## OBSERVERS

Jean Bolduc Dave Hart

## STAFF/CONSULTANT

Roy M. Williford, Planning Director  
Patricia J. McGuire, Planning Administrator  
Jeff Kleaveland, Planner/Zoning Development Specialist  
Catherine DeVine-Grimball, Editor





## Introduction 2020/2015

In the summer of 2015, the Planning Board proposed that the advisory boards' annual project be to assess and comment on Carrboro *Vision2020*. The *Vision2020* document has been a principle-guiding document for the Town since it was adopted in December 2000. As 2015 marks the three quarters of the way through the period contemplated by Vision 2020, it is a propitious time to review our progress toward the vision. This document attempts to do that by assessing the accomplishments of the last 15 years and providing guideposts for the next 5 years.

In 2020/2015, comments from the advisory boards have been inserted into the original *Vision 2020* document. The comments are italicized and placed directly below the original text to which they refer. The amended document, a living vision, will go to the Board of Aldermen.

The word "character" appears frequently in *Vision 2020*. A whole section is devoted to it. In the larger sense, the entire document speaks to Carrboro's character – the goal of affordable housing, the encouragement of public and alternative modes of transit, the preservation of the environment – all can be said to be part of Carrboro's character. Each of the advisory boards, in its comments, addresses the character of Carrboro. Some of the comments affirm the original vision, and others push the vision in a different directions. The Planning Board has attempted, with its comments, to bring Carrboro's unique qualities to the built environment – at the street level, in the neighborhoods and the downtown.

Planning Board  
Fall, 2015



## Introduction

**Vision2020 is a policy-making document for the Town of Carrboro to use in the planning of its future. It is a caretaking tool, as well, designed to preserve the Town's history and qualities in an atmosphere of desirable growth.**

**This document reflects the direct input of over 100 Carrboro citizens. Every man, woman and child in Carrboro was invited to participate in a facilitated, citizen-based brainstorming session on March 25, 2000. Nearly 100 citizens chose to participate that morning. At this session, citizens were encouraged to draw, write, and verbally express their hopes, dreams, and visions for their community.**

**Hundreds upon hundreds of ideas were generated and an overall vision for the future began to emerge based on this citizen input. The Steering Committee, which consisted of representatives of all of the town's advisory boards plus several citizens-at-large, then took this emerging vision and crafted the following document.**

**The process by which the Vision 2020 policies were developed reflects the town's commitment to crafting policies that reflect the will of the citizens after a great deal of input and discussion.**

**The Committee wishes to thank all of the participants in Vision2020.**

Draft - 2

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## *Vision2020 Policies*

### 1.0 PROGRAMMING, SERVICES, AND AMENITIES

Many of Carrboro's existing programs and services were examined by the Vision2020 Steering Committee. Recreation and parks, arts and culture, human services, and such critical town services as police, fire, and public works contribute greatly to the quality of life in Carrboro. As such, these programs and services deserve the town's ongoing support.

#### 1.1 Recreation and Parks

Carrboro's recreation and parks amenities play a large role in our citizens' quality of life and sense of community. Carrboro citizens have identified a need for public places where citizens can meet and mingle. Citizens have also identified a need for locally available activities for young adults which can be easily accessed by various transportation modes.

- 1.11** The town should encourage and support the development of greenways and parklands dedicated to public use along streams and easements. There should be a network of connected greenways throughout the town. These greenways should serve as nature trails, biking and walking trails, wildlife corridors. All should protect our natural environment.

***Greenways Commission: The town should endeavor to balance the preservation of natural areas with public use of them, particularly along streams and utility easements. The town should designate nature preserves with limited public use within new and existing greenways. All should protect our natural environment.***

***Northern Transition Area (NTA) Advisory Committee: The network of connected greenways should extend to and be developed within the Northern Study Area (NSA).***

- 1.12** The town should continue to maintain existing parks and anticipate the need for more parks and recreation facilities. There should be a park or play field within walking distance of every residence in Carrboro.

***Recreation and Parks Commission: In addition to parks and recreation facilities, the town should strive for natural spaces, open or wooded, that are convenient to every residence in Carrboro.***

***Environmental Advisory Board: The town should practice and encourage ecologically sound and sustainable maintenance of open space, including parks and greenways. Maintenance practices should align with: least-toxic/integrated pest management; encouragement of native plants and discouragement of***

*invasive plants; minimizing fossil fuel use and maximizing renewable energy generation; maximizing infiltration and improving soil quality while minimizing runoff and impacts to surface and ground waters.*

*(Comment from Recreation and Parks Commission: should this comment move to 1.15)*

*NTAAC: 1.12 Is a worthy goal but only limited progress has been made on the Twin Creeks Park located off old Hwy 86 in the NSA. (Achieved Formation of the Twin Creeks Park Committee for planning the park but still confusion as to how residences will access the park. Can this be done through Morris Grove rather than off Old Hwy 86?)*

- 1.13 The town should fund and implement the Recreation and Parks Master Plan, developing a long-range financing plan to fund recreation needs. Payment-in-lieu funds, state and federal grants, and local revenue could all be considered. The town should seek to collaborate with neighboring towns, Orange County and the school board for the joint provision, purchase and operation of recreational facilities.

*Greenways Commission: The Recreation and Parks Master Plan and the adopted Greenways plans require a commitment to long-range financing for recreation needs, preserves and trailways. A periodic review of the plans should be undertaken to create resilience and mitigate climate change effects.*

- 1.14 Recreation programming should be expanded, with a broader range of programming for all interests and age groups (youth, adults, and seniors). Carrboro citizens express a strong desire for a town pool, an outdoor theatre/amphitheater, soccer fields, dance space, and a gymnasium. There should be music in the parks regularly, lots of activity at the Century Center, and a kids' park.

*Recreation and Parks Commission: The town and the Recreation and Parks Commission should continuously evaluate community needs and make recommendations for programming and facilities that meet all interests, abilities and age groups. Recreation and Parks Commission new language: Including both indoor and outdoor programming. Communication regarding parks and recreation programs and facilities should be useful and useable to the public.*

*Planning Board: Although recreation programming has been expanded, key recreational amenities are still neither available nor being planned for. For example, there is still no soccer field within the Carrboro planning jurisdiction. Reaching this goal will require the town to engage in more focused planning for capital recreation projects.*

- 1.15 The town should practice and encourage ecologically sound and sustainable maintenance of open space, including parks and greenways.

***Greenways Commission: The ecological integrity of the last few areas that are not developed should be preserved.***

- 1.16 ***Recreation and Parks Commission: Trails and greenways that increase connectivity to parks and recreation fields and facilities should be encouraged.***

- 1.17 ***Recreation and Parks Commission: Increase opportunities for collaboration between governmental agencies, schools, private organizations and individuals to expand programming and facilities.***

## 1.2 Arts and Culture

Art and culture play a very large role in Carrboro's distinctive appeal. Carrboro is an integrated community. We need to understand each other, accept each other, appreciate each other, interact with each other, work, live, and recreate together. Much town pride is evident at community gatherings. The town should continue to encourage and support artistic and cultural activity. The town should also take measures to ensure that the public transportation system enables our citizens to take advantage of the cultural and educational opportunities available at UNC-Chapel Hill.

***Arts Committee: The town should continue to pursue the recommendations of the 2015 Creative Carrboro report, including branding Carrboro as a creative community, organizing and facilitating efforts to support Carrboro's arts community and creative economy, providing affordable living and working space for artists and creative enterprises, and developing markets for Carrboro artists and creative enterprises.***

- 1.21 The town should plan and support regular music events and festivals in our parks and the Century Center. Additionally, the town should complete the bandstand at the Town Commons for regular concerts and artistic events.

***Arts Committee: The bandstand and the Town Commons have proved excellent venues for music events. The town should continue to work with local businesses and organizations to increase and expand free concert opportunities for the public.***

- 1.22 The town should support a centrally located and conveniently accessible library.

***Planning Board: A centrally located library is a worthy goal and should continue to be pursued, possibly by public/private partnership in which commercial uses are located in the same building as the library.***

***Arts Committee: The new library should include spaces for arts programming.***

- 1.23 The Carrboro Century Center should be developed to its fullest potential. This facility, complementing the ArtsCenter, should become the cultural center of Carrboro, drawing people downtown, creating a sense of place, and serving all citizens.  
***Arts Committee: The new spaces for arts programming in the library should be considered in conjunction with the current Century Center spaces so that each facility is used to its best advantage, with particular focus on a new indoor concert venue.***
- 1.24 The town should support efforts to honor and celebrate the diversity of our citizenry through activities at the Century Center, and by supporting cultural centers, festivals, and musical and arts events. centers, festivals, and musical and arts events.  
***NTAAC : 1.24 is a worthy goal and examples can be sited to support its achievement (IE the West End Poetry Festival, 2<sup>nd</sup> Friday Art Walk, Carrboro Music Festival, etc.)***
- 1.25 The town should continue to support, as well as encourage its residents to support, the ArtsCenter, which is an integral part of the town's cultural life.  
***Planning Board: Town support for the ArtsCenter will be especially critical through 2020 as it enters a new chapter and faces a transition to a new building.***
- 1.26 The Town should preserve and celebrate its history through continuing installations and display and continued support of Carrboro Day.  
***Arts Committee: More could be done to preserve and celebrate Carrboro's history. The Town historian (a volunteer position) could assist in this worthwhile effort.***
- 1.27 The town should support, fund and purchase public art, including sculpture and murals, and encourage public art projects like The Public Gallery of Carrboro's Art on Weaver.  
***Arts Committee: Public murals and sculpture should be encouraged by the town. The town could partner with artists, private donors and property developers to further this effort.***
- 1.28 The town should encourage year-round use of its nationally acclaimed Farmer's Market. While seasonal use will vary, the town should also encourage additional, compatible uses, such as a regular crafts and arts market.  
***Economic Sustainability Commission: The Farmers Market is in year-round use, and the town should make a space for an arts and crafts market. (Comment from Recreation and Parks Commission: this should reflect that an Arts and Crafts market started in 2015)***
- 1.29 A celebration should be developed in which art galleries, the town, and local restaurants sponsor arts-related activities on a regular basis.



