



Town of Carrboro

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

Meeting Agenda Board of Aldermen



Tuesday, March 28, 2017

7:30 PM

Board Chambers - Room 110

A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [17-090](#) Parkinson's Awareness Month Proclamation
2. [17-083](#) Firefighters honored for protecting American flag during Lake Lure Wildfires include CFRD Relief Drive Dylan Lowe.
PURPOSE: The purpose of this agenda item is to honor the CFRD personnel who were thanked on an ABC affiliate social media's site for protecting a NC woman's American flag during the Lake Lure Wildfires.
Attachments: [Flag pic](#)

B. ANNOUNCEMENT OF UPCOMING MEETINGS

C. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

D. CONSENT AGENDA

1. [17-089](#) Approval of Previous Meeting Minutes of February 28, 2017 and March 7, 2017

E. OTHER MATTERS

1. [17-040](#) Tourism Development Authority's Annual Report to the Board of Aldermen
PURPOSE: The purpose of this agenda item is to update the Board on the activities of the TDA this past year and to gather input for the upcoming FY 2017-18 budget process.
Attachments: [ATTACHMENT 1](#)
[ATTACHMENT 2](#)

2. [17-087](#) Request for Orange County to Agree with Extension of Town's Extraterritorial Jurisdiction

PURPOSE: The purpose of this item is for the Board of Aldermen to consider submitting a request to the Orange County Board of County Commissioners seeking agreement on the extension of the Town's extraterritorial boundary along the north side of NC Highway 54 West.

Attachments: [Attachment A - Draft Letter to BOCC Re:ETJ Extension 3-24-2017](#)
[Attachment B- NCGS 160A-360](#)

3. [17-088](#) Consideration of Potential Infrastructure Improvements for Pedestrian Safety

PURPOSE: The purpose of this agenda item is for the Board to review potential infrastructure improvements identified through the Transportation Advisory Board's research on pedestrian safety in town.

Attachments: [Attachment A - Resolution 3-28-2017](#)
[Attachment B - Memo pedestrian improvements](#)

4. [17-064](#) Least Integrated Pest Management Policy Update

PURPOSE: The purpose of this agenda item is to request permission to update the Town's existing Integrated Pest Management (IPM) Policy and to receive guidance from the Board of Alderman.

Attachments: [LEAST TOXIC INTEGRATED PEST MANAGEMENT POLICY \(Original\)](#)
[IPM Policy Update Presentation](#)

F. PUBLIC HEARING

1. [17-085](#) Public Hearing on Land Use Ordinance Amendments Relating to Signage

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance to add new provisions relating to construction fence wrap signage.

Attachments: [Attachment A-1 - Consistency Resolution for Ordinance Adoption FenceWrap](#)
[Attachment A-2 - Consistency Resolution for Ordinance Denial](#)
[Attachment B - Draft LUO Amend-ConstructionWrap 02-27-2017](#)
[Attachment C -GS 160A-381](#)
[Attachment D - Excerpt from LUO ART-XVII](#)
[Attachment E - Comments](#)

G. MATTERS BY BOARD MEMBERS

H. MATTERS BY TOWN MANAGER

I. MATTERS BY TOWN ATTORNEY

J. CLOSED SESSION - NCGS 143.318.11(A)(3)



Town of Carrboro

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

Agenda Item Abstract

File Number:17-090

Agenda Date: 3/28/2017

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Parkinson's Awareness Month Proclamation



Town of Carrboro

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

Agenda Item Abstract

File Number: 17-083

Agenda Date: 3/28/2017

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Firefighters honored for protecting American flag during Lake Lure Wildfires include CFRD Relief Driver Dylan Lowe.

PURPOSE: The purpose of this agenda item is to honor the CFRD personnel who were thanked on an ABC affiliate social media's site for protecting a NC woman's American flag during the Lake Lure Wildfires.

DEPARTMENT: Carrboro Fire-Rescue Department

CONTACT INFORMATION: Susanna Schmitt Williams, 919.918.7349,
swilliams@townofcarrboro.org

INFORMATION: In November 2016, personnel from Carrboro Fire-Rescue joined many other fire and emergency services personnel from across the state to battle the Lake Lure wildfires. Relief Driver Dylan Lowe was specifically honored by one woman, Shannon Wilson, who posted to an ABC affiliate's social media site. Her posting received 209,000 likes and was shared over 90,000 times.

Her post read as follows: "Hi my name is Shannon Wilson and I live in Lake Lure NC. I have been evacuated for 7 days and was finally able to come home today. When I got home I wasn't expecting to see this. These amazing firefighters who have come from all over the world saved my house from the flames. Doing so..they took my flag down and off the flag pole.rolled it up and put it in my glass door so it wouldn't get burned by the fire. I just wanted to share this act of kindness with you. It made me have goosbumps the minute I realized what they did. I thought it would be a great news piece to share with the world. Even in the toughest times WE still respect the flag and who fought for us to wave that flag. Thank you!" [sic]

Relief Driver Lowe was recently honored at the American Legion Post by Marathon Jam for his actions.

Other CFRD members on the team with Relief Driver Lowe were: Lt. Scott Walker, Relief Driver Daniel Bass, and Firefighter Victoria Donahue.

FISCAL & STAFF IMPACT: None.

RECOMMENDATION: None.



209K Likes 8.4K Comments 94K Shares



Town of Carrboro

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

Agenda Item Abstract

File Number:17-040

Agenda Date: 3/28/2017

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Tourism Development Authority's Annual Report to the Board of Aldermen

PURPOSE: The purpose of this agenda item is to update the Board on the activities of the TDA this past year and to gather input for the upcoming FY 2017-18 budget process.

DEPARTMENT: Economic and Community Development

CONTACT INFORMATION: Annette Lafferty, AICP Economic and Community Development Director (919) 918-7319

INFORMATION: TDA Board members will be present to discuss accomplishments of the TDA in the FY 2016-17 budget year (see attached report) and to gather feedback from the Board of Aldermen for the FY 2017-18 budget process.

FISCAL & STAFF IMPACT: Fiscal and staff impacts are presented in the attached report.

RECOMMENDATION: Staff recommends the Board receive the report.

CTDA 2016-2017 Report:

300 East Main Parking Deck - \$45,000

- Maximum allowable amount that can go toward infrastructure based on our budget
- This could be increased in 2017-2018

Carrboro Festivals and Events \$35,200

- Carrboro Film Festival - \$9,200
- Poetry Festival - \$2,000
- Carrboro Music Festival - \$11,000
- Freight Train Blues - \$13,000

Quotes from Carrboro Festivals and Events: \$22,850

- Elf Fair \$2600
- 10x10 \$5000
- Terra Vita \$4000
- Tomato Day \$2000
- Shimmer at \$1500
- Florafitti at \$750
- NATJA \$5000

"As for marketing and promotion, the CTDA's sponsorship is invaluable in making sure as many people know about this wonderful event (Carrboro Film Festival), now in its 11th year. Having CTDA funding greatly expands our outreach efforts."

"This spring, the program "Freight Train Blues" enhanced tourism in Carrboro by providing free, live, culturally significant musical events, drawing visitors from throughout the Triangle in addition to local citizens. These musical events drew an average crowd of 250 people per evening, and audience feedback was incredible positive."

"Thanks to the CDTA funds that allowed us to cover and expand publicity and marketing efforts, we used funds from the Town of Carrboro to bring in a featured out-of-state poet. Reginald Dwayne Betts traveled to Carrboro from New Haven, Connecticut, to read as part of the 2015 festival; his book *Bastards of the Reagan Era* was released just before the festival and got a glowing write-up in the *New York Times Book Review*". (Carrboro Poetry Festival)

"The additional funding enhanced the ability to bring more notice to the events, which in turn brings both more people to the event and more attention to "what goes on" in this area. The increase in funding also allowed us to utilize larger media resources in the area, region, and state which positively affected our ability to promote the event." (Carrboro Music Festival)

Community Event and Projects:

Advertising and Marketing:

- \$25,000 Budget managed by the Splinter Group
- Indy Beer Guide
- Indy Eats
- Indy Finder
- Carolina Performing Arts
- Chapel Hill Magazine Relocation Visitor Guide
- Durham Magazine Relocation Visitor Guide
- Chamber Relocation Visitor Guides/Map
- Hotel guides located in Hampton, Carolina Inn and Siena
- New photography

Possible Priorities for 2017-2018

- Funding for wayfinding
- Increased funding for parking deck
- New advertising strategies
 - Content creation
 - Videos
 - Feature stories
 - photography
 - Digital media promotion

Carrboro Tourism Development Authority (A Component Unit of the Town of Carrboro, North Carolina)

Financial Statements

Year Ended June 30, 2016

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Independent Auditors' Report

Board of Directors
Carrboro Tourism Development Authority
Carrboro, North Carolina

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the major fund, and the aggregate remaining fund information of the Carrboro Tourism Development Authority (the "CTDA") as of and for the year ended June 30, 2016, and the related notes to the financial statements, which collectively comprise the CTDA's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall financial statement presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities, the major fund, and the aggregate remaining fund information of the Carrboro Tourism Development Authority as of June 30, 2016, and the budgetary comparison for the General Fund, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that Management's Discussion and Analysis on pages 3 through 8 be presented to supplement the basic financial statements. Such information, although not a required part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary and Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements of the Carrboro Tourism Development Authority. The budgetary schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The budgetary schedule is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, based on our audit and the procedures performed as described above, the budgetary schedule is fairly stated in all material respects in relation to the basic financial statements as a whole.

Dixon Hughes Goodman LLP

**High Point, North Carolina
October 31, 2016**

Management's Discussion and Analysis

As management of the Carrboro Tourism Development Authority (the "CTDA"), we offer readers of the CTDA's financial statements this narrative overview and analysis of the financial activities of the CTDA for the fiscal year ended June 30, 2016. We encourage readers to read the information presented here in conjunction with additional information that we have furnished in the CTDA's financial statements, which follow this narrative.

Financial Highlights

- The assets of the Carrboro Tourism Development Authority exceeded its liabilities at the close of the fiscal year by \$170,965 (net position).
- The government's total net position increased by \$41,539, due to payments for occupancy taxes collected and remitted to the CTDA by the Town of Carrboro.
- As of the close of the current fiscal year, the Carrboro Tourism Development Authority's governmental fund reported a fund balance of \$170,965. Approximately 32.4% of this total amount, or \$55,453, is restricted.
- Expenditures for activities related to promotion of travel and tourism amounted to 68% of total expenditures.
- Approximately one quarter, 26.8%, of expenditures were to support Community Events as follows:

Community Events Funded in 2016

Community Event	Organization	Amount
Freight Train Blues Series	Town of Carrboro	\$ 8,000
People's Pepper Festival	Farmers Market	1,817
Future Islands Concert	Cat's Cradle	5,000
Shimmer - The Art of Light	Chapel Hill Downtown Partnership	5,000
Elf Craft Fair	The Arts Center	2,670
Tomato Day	Farmers Market	1,400
Building Awareness of Radio Station	WCOM	2,500
Cardinal Directions Beer Festival	Steel String Brewery	4,000
Small Plate Crawl	Carolina Epicurean Events	3,000
Carrboro Cheer	Town Economic and Community Dev.	<u>3,050</u>
Total		<u>\$ 36,437</u>

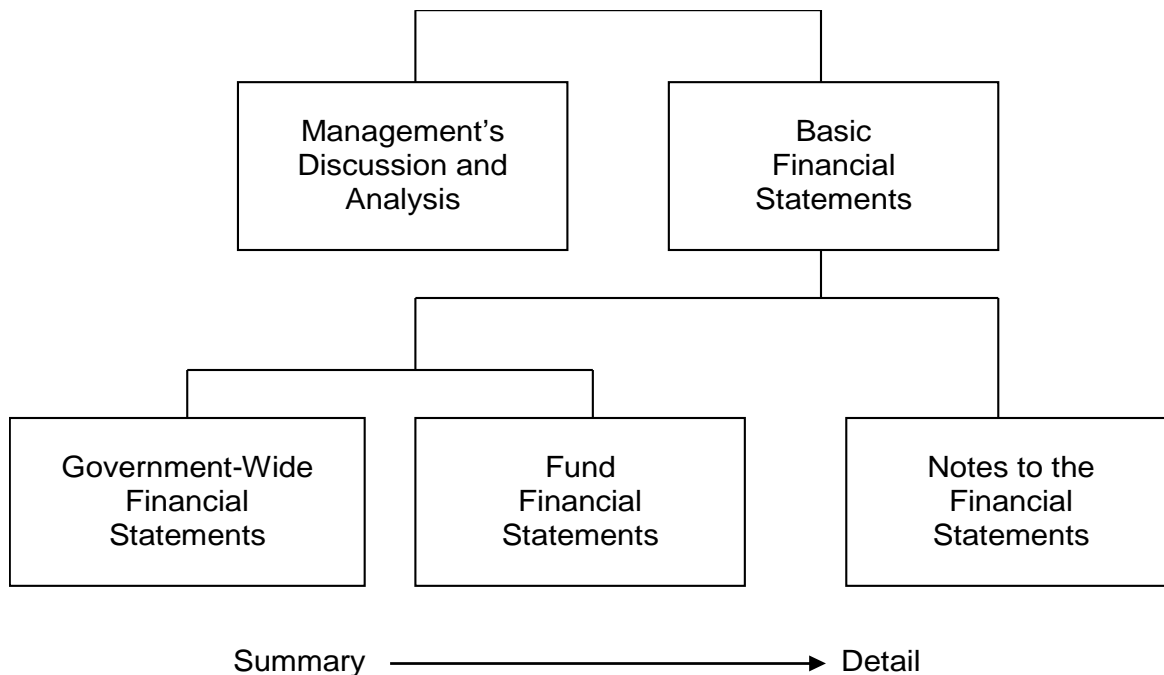
The CTDA also provided financial support for three of the Town's signature events:

Music Festival	\$ 11,000
Film Festival	9,200
Poetry Festival	2,000

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the Carrboro Tourism Development Authority's basic financial statements. The CTDA's basic financial statements consist of three components: (1) government-wide financial statements; (2) fund financial statements; and (3) notes to the financial statements (see Figure 1). The basic financial statements present two different views of the CTDA through the use of government-wide statements and fund financial statements. In addition to the basic financial statements, this report contains other supplemental information that will enhance the reader's understanding of the financial condition of the Carrboro Tourism Development Authority.

