



Town of Carrboro

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

Meeting Agenda Board of Aldermen



Tuesday, December 6, 2016

7:30 PM

Board Chambers - Room 110

7:30-7:35

A. RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [16-362](#) A Resolution in Support of the NC Commission of Inquiry on Torture

PURPOSE:

7:35-7:40

B. ANNOUNCEMENT OF UPCOMING MEETINGS

7:40-7:55

C. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

7:55-8:00

D. CONSENT AGENDA

1. [16-360](#) Approval of Previous Meeting Minutes of November 15, 2016
2. [16-358](#) Adoption of 2017 Meeting Calendar

PURPOSE: The purpose of this item is for the Board of Aldermen to adopt their 2017 meeting calendar.

Attachments: [Attachment A - 2016 Meeting Calendar.docx](#)

3. [16-266](#) A Resolution Setting the Date for the 2016 Legislative Breakfast and Discussion of Legislative Issues for the 2017 Session of the General Assembly

PURPOSE: The purpose of this item is to request that the Board of Aldermen set the date for the 2016 Legislative Breakfast and to facilitate a discussion of legislative issues to present to our local delegation at the breakfast. The delegation may be able to pursue some of the issues presented during the upcoming session of the NC General Assembly.

Attachments: [A Resolution Setting the Legislative Breakfast and the 2017 Legislative Priorities for the Carrboro Board of Aldermen Proposed Legislative Priorities 2017.docx](#)
[6-24-14 Carrboro Free Trade Resolution.docx](#)

4. [16-359](#) Establishment of Career Development Plan for Carrboro Police Officers

PURPOSE: To provide officers with opportunities for training and development that will give them career advancement and salary increases, in addition to the Town's competitive promotional opportunities program.

Attachments: [Attachment A](#)

5. [16-352](#) Proposed Revisions to the Rental and Utility Deposit Assistance Program

PURPOSE: The purpose of this item is for the Board to consider approving proposed revisions to the Rental and Utility Deposit Assistance Program out of the Affordable Housing Fund.

Attachments: [Attachment A - Draft Revised Rental and Utility Deposit Assistance Program](#)
[Attachment B - A Resolution Approving Revisions to the Rental and Utility Deposit Assistance Program](#)

6. [16-354](#) Accept Electric Vehicle Charging Station Grant from Duke Energy

PURPOSE: The Board is asked to consider approving receipt of a grant from Duke Energy in the amount of \$10,000 to install two (2) electric vehicle charging stations within Town limits.

Attachments: [A: Grant Project Ordinance - Charging Stations](#)
[B: Budget Amendment - Duke Energy Grant](#)
[C: PEV Charging Form Application \(Town of Carrboro 26 Aug\)](#)
[D: PEV Grant Recipient Toolkit](#)

7. [16-361](#) A Resolution Scheduling a Board of Aldermen Meeting for December 13, 2016

Attachments: [A RESOLUTION SCHEDULING A MEETING FOR DECEMBER 13, 2016](#)

8:00-8:15

E. PUBLIC HEARING

1. [16-351](#) Continuation of the Public Hearing on Land Use Ordinance Amendments Relating to Protests to Zoning Map Amendments
PURPOSE: The purpose of this item is for the Board of Aldermen to consider amending the Land Use Ordinance to replace the existing provisions for protest petitions with a new policy for citizen comment.

Attachments: [Attachment A - Resolution for Consistency](#)
[Attachment B - Ordinance amending 15-326 \(11-29-2016\)](#)
[Attachment C - Resolution Objecting text amendment](#)
[Attachment D - Existing Language in Section 15-326](#)
[Attachment E - Comments PB & OC](#)

F. OTHER MATTERS

8:15-8:45

1. [16-355](#) Discussion of Estes Drive and N. Greensboro St. Intersection Improvements

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to discuss proposed improvements to the Estes Drive/N. Greensboro St. intersection and provide comments to NCDOT.

Attachments: [Attachment A - Resolution](#)
[Attachment B - Public meeting materials](#)

8:45-10:00

2. [16-356](#) Deliberation on the Proposed Rezoning and associated Land Use Ordinance Text Amendments for the Lloyd Farm development proposal.

PURPOSE: Continuation of the Board's deliberation on the proposed rezoning at 700 Old Fayetteville Road from R-10 and B-4 to B-4-CZ, from R-10 and R-20 to R-10-CZ and R-20-CZ, and the associated text amendments for the Lloyd Farm development proposal. Draft ordinances for the Land Use Ordinance map and text amendments have been prepared.

Attachments: [Attachment A-1 - Consistency Resolution for Text Ordinance Adoption](#)
[Attachment A-2 - Consistency Resolution for Text Ordinance Denial](#)
[Attachment B - Draft LUO Text Amendment relating to B-4-CZ & B-4-CU zoning district 6-22-16 CU&CZ](#)
[Attachment C-1 - Consistency Resolution for Map Ordinance Adoption](#)
[Attachment C-2 - Consistency Resolution for Map Ordinance Denial](#)
[Attachment D - Draft Map Amendment with conditions 12-2-2016](#)

G. MATTERS BY BOARD MEMBERS

H. MATTERS BY TOWN MANAGER

I. MATTERS BY TOWN ATTORNEY

J. MATTERS BY TOWN CLERK



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Agenda Item Abstract

File Number:16-358

Agenda Date: 12/6/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Adoption of 2017 Meeting Calendar

PURPOSE: The purpose of this item is for the Board of Aldermen to adopt their 2017 meeting calendar.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Dorando, 919-918-7309

INFORMATION: The Town Clerk has provided the 2017 meeting calendar with any possible conflicts shown. The Board should review the meeting dates and adopt the calendar, making any changes the Board finds necessary.

The calendar may be changed in the future by the Board of Aldermen.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: It is recommended that the Board adopt the 2017 meeting schedule.

2017 Board of Aldermen Meeting Schedule

<u>Day</u>	<u>Regular 2017 Date</u>	<u>Time</u>	<u>Meeting Type</u>	<u>Place</u>	<u>Possible Conflict</u>	<u>Possible</u>
JANUARY						
Tuesday	January 10th	7:30 PM	Work Session	Town Hall		
Tuesday	January 17th	7:30 PM	Regular Meeting	Town Hall		
Tuesday	January 24th	7:30 PM	Public Hearing	Town Hall		
FEBRUARY						
Tuesday	February 7th	7:30 PM	Regular Meeting	Town Hall		
Tuesday	February 14th	7:30 PM	Work Session	Town Hall		
Tuesday	February 21 st	7:30 PM	Regular Meeting	Town Hall		
Tuesday	February 28th	7:30 PM	Public Hearing	Town Hall		
MARCH						
Tuesday	March 7 th	7:30 PM	Regular Meeting	Town Hall		
Thursday	March 9 th	6:00 PM	Annual Advisory Board Appreciation Dinner	Century Center		
Tuesday	March 14th	7:30 PM	Work Session	Town Hall		
Thursday	March 16 th	7:00 PM	Possible Joint Meeting Chapel Hill and Orange County	Southern Human Services Center		
Tuesday	March 21 st	7:30 PM	Regular Meeting	Town Hall		
Tuesday	March 28th	7:30 PM	Public Hearing	Town Hall		
APRIL						
Tuesday	April 4th	7:30 PM	Regular Meeting	Town Hall		
Tuesday	April 11th	7:30 PM	Work Session	Town Hall		
Tuesday	April 18th	7:30 PM	Regular Meeting	Town Hall		
Tuesday	April 25th	7:30 PM	Public Hearing	Town Hall		
MAY						
Tuesday	May 2 nd	7:30 PM	Regular Meeting	Town Hall		
Tuesday	May 9th	7:30 PM	Work Session	Town Hall		
Tuesday	May 16th	7:30 PM	Regular Meeting	Town Hall		
Tuesday	May 23rd	7:30 PM	Public Hearing	Town Hall		

JUNE						
Tuesday	June 6th	7:30 PM	Regular Meeting	Town Hall		
Tuesday	June 13th	7:30 PM	Work Session	Town Hall		
Tuesday	June 20 th	7:30 PM	Regular Meeting	Town Hall		
Tuesday	June 27th	7:30 PM	Public Hearing	Town Hall		
SUMMER BREAK JULY-AUGUST						
SEPTEMBER						
Tuesday	September 5th	7:30 PM	Regular Meeting	Town Hall		
Tuesday	September 12th	7:30 PM	Work Session	Town Hall		
Tuesday	September 19th	7:30 PM	Regular Meeting	Town Hall		
Tuesday	September 26th	7:30 PM	Public Hearing	Town Hall		
OCTOBER						
Tuesday	October 3rd	7:30 PM	Regular Meeting	Town Hall		
Tuesday	October 10th	7:30 PM	Work Session	Town Hall		
Thursday	October 17th	7:30 PM	Regular Meeting	Town Hall/OWASA	Early Voting	Possibly OWASA
Tuesday	October 24th	7:30 PM	Public Hearing	OWASA Community Room	Early Voting	OWASA Community Room
Thursday	October 26th	7:00 PM	Joint Meeting with County	Southern Human Services Center		
NOVEMBER						
Tuesday	November 7th		Canceled		Election Day – No Meeting	
Tuesday	November 14th	7:30 PM	Work Session	Town Hall		
Thursday	November 16th	7:00 PM	Assembly of Governments Meeting	Whitted Building, Hillsborough, NC		
Tuesday	November 21 st	7:30 PM	Regular Meeting	Town Hall		
Thursday and Friday	November 23 rd and 24 th	TOWN HALL CLOSED	THANKSGIVING HOLIDAY			
Tuesday	November 28 th	7:30 PM	Public Hearing	Town Hall		
DECEMBER						
Tuesday	December 5th	7:30	Swearing In Ceremony	Town Hall		



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File Number:16-266

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In Control: Board of Aldermen

Version: 1

TITLE:

A Resolution Setting the Date for the 2016 Legislative Breakfast and Discussion of Legislative Issues for the 2017 Session of the General Assembly

PURPOSE: The purpose of this item is to request that the Board of Aldermen set the date for the 2016 Legislative Breakfast and to facilitate a discussion of legislative issues to present to our local delegation at the breakfast. The delegation may be able to pursue some of the issues presented during the upcoming session of the NC General Assembly.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Wilson

INFORMATION: The 2017 Regular Session of the General Assembly will convene on Wednesday, January 11, 2017.

Staff contacted the legislative delegation to determine possible dates for the 2016 legislative breakfast. The following date has been recommended: Wednesday, December 21, 2016. As in the past, the breakfast will take place at Town Hall and begin at 7:30 a.m.

