



Town of Carrboro

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

Meeting Agenda Board of Aldermen



Tuesday, February 20, 2018

7:30 PM

Board Chambers - Room 110

7:30-7:40

A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [17-426](#) Charges Issued to Advisory Board Volunteers

PURPOSE: The purpose of this item is to issue charges to the Stormwater Advisory Board and the Youth Advisory Board.

7:40-7:45

B. ANNOUNCEMENT OF UPCOMING MEETINGS

7:45-7:50

C. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

7:50-8:05

D. CONSENT AGENDA

1. [17-425](#) Approval of Previous Minutes of January 16, 2018 and January 23, 2018

PURPOSE:

2. [17-421](#) Request to Set the Public Hearing on 802 & 806 South Merritt Mill Road Conditional Use District Rezoning/Conditional Use Permit
- PURPOSE:** CASA NC has submitted an application for an R-2 (CU) conditional use rezoning and conditional use permit (CUP) to allow for the construction of a three-story connected multifamily residential complex on two adjacent properties on Merritt Mill Road. Prior to reaching a decision on these requests, the Board of Aldermen must receive public input. A resolution setting a public hearing is provided for the Board's use.

Attachments: [Attachment A - Resolution 02-20-2018](#)
[Attachment B - Vicinity Map-Proposed Rezoning CASA](#)
[Attachment C - Petition for Change of Zoning](#)

3. [17-423](#) Amendment to Capital Project Ordinance for the Homestead-Chapel Hill High School Multi-use Path and Authorization for Contract Amendment

PURPOSE: The purpose of this item is to provide the Board of Aldermen with an opportunity to consider appropriating \$73,980 from the Bond Fund to the greenway project for additional costs associated with installation of the bridge and to authorize an amendment for this addition.

Attachments: [Attachment A - Amendment to Capital Project Ordinance](#)

E. OTHER MATTERS

8:05-8:35

1. [17-422](#) Comments on the 2045 DCHC MPO Metropolitan Transportation Plan
- PURPOSE:** The purpose of this agenda item is to provide the Board of Aldermen with an opportunity to receive a presentation on the draft 2045 Metropolitan Transportation Plan, and to prepare comments that will be forwarded to the MPO Board during the public comment period.

Attachments: [Attachment A - Resolution](#)
[Attachment B - Staff Memo](#)
[Attachment C - 2045 MTP TOC & Executive Summary](#)
[Attachment D - Appendix 1-DCHC-MPO HwyProjects_011018](#)
[Attachment E - Appendix 4-Bike and Ped_011018](#)
[Attachment F - TAB REC 2045 MTP](#)

8:35-9:05

2. [17-424](#) Lloyd-Broad Neighborhood Presentation on Community Concerns

PURPOSE: The purpose of this agenda item is to provide the Board of Aldermen with an opportunity to receive a presentation from residents of the Lloyd-Broad neighborhood.

Attachments: [Attachment A - Lloyd Broad Proposal to Alderman](#)
[Attachment B - Points of Inquiry - Lloyd-Broad Neighborhood](#)

9:05-9:20

3. [17-420](#) Consider Policy to Waive Fees for Affordable Housing Projects

PURPOSE: The purpose of the agenda item is for the Board to consider the current policy adopted in 2002 to allow waiver of permit fees on affordable housing projects.

Attachments: [Attachment 1 - TOC Affordable Housing Fee Waiver Policy](#)
[Attachment 2 - Chapel Hill Policy](#)

F. MATTERS BY BOARD MEMBERS

G. MATTERS BY TOWN MANAGER

H. MATTERS BY TOWN ATTORNEY

I. MATTERS BY TOWN CLERK

J. CLOSED SESSION PURSUANT TO NCGS 143-318.11 (A) (5)



Town of Carrboro

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

Agenda Item Abstract

File Number:17-426

Agenda Date: 2/20/2018

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Charges Issued to Advisory Board Volunteers

PURPOSE: The purpose of this item is to issue charges to the Stormwater Advisory Board and the Youth Advisory Board.

DEPARTMENT:

CONTACT INFORMATION:

INFORMATION:

FISCAL & STAFF IMPACT:

RECOMMENDATION:



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Agenda Item Abstract

File Number:17-425

Agenda Date: 2/20/2018

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Approval of Previous Minutes of January 16, 2018 and January 23, 2018

PURPOSE:

DEPARTMENT:

CONTACT INFORMATION:

INFORMATION:

FISCAL & STAFF IMPACT:

RECOMMENDATION:



Town of Carrboro

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

Agenda Item Abstract

File Number:17-421

Agenda Date: 2/20/2018

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Request to Set the Public Hearing on 802 & 806 South Merritt Mill Road Conditional Use District Rezoning/Conditional Use Permit

PURPOSE: CASA NC has submitted an application for an R-2 (CU) conditional use rezoning and conditional use permit (CUP) to allow for the construction of a three-story connected multifamily residential complex on two adjacent properties on Merritt Mill Road. Prior to reaching a decision on these requests, the Board of Aldermen must receive public input. A resolution setting a public hearing is provided for the Board's use.

DEPARTMENT: Planning

CONTACT INFORMATION: Tina Moon (919) 918-7325; James Thomas - (919) 918-7335

INFORMATION: The project encompasses four parcels, two in the Town of Carrboro and two in the Town of Chapel Hill. The two properties included in the request for conditional use district rezoning/CUP in the Town of Carrboro are identified by Orange County parcel identification numbers 9778-93-1183 and 9778-93-0153, as shown on the vicinity map provided (*Attachment B*). The Carrboro properties combined contain slightly more than two acres. The petition requesting rezoning of the properties is included as *Attachment C*.

The applicant has requested a conditional use rezoning of the subject properties to an R-2-conditional use (R-2-CU) and the associated approval of a conditional use permit (CUP) for four connected three-story buildings consisting of one and two bedroom multifamily residential units (use category 1.330) intended for affordable housing.

A resolution is provided that refers the rezoning petition to the Planning Board, Transportation Advisory Board, and Environmental Advisory Board. The Board may also wish to refer the petition to the Affordable Housing Advisory Commission, or other advisory boards, as provided for by the boxes in the resolution template (*Attachment A*).

FISCAL & STAFF IMPACT: There are fees associated with the review and processing of these requests, which include public hearing notice and advisory board evaluation.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the attached resolution setting a public hearing for March 27, 2018 and referring the item to advisory boards.

**A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CONDITIONAL
USE DISTRICT REZONING/CUP AT 802 & 806 SOUTH MERRIT MILL ROAD**

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

WHEREAS, an application has been received for a Conditional Use District Rezoning/ Conditional Use Permit for the property located along South Merritt Mill Road, known as 802 and 806 South Merritt Mill Road; and

WHEREAS, the application includes a petition to rezone two properties that may be identified by Orange County PINS (#9778-93-1183 and #9778-93-0153) from R-7.5 to R-2-Conditional Use.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on March 27, 2018 to discuss the rezoning petition and the proposed project on Merritt Mill Road.

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

☒ Appearance Commission

☐ Recreation and Parks Commission

☒ Transportation Advisory Board

☐ Northern Transition Area Advisory Committee

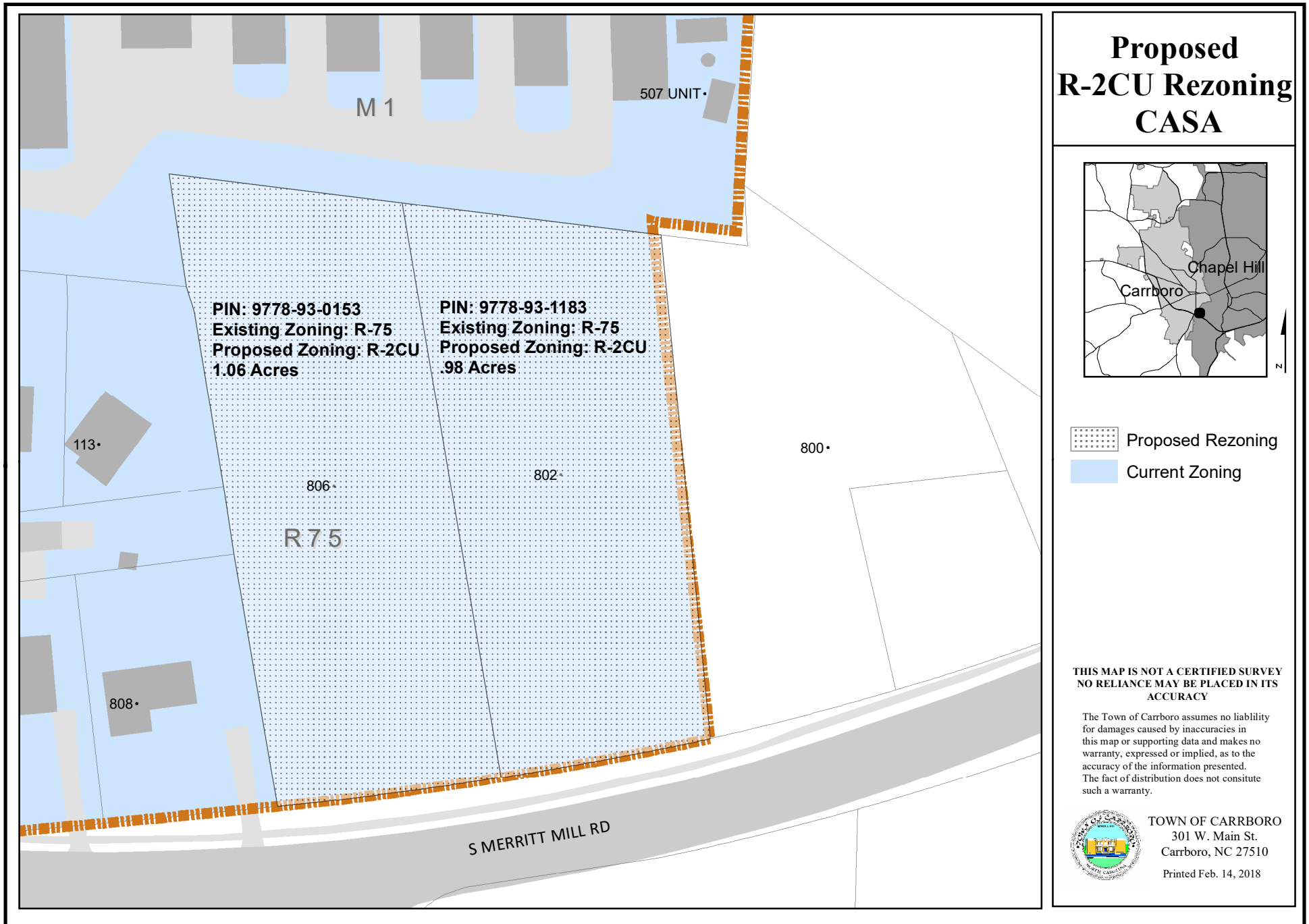
☒ Environmental Advisory Board

☐ _____

☐ Economic Sustainability Commission

☐ _____

This is the 20th day of February in the year 2018.