***Arts Committee: 2<sup>nd</sup> Friday could be expanded to include downtown restaurants and other downtown entertainment venues.***

### 1.3 Human Services

Carrboro citizens are vocal in their concern for each other. Our citizens also desire the security of knowing how their town works, thereby facilitating our delivery of human services.

- 1.30** The town should continue to look for unmet needs, to inform the Orange County Commissioners of those needs, and to urge them to address those unmet needs.

***Human Services Commission: The town should partner with appropriate agencies and organizations to determine unmet needs of its citizens.***

- 1.31** The town should continue to support human service needs that are above and beyond those met by the County.

***Human Services Commission: The town currently supports needs through its Human Services grant program and should continue to do so.***

- 1.33** The town should develop a comprehensive plan for supporting the needs of special populations, including senior citizens and immigrants, in which these populations identify their needs rather than the community at large. Such a plan would focus particularly on transit needs easy access and proximity to health care and integration into the greater community.

***Human Services Commission: The town should evaluate with other stakeholders and services the needs of special populations to understand current state and plan next steps.***

- 1.34** The town should follow through on citizens' interest in maintaining a senior center in Carrboro.

***Human Services Commission: The town should evaluate how maintaining a senior center dovetails with opportunities noted in item 1.3 and what services should be provided there.***

- 1.35** The town should consider the impact of its ordinances and policies on the wellbeing of its most vulnerable citizens, including the elderly, children, those with disabilities and those living on low-, middle-, or fixed incomes.

***Human Services Commission: The town should evaluate ordinances and policies prospectively for citizen impact***

### 1.4 Town Services

The Town plans to utilize electronic technology to the fullest in order to be a "Community on the Web." Access to public documents and community updates should increase flexibly and swiftly in response to changing community needs.

- 1.41 Carrboro should encourage paperless transactions to minimize solid waste disposal. All town services should be made available on-line, including information, town forms, ordinances, and payments.
  - 1.42 Carrboro town staff should remain dedicated to fast, efficient public service, employing new technologies and skills toward increasingly cost-effective and environmentally friendly town services.
  - 1.43 Carrboro should continue to provide a high level of police, public works and fire service to its citizens.
  - 1.44 The town should continue to seek opportunities to exercise more local control of revenue options and community health and welfare options.
  - 1.45 The town should continue to encourage the active participation of its citizens in community planning.
  - 1.46 Carrboro should continue its efforts towards community building by encouraging the use of facilitation and conflict resolution. The town should also seek alternatives or supplements to the traditional public hearing format when controversial issues are before the Board.
- 1.5 Adult Education**
- 1.51 The town should work to bring a community college to the area.
  - 1.52 The town should create a "Communiversities" to provide learning opportunities at all stages of life. With adult students and retirees in mind, one model for this program might be Elderhostel.
  - 1.53 The town should promote the Century Center's adult education offerings and use this facility to its fullest potential as a venue for educational opportunity.

## **2.0 DEVELOPMENT**

Carrboro's development should take place in a manner consistent with a set of adopted values. The health and safety of citizens should be protected. Respect for and protection of the natural environment should be integrated into the town's policies as a high priority in enriching the quality of life. As much as possible, Carrboro's town character should be preserved; and the town should respond to citizen initiatives toward that goal. The community should continue to foster diversity, welcoming people of all races, ages, ethnicity, sexual orientations, and social and economic backgrounds. Growth should occur in a balanced fashion, and at a rate that does not jeopardize the values set forth by Vision2020. The interests of all members of the community, including property owners, neighbors, and other interested citizens should be considered when making development decisions.

*NTAAC: This is a worthy goal but as already stated, the NSA has not been specifically considered though these sections were referenced by the staff in its report on the proposed flex zone. We recommend changing the language in the opening paragraph in lines 4 and 5 to the following:*

*“Carrboro’s town character should be preserved, and the town should respect, respond to and support citizen initiatives toward that goal.”*

## 2.1 Avoidance of Adverse Effects on Public Health and Safety

- 2.11 Infill development should take place in a manner that fulfills the town’s goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility. The town should develop a process to mediate disagreements between developers and residents of existing neighborhoods.

***Planning Board: Infill development and redevelopment of existing lots to higher intensity uses should be encouraged within the boundaries of the historical downtown. Infill in the downtown increases density without encroaching on the existing adjacent neighborhoods.***

*NTAAC 2.11 is a worthy goal but we are unaware of a specific process to mediate disagreements between developers and residents of existing neighborhoods. Is this to be done by the dispute settlement center, a mediator, or a neighborhood charrette?*

*In addition, the goal has failed to be achieved in terms of mitigating the additional traffic resulting from the past 15 years of new development along the East side of Old Hwy 86. (IE. The 2003 Hogan Farm Extension to Old 86; the 2008 opening of Morris Grove Elementary School; ~ 2008 Ballentine Development.) Currently, Homeowners and already establish neighborhoods off Old 86, are unable to make a left turn onto this main arterial corridor during ‘rush hour’ time periods. The NTAAC has presented this issue many times over the past few years to both the BoA and County Commissioners, but nothing has been done to address NSA resident’s concerns.*

*In 2014 the NTAAC made these recommendations for Improvements to Public Engagement Processes to the planning board:*

*NTAAC members expressed significant concern about the public input process for proposed changes to the Claremont CUP in 2013 that could have resulted in the placement of a relatively large school on a planned commercial parcel. Neighbors and neighboring subdivisions were caught off guard by the proposed change and were frustrated by a lack of notification and a roadmap for information to learn more about the proposal. They also lacked basic information about allowable uses and the decision-making tools the Town could require in evaluating these*

*uses, in this case, a traffic study and due consideration for the modes of transportation that would be utilized by students and teachers before, during and after school.*

*Several concrete suggestions came from this discussion that affirm the Planning Board recommendations that were submitted to the Board of Aldermen earlier this year as a follow-up to our outreach conversations:*

*•The Town should make information about pending and currently-permitted projects available and transparent on-line so that residents have more immediate access to the information they need as a project progresses or changes.*

*•Clear contact information for individual projects or planning processes should be clearly identified to minimize confusion for residents seeking answers to their questions. As a ‘customer’ group, residents need better service. Town staff also would benefit if the public were better directed to the information they need.*

*•The Town’s notification standards should be changed to recognize that certain projects affect an entire subdivision, not merely adjacent properties or those within a certain distance from a lot line. In the case of the proposed school, which would have affected traffic patterns significantly around more than one subdivision along Homestead Road, it would be reasonable for every household in the Claremont subdivision to expect notification, as well as residents of other subdivisions.*

*•Notification should be more detailed and provide a link to information about the project and/or a primer on the zoning or permitting question at hand. Currently notification is both terse and lacking the most useful content.*

- 2.12 The town should limit development in sensitive areas such as the watershed, wetlands, and other areas the development of which could adversely affect water supplies and habitat. The town’s restrictions on development within the University Lake Watershed should be retained and enforced.

***Economic Sustainability Commission: In the Hwy 54 corridor Light Manufacturing zoning overlaps watershed protection zoning. The town should review the condition and determine if it discourages development.***

***Environmental Advisory Board: The Town should continue to require the preservation and maintenance of open space, when land is developed, to enforce restraints on clear-cutting, and to require adequate visual buffers.***

- 2.13 ***Economic Sustainability Commission: The town has used mediation to resolve disputes between developers and neighbors. The effectiveness of this strategy should be compared to the more traditional approaches to resolution of development differences in producing effective results.***

## 2.2 Preservation of the Natural Environment

- 2.21 The Town should continue to require the preservation and maintenance of open space when land is developed, to enforce restraints on clear-cutting, and to require adequate buffers.

***Environmental Advisory Board: The areas to be maintained should include wetlands, floodplains, stream buffers, steep slopes, hardwood stands and the tree canopy.***

***NTA Advisory Committee: Specific regulation on clear-cutting should be developed and enforced.***

- 2.22 Where development is deemed acceptable, there should be well defined dense development with areas of well preserved open space.

***Planning Board: Density should be prioritized over open space in the downtown.***

- 2.23 The town encourages the planting of native plant species, as well as non-native species that are not invasive. Removal of invasive species is encouraged. The town supports education on this topic and encourages the public to become aware of the list of invasive plant species found in Appendix E-17 of the Town of Carrboro Land Use Ordinance.

***Environmental Advisory Board. The planting of native species is an important step towards preserving healthy pollinator populations, since native species act as the host plants for most of our native insects. The town should expand Appendix E-17 to include information on landscape design and maintenance to maximize ecosystem health.***

- 2.24 ***Greenways Commission: Urban greenways, utility lines, and other corridors are becoming more important as refugia and actual habitat for plant and animal life. As such, these areas should be managed to maximize ecological quality.***

## 2.3 Attractiveness of the Developed Environment

- 2.31 The town should continue to encourage developers to apply adopted downtown design guidelines when planning and building new structures in the downtown area. Additionally, the town should continue to encourage developers to follow architectural guidelines for residential property. The town should periodically revisit the architectural guidelines to evaluate their effectiveness and their impact on other policy areas (See 2.52 and 6.0).