In previous years, the Board of Aldermen has developed a package of legislative issues to discuss with the delegation. Occasionally, this package has included a piece of local legislation that the Board of Aldermen would like to get passed.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: Town staff recommends that the Board approve the resolution setting a date for the 2016 Legislative Breakfast and discuss the resolution establishing a list of legislative issues/priorities to discuss with our local delegation and, where appropriate, to propose local legislation in the upcoming session of the General Assembly.

A RESOLUTION SETTING THE 2016 LEGISLATIVE BREAKFAST AND THE 2017
LEGISLATIVE ISSUES FOR THE CARRBORO BOARD OF ALDERMEN

Section 1. The Legislative Breakfast is scheduled for December 21, 2016 at 7:30 a.m.

Section 2. The Board provides the following comments and/or the following legislative priorities:

- 1.
- 2.
- 3.

Section 3. This resolution is effective immediately upon adoption.

**Town of Carrboro
2017**

Proposed State and Federal Legislative Priorities

STATE ADVOCACY GOALS

Municipal Authority

- Oppose legislation that further erodes municipal authority.
- Amend the Law Enforcement Recordings/No Public Records law (SL 2016-88; House Bill 972) to provide local governments and law enforcement agencies with greater flexibility in the disclosure and release of dashboard and body-worn camera recordings.
- Oppose any further weakening of gun control laws, especially with regard to municipal and governmental properties, including parks and greenways, school properties, and college and university campuses.
- Oppose legislation that removes authority of municipalities to determine election schedules.

Affordable Housing/Tax Credits

- Support for Restoration of State Housing Tax Credits and Opportunity Tax Credits (or similar) as may be proposed during the session.
- Support for other affordable housing finance strategies.

Infrastructure/Utilities/Transportation

- Support removal the 10% cap on total state funding for a commuter rail or light rail project (N.C.G.S. 136-189.10(3)g)
- Support legislative efforts to expand of municipal broadband.
- Support legislation to protect Jordan Lake as a drinking water supply.
- Support for state or federal money that could help with extreme flooding that Carrboro has been experiencing in recent years.

Juvenile Jurisdiction

- Support of raising the age of juvenile jurisdiction to 18 to non-violent crimes

LGBTQ

- Oppose any religious freedom bill that allows discrimination against the LGBT community.
- Seek repeal of the Magistrates Recusal for Civil Ceremonies law (SL 2015-75; Senate Bill 2).
- Seek repeal of the Public Facilities Privacy & Security Act (SL 2016-3; House Bill 2).
- Support legislation that establishes statewide protections for LGBTQ citizens related to sexual orientation, gender identity, and gender expression in the areas of housing, employment and public accommodation.

FEDERAL ADVOCACY GOALS

Environment

- Oppose legislation that would eliminate the EPA, as well as including efforts to limit greenhouse-gas emissions, limit the Clean Power Plan, or reduce rules imposed on oil, gas, and coal sectors.

Finance

- Support the passage of the federal e-fairness legislation.
- Support for state or federal money that could help with extreme flooding that Carrboro has been experiencing in recent years.

Healthcare

- Oppose healthcare reform efforts that would fully repeal the Affordable Care Act or discriminate against people with pre-existing conditions or drop coverage of children under the age of 26.

Trade/Human Rights

- Oppose any trade agreements (including the Trans Pacific Partnership) that include investor-state dispute arbitration and which undermine the ability of governments to enact laws to protect human rights, labor and environmental standards. (2014 Resolution Against Trade Agreements that Undermine the Ability of Governments to Enact and Enforce Laws to Protect Human Rights, Labor and the Environment provided as an agenda item attachment)

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ADOPT THE RESOLUTION BELOW:

Resolution Against Trade Agreements that Undermine the Ability of Governments to Enact and Enforce Laws to Protect Human Rights, Labor and the Environment

WHEREAS the Town of Carrboro benefits from the general health of the state economy and jobs being available in North Carolina

WHEREAS According to the Economic Policy Institute, 18,900 jobs have been lost or displaced in North Carolina (1994-2013) due to the rise in the trade deficit with Mexico since NAFTA was enacted

WHEREAS LED lights, photovoltaic cells, and other high-tech manufacturing goods are some of North Carolina's most important exports and exports of these products from the U.S. to South Korea plunged 41% in the first year of the Korea free trade agreement

WHEREAS the Town of Carrboro benefits from having the opportunity to have input on matters that ultimately have a local impact.

WHEREAS, current trade negotiations lack transparency and little effort has been made to consult with states on the effects of these agreements on state and local laws;

WHEREAS the Town of Carrboro benefits from a democratic system of laws that is responsive to local needs and impacts.

WHEREAS, trade rules can limit domestic authority to regulate to ensure a level playing field for workers and businesses or to include meaningful human rights, labor and environmental standards;

WHEREAS, investor-state disputes in trade agreements are being used to challenge domestic legal processes, including processes and decisions of national courts;

WHEREAS, investor-state dispute arbitration clauses allow foreign investors the right to sue governments directly in offshore private investment tribunals, bypassing the state courts;

WHEREAS, investor-state dispute arbitration provisions are in current known drafts of the Trans-Pacific Partnership (TPP) agreement;

WHEREAS, increasingly, decisions issued under this system result in foreign investors being granted greater rights than are provided to people, domestic firms, and investors under the constitutions, laws and court systems of host countries;

WHEREAS, granting Fast-Track Trade Promotion Authority will cede Congressional oversight of the details of trade agreements;

WHEREAS, the Town of Carrboro is active in cultivating a locally owned economy

WHEREAS these free trade agreements are antithetical to efforts that seek to strengthen locally owned economies

WHEREAS Representative David Price voted for NAFTA and other 'Free Trade' agreements including Panama, Korea, Colombia, Chile, Signapore

WHEREAS Senator Richard Burr voted for Panama, Korea, Colombia, Chile, and Signapore 'Free Trade' agreements

BE IT RESOLVED, the Town of Carrboro thanks Senator Kay Hagan for voting against free trade agreements that hurt the Town of Carrboro

BE IT FURTHER RESOLVED, the Town of Carrboro asks Representative David Price, Senators Kay Hagan and Senator Richard Burr Congress to reject Fast-Track Trade Promotion Authority;

BE IT FURTHER RESOLVED, that the Town of Carrboro asks Representative David Price, Senators Kay Hagan and Senator Richard Burr to reject any trade agreements that include investor-state dispute arbitration and which undermine the ability of governments to enact laws to protect human rights, labor and environmental standards.

This the 24TH day of June, 2014

The motion carried by the following vote:

Aye: Mayor Lavelle, Alderman Haven-O'Donnell, Alderman Chaney, Alderman Seils, Alderman Gist, Alderman Slade and Alderman Johnson



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Agenda Item Abstract

File Number:16-359

Agenda Date: 12/6/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Establishment of Career Development Plan for Carrboro Police Officers

PURPOSE: To provide officers with opportunities for training and development that will give them career advancement and salary increases, in addition to the Town's competitive promotional opportunities program.

DEPARTMENT: Human Resources Department and Police Department

CONTACT INFORMATION: Carol Dorsey 919 918-7321 and Walter Horton 919 918-7408

INFORMATION: Effective January 1, 2017, the Town will begin a Career Progression Plan for the Police Department, adding the position of Police Officer II, salary grade 10. Officers that meet the required criteria for training, service, and performance will be eligible to advance from Police Officer I to Police Officer II. For more detail see attachment A

FISCAL & STAFF IMPACT: STAFF Impact: Improvement in education level of Officers, in morale, recruiting, retention, and in service to TOC residents. FISCAL Impact: The annual fiscal impact will vary, and will be estimated annually during budget development. The initial fiscal impact (January 2017) is estimated to cost approximately \$15,000. This sum will be charged to the current operating budget of the Police Department. (Monies from lapsed salaries and other savings will provide funds for the FY2016/2017 costs.) No monies from the Fund Balance will be used to pay for the Career Development Program, now or in the future. More detail is provided in attachment A

RECOMMENDATION: We recommend the board adopt this resolution.



Carrboro Police Department



Subject: Career Progression Plan for Police Officers		Chapter: 19
Issued:	Revised:	Page 1 of 4

- I. Purpose
- II. Definitions
- III. General Guidelines
- IV. Minimum Requirements
- V. Compensation

I. Purpose

The Career Progression Program provides officers with opportunities for training that will give them career advancement in addition to the Town's competitive promotional opportunities program.

II. Definitions

- A. Advancement: A noncompetitive process resulting in movement to Police Officer II and may occur after employees successfully meet specific job performance, time-in-grade, and training requirements.
- B. Training Points: A formula awarding points for professional training and are cumulative throughout an employee's career.
 - 1. Twenty classroom hours of approved law enforcement training equates to one (1) training point.
 - 2. Courses/Training will only be accepted toward the Career Progression Program if they are administered by a reputable agency, i.e. accredited community colleges, North Carolina Justice Academy, etc., and approved by the Chief of Police. The training officer will recommend any new course for approval.
 - 3. Recertification training required to maintain a specific certification may not be used to satisfy a career progression level's training requirements.
 - 4. In general, efforts will be made to approve training requests so that officers can work toward their career progression; however the needs of the agency will be the first priority in making decisions about approving training. At no time will an individual's need to complete a class for career progression outweigh the needs of the agency or the fair application of training opportunities to other personnel.



Carrboro Police Department



Subject: Career Progression Plan for Police Officers		Chapter: 19
Issued:	Revised:	Page 2 of 4

5. Basic law enforcement training, military training, maintenance training (Canine & CIU), state mandated, and remedial training are not eligible for training points.
- C. Education Points - all education points must be college level courses accredited by the U.S. Department of Education and the Council of Higher Education and Accreditation (CHEA).
 1. The successful completion of an Associate's Degree (60 credit hours) equates to five (5) education points.
 2. The successful completion of a Bachelor's Degree (120 credit hours) in a related discipline equates to ten (10) education points.
- D. Written Examination: An exercise designed to examine the progress or knowledge for non-competitive advancement.

III. GENERAL GUIDELINES

- A. Full-time police officers are considered for advancement.
- B. Members must have received a proficient or higher evaluation on their previous annual performance evaluation.
- C. Personnel eligible to participate in the advancement process will submit a memorandum of intent through the chain of command to the Chief of Police.
- D. The candidate's supervisor and each member in the chain of command will indicate approval or disapproval of the candidate's suitability to participate in the process. Disapproval must be justified in writing and forwarded to the Chief of Police.
- E. To participate in an advancement process or promotional testing; a member must first be eligible for advancement through completion of all other requirements. Under extraordinary circumstances, exceptions may be made by the Chief of Police.
- F. Career Development testing will be conducted during December of each year. All advancement criteria must be met by the date of testing.
- G. Members will receive written confirmation of their advancement, at which time the member may contact Administrative Services to obtain the appropriate insignia.