CARRBORO DEVELOPMENT GUIDE
APPENDIX A

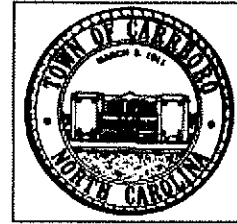
TOWN OF CARRBORO

PETITION FOR CHANGE OF ZONING

806 and 802 Merritt Mill Road

PETITIONER: CASA NC

DATE: 14 Feb 2018



The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from R-7.5 to R-2-CU zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME Jess Brandes, CASA NC CASA
 ADDRESS: 624 West Jones Street, Raleigh, NC 27603
 TELEPHONE #: (919)754-9960 ext. 420
2. INTEREST IN PROPERTY(IES): Owner's representative Boyer
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS: The project site consists of 4 existing lots on Merritt Mill Road. 2 of the lots are inside the Town of Carrboro zoning jurisdiction, while the other 2 are in Chapel Hill). Both Carrboro lots are currently zoned R-7.5.
4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
 - a. OWNER: Greenstreet Builders, Inc.
 TAX MAP: _____ BLOCK: _____ LOT: _____ ACREAGE 0.95 ac. PARCEL: 9778931183
 SUBDIVISION NAME: _____ FRONTAGE 123.19' DEPTH: +/- 308'
 EXISTING STRUCTURES AND USES:
There are no existing structures on site.
 - b. OWNER: Greenstreet Builders, Inc.
 TAX MAP: _____ BLOCK: _____ LOT: _____ ACREAGE 1.04 ac. PARCEL: 9778930153
 SUBDIVISION NAME: _____ FRONTAGE 132.37' DEPTH: +/- 347'

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

EXISTING STRUCTURES AND USES :
There are no existing structures on site.

c. OWNER: _____

TAX MAP: _____ BLOCK: _____ LOT: _____ ACREAGE: _____ PARCEL: _____

SUBDIVISION NAME: _____ FRONTAGE: _____ DEPTH: _____

EXISTING STRUCTURES AND USES :

d. OWNER: _____

TAX MAP: _____ BLOCK: _____ LOT: _____ ACREAGE: _____ PARCEL: _____

SUBDIVISION NAME: _____ FRONTAGE: _____ DEPTH: _____

EXISTING STRUCTURES AND USES :

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

NAME	ADDRESS
See attached list	

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES ___ NO ☒
If "YES", WHEN? _____
7. PLEASE SET OUT AND EXPLAIN THOSE CIRCUMSTANCES PERTINENT TO THE PROPERTY AND THE MANNER IT RELATES TO THE TOWN THAT DEMONSTRATE THAT THE PROPOSED ZONING DISTRICT CLASSIFICATION IS CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN. MORE SPECIFICALLY:
- (a) How do the potential uses in the new district classification relate to the existing character of the area?
Please see attached narrative.

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

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

Please see attached narrative.

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

Please see attached narrative.

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

Please see attached narrative.

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 15 DAY OF February, 2018.

PETITIONER'S SIGNATURE

(PRESIDENT)
(CLUB GREEN STREET)
OWNER'S SIGNATURE

Mary Jean Ayala, Acting CEO for CASA
POB. BUILDERS INC

PLEASE NOTE

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

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

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

Response:

The potential uses in the new district classification R-2 are residential, which is the same as the old district classification R-75. Use of the parcel is therefore not changed by this rezoning request. To the immediate east of the site, the land use is also residential and contains a single family home. Adequate screening and buffers to accommodate privacy will be incorporated into the development site plan. To the northeast, the land use is the Lincoln Center, including administrative offices and a school. Our proposed development and the families who live here will benefit from its proximity to the Lincoln Center. To the north, the land use is a self-storage facility. Adequate screening and buffers will be incorporated into the site plan to reduce any noise or aesthetic challenges caused by this adjoining use. To the west of the site is also residential and contains a small street of single family homes. Adequate screening and buffers to accommodate privacy will be incorporated into the development site plan. To the south, across from Merritt Mill Road is vacant land that is part of the public right-of-way for Highway 54.

While the use of the parcel is not changing, the proposed rezoning will change the intensity of that residential use and allow for the development of more units of housing. The incorporation of more dense housing supports the character of the existing area, which is walkable to both Towns, and, with the current South Green development underway, is becoming a walkable mixed-use node at the southern gateway into the downtowns of both Chapel Hill and Carrboro. Furthermore, the development of more dense residential use will increase transit use at the bus stops located within 1,000 feet of our proposed development.

Section 2.11 of Vision 2020 states "Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility. The town should develop a process to mediate disagreements between developers and residents of existing neighborhoods." The Merritt Mill Apartments will support this goal. The Conditional Use Permit process through which this project will be vetted provides multiple opportunities for neighbors, Town advisory board members, and Alderpersons to give input.

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

Response:

This site is particularly suited for denser, multifamily affordable development because of its location and its availability for development. The location of this site is walkable to both downtown Carrboro and downtown Chapel Hill. It is within 1 mile of a grocery store and within walking distance of shopping, services, schools and recreational areas. Immediately west of the new development are shopping and employment opportunities at the new South Green commercial development, and immediately east is the soon-to-be redeveloped Lincoln Center with a new pre-K program and possible community health clinic. Additionally the site is along a bus line with the bus stop less than 1,000 feet from the entrance of the development. For tenants with cars, this site is also very accessible to Highway 54 and to South Greensboro Street.

This site is also available for new development: it is vacant land, of a size large enough to support an apartment community, within the Town core, without major site constraints, and it is for sale. That is unusual in a small community like Carrboro.

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

Response:

The rezoning allows construction of a new high-quality development that is expected to cost over \$5 million. The Merritt Mill Apartments will be built to a market-rate standard, and will be professionally managed on-site like any other apartment complex would be. While neighbors often fear that having affordable housing nearby will harm their property values, many studies have shown the exact opposite to be the case, and that neighboring properties actually increase in value. Neighborhoods that have a mix of housing types that lead to a mix of income levels tend to be more walkable and mixed-use, and therefore more desirable neighborhoods to live in.

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

Response:

The rezoning will allow for the development of 48 total new apartments affordable to households under 60% of the area median income. It will allow for this in a way that doesn't contribute to sprawl and that adds to the continuity of the Merritt Mill corridor by developing a vacant lot.

The Vision 2020 goal 2.22 states: "Where development is deemed acceptable, there should be well defined dense development with areas of well preserved open space." This development supports this goal not only by providing dense residential development, but by including significant open space. The R-2 zoning requires only 10% open space for affordable development, and we are meeting that requirement through preservation of existing hardwoods. However once the development is complete and the stormwater wetland, retaining walls and swale are in place, approximately half of the site will be replanted or preserved open space as shown in our Preliminary Recreation Area & Open Space Plan.

The Vision 2020 goal 6.1 is Housing for Diverse Population. The Merritt Mill Apartments supports this goal as well as the following goals from the Affordable Housing Strategy:

2.1 Increase number of rental units that are permanently affordable to individuals and families earning less than 60% of AMI.

2.3 Slow the pressure on rental prices by increasing rental housing stock, particularly in high-transit areas.



Town of Carrboro

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Carrboro, NC 27510

Agenda Item Abstract

File Number:17-423

Agenda Date: 2/20/2018

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Amendment to Capital Project Ordinance for the Homestead-Chapel Hill High School Multi-use Path and Authorization for Contract Amendment

PURPOSE: The purpose of this item is to provide the Board of Aldermen with an opportunity to consider appropriating \$73,980 from the Bond Fund to the greenway project for additional costs associated with installation of the bridge and to authorize an amendment for this addition.

DEPARTMENT: Planning, Finance

CONTACT INFORMATION: Trish McGuire, pmcguire@townofcarrboro.org, 919-918-7327; Arche McAdoo, amcadoo@townofcarrboro.org, 919-918-7439

INFORMATION: Construction for the Homestead -Chapel Hill High School Multi-use Path got underway in summer 2016 and continued through December 2016. The contractor's bridge design team encountered some delays in bridge substructure details early in 2017 that prevented the resumption of work. Those details have been resolved and the construction details for the bridge approved. Work on the project has resumed and the bulk of construction activities are now scheduled for completion in July 2018. The attached ordinance (*Attachment A*) includes amendments to increase construction costs by \$73,980 and to authorize the Town Manager to execute a contract amendment with Fred Smith, Company, Inc.

FISCAL & STAFF IMPACT: The fiscal impact of the recommended action is the allocation of \$73,980 in Bond funds available from projects that were completed under budget.

RECOMMENDATION: It is recommended that the Board of Aldermen approve the amendment to the Homestead - Chapel Hill High School Multi-use Path Capital Project Ordinance transferring funds from the Bond Fund to this project (*Attachment A*) and authorizing the Town Manager to execute a contract amendment.

**AMENDMENT TO HOMESTEAD CHAPEL HILL HIGH SCHOOL MULTI-USE PATH
CAPITAL IMPROVEMENT PROJECT ORDINANCE**

WHEREAS, the Board of Aldermen has adopted Capital Improvement Project Ordinance No. 7/2015-16 for the Homestead - Chapel Hill HS Multi-Use Path (previously referred to as the Bolin Creek Greenway Phase 1-B); and,

WHEREAS, the Town Manager has executed an amended Supplemental Municipal Agreement with NCDOT for this project; and,

WHEREAS, the project design has been completed and a construction contract has been awarded; and,

WHEREAS, additional funds are now necessary to complete the project based on requirements set by DOT;

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

1. The revenues anticipated to be available to the Town of Carrboro to complete the project are amended as follows:

	Current Budget	Increase (Decrease)	New Budget Authorized
STP-DA Funds	\$ 994,184	\$	\$ 994,184
GO Bond Proceeds	\$ 210,900	\$ 73,980	\$ 284,880
Payment-in lieu	\$ 48,046		\$ 48,046
Total Revenue	\$ 1,253,130	\$ 73,980	\$ 1,327,110

2. The amount appropriated for design, right of way, environmental documentation and construction costs are amended as follows:

	Current Budget	Increase (Decrease)	New Budget Appropriation
Design	\$ 164,569		\$ 164,569
Construction	\$ 1,082,207	\$ 73,980	\$ 1,156,187
ROW	\$ 6,354		\$ 6,354
Contingency	\$ 0		\$ 0
Total Expenses	\$ 1,253,130	\$ 73,980	\$ 1,327,110

3. The revenues and appropriations are authorized for the Homestead-Chapel Hill HS Multi-Use Path Capital Improvement Project until all project activity is completed.
4. The Town Manager is authorized to amend the existing contract with Fred Smith Company, Inc. for additional construction work.
5. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director and Planning Director.