**Required Components of Annual Financial Report
Figure 1**



Basic Financial Statements

The first two statements (Exhibits 1 and 2) in the basic financial statements are the **Government-Wide Financial Statements**. They provide both short- and long-term information about the CTDA's financial status.

The next statements (Exhibits 3 through 5) are **Fund Financial Statements**. These statements focus on the activities of the individual parts of the CTDA's government. These statements provide more detail than the government-wide statements. There are two parts to the Fund Financial Statements: (1) the governmental funds statements and (2) the budgetary comparison statements.

The next section of the basic financial statements is the **notes**. The notes to the financial statements explain in detail some of the data contained in those statements. After the notes, **supplementary information** is provided to show details about the CTDA's individual funds. Budgetary information required by the General Statutes also can be found in this part of the statements.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide the reader with a broad overview of the CTDA's finances, similar in format to a financial statement of a private-sector business. The government-wide statements provide short- and long-term information about the CTDA's financial status as a whole.

The two government-wide statements report the CTDA's net position and how they have changed. Net position is the difference between the CTDA's total assets and total liabilities. Measuring net position is one way to gauge the CTDA's financial condition.

The government-wide statements are comprised of governmental activities. The governmental activities include the CTDA's basic services, such as the promotion of tourism. Occupancy taxes levied by the Town of Carrboro finance most of these activities.

The government-wide financial statements are on Exhibits 1 and 2 of this report.

Fund Financial Statements

The fund financial statements (see Figure 1) provide a more detailed look at the CTDA's most significant activities. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Carrboro Tourism Development Authority, like all other governmental entities in North Carolina, uses fund accounting to ensure and reflect compliance (or noncompliance) with finance-related legal requirements, such as the General Statutes or the CTDA's budget ordinance. The one fund of the Carrboro Tourism Development Authority can be placed into one category: governmental funds.

Governmental Funds - Governmental funds are used to account for those functions reported as governmental activities in the government-wide financial statements. All of the Carrboro Tourism Development Authority's basic services are accounted for in a governmental fund. These funds focus on how assets can readily be converted into cash flow in and out, and what monies are left at year end that will be available for spending in the next year. Governmental funds are reported using an accounting method called *modified accrual accounting* that provides a short-term spending focus. As a result, the governmental fund financial statements give the reader a detailed short-term view that helps him or her determine if there are more or less financial resources available to finance the CTDA's programs. The relationship between government activities (reported in the Statement of Net Position and the Statement of Activities) and governmental fund is described in a reconciliation that is a part of the fund financial statements.

Notes to the Financial Statements - The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements are on pages 17 through 20 of this report.

Government-Wide Financial Analysis

**The Carrboro Tourism Development Authority's Net Position
Figure 2**

	Governmental Activities 2016	Governmental Activities 2015
Current assets	\$ 178,965	\$ 135,787
Total assets	178,965	135,787
Current liabilities	8,000	6,361
Total liabilities	8,000	6,361
Net position:		
Restricted	55,453	46,003
Unrestricted	115,512	83,423
Total net position	\$ 170,965	\$ 129,426

As noted earlier, net position may serve over time as one useful indicator of a government's financial condition. The assets of the Carrboro Tourism Development Authority exceeded liabilities by \$170,965 as of June 30, 2016. The CTDA's net position increased by \$41,539 for the fiscal year ended June 30, 2016. An additional portion of the Carrboro Tourism Development Authority's net position, \$55,453, represents resources that are subject to external restrictions on how they may be used. The remaining balance of \$115,512 is unrestricted.

**The Carrboro Tourism Development Authority's Changes in Net Position
Figure 3**

	Governmental Activities 2016	Governmental Activities 2015
Revenues:		
Payments from Town of Carrboro	\$ 177,534	\$ 155,570
Expenses:		
Travel and tourism	135,995	114,613
Increase in net position	41,539	40,957
Net position, July 1	129,426	88,469
Net position, June 30	\$ 170,965	\$ 129,426

Governmental Activities. Governmental activities increased the CTDA's net position by \$41,539, thereby accounting for the total increase in the net position of the Carrboro Tourism Development Authority. The key element for this increase was payments of occupancy taxes collected and remitted to the CTDA by the Town of Carrboro.

Carrboro Tourism Development Authority Management's Discussion and Analysis

Financial Analysis of the CTDA's Funds

As noted earlier, the Carrboro Tourism Development Authority uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds. The focus of the Carrboro Tourism Development Authority's governmental funds is to provide information on near-term inflows, outflows, and balances of usable resources. Such information is useful in assessing the Carrboro Tourism Development Authority's financing requirements. Specifically, unassigned fund balance can be a useful measure of a government's net resources available for spending at the end of the fiscal year.

The General Fund is the chief operating fund of the Carrboro Tourism Development Authority. At the end of the current fiscal year, unassigned fund balance of the General Fund was \$114,929 while total fund balance reached \$170,965. The CTDA currently has an available unassigned fund balance of \$114,929.

At June 30, 2016, the governmental fund of the Carrboro Tourism Development Authority reported a combined fund balance of \$170,965.

Economic Factors and Next Year's Budgets and Rates

By authority of the General Assembly Chapter 439, Part XIV of the 2001 Session Laws, the Carrboro Board of Aldermen adopted a resolution on January 15, 2013 establishing a hotel room occupancy tax at 3 percent. The enabling legislation requires the tax to be paid on the gross receipts derived from the rental of any room, lodging or accommodation furnished by a hotel, motel, inn, tourist camp or similar place within the Town of Carrboro that is subject to sales tax imposed by the state under GS 105-164.4(a)(3). This tax is in addition to any state and local sales tax or the Orange County occupancy tax.

The enabling legislation requires that the Town of Carrboro create a Tourism Development Authority to promote travel and tourism in the Town of Carrboro. The responsibility for the distribution and expenditure of the tax is vested within the Carrboro Tourism Development Authority, of which one-third of the membership must be persons affiliated with businesses that collect the tax in Carrboro.

The Tourism Development Authority is required to pay the Town of Carrboro a fee for administering the tax, which is deducted from the proceeds before the Town remits them to the CTDA. At least two-thirds of the remaining proceeds must be used to promote travel and tourism in Carrboro. The other third shall be used for tourism-related expenditures. To promote travel and tourism means "to advertise or market an area of activity, publish and distribute pamphlets and other materials, conduct market research, or engage in similar promotional activities that attract tourists or business travelers to the area. The term includes administrative expenses incurred in engaging in these activities." Tourism-related expenditures are "expenditures that, in the judgment of the CTDA, are designed to increase the use of lodging facilities, meeting facilities, and convention facilities in the town by attracting tourists or business travelers to the town. The term includes tourism related capital expenditures."

Several economic factors will impact the Town's ability to collect the 3% occupancy tax for distribution to the Carrboro Tourism Development Authority:

- Visitors to Orange County, North Carolina spent \$184 million dollars in 2016, an increase of 1.54% from 2015. If this trend continues, growth in payroll and tax receipts will continue.
- Increasing taxable sales. Retail sales in North Carolina are trending upward and consumer confidence is high. Local sales taxes for the fiscal year ending June 30, 2017 are expected to grow by 4.0% from those for the fiscal year ended June 30, 2016.
- Low unemployment rate of 4.7%, which is below the state average.
- Increased visitor spending. Orange County has seen a 7.75% increase in visitor spending over the previous year.

**Carrboro Tourism Development Authority
Management's Discussion and Analysis**

Budget Highlights for the Fiscal Year Ending June 30, 2017

The Carrboro Tourism Development authority has adopted a General Fund budget in the amount of \$170,170 for fiscal year ending June 30, 2017. The primary source of revenues will continue to be the hotel/motel occupancy tax levied by the Town at the rate of 3% of the gross receipts from the rental of any room, lodging, or accommodations. These receipts net of the Town's administrative fee will be distributed by the Town to the CTDA on a quarterly basis.

Requests for Information

This report is designed to provide an overview of the Carrboro Tourism Development Authority's finances for those with an interest in this area. Questions concerning any of the information found in this report or requests for additional information should be directed to the Finance Officer, c/o Carrboro Tourism Development Authority, Carrboro, North Carolina, or by telephone at (919) 918-7439.

Basic Financial Statements

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Carrboro Tourism Development Authority
Statement of Net Position
June 30, 2016

Exhibit 1

	Governmental Activities	Total
ASSETS		
Cash and cash equivalents	\$ 122,929	\$ 122,929
Receivables		
Accounts receivable	3,370	3,370
Due from Town of Carrboro	51,991	51,991
Due from other governments	92	92
Prepaid items	583	583
Total assets	178,965	178,965
LIABILITIES		
Accounts payable and accrued liabilities	8,000	8,000
NET POSITION		
Restricted for Stabilization by State Statute	55,453	55,453
Unrestricted	115,512	115,512
Total net position	\$ 170,965	\$ 170,965

Carrboro Tourism Development Authority
Statement of Activities
Year Ended June 30, 2016

Exhibit 2

Functions/Programs	Expenses	Program Revenues			Net Revenue (Expense) and Changes in Net Position
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
Travel and tourism	\$ 135,995	\$ -	\$ -	\$ -	\$ (135,995)
Total governmental activities	<u>\$ 135,995</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>(135,995)</u>
General revenues:					
Payments from Town of Carrboro					<u>177,534</u>
Total general revenues					<u>177,534</u>
Change in net position					41,539
Net position, beginning					<u>129,426</u>
Net position, ending					<u>\$ 170,965</u>

The notes to the financial statements are an integral part of this statement.

Carrboro Tourism Development Authority
Balance Sheet
Governmental Fund
June 30, 2016

Exhibit 3

	<u>Major Fund</u> <u>General</u>	<u>Total</u>
ASSETS		
Cash and cash equivalents	\$ 122,929	\$ 122,929
Receivables		
Accounts receivable	3,370	3,370
Due from Town of Carrboro	51,991	51,991
Due from other governments	92	92
Prepaid items	<u>583</u>	<u>583</u>
 Total assets	 <u><u>\$ 178,965</u></u>	 <u><u>\$ 178,965</u></u>
 LIABILITIES		
Accounts payable and accrued liabilities	<u>\$ 8,000</u>	<u>\$ 8,000</u>
 FUND BALANCE		
Nonspendable		
Prepays	583	583
Restricted		
Restricted for Stabilization by State Statute	55,453	55,453
Unassigned	<u>114,929</u>	<u>114,929</u>
 Total fund balance	 <u>170,965</u>	 <u>170,965</u>
 Total liabilities and fund balance	 <u><u>\$ 178,965</u></u>	 <u><u>\$ 178,965</u></u>

Carrboro Tourism Development Authority
Statement of Revenues, Expenditures and Changes in Fund Balance
Governmental Fund
Year Ended June 30, 2016

Exhibit 4

	<u>Major Fund</u> <u>General</u>	<u>Total</u>
Revenues:		
Payments from Town of Carrboro	\$ 177,534	\$ 177,534
Total revenues	<u>177,534</u>	<u>177,534</u>
Expenditures:		
Promote travel and tourism:		
Community events	36,437	36,437
Carrboro festivals and events	22,200	22,200
Advertising	27,522	27,522
General and administrative	6,466	6,466
Tourism related:		
300 E. Main parking contract	<u>43,370</u>	<u>43,370</u>
Total expenditures	<u>135,995</u>	<u>135,995</u>
Net change in fund balance	41,539	41,539
Fund balance, beginning of year	<u>129,426</u>	<u>129,426</u>
Fund balance, end of year	<u>\$ 170,965</u>	<u>\$ 170,965</u>

Carrboro Tourism Development Authority
Statement of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual
General Fund
Year Ended June 30, 2016

Exhibit 5

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Variance With Final Budget Positive (Negative)</u>
Revenues:				
Payments from Town of Carrboro	<u>\$ 170,111</u>	<u>\$ 170,111</u>	<u>\$ 177,534</u>	<u>\$ 7,423</u>
Total revenues	<u>170,111</u>	<u>170,111</u>	<u>177,534</u>	<u>7,423</u>
Expenditures:				
Promote travel and tourism:				
Community events	52,044	54,044	36,437	17,607
Carrboro festivals and events	22,200	22,200	22,200	-
Advertising	35,000	38,301	27,522	10,779
General and administrative	<u>8,494</u>	<u>8,494</u>	<u>6,466</u>	<u>2,028</u>
Total promote travel and tourism	<u>117,738</u>	<u>123,039</u>	<u>92,625</u>	<u>30,414</u>
Tourism related:				
300 E. Main parking contract	<u>43,370</u>	<u>43,370</u>	<u>43,370</u>	<u>-</u>
Total tourism related	<u>43,370</u>	<u>43,370</u>	<u>43,370</u>	<u>-</u>
Total expenditures	<u>161,108</u>	<u>166,409</u>	<u>135,995</u>	<u>30,414</u>
Revenues over expenditures	9,003	3,702	41,539	37,837
Appropriated to fund balance	<u>9,003</u>	<u>3,702</u>	<u>-</u>	<u>3,702</u>
Net change in fund balance	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u>41,539</u>	<u><u>\$ 41,539</u></u>
Fund balance, beginning of year			<u>129,426</u>	
Fund balance, end of year			<u><u>\$ 170,965</u></u>	

The notes to the financial statements are an integral part of this statement.