Carrboro Police Department

Subject: Career Progression Plan for Police Officers		Chapter: 19
Issued:	Revised:	Page 3 of 4

H. Time in previous rank is based on the sworn date and hire date for advancement to Police Officer II. Upon fulfilling the requirements necessary for advancement to Police Officer II, the officer will submit a memorandum to the Chief of Police containing the following information.

1. Date of Basic Law Enforcement Certification
2. Date of employment with the Town of Carrboro
3. Complete list of required classes and dates attended
4. Date awarded applicable law enforcement certificate(s)

I. Disapproval must be justified in writing and forwarded to the Chief of Police. An officer who is not recommended for advancement by his/her supervisor will receive a written recommendation for improvement and a follow-up meeting for review by supervisor. The officer has the right to appeal through the appropriate chain of command in accordance with Town and departmental policy.

IV. MINIMUM REQUIREMENTS

A. Police Officer II

1. Meet general guideline requirements.
2. Possesses at least Three (3) years of full-time sworn law enforcement experience, including a minimum of two (2) years with the Carrboro Police Department without a break in continuous service.
3. Achieved a minimum of fifteen (15) training points, including a maximum of 5 points for an Associates or Bachelor's degree.
4. Pass a written examination with a score of 85% or better.
5. Have not received any written reprimands or suspensions in the preceding 12 months.
6. Received a rating of "Proficient" or higher on the previous two (2) annual performance appraisals.



Carrboro Police Department

Subject: Career Progression Plan for Police Officers		Chapter: 19
Issued:	Revised:	Page 4 of 4

7. Completed a minimum sixteen (16) hours training in Community-Oriented Policing courses.

V. Compensation

- A. Each level Increase will depend upon the Police Department's recommended fiscal year budget approval. The increase will be awarded at the beginning of the next fiscal year.
- B. All advancement will include a recommendation for a possible salary increase, dependent upon the approved funds available in the Police Department's operating budget.



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Agenda Item Abstract

File Number:16-352

Agenda Date: 12/6/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Proposed Revisions to the Rental and Utility Deposit Assistance Program

PURPOSE: The purpose of this item is for the Board to consider approving proposed revisions to the Rental and Utility Deposit Assistance Program out of the Affordable Housing Fund.

DEPARTMENT: Manager's Office

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

INFORMATION: The Rental and Utility Deposit Assistance Program (RUDAP) was created in June of 2014 to assist Section 8 Housing Choice Voucher holders relocate within Carrboro. Revisions to the program were approved in November 2015 to assist in the implementation of the program.

Since the updates in November 2015, the Town has received two applications for funding. Each application process has allowed staff to analyze how the program and application process function. Based on staff's experience and feedback from the applicant, staff is proposing two revisions to the program, located under the proposed "Application and Approval Process" section found in Attachment A - Draft Revised Rental and Utility Deposit Assistance Program.

The first proposed revision would allow the Town Manager to approve or deny the applications for funding to this program. The current process is for the Board of Aldermen to approve all requests. This revision is being proposed to assist in expediting the process. When an application is received, it is normally the last step in a voucher holder securing housing. The voucher holder often needs the deposit assistance within a week to secure the housing. This short timeframe can make it difficult to add an item to the Board's agenda and bring an application to the Board for approval, especially if there is not a Board meeting the next week. Allowing the Town Manager the ability to approve this one-time grant of up to \$1,000 would help ensure an eligible voucher holder doesn't lose the opportunity to secure housing in

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Carrboro because of process issues.

The second revision is the inclusion of a description of how to apply to the Town for RUDAP assistance. The inclusion of this information doesn't change the application process, it is simply added to increase clarity to potential applicants on how to apply.

If the Board chooses to approve the proposed revisions, it can do so by passing the resolution located in Attachment B - A Resolution Approving the Updates to the Rental and Utility Deposit Assistance Program.

FISCAL & STAFF IMPACT: There is no anticipated fiscal impact.

RECOMMENDATION: Staff recommends the Board approve the proposed revisions to the Rental and Utility Deposit Assistance Program.



Carrboro Affordable Housing Fund: Description of Rental and/or Utility Deposit Program

Description: A grant program to expend funds from the affordable housing fund for the purpose of assisting citizens in need of assistance relocating. A household is only eligible to receive funds once. The funds are to be used to provide rental housing and/or utilities deposits as based on the following requirements:

- A. That the grants are issued for assistance relocating within the Town of Carrboro.
- B. That the grant applicant provide a copy of the lease or provide a signed copy of an Orange County Request for Tenancy Form showing the applicant has been approved for housing in the Town of Carrboro.
- C. That the grant applicant provide proof of having a current Section 8 Housing Choice Voucher from Orange County.
- D. That the applicant provides official documentation showing the amount of the deposit.
- E. That the grant amount shall not exceed \$1,000 per household.

Application and Approval Process: Applicants must turn in the following information to the Town before funding will be considered:

1. A complete description of the project, including the location and explanation of how this project meets the program criteria.
2. A copy of the lease or a signed copy of an Orange County Request for Tenancy Form.
3. Proof of having a current Section 8 Housing Choice Voucher from Orange County.
4. Official documentation showing the amount of the deposit.
5. Other relevant information as requested.

Applications should be sent to the Town Manager's Office. The Town Manager's Office will review the application based on the above criteria. The Town Manager has the ability to approve/deny the requests based on an application's ability to meet all stated criteria.

A RESOLUTION APPROVING THE UPDATES TO THE RENTAL AND UTILITY
DEPOSIT ASSISTANCE PROGRAM

12-6-16

WHEREAS, the Board of Aldermen created an affordable housing special revenue fund on June 27, 2007 by the adoption of resolution no. 244/2006-07; and

WHEREAS, the Board of Aldermen established administrative procedures for the fund on September 9, 2008 by the adoption of resolution no 15/2008-09; and

WHEREAS, the Board of Aldermen passed a resolution authorizing the Town Manager to develop and implement a program to expend funds from the Affordable Housing Fund as it pertains to Section 8 Housing Choice Voucher holders relocating within Carrboro on June 24, 2014; and

WHEREAS, the Board of Aldermen approved revisions to the program on November 24, 2015 to increase the usefulness of the program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen hereby ordains:

Section 1. The proposed revisions to the Rental and/or Utility Deposit Program providing authority to the Town Manager to approve or deny requests for funding and providing clarity on application procedures are approved.

Section 2. This resolution shall become effective upon adoption.



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Agenda Item Abstract

File Number: 16-354

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Version: 1

TITLE:

Accept Electric Vehicle Charging Station Grant from Duke Energy

PURPOSE: The Board is asked to consider approving receipt of a grant from Duke Energy in the amount of \$10,000 to install two (2) electric vehicle charging stations within Town limits.

DEPARTMENT: Public Works

CONTACT INFORMATION: JD Freeman, 919-918-7425

INFORMATION: Duke Energy has reserved \$10,000 for the Town of Carrboro to install 2 public charging stations. Town staff are investigating locations to maximize the carbon footprint reduction of the charging stations and will select one each from the following two locations:

- 1) Downtown - Century Center or Town Hall
- 2) Non-Downtown - Wilson or Anderson Park

Town staff will advise the Board of Alderman if either of these locations are deemed unsuitable.

Per Duke Energy:

“Over 500 charging stations were requested from almost 100 applicants across the state of North Carolina. We awarded charging stations based upon the following methodology:

- Each city and state government entity and each non-profit were awarded \$10,000 for two charging stations.
- To achieve our goal of giving preference to underserved communities, applicants in counties that currently have two or less public charging stations, were awarded additional funds to order to give that county a total of \$50,000 for five charging stations, unless the applicants requested fewer charging stations.

In the coming weeks, the Town will receive a funding agreement to sign and return by 12/31/2016. If the signed agreement is not returned by EOD on 12/31/16, the reserved funds may be assigned to another applicant.” .

FISCAL & STAFF IMPACT: Town staff will determine the best location for the charging stations and

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will administer the installation. Depending on the device chosen, an annual subscription can be chosen for a web based documentation of the usage and positive environmental impact of the charging station.

RECOMMENDATION: Town Staff recommends that the Board of Aldermen adopt the attached Grant Project Ordinance and Amendment to Annual Budget Ordinance. Town Staff also requests approval for the Town Manager to sign the pending Duke Energy Funding Agreement on behalf of the Town.

**DUKE ENERGY ELECTRIC VEHICLE CHARGING STATION
GRANT PROJECT ORDINANCE NO. _____**

WHEREAS, the Town of Carrboro, through the Public Works Department, has been awarded a grant by Duke Energy for the installation of two electric vehicle charging stations; and,

WHEREAS, the grant application identified potential locations for the installation of electric vehicle charging stations; and,

WHEREAS, Duke Energy requires the Town to execute a funding agreement by December 31, 2016; and,

WHEREAS, the Board of Aldermen for the Town of Carrboro deems this activity to be a worthy and desirable undertaking:

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

1. The grant project is authorized to install two electric vehicle charging stations at the following locations: 1) Downtown – Century Center or Town Hall and 2) Non-Downtown – Wilson or Anderson Park; and is hereby authorized to be undertaken until all project activity is completed.
2. The following revenues are anticipated to be available to the Town of Carrboro to complete this project:

Duke Energy Electric Vehicle Charging Station Support Program Grant	\$10,000.00
Total	<u>\$10,000.00</u>

3. The following amount is appropriated for this project to be expended in the following manner:

Purchase and Installation of 2 Charging Stations	\$10,000.00
Total Appropriation	<u>\$10,000.00</u>

4. The Town Manager is authorized to execute the required funding agreement and undertake any other administrative actions necessary to secure this funding.
5. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this grant project ordinance with the Finance Director.

AMENDMENT TO ANNUAL BUDGET ORDINANCE FY 2016-17

WHEREAS, the Town Board of the Town of Carrboro on June 21, 2016 adopted annual budget ordinance number 14/201516 for the fiscal year beginning July 1, 2016 and ending June 30, 2017; and

WHEREAS, it is appropriate to amend certain budget accounts in the general fund to provide for increased revenues and expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following revenue and expense accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

ACCOUNT CODE			ACCOUNT NAME	CURRENT	INCREASE	NEW TOTAL
ORG	OBJECT	PROJ		BUDGET	(DECREASE)	
29	434724	29115	Grant Revenue - Duke Energy	\$ -	\$ 10,000.00	\$ 10,000.00
29	504500	29115	Contract Services	\$ -	\$ 10,000.00	\$ 10,000.00

REASON: To recognize and appropriate grant revenue for installation of two electric vehicle charging station.