***Planning Board: The town should enhance the architectural guidelines to encourage a historically-based contextual architecture that reflects, without slavish imitation, the qualities of Carrboro's existing architecture—masonry detailing (patterns and corbelling), recessed***

*entrances, articulation of the building form and pedestrian-scaled proportions.*

*Economic Sustainability Commission: The architectural guidelines need to be strengthened in order to discourage “value-engineered” commercial development. The town should encourage quality architecturally detailed buildings, especially in the downtown area.*

*NTA Advisory Committee: Commercial architectural guidelines, in keeping with Carrboro's town character, should be developed and approved for the Northern Study Area (NSA). Also if following the architectural standards is required, then Carrboro needs to enforce the standards. More work needs to be done to require developers to use the Vernacular Standards sections of those guidelines, and there needs to be an assessment/evaluation to see to what extent they are being followed, and if they are not, strengthening the criteria and requirements should be made.*

- 2.32 New development that blends single-family and multi-family units should be designed and landscaped to ensure compatibility.

*Planning Board: By encouraging different housing types and a variety of design in new residential developments, these developments will become architecturally richer environments, contributing to their sense of place and identity. (See 2.52)*

## 2.4 Carrboro's Character

- 2.41 The town should support the evolution of a downtown district that embodies Carrboro's character. The downtown district should have medium-rise buildings appropriately sited with adequate public access, and it should provide shopping opportunities that meet our citizens' everyday needs. The downtown should remain a center for the community where people work, gather, shop, socialize and recreate. The Century Center should serve as a focal point for the downtown.

*Planning Board: Future downtown projects should be aesthetically and functionally integrated with the existing downtown fabric and not realized as enclaves of private development. The town should continue to strive for a downtown that is interwoven and human-scaled, with an emphasis on lively streets and pedestrian activity at day and night.*

*Economic Sustainability Commission: The main entrances to the Century Center should be improved to enhance accessibility by the public and to reinforce the Center's role as the focal point of the downtown.*

- 2.42 Development throughout Carrboro should be consistent with its distinctive town character. The town should adhere to policies that limit the widening of roads, encourage plantings alongside roads, preserve historic areas, buildings and older neighborhoods, and retain unspoiled green spaces and other natural areas.

***NTA Advisory Committee: The same effort should be extended to include the Northern Study Area. Limits to widening Old NC 86 and Homestead should be specifically stated in the Town's transportation plan.***

- 2.42.1 Carrboro should plan and encourage the growth of tree canopies over roads to mitigate the heat and smog effect caused by superheated pavement. Carrboro should strongly encourage the electric utilities to put their lines underground to allow for full canopy coverage.

- 2.43 ***Environmental Advisory Board: Solar power and other renewable sources of energy should be incorporated into the town infrastructure. Other green infrastructure - green roofs, green walls, curb cuts, mini rain gardens, porous pavement with buried cisterns, among other Best Management Practices (BMPs), should be built throughout the town.***

- 2.44 ***Environmental Advisory Board: The town should be known as a practitioner of climate change mitigation and adaptation practices. The town should make an effort to attract businesses and manufacturing that will contribute to an economically and environmentally sustainable future.***

## 2.5 Balanced and Controlled Growth

- 2.51 The town should support the implementation of our Small Area Plan.

***Planning Board: The town should develop and actively implement Small Area Plans and/or flexible zoning options in the Northern Transition Area, the Jones Ferry Road corridor, the downtown and other areas identified for commercial development. These plans should provide certainty for current owners as to expected uses and direction to potential developers***

- 2.52 The town should continue to require the construction of a diverse housing stock.

***Planning Board: The town should encourage the construction of a more diverse and affordable housing opportunities by allowing accessory dwelling units, small lot subdivisions, density bonuses, SROs, live-work flats and other options that make housing available to a wider range of incomes.***

***Economic Sustainability Commission: The town should support and pursue the Affordable Housing Task Force strategies.***



***Transportation Advisory Board: Housing stock should be built along transit routes to give residents transportation options.***

- 2.53 Careful attention should be paid to the carrying capacity of the existing infrastructure as growth occurs.

***NTA Advisory Committee: In addition to carrying capacity, the review of new developments should include a consideration of the impact of them on existing infrastructure and existing use patterns and practices. There are significant Traffic issues resulting from the past 15 years of development along the East side of Old Hwy 86. Currently, Homeowners and already establish neighborhoods off Old 86, are unable to make a left turn onto this main arterial corridor during ‘rush hour’ time periods. The NTAAC has presented this issue many times over the past few years to both the BoA and County Commissioners, but nothing has been done to address NSA resident’s concerns or mitigate the traffic. In addition, proposed a Twin Creek Park entrance is off Old NC 86 via an existing farm road which straddles the property line between the Ballentine subdivision and the Twin Creek Park Site. (The County's internal working title for this road has been "Twin Creeks Parkway"). This ‘farm road’ is in a dangerous location given the hill just south which limits the sight distance for traffic traveling north on Old NC 86. The location of this road into the park is another significant failure to consider carrying capacity of the existing infrastructure as growth occurs.***

- 2.54 ***NTA Advisory Committee: The Town should make information about pending and currently-permitted projects available and transparent on-line so that residents have more immediate access to the information as a project progresses or changes. Contact information for individual projects or planning processes should be clearly identified to minimize confusion for residents seeking answers to their questions. Notification should be more detailed and provide a link to information about the project and/or a primer on the zoning or permitting question at hand.***

### 3.0 ECONOMIC DEVELOPMENT

With the population of Carrboro expected to increase during the Vision2020 period, additional commercial development should be anticipated both downtown and in peripheral areas. Carrboro should seek to reduce the tax burden on single-family owners by increasing the percentage of commercial space in town.

***Economic Sustainability Commission: The town should strive to become a regional leader and exemplar for BALLE (Business Alliance for Local Living Economies.)***

#### 3.1 Nature of Development



In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

***Economic Sustainability Commission: Guidelines should be developed to specifically address the tension created when a new development is proposed adjacent to an existing neighborhood so that both parties know what to expect and how their needs will be met. The guidelines should include steps to be taken by developers in working with the neighborhood(s).***

***NTA Advisory Committee: In addition to commercial development, the effect of utility infrastructure should be considered as well. For this goal to be achieved within the NSA, the NTAAC recommends that Board of Aldermen visit the NSA in order to become more familiar with this area and the issues that new developments have created over the past 15 years.***

***Appearance Commission Members: Commercial developers should be encouraged to use green building materials in remodels of current buildings and new development***

### 3.2 Downtown Vitality

Downtown Carrboro should be nurtured as the social, cultural and economic center of our community. The downtown should include public social spaces as well as a mix of business types.

**3.21** The town should develop a plan to govern the continuing development of downtown. Toward this end, the town should adopt the following goals:

- To double commercial square footage in the downtown from that existing in the year 2000.

***Economic Sustainability Commission: The town should continue to encourage commercial development and should include, as well, areas outside of the downtown in the goal for doubling square footage.***

- To accommodate additional square footage by building up, not out.
- To increase the density of commercial property in the downtown area.
- To improve the downtown infrastructure (e.g. parking facilities, sidewalks, lighting, shading) to meet the needs of the community.
- To develop transit and traffic initiatives which enhance the viability of downtown.

**3.22** Carrboro should encourage the development and placement of architecturally significant commercial and civic buildings.

***Planning Board: New commercial buildings that are larger and taller than the historical buildings of the downtown should be designed to reflect the salient***

*qualities of the historical downtown architecture. (See 2.31)*

***NTAAC: This is a worthy goal but we are unaware of the development of any architecturally significant commercial or civic buildings.***

- 3.23 Other downtown commercial activity could include restaurants, entertainment venues, technology companies, lodging, and offices.

***Planning Board: The town should increase efforts to attract more offices. The number of restaurants and bars featuring entertainment has increased significantly, but businesses that generate all-day activity have not. Offices would not only contribute commercial taxes but also bring a larger number of jobs to downtown than further retail development. Currently Carrboro has the dubious distinction of having the highest percentage of its population commute to another municipality for work of any town in North Carolina. Increasing employment in the town's key commercial districts would positively impact the town's energy efficiency, walkability, affordability, and tax stability.***

- 3.24 Frequent, accessible public transit is necessary for a thriving downtown. Multi-modal access to downtown should be provided. As traffic increases, Carrboro should consider perimeter parking lots served by shuttles to bring people downtown.

***Planning Board: This goal was extremely forward-looking when it was adopted. More attention to advance transportation planning is needed urgently to achieve it. Peripheral structured parking combined with shuttle service is one of few viable solutions to downtown traffic congestion and parking inefficiency.***

- 3.25 Walkability should be encouraged downtown and pedestrian safety and comfort should be a goal. The town should improve lighting and shading, and create auto barriers.

***Economic Sustainability Commission: More street benches and bicycle parking will encourage greater non-vehicular use.***

***Transportation Advisory Board: Walkability and bikeability should be encouraged throughout town, not just downtown. Streetscape upgrades, which increase the safety of vulnerable road users, should be a priority.***

- 3.26 Carrboro should continue to use the revolving loan fund to support the development of locally owned and operated businesses and encourage micro-enterprises through education and loans.