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Notes to the Financial Statements

1. Summary of Significant Accounting Policies

The accounting policies of the Carrboro Tourism Development Authority conform to generally accepted accounting principles as applicable to governmental entities. The following is a summary of the more significant accounting policies:

A. Reporting entity

The Carrboro Tourism Development Authority ("CTDA") was created on January 15, 2013 by resolution of the Town of Carrboro, North Carolina, under the authority of the North Carolina General Assembly as a public authority under the Local Government Budget and Fiscal Control Act. The CTDA is responsible for promoting travel and tourism in the Carrboro area. The CTDA consists of three members appointed by the Town's Board of Aldermen for one-year terms.

The CTDA receives revenue through a three percent occupancy tax, which is levied and collected by the Town of Carrboro. The Town remits the taxes collected to the CTDA, net of administration and collection costs not to exceed three percent of the first \$500,000 of gross proceeds and one percent of the remaining gross proceeds collected each year. Therefore, the CTDA is included in the reporting entity of the Town of Carrboro.

B. Government-wide and fund financial statements

Government-wide Financial Statements, the statement of net position and the statement of activities display information about the government entity. These statements include the financial activities of the overall governmental entity.

The statement of activities presents a comparison between direct expenses and program revenues for each function of the CTDA's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Indirect expense allocations that have been made in the funds have been reversed for the statement of activities. Program revenues include fees and charges paid by the recipients of goods or services offered by the programs. Revenues that are not classified as program revenues are presented as general revenues.

Fund Financial Statements provide information about the CTDA's funds. The emphasis of fund financial statements is on major governmental funds, each displayed in a separate column.

The CTDA reports the following major governmental fund:

The **General Fund** is the general operating fund of the CTDA. It accounts for all financial resources.

C. Measurement focus and basis of accounting

Government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Nonexchange transactions, in which the CTDA gives (or receives) value without directly receiving (or giving) equal value in exchange, include payments from the Town of Carrboro. Payments from the Town of Carrboro are recognized as revenue in the fiscal year in which all eligibility requirements have been satisfied.

Carrboro Tourism Development Authority

Notes to Financial Statements

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Expenditures are recorded when the related fund liability is incurred. Loan disbursements are reported as expenditures and loan repayments are reported as revenues in governmental funds.

The CTDA recognizes assets of nonexchange transactions in the period when the underlying transaction occurs, when an enforceable legal claim has arisen, or when all eligibility requirements are met. Revenues are recognized on the modified accrual basis of accounting when they are measurable and available. Nonexchange transactions occur when one government provides (or receives) value to (or from) another party without receiving (or giving) equal or nearly equal value in return. The CTDA considers all revenues available if they are collected within 90 days after year end.

D. Budgetary data

Budgets are adopted as required by state statute. An annual budget ordinance is adopted for the General Fund. All annual appropriations lapse at fiscal year end. All budgets are prepared using the modified accrual basis of accounting. Expenditures may not legally exceed appropriations at the functional level for all annually budgeted funds. Any revisions that alter total expenditures of any fund must be approved by the governing board.

The budget ordinance must be adopted by July 1 of the fiscal year or the governing board must adopt an interim budget that covers that time until the annual ordinance can be adopted.

E Assets, liabilities, and net position or equity

(1.) Deposits and investments

All deposits of the CTDA are made in board-designated official depositories and are secured as required by G.S. 159-31. The CTDA may designate, as an official depository, any bank or savings association whose principal office is located in North Carolina. Also, the CTDA may establish time deposit accounts such as NOW and SuperNOW accounts, money market accounts, and certificates of deposit.

State law (G.S. 159-30(c)) authorizes the CTDA to invest in obligations of the United States or obligations fully guaranteed both as to principal and interest by the United States; obligations of the state of North Carolina; bonds and notes of any North Carolina local government or public authority; obligations of certain nonguaranteed federal agencies; certain high-quality issues of commercial paper and bankers' acceptances; and the North Carolina Capital Management Trust, an SEC-registered mutual fund. Investments are stated at fair value.

(2.) Cash and cash equivalents

All bank deposits are essentially demand deposits and are considered cash and cash equivalents.

(3.) Prepaid items

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements and expensed as the items are used.

(4.) Net position/fund balance

Net position in government-wide financial statements is classified as restricted and unrestricted. Restricted net position represents constraints on resources that are either externally imposed by creditors, grantors, contributors, or laws or regulations of other governments, or imposed by law through state statute.

Carrboro Tourism Development Authority

Notes to Financial Statements

Fund balances

In the governmental fund financial statements, fund balance may be composed of five classifications designed to disclose the hierarchy of constraints placed on how fund balance can be spent.

The governmental fund types classify fund balances as follows:

Nonspendable fund balance - This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.

Prepays - portion of fund balance that is not an available resource because it represents the year-end balance of prepaid items, which are not expendable, available resources.

Restricted fund balance - This classification includes amounts that are restricted to specific purposes externally imposed by creditors or imposed by law.

Restricted for stabilization by state statute - portion of fund balance that is restricted by State Statute [G.S. 159-8(a)].

Committed fund balance - portion of fund balance that can only be used for specific purposes imposed by majority vote by quorum of the Board's governing body (highest level of decision-making authority). Any changes or removal of specific purposes requires majority action by the governing body.

Assigned fund balance - portion of fund balance that the CTDA intends to use for specific purposes.

Unassigned fund balance - portion of fund balance that has not been restricted, committed, or assigned to specific purposes.

2. Detail Notes on All Funds

A. Deposits

Deposits. All deposits of the CTDA are either insured or collateralized by using one of two methods. Under the Dedicated Method, all deposits that exceed the federal depository insurance coverage level are collateralized with securities held by the CTDA's agents in the unit's name. Under the Pooling Method, which is a collateral pool, all uninsured deposits are collateralized with securities held by the State Treasurer's agent in the name of the State Treasurer. Since the State Treasurer is acting in a fiduciary capacity for the CTDA, these deposits are considered to be held by the CTDA's agent in its name. The amount of the pledged collateral is based on an approved averaging method for noninterest-bearing deposits and the actual current balance for interest-bearing deposits. Depositories using the Pooling Method report to the State Treasurer the adequacy of their pooled collateral covering uninsured deposits. The State Treasurer does not confirm this information with the CTDA or the escrow agent. Because of the inability to measure the exact amounts of collateral pledged for the CTDA under the Pooling Method, the potential exists for undercollateralization, and this risk may increase in periods of high cash flows. However, the State Treasurer of North Carolina enforces strict standards of financial stability for each depository that collateralizes public deposits under the Pooling Method. The CTDA has no policy regarding custodial credit risks for deposits.

At June 30, 2016, the CTDA's deposits had a carrying amount of \$122,929 and a bank balance of \$124,104. All of the bank balance was covered by federal depository insurance.

B. Risk management

The Board is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. The CTDA acquired risk insurance through the Interlocal Risk Financing Fund of North Carolina with the North Carolina League of Municipalities.

The Finance Officer is bonded for \$50,000.

The CTDA does not carry flood insurance.

The CTDA has no employees.

Supplementary Information

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Carrboro Tourism Development Authority
Statement of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual
Year Ended June 30, 2016

Schedule 1

	<u>Budget</u>	<u>Actual</u>	<u>Variance With Final Budget Positive (Negative)</u>
Revenues:			
Payments from Town of Carrboro	<u>\$ 170,111</u>	<u>\$ 177,534</u>	<u>\$ 7,423</u>
Total revenues	<u>170,111</u>	<u>177,534</u>	<u>7,423</u>
Expenditures:			
Promote travel and tourism:			
Community events	54,044	36,437	17,607
Carrboro festivals and events	22,200	22,200	-
Advertising	38,301	27,522	10,779
General and administrative	<u>8,494</u>	<u>6,466</u>	<u>2,028</u>
Total promote travel and tourism	<u>123,039</u>	<u>92,625</u>	<u>30,414</u>
Tourism related:			
300 E. Main parking contract	<u>43,370</u>	<u>43,370</u>	<u>-</u>
Total tourism related	<u>43,370</u>	<u>43,370</u>	<u>-</u>
Total expenditures	<u>166,409</u>	<u>135,995</u>	<u>30,414</u>
Revenues over expenditures	3,702	41,539	37,837
Appropriated to fund balance	<u>3,702</u>	<u>-</u>	<u>3,702</u>
Net change in fund balance	<u>\$ -</u>	<u>41,539</u>	<u>\$ 41,539</u>
Fund balance, beginning of year		<u>129,426</u>	
Fund balance, end of year		<u>\$ 170,965</u>	



Town of Carrboro

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

Agenda Item Abstract

File Number:17-087

Agenda Date: 3/28/2017

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

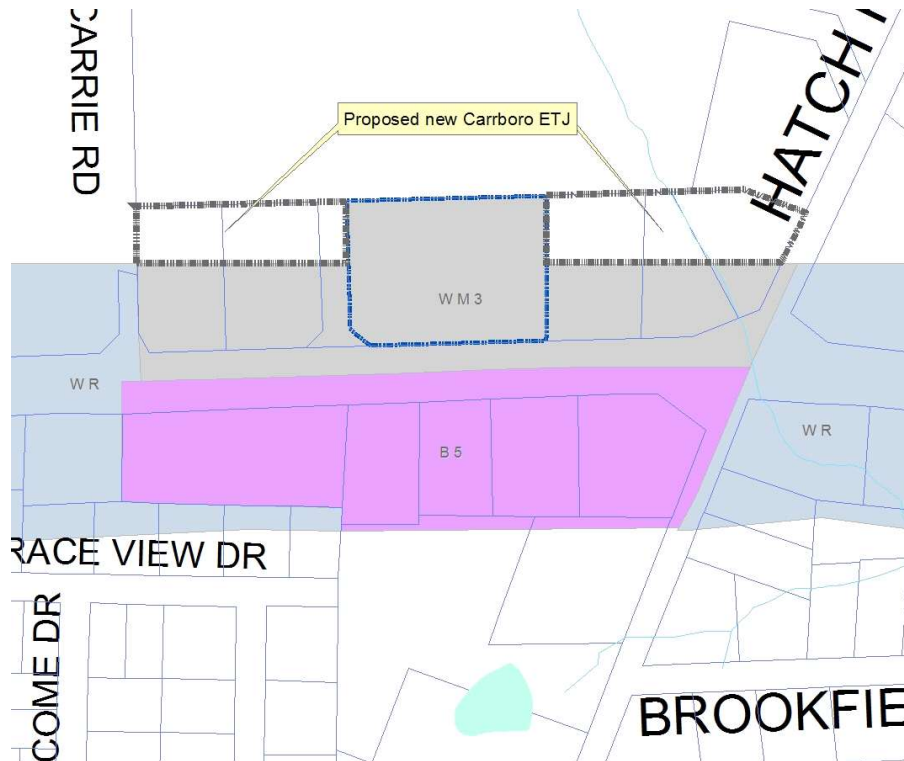
Request for Orange County to Agree with Extension of Town's Extraterritorial Jurisdiction

PURPOSE: The purpose of this item is for the Board of Aldermen to consider submitting a request to the Orange County Board of County Commissioners seeking agreement on the extension of the Town's extraterritorial boundary along the north side of NC Highway 54 West.

DEPARTMENT: Planning

CONTACT INFORMATION: Trish McGuire, pmcguire@townofcarrboro.org
<<mailto:pmcguire@townofcarrboro.org>>, 919-918-7327

INFORMATION: The Board of Aldermen has been focused on improving the opportunities for use of the commercial properties along NC Highway 54 West for several years. Extending the Town's extraterritorial jurisdiction (ETJ) in order to allow the town to establish uniform zoning on five commercially zoned parcels that are currently split between ETJ and Rural Buffer has been identified as an important strategy in increasing business development there. The portions of the parcels located immediately adjacent to the highway are currently within Carrboro's ETJ while the northern portion of the parcels is designated as Rural Buffer. The change under consideration would shift the ETJ line slightly further north to capture the entirety of the parcels as shown in the illustration below.



ETJ authority is provided in NCGS 160A-360 (*Attachment B*), and subsection (e) applies in this instance:

No city may hereafter extend its extraterritorial powers under this Article into any area for which the county at that time has adopted and is enforcing a zoning ordinance and subdivision regulations and within which it is enforcing the State Building Code. However, the city may do so where the county is not exercising all three of these powers, or when the city and the county have agreed upon the area within which each will exercise the powers conferred by this Article.

In 2014, Orange County granted an extension of Chapel Hill's ETJ to facilitate community development funding for the Rogers Road sewer project.

In conjunction with or subsequent to the Town of Carrboro reaching an agreement with Orange County on the extension, a public hearing must be held prior to the Board of Aldermen adopting an ordinance that specifies its new boundary. Within 60 days of adopting such an ordinance, Town regulations, including zoning designations, would need to be established over the new area.