Grant Recipient Communications Toolkit

A guide to best practices

Maximize your reach by hosting an event

- Consider incorporating the grant announcement into an upcoming milestone or an event
- Coordinate with your Duke Energy point of contact to set a date and to invite the media and key external stakeholders
- Secure at least one speaker from your organization and consider inviting a Duke Energy representative to deliver remarks
- Develop a run of show, including an outline of activities and internal responsibilities
- Coordinate with your Duke Energy point of contact to secure visuals such as Duke Energy signage

Generate buzz through social media

- Share your grant announcement on social media, and tag Duke Energy using the following information:
 - [Duke Energy](#) on Facebook
 - [@DukeEnergy](#) on Twitter
 - [@Duke_Energy](#) on Instagram
 - [Duke Energy Corporation](#) on LinkedIn
- Tag additional partners who are part of your grant announcement or project
- Use photos and relevant hashtags in your posts to maximize visibility and reach
- Share posts about your program by news organizations and third parties with your followers
- Share ongoing updates and photos as your project progresses; tell the story of your grant's significance

Get the word out to increase awareness

- Notify your Duke Energy point of contact if you need assistance to promote your event and to invite media
- Create a list of media you'd like to invite to attend and/or write about your grant announcement
- Focus on telling the story of your grant's significance throughout your communications
- Send a media advisory prior to the event
- Send a press release immediately after the event (see sample below)
- Consider drafting an op-ed or letter to the editor to share the effect your project or program will have on the community
- Ask your volunteers and community partners to share your story on their social media channels, by word of mouth or on other relevant channels, including blogs and newsletters
- Write about the event and your grant in your organization's newsletter and email updates

Sample Press Release

Nov. XX, 2016

Public EV charging stations coming soon thanks to Duke Energy program

CITY, N.C. – The (city/town/county) of _____ was recently awarded ___ public electric vehicle charging stations that will be located at _____.

The charging stations are funded by Duke Energy and are part of the company's 200 public charging stations that are being installed around North Carolina.

Duke Energy's EV Charging Infrastructure Support Project provided \$1 million to help cities and towns develop public charging stations for residents. Duke Energy will pay 100 percent of the installation costs under the program.

"Over the past decade, Duke Energy has supported the development of several hundred electric vehicle charging stations in North Carolina," said David Fountain, Duke Energy's North Carolina president. "Adoption of EVs depends on a robust infrastructure for consumers."

Duke Energy has been active in building public charging stations at parking decks, libraries and shopping areas. According to Advanced Energy, an independent, nonprofit organization, there are about 4,700 registered plug-in EVs and about 700 public charging ports spread out around North Carolina.

(Include information about where the local charging stations will be and when they might be finished)

The Duke Energy program was part of a [recent settlement](#) with the U.S. Environmental Protection Agency and environmental groups.

About Duke Energy

Headquartered in Charlotte, N.C., Duke Energy is an S&P 100 Stock Index company traded on the New York Stock Exchange under the symbol DUK. More information about the company is available at duke-energy.com.

The [Duke Energy News Center](#) serves as a multimedia resource for journalists and features news releases, helpful links, photos and videos. Hosted by Duke Energy,

[illumination](#) is an online destination for stories about remarkable people, innovations, and community and environmental topics. It also offers glimpses into the past and insights into the future of energy.

Follow Duke Energy on [Twitter](#), [LinkedIn](#), [Instagram](#) and [Facebook](#).

Duke Energy Media Contact:

Randy Wheeless

800.559.3853



Town of Carrboro

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

Agenda Item Abstract

File Number:16-361

Agenda Date: 12/6/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

A Resolution Scheduling a Board of Aldermen Meeting for December 13, 2016

A RESOLUTION SCHEDULING A MEETING FOR DECEMBER 13, 2016

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN
THAT:

Section 1: A meeting of the Board is scheduled for December 13, 2016 to begin at 7:30 PM



Town of Carrboro

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

Agenda Item Abstract

File Number:16-351

Agenda Date: 12/6/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Continuation of the Public Hearing on Land Use Ordinance Amendments Relating to Protests to Zoning Map Amendments

PURPOSE: The purpose of this item is for the Board of Aldermen to consider amending the Land Use Ordinance to replace the existing provisions for protest petitions with a new policy for citizen comment.

DEPARTMENT: Planning Department

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

INFORMATION: At the November 15, 2016 regular meeting, the Board of Aldermen opened a public hearing to consider an ordinance that would replace Section 15-326 of the Land Use Ordinance, Protests of Zoning Map Amendments, with new language providing for citizen comment. The ordinance was drafted as part of a review of state legislation and a need to amend certain LUO provisions for conformance. (Agenda materials from November may be found at:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=2882402&GUID=5D699E35-DB04-4A5C-BBBD-048AD0A815D9&Options=&Search>).

The Board has traditionally welcomed public comment as part of its deliberations on development decisions. If adopted, citizens would still be able to provide input on zoning decisions but would not be able to submit a standardized protest petition to require a super majority vote. In response to comments at the November meeting, the Town Attorney has prepared a resolution (Attachment C) that outlines the Board's concerns with the loss of the protest petition mechanism. An additional notation has been added to the draft ordinance (Attachment B) to reference this resolution within the text of the LUO. Amending the LUO in this manner will provide a record of the Board's opposition to HB 201, while providing citizens who wish to submit comments relating to zoning decisions information as to how those comments may be used in the decision making process.

Responses to the draft ordinance from the Planning Board and Orange County are also provided (Attachment E.)

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

Agenda Date: 12/6/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

RECOMMENDATION: Staff recommends that the Board of Aldermen consider adopting the resolution of consistency (Attachment A), the draft ordinance (Attachment B), and the resolution objecting to the loss of the protest petition mechanism (Attachment C).

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF
ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE
CARRBORO LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE PROVISIONS RELATED TO PROTEST PETITIONS

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020, particularly the statements under Section 2.0, Development, by retaining an opportunity for community input when making development decisions.

Section 2. The Board further concludes that the above described amendment which will conform the provisions of the Land Use Ordinance, with regard to citizen comments on zoning petitions, to recent changes in state legislation, is in the public interest.

Section 3. This resolution becomes effective upon adoption.

This the 6th day of December 2016.

**AN ORDINANCE AMENDING TOWN OF CARRBORO LAND USE ORDINANCE
PROVISIONS RELATED TO PROTEST PETITIONS**

Draft 11-29-2016

Section 1. Town of Carrboro Land Use Ordinance Section 15-326 “Protests to Zoning Map Amendments” is hereby repealed, and the following is substituted in its place:

Section 15-326.

Citizen Comments on Zoning Map and Text Amendments.

The Town of Carrboro Land Use Ordinance may from time to time be amended, supplemented, changed, modified or repealed. If any resident or property owner in the Town submits a written statement regarding a proposed amendment, modification or repeal to this Ordinance to the Clerk of the Board of Aldermen at least two (2) business days prior to the proposed vote on such change, the Clerk to the Board shall deliver such written statement to the Board. If the proposed change is the subject of a quasi-judicial proceeding under North Carolina General Statutes Section 160A-388 (such as conditional use rezoning in which the legislative rezoning is accompanied by or followed by a quasi-judicial conditional use permit process), the Clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and addresses to all members of the Board shall not disqualify any member of the Board from voting. Written statements submitted in connection with a quasi-judicial proceeding may be admitted into evidence at such a proceeding if the Board determines that such statements are admissible in the proceeding. (Amended _____ ; and enacted pursuant to Resolution No. _____, dated _____).

Section 2. All provisions of any Town Ordinance in conflict with this Ordinance are repealed.

Section 3. This Ordinance shall become effective upon adoption.

A RESOLUTION IN OPPOSITION TO THE GENERAL ASSEMBLY'S REPEAL OF
STATUTORY AUTHORITY FOR QUALIFIED PROTEST PETITIONS TO TRIGGER A
SUPER MAJORITY VOTE FOR CERTAIN ZONING MAP AMENDMENTS

Resolution No. _____

WHEREAS, effective May 1, 2015, the General Assembly amended G.S. 160A-385 (per HB 201) to eliminate qualified protest petitions to require a favorable vote of three-fourths of all members of the Board of Aldermen for certain zoning map amendments;

WHEREAS, prior to this amendment, Section 15-326 of the Town of Carrboro Land Use Ordinance (attached hereto) provided for qualified protest petitions to require a favorable vote of three-fourths of all members of the Board of Aldermen for certain zoning map amendments;

WHEREAS, the Board of Aldermen opposes the General Assembly's amendment to G.S. 160A-385 that eliminated qualified protest petitions to require a favorable vote of three-fourths of all members of the Board for certain zoning map amendments;

WHEREAS, notwithstanding this opposition, the Board of Aldermen is obligated to conform the Town's Land Use Ordinance to G.S. 160A-385 as amended, and the Board has thus amended Section 15-326 of the Land Use Ordinance to conform to G.S. 160A-385 as amended, albeit under protest;

NOW, THEREFORE, the Board of Aldermen Resolves:

1. The Board registers its objection and opposition to the General Assembly's amendment to G.S. 160A-385 (per HB 201) to eliminate qualified protest petitions to require a favorable vote of three-fourths of all members of the Board for certain zoning map amendments;
2. The Board has amended Section 15-326 of the Town's Land Use Ordinance to conform to G.S. 160A-385 as amended, but the Board has done so under protest; and
3. In the event the General Assembly in the future reinstates the authority of the Board to provide for qualified protest petitions to require a favorable vote of three-fourths of all members of the Board for certain zoning map amendments, the Board favors reinstating the attached version of Section 15-326 of the Land Use Ordinance, which previously provided for qualified protest petitions to require a favorable vote of three-fourths of all members of the Board for certain zoning map amendments.

This the ____ day of _____, 2016.

ARTICLE XX

AMENDMENTS

Section 15-326 Protests to Zoning Map Amendments (AMENDED 10/24/06).

(a) If a petition opposing an amendment to the zoning map is filed in accordance with the provisions of this section, then the proposed amendment may be adopted only by a favorable vote of three-fourths of the Board membership. For the purposes of this subsection, vacant positions on the Board and members who are excused from voting shall not be considered "members of the Board" for calculation of the requisite supermajority.