Town of Carrboro

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Agenda Item Abstract

File Number:17-422

Agenda Date: 2/20/2018

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Comments on the 2045 DCHC MPO Metropolitan Transportation Plan

PURPOSE: The purpose of this agenda item is to provide the Board of Aldermen with an opportunity to receive a presentation on the draft 2045 Metropolitan Transportation Plan, and to prepare comments that will be forwarded to the MPO Board during the public comment period.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325, Patricia McGuire - 919-918-7327, Andy Henry, DCHC MPO - 919-560-4366, extension 36419.

INFORMATION: The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is in the process of finalizing the 2045 Metropolitan Transportation Plan (MTP) to guide transportation investment in the western half of the Triangle region during the next thirty years. The DCHC MPO area includes all of Durham County, a portion of Orange County including the towns of Chapel Hill, Carrboro and Hillsborough, and northeast Chatham County. The draft report was released for public comment on January 10th and will remain open until March 2nd. The DCHC MPO Board is scheduled to vote on whether to adopt the 2045 MTP at its March 14th regular meeting.

The development of the MTP involves a series of detailed steps, each one building on the information generated from the previous one, to determine transportation needs based on future land uses, population and employment. An excerpt from the plan including the table of contents and the executive summary is provided (*Attachment C*). An overview of the process with information on the various steps may be found on the DCHC MPO website at the following link: <http://www.dchcmpo.org/programs/transport/2045mtp.asp>.

The MTP lists highway, transit and bike-ped transportation projects to address future transportation infrastructure needs. Unlike the aspirational Comprehensive Transportation Plan (CTP), the MTP is fiscally constrained and a federal requirement for MPOs. Projects must be included in the MTP for consideration in the prioritization process for the State Transportation Improvement Program (STIP).

A resolution has been provided to facilitate the Board's discussion and consideration of comments (*Attachment A*). The Transportation Advisory Board discussed the 2045 MTP at its February 15th regular meeting and prepared a recommendation, included as (*Attachment F*).

Agenda Date: 2/20/2018

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In Control: Board of Aldermen

Version: 1

FISCAL & STAFF IMPACT: No fiscal impacts are associated with receiving the presentation.

RECOMMENDATION: Staff recommends that the Board receive the presentation, and consider approving the resolution authorizing the submittal of comments on the 2045 MTP.

A RESOLUTION AUTHORIZING THE SUBMITTAL OF RECOMMENDATIONS ON THE
2045 METROPOLITAN TRANSPORTATION PLAN FOR THE DURHAM-CHAPEL HILL-
CARRBORO METROPOLITAN PLANNING ORGANIZATION (DCHC MPO)

WHEREAS, all MPOs are federally mandated to prepare Metropolitan Transportation Plans (MTP) every five years to address future transportation infrastructure needs; and

WHEREAS, transportation projects must be included in the MTP to be eligible for submission to the SPOT process; and

WHEREAS, the draft DCHC MPO MTP includes a list of recommended highway, bicycle, and pedestrian projects for the MPO including projects for the Town of Carrboro; and

WHEREAS, the public comment period for the 2045 MTP Report was opened on January 10, 2018 and will remain open until March 2, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes that the following comments be conveyed on behalf of the Town:

- 1) The Board of Aldermen supports transit improvements and is pleased to see the proposed extension of the Durham-Orange Light Rail Project to the Town of Carrboro during the last third of the 2045 MTP planning period.
- 2) Continued pursuit of other forms of transit expansion such as the proposed Chapel Hill North-South Corridor Bus Rapid Transit is likewise encouraged and supported.
- 3) The Town supports the corridor studies along NC Highway 54 from Chapel Hill to Graham to identify the most appropriate cross-section improvements for the desired future land uses as well as long term multi-modal travel.
- 4) The Town strongly supports bike-ped projects that will provide improved regional connections to Chapel Hill, Chatham County, Durham, Hillsborough, and beyond, and would like to add to the MTP as an option to the proposed connection from Carrboro to Hillsborough via “new” NC 86, a bike-ped facility along “old” NC 86, from Old Fayetteville Road in Carrboro to Orange Grove Road in Hillsborough.

This the 20th day of February 2018.



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL: PLANNING DEPARTMENT

DELIVERED VIA: ☒ HAND ☐ MAIL ☐ FAX ☒ EMAIL

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

From: Tina Moon, Planning Administrator

Date: February 15, 2018

Subject: 2045 Metropolitan Transportation Plan

Summary

The purpose of this memorandum is to provide an overview of the 2045 Metropolitan Transportation Plan (MTP) to facilitate citizen review and input during the public comment period. The memo includes a brief summary of the role of the MTP for long term regional transportation planning as well as a breakdown of the elements of the plan, including the identification of specific transportation projects targeted for programming during the next thirty years. Additional information on the plan may be found on the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization website (<http://www.dchcmpo.org/programs/transport/2045mtp.asp>). Please refer to the *Updated Public Review Draft, Version 1-19-2018*, under the “adopted” tab for the most recent version of the plan. This updated version includes additional information in Chapter 4 to better reflect the Federal FAST Act performance measures and targets, and information relating to the Highway Safety Improvement Program. The public comment period has been extended to March 2nd to provide a full thirty-day window for comments from the time that the updated version of the plan was posted to the website.

Overview

The Metropolitan Transportation Plan (MTP), formerly known as the Long Range Transportation Plan, is a federally mandated plan intended to guide transportation investments for a period of thirty years. *Connect 2045, The Metropolitan Transportation Plan for the Capital Area Metropolitan Planning Organization and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization*, includes the 2045 MTPs for both MPOs in a single document. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) area includes all of Durham County, a portion of Orange County, the towns of Chapel Hill, Carrboro and Hillsborough, and northeast Chatham County. CAMPO includes the City of Raleigh and the smaller municipalities that make up Wake County. Together the two MPOs represent the greater Triangle region.

The MTP lists highway, transit and bike-ped transportation projects designed to address future transportation infrastructure needs. Unlike the Comprehensive Transportation Plan (CTP) which is a state requirement focusing on aspirational infrastructure, the MTP is fiscally constrained. Projects must be included in the MTP for consideration in the prioritization process for the State Transportation Improvement Program (STIP). Inclusion in the plan does not guarantee construction; each project is still subject to the prioritization process for programming.

The development of an MTP involves a series of detailed steps, each one building on the information generated from the previous one, to determine transportation needs based on future land uses, population and employment. After defining transportation goals, objectives, and targets for the region, socioeconomic data is reviewed to understand future population and employment changes. A deficiency analysis and needs assessment is completed to determine where investment is needed based on different scenarios: potential needs based on the anticipated growth using existing transportation networks (no build), potential needs based on the anticipated growth using existing networks and transportation projects that are committed but are not yet completed (referred to Existing plus Committed or E + C), and potential needs even with all MTP projects constructed. During the alternative analysis step, different future scenarios are considered taking into account a combination of infrastructure investment and potential land use development—such as “moderate development” or “aspirational with enhanced transit.” Potential alternatives are analyzed and a preferred option selected. The preferred option is then used to develop the list of transportation improvement projects, guided by local policy.

Connect 2045, The Metropolitan Transportation Plan for the Capital Area Metropolitan Planning Organization and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization

The combined DCHC-CAMPO 2045 MTP document includes nine chapters starting with an executive summary and ending with a list of proposed projects and citizen comments attached as appendices. A summary box with “key points from this section” is provided at the end of each chapter. The critical aspects of the plan are described by chapter below. Note, the color-coding used throughout the MTP: green for the DCHC MPO and yellow for CAMPO.

Chapter 4, “Our Vision and How We Will Achieve It,” speaks to the MPO’s goals and objectives as well as performance measures. Chapter 6 and to a lesser extent Chapter 5 includes the socio-economic data and forecasting taking into account existing land use plans and policies. Chapter 6 also discusses the process of evaluating alternative analysis. A key element of the development of the MTP, the Board of Aldermen received a presentation on the alternative analysis at its September 19, 2017 meeting (agenda materials and video of the meeting may be found at: <https://carrboro.legistar.com/MeetingDetail.aspx?ID=532837&GUID=A7711104-31F4-4BB8-AE0C-23C5B8BEBDCC&Options=&Search=>).

Chapter 7, “Our Metropolitan Transportation Plan” is the core of the plan, with descriptions of the different types of travel and associated programs. Chapter 7 also includes a section on complete streets, and information relating to the MPO’s policy to use complete street design concepts for

multimodal transportation systems is provided in Appendix 5. Sources of revenue and anticipated project costs are discussed in Chapter 8. Since the MTP is fiscally restrained, this balance of costs and revenues is an important aspect of the plan. Chapter 9 covers the other factors or considerations for a long-range transportation plan including other federal programs and associated requirements for air quality, environmental justice and the like.

Specific Sections of Local Interest

Section 5.4, “Related Plans and Studies,” summarizes the many completed corridor, transit, and long-range plans and feasibility studies that help inform the 2045 MTP. Local residents may find the FEIS/ROD for the Durham-Orange Light Rail Transit, the DCHC MPO Comprehensive Transportation Plan (CTP), the NC 54/I-40 Corridor Study, and many local bicycle and pedestrian plans of interest. Where available, links to each study are provided.

There is additional information relating to the DO-LRT and other projects funded through the Durham and Orange Transit Plan in the financial data in Chapter 8. This section includes possible costs for extending the DO-LRT to Carrboro during the final third of the MTP funding period, (2036-2045) in Figure 8.6. Another area of potential interest is Section 7.12, “Recommended Special Plans, Projects and Studies,” summarizes studies that the MPO plans to complete in the near future to provide input into the next long-range planning effort. Examples include the US 15-501 Corridor Study and the Triangle Strategic Toll Study.

Projects

Projects of primary interest to Carrboro are listed by MTP year and include:

- Highway – see [Appendix 1](#)
 - 1) 2025 - Modernization of two lanes NC 54 from Old Fayetteville to MPO Boundary (west end) – TIP R-5821A. The NC 54 Corridor Study will inform the ongoing NEPA analysis for this active TIP project
 - 2) 2035 – Modernization of Homestead Road from Old NC 86 to Rogers Road (anticipated turn lanes and bike/ped improvements)
 - 3) 2035 – Lake Hogan Farms Road from Eubanks Road to Legends Way (new two lane roadway with bike/ped)
- Bike and Pedestrian – [Appendix 4](#)

As noted in the opening paragraph in this section, the MTP does not specifically list all bicycle and pedestrian projects, deferring to local plans for that purpose, but it does speak to regional connections with identified routes within a general zone of connection.

 - 1) Regional Routes that result in connections between Carrboro and Chapel Hill – five routes are noted, including a carryover reference to “Bolin Creek Trail (off-road).”
 - 2) Regional Routes that result in connections between Carrboro, Chapel Hill, and Hillsborough- one route is noted, Columbia Street/NC 86. There may be interest in also including a regional connection to Hillsborough via Old NC 86. A comment in the draft resolution speaks to this interest.

Connect 2045

The Metropolitan Transportation Plan

for the
Capital Area Metropolitan Planning Organization
and the
Durham-Chapel Hill-Carrboro Metropolitan Planning
Organization

Updated Public Review Draft

Version: 1-19-2018

Capital Area Metropolitan Planning Organization ❖ Durham-Chapel Hill-Carrboro Metropolitan Planning Organization

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Appendices

- Appendix 1: Road Projects List
- Appendix 2: Transit Technologies and Services [may be included in Final Report]
- Appendix 3: Transit Project List (Capital Area MPO)
- Appendix 4: Bicycle and Pedestrian Projects
- Appendix 5: Autonomous & Connected Vehicles [To be included in Final Report]
- Appendix 6: Complete Streets
- Appendix 7: Air Quality (MOVES output) [To be included in Final Report]
- Appendix 8: Public Comments [To be included in Final Report]
- Appendix 9: Acronyms
- Appendix 10: Detailed Transportation and Growth Maps [To be included in Final Report]
- Appendix 11: Year-of-Expenditure Financial Plan
- Appendix 12: Environmental Justice Maps and Critical Environmental Resource Maps

Online Interactive Project Maps:

CAMPO: <http://arcg.is/2D0kMfj>

DCHC MPO:

Highway: <http://arcg.is/2DkGhVf>

Transit: <http://arcg.is/2qMpNSQ>

A Note to Readers:

The heart of any transportation plan is the investments that will be made to serve the travel needs of our growing region's citizens, businesses and visitors. These investments take the form of road, transit, rail, cycling and walking facilities and services, together with related technologies. Maps are created to help visualize the nature of both the facilities in which we plan to invest and the existing and future population and jobs that the facilities are designed to serve. But the maps in this document are for illustrative purposes only and are subject to change and interpretation. The details of the investments are in the project lists that are included with this report.

This version of the plan is a public review draft. It is designed to include the key content of the plan, and to show the type and format of information that will be in the final adopted document. Some parts of the document, such as some of the appendices, will be created during the public review. In addition, some of the graphics in this version of the document are early drafts or lower-resolution images that will be upgraded in subsequent versions.

Comments may be submitted to either of the MPOs through their websites:

NC Capital Area MPO: www.campo-nc.us/

attention: Chris Lukasina

Durham-Chapel Hill-Carrboro MPO: www.dchcmmpo.org/

attention: Andy Henry

Because this document addresses the official plans of both MPOs, the document is color-coded. Text and tables with a white background apply to both MPOs.

Text and tables highlighted in this green color apply only to the Durham-Chapel Hill-Carrboro MPO.

Text and tables highlighted in this yellow color apply only to the Capital Area MPO

1. Executive Summary

Transportation investments link people to the places where they work, learn, shop and play, and provide critical connections between businesses and their labor markets, suppliers and customers.

This document contains the 2045 Metropolitan Transportation Plans (MTPs) for the two organizations charged with transportation decision-making in the Research Triangle Region: the Capital Area Metropolitan Planning Organization (CAMPO) and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO). These organizations, and the areas for which they are responsible, are commonly called “MPOs.”

The Metropolitan Transportation Plans are the guiding documents for future investments in roads, transit services, bicycle and pedestrian facilities and related transportation activities and services to match the growth expected in the Research Triangle Region.

The areas covered by this plan are part of a larger economic region. Transportation investments should consider the mobility needs of this larger region and links to the other large metro regions of North Carolina and throughout the Southeast. The Triangle Region is expected to accommodate substantial future growth; we need to plan for the region we will become, not just the region we are today.

<i>Estimated 2013 and Forecast 2045 Population and Jobs</i>	2013		2045		2013 to 2045 Growth	
	Population	Jobs	Population	Jobs	Population	Jobs
Capital Area MPO	1,120,000	540,000	2,030,000	1,000,000	920,000	470,000
Durham-Chapel Hill-Carrboro MPO	400,000	260,000	620,000	450,000	210,000	190,000
Areas outside MPO boundaries	160,000	60,000	310,000	80,000	150,000	20,000
Total for area covered by the region’s transportation model	1,680,000	860,000	2,960,000	1,530,000	1,280,000	680,000

The Triangle has historically been one of the nation’s most sprawling regions and current forecasts project both continued outward growth and infill development in selected locations, most notably in the central parts of Raleigh, Durham and Chapel Hill and at community-defined activity centers like the planned mixed use center within the Research Triangle Park. A key challenge for our transportation plans is to match our vision for how our communities should grow with the transportation investments to support this growth.

No region has been able to “build its way” out of congestion; an important challenge for our transportation plans is to provide travel choices that allow people to avoid congestion where it cannot be prevented.

Our population is changing. The population is aging, more households will be composed of single-person and two-person households without children, the number of households without cars is increasing, and more people are interested in living in more compact neighborhoods with a mix of activities. Our plans are designed to provide mobility choices for our changing needs.

Our MPOs are tied together by very strong travel patterns between them; our largest commute pattern and heaviest travel volumes occur at the intersection of the MPO boundaries. Our MPO plans need to recognize the mobility needs of residents and businesses that transcend our MPO borders.

The region has a common vision of what it wants its transportation system to be:

a seamless integration of transportation services that offer a range of travel choices to support economic development and are compatible with the character and development of our communities, sensitive to the environment, improve quality of life and are safe and accessible for all.



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The MPOs have jointly adopted goals and objectives to accomplish this vision and selected performance measures to track progress over time. Each MPO will have targets that reflect the unique characteristics and aspirations of the communities within each MPO. The *2045 Transportation Plan* commits our region to transportation services and patterns of development that contribute to a more sustainable place where people can successfully pursue their daily activities.

To analyze the transportation investment choices we have, the MPOs followed a systematic process involving significant public engagement. It began with an understanding of how our communities' plans envision guiding future growth. Community plans anticipate that five regional-scale centers in Raleigh, Durham, Cary, Chapel Hill and the Research Triangle Park are expected to contain large concentrations of employment and/or intense mixes of homes, workplaces, shops, medical centers, higher education institutions, visitor destinations and entertainment venues. Linking these activity centers to one another, and connecting them with communities throughout the region by a variety of travel modes can provide expanded opportunities for people to have choices about where they live, work, learn and play.



Next, planners used sophisticated software to forecast the types, locations and amounts of future population and job growth based on market conditions and trends, factors that influence development, and local plans.



Based on the forecasts, we looked at mobility trends and needs, and where our transportation system may become deficient in meeting these needs.

Working with a variety of partners and based on public input, we developed different transportation system alternatives and analyzed their performance, comparing the performance of system alternatives against one another and to performance targets derived from our goals and objectives.

The result of this analysis and extensive public engagement was a set of planned investments, together with a pattern of land development aligned with these investments. Additional studies were also proposed to ensure that the investments are carefully designed and effectively implemented. The core of the plan is the set of transportation investments described in Section 7, including:

- New and expanded roads;
- Local and regional transit facilities and services, including bus and rail;
- Aviation and long-distance passenger and freight rail services;
- Bicycle and pedestrian facilities, both independent projects and in concert with road projects;
- Transportation Demand Management: marketing and outreach efforts that increase the use of alternatives to driving alone;
- Technology-Based Transportation Services: the use of advanced technology to make transit and road investments more effective—including the advent of autonomous and connected vehicles; and
- Transportation Systems Management: road projects that improve safety and traffic flow without adding new capacity.

In addition to these investments, the plan includes a focus on three issues where the ties between development and transportation investments are most critical: transit station area development, major roadway access management and “safe & healthy streets” whose designs are sensitive to the neighborhoods of which they are a part and the needs of a full range of users, including drivers, transit riders, cyclists and

Appendix 1. Roadway Project List – CAMPO and DCHC MPO

Each row in the table is a separate highway project. Projects are color-coded by MPO (green for DCHC MPO and yellow for CAMPO) and separated by time period. The three time periods, 2025, 2035 and 2045, are used in the financial plan. The attribute information for each project is presented by columns, and includes the following:

- MTP ID – This unique number facilitates the tracking and mapping of projects in the plan.
- Highway Project – The highway project is the name of the road.
- From/To – This usually identifies the name of the two road intersections between which the project is to be constructed.
- Existing Lanes – This identifies the number of current travel lanes. “-” indicates an interchange or a new road alignment – in other words, there is no existing road.
- Proposed Lanes – This identifies the number of travel lanes proposed in the plan; if the number of lanes does not increase from the existing lanes, the project does not propose to add through lanes but instead will make safety, intersection, multimodal s or other improvements.
- Improvement Type –
 - Widening is the addition of travel lanes.
 - Modernization can include safety, intersection (e.g., turn lanes), multimodal or other improvements, but does not include the addition of travel lanes.
 - Upgrade refers to capacity and safety improvements to interchanges.
 - New Location is a new roadway.
 - New is the conversion of an intersection to an interchange.
 - Freeway is the conversion of an existing road to a limited access highway (which is a roadway type often referred to as interstate).
 - Expressway is the conversion of an existing road to a highway that is mostly limited access.
- Length – The centerline mileage of the project.
- Estimated Cost – The total costs includes those estimated costs to be incurred from 2018 through 2045. Cost estimates come from feasibility studies, current and past Transportation Improvement Programs (TIP), NCDOT’s SPOT prioritization process, and the NCDOT Contract Standards and Development Unit project cost workbook.
- STI – This indicates the project’s STI (Strategic Transportation Investment) funding tier: statewide, regional or division.
- Regionally Significant – Regionally Significant projects provide access to and from the region, or to major destinations in the region. Note that the FHWA functional classifications serve a different purpose than the local functional classification used by the MPO, and as a result, the two classification systems are significantly different. Generally, the regionally significant designation includes interstate highways, U.S. highways, freeways, and North Carolina signed roads that are the primary road in a corridor. Rail transit facilities, which are described in a separate section, are considered regionally significant. The Regionally Significant designation can be important if the region is required to show the Air Quality Conformity Determination (AQ Conformity) for the MTP. Under AQ Conformity, if a Regionally Significant project is changed (e.g., completion year, capacity) after the 2045 MTP has been adopted, then the Conformity Determination process might have to be redone.
- TIP# -- The project reference number for those projects which are contained in the 2018-27 Transportation Improvement Program (TIP).