***Economic Sustainability Commission: The fund should be open to non-profits as well as to for-profit businesses.***

- 3.27 Carrboro should consider pedestrian-only spaces downtown.  
***Economic Sustainability Commission: The town should study East Weaver St. as a potential pedestrian-only street.***
- 3.28 Carrboro encourages a variety of appropriate residential developments – single-family, multi-family, SROs, et cetera – in the downtown especially as part of mixed-use developments.
- 3.29 ***Environmental Advisory Board: The Town should work with citizens to protect and maintain the health of the urban forest. These trees are important for reducing storm water runoff, cleaning the air, providing habitat, increasing the economic value of neighborhoods, and sequestering carbon.***

### 3.3 New Commercial Growth

Opportunities for new commercial growth exist primarily in four areas: downtown, across from the Carrboro Plaza Shopping Center, within the commercial core of a village mixed-use development, and within new office/assembly conditional use developments. The latter two options are most obviously appropriate in the transition areas, but may be approved throughout the town’s jurisdiction.

- 3.31 **Shopping Centers**  
Before creating new shopping centers, the town should encourage those that exist to maximize their potential by adding stories when and where practical.  
***NTA Advisory Committee: The town should be more intentional in directing existing shopping centers to build up before considering such development in the NSA.***  
***Appearance Commission Members: Let’s be sure that “building up” shopping centers do not create over-shadowing for neighbors who may be residents next door/nearly next door.***
- 3.32 All shopping centers should be connected to residential areas with increased pedestrian access.
- 3.33 ***Planning Board: The town should discourage the construction of new strip malls – single story, predominantly retail properties, with the parking situated between the building(s) and the street. To this end, the current relevant ordinances allowing “shopping centers” should be altered. New development should be mixed-use.***

### 3.4 Technology

- 3.41 The town should research ways to support telecommuting.

***Economic Sustainability Commission: The town should encourage co-working and other creative solutions for working spaces for the large number of self-employed entrepreneurs in the community.***

3.42 Carrboro should continue to explore new technologies and should actively recruit private companies to supply Carrboro with the most up-to-date technology available, encouraging its distribution throughout the town.

3.43 Carrboro should help local businesses grow and expand by taking full advantage of the Internet and other new technologies that become available.

***Economic Sustainability Commission: Broadband availability should be expanded as part of bridging the digital divide.***

### 3.5 Home Businesses

Carrboro should encourage small, low-impact home businesses. The town should revise ordinances to remove any unnecessary obstacles to appropriate home businesses, and should encourage developers to accommodate home businesses in all new developments.

***Planning Board: The town should allow and encourage artisan living units that allow limited craft manufacturing and commercial activity as part of increasing economic diversity.***

### 3.6 Economic Diversity

3.61 While our citizens may not be able to meet all of their consumer needs in Carrboro, it is important that the town encourage the widest possible diversity of locally operated businesses. The objective is a balanced portrait of convenience: a movie theater, overnight accommodations, home businesses, technology, retail, a variety or department store, restaurants and entertainment.

3.62 Carrboro is a town rich in economic diversity. The town should strive to continue this tradition by adopting ordinances and policies that recognize diverse employment types and pay scales.

3.63 The town should encourage the development of underutilized property in the downtown area.

***Appearance Commission Members: Yes, let's encourage CVS to clean up their property right in the heart of town! At least, tear the old bank building down and create a mowed empty lot or park until the right building comes along.***

3.64 ***Economic Sustainability Commission: The town should support the living wage movement.***

## 4.0 TRANSPORTATION

The safe and adequate flow of bus, auto, bicycle and pedestrian traffic within and around Carrboro is essential. The public transit system serves to encourage non-auto travel and reduce congestion on existing roads. The town's Land Use Ordinance and economic development policies both address traffic flow in this expanding municipality.

#### 4.10 Planning

- 4.11 The Town of Carrboro should adopt a comprehensive transportation plan. The plan should address population growth projections for the town, its planning jurisdiction and expected growth in adjoining jurisdictions.

- 4.12 The Town should continue to implement its connector roads policy.

***Planning Board: The town has proved too ready to accommodate neighborhoods when they object, in their own singular case, to connectivity. The policy is intended to benefit the whole of the town.***

***NTA Advisory Committee: This is a worthy goal but has not been achieved within the NSA. Speed calming devices on connector roads appear antithetical to the use of the road as a connector for through traffic. The North-South Connector Road via Lake Hogan Farms Extension has not been completed and the planning for this to connect up to Morris Grove is stalled since it's depended on the Ballentine Developers. The NTAAC believes this is a significant failure of the connector plan. Also any new connector road needs to include the placing of speed calming devices such as has been done in the developed section of Lake Hogan Farms, is antithetical to the use of the road as a connector for through traffic.***

***Transportation Advisory Board: Connectivity should accommodate the needs of all road users, not just motorists.***

- 4.13 The town should cooperate with Chapel Hill and other regional entities in a comprehensive transportation plan to include: regional transit service conducted by the Triangle Transit Authority, seamless connections among all the region's public transit systems, and shorter routes and more frequent service.

***Transportation Advisory Board: The town should continue to cooperate with Chapel Hill and other regional entities to further broader regional transit services, seamless connections between them, shorter routes and more frequent service.***

- 4.14 Carrboro should support a passenger rail connection between the Horace Williams' property, through Carrboro's downtown, and the main campus of the University of North Carolina at Chapel Hill.

***Transportation Advisory Board: This goal is not relevant any longer. Carrboro should support the regional light rail***

*project connecting Durham to UNC Hospitals, with a possible future extension into Carrboro.*

*Transportation Advisory Board: Carrboro should support Bus Rapid Transit model where it's appropriate.*

- 4.15** As public transit routes are identified, the town should locate new high-density development along such routes through changes to the zoning ordinance and map.

*NTAAC: 4.15 is a worthy goal but needs to be revised to include the NSA whose residents promote more modest development. We recommend adding “so long as the development does not conflict with the other provisions of Vision 20/20 or the separate goals for the NSA.” The NTAAC also recommends that Board of Aldermen visit the NSA in order to become more familiar with this area and the issues that new developments have created over the past 15 years.*

## **4.2 Public Transit**

- 4.21** The system should continue to facilitate access to youth activities and special events and educational opportunities at UNC-Chapel Hill and should enhance access to employment opportunities. Additional park and ride lots should be built for easy public transit access.

*Transportation Advisory Board: Existing park and ride lots are underutilized, and building new ones is not the most valuable land use.*

- 4.22** Carrboro should expand its participation in organization and planning for the community bus system and continue in its efforts to share the costs of the system equitably with Chapel Hill and the University. Costs of the system should be subsidized by federal and state grants as well as appropriated town revenues.

- 4.23** The town should support transportation services that meet the special needs of its disabled citizens.

- 4.24** *Planning Board: The town should work to expand current public transportation destinations beyond Chapel Hill.*

## **4.3 Bicycle and pedestrian traffic**

- 4.31** The town should fully implement its bicycle and pedestrian network plan. This plan should identify links needed now as well as links that will be needed by 2020.

*NTA Advisory Committee: The network plan should be extended into the Northern Study Area.*

*Transportation Advisory Board: The town should update the bike and pedestrian plans every 5 years, or as needed, until a to-be-determined mode-share goal is reached.*



- 4.32 The town should establish connections with bicycle and pedestrian ways in other jurisdictions.

*NTAAC 4.32 is a worthy goal but only limited achievements have been obtained in the NSA. The NTAAC has explored and advocated for a bridge or cross walk on Homestead Road for bicyclists to cross as well as a bicycle/pedestrian path along the south side of Homestead Road at this point so that riders and walkers can access the community to then wind their way into town on designed bike lanes. The NTAAC has also advocated for an off road, ten foot bike/pedestrian path along the east side Old NC 86 from its intersection with Homestead Road all the way to the Park. An example has already been built in front of the Ballentine Subdivision on Old NC 86 across from Deer Ridge Drive.*

- 4.33 The maintenance of these paths and ways should continue to be a high priority.

*Planning Board: The town should increase pedestrian links, walks and alleys, from neighborhood to neighborhood, from neighborhoods to nearby commercial locations, and within the downtown.*

- 4.34 *Transportation Advisory Board: The town should formalize a collaboration with the Chapel Hill-Carrboro City Schools to implement Safe Routes to School infrastructure and programming.*

- 4.35 *Transportation Advisory Board: The Town should increase police enforcement of crosswalk, speeding, and parking violations in order to improve the safety of Carrboro's bicycling and pedestrian environment.*

#### 4.4 Established Roads

- 4.41 As a general policy, established roads should be widened to accommodate bike lanes and sidewalks, but not to provide additional lanes for automobiles.

*NTAAC: 4.41 is a worthy goal but all the main arterial roads within the NSA (Old NC Hwy 86, Eubanks, Dairyland, and Homestead Roads) remain dangerous for bicyclists, and pedestrians. In particular, Old 86 over the past 15 years has not significantly changed though the neighborhoods on the Eastside have grown. It remains a narrow winding road with blind hills and no shoulders where motorists drive aggressively and routinely exceed the speed limit. In addition deer frequently cross this section of the road. There are no bike lanes and the shoulders are too narrow for pedestrians use.*

## 4.5 New Development

- 4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.  
*Transportation Advisory Board: Road width and design should be catered to the development in order to make the environment comfortable for pedestrians, bicyclists and children. Context-sensitivity.*
- 4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.

## 4.6 Funding

- 4.61 The comprehensive transportation plan should propose and recommend alternative funding mechanisms to finance infrastructure improvements.