(b) To trigger the three-fourths vote requirement, the petition must: **(AMENDED 11/26/85)**

- (1) Be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot-wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right-of-way shall not be considered in computing the 100-foot buffer area as long as that street right-of-way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the Town may rely on the Orange County tax listing to determine the "owners" of potentially qualifying areas. **(AMENDED 10/24/06)**
- (2) Be in the form of a written petition actually bearing the signatures of the requisite number of property owners and stating that the signers do protest the proposed change or amendment.
- (3) Be received by the town clerk in sufficient time to allow the town at least two normal working days before the date established for a public hearing on the proposed amendment to determine the sufficiency and accuracy of the petition.
- (4) Be on a form provided by the town clerk and contain all the information requested on this form.

(c) A person who has signed a protest petition may withdraw his or her name from the petition at any time prior to the vote on the proposed zoning amendment.

(d) The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of this chapter as a result of annexation or otherwise.



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

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

THURSDAY, NOVEMBER 3, 2016

**LAND USE ORDINANCE TEXT AMENDMENT RELATING TO PROTESTS
TO ZONING MAP AMENDMENTS**

Motion was made by Rosser and seconded by Pendergrass that the Planning Board recommends that the Board of Aldermen approve the draft ordinance.

VOTE:

AYES: (5)

ABSENT/EXCUSED: (4)

NOES: (0)

ABSTENTIONS: (0)

Associated Findings

By a unanimous show of hands, the Planning Board membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Motion was made by Rosser and seconded by Pendergrass that the Planning Board of the Town of Carrboro finds the proposed text amendment, 17 consistent with Carrboro Vision 2020, particularly the statements under Section 2.0, Development, by retaining an opportunity for community input when making development decisions.

Furthermore, the Planning Board of the Town of Carrboro finds the proposed text amendment, which will conform the provisions of the Land Use Ordinance, with regard to protest petitions, to recent changes in state legislation, is in the public interest.

VOTE:

AYES: (5)

ABSENT/EXCUSED: (4)

NOES: (0)

ABSTENTIONS: (0)

Cashie Ache

(Chair)

11/3/2016

(Date)

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



TRANSMITTAL DELIVERED VIA EMAIL

October 17, 2016

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the revisions to the following Land Use Ordinance amendments received by us October 14, 2016 and proposed for town public hearing on November 15, 2016:

- *An Ordinance to Amending the Provisions related to the Protest Petitions.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

Perdita Holtz, AICP
Planning Systems Coordinator



Town of Carrboro

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

Agenda Item Abstract

File Number: 16-355

Agenda Date: 12/6/2016

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Discussion of Estes Drive and N. Greensboro St. Intersection Improvements

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to discuss proposed improvements to the Estes Drive/N. Greensboro St. intersection and provide comments to NCDOT.

DEPARTMENT: Planning

CONTACT INFORMATION: Bergen Watterson, 919-918-7329, bwatterson@townofcarrboro.org
<<mailto:bwatterson@townofcarrboro.org>>

INFORMATION: At the May 10, 2016 Board of Aldermen meeting, staff from NCDOT discussed the status and timeline for the improvements at the Estes Drive and North Greensboro Street intersection. NCDOT and their consultant, SEPI Engineering, worked through the summer and fall to evaluate existing conditions in the study area and come up with a potential design for a roundabout. They held a public meeting on November 14th at Town Hall and allowed participants to ask questions and fill out comment cards. The information from the meeting, including comment cards and staff contact information, is available online for interested residents who were unable to attend the meeting (meeting materials can be seen in Attachment B).

The Transportation Advisory Board discussed the proposed intersection improvements at their November 17th meeting and came up with a set of comments and recommendations to submit to NCDOT. The recommendations cover safety concerns, including improving pedestrian safety in the crosswalks, improving street lighting, lowering speed limit on N. Greensboro both east and west of the roundabout, and reducing lane widths. They also recommend several improvements to bicycle traffic, including extending the bike lane up to the roundabout on both sides of N. Greensboro, delineating bicycle/pedestrian traffic on the multiuse path, and adding curb cuts and bollards at the end of the Frances Shetley Bikeway. Finally, the TAB recommends that the roundabout itself be landscaped and/or decorated to enhance the aesthetic of this gateway into Town.

The public comment period for this intersection improvement project has been extended to December 7th to accommodate the Board of Aldermen's discussion and resulting comments.

FISCAL & STAFF IMPACT: There is no fiscal impact associated with this discussion.

RECOMMENDATION: Town staff recommends that the Board of Aldermen discuss the proposed

Agenda Date: 12/6/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

design for the intersection and provide comments to be submitted to NCDOT.

A RESOLUTION TO SUBMIT COMMENTS TO NCDOT REGARDING THE
ESTES DRIVE AND N. GREENSBORO ST. INTERSECTION IMPROVEMENTS

WHEREAS, the intersection of Estes Drive and N. Greensboro Streets was submitted for improvements to SPOT 3.0 in 2013; and

WHEREAS, the project is programmed in the 2016-2025 State Transportation Improvement Program (STIP) for design in FY17 and construction in FY18; and

WHEREAS, NCDOT and their consultant, SEPI Engineering, held a public meeting at Town Hall on November 14, 2016; and

WHEREAS, NCDOT extended the public comment period to accommodate the Board of Aldermen discussion and resulting comments on the intersection improvements;

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the following comments shall be submitted to NCDOT on behalf of the Board:

- 1) _____

- 2) _____

- 3) _____

- 4) _____

- 5) _____

This the 6th day of December in 2016.



N. Greensboro Street (S.R. 1772) & Estes Drive (S.R. 1780) Intersection Improvements

WELCOME TO THE
PUBLIC
MEETING

FOR THE
GREENSBORO / ESTES
INTERSECTION
IMPROVEMENTS
PROJECT

November 14, 2016
4:00 PM – 7:00 PM



N. Greensboro Street (S.R. 1772) & Estes Drive (S.R. 1780) Intersection Improvements

PUBLIC MEETING SIGN-IN

- ✓ Sign - in
- ✓ Pickup Handouts
- ✓ Review Meeting Stations
- ✓ Ask Questions
- ✓ Complete Comment Form



N. Greensboro Street (S.R. 1772) & Estes Drive (S.R. 1780) Intersection Improvements

WHY IS THE PROJECT NEEDED?

- ✓ **Improve Traffic Operations**
 - Reduce Backups
 - Reduce Delays
 - Handle Traffic Growth

- ✓ **Maintain Safety**
 - High Volumes of Pedestrians & Bicycles



Frances Lloyd Shetley Bikeway at Project Intersection



N. Greensboro Street (S.R. 1772) & Estes Drive (S.R. 1780) Intersection Improvements

PROJECT STUDY PROCESS & SCHEDULE



** Notification of Study Completion and Availability of Preliminary Designs will be sent to all who received Workshop Notification Postcard, submitted comments or attended the workshop.*



N. Greensboro Street (S.R. 1772) & Estes Drive (S.R. 1780) Intersection Improvements

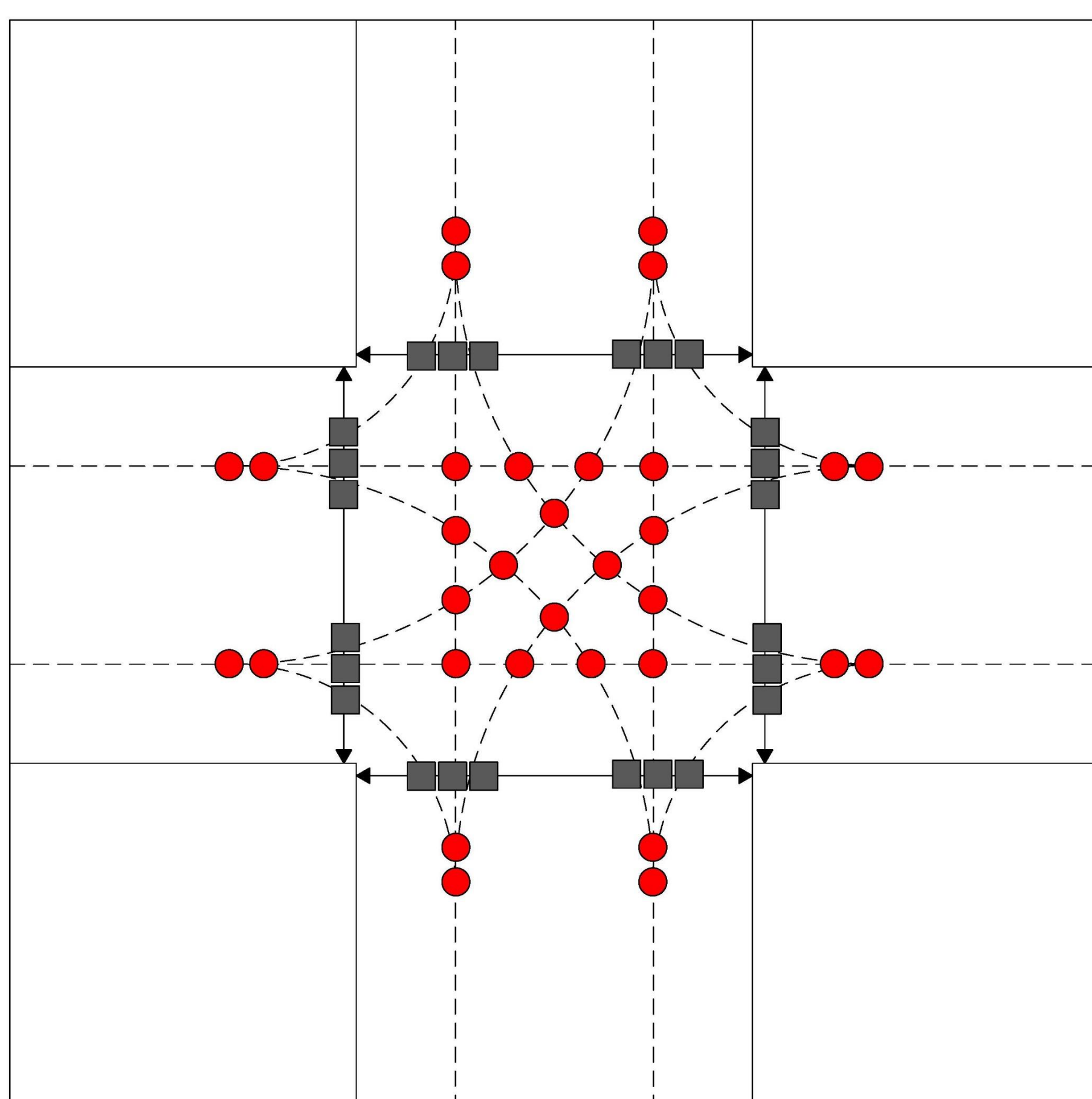
PROPOSED DESIGN CONCEPT: Single-Lane Roundabout

- ❖ Grassed raised center
- ❖ Berm for Future Estes Dr. Sidewalk
- ❖ New Multi-Use Path will connect to Frances Lloyd Shetley Bikeway and N. Greensboro St Sidewalk
- ❖ Allows trucks with trailers (up to 62-feet long)
- ❖ Trucks with longer trailers (67-feet) can fit except for right turns from N. Greensboro onto Estes

Why are Roundabouts Safer?