The Board may recall that there was some interest expressed at the October 13, 2016 joint meeting with the Orange County Board of County Commissioners of examining the ETJ boundary over a larger area. Staff of Orange County and the Town have discussed this and are working to articulate a process for advancing the

Agenda Date: 3/28/2017

File Type:Agendas

In Control: Board of Aldermen

Version: 1

examination of the larger area. In the meanwhile, a local business has been actively working to prepare a plan/permit application to allow one of the parcels to be developed as a new site for their business. A shorter timeframe for resolution of the ETJ boundary for the commercial properties in the NC Highway 54 West corridor is highly desirable. Agenda materials for related discussions may be found at the links below:

February 7, 2017:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=2950249&GUID=9B6BFE58-D162-4777-95AC-95F3C820E0FD&Options=&Search=>.

October 13, 2016:

[<https://carrboro.legistar.com/MeetingDetail.aspx?ID=456737&GUID=E8053E71-8F10-436B-93A1-F3C92E6573DF&Options=&Search=>](https://carrboro.legistar.com/MeetingDetail.aspx?ID=456737&GUID=E8053E71-8F10-436B-93A1-F3C92E6573DF&Options=&Search=).

Next Steps

- 1) Town submits letter expressing interest in extending the ETJ in this location and on as rapid a timeframe as is possible. A draft letter is provided (*Attachment A*).
- 2) BOCC reviews Town request in a Board meeting and adopts resolution agreeing to extension of the jurisdictional boundary.
- 3) Board sets public hearing and refers change to advisory boards (i.e. rezoning).
- 3) Town holds a public hearing on the proposed extension. Notice to property owners must be distributed at least four weeks prior to the hearing.
- 4) Town holds a public hearing on the rezoning of the area the same evening. Notice to property owners must be distributed at least 10 but not more than 25 days prior to the hearing.

FISCAL & STAFF IMPACT: Advertising and legal costs associated with public hearing notice and ordinance preparation. .

RECOMMENDATION: It is recommended that the Board of Aldermen consider submitting a request to the Orange County Board of County Commissioners seeking agreement on the extension of the Town's extraterritorial boundary along the north side of NC Highway 54 West.



TOWN OF CARRBORO

NORTH CAROLINA
WWW.TOWNOFCARRBORO.ORG

March 29, 2017

Mark Dorosin, Chairman
Orange County Board of County Commissioners
200 South Cameron Street
Hillsborough, NC 27278

Dear Mark;

At the March 28, 2017 Aldermen meeting, I was asked to convey to you and the rest of the Orange County Board of County Commissioners the Town's interest in extending its Extraterritorial Jurisdictional Boundary (ETJ) along the Hwy 54 West corridor (see attached map). The Town would like to set a public hearing for the extension of the ETJ as soon as possible based on the County agreeing with this change.

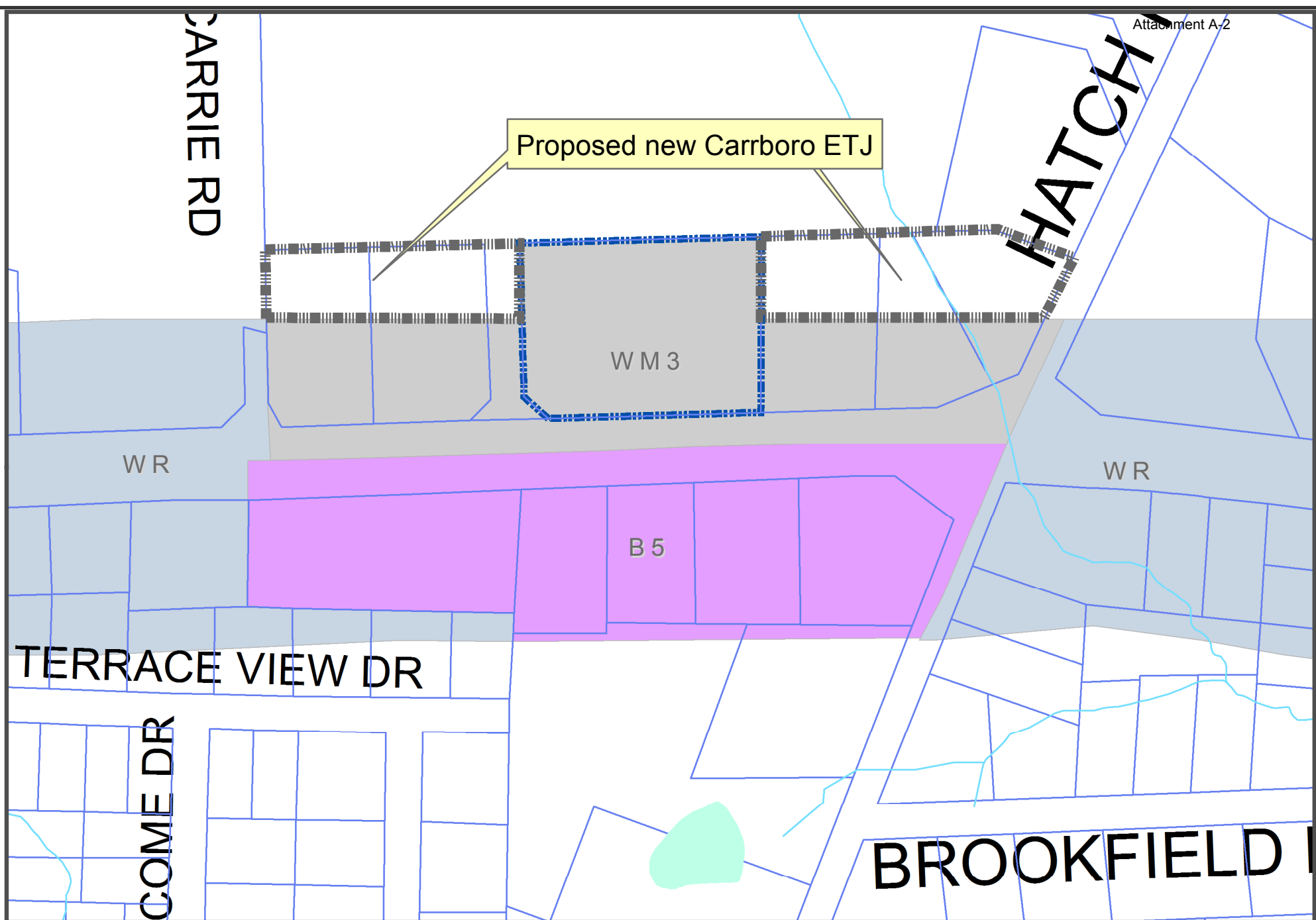
The change would allow the Town to establish uniform zoning over five parcels that are currently split by our jurisdictional boundaries and was the subject of some discussion during our joint meeting on October 13, 2016. Though there was some interest expressed at the meeting in examining the ETJ boundary over a larger area, that effort is expected to require significant effort and a relatively long time frame. In the meanwhile, a local business has been actively working to prepare a plan/permit application to allow one of the parcels to be developed as a new site for their business. A shorter timeframe for resolution of the ETJ boundary for the commercial properties in the NC Highway 54 West corridor is highly desirable.

If the Orange County Commissioners act favorably upon this request, the Town will move forward with setting a public hearing for extension of the ETJ. Please feel free to contact me or Planning Director, Patricia McGuire if you need further information. Thank you very much for considering the request.

Sincerely,

Lydia Lavelle, Mayor
Town of Carrboro

xc: Bonnie Hammersley, Orange County Manager
David Andrews, Town Manager



Proposed New Carrboro Extraterritorial Jurisdiction - NC Hwy 54 West

Printed 3-24-17



1 inch = 218 feet

Article 19.

Planning and Regulation of Development.

Part 1. General Provisions.

§ 160A-360. Territorial jurisdiction.

(a) All of the powers granted by this Article may be exercised by any city within its corporate limits. In addition, any city may exercise these powers within a defined area extending not more than one mile beyond its limits. With the approval of the board or boards of county commissioners with jurisdiction over the area, a city of 10,000 or more population but less than 25,000 may exercise these powers over an area extending not more than two miles beyond its limits and a city of 25,000 or more population may exercise these powers over an area extending not more than three miles beyond its limits. The boundaries of the city's extraterritorial jurisdiction shall be the same for all powers conferred in this Article. No city may exercise extraterritorially any power conferred by this Article that it is not exercising within its corporate limits. In determining the population of a city for the purposes of this Article, the city council and the board of county commissioners may use the most recent annual estimate of population as certified by the Secretary of the North Carolina Department of Administration.

(a1) Any municipality planning to exercise extraterritorial jurisdiction under this Article shall notify the owners of all parcels of land proposed for addition to the area of extraterritorial jurisdiction, as shown on the county tax records. The notice shall be sent by first-class mail to the last addresses listed for affected property owners in the county tax records. The notice shall inform the landowner of the effect of the extension of extraterritorial jurisdiction, of the landowner's right to participate in a public hearing prior to adoption of any ordinance extending the area of extraterritorial jurisdiction, as provided in G.S. 160A-364, and the right of all residents of the area to apply to the board of county commissioners to serve as a representative on the planning board and the board of adjustment, as provided in G.S. 160A-362. The notice shall be mailed at least four weeks prior to the public hearing. The person or persons mailing the notices shall certify to the city council that the notices were sent by first-class mail, and the certificate shall be deemed conclusive in the absence of fraud.

(b) Any council wishing to exercise extraterritorial jurisdiction under this Article shall adopt, and may amend from time to time, an ordinance specifying the areas to be included based upon existing or projected urban development and areas of critical concern to the city, as evidenced by officially adopted plans for its development. Boundaries shall be defined, to the extent feasible, in terms of geographical features identifiable on the ground. A council may, in its discretion, exclude from its extraterritorial jurisdiction areas lying in another county, areas separated from the city by barriers to urban growth, or areas whose projected development will have minimal impact on the city. The boundaries specified in the ordinance shall at all times be drawn on a map, set forth in a written description, or shown by a combination of these techniques. This delineation shall be maintained in the manner provided in G.S. 160A-22 for the delineation of the corporate limits, and shall be recorded in the office of the register of deeds of each county in which any portion of the area lies.

(c) Where the extraterritorial jurisdiction of two or more cities overlaps, the jurisdictional boundary between them shall be a line connecting the midway points of the overlapping area unless the city councils agree to another boundary line within the overlapping area based upon existing or projected patterns of development.

(d) If a city fails to adopt an ordinance specifying the boundaries of its extraterritorial jurisdiction, the county of which it is a part shall be authorized to exercise the powers granted by this Article in any area beyond the city's corporate limits. The county may also, on request of the city council, exercise any or all these powers in any or all areas lying within the city's corporate limits or within the city's specified area of extraterritorial jurisdiction.

(e) No city may hereafter extend its extraterritorial powers under this Article into any area for which the county at that time has adopted and is enforcing a zoning ordinance and subdivision regulations and within which it is enforcing the State Building Code. However, the city may do so where the county is not exercising all three of these powers, or when the city and the county have agreed upon the area within which each will exercise the powers conferred by this Article.

(f) When a city annexes, or a new city is incorporated in, or a city extends its jurisdiction to include, an area that is currently being regulated by the county, the county regulations and powers of enforcement shall remain in effect until (i) the city has adopted such regulations, or (ii) a period of 60 days has elapsed following the annexation, extension or incorporation, whichever is sooner. During this period the city may hold hearings and take any other measures that may be required in order to adopt its regulations for the area.

(f1) When a city relinquishes jurisdiction over an area that it is regulating under this Article to a county, the city regulations and powers of enforcement shall remain in effect until (i) the county has adopted this regulation or (ii) a period of 60 days has elapsed following the action by which the city relinquished jurisdiction, whichever is sooner. During this period the county may hold hearings and take other measures that may be required in order to adopt its regulations for the area.

(g) When a local government is granted powers by this section subject to the request, approval, or agreement of another local government, the request, approval, or agreement shall be evidenced by a formally adopted resolution of that government's legislative body. Any such request, approval, or agreement can be rescinded upon two years' written notice to the other legislative bodies concerned by repealing the resolution. The resolution may be modified at any time by mutual agreement of the legislative bodies concerned.

(h) Nothing in this section shall repeal, modify, or amend any local act which defines the boundaries of a city's extraterritorial jurisdiction by metes and bounds or courses and distances.

(i) Whenever a city or county, pursuant to this section, acquires jurisdiction over a territory that theretofore has been subject to the jurisdiction of another local government, any person who has acquired vested rights under a permit, certificate, or other evidence of compliance issued by the local government surrendering jurisdiction may exercise those rights as if no change of jurisdiction had occurred. The city or county acquiring jurisdiction may take any action regarding such a permit, certificate, or other evidence of compliance that could have been taken by the local government surrendering jurisdiction pursuant to its ordinances and regulations. Except as provided in this subsection, any building, structure, or other land use in a territory over which a city or county has acquired jurisdiction is subject to the ordinances and regulations of the city or county.

(j) Repealed by Session Laws 1973, c. 669, s. 1.

(k) As used in this subsection, "bona fide farm purposes" is as described in G.S. 153A-340. As used in this subsection, "property" means a single tract of property or an identifiable portion of a single tract. Property that is located in the geographic area of a municipality's extraterritorial jurisdiction and that is used for bona fide farm purposes is exempt from exercise of the municipality's extraterritorial jurisdiction under this Article. Property that is located in the geographic area of a municipality's extraterritorial jurisdiction and that ceases to be used for bona fide farm purposes shall become subject to exercise of the municipality's extraterritorial jurisdiction under this Article. For purposes of complying with 44 C.F.R. Part 60, Subpart A, property that is exempt from the exercise of extraterritorial jurisdiction pursuant to this subsection shall be subject to the county's floodplain ordinance or all floodplain regulation provisions of the county's unified development ordinance.

(l) A municipality may provide in its zoning ordinance that an accessory building of a "bona fide farm" as defined by G.S. 153A-340(b) has the same exemption from the building code as it would have under county zoning as provided by Part 3 of Article 18 of Chapter 153A of the General Statutes.