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI	Reg. Sig.	TIP#
Jhns4b	Covered Bridge Rd Widening	North Connector	Shotwell Rd	2	4	Widening	2.13	\$15,972,699.60	Div	No	N/A
Jhns5	Covered Bridge Rd Widening	N. O'Neil St	Eagle Rock Rd	2	4	Widening	4.59	\$34,420,042.80	Div	No	N/A
Jhns6	Pritchard Rd/Smithfield Rd Widening	Covered Bridge Rd	Wake County line	2	4	Widening	2.4	\$19,702,425.60	Div	No	N/A
Jhns7	Guy Rd	US 70 BUS	NC 42	2	4	Widening	4.39	\$32,920,258.80	Div	No	R-3618
Jhns8	Cornwallis Rd Widening	NC 42	Old Drugstore Rd	2	4	Widening	5.46	\$41,538,969.45	Div	No	N/A
Jhns9	Old Drug Store Rd Wdng	NC 42	NC 50	2	4	Widening	2.57	\$19,272,224.40	Div	No	N/A

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI	Reg. Sig.	TIP#
2025 MTP											
316	Brier Creek Pkwy Extension	T.W. Alexander Dr	Andrew's Chapel Rd	-	4	New Location	0.4	\$3,990,000	Div	No	N/A
9	Carver St Ext	Armfield St	Old Oxford Rd	-	4	New Location	1.0	-	Div	No	N/A
15	East End Connector (EEC)	NC 147	US 70	-	4	New Location	3.6	\$35,175,000	St	Yes	U-0071
200	Eubanks Rd	MLK Blvd (NC 86)	Millhouse Rd	2	4	Widening	0.8	\$7,487,000	Div	No	N/A
23	Fayetteville Rd	Barbee Rd	Cornwallis Rd	2	4	Widening	1.0	\$3,374,000	Div	No	N/A
23.1	Fayetteville Rd	Woodcroft Pkwy	Barbee Rd	2	4	Widening	1.3	\$4,661,000	Div	No	U-6021
111	Fordham Blvd (US 15-501)	I-40	Franklin St	4	4	Modernization	1.6	\$2,052,000	St	Yes	U-5304B
379	Freeland Memorial Extension	S Churton St	New Collector Rd	-	2	New Location	0.5	\$3,203,000	Div	No	N/A
45.3	I-40 (westbound auxiliary lane)	NC 147	NC 55	6	7	Widening	1.2	\$3,850,000	St	No	I-5707
638	I-40/NC 86	Interchange	--	-	-	Upgrade	N/A	\$16,500,000	St	No	I-3306AC
223	Legion Rd Ext	Legion Rd	Fordham Blvd	-	2	New Location	0.1	\$1,500,000	Div	No	N/A
407	Lynn Rd/Pleasant Dr Connector	Lynn Rd	Pleasant Dr	-	2	New Location	0.6	\$3,651,000	Div	No	N/A
64.12	NC 147 (Operational Improvements)	East End Connector	Swift Av	4	4	Modernization	1.7	\$58,400,000	St	No	U-5937
64.13	NC 147 (possible Managed Lanes)	East End Conn	I-40	4	8	Widening	4.9	\$179,248,000	St	Yes	U-5934
428	NC 54	Old Fayetteville Rd	MPO Boundary	2	2	Modernization	2.9	\$14,457,000	Reg	No	R-5821A
75.2	NC 55 (Alston Ave)	Main St	NC 98	2	2	Modernization	0.5	-	Reg	No	U-3308
75.1	NC 55 (Alston Ave)	NC 147	Main St	2	4	Widening	0.4	-	Reg	No	U-3308
437	New Collector Rd	Orange Grove Rd Ext	Becketts Ridge Rd	-	2	New Location	0.8	\$7,232,000	Div	No	N/A

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI	Reg. Sig.	TIP#
89.3	Orange Grove Connector	Orange Grove Rd	US 70	-	2	New Location	0.4	\$5,299,000	Div	No	U-5848
220	Purefoy Rd Ext	Sandberg Ln	Weaver Dairy Rd	-	2	New Location	0.6	\$3,777,000	Div	No	N/A
221	S Elliot Rd Ext	Fordham Blvd	Ephesus Church Rd	-	2	New Location	0.3	\$4,230,000	Div	No	N/A
113.1	US 15-501/Garrett Rd	Interchange	--	-	-	New	N/A	\$71,200,000	St	Yes	U-5717
123.11	Woodcroft Pkwy Ext	Garrett Rd	Hope Valley Rd	-	2	New Location	0.2	\$2,219,000	Div	No	U-5823
2035 MTP											
346	Danziger Dr Extension	Mt Moriah Rd	E Lakewood Dr	-	2	New Location	0.4	\$5,127,000	Div	No	N/A
367	Erwin Rd	Cameron Blvd	W Main St	4	4	Modernization	1.8	\$12,025,000	Div	No	N/A
373	Falconbridge Rd Connector	Falconbridge Rd	Farrington Rd	-	2	New Location	0.2	\$1,227,000	Div	No	N/A
201	Falconbridge Rd Extension	Farrington Rd	NC 54	-	4	New Location	0.9	\$16,685,000	Div	No	N/A
240	Fordham Blvd (US 15-501)	NC 54	Franklin Street	4	4	Modernization	2.1	\$45,498,000	St	Yes	U-5304A
73	Fordham Blvd (US 15-501)	NC 54	US 15-501	4	4	Modernization	2.2	\$49,832,000	St	Yes	U-5304A
204	Fordham Blvd/Raleigh Rd	Interchange	--	-	-	Upgrade	N/A	\$14,800,000	St	Yes	U-5774A
626	Fordham Blvd/S Columbia St	Interchange	--	-	-	Upgrade	N/A	\$35,000,000	St	Yes	U-5304E
24.11	Garrett Rd	NC 751	Old Durham Rd	2	4	Widening	2.1	\$16,064,000	Div	No	N/A
36	Homestead Rd	Old NC 86	Rogers Rd	2	2	Modernization	2.1	\$10,234,000	Div	No	N/A
35	Homestead Rd	Rogers Rd	NC 86	2	2	Modernization	1.3	\$6,855,000	Div	No	N/A
77.1	Hope Valley Rd (NC 751)	S Roxboro St	Woodcroft Parkway	2	4	Widening	0.3	\$2,716,000	Reg	No	N/A
77.11	Hope Valley Rd (NC 751)	NC 54	Woodcroft Pkwy	4	4	Modernization	-	(see #77.1)	Reg	No	N/A
202	Hopson Rd	Davis Dr	S Miami Blvd (NC 54)	2	4	Widening	0.7	\$5,200,000	Div	No	N/A
44	I-40	NC 86	I-85	4	6	Widening	7.8	\$58,784,000	St	Yes	I-3306AA
43	I-40	US 15-501	NC 86	4	6	Widening	3.9	\$29,316,000	St	Yes	I-3306AB
45	I-40 Managed Lanes	Wake County Line	NC 147	8	10	Widening	7.0	\$446,464,000	St	Yes	I-5702B
70.4	I-40/ NC 54 ramp	Farrington Rd.	I-40	-	1	New Location	0.2	\$1,600,000	St	No	U-5517
646	I-85/NC 86	Interchange	--	-	-	Upgrade	N/A	\$16,488,000	St	No	I-5984
650	I-85/S Churton St	Interchange	--	-	-	Upgrade	N/A	\$20,700,000	St	No	I-5967
50.11	Jack Bennet Rd/Lystra Rd	US 15-501 South	Farrington Mill/Point Rd	2	2	Modernization	4.1	\$20,567,000	Div	No	N/A
51	Lake Hogan Farms Rd	Eubanks Rd	Legends Way	-	2	New Location	0.7	\$4,407,000	Div	No	N/A
410	Marriott Way	Friday Center Dr	Barbree Chapel Rd	-	2	New Location	0.2	\$682,000	Div	No	N/A
69.4	NC 54	Barbee	NC 55	2	4	Widening	1.3	\$46,400,000	Reg	No	U-5774J

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69.3	NC 54	Fayetteville	Barbee	2	4	Widening	1.0	\$46,800,000	Reg	No	U-5774I
70.3	NC 54	Fordham Blvd (US 15-501)	Barbee Chapel Rd	6	6	Modernization	1.2	\$32,106,000	Reg	Yes	U-5774B
69.21	NC 54	Highgate Dr	Fayetteville Rd	4	4	Modernization	1.5	(see #69.2)	Reg	No	U-5774H
69.1	NC 54	I-40 Interchange	NC 751	2	4	Widening	1.2	\$32,000,000	Reg	No	U-5774G
69.2	NC 54	NC 751	Highgate Dr	2	4	Widening	1.5	\$21,600,000	Reg	No	U-5774H
70	NC 54 (widening; superstreet)	I-40	Barbee Chapel Rd	4	6	Widening	1.6	\$9,100,000	Reg	Yes	U-5774C
75.3	NC 55 (Alston Ave)	Main St	NC 98	2	4	Modernization	0.5	\$1,000	Reg	No	U-3308
440	New Hope Commons Dr Extension	Eastowne Dr	New Hope Commons Dr	-	2	New Location	0.4	\$4,588,000	Div	No	N/A
94	Roxboro St	Cornwallis Rd	MLK Pkwy	-	4	New Location	1.2	\$12,063,000	Div	No	N/A
87	S Churton St	US 70 Business	I-40	2	4	Widening	2.4	\$31,825,000	Div	No	U-5845
230	Southwest Durham Dr	NC 54	I-40	-	2	New Location	2.0	\$12,402,000	Div	No	N/A
476	University Dr	MLK Parkway	Shannon Rd	5	4	Modernization	0.5	\$768,000	Div	No	N/A
113	US 15-501 (expressway conversion)	US 15-501 Bypass	I-40	6	6	Expressway	2.2	\$195,300,000	St	Yes	U-6067
485	US 70 (freeway conversion)	Pleasant Dr	S Miami Blvd	4	6	Freeway	1.6	\$111,020,000	St	Yes	U-5720A
116	US 70 (freeway conversion)	S Miami Blvd	Northern Durham Parkway	4	6	Freeway	2.5	\$173,469,000	St	Yes	U-5720C
116.1	US 70/Miami Blvd	Interchange	--	-	-	New	N/A	\$46,621,000	St	Yes	U-5720B
2045 MTP											
304.1	Angier Av Ext	US 70	Leesville Rd	-	2	New Location	0.8	\$4,784,000	Div	No	N/A
244	Angier/Glover Connector	Ellis Rd	Glover Rd	-	2	New Location	1.4	\$8,625,000	Div	No	N/A
343	Crown Pkwy/Roche Dr	Page Rd	T.W. Alexander Dr	-	2	New Location	2.7	\$11,041,000	Div	No	N/A
364	Eno Mountain Rd realignment	Mayo St	Eno Mountain Rd	-	2	New Location	0.3	\$2,015,000	Div	No	N/A
24.12	Garrett Rd	Old Durham Rd	US 15-501	2	4	Widening	1.0	\$7,761,000	Div	No	N/A
28.11	Glover Rd	Angier	US 70	-	2	New Location	0.6	\$3,714,000	Div	No	N/A
382	Hebron Rd Extension	Hebron Rd	Roxboro Rd (501 N)	-	2	New Location	0.5	\$3,612,000	Div	No	N/A
434	Holloway St (NC 98)	Miami Blvd	Nichols Farm Dr	4	4	Modernization	3.3	\$17,705,000	Reg	No	N/A
394	Hopson Rd	Louis Stephens Dr	Davis Dr	2	4	Widening	1.1	\$9,195,000	Div	No	N/A
45.21	I-40 Managed Lanes	NC 54	US 15-501	6	8	Widening	2.9	\$85,621,000	St	Yes	I-5702A
45.22	I-40 Managed Lanes	NC 147	NC 54	6	10	Widening	6.4	\$250,290,000	St	Yes	I-5702A

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI	Reg. Sig.	TIP#
48.1	I-85	Sparger Rd	US 70	4	6	Widening	3.0	\$39,118,000	St	Yes	I-5983
48	I-85	US 70	I-40	4	6	Widening	7.1	\$197,378,000	St	Yes	I-5983
49	I-85	US 70	Red Mill Rd	4	6	Widening	8.2	\$215,940,000	St	Yes	N/A
53	Leesville Rd Ext	US 70/Page Rd Ext	Leesville Rd	-	2	New Location	0.4	\$2,644,000	Div	No	N/A
57	Lynn Rd Extension	US 70	Existing Lynn Rd	-	2	New Location	1.1	\$6,862,000	Div	No	N/A
242	Mt Carmel Ch Rd	US 15-501	Bennett Rd	2	2	Modernization	0.4	\$1,997,000	Div	No	N/A
14.1	N Duke St (501 N)	I-85	N Roxboro split	5	4	Modernization	2.5	\$13,279,000	Reg	Yes	N/A
76	NC 751	Martha's Chapel Rd	O'Kelly Ch. Rd	2	4	Widening	5.4	\$43,232,000	Reg	No	N/A
77.2	NC 751	NC 54	Renaissance Pkwy	2	4	Widening	1.2	\$5,290,000	Reg	No	N/A
77.3	NC 751	Renaissance Pkwy	O'Kelly Chapel Rd	2	4	Widening	2.7	\$21,697,000	Reg	No	N/A
80	NC 86	Old NC 10	US 70 Business	2	4	Widening	0.9	\$7,259,000	Reg	No	N/A
81	NC 86 (and US 70 intersection)	US 70 Bypass	NC 57	2	4	Widening	0.3	\$4,742,000	Reg	No	I-5984
84	Northern Durham Pkwy	I 85 North	Old Oxford Hwy	-	4	New Location	2.7	\$23,291,000	Div	No	N/A
83.1	Northern Durham Pkwy	Sherron Rd	NC 98	-	4	New Location	4.3	\$13,600,000	Div	Yes	N/A
83.11	Northern Durham Pkwy	US 70 E	Sherron Rd	-	4	New Location	2.7	\$23,500,000	Div	Yes	N/A
502	Patriot Dr Extension	S Miami Blvd	Page Rd	-	2	New Location	1.9	\$13,086,000	Div	No	N/A
92	Roxboro Rd (501 N)	Duke St	Goodwin Rd	4	4	Modernization	2.7	\$14,574,000	Reg	Yes	N/A
96.1	Sherron Rd	S Mineral Springs Rd	Stallings Rd	2	4	Widening	3.1	\$25,003,000	Div	No	N/A
106.1	Southwest Durham Dr	US 15-501 Business	Mt Moriah Rd	-	4	New Location	0.4	\$3,667,000	Div	No	N/A
104	Southwest Durham Dr	Sawyer Dr	Old Chapel Hill Rd	2	4	Widening	0.7	\$5,432,000	Div	No	N/A
479	US 15-501	Smith Level Rd	MPO Boundary	4	4	Modernization	4.9	\$25,673,000	St	No	N/A
114	US 15-501 Bypass	MLK Parkway	I-85	4	6	Widening	4.8	\$80,734,000	St	Yes	N/A
81.1	Wake Forest Hwy (NC 98)	Nichols Farm Dr	Wake County Line	2	4	Widening	6.0	\$48,474,000	Reg	Yes	N/A
501	Yates Store Rd Extension	Yates Store Rd	Wake Rd	-	2	New Location	1.4	\$11,519,000	Div	No	N/A

Appendix 4. Bicycle and Pedestrian Projects

Background

The 2045 MTP does not specifically list the bicycle and pedestrian projects. The local jurisdictions and counties have identified, and in many cases prioritized these projects and have coordinated their interaction in the jurisdiction boundary areas through the DCHC MPO. As a result, the 2045 MTP defers to those local governments.

Exempt Projects

All the bicycle and pedestrian projects are deemed exempt from the air quality conformity determination according to Title 40, Code of Federal Regulations (CFR), PART 93.126. The most important implication of this exemption is that the projects may proceed toward implementation in the absence of a conforming transportation plan or Transportation Improvement Program (TIP).

Durham-Chapel Hill-Carrboro MPO Regional and Statewide Bicycle Routes

A major objective of the 2045 Long-Range Transportation Plan is to identify regional bicycle routes in the Durham-Chapel Hill-Carrboro MPO region. Regional bicycle routes have several characteristics, as follows:

- Provide links between major destinations and between urban centers.
- Facilitate primarily utilitarian bicycle trips, though the routes can also serve recreational cycling.
- Serve as a backbone to a finer grained system of local bicycle routes in each jurisdiction.

The regional bicycle route map identifies a variety of corridors in need of improved bicycle facilities. The map primarily identifies on-road routes, but off-road routes are also identified. The regional routes will be evaluated from time-to-time, including future updates of the long-range transportation plan.

DCHC MPO Regional Routes

In planning the regional bicycle routes, twelve specific zones of connections were targeted. The following listing shows the identified regional routes within each zone of connection:

Connections between Carrboro and Chapel Hill

- Homestead Road
- Homestead Road / Weaver Dairy Road
- Morgan Creek Trail (off-road) / Columbia Street
- Bolin Creek Trail (off-road)
- The Campus to Campus Connector (on and off-road connecting UNC-CH main campus to Carolina North)

Connections between Carrboro-Chapel Hill and Hillsborough

- Columbia Street / NC 86

Connections between Carrboro-Chapel Hill and Chatham County

- Smith Level Road / US 15-501
- US 15-501
- NCDOT Mountains-to-Sea Bicycle Route (see description below)

Connections between Hillsborough and Chatham County

- Orange Grove Road / Dodson's Crossroads Road

Connections between Durham and Chatham County

- Roxboro Road / Hope Valley Road / NC 751
- American Tobacco Trail (off-road)

Connections between Durham and Hillsborough

- Morreene Road / Neal Road / Bennett Memorial Road / Old NC 10 / NC 86
- Cornwallis Road / Erwin Road / NC 751 / Old NC 10 / NC 86

Connections between Durham and Carrboro-Chapel Hill

- Cornwallis Road / Erwin Road
- Pickett Road / Erwin Road
- University Drive / Old Durham-Chapel Hill Road
- Old Durham-Chapel Hill Road / Farrington Road / Ephesus Church Road

Connections between Carrboro-Chapel Hill and Research Triangle Park

- NC 54
- NC 54 / Barbee Chapel Road / Farrington Road / Stage Coach Road / NC 751 / Massey Chapel Road / Barbee Road / NC 54
- NC 54 / Barbee Chapel Road / Farrington Road / Stage Coach Road / NC 751 / Fayetteville Road / Scott King Road / Grandale Road / Sedwick Road
- NC 54 / Barbee Chapel Road / Farrington Road / Stage Coach Road / NC 751 / O'Kelly Chapel Road
- NC 54 / Hope Valley Road / Woodcroft Parkway / Carpenter Fletcher Road

Connections between Durham and Research Triangle Park

- Martin Luther King Jr. Parkway / Cornwallis Road
- American Tobacco Trail / Cornwallis Road / Miami Boulevard / Davis Drive
- Cornwallis Road / Alston Avenue
- Northeast Creek Parkway / Briggs Avenue

Connections between Treyburn-North Durham and Durham

- Northern Durham Parkway / Miami Boulevard
- North-South Greenway (off-road) / Milton Road / Tom Wilkinson Road / US 501
- Midland Terrace / Lynn Road / Miami Boulevard

Connections between Treyburn-North Durham and Hillsborough

- Northern Durham Parkway / Mason Road / St. Mary's Road

Connections between Research Triangle Park and Briar Creek area (Wake County)

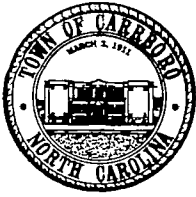
- Chin Page Road

- T.W. Alexander Drive

DCHC MPO Statewide Routes

In addition to the regional bicycle routes, two statewide bicycle routes are identified in the Durham-Chapel Hill-Carrboro MPO region:

- NCDOT Mountains-to-Sea Bicycle Route in Orange and Chatham counties (uses Old Greensboro Highway, Jones Ferry Road, Greensboro Street, Smith Level Road, Culbreth Road, Mount Carmel Church Road, and Farrington Road)
- East Coast Greenway in Durham and Chatham counties (uses the American Tobacco Trail, the Downtown Trail, and a portion of the North-South Greenway Trail).



TOWN OF CARRBORO Transportation Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

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

FEBRUARY 15, 2018

2045 Metropolitan Transportation Plan for the DCHC MPO

The Transportation Advisory Board (TAB) finds the general scope of the 2045 MTP appropriate, and affirms its preference to focus funding on multimodal improvement projects rather than highway projects designed to increase vehicular capacity. More specific comments are as follows:

- The TAB is pleased to see the proposed extension of the Durham-Orange Light Rail Project to the Town of Carrboro during the last third of the 2045 MTP planning period
- Other forms of transit service expansion such as the proposed Chapel Hill North-South Corridor Bus Rapid Transit, and east-west BRT service from Chapel Hill to Carrboro, are likewise encouraged and supported.
- The TAB supports the corridor studies along NC Highway 54 from Chapel Hill to Graham to identify the most appropriate cross-section improvements for the desired future land uses as well as long term multi-modal travel.
- The Town strongly supports bike-ped projects that will provide improved regional connections to Chapel Hill, Chatham County, Durham, Hillsborough, and beyond, and would like to add to the MTP as an option to the proposed connection from Carrboro to Hillsborough via "new" NC 86, a bike-ped facility along "old" NC 86, from Old Fayetteville Road in Carrboro to Orange Grove Road in Hillsborough.

Motion was made by Stolka and seconded McDuffee.

VOTE:

AYES: 5 - Dow, McDuffee, Stolka, Castonguay, Nicopoulos,

ABSENT/EXCUSED: 2 - Barclay, Haac

NOES: 0

ABSTENTIONS: 0

Christine X. Mann for Rob Low
Transportation Advisory Board Chair

February 16, 2018
Date



Town of Carrboro

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

Agenda Item Abstract

File Number:17-424

Agenda Date: 2/20/2018

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Lloyd-Broad Neighborhood Presentation on Community Concerns

PURPOSE: The purpose of this agenda item is to provide the Board of Aldermen with an opportunity to receive a presentation from residents of the Lloyd-Broad neighborhood.

DEPARTMENT: Planning

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

INFORMATION: Residents in the Lloyd-Broad neighborhood have requested an opportunity to meet with the Board of Aldermen to report on how changes in occupancy that result from the combination of the definition of family and increases in the size of residences affect the community, and to request changes to Town regulations and enforcement. A written proposal has been developed and is attached (*Attachment A*).

The Town had communicated with residents in the late summer and fall of 2017 related to the renovation of an existing home on Lloyd Street. A summary of this and other background information is attached (*Attachment B*). On November 28th, the Board of Aldermen discussed some possible modifications to regulations related to size and scale of residential buildings and occupancy/definitions of family and work on changes is underway. Follow-up on Town Code issues related to parking on neighborhood streets is also in the works. A spring presentation on this work is anticipated.

FISCAL & STAFF IMPACT: To be determined in relation to direction provided.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the information that is provided and direct staff as to any follow-up.

Proposal for the Lloyd/Broad Neighborhood: February, 2018:

Purpose: The Lloyd/Broad neighborhood is one of Carrboro's most historic neighborhoods and one of its largest historically Black communities.

Today, our neighborhood is one of the most diverse in the County. We are proud of the longevity and leadership of our neighbors, many who have been here for decades or even generations. We also take pride in the diversity of all kinds our community - of the architecture and character of houses, the mix of homeowners and renters, historic residents & student residents, and the wide array of people of all races & backgrounds who live here. Our hope is to be able to continue to welcome a diversity of families and individuals into our community, which is why we are here tonight. Recent student rental development is beginning to tip the balance, making it increasingly difficult for folks of all backgrounds to access housing in our neighborhood and affecting the quality of life for families who do live here. In the last two years, several larger student rental houses have been built on Broad Street, and a current house under construction on Lloyd will have seven bedrooms and be twice the size of a majority of our homes.

Our neighborhood is part of the Northside Neighborhood Initiative because it is historically & geographically interconnected to Chapel Hill's Northside; indeed, it is part of the broader Northside community. Student rental development is increasing in the Lloyd/Broad neighborhood because of the lack of similar protections in our neighborhood. We are seeking ordinances that increase consistency & uniformity with Northside while utilizing additional tools specific to our neighborhood's issues & hopes. With this proposal and in collaboration with the Town of Carrboro, we hope to address a series of specific issues as well as prevent further tear to the fabric of this historic community.

Proposal:

- 1) The Lloyd/Broad Neighborhood Association would like to proceed with a zoning overlay district and policy changes to protect the future of our community as a family-friendly neighborhood. These changes should integrate tools that we know of and tools that we may not to prevent the scale of student-rental development at 308 Lloyd, 215 Broad, 101 Cobb, 200 Lloyd, and 307 Broad from happening again. This zoning district should include enforceable mechanisms to address the following shared concerns of our association:
 - a. **Occupancy:** this new house at 308 Lloyd is being built for 6 or more renters. The last two new homes built are both 5+ occupants. Not only should this be a safety concern (more than 5 unrelated occupants in a residential home is a violation of fire code) but it also drastically increases the impact of rentals on parking, noise, and neighborhood prices. College communities such as Boulder (CO), Madison (WI), Burlington (VT), Bloomington (IN), and others across the country use 2-4 unrelated person occupancy ordinances to limit the ability of investors to take advantage of neighborhoods like ours with a

combination of relatively affordable prices and a strong student rental market. Many of these communities are progressive and have found ways to navigate the definition of family & rooming houses according to progressive values. We would like to see an occupancy ordinance of 3 or 4 unrelated persons instituted for our neighborhood to better protect it from investor pressures. This is one of the only ways to limit this existing development at 308 Lloyd and future developments from having the impact it intends and from protecting our neighborhood from investors who have been deterred from Chapel Hill. It can also be done just for our neighborhood's zoning overlay, so it does not have an impact on the entire Carrboro community.

- b. **Size compatibility:** 308 Lloyd Street is going to be nearly 3,000 sq ft and will include 7 bedrooms. The average of existing homes in the Lloyd/Broad neighborhood is 1304 Sq Ft and the median is 1222 sq ft. There are only two existing single-family homes (out of ~90) above 2,000 sq ft and only 10 above 1800 sq ft (of these 80% are student rentals). Additionally, new homes are allowed to be far taller than existing structures, especially when adding garages. We would like to revise zoning standards to make new homes and renovations more compatible with the size, height, and setbacks of existing homes.
- c. **Parking:** The increase of student rentals, community parking, and poor town enforcement in the neighborhood has created daily on-street parking violations, a lack of emergency fire access, and functional residential parking lots. We'd like to see a comprehensive approach to addressing the various parking concerns in the neighborhood. This should include specific requirements for defined off-street parking based on rooms that could be considered bedrooms as well as specific location and buffer requirements for this parking. This should also address the problems with on-street parking, potentially with residential parking permits, marked spaces, or at the minimum, mechanisms for increased enforcement of existing parking regulations. Most importantly, policies should address emergency fire access issues on Cobb St. and Starlite Drive.
- d. **Rental registry:** It is our understanding that, in the state of North Carolina, a municipality can create a rental registry that includes inspections for homes that have more than 2 violations of local codes/ordinances per year. We would like to see this concept explored, as it can be a productive way to enforce violations of occupancy and code only on those homes that are causing ongoing issues to the neighborhood.
- e. **Rooming house regulations:** Larger bedroom rentals should be reclassified into rooming or boarding houses, with additional restrictions, code, and limitations applied to these rentals, as well as exclusion of these from certain zoning overlay districts. This would

help ensure the safety of such homes as well as limit investor abuse of tenants.

- 2) We request that the Town of Carrboro increase enforcement of existing laws and ordinances by:
- a. Enforcing all existing laws and remaining vigilant with inspections (including issuing all appropriate and justifiable SWOs) throughout the construction of 308 Lloyd -- including the size of the designated parking area, the extent of demolition of the current structure, the size of the current building and the addition, and the number of parking spaces that should be required by the additional unlabeled bedrooms.
 - b. Creating a new ordinance to track serial violators and stop them from receiving permits on new development either by penalty or a forced moratorium on their ability to apply for new permits.
 - c. Create a county-wide system for municipalities to share data on serial violators who are known to skirt the rules and abuse the system.
 - d. Ticket parking violations, especially on the wrong side of the street or in front of driveways
 - e. Require more stringent oversight for “self-contracting” developers who are utilizing the 12 month rule to be exempt from many regulations otherwise imposed on typical construction and General Contractors. This should include the handling of hazardous construction materials such as asbestos and lead to conform to state standards, standards for site conditions and their impact on the neighbors during construction, and rules to ensure workers are kept safe while on the jobsite.
 - f. Increasing the 12 month owner-occupied exemption to 2-3 years to help eliminate this loophole.
 - g. Enforcing existing state residential fire code, which limits unrelated occupants to five in any residential building.


Thank you for your attention to this and for your help preserving the future of our community.

Approved by the Lloyd/Broad Neighborhood Association

Points of Inquiry – Lloyd-Broad Neighborhood

- Possible tools to help address student rental challenges – Staff met with residents and discussed zoning strategies related to family size and dimensional standards.
- Recyclable materials requirements, solid waste form, and construction waste in residential containers – Enforced by Orange County with assistance from Carrboro Public Works and Inspections staff who will also contact a permit holder and/or Orange County if there are issues with waste on site.
- Demolition requirements for deconstruction assessment when structures 500 SF or larger– Since the entirety of the home at 308 Lloyd Street was not removed, the project is classified as a renovation/addition and not a demolition.
- Requirements for display of permit on site – Visible posting required at the time of the first inspection.
- Applicability of owner exemption to permit issuance at 308 Lloyd Street and ongoing compliance - Town staff checked with neighboring jurisdictions in Orange County and the Licensing Board to determine that no other permits were active related to the exemption at the time the permit for renovation/addition at this location was issued. The owner completed the affidavit indicating her eligibility for the exemption and the affidavit was submitted to the NC Licensing Board, which is responsible for ensuring compliance with the exemption. Staff does contact the Licensing Board if we become aware of information that suggests their review would be needed. Staff does monitor that the homeowner/residency component of the exemption is met during the period of construction/prior to issuance of a certificate of occupancy.
- Proof of Workmen's Compensation for building permit over \$30,000 - Proof of workers' compensation insurance was provided for the 308 Lloyd Street permit.
- Lead paint abatement/removal – Memo attached. In addition to continue the practice of contacting the State when questions arise, staff have begun to request information on lead and asbestos abatement for all renovation and demolition permits related to homes built in 1973 and earlier.
- Owner exemption for construction at 304 Pleasant Drive – At the time of permit issuance and the completion of construction/CO it was and is the Town staff's understanding that the only active building permit in effect at the time was for this property.
- Parking – possible changes to Town Code related to parking on Broad and Cobb Streets considered in 2016 and 2017. Additional modifications, following neighborhood input related to Cobb Street and Lloyd Street, will be presented for the Board's consideration, this spring. Follow-up on other regulatory changes resulting from an evaluation by Police personnel of parking conditions in the neighborhood as a whole will be included.
- Traffic calming – request submitted and packet with area of interest map and addresses sent out in 2015. Completed petition for improvements has not been located in Transportation Planner files.

MEMORANDUM

TO: David Andrews, Town Manager 
FROM: The Brough Law Firm, PLLC; Robert E. Hornik, Jr.
RE: Lead-Based Paint Regulation and General Contractor Exemption
DATE: November 21, 2017

Issues

Recent events at property in Carrboro (308 Lloyd Street) have raised issues concerning the Town's authority to regulate renovation/rehabilitation projects on property where lead-based paint may be present. As a result, we have reviewed State law, federal law and applicable regulations regarding the regulation of renovation/rehabilitation projects where lead-based paint may be present. We also note that there are quite similar regulatory schemes under federal and State statutes regarding renovation and abatement projects involving asbestos-containing materials. This memorandum does not cite specifically to the regulations regarding asbestos, but the same general principles regarding exemptions from the certification process discussed herein in connection with lead-based paint apply for small projects and projects undertaken and performed by property owners/operators involving asbestos-containing materials.

Discussion

The federal government has adopted statutes and regulations regarding lead-based paint. Generally speaking, renovation/rehabilitation projects performed by contractors/for hire on property where children six years of age or under are frequently present (preschools, daycares, kindergartens, for example) and in residences constructed prior to 1978 must adhere to federal regulations which are largely administered by State governments (in North Carolina, the Department of Health and Human Services). Those regulations, and the State's implementing regulations, require contractor(s) performing such work to be properly trained and certified, and require that the work space and its immediately surrounding area must comply with certain standards for the protection of workers, occupants and/or residents from dust and debris that might contain lead (and, in connection with asbestos abatement projects, friable asbestos). It must be noted that if an owner of a residence decides to perform the renovation work themselves (i.e., does not hire a contractor) then the work is not covered by the regulations.

N.C. Gen. Stat. § 130A-453.01, *et seq.*, is the statutory authorization for North Carolina's Lead-Based Paint Hazard Management Program. That statute clearly and unequivocally provides that certification requirements for contractors do "not apply to an individual who performs an abatement of a residential dwelling the person owns and occupies as a residence, unless the residential dwelling is occupied by a person or persons other than the owner or the owner's immediate family while the abatement is being performed, or a child residing in the dwelling has

been identified as having an elevated blood lead level.” N.C. Gen. Stat. § 130A-453.23(a) provides that renovations for compensation in target housing (constructed prior to 1978) or child-occupied facilities (a building or a portion thereof constructed prior to 1978 and regularly visited by the same child under six years of age) must be “performed or directed by certified renovators and certified firms. . .” To become a certified renovator, inspector or risk assessor, one must satisfy the requirements established by State regulations found at Chapter 10A, Subchapter 41C of the North Carolina Administrative Code.

The question you ask regarding the “owner exemption affidavit” referred to in N.C. Gen. Stat. § 87-14(a)(1) is not directly related to projects involving disturbance of surfaces bearing lead-based paint; it is an exemption from the general requirement that certain kinds of work must be performed by licensed general contractors. Basically, the “general contractor” licensure requirement does not apply to persons making alterations to structures or building structures on land they own, or occupy, or will occupy after completion. How this relates to the situation at 308 Lloyd Street is that (1) the owner has filed an exemption affidavit so that no contractor is required, and (2) the project involves the abatement or renovation of a residence where lead-based paint is present but because the owner/occupant is doing the work, the certification requirements do not apply.

N.C. Gen. Stat. § 87-1(b)(2) provides that to qualify for the exemption from the license requirement, the building or structure must be solely occupied by the person performing the work and his family for at least twelve (12) months following completion of the project. In that subparagraph, it is quite clear that if the building is not “occupied solely by the person [seeking exemption from the general contractor licensure requirement] and his family, firm or corporation for at least twelve (12) months following completion” then that person is not entitled to the exemption from the licensure requirement.

Conclusion

Based on my research, the Town has no authority to regulate projects in the Town that may involve renovations or abatement of buildings or structures containing lead-based paint based solely because the project may involve lead-based paint. The lead-based paint regulations are established by federal and State law, and are enforced by/through the State Department of Health and Human Services. If that type of project is to be performed by a contractor, then the contractor (or subcontractor) must be certified appropriately for the work. If not, they are subject to enforcement procedures by the State, particularly the Department of Health and Human Services. If the project is being performed by the property owner/occupant who submits an exemption affidavit to us, we forward that affidavit to the State – which monitors and enforces the contractor’s licensing regulations.

With respect to the general contractor’s license, if the building or any portion thereof is going to be occupied by someone other than the owner of the property and his/her family, then the owner may not avoid the requirement that the work be performed by a licensed general contractor (assuming the cost of the work exceeds the \$30,000 threshold). If a portion of the property is to be occupied by anyone other than the owner (or family members) within twelve (12) months after completion of the work, the work must be performed by a licensed general contractor. There is no

statutory independent obligation for the Town or the State to follow up within the 12 month period following completion of the work to make sure the owner is still the sole occupant of the premises, though the State certainly can take enforcement action should it become aware of violations of the licensure requirement.

One final note regarding the owner/occupancy exceptions/exemptions of the statutes and regulations. Neither the federal nor state statutes and regulations regarding lead-based paint and regarding the contractor's license exemption define the term "family". However, the lead based paint regulations qualify the term by the use of the adjective "immediate". And the State general contractor's licensure exemption qualifies the term by use of the adjective "his". In my opinion, this suggests that the term "family" for purposes of these regulatory schemes should be narrowly construed and should NOT encompass the situation where several unrelated individuals occupy a dwelling.



Town of Carrboro

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

Agenda Item Abstract

File Number: 17-420

Agenda Date: 2/20/2018

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Consider Policy to Waive Fees for Affordable Housing Projects

PURPOSE: The purpose of the agenda item is for the Board to consider the current policy adopted in 2002 to allow waiver of permit fees on affordable housing projects.

DEPARTMENT: Economic and Community Development

CONTACT INFORMATION: Annette Lafferty, AICP Economic and Community Development Director (919) 918-7319 or alafferty@townofcarrboro.org

INFORMATION: The Town has been approached by CASA to waive permit fees for the affordable rental housing project that is being developed on Merritt Mill Road. Attachment 1 is a policy adopted by the Board in 2002. At this time staff is asking several questions; 1) is the current policy adequate, does it need to be updated, and 2) is the Board interested in entertaining waiving fees for the CASA project as a future agenda item.

CASA has also approached Chapel Hill for a waiver of their fees. For your reference Attachment 2 is the current Chapel Hill policy.

FISCAL & STAFF IMPACT: None at this time

RECOMMENDATION: Staff recommends that the Board review the existing policy to determine if it still meets the Town's intent, consider sending the policy to the Affordable Housing Committee for additional recommendations, direct staff to make any changes, if necessary

ADMINISTRATIVE POLICY				
TOWN OF CARRBORO				
NORTH CAROLINA				
DEPARTMENT:	NUMBER:	REVISION:	EFFECTIVE DATE:	PAGE 1 of 1
Planning	540-1	0	September 26, 2000	
SUBJECT:		PREPARED BY:		APPROVED BY:
Land Use and Building Permit Fee Waiver or Refund Policy		Roy Williford Planning Director		Town Manager

1.0 PURPOSE

To establish fees waiver or refund policy for land use and building permits

2.0 ORGANIZATIONS AFFECTED

All departments and divisions

3.0 REFERENCES

4.0 POLICY

The Town of Carrboro in its desire to further affordable housing opportunities hereby establishes a Permit Fee Waiver or Refund Policy. The Carrboro Board of Aldermen adopted this policy on September 26, 2002.

5.0 DEFINITIONS

Affordable housing is defined as:

1. A dwelling unit that can be purchased by families or persons with incomes that are less than 80% of the median income for Orange County as reported by the US Dept. of Housing and Urban Development and where the total monthly housing cost (including mortgage payments, utilities, taxes and insurance) will not exceed 30% of their total monthly income.
2. A dwelling unit can be rented by families or persons with incomes that are less than

60% of the median income for Orange County as reported by the US Dept. of Housing and Urban Development and where the total monthly housing cost (including rent payments, utilities, taxes and insurance) will not exceed 30% of their total monthly income.

6.0 PROCEDURE

Subject to budgetary constraints, the Board of Aldermen may consider granting a fee waiver or refund (excluding engineering fees) for affordable housing projects that are not being developed on property owned directly or indirectly by the Town of Carrboro that can clearly demonstrate compliance with the following criteria:

1. The fee waiver or refund will directly benefit families or persons of low to moderate income over a sustained period of time; and
2. The project is directly funded or subsidized by a federal, state or local unit of government or non-governmental organization that guarantees affordability for 99 years or more; and
3. The need and benefit will be realized by the community as a whole if the fee waiver or refund is granted; and
4. The project is necessary to implement a component specified in the Consolidated Plan for Housing and Community Development in Orange County, NC as required by the HOME program administered through Orange County.

CHAPEL HILL POLICY:

[Development Fees](#)

Applications from non-profit organizations involving permanent residential development in which documentation is provided that 100% of the dwelling units will be occupied by low-moderate income households (80% of area median income as defined by the Department of Housing and Urban Development), the development application fee shall be waived.

Fees are waived for service projects by non-profits, for a non-profit organization.

[Building Permit Fees](#)

Publically Assisted Housing Units:

Building permits proposed to be assisted through conventional Public Housing (Section 8, 101, 235), Community Development Block Grant funding as well as through the NC Housing Finance and other recognized forms of subsidy, are exempted from permit fees. In projects where assisted units comprise only a portion of the total number of units, the fee is reduced by the percentage of the total number of units that are assisted. Permit fees are waived for all Town of Chapel Hill permits. This does not apply to every non-profit organization applying for permits.