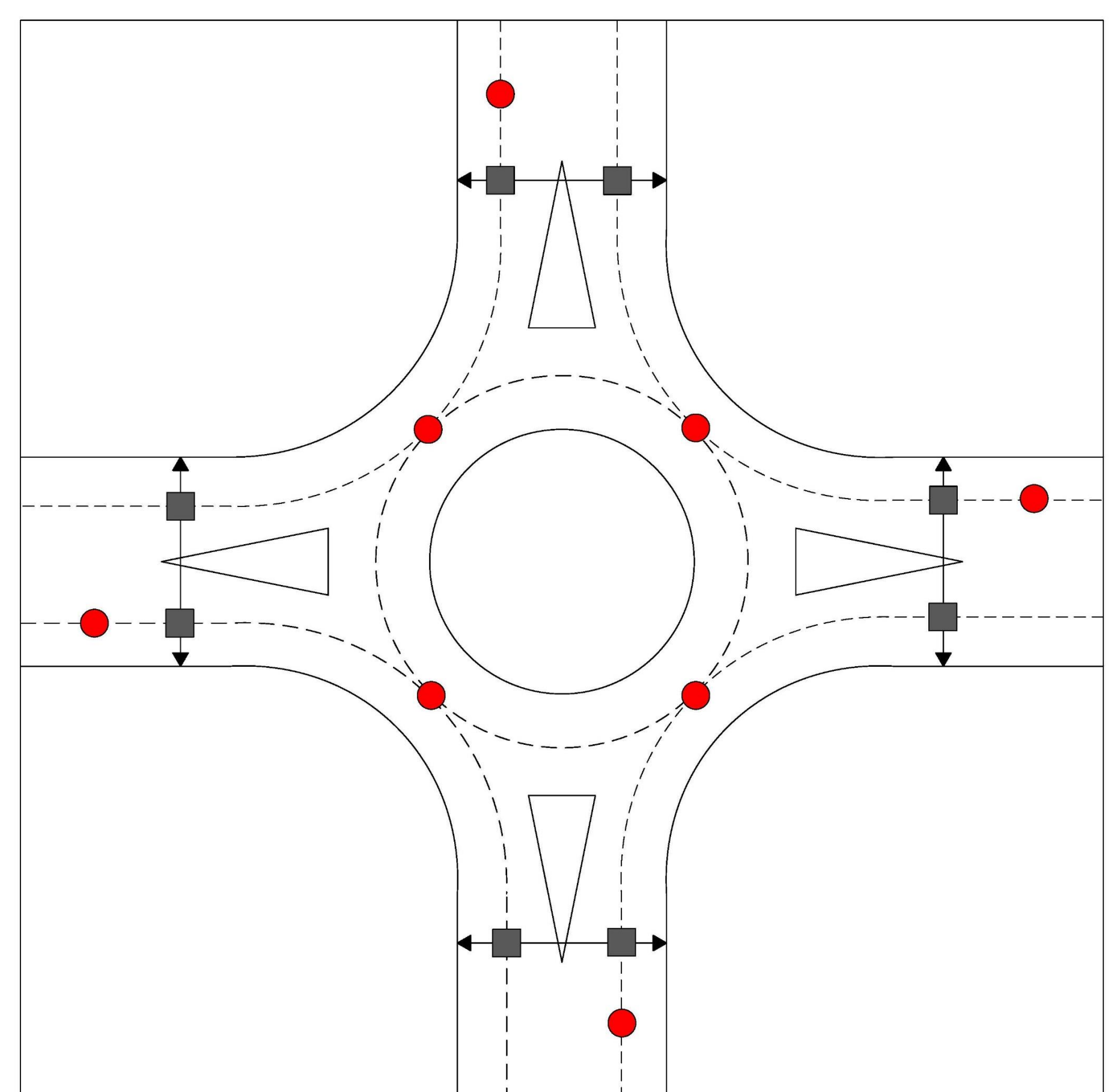
- ❖ Slower Speeds
- ❖ Fewer Conflict Points

Intersection



● 32 Vehicle Conflicts
■ 24 Pedestrian Conflicts

Roundabout



● 8 Vehicle Conflicts
■ 8 Pedestrian Conflicts



N. Greensboro Street (S.R. 1772) & Estes Drive (S.R. 1780) Intersection Improvements

Existing & Future Traffic Volumes*

Facility	Current Volume (2016 AADT)	Future Volume (2040 AADT)	Functional Class	Cross-Section	Speed Limit	Existing Sidewalk	Existing Designated Bike Lanes
Greensboro St (East of Estes Dr)	11,000	13,000	Minor Arterial	2-Lane Undivided	30	Yes	Both Sides
Greensboro St (West of Estes Dr)	8,000	9,500	Minor Arterial	2-Lane Undivided	30	Yes	Both Sides
Estes Drive (North of Greensboro St)	10,800	13,300	Minor Arterial	2-Lane Undivided	35	No	None; Future Planned

AADT = Annual Average Daily Traffic



Crash Analysis* Findings


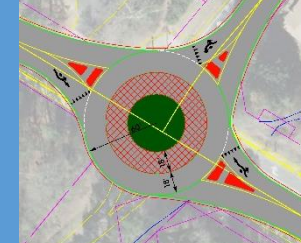
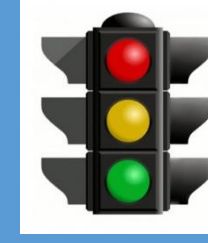

- **Six crashes between 2012-2016:**
 - **3 rear end; 1 angle; 1 sideswipe; 1 rt turn diff. road**
- **No significant crash pattern was observed**
- **Intersection did not meet the ranking criteria to qualify for safety mitigation**

* SEPI, "Final Capacity Analysis Technical Memorandum, NCDOT STIP U-5846 Intersection Improvement at Greensboro St and Estes Dr, Orange County", Oct 2016.



N. Greensboro Street (S.R. 1772) & Estes Drive (S.R. 1780) Intersection Improvements

TRAFFIC ANALYSIS - Findings*

	2016 No Build (Signal) 	2016 Build (Roundabout) 	2040 No Build (Signal) 	2040 Build (Roundabout) 
Level of Service (AM/PM)	B/B	B/B	C/C	C/C
Approach Delay (Seconds/Vehicle)				
Morning (AM)	12.7	13.3	32.7	21.2
Evening (PM)	12.9	13.6	33.5	22.9

Conclusions*

- In 2016, Roundabout Provides Similar Operations as Traffic Signal
- By 2040, Roundabout Performs Better than Traffic Signal:
 - 30% lower intersection delay
 - Better queue results
 - Maintain lower approach speeds
 - Better at protecting high volumes of pedestrian and bicycle traffic

* SEPI, "Final Capacity Analysis Technical Memorandum, NCDOT STIP U-5846 Intersection Improvement at Greensboro St and Estes Dr, Orange County", Oct 2016.

Intersection Level of Service (LOS) Descriptions

LOS	Description	Control Delay per vehicle (sec)	
		Roundabout	Signalized
A	Little or no delay	0-10	0-10
B	Short traffic delay	10-15	10-20
C	Average traffic delay	15-25	20-35
D	Long traffic delay	25-35	35-55
E	Very long traffic delay	35-50	55-80
F	Unacceptable delay	>50	>80

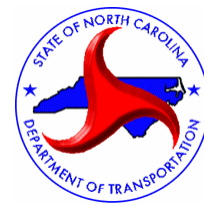
North Greensboro Street (S.R. 1772) at Estes Drive (S.R. 1780)

Intersection Improvements

Carrboro, Orange County, STIP Project U-5846

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

November 14, 2016; 4pm – 7pm



PLEASE CHECK HERE IF YOU WISH TO BE ADDED TO THE PROJECT MAILING LIST

PLEASE PRINT:

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____

E-MAIL: _____

Your Comments are important to us! **Please return by December 6th, 2016**

1. How did you hear about this meeting? (Please Circle One)

Postcard Newspaper TV/Radio Friend/Relative Other? _____

2. Are you a member of a civic or business group such as a homeowners association, nonprofit group, etc.? If so, what is its name and phone? _____

3. Do you live on a property that will be directly affected by the project? Yes No

4. If yes, do you own or rent the property?

5. What are the major issues within the study area that you think are important to include in the upcoming studies? Please circle all that apply: aesthetics, natural resources, historic or cultural sites, pedestrian/bicycle safety, vehicular safety, maintenance of traffic during construction. Please detail your concerns:

6. Are there times of year when traffic in the study area is substantially greater than normal, due to an event or other reason? If so, can you please describe? _____

7. ADDITIONAL COMMENTS? _____

North Greensboro Street (S.R. 1772) at Estes Drive (S.R. 1780) Intersection Improvements
Carrboro, Orange County, STIP Project U-5846



For additional information about the project, please contact:

Chris Smitherman, PE
NC Department of Transportation
Division Design Construction Engineer
P.O. Box 14996
1584 Yanceyville Street
Greensboro, NC 27415-4996
(336) 487-0075
csmitherman@ncdot.com

(Fold Here to Mail)

Please
Place
Stamp
Here

Michelle Suverkrubbe, AICP
SEPI Engineering / Project Consultant
1025 Wade Avenue
Raleigh, NC 27605



Town of Carrboro

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

Agenda Item Abstract

File Number:16-356

Agenda Date: 12/6/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Deliberation on the Proposed Rezoning and associated Land Use Ordinance Text Amendments for the Lloyd Farm development proposal.