This subsection applies only to the City of Raleigh and the Towns of Apex, Cary, Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Rolesville, Wake Forest, Wendell, and Zebulon. (1959, c. 1204; 1961, c. 103; c. 548, ss. 1, 13/4; c. 1217; 1963, cc. 519, 889, 1076, 1105; 1965, c. 121; c. 348, s. 2; c. 450, s. 1; c. 864, ss. 3-6; 1967, cc. 15, 22, 149; c. 197, s. 2; cc. 246, 685; c. 1208, s. 3; 1969, cc. 11, 53; c. 1010, s. 5; c. 1099; 1971, c. 698, s. 1; c. 1076, s. 3; 1973, c. 426, s. 56; c. 525; c. 669, s. 1; 1977, c. 882; c. 912, ss. 2, 4; 1995 (Reg. Sess., 1996), c. 746, s. 1; 2005-418, s. 10; 2011-34, ss. 1, 2; 2011-363, s. 4; 2014-120, s. 15.)



Town of Carrboro

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

Agenda Item Abstract

File Number:17-088

Agenda Date: 3/28/2017

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Consideration of Potential Infrastructure Improvements for Pedestrian Safety

PURPOSE: The purpose of this agenda item is for the Board to review potential infrastructure improvements identified through the Transportation Advisory Board's research on pedestrian safety in town.

DEPARTMENT: Planning

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

INFORMATION: At the October 7, 2014 Board of Aldermen meeting, Terri Buckner addressed the Board with a request for a pedestrian safety improvements in the downtown and for the appointment of a short-term taskforce to research the topic. The Board referred the request to the Transportation Advisory Board (TAB). (A link to the meeting may be found here:

<https://carrboro.legistar.com/MeetingDetail.aspx?ID=335858&GUID=9A1A313D-227D-4CEE-A356-8FB4AE959B8C&Options=&Search=>>)

In response to the request, the TAB set up a booth during the April 2015 open streets event with maps and sticky notes seeking input on locations where pedestrian infrastructure--sidewalks, ADA ramps, lighting, etc.--could be improved. The TAB also worked with staff to develop an online mapping tool to obtain additional information via the Town's website ([<http://www.townofcarrboro.org/1090/Bike-and-Ped-Comment-Map>](http://www.townofcarrboro.org/1090/Bike-and-Ped-Comment-Map)).

Transportation Advisory Board presented its findings, including a map of pedestrian safety concerns, at the January 19, 2016 Board of Aldermen meeting. (The agenda materials may be found here: (<https://carrboro.legistar.com/MeetingDetail.aspx?ID=456605&GUID=2E20CD1A-C495-4B01-B45E-7B08D7449346&Options=&Search=>>)). Based on this citizen and Board input, staff met with representatives from NCDOT in order to begin to identify potential infrastructure projects and associated costs. A summary of the TAB's recommendations is provided in a staff memorandum (Attachment B). Estimates are included for informational purposes only and are intended to provide the Board with a sense of approximate costs relating to certain types of improvements. Funding would be identified in future budgets, as projects are prioritized and more specific designs developed.

FISCAL & STAFF IMPACT: There are no fiscal impacts associated with the discussion of this item. Potential future costs and staff time are dependent on the Board's recommendations for next steps.

Agenda Date: 3/28/2017

File Type:Agendas

In Control: Board of Aldermen

Version: 1

RECOMMENDATION: Staff recommends that the Board discuss the infrastructure improvements identified and provide input toward prioritizing potential projects.

A RESOLUTION ON THE CONSIDERATION OF POTENTIAL
INFRASTRUCTURE IMPROVEMENTS FOR PEDESTRIAN SAFETY

WHEREAS, the Carrboro Board of Aldermen has a history of supporting improvements to pedestrian infrastructure; and

WHEREAS, the Board referred a citizen request to research pedestrian safety in downtown Carrboro to the Transportation Advisory Board on October 7th, 2014; and

WHEREAS, the Transportation Advisory Board presented its findings, including a map of pedestrian safety concerns, at the January 19, 2016 Board of Aldermen meeting; and

WHEREAS, the Board directed staff to review the preliminary recommendations with NCDOT.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board receives information relating to potential infrastructure improvements for pedestrian safety and provides the following comments:

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

This the 28th day of March 2017.



TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

DELIVERED VIA: ☐ HAND ☐ MAIL ☐ FAX ☒ EMAIL

DATE: March 24, 2017

TO: David Andrews, Town Manager
Mayor and Board of Aldermen

FROM: Tina Moon, Planning Administrator/Transportation Planner

RE: Prioritization of Pedestrian Improvements

Background

In the fall of 2014, Terri Buckner addressed the Board of Aldermen on two occasions (September 16th and October 7th) to discuss pedestrian safety. At the October 7th meeting, Buckner requested that the Board to appoint a short-term taskforce to research pedestrian safety in the downtown. The Board referred the matter to the Transportation Advisory Board (TAB). In April 2015, the TAB held a pedestrian safety forum at the Open Streets event to gather public input on issues affecting pedestrian safety in Carrboro. Almost one hundred comments were received and members of the TAB consolidated the comments and sorted them into geographic areas and safety topics and presented their findings to the Board of Aldermen in January 2016.

After further discussion, the TAB decided that the Town should first pursue 'low-hanging fruit', which included striping new crosswalks and improving existing intersections. The TAB wanted to focus efforts along the N. Greensboro St. corridor between James St. and Estes Dr., and W. Main St. between Hillsborough Rd. and Weaver St. Staff and the group identified several other locations for attention that were not along these two corridors. Since most of these locations are on state-maintained roads, Town staff took Division Engineer Chuck Edwards on a tour of the 'trouble spots' and discussed potential improvements. The locations and suggested improvements are shown in the following pages.

The following description of potential infrastructure improvement projects includes approximate cost estimates, where known, to give the Board a general sense of the cost of different types of projects compared to one another. This information is provided to assist with identifying and potentially prioritizing projects, only. Preliminary costs estimates would be prepared and brought back to the Board at future meetings, for additional consideration, once projects were identified and more specific designs developed.

West Main Street and Hillsborough Road

Staff often hears concerns from residents about cars not yielding at the crosswalk across W. Main. The Carrboro Police Department frequently conducts pedestrian safety enforcement operations at this crosswalk in response to these concerns. The crosswalks at this intersection are heavily travelled by children and parents going to and from Carrboro Elementary school. The crosswalk at W. Main is one of the gateways into downtown Carrboro. While the speed limit on W. Main St. decreases from 35mph to 25mph at Davie Road, almost 1/3 of a mile from the crosswalk, some drivers are still decelerating to the slower speed when they enter the school zone. In addition, the location of the crosswalk across Hillsborough Rd. at Shelton St. has limited visibility for vehicles turning right onto Hillsborough from W. Main, especially when cars are stacked at the stop sign.



Suggested Actions	Considerations	Possible Costs
Install additional signage <ul style="list-style-type: none"> • Pedestrian sign on the N side of the crosswalk • Yellow reflectors on the pedestrian sign post • Advanced crosswalk warning signs further west on W. Main 	Lots of signs already along roadway	PW can make signs for at a nominal cost
Restripe crosswalk across Hillsborough at Shelton to run parallel to W. Main to increase visibility of pedestrians	Would need to do curb cut and ADA ramp on NE corner. Public input in past opted for crosswalk where it is	Curb cut, ramp, paint, scrape crosswalk
Install Rectangular Rapid Flash Beacon (RRFB) at W. Main crosswalk	This recommendation is included in the SRTS Action Plan	~\$8,000

W. Main and Poplar Ave.

This intersection is skewed and makes crossing distances quite long. There is currently no sidewalk on the SW corner and part of the NE corner, though there are ADA ramps. Moreover,

there are no painted crosswalks at this intersection. The design of the intersection—with less-than 90-degree angles for two of the corners allows cars to speed while turning, thereby increasing the danger to pedestrians crossing. This intersection features prominently in the Safe Routes to School Action Plan (SRTS).



Suggested Actions	Considerations	Possible Costs
Stripe crosswalk across W. Main	Will be long and at an odd angle	\$200
Stripe crosswalks across Poplar	Long crossings	\$400
Install curb extensions on SW and NE corners to decrease turning radii, speed, and crossing distance	Recommended to be implemented as a pilot project with bollards or delineators (such as the Oak Ave. pedestrian refuge island at N. Greensboro St). If successful a permanent concrete installation could follow.	<ul style="list-style-type: none"> Pilot project with bollards Actual curb extension-\$2,000-\$20,000
Install pedestrian median to shorten crossing distance	This type of project would be eligible for Orange County Transit funds.	\$15,000-\$30,000 per 100 ft

W. Main St and Ashe St.

There is currently not a crosswalk across W. Main St. between Hillsborough and W. Weaver. There are existing curb cuts on both sides of Ashe St., and Chapel Hill Transit bus stops on both

sides of W. Main. There is a good amount of pedestrian traffic at this intersection due to the bus stops, Town Hall business, and the Farmers Market.



Suggested Actions	Considerations	Possible Costs
Stripe crosswalk across W. Main	Will require curb cut on south side of W. Main	\$1,700 (\$1,500 for ramp, \$200 for crosswalk)

W. Main/W. Weaver/Laurel Ave. Intersection

This can be a difficult intersection to navigate, both on foot and in a vehicle. It is a lopsided five-point intersection with pedestrian signals only on the north side. There are between 4,200 and 4,500 daily vehicles through this intersection, and it is heavily traveled by pedestrians and bicycles as well. In addition, water tends to pool in the corners after heavy rain events to the extent that cars to splash pedestrians standing on the sidewalk waiting to cross.



W. Main/W. Weaver/Laurel Ave. Intersection (continued)

Suggested Actions	Considerations	Possible Costs
Install curb extension at SE corner to replace painted triangle. This will provide better crossing conditions for pedestrians, reduce turning radius (speed) for cars and help with drainage		Pilot curb extension – ~\$15,000 Real curb extension – more than \$20,000
Install pedestrian signals and switch to ‘soft recall’ (automatically turn to walk without pushing button)	Will have to work with NCDOT and Chapel Hill to integrate with existing signals. No existing pole on SE corner	~\$1,500 per signal
Install ‘right turn yield to pedestrians’ on W. Weaver approaching Elm St.		PW make sign
Consider installing a colorful crosswalk		\$600 per crossing

E. Weaver St./E. Main St./Roberson St. Intersection

This intersection in the heart of downtown is very busy with all modes of travel. There are sidewalks on all sides, and crosswalks across three of the legs. Residents have complained about dangerous crossing conditions at the entrance to the Carr Mill parking lot, and about being unable to safely cross Main and Weaver to the brick median (where Spotted Dog is). There are multiple bus stops in the vicinity, and countless attractions for cars, bicycles and pedestrians.



E. Weaver St./E. Main St./Roberson St. Intersection (continued)

Suggested Actions	Considerations	Possible Costs
Re-paint existing crosswalks		\$400
Stripe crosswalk across driveway into Carr Mill parking lot, paint stop bar, and install ped signal	Will have to work with NCDOT and Chapel Hill to integrate with existing signals	\$3,200 (\$200 for crosswalk, \$1,500 per signal)
Switch to 'soft recall' (automatically turn to walk without pushing button) and rotate ped signal signs/buttons or provide a 'scramble' (ped only) phase to the signal cycle	“ “	No cost
Realign the crosswalk across E. Weaver and stripe a new one across E. Main (both to Spotted Dog median) and install ped signals	<ul style="list-style-type: none"> • Will need to move stop bar on E. Weaver St. back (west) a few feet to allow for adjustment • Will need to move stop bar on E. Main way back (west) to keep cars from driving through new crosswalk and could be confusing for drivers 	\$3,000-\$5000

Jones Ferry and Laurel Ave.

Town staff has received multiple requests for a crosswalk at this location. Many people park on Laurel Ave. and cross here to access the farmers market, and the only other crosswalks on Jones Ferry Road are at W. Main St (>500ft away) and Davie Rd. (~.4 miles).



Suggested Actions	Considerations	Possible Costs
Stripe crosswalk across Jones Ferry Rd.	<ul style="list-style-type: none"> • The only sidewalk currently in this location is on the south side of Jones Ferry Rd. • Sight distance for cars travelling in both directions may be limited • May want to discuss with NCDOT lowering speed limit in this location so close to downtown 	\$200

North Greensboro Crosswalks

North Greensboro St. between McDougale Middle School and Estes Dr. was one of the primary ‘hot spots’ for pedestrian safety comments at the April 2015 Forum. There are no crosswalks between James St. and Estes Drive, a distance of 1.25 miles. There are 15 Chapel Hill Transit bus stops along this stretch, and two parks; moreover, this section of North Greensboro St. is heavily traveled by pedestrians throughout the day and night. Most of the locations in the table below already have curb cuts and ADA ramps in place. A study of potential crossing locations in this corridor was recommended in the SRTS Action Plan. Colorful crosswalks offer another option for increased visibility.

Suggested Actions	Considerations	Possible Costs
Stripe crosswalk at N. Greensboro and Williams (west side)	Move bus stop on north side to west of Williams St.? May be part of Estes/N. Greensboro roundabout project	\$200
Stripe crosswalk at N. Greensboro and Pine St. (west side)	Needs curb cuts and ramps	\$3,200 (curb cuts and crosswalk)
Stripe crosswalk at N. Greensboro and Bolin Forest (east side)	Move bus stop on north side to west of Bolin Forest?	\$200
Stripe crosswalk at N. Greensboro and Hillsborough Rd. (east side)	Need curb cuts and ramps	\$3,200 (curb cuts and crosswalk)

N. Greensboro and Williams St.



N. Greensboro and Pine St.



N. Greensboro and Bolin Forest



N. Greensboro and Hillsborough Rd.



Hillsborough Road and High/Cheek

There are no crosswalks on Hillsborough Rd. There is a CHCCS bus stop on Hillsborough just south of High St., and CHT bus stops on both sides of High St. just west of Hillsborough. There is sidewalk only on the east side of Hillsborough Rd., so anyone walking on the sidewalk that wants to access the High St. bus stops must cross at this location.