## 5.0 Environmental Protection and Promotion

The town should serve as a leader in protecting the environment and protecting its residents.

## 5.10 Solid Waste

- 5.11 The town should aim to recycle all solid waste as a “No Waste” community, and should devise strategies to minimize landfill waste. The town should encourage source reduction through all available means (e.g. mandatory or “pay as you throw” collection of recyclables).

*Environmental Advisory Board: The transition to single stream recycling was a step towards simplifying recycling for citizens – increasing participation and optimizing collection costs.*

- 5.12 Carrboro should develop and encourage a network of neighborhood composting facilities. The town should also explore the creation of a town compost heap that would benefit the community’s gardeners.

*NTAAC 5.12 This remains a worthy goal but the NTAAC is unaware of any neighborhood composting facilities.*

- 5.13 Recycling facilities should be readily available throughout the town.

- 5.14 The town should investigate ways to increase the life span of the current landfill.

*Environmental Advisory Board: The town should pursue a low-cost, long-lived, local landfill or waste transfer station for Carrboro or investigate optimal partnerships with adjoining governmental and non-governmental organizations.*



- 5.15 Carrboro should work with the county to educate all citizens about waste reduction. Creative, non-traditional programs, such as turning garbage into art, should be pursued.
- 5.20 **Water**
- 5.21 Carrboro should work with OWASA to develop the policies and infrastructure necessary for water conservation (e.g. encourage the re-use of grey water, replacing fixtures with low-flow models, and collecting stormwater for watering gardens).  
***Environmental Advisory Board: Efforts in this area need to be redoubled. The town should work with homeowners and business owners as well as OWASA toward this goal.***
- 5.22 Carrboro should adopt a strategy and set of policies to protect all of our creeks, streams, ponds, and lakes.  
***NTAAC 5.22 This remains a worthy goal but what the town has done to protect all of the town's creeks, streams, ponds and lakes is not clear and needs first to be listed, along with the applicable LUO regulations, and second, assessed on the ground through walkabouts to see whether this goal has been achieved. The regulations should be strengthened.***
- 5.23 Carrboro should be proactive in managing its stormwater, promoting active maintenance of facilities, reducing impacts of increased impervious surface, and minimizing impacts on waterways.
- 5.24 ***Environmental Advisory Board: The Town should undertake development of an independent stormwater utility or partnering with other localities to leverage their existing utilities.***
- 5.25 ***Environmental Advisory Board: The Town should undertake efforts, either on its own or in cooperation with other jurisdictions, in the restoration of creeks, streams and lakes, especially those that contribute to the health of Jordan Lake.***
- 5.30 **Open Space, Greenways, and Natural Areas**
- 5.31 Carrboro should work to preserve open space and greenways through all available means, such as direct purchase, conservation easements, donations, and federal and state grants.  
***Environmental Advisory Board: Accomplishments in this area include the procurement of the Adams tract, working with UNC on conservation easement in Carolina North and starting of implementation of the Greenway network. These efforts should be continued.***
- 5.32 The town should map a connected series of greenways that are large enough to serve as wildlife corridors.

***Greenways Commission: As part of the mapping of greenways and natural areas that serve as wildlife corridors, unique habitats within them should be identified and mapped.***

**5.33** ***Environmental Advisory Board: In order to lower Carrboro's carbon footprint, promote general health and welfare of its citizens through exercise, promote access to wildlife for study and relaxation for both disabled and non-disabled citizens, off-road, stable, easily traversed greenways that connect both points within the town (north-south and east-west connectivity) and other communities (Hillsborough, Chapel Hill and Durham) should be constructed. These should be constructed using best engineering practices to minimize or eliminate other environmental impacts such as runoff and habitat bisection.***

**5.34** ***Environmental Advisory Board: The Town should work towards linking all residential areas to natural areas and parks by means other than roadways (i.e. bike paths, greenways, etc.) and, then promote the use of these areas to all residents.***

#### **5.40 Construction**

**5.41** The town should encourage the reduction of waste materials in the course of new construction or renovation. The town should promote, be a leader in, and require, where practical, the use of recycled building materials, recycling plans for construction and demolition materials, and the extent to which "green building" techniques are being employed.

#### **5.50 Energy**

**5.51** The town should publicly promote every available means of energy conservation. The town's own alternative and renewable energy targets should include passive and active solar, and composted waste co-generation to fuel public vehicles and the heating of town facilities

**5.52** The town should set a goal of reduced energy costs in all town buildings and increased fleet mileage for all town vehicles.

***Environmental Advisory Board: The town should set a goal for lower emissions for all town vehicles.***

**5.53** ***Environmental Advisory Board: The town should set a goal of reduced energy costs for streetlights, as well as reducing night-sky light pollution.***

**5.54** ***Environmental Advisory Board: The town should consider implementation of geothermal on any future governmental projects such as libraries, art centers, and other government-owned buildings.***

**5.55** ***Environmental Advisory Board: The town should encourage and promote efficient generation of renewable energy and alternatives to***

*fossil fuels, whether through public private partnerships (Carrboro Community Solar's installation of solar panels at the Farmers Market) or by supporting residential initiatives such as Solarize Carrboro. Additional opportunities and expansion of these models need to be replicated and expanded to commercial spaces. Further, the town should be more proactive in working with intergovernmental organizations and other governmental organizations to promote a regulatory environment that is supportive of these goals.*

## 5.6 Farmland Preservation

- 5.61 The town should adopt incentives to help limit the conversion of farmland to developed uses that bridge the transition areas. These incentives should be designed to preserve small farms, farm co-ops, and organic farming within new conservation subdivisions and elsewhere.

***NTA Advisory Committee: The town should promote and encourage farm owners to consider the County's Land Legacy program. NTAAC 5.61 is a worthy goal but unfortunately Farm land preservation has not been achieved. If there are LUO regulations regarding this goal, they should be identified and strengthened. If there are none, they should be created. The town should promote and encourage farm owners to consider the County's Land Legacy program.***

## 5.7 Toxic Use

The town will work to reduce its use of hazardous and toxic products in town operations and will expand, promote, and provide public education on such efforts as with its least toxic integrated pest management policy.

## 5.8 Urban Forests and Open Space

- 5.81 ***Environmental Advisory Board: The Town should work with citizens to protect and maintain the health of the urban forest. Trees are important for reducing storm water runoff, cleaning the air, providing habitat, increasing the economic value of neighborhoods and sequestering carbon.***

- 5.82 ***Environmental Advisory Board. In the development of open spaces, emphasis should be placed on development of natural areas as open space in addition to developed or paved open spaces.***

## 6.0 HOUSING

The town should develop a comprehensive housing policy that seeks to provide housing for all of Carrboro's citizens.

## 6.1 Housing for a Diverse Population

- 6.11 Town policy should accommodate a variety of housing styles, sizes and pricing. It should also address issues of density, funding and rezoning to allow for more non-detached housing, mixed-use development, and communal living options.
- NTAAC 6.11 remains a worthy goal and some progress has been made within the NSA (Affordable housing in Winmore, the subdivisions on Homestead Road, and Ballentine (adjoining Lake Hogan Farms) as well as housing built in Lake Hogan since 2000. That being said many employees at Carol Woods, and UNC Hospitals are unable to find affording housing close to their place of employment.*
- 6.12 The variety of strategies to be considered should include the investigation of alternative public and private funding for construction and renovation of low and moderate income housing. A low interest loan pool for individuals and nonprofits that wish to buy and rehabilitate housing is desired.
- 6.13 The town should review all vacant municipally owned land for the purpose of making unneeded tracts available for housing programs.
- 6.14 The town should continue to advocate for inclusionary zoning techniques to increase the local stock of affordable housing.
- 6.15 The town should pursue the development of density bonus provisions for projects incorporating environmentally sensitive development and building practices.
- 6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.
- NTAAC 6.16 remains a worthy goal but we are unaware of any retirement opportunities except on Smith Level Road.*
- 6.17 The town should interact with non-profit groups that work to provide affordable housing, including but not limited to the Land Trust, Orange Community Housing Corporation, Empowerment Inc., and Habitat for Humanity.
- 6.18 A minimum of 15 percent of the residential units in any residential development should meet the affordability criteria specified in Section 15-182.4 of the Carrboro Land Use Ordinance.
- Planning Board: The town must increase and align its efforts in pursuit of this principle. The payment-in-lieu option should be evaluated to determine if the fee is adequate or needs to be increased in order to properly incentivize actual construction of affordable units integrated within residential developments.*

The Northern Transition Area Advisory Committee (NTAAC) appreciates the opportunity to participate in the review of Vision 2020 and respectfully submits the following comments and recommendations to the Board of Alderman.

Overall, we found that many of the Vision 2020 goals did not specifically consider the NSA. The majority of our comments/recommendations are to correct this. Also, we worked to incorporate the last fifteen years of accomplishments and changes within the NSA into our review. Here is a list of the major milestones.

- 2003 - Lake Hogan Farm development's new entrance ("Hogan Hill Road") extends to Old Hwy 86. Workers cut all the telecommunication lines on Deer Ridge Drive multiple times; Carrboro did not assist with this effort.
- 2006 – After a ~ 5 year campaign by the Deer Ridge Drive Community the site blind hill on old Hwy 86, located north of their road, is decreased; Carrboro did not assist with this effort.
- 2007 the Northern Study Area Plan Implementation Review Committee (NSAPIRC) is formed. The committee held two community forums which residents of NSA participate.
- 2008 - Morris Grove Elementary School Opens 2008; Traffic on Old HWY 86 significantly increases. Despite multiple memos to both Orange County Commissions and Board of Alderman, no action has been taken to mitigate the traffic.
- ~ 2008 Ballentine Development begins. Located off Hogan Hill Road on Legends way, within Lake Hogan Farms area. Though the developer is to connect Lake Hogan Farm Road to Morris Grove as a new North/South connector, work on this remains stalled. Additional traffic is routed onto Old Hwy 86.
- 2009 Chapel Hill Zen Center Opens at 5322 Old Hwy 86. Located off a section of Old 86 that has site blind hill, no shoulders or walkability to nearby neighborhoods.
- 2011 the Durham Area Designers (DAD) hold two neighborhood charrettes at Morris Grove School. The charrettes include a series of workshops focusing on site designs/planning for one property in the NSA, Located off Eubank road and Old Hwy 86.
- ~ 2013 Eubank Road entrance off Old 86 is relocated further North. (RE to mitigate site blind hill in this section.)
- Members of the Board of Alderman do not seem to understand the boundaries and issues of NSA.
- 2014 Rodgers road community final has a recreational center and (do they have water yet?)
- 2014 PSNC builds a natural gas pumping station off Old Hwy 86. Confusion as to who has jurisdiction to regulate and mitigate construction impacts on adjacent property owners.
- Old Hwy 86 and Dairy Land Roads remain narrow, curvy roads with site blind hills and no without shoulders and therefore are dangerous to pedestrians and bicyclists.

Finally, the NTAAC recommends that the Town of Carrboro endeavor to incorporate new technology and sustainable practices into plan for new development in order to protect the environment and its citizens.

Sincerely, Amy Jeroloman, Chair NTAAC





# Town of Carrboro

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

## Agenda Item Abstract

**File Number:**16-160

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**Agenda Date:** 5/24/2016

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Update from the Community Home Trust and Renewal of Interlocal Agreement

**PURPOSE:** The purpose of this item is for the Board to receive an update on the activities of the Community Home Trust and to consider renewing the Interlocal Agreement.

**DEPARTMENT:** Manager's Office

**CONTACT INFORMATION:** Nate Broman-Fulks, 919-918-7314, nbroman-fulks@townofcarrboro.org

**INFORMATION:** On April 28<sup>th</sup>, 2015, the Board of Aldermen approved an Interlocal Agreement with Chapel Hill, Hillsborough, and Orange County related to the Community Home Trust. This item is being provided as an update to the Board on the work of the Home Trust over the last year and as an opportunity to renew the Interlocal Agreement.

### **Background**

- In 1990, the Town, along with Chapel Hill, Hillsborough, and Orange County, created the Orange Community Housing Corporation (OCHC) to create affordable housing opportunities.
- The Towns and the County have annually provided operating support to the organization since its inception.
- In 1998 the Towns and County recommended that OCHC staff the newly created community land trust, later renamed the Community Home Trust.
- A key function of the Community Home Trust is to manage affordable housing units created through the Town's Inclusionary Zoning.

### **Components of the Agreement**

Staff from the jurisdictions worked closely with the Community Home Trust staff to draft the agreement. Key components of the agreement include:

- Reinforcement that the County and the Towns are committed to creating successful affordable housing opportunities in Orange County;
- Identification of responsibilities of the Community Home Trust (Section III.C), and the partner jurisdictions (Section III.D);
- Agreement on an annual funding formula based on the ratio of Community Home Trust homes to the total number of the organization's homes (Section III.D.3);

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**Agenda Date:** 5/24/2016

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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- Annual review of the agreement during the annual budget cycle by the Board of Aldermen and the elected boards of all of the partners;
- Acknowledgement and agreement that the Community Home Trust's programs serve households earning up to 115% of the area median income;
- Continuing to appoint a representative from each jurisdiction to the Community Home Trust board of directors (Section III.B)
- Agreement to allow Community Home Trust to provide an unrestricted fee simple deed of trust to lenders of Home Trust homes. In short, if a home is foreclosed upon, the Towns and County agree to cancel all affordability restrictions recorded against the property. This would increase the lending options to buyers. (Section III.D.5a.);
- Agreement that homes subsidized by local funds or Town Community Development funds may be resold to households earning up to 115% of the area median income without repaying the funds (Section III.D.5.b); and
- Agreement that homes could be sold out of the Community Home Trust inventory upon approval of the Town Manager (Section III.D.5.c).

**Benefits of an Interlocal Agreement:**

- Reconfirms the county-wide affordable housing goals for homeownership;
- Provides understanding among the jurisdictions and reduces uncertainties by establishing an agreed upon set of shared expectations and responsibilities for the governments and the Community Home Trust; and
- Maintains a formula to determine funding of the organization's operational budget.

**FISCAL & STAFF IMPACT:** Based on the funding formula in the Interlocal Agreement, Carrboro's allocation to the Community Home Trust would be \$75,052 for FY 2016-17.

**RECOMMENDATION:** Town staff recommends the Board consider approving the Interlocal Agreement for FY 2016-17.



**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO RENEW AN  
INTERLOCAL AGREEMENT WITH THE TOWNS OF CHAPEL HILL AND  
HILLSBOROUGH AND ORANGE COUNTY REGARDING THE COMMUNITY HOME  
TRUST**

**5-24-2016**

WHEREAS, in 1990, the Town, along with Chapel Hill, Hillsborough, and Orange County, created the Orange Community Housing Corporation (OCHC) to create affordable housing opportunities in Orange County; and

WHEREAS, the Towns and the County have annually provided operating support to the organization since its inception; and

WHEREAS, the purpose of an interlocal agreement is to clarify the responsibilities of the Towns, the County and the Community Home Trust; and

WHEREAS, an interlocal agreement establishes a formula for providing operating funds for the organization; and

WHEREAS, the Board of Aldermen approved the same agreement for fiscal year 2015-16.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen authorizes the Town Manager to renew the Interlocal Agreement with the Towns of Chapel Hill and Hillsborough and with Orange County regarding the Community Home Trust.

BE IT FURTHER RESOLVED that the agreement will be effective in fiscal year 2016-17.

BE IT FURTHER RESOLVED that the Board of Aldermen will annually review the Interlocal Agreement, including the funding formula.

This the 24<sup>th</sup> day of May, 2016.

NORTH CAROLINA  
ORANGE COUNTY

### **Inter-Local Agreement for the Community Home Trust**

THIS AGREEMENT made and entered into by and among the County of Orange (hereinafter “County”), the Town of Carrboro, the Town of Chapel Hill, and the Town of Hillsborough (hereinafter “Towns”), each being a general local governmental unit of the State of North Carolina, and is made pursuant to North Carolina Statutes, Article 20 of Chapter 160A.

WHEREAS, the County and Towns agree that it is desirable and in the interests of their citizens to provide affordable housing to low and moderate income individuals and families, to ensure that such housing remains affordable in perpetuity and to have much of that housing administered and managed by a non-governmental entity;

WHEREAS, the County and Towns were responsible for the creation of the predecessor organization to the Community Home Trust (CHT) in 1990; and

WHEREAS, CHT revised its organizational structure and model for providing affordable housing in 1999 at the behest of the County and Towns; and

WHEREAS the County and Towns are committed to creating successful affordable housing opportunities in Orange County;

NOW, THEREFORE, the County, the Towns and CHT agree as follows:

#### **Section I. Definitions**

- A. Low Income means households that earn 80% or less of the Area Median Income (AMI) in the Metropolitan Statistical Area (MSA) in which Orange County resides, as published by HUD.
- B. Moderate Income means households that earn more than 80% AMI but not more than 115% of the Area Median Income in the Metropolitan Statistical Area (MSA) in which Orange County resides, as published by HUD.
- C. HUD means the United States Department of Housing and Urban Development.
- D. Inclusionary housing refers to local policies and ordinances of the Towns and County that require or incentivize the inclusion of housing that is deemed affordable for purchase by low and moderate income households within market-rate housing developments.

NOW, THEREFORE, the County and Towns agree as follows:

#### **Section II. Purpose**

The purpose of this Agreement is to confirm the County and Town’s affordable housing goals for homeownership throughout Orange County. Since all of CHT’s homes are in Orange County, and since virtually all of CHT’s work is driven by inclusionary housing policies that are

supported by the County and Towns, this Agreement is intended to establish a shared set of expectations as to what affordable housing functions CHT will provide to the County and Towns. The County and Towns recognize that a shared and agreed upon set of expectations and responsibilities will reduce uncertainties and allow the County and Towns to best utilize the expertise and experience of CHT.

### **Section III. Agreement.**

- A. Term of Agreement** - The term of this Agreement begins on July 1, 2015 and is may be renewed annually.
- B. CHT Board Representation by County and Towns** – The governing bodies of the County and Towns are each entitled to appoint a representative to the board of directors of CHT. According to the CHT bylaws, one-third of the board of directors will be CHT homeowners, one-third will be appointed persons (by County, Towns and the University of North Carolina at Chapel Hill [hereinafter UNC]), and one-third of the directors will be members of the community who support the work of CHT. The County and Towns’ appointees to the board of directors enable the County and Towns to remain informed of the work of CHT and, in fact, to exert influence over that work.

**C. CHT Responsibilities**

It is agreed that CHT’s responsibilities include the following:

1. Create and maintain homes that are affordable for purchase by low and moderate income households earning up to 115% of AMI;
2. The CHT Board of Directors is responsible for the financial health and well-being of the organization to ensure the organization is well managed and able to meet the expectations of the County and Towns;
3. CHT agrees to generate a portion of its own funding each year. The principal sources of this revenue are fees from sales of new homes added to the portfolio, re-sales of homes already in the portfolio, ground lease fees and fundraising efforts.
4. The CHT Board of Directors will hire, periodically evaluate and, as necessary, replace the organization’s Executive Director;
5. Sell homes using the community land trust (CLT) model, wherein homes are conveyed to buyers using a 99-year ground lease. The CLT model enables homes to remain affordable to future generations of low and moderate income households. CHT will be expected to continually revise its model to meet changing circumstances and to reflect best practices;
6. Advocate for affordable housing policies at the local, state and national levels.
7. Create affordable housing opportunities, whether through purchase and rehab, or otherwise, that are outside the inclusionary housing realm;
8. Implement and manage inclusionary housing programs as requested by the Towns and County.

**D. Responsibilities of the Towns and County**

1. Annual Funding

The County and Towns agree that their annual funding of CHT will gradually grow and annually be adjusted, starting in fiscal 2015-16, from the fiscal 2014-15 levels (Orange County \$149,000, Town of Chapel Hill \$200,000, Town of Carrboro \$35,000 and Town of Hillsborough \$2,500) to allow CHT to maintain a minimum required operating cash balance. CHT's minimum required operating cash balance will be the sum of the industry-standard six months of operating expenses (\$350,000 as of July 1, 2014) plus special project reserves necessary for CHT to safeguard its portfolio of homes (\$550,000 as of July 1, 2014). Each year, CHT will re-determine these amounts and include them in its budget proposal.

Funding payments from the County and Towns to CHT will be made quarter-annually in equal amounts on or about July 1, October 1, January 1 and April 1.

## 2. CHT Staff Compensation

The County and Towns agree that the CHT budget will include CHT staff compensation based upon compensation paid by the County and Towns.

## 3. Funding Formula

Although it is recognized that each local government will vote independently to approve this Agreement, it is expected that each jurisdiction will approve the same funding formula. Furthermore it is agreed that funding will be determined as follows:

- a. The sharing of the County and Towns' portion of the annual funding will be determined by a two tier formula. First, the County will provide 33% of the total and the Towns will provide 67% of the total. Second, the Towns will share their 67% portion based on the ratio of CHT homes within each town to the total number of CHT homes. The number of homes will be determined as of January 1 prior to each fiscal year.
- b. For example, if CHT's budget is \$800,000 and the number of homes in the CHT portfolio on the prior January 1<sup>st</sup> is 250, with 200 of those homes in Chapel Hill, 50 of those homes in Carrboro and none of those homes in Hillsborough, and CHT budgets providing \$200,000 of revenue itself, then Orange County will be required to pay 33% of \$600,000 (\$800,000 less \$200,000), or \$198,000, Chapel Hill will be required to pay 67% of \$600,000 multiplied by 200/250, or \$321,600; Carrboro will be required to pay 67% of \$600,000 multiplied by 50/250, or \$80,400 and Hillsborough will be required to pay 67% of \$600,000 multiplied by 0/250, or \$0.

## 4. Portfolio Management

- a. The Towns and County agree to consult with the CHT staff when new developments are proposed that would include homes that would become a part of the CHT portfolio. CHT staff will provide input on any affordable housing proposals or options if requested by the Towns or County.

- b. The County and Towns agree to consult with the CHT staff prior to implementing policies or regulations that will impact CHT's work.

## 5. Operating Guidelines

### a. Unrestricted Fee Simple Deed of Trust

The Towns and the County agree to allow use of an unrestricted fee simple deed of trust on CHT properties to facilitate greater lending options to CHT buyers. If a CHT home is foreclosed upon, the Towns and County agree to cancel all affordability restrictions recorded against the property and the home would be sold by the lien holder on the open market.

### b. Resale of CHT homes

A CHT home subsidized by local or Community Development Block Grant funds may be resold to households earning up to 115% of the AMI without a requirement of repaying local funds. Homes sold to households earning up to 115% of AMI will continue to be required to maintain the affordability requirements consistent with the elected bodies at that time.

CHT will notify the appropriate jurisdiction prior to exercising this provision and will report the resale in its quarterly reports.

### c. Selling CHT homes out of the affordable housing inventory

The Towns and County acknowledge that there could be properties that the CHT would want to sell from its inventory. Prior to selling a home out of its inventory, the CHT would consult with the appropriate jurisdiction(s) to discuss the challenges of the property and options for consideration (i.e. subsidy repayment, legal implications with Special/Conditional Use Permits) the Towns and County agree that the Managers shall have the authority to approve sale of homes outside of the affordable housing inventory and will notify its elected officials.

## **Section IV. Execution**

- A. All governing boards have duly approved this Agreement and pursuant to such approval and the proper officials having signed this Agreement. The parties hereto agree to be bound by the provisions herein set forth. The terms and provisions of this Agreement are authorized by applicable laws and regulations.

The County and Towns have authorized this Agreement to be duly executed under seal and have set their hands and seals on the day and year specified below.

**TOWN OF CARRBORO**

\_\_\_\_\_  
David Andrews  
Town Manager

**ATTEST:**

\_\_\_\_\_

**NORTH CAROLINA  
ORANGE COUNTY**

This is to certify that on this day personally came before me \_\_\_\_\_, with whom I am personally acquainted, and being by me duly sworn, says that David Andrews is the Town Manager, and that she the said \_\_\_\_\_, is the Town Clerk of the Town of Carrboro, the municipal corporation named within and which executed the foregoing instrument; that she knows the common seal of said corporation; that the seal affixed to said instrument is said common seal; that the name of corporation was subscribed thereto by the said Town Manager and that the said Town Manager and said \_\_\_\_\_ Town Clerk subscribed their names hereto and said common seal was affixed, all by order of the Board of Alderman of the Town of Carrboro and that said instrument is the act and deed of said corporation.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

**TOWN OF CHAPEL HILL**

\_\_\_\_\_  
**Roger Stancil**  
**Town Manager**

**ATTEST:**

\_\_\_\_\_

**NORTH CAROLINA**  
**ORANGE COUNTY**

This is to certify that on this day personally came before me \_\_\_\_\_, with whom I am personally acquainted, and being by me duly sworn, says that Roger Stancil is the Town Manager, and that he the said \_\_\_\_\_, is the Town Clerk of the Town of Chapel Hill, the municipal corporation named within and which executed the foregoing instrument; that she knows the common seal of said corporation; that the seal affixed to said instrument is said common seal; that the name of corporation was subscribed thereto by the said Town Manager and that the said Town Manager and said \_\_\_\_\_ Town Clerk subscribed their names hereto and said common seal was affixed, all by order of the Town Council of the Town of Chapel Hill and that said instrument is the act and deed of said corporation.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_



**TOWN OF HILLSBOROUGH**

\_\_\_\_\_  
**Eric Peterson**  
**Town Manager**

**ATTEST:**

\_\_\_\_\_  
**NORTH CAROLINA**  
**ORANGE COUNTY**

This is to certify that on this day personally came before me \_\_\_\_\_, with whom I am personally acquainted, and being by me duly sworn, says that Eric Peterson is the Town Manager, and that she the said \_\_\_\_\_, is the Town Clerk of the Town of Hillsborough, the municipal corporation named within and which executed the foregoing instrument; that she knows the common seal of said corporation; that the seal affixed to said instrument is said common seal; that the name of corporation was subscribed thereto by the said Town Manager and that the said Town Manager and said \_\_\_\_\_ Town Clerk subscribed their names hereto and said common seal was affixed, all by order of the Town Board of the Town of Hillsborough and that said instrument is the act and deed of said corporation.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

**ORANGE COUNTY**

\_\_\_\_\_  
**Bonnie Hammersley**  
**County Manager**

**ATTEST:**

\_\_\_\_\_

**NORTH CAROLINA**  
**ORANGE COUNTY**

This is to certify that on this day personally came before Donna Baker, with whom I am personally acquainted, and being by me duly sworn, says that Bonnie Hammersley is the County Manager, and that she the said \_\_\_\_\_, is the Clerk to the Board of Commissioners of the County of Orange, the body politic and corporate named within and which executed the foregoing instrument; that she knows the common seal of said County; that the seal affixed to said instrument is said common seal; that the name of corporation was subscribed thereto by the said County Manager and that the said County Manager and said Donna Baker subscribed their names hereto and said common seal was affixed, all by order of the Board of County Commissioners of Orange County and that said instrument is the act and deed of Orange County.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_





# Town of Carrboro

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

## Agenda Item Abstract

**File Number:**16-167

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**Agenda Date:** 5/24/2016

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Update on Legislative Changes Relating to Planning and Development

**PURPOSE:** The purpose of this item is to report to the Board of Aldermen on legislative changes in 2015, noting Town action in response.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Trish McGuire, Planning Director, 919-918-7327,  
[pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org)

**INFORMATION:** The General Assembly enacted a number of laws in 2015 that incorporate changes to planning and development regulations or procedures. The attached memo summarizes these changes and identifies a Town response.

**FISCAL & STAFF IMPACT:** Legal and administrative costs, both direct and indirect, are expected in association with the needed responses. These costs have not been estimated.

**RECOMMENDATION:** It is recommended that the Board of Aldermen accept the update.



# TOWN OF CARRBORO

NORTH CAROLINA

## TRANSMITTAL

## PLANNING DEPARTMENT

**DELIVERED VIA:** ☐ HAND ☐ MAIL ☐ FAX ☒ EMAIL

**To:** David Andrews, Town Manager  
Mayor and Board of Aldermen

**From:** Patricia J. McGuire, Planning Director

**Date:** April 29, 2016

**Subject:** Changes to North Carolina Legislation related to Planning and Development

There were a number of changes to applicable laws in 2015. The table below presents the session law, bill number, description and action needed. Some bills include many provisions, some of which apply to areas of the state, such as the beach, that do not occur in Carrboro. The descriptions note those portions of the bill that staff interprets to apply to activities in Town. Staff anticipates working with Town Attorneys over the summer to prepare needed amendments for the Board's consideration in the early fall. In the meantime, compliance with provisions of the Town Code that are inconsistent with the Session Laws is not required.

Session Law/Bill #/ Effective Date	Description	Town Action
2015-246/ H.44/ 9-21-15 except for development agreement provision which was made effective 10- 1-15	<a href="http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H44v5.pdf">http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H44v5.pdf</a> Local government regulatory reform. 1. Authorize cities to provide annual notice to chronic violators or overgrown vegetation; 2. Prohibit requiring compliance with state voluntary rules; 3. Options for owners of tracts with split regulatory jurisdiction; 4. Exempt fence wraps at construction sites from sign regulations; 5. Provide choice of regulation rule to zoning permits; 6. Limit reduction in travel lanes to accommodate bike lanes on high traffic volume	1. Town Code amendment, 2.-5 LUO Amendments 6.No action 7.No action 8. Previous report on stream buffer provides status report/response. Follow-up scheduled for June 21 <sup>st</sup> . 9 – 10.Under review 11.No action 12. Act in accordance with provision of G.S. 13. Town Code amendment; notice of construction projects 14. Under review

Planning Department

301 West Main Street, Carrboro, NC 27510 • (919) 918-7327 • FAX (919) 918-4454 • TDD 1-800-826-7653  
AN EQUAL OPPORTUNITY EMPLOYER

Session Law/Bill #/ Effective Date	Description	Town Action
	roads; 7. Require density credits for dedicated rights of way; 8. Local riparian buffers; 9. Enforcement of ordinances outside ETJ 10. Permits for wells within service area of public water system 11. Leases for communication towers. 12. Notice to property owners of city construction 13. Prohibit definition of dwelling units that exceed state statute or rule; 14. Remove size and term limits on development agreements.	
2015-160/ H.201/8-1- 2015	<a href="http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H201v6.pdf">http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H201v6.pdf</a> 1. Replace zoning protest petition with written citizen comment; 2. Remove affirmative vote provision for abstentions on zoning amendments.	1.LUO amendment 2.Town Code amendment
2015-145/ H.255/10-1- 15	<a href="http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H255v8.pdf">http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H255v8.pdf</a> 1. Local inspectors shall make as many inspections as needed. 2. NC Building Code Council shall study procedures and policies for approval of alternative materials, designs or methods and report to the 2016 Regular session of the GA. 3. Clarification of official misconduct for code officials. 4. Raise threshold for building permit requirement from \$5,000 to \$15,000. 5. Create Building Code Council – 17 members appointed by Governor. Council shall include a Residential Code for One- and Two-Family Dwellings Committee and a Building Code Committee, which will review code amendments and appeals and interpretations. 6. Schedule for revisions to Building Code: Residential Code for One- and Two-Family dwellings once every six years starting in 2019. 7. Web posting of Building Code Council appeal decisions, interpretations and variations of the Code. 8. Inspections fees to be spent only for activities of inspections department. 9. Inspections to be completed in a full and timely	Procedural changes in administration of permitting and inspections services. Change to standard process made following enactment. Inspections staff had previously required deeper and wider building footings based on long-standing knowledge of local soil conditions. New definition of misconduct prohibits this. Staff has taken a proactive approach and now notifies applicants via informational stamps on plans of Town's recommendations. (see Attachment B for examples of previous and current notes).

Session Law/Bill #/ Effective Date	Description	Town Action
	manner and include all items failing to meet requirements. Revise building permit inspections, fees, reviews	
2015-192/ H.553/ 8-5-2015	<a href="http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H553v5.pdf">http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H553v5.pdf</a> 1) Prohibit town from setting standards of care for farm animals, which includes the following domesticated animals: cattle, oxen, bison, sheep, swine, goats, horses, ponies, mules, donkeys, hinnies, llamas, alpacas, lagomorphs, ratites, and poultry flocks of greater than 20 birds." 2) Noted standards related to Construction, repair, or improvement of farm animal shelter or housing; restrictions on the types of feed or medicines that may be administered to farm animals; and exercise and social interaction requirements.	1. and 2. Town Code amendments.
2014-149/ H.634/ 8-16-15	<a href="http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H634v6.pdf">http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H634v6.pdf</a> 1) For purposes of implementing stormwater programs, "built-upon area" means impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. "Built-upon area" does not include a slatted deck or deck; the water area of a swimming pool; a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric; or a trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour)." 2) Environmental Management Commission shall adopt rules for implementing the requirement by December 1, 2015.	Under review.
2015-194/ H638/ 8-5-2015	<a href="http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H638v4.pdf">http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H638v4.pdf</a> 1) Encourage wetland mitigation practices that maximize opportunities habitat areas. 2) Requires Department of Environment and	Awareness of change in statutory provisions.



Session Law/Bill #/ Effective Date	Description	Town Action
	<p>Natural Resources and the Wildlife Resources Commission to work together to maximize public recreational opportunities, including hunting, in conservation easements or purchased mitigation areas, to promote wildlife and biological diversity.</p> <p>3) Identifies mechanisms for inventorying and purchasing from lands held by DENR's Office of Land and Water Stewardship.</p>	
2015-19/ H.706/ 5-14-2015	<p><a href="http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H706v4.pdf">http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H706v4.pdf</a></p> <p>Exempts open-air cabins of limited occupancy from requirements of Building Code. Requires BC amendment to comply/allow this law to sunset.</p>	Awareness of change in building code.
2015-187/ H.721/ 8-5-2015	<p><a href="http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H721v6.pdf">http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H721v6.pdf</a></p> <p>1.Modify performance guarantee provisions of subdivision statute; 2.Limit withholding building permits due to completion of separate permit of compliance with land use regulations.</p>	Minor change to LUO may be needed
2015-86/ S.25/ 6-19-15	<p><a href="http://www.ncleg.net/Sessions/2015/Bills/Senate/PDF/S25v3.pdf">http://www.ncleg.net/Sessions/2015/Bills/Senate/PDF/S25v3.pdf</a></p> <p>1) Establishes prohibition on regulation of building design elements for one- and two-family dwellings unless excepted. 2) Defines building design elements as "exterior building color; type or style of exterior cladding material; style or materials of roof structures or porches; exterior nonstructural architectural ornamentation; location or architectural styling of windows and doors, including garage doors; the number and types of rooms; and the interior layout of rooms. The phrase "building design elements" does not include any of the following: (i) the height, bulk, orientation, or location of a structure on a zoning lot; (ii) the use of buffering or screening to minimize visual impacts, to mitigate the impacts of light and noise, or to protect the privacy of neighbors; or (iii) regulations adopted pursuant to this Article governing the permitted uses of land or structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings."</p>	1. And 2. Land Use Ordinance amendments.

Session Law/Bill #/ Effective Date	Description	Town Action
	3) Does not affect covenants or private agreements that regulate such features.	
2015-64/S.315/ 6-11-2015	<a href="http://www.ncleg.net/Sessions/2015/Bills/Senate/PDF/S315v4.pdf">http://www.ncleg.net/Sessions/2015/Bills/Senate/PDF/S315v4.pdf</a> Allow local school boards to make playgrounds available for other public recreational uses.	None anticipated.
2015-277/ S.472/ 10-20-2015	<a href="http://www.ncleg.net/Sessions/2015/Bills/Senate/PDF/S472v3.pdf">http://www.ncleg.net/Sessions/2015/Bills/Senate/PDF/S472v3.pdf</a> 1) Changes language pertaining to economic development appropriations. 2) Authorizes specific actions related to economic development; adds grants or loans to support rehabilitation of historic, public or private, commercial or non-commercial buildings. 3) Requires public hearing for any economic development activities. 4) Describes interest, cost estimating for new employment resulting from appropriations, applicability of Local Government Fiscal Control Act.	Awareness of amended provisions and definitions.
2015-217/ S.581/ 8-18-2015	<a href="http://www.ncleg.net/Sessions/2015/Bills/Senate/PDF/S581v4.pdf">http://www.ncleg.net/Sessions/2015/Bills/Senate/PDF/S581v4.pdf</a> 1) Study of NCDOT process for acceptance of subdivision streets 2) Report to Joint Legislative Transportation Oversight Committee 3) Changes percentage requirement for traffic calming requests from 70 percent to 60 percent.	Information/awareness of state policies and procedures. Communication with citizens eligible for requesting NCDOT actions.

**DUE TO EXPANSIVE SOIL, THE TOWN  
OF CARRBORO RECOMMENDS ALL  
FOOTINGS BE 24" WIDE X 12"  
DEEP WITH TWO #4 REBAR**

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**CARRBORO INSPECTIONS**

**PLEASE FURNISH MANUFACTURERS  
SPECIFICATIONS ON WINDOW  
AND DOOR FLASHING PRIOR  
TO FRAMING INSPECTION**

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**CARRBORO INSPECTIONS**

**ALL FOOTINGS MUST BE  
24" WIDE x 12" DEEP WITH  
TWO #4 REBAR**

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**CARRBORO INSPECTIONS**