PURPOSE: Continuation of the Board's deliberation on the proposed rezoning at 700 Old Fayetteville Road from R-10 and B-4 to B-4-CZ, from R-10 and R-20 to R-10-CZ and R-20-CZ, and the associated text amendments for the Lloyd Farm development proposal. Draft ordinances for the Land Use Ordinance map and text amendments have been prepared.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325; Marty Roupe - 919-918-7333, Patricia McGuire - 919-918-7327, Bob Hornik - 919-929-3905

INFORMATION: On June 28, 2016, the Board of Aldermen opened two public hearings relating to the Lloyd Farm development: a petition for change of zoning and an application for associated text amendments. (Agenda materials for the meetings may be found at <https://carrboro.legistar.com/MeetingDetail.aspx?ID=456731&GUID=C6B5AC0D-605F-4CBF-A7E7-7BE4BBA20FE5&Options=info&Search=>>). The Board continued the hearings to October 18th and November 1st to receive information on aspects of the project, relating to traffic mitigation, stormwater management, affordable housing and economic projections. (Agenda materials may be found at the following links: <https://carrboro.legistar.com/MeetingDetail.aspx?ID=456738&GUID=358FB37A-DAC1-4A56-912F-89E7C7FE04BE&Options=&Search=>> and <https://carrboro.legistar.com/LegislationDetail.aspx?ID=2870881&GUID=6A53B3F6-C75A-4408-8236-8B904122492C&Options=&Search=>>).

To date, citizen comment and Board discussion has primarily focused on two of these aspects of the project: the potential for the development to increase existing flooding issues in the Tom's Creek drainage area and the potential to increase traffic demands on existing residential neighborhood streets because of egress issues limiting direct access onto Old Fayetteville Road and NC 54. Discussion has also touched on whether other more compatible projects could be constructed on the site under the existing zoning.

Stormwater

The Land Use Ordinance requires new developments to drain properly and to meet standards that were not in

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place at the time that much of the existing Plantation Acres neighborhood was constructed. Analysis by Sungate Design, the Town's Engineer, of the Tom's Creek watershed has revealed the complicated nature of the existing stream and the limited potential for improvement to flood levels in relation to the drainage system of the street network. The Town's establishment of a stormwater utility fund offers a more comprehensive approach to address flooding concerns at individual properties, an approach the Town is now pursuing.

Using the Tom's Creek flood study model, Sungate Design has been able to input some stormwater information from the Lloyd Farm project engineer to determine whether the project can be designed in a way that would not exacerbate the existing flooding in the neighborhood. This analysis yielded a detailed condition (#16) requiring full engineering plans with the conditional use permit, rather than the construction plans, to demonstrate that the development will not cause a rise in the water surface elevation on any property within the Tom's Creek floodplain located upstream of West Main Street during the 1, 2, 5, 10, 25, 50 and 100-year 24-hour storm event. The applicant has indicated that they are unable to commit to the condition as prepared and has drafted an alternative version for consideration that is included in italic text in the draft ordinance.

Traffic Mitigation

Traffic assessments from the applicant's traffic engineer, reviewed by NCDOT, and Davenport, the third party engineering firm hired by the Town, have drawn similar conclusions with regard to the distribution of trips associated with the project. Based on their professional expertise, both consultants identified the majority of trips as coming from the NC 54 corridor during the AM and PM peak, and suggested that travelers would seek the most direct path back to the NC 54 corridor when exiting the site. Staff has continued to discuss options for left turns out of the site at NC 54 and Old Fayetteville Road with the applicant and NCDOT and has drafted a new condition to require a controlled left at one or both locations as part of the conditional use permit, subject to NCDOT approval. This timeline would allow the applicant an opportunity to analyze different configurations and work with NCDOT to find a solution. The applicant has provided a modified version of this condition (#18) that is also included in italics in the draft ordinance. The existing condition regarding traffic calming on Carol Street (#7) has been updated to offer more specific suggestions for improvements along with a timing mechanism so that analysis would coincide with real life scenarios of traffic created by the project after it has been completed. Staff has also reached out to the Carrboro Post Office regarding the link between the two uses and will continue to reach out, but initial responses have indicated that the post office would wait until build-out to determine if the Lloyd Farm project affected their existing traffic flow and whether design changes to the post office parking lot were needed to discourage through traffic. Staff continues to discuss the project with Chapel Hill Transit to determine the best way to provide service to the neighborhood.

Conditions for Approval

An important element of conditional zoning as a zoning mechanism is the incorporation of conditions that are binding to the property and will inform the subsequent permit application. Conditions must be mutually agreed upon by the Town and the applicant. Eighteen conditions are now included as part of the draft ordinance for the rezoning (Attachment D). Questions have surfaced about the benefits of the rezoning in terms of the quality of the project. The existing zoning would allow the same uses-high volume retail, restaurant and office for the B-4 portion of the site and residential (single and multi-family) in the R-10 portion of the site--but in a different and less unified configuration. A major commercial use near the post office would likely require two access points: one onto NC 54, the other, likely onto James Street. Stormwater would be handled at the individual

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project level rather than the larger 35-acre site. Perhaps most important, the approval process, would be a quasi-judicial one, with conditions limited to those directly related to the development. The conditional zoning process by contrast, offers the opportunity to incorporate more community-based conditions, such as requiring stormwater analysis earlier in the process and trying to relocate existing wildlife.

The Board of Aldermen should consider that the approval of the map amendment with conditions and accompanying concept plan would effectively, and practically express support and acceptance for this project in its entirety and as presently represented in the absence of a determination that the information considered up to this point was misrepresented, that new information has been discovered, or there was an error. At the time a conditional use permit is later under consideration, there would be limited opportunity to review the elements of the project since by approving the requested rezoning, the accompanying development plan illustrated on the concept plan would also be approved.

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review. The petitioner has submitted fees and materials for reviewing and processing this request, which includes public hearing notice and advisory board evaluation.

RECOMMENDATION: Staff recommends that the Board of Aldermen deliberate and consider adopting the resolutions provided. These include for the text amendments: Attachment A-1 finding consistency and Attachment B the draft ordinance; and for the map amendments (rezoning) Attachment C-1 for consistency and Attachment D for the draft ordinance and associated conditions.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FLEXIBILITY WITH RESPECT TO STREET DESIGN STANDARDS IN THE B-4-CU AND B-4-CZ DISTRICTS, TO ALLOW MULTI-FAMILY USES IN THE B-4-CU AND B-4-CZ DISTRICTS, TO INCREASE THE BUILDING HEIGHT LIMIT FOR MULTI-FAMILY BUILDINGS IN THE B-4-CU AND B-4-CZ DISTRICTS.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with *Carrboro Vision 2020* particularly the following statements relating to Development, Economic Development and Housing:

- 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.
- 2.5 Balanced and Controlled Growth
 - 2.52 The town should continue to require the construction of a diverse housing stock.
- 3.2 Downtown Vitality
 - 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.
- 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.

Section 2. The Board further concludes that the above described amendment is reasonable and in the public interest because it reduces the minimum lot size creating opportunities for more diverse housing options as part of conditional zoning, a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

Section 3. This resolution becomes effective upon adoption.

This the 6st day of December 2016.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF
THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FLEXIBILITY WITH RESPECT TO STREET DESIGN STANDARDS IN THE B-4-CU AND B-4-CZ DISTRICTS, TO ALLOW MULTI-FAMILY USES IN THE B-4-CU AND B-4-CZ DISTRICTS, TO INCREASE THE BUILDING HEIGHT LIMIT FOR MULTI-FAMILY BUILDINGS IN THE B-4-CU AND B-4-CZ DISTRICTS.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 6st day of December 2016.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FLEXIBILITY WITH RESPECT TO STREET DESIGN STANDARDS IN THE B-4-CU AND B-4-CZ DISTRICTS, TO ALLOW MULTI-FAMILY USES IN THE B-4-CU AND B-4-CZ DISTRICTS, TO INCREASE THE BUILDING HEIGHT LIMIT FOR MULTI-FAMILY BUILDINGS IN THE B-4-CU AND B-4-CZ DISTRICTS.

DRAFT 6-22-2016

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The first sentence of Subsection 15-216(c) of the Carrboro Land Use Ordinance (“LUO”) is amended to read:

“Subject to subsections (d), (d1), (e), and (f), collector streets and other streets not constructed according to the requirements of subsection (b) shall conform to the requirements of this subsection and the specifications referenced in Section 15-219.”

Section 2. Section 15-216 of the LUO is amended by adding the following new Subsection (d1):

(d1) The Board may, for any development approved with a conditional use permit on property zoned B-4-CU or B-4-CZ, authorize a deviation from the standards set forth in subsection (b) and Appendix C relative to streets and sidewalks if the Board concludes that (i) the proposed streets and sidewalks would serve the functions they are designed to serve as well as or better than streets and sidewalks constructed in conformity with subsection (b) and Appendix C; and (ii) such streets and sidewalks will not impose on the town any undue or unreasonable costs or burdens relating to repairs and maintenance.

Section 3. Subsection 15-141.3(c) is amended to read as follows:

(c) Except as otherwise provided in this subsection, the uses permissible within a conditional zoning district established herein, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional district corresponds. For example, property that is rezoned to a B-2-CU district may be developed in the same manner as property that is zoned B-2, except as provided in this subsection.

- (1) Property that is zoned B-4-CU may be developed for use classifications 1.322 (multi-family townhomes, no bedroom limits), 1.332 (multi-family apartments with no bedroom limits), 1.232 (duplex, no bedroom limit) and 1.242 (two family apartment, no bedroom limit) in addition to other uses permissible in the B-4 district, subject to a conditional use permit and the following: (i) not more than 25% of the area covered by the CUP in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).
- (2) (Reserved)

Section 4. Subsection 15-141.4(c) is amended to read as follows:

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

(1) Property that is zoned B-4-CZ may be developed for use classifications 1.322 (multi-family townhomes, no bedroom limits) and 1.332 (multi-family apartments with no bedroom limits) 1.232 (duplex, no bedroom limit) and 1.242 (two family apartment, no bedroom limit) in addition to other uses permissible in the B-4 district, subject to a conditional use permit, and the following: (i) not more than 25% of the area covered in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).

(2) (Reserved)

Section 5. Subsection 15-147 is amended by adding a new subsection (p) to read as follows:

(p) Notwithstanding the foregoing, use classifications 1.322 and 1.332 may only be permitted in the B-4-CU district, subject to subsection 15-141.3(c) and in the B-4-CZ zoning district, subject to a conditional use permit.

Section 6. Section 15-185 of the LUO (Building Height Limitations) is amended by adding a new subsection (h) to read as follows:

(h) Notwithstanding the remaining provisions of this section, the Board of Aldermen in approving a conditional use permit for a multi-family apartment building within the B-4-CU or the B-4-CZ zoning districts, may allow the maximum building height authorized in subsection (a)(2) of this section to be increased by one foot for every ten feet the building is set back from the otherwise applicable setback line, up to a maximum height of 65 feet, if the Board of Aldermen finds that (i) at least one full story of the building is devoted to parking, and (ii) the building is designed and constructed in relation to the contours of the site in such a manner as to minimize the visual impact of the additional height on adjoining properties.