Suggested Actions	Considerations	Possible Costs
Install a crosswalk at Hillsborough Rd. and High/Cheek	Curb cuts will also be needed	\$3,200

Rapid Rectangular Flashing Beacons (RRFBs)

Staff has received inquiries for the installation of rapid rectangular flashing beacons at a number of locations throughout town.

Units cost approximately \$10,000 to \$15,000 for two solar units, one on either side of the street. Each unit has a flashing beacon on both side. Costs are higher for additional units placed a median.



Homestead Road



N. Greensboro at Shelton St. (SRTS Action Plan)



NC Highway 54

The stretch of NC Highway 54 between Jones Ferry Road and Smith Level Road has been the subject of concern for pedestrian safety for many years. There are several Chapel Hill Transit bus stops along this corridor, and most have high ridership, in part due to the many multi-family housing complexes in the immediate vicinity. Bus riders must cross four lanes of high-speed traffic to reach the bus stops, as there is no safe place to cross the highway for almost a mile. School busses also stop in this area, and it is not uncommon to see children running across the highway. A group of students from UNC's Fall 2016 Bicycle and Pedestrian Planning class conducted a study of equity in relation to transportation facilities in Carrboro. The number one recommendation coming from this study was to install a [High-Intensity Activated Crosswalk Beacon \(HAWK\)](#) at either Abbey Lane or Westbrook Drive and Highway 54. This would allow pedestrians to activate a traffic signal to stop traffic in order to cross the highway safely.

The estimated cost for a HAWK signal is \$150,000. Staff have submitted this project for possible funding through the Orange County Transit Plan.





Town of Carrboro

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

Agenda Item Abstract

File Number: 17-064

Agenda Date: 3/28/2017

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Least Integrated Pest Management Policy Update

PURPOSE: The purpose of this agenda item is to request permission to update the Town's existing Integrated Pest Management (IPM) Policy and to receive guidance from the Board of Alderman.

DEPARTMENT: Public Works

CONTACT INFORMATION: JD Freeman - 919-918-7427, jfreeman@townofcarrboro.org

INFORMATION: The Town's existing IPM policy was originally adopted in March 1999 with the goal of completely removing any and all chemical or man made products for the treatment and removal of pests. However, the IPM policy is supposed to be a living document with periodic updates occurring every 5 years to best capture evolving technology and procedures. Unfortunately, our IPM policy has not been revisited since 1999. Public Works staff would like to update the Town's IPM policy to better align with current EPA doctrine which, as a nature of progression, is a continual evolution to align with updated policies and technologies. The update will also provide guidance and a schedule to ensure that the Town's IPM is a living document with regular reviews and updates.

It is also proposed to include Plant Health Care (PHC) as part of the IPM policy. PHC is important as it provides guidance on how to focus on preventive maintenance by ensuring that plants thrive in a healthy environment. Healthy plants are better able to naturally deter pest without the need for human interaction.

The update will also include an IPM Manual which provides pest managers with recommended sources of information about pest identification, pest biology, monitoring guidelines, options relative to action thresholds and general pest management procedures. It will also include the guidelines for creating Departmental IPM plans. The manual will be revised on an ongoing basis as the town gains further experience with IPM and PHC regarding specific and local pest situations.

The goal of the IPM policy update is to develop a systematic course of action to prevent pest infestations, and to manage pests successfully, while minimizing adverse effects on people and the environment. The purpose of updating the IPM policy is to assure municipal employees, visitors, and residents that no unacceptable public or environmental health risk is taken to control pests. The adoption of an updated holistic IPM and PHC program will provide the town with long-term control of pests and invasive weeds as well as maintenance of rights-of-way, landscapes, and parks that have an impact on town employees, residents, and visitors.

Agenda Date: 3/28/2017

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Staff will also provide a presentation regarding this item.

FISCAL & STAFF IMPACT: Essential Town staff personnel will receive an update of the IPM updates. Landscaping and Grounds procedures will not result in an increase in fiscal requirements.

RECOMMENDATION: Staff recommends that the Board of Aldermen receive the presentation and discuss this item.

LEAST TOXIC INTEGRATED PEST MANAGEMENT (IPM)

Adopted March 2, 1999

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INTRODUCTION

Synthetic pesticides were first used primarily in agricultural and public health operations and not by the general public. Over the past decades, new products and new uses for old products have led to the widespread use of pesticides in urban and suburban as well as agricultural settings. Many government and public agencies have incorporated routine pesticide use into their public buildings and grounds maintenance programs.

In recent years, human health and environmental concerns have produced a heightened sensitivity to pesticide use. Such public concern has created an awareness of the need for alternatives to dependence on pesticides. A primary alternative approach is "integrated pest management," or IPM. Many public and private pest managers are adopting formal IPM policies and shifting their practices to IPM.

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DEFINITION OF INTEGRATED PEST MANAGEMENT

IPM is a catchall term that has a variety of definitions. The State of New York defined IPM (in Senate Bill #7358A, April 22, 1998) as, "a sustainable approach to managing pests by combining biological, cultural, physical and chemical tools in a way that minimizes economic, health and environmental risk." "Least Toxic IPM," such as being implemented in Carrboro, gives preference to the safest control methods and uses conventional chemical pesticides only as a last resort.

IPM is a process rather than any specific actions. It is thoughtful and proactive rather than reactive. It seeks to understand the causes of pest problems, to implement long-term solutions, and to employ means of prevention rather than mere treatment of symptoms. It can best be understood as a series of steps, which constitute an IPM plan. Carrboro seeks to establish an integrated pest management program which:

- Includes pre-implementation pest site inspection or assessment and a listing of non-chemical materials and methods proposed for use
- Establishes an inspection and monitoring program to identify infested zones, monitor pest levels, and set thresholds at which action should be taken
- Describes procedures for selecting the appropriate pest management technique(s) for the identified pest
- Provides education to employees and facility users to understand and help implement the program
- Emphasizes prevention and recommends appropriate changes in facility construction or maintenance to prevent re-infestation

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GOAL

The goal of the IPM policy is to develop a systematic course of action to prevent pest infestations, and to manage pests successfully, while minimizing adverse effects on people and the environment.

The IPM policy will be a cornerstone of the IPM program. The program will include all aspects of pest management, including pests of structures, rights-of-way, and parks and landscapes within the town's maintenance jurisdiction.

The purpose of establishing an IPM program is to assure municipal employees, visitors, and residents that no unacceptable public or environmental health risk is taken to control pests.

The adoption of an IPM program will provide the town with long-term cost-effective control of pests and invasive weeds as well as maintenance of rights-of-way, landscapes, and parks that have an impact on town employees, residents, and visitors.

The Least Toxic IPM Manual will be a working document which provides pest management decision makers with information about pest biology, monitoring guidelines, options relative to action or treatment thresholds and pest management and general procedures. It will also include the Department IPM plans and specific site plans. The manual will be revised on an ongoing basis as the town gains further experience with IPM in facing specific pest situations.

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POLICY APPLIES TO TOWN PROPERTY

The IPM policy applies only to town operations and not to those of its residents and businesses. It is hoped that it will serve as an example of how varied pest problems can be controlled with least toxic IPM that residents and others will follow voluntarily, though they are under no obligation to do so.

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POLICY

The Town of Carrboro's IPM policy and program is a comprehensive approach that gives priority to prevention and management of pests including insects, weeds and plant disease by the least toxic method. The policy will reduce the environmental health risk to municipal employees, visitors and town residents. The policy will result in greater safety of public grounds, buildings and sports fields, reduced exposure to chemical pesticides by those engaged in pest management and by the environment, and as an example to residents and others. The policy recognizes that there may occasionally be circumstances in which conventional pesticides may be required as a part of the IPM program and/or in the event of an urgent non-routine circumstance. As a matter of policy, the Town of Carrboro will not adopt any method that would pose an unacceptable public health or environmental risk in its pest management practices.

The IPM Coordinator will develop a manual that will include a list of pesticides that may be used by the town as needed that meet the US Environmental Protection Agency's "minimal risk" criteria and that have been substantially deregulated by the EPA under FIFRA, the federal pesticide law (Section 25(B)). It will also include a procedure for approving the limited use of other pesticides in emergency and/or unusual situations as detailed in Section 16 of this policy.

EXAMPLE

As an example, weed control will be managed through the IPM program of least toxic weed control agents and the use of cultural practices designed to control or suppress weeds. However, if all practical non-chemical control methods fail, the use of least toxic pesticides (herbicides) may be deemed necessary.

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UPDATING OF IPM PROGRAM

In practice, integrated pest management is continually evolving. The program / policy / manual should reflect such changes and be subject to regular review and revision.

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APPLICATORS

The IPM coordinator shall maintain relevant individual North Carolina pesticide application certifications and licenses. Other employees regularly involved in pesticide applications shall be encouraged to become certified as appropriate.

Any pesticide application determined to be needed by the IPM Coordinator must be applied at the direction of the Coordinator.

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ROLE & FUNCTION

The cessation of pesticide use represents a major change in the way the town manages pests in structures and landscape maintenance. Upon adoption of this IPM policy, all pesticide use will be phased out over the succeeding three to five years. All department heads and supervisors need some knowledge of and involvement in the program. Rather than depend on outside assistance for pest control, each department needs to take some responsibility for pest prevention. Each department or relevant section of town government should have an IPM coordinator, generally the department head or designee.

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PARTICIPATION BY TOWN STAFF

Successful implementation of integrated pest management requires that all town employees work together to identify, control and eliminate pests on town owned properties within their scope of work. For most, this will be no more than an awareness of potential problems, means of prevention, and whom to notify of pest problems around their personal work spaces. Often, employees benefit directly from their efforts by adhering to proper food storage and housekeeping habits to protect their own work environment.

All town staff will be given appropriate level of training to acquaint them with basic pest identification and control. Each department or relevant section of town government will designate an IPM coordinator who will consult with the town IPM Coordinator concerning control procedures, prevention and implementation.

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IPM COORDINATOR

The Director of Public Works shall designate an IPM Coordinator for the town. The IPM coordinator will assist with and assure that the program functions smoothly. The coordinator will interact directly at the individual department level in pest prevention or control and conduct training sessions for the departments as needed.

The IPM coordinator shall:

- Be a licensed and certified pesticide applicator by the North Carolina Department of Agriculture, in a major classifications such as agriculture pest, plants and horticulture.
- Assist each department or relevant section of town government with pest control management within their area and provide contact information for questions regarding pest management.
- Disseminate relevant information to departments and ensure employees can respond appropriately to concerns and questions posed by the general public or, if unable, to forward such concerns and questions to the IPM coordinator for a response.
- Maintain records of pest problems, prevention and control activities.
- Compile a list of successful least-toxic methods, to include least chemical cultural methods.
- Establish a data bank of pest control methods employed and their outcomes, with analysis where possible; make data bank accessible by internet to the North Carolina Department of Agriculture & Consumer Services (NCDA & CS) and NC Cooperative Extension; thus providing these agencies with training material.
- Ensure all department IPM coordinators have pesticide labels and Material Safety Data Sheets (MSDS) available in their departments for all pesticides used; this applies to applications by the town and by private contractors.

For departments with significant public interest in their pest management program, such as the Recreation and Parks Department, organize a group of interested parties to discuss pest problems and their solutions; meetings may include the general public, town officials or interested town employees.

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RESPONDING TO CONCERNS & QUESTIONS OF THE PUBLIC

The town has been following IPM practices and procedures for more than a decade. However, the adoption of a written policy by the Board of Aldermen will formalize such practices and instill greater public confidence that the town is and will continue to effectively promote least toxic methods in its structures, rights-of-way, landscape and park maintenance.

In order for further public understanding of the program, it is imperative that town employees who respond to questions of the general public have an awareness of the IPM policy and program and can appropriately address such questions or refer the individual to those town employees who can. The town will develop a fact sheet on the program for use in answering basic questions which contains contact information for the IPM Coordinator and others involved with the program.

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IPM PLANS

Each department or relevant section of town government as determined by the Manager and IPM Coordinator shall have a written IPM plan, which describes the unit's role in the program. Departmental plans shall be prepared in consultation with and reviewed by the IPM Coordinator.

The departmental plans may be simple and should include general housekeeping requirements and contact information for reporting situations that need attention. A typical plan could include information and/or policies on:

- How snacks and other food are to be contained:
- Whether food is allowed at desks or work stations or only in break rooms
- Ensuring that window screens and windows are tight
- Containment of trash/ frequency of collection
- Policies for employee break areas frequency of cleaning
- Policy for containing and emptying recyclable (cans, bottles, newsprint, mixed paper)
- Responsibilities for seeing that the policies are carried out
- Information on the identification of the various pests likely to be encountered and
- Basic control strategies in an accessible way that will assist staff in their roles in the IPM program
- Contact information for pests that need attention of the IPM coordinator
- Contact information for repairs, such as drips or broken screens

Departments will maintain detailed records of pesticide applications and provide copies of such records to the IPM Coordinator within 5 business days of any pesticide application.

Departments will post a notice at major points of entry when pesticides are employed.

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LEAST TOXIC IPM MANUAL

The IPM Coordinator shall prepare and be responsible for updating the overall IPM Manual. It shall include:

- The individual department or section IPM plans.
- Identification of each specific pest likely to be encountered (note, for example, that some ants and cockroaches have different subspecies that require different control methods)
- Description of Monitoring procedures
- Traps

- Sticky cards
- Food lures
- Chemical sex attractant
- Discussion of routine prevention and management practices. Description of routine management procedures for common pests using prevention and least toxic control methods. These methods include, for example, for buildings: caulking, crack and crevice applications of boric acid baits, improved sanitation, etc.; for landscaping: selecting resistant varieties, replacing pest infested plants, adjusting mowing heights and frequencies, use of flamers and mulch, etc.
- Discussion of procedures should conventional chemical control be necessary. If a situation dictates the use of chemical pesticides, the IPM coordinator will select the least toxic method to control the target pest. If a structural problem arises that requires a licensed structural applicator, the IPM coordinator will select a pest control contractor. Outside contractors must supply the IPM coordinator with a list of control recommendations including chemicals, baits or traps suggested for use. At all times the least toxic method will be chosen.
- Development of site specific policies for each pest problem or type of situation encountered with updates as necessary based on changing experience. Selection of methods to be used for pest management will be governed by considerations of risk and effectiveness. Least toxic methods will be given preference and conventional pesticides will be used only as a last resort under provisions of Section 17 of this policy.

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POLICY: APPLICABLE TO TOWN CONTRACTORS

Pest control contractors who work for the town are required to understand and abide by this policy.

Such pest control contractor shall provide the IPM Coordinator with a copy of relevant North Carolina Department of Agriculture and Consumer Services (NCDA & CS) pesticide license, the names of the employees who will be applying any pesticides, a description of the methods proposed to be used including a list of all controls, chemical and non-chemical, and a report at the completion of the job of what was actually done including pesticides, if any, that were used with amounts and concentrations.

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HAZARD CATEGORIES

Some factors which are used to categorize the relative danger/safety of pesticides:

- Toxicity: the inherent capacity of a substance to produce an injury or death
- Hazard: hazard is a function of toxicity and exposure; the potential threat that injury will result from the use of substance in a given formulation or quantity
- Risk: the probability that an outcome may happen

The U.S. EPA groups pesticides into four basic categories based on their capacity to do harm. The categories emphasize "acute" toxicity--the ability to cause harm from a single exposure. Acute effects include damage to eyes, skin rashes, respiratory problems, nerve damage and death. The rankings are, however, influenced by "chronic" exposures, the ability to cause harm from repeated low dose exposures over time. Chronic effects include the ability to cause cancer, damage to organs such as the liver and kidneys, birth defects, genetic mutations, etc.

CATEGORY I

- Environmental Protection Agency (EPA) lists as the most toxic
- "DANGER" product label; some must also say "poison" on label
- Most are classified as "restricted use pesticides" thus requiring a license to purchase, apply and store
- This category of pesticide has not been used by the town since 1987

CATEGORY II

- Environmental Protection Agency (EPA) lists as the next most toxic (moderately toxic)
- "Warning" product label
- This category of pesticide has been minimally employed by the town, less than 1 pint annually, and has never been applied to plant beds

CATEGORIES III & IV LEAST TOXIC CATEGORIES

- "Caution" product label
- The pesticides of this category employed by the town are primarily in the form of "Roundup" herbicide primarily for weed control under fences, street right-of-way and equipment storage areas

COMMON TO ALL CATEGORIES OF PESTICIDES

- "Keep out of reach of children" must appear on label.
- Departments will post notices when pesticides are employed.

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HAZARD CATEGORY III PESTICIDES - PHASING OUT

Upon adoption of this IPM policy, the town will explore alternative methods to allow it to phase out the use of even Category III pesticides. It will, for example, explore the expanded use of methods already employed, such as mulches and string trimmers for weed control, as well as the use of alternatives including steam generators and propane torches ("flame weeders"). Such methods will be phased in over a 3 to 5 year period, experience must be gained by the town's staff to determine the effectiveness and application time of these different methods of weed control.

FISCAL YEAR

1999-2000: Procure and institute the use of steam equipment
Continue to employ herbicide, "Roundup," as needed.

2000-2001: Evaluate need to continue the employment of this category of pesticides
Evaluate need to procure additional alternate eradication equipment.

2001-2002: Determine if total elimination of this category of pesticides is possible
Provide a general overview of effectiveness.

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USE OF CONVENTIONAL PESTICIDES / UNUSUAL CIRCUMSTANCES

A goal of this program is to phase out the use of conventional pesticides. However, the town recognizes that certain rare circumstances may arise in which alternative methods may not be practical. If a situation is determined by the IPM Coordinator to be urgent and non-routine and requiring the use of a conventional pesticide to achieve satisfactory levels of control, then the following steps shall be followed:

- The IPM coordinator must receive approval from the Director of Public Works to employ conventional pesticides
- The Director of Public Works shall inform the Town Manager of his decision to employ to conventional pesticides at the time of or as soon as possible afterwards
- In the affected area, the IPM coordinator shall make a good faith effort to notify those employees and others who may be affected including the posting of notices at principal points of entry
- The use of occasional wasp or hornet sprays by employees or contractors who may otherwise be at risk of insect stings shall not be covered by this section except that reports of such use shall be made to the IPM Coordinator and persons who may be affected shall be given advance notice if time permits.
- The use of pesticides under Section 5.13. of this policy are not covered by this section.

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ANTIMICROBIALS NOT INCLUDED

Antimicrobials, such as those used for cleaning as sterilizers in public facilities are not covered by this policy.

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GENERAL

The State of North Carolina's Department of Agriculture & Consumer Services (NCDA & CS) separates pest control administratively and for types of licenses into 2 areas:

- Structural: All pest control within or to protect a building; includes termite and cockroach control; the NC Structural Pest Committee adopts rules and sets license requirements for such applications. The structural pest control program is administered by the Structural Pest Control Division of the NCDA & CS.
- Non-Structural: All other pest control and vegetation management in an outdoor environment, including agriculture and landscaping; the NC Pesticide Board adopts regulations and sets license requirements for such applications, which include "public operator licenses" for town employees. This pesticide program is administered by the Pesticide Section of the NCDA & CS.

Note: Licenses are not interchangeable but apply only to that specific category or class of application

DEFINITIONS

"Pesticides" are defined as "anything sold to kill or control or mitigate a pest." Hence they include "insecticides" for use against insects, "herbicides" for use against weeds, "fungicides" for use against plant diseases, and "rodenticides" which kill rats and mice. Such products must be registered by EPA under the Federal pesticide law (The Federal Insecticide, Fungicide and Rodenticide Act, or "FIFRA") and, in North Carolina, by the North Carolina Department of Agriculture and Consumer Services (NCDA & CS) under the NC Pesticide Law before, they can be legally sold or used. They each carry a label which prescribes how the product must be used: for what pests in what sites and at what rates. Use inconsistent with the label is a violation of state and federal law.

"Pests" are organisms where they are not wanted and which may cause economic (or aesthetic or ecological) damage. In this context, a "weed" is a social, economic, and legal term, not a biological one. Hence, an oak in a pine plantation can be a weed.

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For More Information, Please Contact:

David Jantzen , Landscape and Grounds Supervisor
Public Works Department
301 Main Street
Carrboro, NC 27510
Ph: 919-918-7431

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Integrated Pest Management Policy

JD Freeman, PE

March 28, 2017

Town of Carrboro Board of Alderman

Agenda

- Introduce IPM and PHC
- Current IPM
- Goals of the Update
- Recent IPM Related Concerns
- Questions

Current IPM

- Adopted in 1999
 - ❖ Beneficial goals that aligned with the thought process of the time
 - ❖ Outlined procedure for a living document
 - ❖ “In practice, integrated pest management is continually evolving. The program / policy / manual should reflect such changes and be subject to regular review and revision.”
- Based on 1999 EPA Guidelines
 - ❖ Phase out the use of all chemicals
 - ❖ Evolution of practice/materials/guidance since then

Introduction to Integrated Pest Management Policy

■ What is IPM?

- ❖ Integrated Pest Management (IPM) is an effective and environmentally friendly, common sense approach to controlling pests.
 - ❖ Current, comprehensive information on pests life cycles and their interaction with the environment
 - ❖ Most economical means with the least possible hazard to people, property, and the environment

❖ Why is IPM important?

- ❖ IPM is Thoughtful and Proactive rather than reactive in nature
- ❖ IPM seeks to understand causes of pest problems
- ❖ IPM implements long term solutions
- ❖ IPM employs a means of prevention rather than mere treatment of symptoms

Introduction to Plant Health Care

- What is PHC?

- ❖ Plant health care is a holistic focusing on developing and maintaining healthy plants, so they become less susceptible to problems.

- Why is PHC important?

- ❖ Provides corrective measures to promote plant health
- ❖ Proactive - healthy plants are less likely to become infested by pests and infected by disease

Goals of Updated IPM & PHC Policy

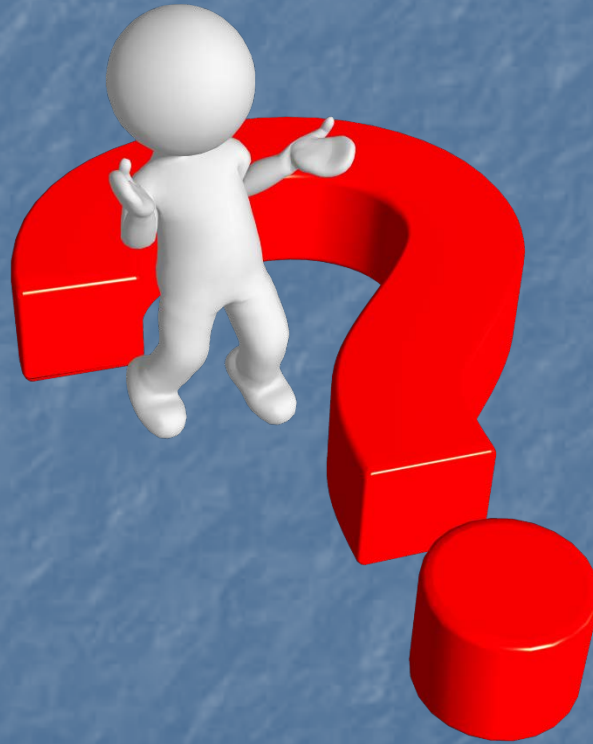
■ Current Policy

- ❖ Update the systematic course of action to proactively manage pests successfully
 - ❖ ID pests and monitor progress
 - ❖ Set action thresholds
 - ❖ Prevent
 - ❖ Control
- ❖ Guidelines for living document
 - ❖ Long-term control of pests and invasive weeds
 - ❖ Regular internal meetings to identify best strategies and methods
- ❖ Serves as a cornerstone of the pest management program
 - ❖ No unacceptable public or environmental health risk is taken to control pests
- ❖ Introduce Plant Health Care

Recent IPM Related Concerns

- ❖ *Red Imported Fire Ants* in sports turf and around playgrounds at recreational facilities
 - ❖ 10 % of human population are highly allergic to RIFA stings
 - ❖ Tripping hazards in playing area
- ❖ Weed, insect, and fungal disease in sports turf at recreational facilities
 - ❖ Turf weeds and fungus in new Anderson Park multipurpose field
 - ❖ Tripping hazards in playing area
- ❖ Invasive aquatic weed species
 - ❖ Duck weed and Primrose infestation at Anderson Park pond
- ❖ *Invasive Species control to protect the urban forest*
 - ❖ Invasive vines and poison ivy are choking out trees in our urban forest
- ❖ Probable future need of IPM for insect pests of the urban forest
 - ❖ Elm bark Beetle, Emerald Ash Borer, Southern and IPS Pine Beetle

QUESTIONS





Town of Carrboro

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

Agenda Item Abstract

File Number: 17-085

Agenda Date: 3/28/2017

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Public Hearing on Land Use Ordinance Amendments Relating to Signage

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance to add new provisions relating to construction fence wrap signage.

DEPARTMENT: Planning Department

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

INFORMATION: At the May 24, 2016 Board of Aldermen meeting, staff presented information relating to newly adopted state legislation and the potential need to amend certain Land Use Ordinance provisions for conformity. New language added under NCGS 160A-381 (Zoning, Grant of Power) subsection (j) addresses signage on construction fence wrap, the fabric attached to construction site perimeter fencing. The provision exempts the messaging on fence wraps from zoning regulations relating to signage until the certificate of occupancy (CO) is issued for the final portion of any construction or twenty-four months after the fence wrap is installed, whichever is shorter (highlighted language in Attachment C).

A draft ordinance has been prepared addressing the signage on construction fence wraps under Section 15-273, Certain Temporary Signs, Subsection (2) which speaks to other forms of temporary signs used for construction projects.

The draft ordinance was referred to Orange County and presented to the Planning Board at its March 2, 2017 meeting. Responses are provided (Attachment E). No other boards reviewed the item due to the mandatory nature of the amendment.

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

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the adoption of the resolution finding consistency (Attachment A-1) and the draft ordinance (Attachment B).

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 TOWN OF CARRBORO LAND USE ORDINANCE PROVISIONS RELATED SIGNAGE.

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

Section 1. The Board concludes that the above described amendment affirms and clarifies the existing policy in Land Use Ordinance relating to construction signage and construction management.

Section 2. The Board further concludes that the above described amendment which will conform the provisions of the Land Use Ordinance, with regard to certain types of construction signage, to recent changes in state legislation, is in the public interest.

Section 3. This resolution becomes effective upon adoption.

This the 28th day of March 2017.

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 TOWN OF CARRBORO LAND USE ORDINANCE PROVISIONS RELATED SIGNAGE.

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 28th day of March 2017.

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

Draft 2-10-2017

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subsection 15-273(a)(2) of the Carrboro Land Use Ordinance shall amended to read as follows:

(2) Construction site identification signs. Such signs may identify the project, the owner or developer, architect, engineer, contractor and subcontractors, funding sources, and may contain related information. (i) Not more than one such sign may be erected per site, and it may not exceed thirty-two square feet in area. Such signs shall be erected prior to the issuance of a building permit and shall be removed within ten days after the issuance of the final occupancy permit. (ii) In addition, fence wraps displaying signage when affixed to perimeter fencing at a construction site are exempt until a certificate of occupancy is issued for the final portion of any construction at the site, or 24 months from the time the fence wrap is installed, whichever is shorter. If the construction is not completed at the end of 24 months from the time the fence wrap was installed, the Town may regulate the signage but shall allow fence wrapping material to remain affixed to the perimeter fencing. Fence wrapping shall not impede the view from sight distance triangles.

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

Section 3. This Ordinance shall become effective upon adoption.

Part 3. Zoning.

§ 160A-381. Grant of power.

(a) For the purpose of promoting health, safety, morals, or the general welfare of the community, any city may adopt zoning and development regulation ordinances. These ordinances may be adopted as part of a unified development ordinance or as a separate ordinance. A zoning ordinance may regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land. The ordinance shall provide density credits or severable development rights for dedicated rights-of-way pursuant to G.S. 136-66.10 or G.S. 136-66.11.

(b) Expired.

(b1) These regulations may provide that a board of adjustment may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules therein contained, provided no change in permitted uses may be authorized by variance.

(c) The regulations may also provide that the board of adjustment, the planning board, or the city council may issue special use permits or conditional use permits in the classes of cases or situations and in accordance with the principles, conditions, safeguards, and procedures specified therein and may impose reasonable and appropriate conditions and safeguards upon these permits. Conditions and safeguards imposed under this subsection shall not include requirements for which the city does not have authority under statute to regulate nor requirements for which the courts have held to be unenforceable if imposed directly by the city. When deciding special use permits or conditional use permits, the city council or planning board shall follow quasi-judicial procedures. Notice of hearings on special or conditional use permit applications shall be as provided in G.S. 160A-388(a2). No vote greater than a majority vote shall be required for the city council or planning board to issue such permits. For the purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the board" for calculation of the requisite majority. Every such decision of the city council or planning board shall be subject to review of the superior court in the nature of certiorari in accordance with G.S. 160A-388.

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

(d) A city council member shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Members of appointed boards providing advice to the city council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

(e) As provided in this subsection, cities may adopt temporary moratoria on any city development approval required by law, except for the purpose of developing and adopting new or amended plans or ordinances as to residential uses. The duration of any moratorium shall be reasonable in light of the specific conditions that warrant imposition of the moratorium and may not exceed the period of time necessary to correct, modify, or resolve such conditions. Except in cases of imminent and substantial threat to public health or safety, before adopting an ordinance imposing a development moratorium with a duration of 60 days or any shorter period, the governing board shall hold a public hearing and shall publish a notice of the hearing in a newspaper having general circulation in the area not less than seven days before the date

set for the hearing. A development moratorium with a duration of 61 days or longer, and any extension of a moratorium so that the total duration is 61 days or longer, is subject to the notice and hearing requirements of G.S. 160A-364. Absent an imminent threat to public health or safety, a development moratorium adopted pursuant to this section shall not apply to any project for which a valid building permit issued pursuant to G.S. 160A-417 is outstanding, to any project for which a conditional use permit application or special use permit application has been accepted, to development set forth in a site-specific or phased development plan approved pursuant to G.S. 160A-385.1, to development for which substantial expenditures have already been made in good faith reliance on a prior valid administrative or quasi-judicial permit or approval, or to preliminary or final subdivision plats that have been accepted for review by the city prior to the call for public hearing to adopt the moratorium. Any preliminary subdivision plat accepted for review by the city prior to the call for public hearing, if subsequently approved, shall be allowed to proceed to final plat approval without being subject to the moratorium.

Any ordinance establishing a development moratorium must expressly include at the time of adoption each of the following:

- (1) A clear statement of the problems or conditions necessitating the moratorium and what courses of action, alternative to a moratorium, were considered by the city and why those alternative courses of action were not deemed adequate.
- (2) A clear statement of the development approvals subject to the moratorium and how a moratorium on those approvals will address the problems or conditions leading to imposition of the moratorium.
- (3) An express date for termination of the moratorium and a statement setting forth why that duration is reasonably necessary to address the problems or conditions leading to imposition of the moratorium.
- (4) A clear statement of the actions, and the schedule for those actions, proposed to be taken by the city during the duration of the moratorium to address the problems or conditions leading to imposition of the moratorium.

No moratorium may be subsequently renewed or extended for any additional period unless the city shall have taken all reasonable and feasible steps proposed to be taken by the city in its ordinance establishing the moratorium to address the problems or conditions leading to imposition of the moratorium and unless new facts and conditions warrant an extension. Any ordinance renewing or extending a development moratorium must expressly include, at the time of adoption, the findings set forth in subdivisions (1) through (4) of this subsection, including what new facts or conditions warrant the extension.

Any person aggrieved by the imposition of a moratorium on development approvals required by law may apply to the appropriate division of the General Court of Justice for an order enjoining the enforcement of the moratorium, and the court shall have jurisdiction to issue that order. Actions brought pursuant to this section shall be set down for immediate hearing, and subsequent proceedings in those actions shall be accorded priority by the trial and appellate courts. In any such action, the city shall have the burden of showing compliance with the procedural requirements of this subsection.

(f) In order to encourage construction that uses sustainable design principles and to improve energy efficiency in buildings, a city may charge reduced building permit fees or provide partial rebates of building permit fees for buildings that are constructed or renovated using design principles that conform to or exceed one or more of the following certifications or ratings:

- (1) Leadership in Energy and Environmental Design (LEED) certification or higher rating under certification standards adopted by the U.S. Green Building Council.
- (2) A One Globe or higher rating under the Green Globes program standards adopted by the Green Building Initiative.
- (3) A certification or rating by another nationally recognized certification or rating system that is equivalent or greater than those listed in subdivisions (1) and (2) of this subsection.

(g) A zoning or unified development ordinance may not differentiate in terms of the regulations applicable to fraternities or sororities between those fraternities or sororities that are approved or recognized by a college or university and those that are not.

(h) Any zoning and development regulation ordinance relating to building design elements adopted under this Part, under Part 2 of this Article, or under any recommendation made under G.S. 160A-452(6)c. may not be applied to any structures subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings except under one or more of the following circumstances:

- (1) The structures are located in an area designated as a local historic district pursuant to Part 3C of Article 19 of Chapter 160A of the General Statutes.
- (2) The structures are located in an area designated as a historic district on the National Register of Historic Places.
- (3) The structures are individually designated as local, State, or national historic landmarks.
- (4) The regulations are directly and substantially related to the requirements of applicable safety codes adopted under G.S. 143-138.
- (5) Where the regulations are applied to manufactured housing in a manner consistent with G.S. 160A-383.1 and federal law.
- (6) Where the regulations are adopted as a condition of participation in the National Flood Insurance Program.

Regulations prohibited by this subsection may not be applied, directly or indirectly, in any zoning district, special use district, conditional use district, or conditional district unless voluntarily consented to by the owners of all the property to which those regulations may be applied as part of and in the course of the process of seeking and obtaining a zoning amendment or a zoning, subdivision, or development approval, nor may any such regulations be applied indirectly as part of a review pursuant to G.S. 160A-383 of any proposed zoning amendment for consistency with an adopted comprehensive plan or other applicable officially adopted plan. For the purposes of this subsection, the phrase "building design elements" means exterior building color; type or style of exterior cladding material; style or materials of roof structures or porches; exterior nonstructural architectural ornamentation; location or architectural styling of windows and doors, including garage doors; the number and types of rooms; and the interior layout of rooms. The phrase "building design elements" does not include any of the following: (i) the height, bulk, orientation, or location of a structure on a zoning lot; (ii) the use of buffering or screening to minimize visual impacts, to mitigate the impacts of light and noise, or to protect the privacy of neighbors; or (iii) regulations adopted pursuant to this Article governing the permitted uses of land or structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.

(i) Nothing in subsection (h) of this section shall affect the validity or enforceability of private covenants or other contractual agreements among property owners relating to building design elements.

(j) Fence wraps displaying signage when affixed to perimeter fencing at a construction site are exempt from zoning regulation pertaining to signage under this Article until the

certificate of occupancy is issued for the final portion of any construction at that site or 24 months from the time the fence wrap was installed, whichever is shorter. If construction is not completed at the end of 24 months from the time the fence wrap was installed, the city may regulate the signage but shall continue to allow fence wrapping materials to be affixed to the perimeter fencing. No fence wrap affixed pursuant to this subsection may display any advertising other than advertising sponsored by a person directly involved in the construction project and for which monetary compensation for the advertisement is not paid or required.

(1923, c. 250, s. 1; C.S., s. 2776(r); 1967, c. 1208, s. 1; 1971, c. 698, s. 1; 1981, c. 891, s. 5; 1985, c. 442, s. 1; 1987, c. 747, s. 11; 1995, c. 357, s. 1; 2005-426, s. 5(a); 2007-381, s. 2; 2011-286, s. 2; 2013-126, s. 4; 2013-413, s. 6(b); 2014-115, s. 17; 2015-86, s. 1; 2015-246, ss. 3.1(a), 4(b), 16; 2015-286, s. 1.8(b).)

ARTICLE XVII

SIGNS

Section 15-273 Certain Temporary Signs: Permit Exemptions and Additional Regulations

(a) The following temporary signs are permitted without a zoning, special use, conditional use, or sign permit. However, such signs shall conform to the requirements set forth below as well as all other applicable requirements of this chapter except those contained in Section 15-276 (Total Sign Surface Area) and 15-278 (Number of Freestanding Signs).

- (1) Signs containing the message that the real estate on which the sign is located (including buildings) is for sale, lease, or rent, together with information identifying the owner or agent. Such signs may not exceed four square feet in area and shall be removed immediately after sale, lease, or rental. For lots of less than five acres, a single sign on each street frontage may be erected. For lots of five acres or more in area and having a street frontage in excess of four hundred feet, a second sign not exceeding four square feet in area may be erected.
- (2) Construction site identification signs. Such signs may identify the project, the owner or developer, architect, engineer, contractor and subcontractors, funding sources, and may contain related information. Not more than one such sign may be erected per site, and it may not exceed thirty-two square feet in area. Such signs shall be erected prior to the issuance of a building permit and shall be removed within ten days after the issuance of the final occupancy permit.
- (3) Signs indicating that, on the lot where the sign is located, a new business is opening, a previously existing business is going out of business, a one-time auction is planned, or some other non-recurring activity of a similar nature is scheduled. Signs referring to sales or other events designed to promote a pre-existing, ongoing business or commercial venture or any specific product or service offered by such business or commercial venture are not authorized under this subsection. Signs authorized under this subsection may be erected or displayed not sooner than two weeks before the activity that is advertised and must be removed not later than three weeks after they are first erected or displayed. **(REPEALED 3/11/86; AMENDED 12/03/91)**
- (4) Displays, including lighting, erected in connection with the observance of holidays. Such signs shall be removed within ten days following the holidays.

- (5) Signs erected in connection with elections or political campaigns. Such signs shall be removed within three days following the election or conclusion of the campaign. No such sign may exceed sixteen square feet in area. Such signs may not be attached to any natural or man-made permanent structure located within a public right-of-way, including without limitation trees, utility poles, or traffic control signs. **(AMENDED 08/25/83); 08/25/92)**
- (6) Signs indicating that a special event such as a fair, carnival, circus, festival or similar happening is to take place on the lot where the sign is located. Such signs may be erected not sooner than two weeks before the event and must be removed not later than three days after the event.
- (7) Temporary signs not covered in the foregoing categories, so long as such signs meet the following restrictions:
 - a. Not more than one such sign may be located on any lot.
 - b. No such sign may exceed four square feet in surface area.
 - c. Such sign may not be displayed for longer than three consecutive days nor more than ten days out of any 365-day period.

(b) Other temporary signs not listed in subsection (a) shall be regarded and treated in all respects as permanent signs, except that (as provided in Section 15-276) temporary signs shall not be included in calculating the total amount of permitted sign area.

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

February 27, 2017

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 February 24, 2017 and proposed for town public hearing on March 28, 2017:

- *An Ordinance Amending Provisions Related to Signage.*

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,

A handwritten signature in black ink that reads "Perdita Holtz". The signature is written in a cursive style.

Perdita Holtz, AICP
Planning Systems Coordinator



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, MARCH 2, 2017

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO SIGNAGE ON CONSTRUCTION FENCE WRAP

Motion was made by CLINTON and seconded by WHITTEMORE that the PLANNING BOARD recommends that the Board of Aldermen ADOPT the draft ordinance.

VOTE:

AYES: 8

ABSENT/EXCUSED: (0)

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 POULSEN and seconded by BARBER-DWIGHT that the _____ of the Town of Carrboro finds the proposed text amendment _____ affirms and clarifies the existing policy in Land Use Ordinance relating to construction signage and construction management.

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 certain types of construction signage, to recent changes in ~~state~~ state legislation, is in the public interest.

VOTE:

AYES: 8

ABSENT/EXCUSED: (0)

NOES: (0)

ABSTENTIONS: (0)

Justin R. Ritten March 2, 2017
(Chair) (Date)