Section 7. Subsection 15-141.3(d) is amended to read:

(d) Subject to subsection(s) (f) and (g), all uses that are permissible in the conditional use zoning district shall require the issuance of a conditional use permit, regardless of whether a use in the corresponding general use district would ordinarily require (according to the Table of

Permissible Uses) a zoning permit, special use permit, or conditional use permit.

Section 8. Subsection 15-141.4 is amended by inserting a new subsection (f) to read as shown below. The existing subsections (f) and (g) to be retained in full and renumbered accordingly as subsections (g) and (h).

(f) Notwithstanding the foregoing, all uses that are permissible in the B-4-CZ zoning district shall require the issuance of a conditional use permit.

Section 9 Section 15-141.3 is amended by adding a new subsection (g) to read as follows:

(g) If a tract is rezoned to a B-4-CU zoning district, the Board of Aldermen may, in connection with that rezoning, approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e., the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

(1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CU.

(2) Except as provided in subsection (1), the provisions of Section 15-64 and Subsection 15-141.3 shall apply to proposed changes to a CUP issued in connection with a B-4-CU rezoning.

Section 10. Section 15-141.4 is amended by adding a new subsection (i) to read as follows:

(i) For property that is zoned B-4-CZ, the Board of Aldermen may approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to

approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e, the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

(1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CZ.

(2) Except as provided in subdivision (1) above, the provisions of Section 15-64 and Subsection 15-141.4 shall apply to proposed changes to a CUP issued in connection with a B-4-CZ rezoning.

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

Section 12. This ordinance shall become effective upon adoption.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE CARRBORO
LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 40 ACRES OF THE PROPERTY KNOWN AS 700 OLD FAYETTEVILLE ROAD FROM R-10 AND R-10 AND B-4 TO B-4-CZ, AND FROM R-10 TO R-10-CZ AND R-20 TO R-20-CZ.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with *Carrboro Vision 2020* particularly the following statements relating to Development, Economic Development and Housing:

2.0 DEVELOPMENT

Carrboro's development should take place in a manner consistent with a set of adopted values. Growth should occur in a balanced fashion, and at a rate that does not jeopardized the values set forth by Vision 2020. The interests of all members of the community, including property owners, neighbors, and other interested citizens should be considered when making development decisions.

2.5 Balanced and Controlled Growth

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

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.

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.

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 area, but may be approved throughout the town's jurisdiction.

3.312 All shopping centers should be connected to residential areas with increased pedestrian access.

4.5 New Development

4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.

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.

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.

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.

Section 2. The Board further concludes that the above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses

Section 3. This resolution becomes effective upon adoption.

This the 6st day of December 2016.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE ZONING MAP OF
THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 40 ACRES OF THE PROPERTY KNOWN AS 700 OLD FAYETTEVILLE ROAD FROM R-10 AND R-10 AND B-4 TO B-4-CZ, AND FROM R-10 TO R-10-CZ AND R-20 TO R-20-CZ.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 6st day of December 2016.

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE
APPROXIMATELY 35.4 ACRES OF LAND KNOWN AS 700 OLD
FAYETTEVILLE ROAD FROM R-10 AND B-4 to B-4 CZ AND 4.6 ACRES OF
LAND FROM R-10 AND R-20 TO R-10 CZ AND R-20 CZ

DRAFT 12-2-2016

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

SECTION 1. The Official Zoning Map of the Town of Carrboro is hereby amended as follows:

That property being described on Orange County Tax Maps by parcel identification numbers shown below shall be rezoned as noted and subject to the following conditions:

PIN	Existing Zoning	Proposed Zoning	Acreage
9779-09-7922	R-10	B-4-CZ	10.18
9778-19-6618	R-10	B-4-CZ	8.61
9778-19-6618	B-4	B-4-CZ	16.61
9779-10-7351	R-10	R-10-CZ	3.73
9779-20-0449	R-20	R-20-CZ	0.94

1. The Concept Plan labeled “Lloyd Farm Carrboro, North Carolina Rezoning Site Plan,” *dated February 10, 2016* is approved and incorporated herein to indicate all potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, stormwater management features, setbacks, preserved trees and other landscaped areas. Other features and issues remain to be decided at the time a conditional use permit is requested for the development. Those features and issues include, but are not necessarily limited to, traffic improvements at the entrance on Old Fayetteville Road and NC Hwy 54, required parking, and approval of associated text amendments to the Carrboro Land Use Ordinance.
2. The residential density of the project shall be capped at a maximum of 250 dwelling units, comprising of a combination of use classifications 1.232 (duplex, no bedroom limit), 1.242 (two family apartment, no bedroom limit), 1.322 (multi-family townhomes, no bedroom limits), and 1.332 (multi-family apartments with no bedroom limits).
3. The residential portions of the development containing use classifications 1.322 and 1.332 shall be designed and constructed for a 55 and older community and as such may include certain dining, health and wellness related amenities not typically included in a multi-family complex intended for the general population.
4. Related to the project’s contribution to the Town’s affordable housing goals, the following shall occur:
 - a) Prior to the issuance of a certificate of occupancy for the residential portion of the development, the applicant shall submit a payment of \$743,057 to the Town of Carrboro in lieu of providing affordable housing on site.
 - b) Prior to the issuance of conditional use permit for the project, the applicant shall affirm its intention to either increase the payment in lieu of providing affordable housing on

- site by \$250,000 or provide for the Town's approval a pricing mechanism for a portion of the over-55 rental apartments that results in affordability for such units substantially consistent with the Land Use Ordinance Section 15-148.1.
- c) The final plat and restrictive covenants shall designate four of the "cottages" as permanently affordable, for-sale units, consistent with the provisions of Land Use Ordinance Section 15-148.1.
5. Two parcels, (PIN 9779-10-7351 and PIN 9779-20-0449), comprising approximately 4.6 acres of the 40- acre assemblage shall be dedicated to the Town of Carrboro.
 6. The conditional use permit plans shall be designed such that the meandering multi-use path alongside the internal road shall be constructed with a pavement width of 10-feet.
 7. \$15,000 shall be provided to the Town of Carrboro to conduct a neighborhood-level traffic calming study of the Plantation Acres, Plantation Acres Extension, and R.S. Lloyd subdivisions, known collectively as the "Plantation Acres" neighborhood and/or to pay for the installation of traffic calming devices or other improvements. The traffic calming study shall be conducted within one-year after (a)(i) at least 80% of the commercial gross floor area of the development (including the grocery store) have received certificates of occupancy and are occupied by tenants, and (a)(ii) all of the residential units have received certificates of occupancy and (a)(iii) at least 75% of the units have owners/tenants or (b) one and one-half years after all of the residential units have received COs, whichever occurs sooner. If the Board so desires, the Town will install MUTCD approved signage on Carol Street to read "Local Traffic Only" (MUTCD R11-3) or "No Thru Traffic" (MUTCD R11-4), subject to NCDOT review.
 8. The development shall include the design and installation of a visual and physical barrier between the southern boundaries of the lots on Carol Street and the commercial uses and associated vehicle accommodation areas constructed as part of the development. In addition to preserved trees, physical barriers and/or vegetative materials that will satisfy a Type A screening requirement shall be installed. The visual barrier shall be designed to retain portions of the existing wooded areas immediately adjacent to the northern property line and may additionally consist of such features as, but not necessarily limited to, a berm, landscaping or fencing, or a combination of such features.
 9. The conditional use permit application shall include a timeline for the installation of stormwater features as well as the schedule for converting erosion control features into permanently maintained BMPS.
 10. All commercial buildings shall display a uniform architectural design in terms of materials and detailing, consisting predominately of brick in a traditional color with four primary elevations, rather than a façade and secondary or rear elevations. The commercial buildings shall also conform to the design standards described in Section 15-178(5) of the Carrboro Land Use Ordinance as it relates to articulating large buildings into smaller increments through the use of different techniques such as setbacks or entrances or window bays.
 11. Deliveries to retail tenants shall be restricted to the hours of 6 am to 10 pm on weekdays and 7 am to 10 pm on weekends.
 12. Trash/recycling collections shall be limited to the hours of 7:30 am and 10:00 pm, and not after 9:00 pm whenever possible
 13. Landscaping maintenance shall be limited to the hours of 7 am to 6 pm or sunset, whichever is earlier, Monday through Saturday and 12 pm to 6 pm or sunset, whichever is earlier, on

Sundays.

14. The greenspace area shown on the site plan at the southwest corner of the site shall not be developed but shall remain as open greenspace in perpetuity.
15. The conditional use permit plans shall be designed to allow for the Town's future construction of a side path along NC Hwy 54, as per the Town's preliminary plans for bike and pedestrian access to Anderson Park and parts west. The side path project must be designed so as to not encroach into the parking areas along the southern edge of the developed portion of the site.
16. As part of the conditional use permit, the applicant shall demonstrate compliance with the provisions of Article XVI, Part II, of the LUO, Stormwater Management, and shall demonstrate that that the Lloyd Farm development will not cause a rise in the water surface elevation (as measured to the 0.01 ft.) on any property within the Tom's Creek floodplain located upstream of West Main Street during the 1, 2, 5, 10, 25, 50 and 100-year 24-hour Storms. The applicant will coordinate the analysis with the Town Engineer.
16. *Alternate language proposed by the applicant: The conditional use permit issued shall require the applicant to demonstrate compliance with the provisions of Article XVI, Part II, of the LUO, Stormwater Management and shall require the post-development discharge rates be less than or equal to the predevelopment discharge rates for the 1-, 2-, 5-, 10-, 25- 50- and 100 year 24-hour design storms. The applicant will coordinate the analysis with the Town Engineer.*
17. In advance of draining the property's constructed ponds near Old Fayetteville Road, the applicant will engage a wildlife relocation organization such as NC State Turtle Rescue Team to assess options for and develop and implement a strategy to relocate turtles currently residing in the ponds. The applicant shall evaluate its stormwater management plan to determine if the construction of stormwater devices can provide a receiving area for some or all of the existing turtles.
18. Controlled left turns out of the site shall be provided at either the NC 54 exit, the Old Fayetteville exit or both exits subject to approval by NCDOT during the conditional use permit process.
18. *Alternate language proposed by the applicant: A left turn out of the site will be provided at either the NC 54 exit, the Old Fayetteville exit or both exits subject to approval by NCDOT during the conditional use permit process.*

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted, this the _____ day of _____ 2016.

AYES:

NOES:

ABSENT OR EXCUSED:

