



# Town of Carrboro

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

## Meeting Agenda Board of Aldermen



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Tuesday, February 12, 2019

7:00 PM

Board Chambers - Room 110

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### 7:00-7:10

#### A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [19-57](#) Charge Issued to Recently Appointed Advisory Board Member

### 7:10-7:15

#### B. ANNOUNCEMENT OF UPCOMING MEETINGS

### 7:15-7:20

#### C. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

### 7:20-7:25

#### D. CONSENT AGENDA

1. [19-56](#) Economic Development Report for the Month of February  
**PURPOSE:** The purpose of this agenda item is to update the Board on economic development activity within the Town.  
**Attachments:** [February Economic Development Report](#)
2. [19-65](#) Staff Preparation for Resident Outreach During Potential Federal Government Shutdown  
**PURPOSE:** The purpose of this item is to inform the Board about staff's citizen outreach preparations for the possible federal government shutdown.  
**Attachments:** [Resources for Those Impacted by Federal Government Shutdown](#)

#### E. OTHER MATTERS

### 7:25-7:45

1. [19-61](#) Street Assessment Policy Review for Unpaved Roads  
**PURPOSE:** The purpose of this agenda item is to seek Board input regarding the current Street Assessment Policy (Revised as of June 2009), discuss existing gravel roads, public benefit of improvements on unpaved roadways, and seek direction from the Board of Alderman regarding needed improvements.

**Attachments:** [Attachment A - Town of Carrboro Street Assessment Policy - 2009](#)  
[Attachment B - The Charter of the Town of Carrboro - Article 5. Special Assessments](#)  
[Attachment C - North Carolina General Statutes, Section 160A-217](#)  
[Attachment D - Estimated Projected Costs to Improve Gravel Roads in Town of Carrboro](#)

**7:45-8:05**

2. [19-66](#) Update on the Greene Tract - Resolution Approving Modifications to the 60-Acre Portion in County Ownership and Conceptual Plan for the 104 Acre Portion in Joint Ownership  
**PURPOSE:** The purpose of this agenda item is to consider adoption of a resolution regarding the Greene Tract and reconfiguration of the Headwaters Preserve in follow-up to the January 29th Assembly of Governments meeting, as well as approval of a conceptual plan for the property.

**Attachments:** [Attachment A - 2019 Greene Tract Resolution and Conceptual Plan](#)  
[Attachment B - Exhibit](#)

**8:05-8:15**

3. [19-53](#) Discussion to Provide Direction to Staff on Scheduling Board of Aldermen Community Listening Session  
**PURPOSE:** The purpose of this item is to allow the Board of Aldermen to discuss the community listening sessions and direct staff on how to proceed.

**Attachments:** [Attachment A - Neighborhood Forum - Town Code - Section 3.docx](#)

**F. MATTERS BY BOARD MEMBERS**

**G. MATTERS BY TOWN MANAGER**

**H. MATTERS BY TOWN ATTORNEY**

**I. MATTERS BY TOWN CLERK**



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## Agenda Item Abstract

**File Number: 19-57**

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Charge Issued to Recently Appointed Advisory Board Member

Andrea Wood, Environmental Advisory Board





# Town of Carrboro

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## Agenda Item Abstract

**File Number: 19-56**

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**TITLE:**

Economic Development Report for the Month of February

**PURPOSE:** The purpose of this agenda item is to update the Board on economic development activity within the Town.

**DEPARTMENT:** Economic and Community Development

**CONTACT INFORMATION:** Annette D. Stone, AICP ECD Director (919) 918-7319 or [astone@townofcarrboro.org](mailto:astone@townofcarrboro.org)

**INFORMATION:** The ECD Department has been asked to provide a monthly update of economic activity within the town.

**FISCAL & STAFF IMPACT:** n/a

**RECOMMENDATION:** Staff recommends the Board receive the report.

South Green



**PROJECT DESCRIPTION:** Development with 45,000 square feet of multiple commercial buildings on a 5.6 acre site at 501 South Greensboro Street.

**CURRENT STATUS:** Buildings 1 and 4 are under construction. Known tenants include Atlas Taco Bar, Craftboro Brewing Depot, Nailz (organic salon), and Coronato (pizza by Teddy Diggs). The Montessori Academy in South Green may not happen. The owner is looking for an alternative tenant, the building is most suited for a daycare or school.

**PROJECT BACKGROUND:** This Conditional Use Permit application proposed multiple commercial buildings on a site at 501 South Greensboro Street that formerly was occupied by Rogers-Triem. The site had considerable known flooding issues, which was addressed through collaboration with Town and NCDOT. The Board of Aldermen set a public hearing for the rezoning and CUP request on April 28, 2015. The project went before the Joint Advisory Boards Meeting on April 2 and ESC on April 8. The Board approved the project, with conditions, on June 9, 2015.



**ESTIMATED TAX VALUE:** \$13,000,000

## Lloyd Farm



**PROJECT DESCRIPTION:** A mixed use project with multiple commercial buildings on approximately ~40 acres, including Harris Teeter grocery and energy center. A proposed 200 unit senior living residential facility and 20 townhomes. It is located at the corner of Old Fayetteville Road and Highway 54 on property historically known as Lloyd Farm. The developer is proposing a payment in lieu between \$743,000 and an additionally \$250,000 conditioned on the ability to provide on-site affordable housing units.

**CURRENT STATUS:** The application for rezoning was approved by the Board on October 23, 2018. A concept plan has been submitted to staff and is under review by the town advisory boards at the joint meeting to be held February 7, 2019.

**PROJECT BACKGROUND:** Project was originally considered by the Board and denied in 2016. The applicant modified the plan and resubmitted an application in the spring of 2018. A public hearing was held September 25, 2018 and continued until October 23, 2018. The Board approved the Conditional Rezoning on October 23, 2018.

**ESTIMATED TAX VALUE:** \$64,000,000

## *Shelton Station*



Residential Building

**PROJECT DESCRIPTION:** A mixed use development located at 410 North Greensboro on 2.64 acres of land with 22,716 sq ft of commercial space, and 94 1 and 2 bedroom apartment units including 19 affordable units.

**CURRENT STATUS:** The commercial portion of the building is now 80% occupied with UNC Horizons and Figure Eight Films as tenants. The latest schedule is for construction of the residential units to be completed by April 1st. They have selected Eller Capital to manage the apartments and pre-leasing has begun. Prior to issuing a certificate of occupancy, staff will be meeting with the owners to discuss and review items needed to be completed or approved.



**PROJECT BACKGROUND:** Conditional use permit plans in accordance with the B-1(g) conditional zoning district approved by the Board of Aldermen was granted (with conditions) on April 2, 2013.

**ESTIMATED TAX VALUE:** Residential Units \$11,000,000

**ACTUAL TAX VALUE:** Commercial \$3,042,700

## *Hilton Garden Inn - East Main Square*



**PROJECT DESCRIPTION:** A five story, 144 room hotel with conference space to be located immediately behind the existing East Main Square shopping strip.

**CURRENT STATUS:** The developer has reported that construction is on hold until further notice.

**PROJECT BACKGROUND:** The project received a CUP in March of 2016 and a two year extension for the permit in January of 2018.

**ESTIMATED TAX VALUE:** \$12,000,000

## *Other Updates:*

- **Now Open! – Carrboro Creatives**, located in downtown Carrboro, is a new creative branding strategy firm that works with organizations in Raleigh, Durham, Chapel Hill, and beyond. They are proudly women-owned business and work with businesses, entrepreneurs, non-profits and educational institutions to bring their ideas to life.
- **Coming soon! – Quantworks** an analytical solutions company that helps Fortune 500 companies, as well as early-stage companies, monetize their data, is moving from Greenbridge in Chapel Hill to 202 South Greensboro Street in Carrboro (Old Post Office Bldg next to GlassHalfull).



- **Boer Brothers Heating and Cooling** – project is approximately 80% complete for construction of new office and warehouse space located at 630 Hwy 54 W.
- **Claremont South Commercial** - a two story mixed use building with the first floor containing 6,797sf of office space and the 2<sup>nd</sup> floor containing 4,879sf and a total of four residential units. Conditional Use Permit originally approved by the Board of Aldermen in April 2012.
- **CVS Property** – the property at 201 N. Greensboro is under new ownership. The new owners are interested in office/retail development on the site and have had initial concept discussions with town staff.
- **For the Love of Carrboro** – February is for the Love of Carrboro Month where the Town promotes businesses that pair with non-profits to fundraise or raise awareness. The following businesses and non-profits are participating this year. See For the Love of Carrboro on Facebook for more details.
  - **Townsend and Bertram – Learning Outside**
  - **Ali Cat Toys – TABLE**
  - **Carrboro Massage Therapy – Compass Center for Women and Families**
  - **Womancrafts’ – Linus Project**
  - **Oasis at Carr Mill Mall – WCOM Radio**
  - **Steel String Brewery – IFC**
  - **GlassHalfull – UNC Lineberger Comprehensive Cancer Center**
  - **Carrboro Family Vision – Farmer Foodshare**

- **Space For Sale or Lease –**

<b>Address</b>	<b>Description</b>	<b>Sale/Lease Price</b>
206 West Main Street	3900 SF of office space above Akai Hana	For Sale - \$990,000
610 Jones Ferry Road	11,683 SF office/light manufacturing Willow Creek Professional Center	For Sale – Price not disclosed
202 South Greensboro	900 SF office flex space next to Glass Halfull aka the Old Post Office building	Annual Lease – Price not disclosed
311 East Main Street	8000 SF retail/flex space Old Fireplace Buidling next to Wings	For Sale/Lease – Price Not Disclosed
602 Jones Ferry Road	4,620 SF retail space at Willow Creek Shopping Center	Annual Lease \$16 SF
200 N Greensboro St	1,130 SF 2 <sup>nd</sup> floor office space Carr Mill Mall	Annual Lease \$22 SF
205 Lloyd Street	Office Space	Annual Lease – \$19 SF
104 NC – 54 Hwy	Carrboro Plaza	Annual Lease – \$20-\$22 SF
Tr 4 Berkshire Manor	1.4 acres located at the intersection of Main and Hwy 54	For Sale - \$425,000
410 N Greensboro Street	1250 – 4645 SF 1 <sup>st</sup> floor retail space Shelton Station	Annual Lease - \$27 sq. ft.
250 E. Winmore Ave	914 SF Office Space	For Sale - \$258,000 or Annual Lease \$24 SF
202 E. Winmore Ave	1400 SF Office Live/Work Unit	Annual Lease \$21 SF
115 Ruth Street	2.27 AC Vacant Land	For Sale \$200,000
<b>Chapel Hill Comps</b>		
136 E Rosemary St	84,013 SF Class B Office Space	Avg Annual Lease \$31 SF
210 N Columbia St	8176 SF Class B Office Space	Avg Annual Lease \$26 SF
150 Providence Rd	10,000 SF Class B Office Space	Annual Lease \$18.50 SF
300 Market Street	1400 SF Class B Office Space	Annual Lease \$24 SF
400 W Franklin St	3600 SF Retail	Annual Lease \$28 SF
1728 Fordham Blvd	Retail at Rams Plaza	Between \$16 - \$22 SF

Source: Loopnet





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**File Number:** 19-65

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**Agenda Date:** 2/12/2019

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### **TITLE:**

Staff Preparation for Resident Outreach During Potential Federal Government Shutdown

**PURPOSE:** The purpose of this item is to inform the Board about staff's citizen outreach preparations for the possible federal government shutdown.

**DEPARTMENT:** Town Clerk

**CONTACT INFORMATION:** Chris Milner, Deputy Town Clerk

**INFORMATION:** During the recent federal government shutdown the Board asked staff to provide the citizens of Carrboro with information about the range of assistance that is available to them and to coordinate with non-profits and other governmental organizations to ensure the maximum amount of support was available to the citizens who were impacted.

There is a possibility of another shutdown starting on or about the 15<sup>th</sup> of February. In anticipation of that, staff has reviewed the efforts made during the previous shutdown and worked to enhance the Town's ability to respond in a future shutdown.

Town staff will continue to work with available partners to provide outreach and information to those affected by the potential shutdown.

**FISCAL & STAFF IMPACT:** There is no fiscal or staff impact associated with the Board receiving this informational item.

**RECOMMENDATION:** It is recommended that the Board of Aldermen receive this report.

# Resources for Federal Workers Affected by the US Government Partial Shutdown

## Background

- A partial federal government shutdown could possibly begin on February 15, 2019. This document is based upon lessons learned during the previous federal government shutdown and serves as a guide for the Town of Carrboro in assisting residents during a future shutdown.
- Potentially affected agencies or departments:
  - National Science Foundation
  - Homeland Security
  - Commerce, including National Oceanic and Atmospheric Administration (NOAA)
  - Environmental Protection Agency
  - Food and Drug Administration
  - National Aeronautics and Space Administration
  - Transportation
  - Interior, including the National Park Service
  - Agriculture
  - State
  - Justice
  - Housing and Urban Development
  - Smaller agencies, government contractors, etc. are also affected.
- NC has 44,000 civilian federal workers. Most are not affected by the shutdown.

## Resources

- Federal workers will probably continue to have access to their health insurance and should be able to obtain Employee Assistance Program (EAP) counseling (mental health, legal, financial counseling).
- Affected North Carolina workers can apply for unemployment wages during the shutdown. It takes about a week to process a claim. However, should workers receive back pay after the shutdown ends, they will be required to pay back their unemployment wages.
- Employees may be able to take loans against their Thrift Savings Plan and receive help from their financial institution.
- During the previous shutdown, some banks, on a case by case basis, worked with furloughed employees by deferring payments on loans, mortgages and credit cards. Some also waived fees. However, it was not automatic and workers needed to negotiate with their financial institutions.

- Many food and diaper banks around the country asked for increased donations to help support affected families. They also did outreach to federal workers in their area.
- Many restaurants around the country provided free meals to affected federal workers and their families.
- Some municipalities (Las Vegas, for example) offered utility assistance (deferred payments) to affected workers and some utility companies utilized a rainy-day utility fund to help affected workers pay for their utilities.
- Some resources come with pitfalls: options such as use of retirement savings, credit cards and Go Fund Me type fundraisers can incur penalties, taxes and high-interest rate debt.

## North Carolina Impact

### RTP and Beyond

During the previous shutdown, State agencies that depend on federal funds used reserves that were projected to last 2-3 months before reduced services and furloughs begin. However, national parks were immediately affected, payments to farmers for hurricane recovery stopped and grants to fund programs for victims of domestic violence and sexual violence and juvenile justice stopped.

<http://24hourbailbondsncc.com/2019/01/04/federal-workers-in-rtp-feeling-the-bite-of-the-shutdown-if-it-drag-on-others-will-too-the-herald-sun/>

### UNC

As stated during the previous shutdown - "UNC-Chapel Hill has been planning for a partial shutdown scenario, and our campus is well prepared," Executive Vice Chancellor and Provost Bob Blouin said in a December email to the University community. "At this point, every indication is that a short-term partial shutdown would have a minimal impact on the U.S. higher education community."

<https://www.dailytarheel.com/article/2019/01/government-shutdown-0110>

### Hurricane Recovery

Hurricane Recovery was slowed and delays were expected in obtaining Community Development Block Grant-Disaster Relief funds.

<https://www.wral.com/federal-shutdown-slowing-hurricane-recovery-in-nc/18109171/>

## Local Resources

Inter-Faith Council for Social Service  
110 W. Main Street  
Carrboro, NC, 27510

Food Pantry – 919-929-6380, 110 W. Main Street – once every month IFC provides approximately a week's worth of groceries, according to household size. Call to schedule

a morning appointment or drop-in during afternoons. Evening hours available some Tuesday/Wednesdays.

Emergency Financial Assistance (Rent + Utility support) – 919-929-6380 x19 - once every 12 months

Call Tuesdays at 9 a.m. and leave a message. Staff will return messages in the order received and schedule appointments until full. Bills must be past due.

Community Kitchen (Rosemary Street, Chapel Hill)

Everyone welcome. Lunch every day, Dinner every weekday.

Monday through Friday

Lunch 11:15am-12:30pm

Dinner 6:15pm-7:00pm

Saturday

Lunch 11:15am-12:30pm

Sunday

Lunch 12:15pm-1:30pm

Shelter – Access through Orange County Coordinated Entry

Folks looking for shelter should stop in at CEF (208 N. Columbia St, Suite 100) between 10-3 to check bed availability.

### Bill Assistance

Duke Energy

800.452.2777

PSNC Energy

1-877-776-2427

OWASA

Inter-Faith Council for Social Service (administers the OWASA Care to Share program and Orange County Social Services funds for our service area)

110 West Main St.

Carrboro NC 27510

919-929-6380

### Counseling (legal, financial, employment, mental health)

Community Empowerment Fund

208 N. Columbia St, Suite 100

Chapel Hill, NC 27514

919-200-0233

Compass Center

210 Henderson St,

Chapel Hill, NC 27514

Phone: 919-968-4610

### Diaper Bank

Any Orange County resident in need can pick up diapers at:

Compass Center  
210 Henderson St,  
Chapel Hill, NC 27514  
Phone: 919-968-4610

### Emergency Shelter

Inter-Faith Council for Social Service (see above)  
110 W. Main Street  
Carrboro, NC, 27510  
(919) 929-6380

### Food

Food Bank of Central and Eastern NC  
2700 Angier Avenue, Suite A  
Durham, NC 27703  
Phone: 919-956-2513

Inter-Faith Council for Social Service (see above)  
110 W. Main Street  
Carrboro, NC, 27510  
(919) 929-6380

PORCH Chapel Hill/ Carrboro  
P.O. Box 16363  
Chapel Hill, NC 27516-6363  
[chc@porchcommunities.org](mailto:chc@porchcommunities.org)

Table  
209 E. Main Street  
Carrboro, NC 27510  
(919) 636-4860

### Economic, Employment, Emergency assistance

Orange County  
Southern Human Services  
2501 Homestead Road  
Chapel Hill, NC 27516  
(919) 245-2800





# Town of Carrboro

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## Agenda Item Abstract

**File Number:** 19-61

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**Agenda Date:** 2/12/2019

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### **TITLE:**

Street Assessment Policy Review for Unpaved Roads

**PURPOSE:** The purpose of this agenda item is to seek Board input regarding the current Street Assessment Policy (Revised as of June 2009), discuss existing gravel roads, public benefit of improvements on unpaved roadways, and seek direction from the Board of Alderman regarding needed improvements.

**DEPARTMENT:** Public Works

**CONTACT INFORMATION:** Joe Guckavan, [jguckavan@townofcarborro.org](mailto:jguckavan@townofcarborro.org), 919-918-7427

### **INFORMATION:**

#### **Streets Assessment Policy (Revised as of June 2009):**

The Town's current Street Assessment Policy (Revised as of June 2009), provides procedures for street and sidewalk special assessments with or without a petition from property owners. See Attachment A - Street Assessment Policy (Revised as of June 2009). Staff is seeking clarification and review on the following:

1. Does the Board want to continue to utilize the 50% assessment policy and what specific improvements does the assessment include (paving, curb and gutter, and/or sidewalk)?
2. Does the Town want to include language in the policy that would allow for improvements based on public benefit?

In 2006, Lisa Drive and Quail Roost Drive were paved following the Town's Streets Assessment Policy. In that case, the neighbors adjoining these streets submitted a petition to the Town, and the Board of Aldermen met and approved the petition. Once funds were determined to be available, a resolution was declared to move forward with the project. The project was partially funded by special assessment, where the residents paid for half of the project cost to pave. There was sidewalk, curb, and storm drain constructed on the project. The homeowners did not pay for this portion. The assessment to pave Lisa Drive was approximately \$22 per frontage of property foot and the assessment to pave Quail Roost Drive was approximately \$15 per frontage of property foot.

#### **The Charter of the Town of Carrboro:**

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According to the Attorney Robert Hornik, The Brough Law Firm, PLLC,

“Section 5-1 in particular, and the General Statutes, section 160A-217 in particular. The charter section creates very limited exceptions to the otherwise applicable statutory requirement for making a special assessment to share the cost of a street or sidewalk improvement project among residential properties benefited by the project. Typically, property owners who want the Town to undertake a street or sidewalk project the cost of which would be shared among the Town and the property owners, must file a petition with the Town to start the process. The Charter creates 2 exception to the “petition” requirement (i.e., in those 2 limited circumstances the Town can commence the process on its own without a petition; there is a third situation described in the Charter section but it is similar to the language of 160A-217(a) requiring a petition meeting certain standards). The 2 exceptions are (1) to improve/pave unpaved streets which connect 2 paved streets, and (2) to improve/pave unpaved sections of streets parts of which as already paved.

Even in the case of the 2 exceptions, the Town would have to follow the rest of the statutory special assessment process - including publication of notice of the preliminary assessment, public hearing, and [preparation of a final assessment roll. And, the statutory “maximum” cost share for property owners of 50% remains (i.e., the Town’s share of the cost must always be at least 50%).”

See Attachment B - The Charter of the Town of Carrboro - Article 5. Special Assessments.

See Attachment C - North Carolina General Statutes, Section 160A-217.

### **Existing Gravel Roadways:**

The Town currently maintains (eighteen)18 gravel roads ranging in centerline length from 97 feet to 1,068 feet and width from 15 feet to 24 feet. Five (5) of the gravel roads are classified as minor streets and thirteen (13) are classified as local streets.

Existing gravel roads are currently maintained by the Public Works Department taking a motor grader or backhoe, dump truck, and roller to regrade the road and fill ruts and potholes. This also includes adding new stone to the road base for smoothing out the riding surface, and road build-up. Annual maintenance is estimated at \$50,000 per year, and includes labor, equipment, and materials needed.

Additional maintenance due to the topography of the road, such as the road’s grade, or inclement weather may increase estimated annual costs. For example, Roberts Road has a grade of 10% which poses issues for waste collection and fire vehicles; and excessive rainfall causes water quality concerns, runoff, and clogging of stormwater conveyance measures requiring Public Works staff to clear storm water pipes, inlets, and manholes. In addition, stone and mud covers the entrance to the road and Merritt Mill Road.

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**Estimated Costs Paving of Gravel Roads:**

Public Works staff compiled a spreadsheet to show the costs involved for paving the gravel roads in Carrboro. See Attachment D - Estimated Projected Costs to Improve Gravel Roads in Town of Carrboro. Prices in the spreadsheet reflect costs for paving these roads with and without curb, sidewalk (on one side of the road), and storm water improvements. Some situations allow for paving only while others require more extensive improvements.

Minor classified streets would be paved to 18' width, and local classified streets would be paved to 20' width (streets noted on attached table). Some streets are currently narrower than the proposed width, so added costs for road widening (fill soil/stone) are associated with the estimate. Where applicable, streets would be widened to current standards, and stone would be added and prepped to achieve a proper road base. Once this work is done, the road would be ready for asphalt. For streets with curb and gutter, the road again would be widened where necessary. Storm drain pipe would be added, since curb and gutter requires filling of the existing drainage ditches. When storm drain and curbing is installed, the road would be ready for stone base prep and paving, followed by sidewalk installation.

**FISCAL & STAFF IMPACT:** Staff time involved in neighborhood outreach and developing RFP plus design and consultation fees. Oversight of proposed improvements during construction.

**RECOMMENDATION:** Staff recommends the Board of Alderman consider Town's policy on paving gravel roadways and direct staff accordingly.

# **STREET ASSESSMENT POLICY**

## **Revised as of June 2009**



**PROCEDURES TO BE FOLLOWED FOR  
STREET OR SIDEWALK SPECIAL ASSESSMENTS**

Generally, before a street or sidewalk special assessment project can be undertaken, a petition must be received from the property owners to be assessed. The general standards for a petition are located at N.C. Gen. Stat. § 160A-217. There are some circumstances, however, where a special assessment project may be undertaken without a petition. Those circumstances are described in detail in Article 5 of the Town Charter and more briefly below.

**I. Street and Sidewalk Special Assessments Without A Petition**

- A. The Board of Aldermen may levy special assessments for streets and sidewalk improvements without first receiving a petition from the Property Owners to be assessed in the following two cases:
- (1) Unpaved streets that connect two paved streets; and
  - (2) Unpaved extensions of streets that are partially paved.
- B. The Board of Aldermen may levy special assessments for sidewalk improvements without first receiving a petition from the Property Owners to be assessed in those portions of the following streets that are located within the Town's business or industrial zoning districts: Main Street, Weaver Street, Greensboro Street and Merritt Mill Road.

**II. Street and Sidewalk Special Assessments With A Petition**

A. Unpaved Streets

Except as provided in paragraph I. above, before the Town can levy a special assessment for street or sidewalk improvements on unpaved streets, the Town must receive a petition for the improvements signed by at least:

- (1) A majority in number of the owners of property to be assessed who reside on that street, who must represent at least a majority of all the lineal feet of frontage on the street to be improved that is owned by persons who reside on that street; or
- (2) A majority in number of the owners of property to be assessed, who must represent at least a majority of all the lineal feet of frontage of the lands abutting on the street or portion thereof to be improved.

B. Paved Streets

Except as provided in paragraph I. above, before the Town can levy a special assessment for street or sidewalk improvements on paved streets, it must receive a petition for the improvements signed by at least a majority in number of the owners of property to be assessed, who must represent at least a majority of all the lineal feet of frontage of the lands abutting on the street or portion thereof to be improved.

C. The Petition

When a person seeks a petition, the Town Clerk completes the tax map and lot owner blanks on the petition form, using the most recent tax records available in the Orange County Tax Office. The petition, together with the cover memorandum from the Town Manager and the “Notice to Petitioners”, attached hereto and collectively referred to as Form #1) are then delivered to the person making the request.

When a completed petition is received, the Town Clerk reviews it to determine its sufficiency. If there has been an intervening property tax listing period between the time a petition is requested and the time it is returned, then the Town Clerk re-checks the names of the owners who have signed the petition against the most recent county tax records. If a petition is inadequate, it is returned, with an explanation, to its sponsor. If the petition is sufficient in all respects, the Town Clerk certifies this fact to the Board of Aldermen (Form #2) and forwards the petition and certificate to the Public Works Staff.

**III. Procedures That Apply to All Street And Sidewalk Special Assessments**

The following information applies to all street and sidewalk special assessments, regardless of whether a petition was required or not.

- A. After receiving a recommendation of the Public Works Staff and determining that funds are available to complete the project, the Board of Aldermen may adopt a preliminary assessment resolution declaring its intent to undertake the project (Form #3). This resolution sets a public hearing on the matters contained therein, which hearing must be not less than three (3) nor more than ten (10) weeks from the date the resolution is adopted.
- B. Prior to any public hearing on any resurfacing or sidewalk construction, the Town shall indicate through adequate visible markers the extent of the improvements to be made should it be proposed that such improvements, whether sidewalk or road resurfacing, extend beyond the road surface. In addition, petitioners shall also be given adequate opportunity, before the public hearing to determine if the improvement project shall be undertaken, to know how much right-of-way, if any, will be needed to be acquired to make the necessary improvements.
- C. The Town Clerk causes a notice of the public hearing on the preliminary assessment resolution to be published once in the newspaper at least ten (10) days before the date of the hearing. This notice contains the information indicated in Form #4. The Town Clerk obtains and keeps on file a publisher’s certificate of publication of this notice.
- D. The Town Clerk also sends by first-class mail a copy of the preliminary assessment resolution to the owners of property abutting the improvement as shown on the most recent Orange County tax records. This notice is mailed at least ten (10) days before the date of the hearing. The Town Clerk then certifies to the Board of Aldermen that such notices were properly mailed (Form # 5).
- E. The Board of Aldermen holds a public hearing on the proposed project and thereafter may adopt a resolution (From #6) declaring that the project be undertaken.

- F. The work on the project is then undertaken and accomplished either by Town crews or by contract awarded in accordance with the bid requirements set forth in the General Statutes.
- G. At the completion of the work, the Town Clerk calculates the total cost of the project in consultation with the Director of Public Works and the Town Finance Officer. Included in this calculation are legal fees, engineering fees, interest paid during construction, right-of-way acquisition costs, mailing and publication costs incurred for notices and resolutions, all construction costs (except the cost of paving at street intersections), and any other costs associated with the completion of the project.
- H. The Board of Aldermen adopts a resolution declaring the costs of the project as determined by the Town Clerk, ordering the preparation of a preliminary assessment roll and setting a public hearing on the assessment roll (Form # 7).
- I. The Town Clerk prepares a preliminary assessment roll containing the information indicated in Form # 8. A map prepared from the tax maps and showing the area abutting the improvements is attached to this preliminary assessment roll. The assessment roll and attached map are made available for public inspection at least ten (10) days before the date of the public hearing on the assessment roll.
- J. The Town Clerk causes a notice of the completion of the preliminary assessment roll and of a public hearing thereon to be published once in the local newspaper at least ten (10) days before the date of the public hearing (Form # 9). The Town Clerk obtains and keeps on file a publisher's certificate of publication of this notice.
- K. The Town Clerk also sends by first-class mail both a notice of completion of the preliminary assessment roll and a notice of a public hearing thereon to the property owners listed on the preliminary assessment resolution. This notice contains the information indicated in Form # 10 and is sent at least ten (10) days before the date of the hearing. The Town Clerk then certifies to the Board of Aldermen that such notices were properly mailed (Form # 11).
- L. The Board of Aldermen holds a public hearing on the assessment roll and either confirms it or modifies it in accordance with G.S. 160A-228. If it chooses to confirm the assessment roll, the Board of Aldermen adopts a resolution similar to that shown in Form # 12. The Town Clerk enters into the minutes the date, hour, and minute of confirmation.
- M. After the expiration of twenty (20) days from the confirmation of the assessment roll, the Town Clerk causes a notice of confirmation of the assessment roll and levying of assessments (Form # 13) to be published once in the local newspaper. The Town Clerk obtains and keeps on file a publisher's certificate of publication of this notice.
- N. On or before the date that the notice of assessment roll confirmation is published, the Town Clerk sends by first-class mail to the property owners whose names appear on the assessment roll a letter, under the signature of the Town Finance Officer, setting forth the payment options for the special assessments. This letter contains the information indicated in Form # 14. The Town Clerk furnishes the Town Finance Officer with a copy of the letter sent to each property owner.
- O. If a property owner elects the installment payment method, the Town shall send an annual statement for the assessment payment coming due.

- P. If at any time an assessment account becomes delinquent, the Town Finance Officer writes the owner of the property with respect to which the assessment payment is overdue and requests that the account be brought up to date. Under G.S. 160A-233(b) when a person become delinquent the entire amount due is accelerated (i.e. it becomes immediately due and payable) unless the Board of Aldermen waives acceleration. If the account remains delinquent, the Town Finance Officer notifies the Town Attorney for further proceedings.
- Q. The Street Assessment Policy was amended and approved by the Board of Aldermen on October 3, 2006 to waive acceleration and authorize staff to establish an alternative payment arrangement with any person who is currently delinquent in making street assessment payments. The alternative payment arrangement may include annual, semi-annual, quarterly, or monthly payments, but the plan may not exceed more than forty-eight (48) installment payments. Annual interest at the rate of eight percent (8%) shall accrue on the unpaid principal balance.
- R. If a property owner elects an alternative repayment plan of either semi-annual, quarterly, or monthly, the Town Finance Officer will provide an amortization schedule detailing the repayment plan. Payments are due according to the amortization schedule.
- S. On January 16, 2007 the Board of Aldermen approved a proposed charter amendment that provided greater flexibility in the repayment of special assessments and the collection of delinquent special assessment payments. The proposed charter amendment authorizes the Board to provide for annual, semi-annual, quarterly, or monthly installments. The amendment also provides that the Board may authorize the manager to waive automatic acceleration of the remaining assessments when a property owner becomes delinquent in the payment of the installments. Finally, the amendment authorizes the town to collect delinquent assessments using any of the alternatives available for the collection of property taxes, including attachment and garnishment, rather than being limited to the more extreme remedy of foreclosure. This charter amendment was brought to the North Carolina General Assembly on January 24, 2007. On July 26, 2007 the General Assembly of North Carolina passed S. L. 2007-266 that allowed the Town of Carrboro to amend its charter.
- T. General Statute 105-349 requires that a local government appoint a tax collector prior to collecting taxes. However, the statute is not clear whether the Town must appoint a collector before collecting delinquent special assessment payments. On May 20, 2008 the Board of Aldermen approved a resolution authorizing the Town Manager or the Manager's designee to take certain actions regarding special assessment payments and appointing a Special Collector. The sole purpose of the office of the Special Collector is to collect delinquent special assessment payments. The Finance Officer of the Town of Carrboro shall serve as the Special Collector for the Town.

## NOTICE TO PETITIONERS

**BEFORE YOU SIGN THIS PETITION**, it is requested that you do the following:

1. **READ** this petition and all other accompanying information thoroughly so that you will understand just what you are signing and what it will mean to you.
1. **CHECK** your deed and see that the frontage checks with the distance shown on the petition. If there is a discrepancy, put the frontage your deed calls for in the space provided on the petition form opposite your lot number as shown on the petition.
3. **SIGN** the petition in the same manner as your deed reads. In case of co-ownership as in the case of man and wife, both parties must sign.
4. If you are signing for a corporation, remember that the president (or vice-president) must sign and the corporate seal must be affixed and attested by the secretary (or assistant secretary).
5. Be sure that your signature is correct before the petition leaves you. Incorrect signatures cannot be counted in the percentage and this may cause the petition to be delayed in its presentation to the Board of Aldermen for consideration.
6. The names of the property owners listed on the petition are not guaranteed to be correct, and there may be errors. Every attempt has been made to get the correct owner's name without a time-consuming title search. The correct owner should sign the petition opposite the lot number shown on the petition.
7. If you have any questions or want more information about this petition, please contact the Director of Public Works, who will make every effort to answer your questions and give you the requested information.
8. Any estimate of cost given you is not to be considered as a maximum or minimum cost. A close estimate will be impossible to make until such time as the detail plans of the improvements desired are completed, and this work will not be done until after the petition has been approved by the Board of Aldermen. Any costs given at this time are only estimates, given so that you will have an idea of what the proposed improvement will cost.
9. Prior to any public hearing on any resurfacing or sidewalk construction, should the Town propose to extend road resurfacing beyond the existing road surface, the Town shall indicate through adequate visible markers the extent of such improvements. In addition, petitioners shall also be given adequate opportunity, before the public hearing to determine if the improvement project shall be undertaken, to know how much right-of-way, if any, will be needed to be acquired to make the necessary improvements.

-----PLEASE READ THIS BEFORE SIGNING PETITION -----

**PETITION FOR LOCAL IMPROVEMENTS  
IN THE  
TOWN OF CARRBORO NORTH CAROLINA**

**STREET INCLUDED IN THIS PETITION**

	From		To	
--	------	--	----	--

**PETITION FORM REQUESTED BY**

NAME:	
ADDRESS:	

This is to certify that the attached petition was filed in Office of the Town Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Town Clerk

PETITION FOR LOCAL IMPROVEMENTS

TO THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

A. We, the undersigned property owners, owning land abutting upon the street identified below, hereby petition the Board of Aldermen, pursuant to the provisions of Article 10 of Chapter 160A of the North Carolina General Statutes or the Town Charter, to make improvements described below upon the indicated street or part thereof.

B. The street or part thereof desired to be improved is:

that part of

[Empty box for street name]

From

[Empty box for starting point]

To

[Empty box for ending point]

C. With respect to the improvements petitioned for, we request:

ITEMS INCLUDED:

[Empty box for listing items]

1. **Curbs, gutters and drains improvements:** That curbs, gutters, and drains be constructed and installed on the street or part thereof named in paragraph B within the limits defined in said paragraph; such curbs and gutters to be Standard Curbs and Gutters as approved by the Board of Aldermen, and such improvements also to include necessary grading and construction of the necessary drains (storm sewers, laterals, inlets and manholes) as determined by the Board of Aldermen and the doing of all other work incidental to the construction and installation of curbs, gutters and drains.

2. **Street Paving Improvement:** That the street or part thereof named in paragraph B be paved with an asphaltic surface not less that two (2) inches thick laid on a stabilized base of crushed stone or gravel of necessary thickness as determined by the Board of Aldermen, such street paving improvement to include grading and the construction of drains (storm sewers, laterals, inlets and manholes) and all other work incidental to said paving, as well as the laying of necessary gas, or sewer mains with abutting property as may be designated and determined by the Board of Aldermen.

3. **Sidewalk Improvements:** That standard concrete sidewalks, as approved by the Board of Aldermen, be laid on both sides of the street or part thereof named in paragraph B, unless only one side of the street is hereinafter designated in this section; such sidewalk improvement to include necessary grading and all other work incidental to the construction of sidewalk improvements;

[Empty box] side only.

- D. Pursuant to the assessment policy of the Town of Carrboro, we petition and request the Board of Aldermen to levy a special assessment against property benefited by the improvements in an amount equal to fifty (50%) percent of the total cost of the improvements (not including the costs of paving at street intersections). We understand that, in accordance with the Town's assessment policy, individual assessments will be made according to the frontage abutting on a project, at an equal rate per foot of frontage (except that, when a project is undertaken along two (2) sides of a corner lot, seventy-five (75%) of the frontage of the shorter side of such lot, up to a maximum of one hundred-twenty-five (125), shall be exempt from assessment).
  
- E. It is understood that when street improvements are requested and utility mains are already located in the street (such as water, sewer, gas, electricity, and telephone mains, lines or pipes), the Board of Aldermen may require that lateral connections be made from the mains to abutting property before the street is paved so that the pavement need not be broken at a later time to make these connections. The expense of these connections will be borne by the benefited property owners.
  
- F. The Town shall make every effort to accommodate and save trees, shrubs, flowers, fences and walls attached to the land, which fall in line with planned improvements within the right-of-way by planning improvements around such landscape features. If the Town makes this effort but can not save these trees, shrubs, flowers, fences and walls, then the property owner shall be given reasonable notice and sufficient time before construction is begun to transplant or move such trees, shrubs, flowers, fences or walls attached to the land from the area's improvements.

(Note: Lot numbers below refer to lots as shown on the Orange County Tax Maps)

Lot Identification			Name and Mailing Address of Lot Owners	Signature(s) of Lot Owner(s)	Does Owner Reside on Street	Front Footage
Tax Map	Block	Lot				



## FORM # 1

TO: Persons Requesting Petitions for Street Improvements

FROM: Town Manager, Town of Carrboro

In order that this petition may meet the requirements for approval by the Board of Aldermen, it must be signed by either:

- (i) (For improvements to paved or unpaved streets) a majority in number of owners of property to be assessed, who must represent at least a majority of all the lineal feet of frontage of the lands abutting on the street or portion thereof to be improved; or
- (ii) (For improvements to unpaved streets) a majority in number of the owners of property to be assessed who reside on that street, who must represent at least a majority of all the lineal feet of frontage on the street to be improved that is owned by persons who reside on that street.

The law requires the Town to notify all affected property owners that the Town is considering a special assessments project and to give all such persons an opportunity to appear at a public hearing on the project before it is undertaken. This public hearing will be set after a properly completed petition is presented to the Town. However, in the past some property owners have become upset because they were not contacted when the petition was circulated and learned of the project for the first time when notified by the Town of the public hearing. Therefore, as a gesture of neighborhood courtesy and consideration, the Board of Aldermen requests that you contact all property owners that will be affected by this petition so that they will know that there will possibly be some future improvements made and that they will be responsible for a share of the costs. It is believed that by doing this, there will be less possibility of ill feelings between neighbors and between the citizens and your Town government.

FORM #2

**CERTIFICATE AS TO SUFFICIENCY OF PETITION FOR STREET IMPROVEMENTS**

**TO THE HONORABLE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:**

I, \_\_\_\_\_, Town Clerk of the Town of Carrboro, North Carolina, do hereby certify that the attached petition of property owners for the improvement of \_\_\_\_\_ Street from \_\_\_\_\_ Street to \_\_\_\_\_ Street was presented to me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_; that I have investigated the sufficiency of the petition; and that the result of my investigation is as follows:

- \* The total number of owners of property abutting the above named street or part thereof who reside on such street is \_\_\_\_\_. The number of said owners who signed the petition is \_\_\_\_\_, a majority.
- \* The total number of lineal feet of frontage on the street to be improved that is owned by person who resides on that street is \_\_\_\_\_. The number of said lineal feet of frontage owned by persons who signed the petition is \_\_\_\_\_, a majority.
- \*\* The total number of owners of property abutting the above named street or part thereof is \_\_\_\_\_. The number of said owners who signed the petition is \_\_\_\_\_, a majority.
- \*\* The total number of lineal feet of frontage on the street to be improved is \_\_\_\_\_. The number of said lineal feet of frontage owned by persons who signed the petition is \_\_\_\_\_, a majority.
- \* Petitions under Special Legislation
- \*\* Petitions under General Law

The persons referred to above as owners are those persons who have listed the respective properties for ad valorem taxation according to the most recent records available from Orange County.

I find that the petition is in all respects sufficient and meets all the requirements of law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Carrboro, North Carolina, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Town Clerk

**FORM #3**

The following resolution was introduced by Alderman \_\_\_\_\_ and duly seconded by Alderman \_\_\_\_\_

**PRELIMINARY RESOLUTION STATING THE BOARD'S INTENT  
TO CONSIDER UNDERTAKING A  
(STREET PAVING, SIDEWALKS IMPROVEMENT, ETC.)  
PROJECT FINANCED IN PART BY SPECIAL ASSESSMENT**

Include here appropriate WHEREAS clauses setting forth the background leading up to this resolution. Several examples follow:

Example 1. Street improvements upon a petition.

WHEREAS, the Town has received a petition requesting that \_\_\_\_\_ Street between \_\_\_\_\_ and \_\_\_\_\_ be improved in the following manner: \_\_\_\_\_ and;

WHEREAS, the Town Clerk has certified to this Board that said petition is sufficient in all respects, the same having been duly signed by [at least a majority in number of the owners of property abutting the street to be improved who reside on that street, who own at least a majority of the lineal feet of frontage on the street to be improved that is owned by persons who reside on that street; or at least a majority in number of the owners of property abutting the street to be improved, who own at least a majority of the lineal feet of frontage on the street to be improved.

Example 2. Street improvements without a petition.

WHEREAS, the Town has received a request or is otherwise considering a proposal to make the following improvements to \_\_\_\_\_ Street between \_\_\_\_\_ and \_\_\_\_\_: (here list improvements); and

WHEREAS, the above-described street, or portion thereof, is [an unpaved street that connects to paved streets] [an unpaved extension of a street that is partially paved], and Section 5-1 of the Town Charter authorizes such improvements to be constructed pursuant to a special assessment procedure without a petition of adjoining owners.

Example 3. Sidewalk improvements without a petition.

WHEREAS, the Town has received a request or is otherwise considering a proposal to make the following sidewalk improvements to \_\_\_\_\_ Street between \_\_\_\_\_ and \_\_\_\_\_: (here list improvements); and

WHEREAS, Section 5-2 of the Town Charter authorizes such improvements to be constructed pursuant to a special assessment procedure without a petition of adjoining property owners;

NOW THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board hereby expressed its intent to (here described proposed project including nature and location thereto);

Section 2. Fifty (50%) percent of the total cost of this improvement (not including the costs of paving at street intersections) shall be assessed against properties that abut the \_\_\_\_\_ improvements at an equal rate per foot of frontage. However, when a project is undertaken along two (2) sides of a corner lot, seventy-five percent (75%) of the frontage of the shorter side of such lot, up to a maximum of one hundred twenty-five (125), shall be exempt from assessment.

Section 3. The owners of property assessed shall, within thirty (30) days after publication of the notice that the assessment roll has been confirmed, pay the full amount of the assessment in cash, notify the Town of their election to pay the assessed amount in five (5) annual installments with interest at the rate of eight (8%) percent on the unpaid principal amount, **or notify the Town of their election to use an alternative repayment plan to be designed by the Town in consultation with the property owner.**

If payment on an annual installment basis is chosen, the first installment with interest shall become due and payable on the date when property taxes are due and payable (September 1), and one subsequent installment and interest shall be due and payable on the same date in each succeeding year until the assessment is paid in full. **If an alternative repayment plan is chosen, the Town Manager or the Manager's designee shall establish the terms of the plan, and the first installment, with interest, shall become due and payable in accordance to the amortization schedule provided by the Town. The alternative repayment plan will not exceed more than forty-eight (48) installment payments with an annual interest rate of eight (8%) percent on the unpaid principal balance.** Further, the Town Manager or the Manager's designee is authorized to waive the automatic acceleration of delinquent payments.

Should the owner become delinquent with repayment, the Town shall pursue the collection of the funds.

Section 4. A public hearing on all matters covered by this resolution shall be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_ p.m. in the Carrboro Town Hall, 301 West Main Street, Carrboro, North Carolina.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

AYES:

NOES:

ABSENT OR EXCUSED:

**FORM # 4**

**NOTICE OF PRELIMINARY ASSESSMENT RESOLUTION  
AND HEARING THEREON**

The public will take notice that a preliminary assessment resolution pertaining to the proposed [street, sidewalk, etc.] improvements project on \_\_\_\_\_ Street between \_\_\_\_\_ and \_\_\_\_\_ was adopted by the Board of Aldermen of the Town of Carrboro, North Carolina on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The nature of the improvements is [standard street paving, sidewalks, curb and gutter, etc. ].

The Board of Aldermen will hold a public hearing at \_\_\_\_\_ p.m. at the Town Hall, 301 West Main Street, in the Town of Carrboro, North Carolina on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ for the purpose of hearing all interested persons who appear with respect to any matter covered by the preliminary resolution.

FORM # 5

**CERTIFICATE SHOWING THAT PRELIMINARY RESOLUTIONS  
WERE MAILED TO OWNERS OF ALL PROPERTY SUBJECT TO ASSESSMENT**

**TO THE HONORABLE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:**

I, \_\_\_\_\_, Town Clerk of the Town of Carrboro, North Carolina, do hereby certify that copies of the preliminary assessment resolution adopted on the day of \_\_\_\_\_, 20\_\_ pertaining to the proposed improvement project on \_\_\_\_\_ Street between \_\_\_\_\_ Street and \_\_\_\_\_ Street, were mailed by first class mail on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, to the owners of all property subject to assessment as shown on the most recent records on file in the Orange County property tax office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Carrboro, North Carolina, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Town Clerk

**FORM #6**

The foregoing resolution was introduced by Alderman \_\_\_\_\_ and duly seconded by Alderman \_\_\_\_\_.

**A RESOLUTION DIRECTING THAT THE \_\_\_\_\_ STREET IMPROVEMENT PROJECT BE UNDERTAKEN**

WHEREAS, [include here WHEREAS clauses similar to those in the preliminary assessment resolution] ; and

WHEREAS, a preliminary assessment resolution has been adopted by the Board and a public hearing duly held thereon;

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The manager shall proceed with the following \_\_\_\_\_ improvement project as provided by law: [here describe the nature and location of improvements].

Section 2. Fifty (50%) percent of the total cost of this improvement (not including the costs of paving at street intersections) shall be assessed against the properties that abut the \_\_\_\_\_ improvements at an equal rate per foot of frontage. However, when a project is undertaken along two (2) sides of a corner lot, 75% of the frontage of the shorter side of such lot, up to a maximum of one hundred twenty-five (125) feet, shall be exempt from assessment.

Section 3. The owners of property assessed shall, within thirty (30) days after publication of the notice that the assessment roll has been confirmed, pay the full amount of the assessment in cash, notify the Town of their election to pay the assessed amount in five (5) annual installments with interest at the rate of eight (8%) percent on the unpaid principal amount, or notify the Town of their election to use an alternative repayment plan to be designed by the Town in consultation with the property owner.

If payment on an annual installment basis is chosen, the first installment with interest shall become due and payable on the date when property taxes are due and payable (September 1), and one subsequent installment and interest shall be due and payable on the same date in each succeeding year until the assessment is paid in full. If an alternative repayment plan is chosen, the Town Manager or the Manager's designee shall establish the terms of the plan, and the first installment, with interest, shall become due and payable in accordance to the amortization schedule provided by the Town. The alternative repayment plan will not exceed more than forty-eight (48) installment payments with an annual interest rate of eight (8%) percent on the unpaid principal balance. Further, the Town Manager or the Manager's designee is authorized to waive the automatic acceleration of delinquent payments.

Should the owner become delinquent with repayment, the Town shall pursue the collection of the funds. The foregoing resolution having been submitted to a vote received the following vote was duly adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

AYES:  
NOES:  
ABSENT OR EXCUSED:

**FORM # 7**

The following resolution was introduced by Alderman \_\_\_\_\_ and duly seconded by Alderman \_\_\_\_\_.

**A RESOLUTION DECLARING THE COST OF THE \_\_\_\_\_ IMPROVEMENT PROJECT, ORDERING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL, AND SETTING A PUBLIC HEARING ON SUCH ASSESSMENT ROLL**

[Include appropriate WHEREAS clauses in addition to the one that follows, setting forth background; see Forms #3 and #6.]

WHEREAS, this Board adopted a resolution on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ directing that this project be undertaken, and the project has been completed in accordance with that resolution;

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The cost of the above described improvement, exclusive of so much of the total cost as was incurred at street intersections, has been computed and is hereby declared to be \$ \_\_\_\_\_.

Section 2. The Town Clerk is hereby directed to prepare a preliminary assessment roll in accordance with G.S. 160A-227, showing the individual assessments upon properties benefited by the improvement. The assessment roll shall be made available for public inspection in the Town Clerk's office at least ten (10) days before the date of the public hearing set forth below and shall remain so available until after the public hearing.

Section 3. The Board of Aldermen will hold a public hearing on the preliminary assessment roll on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at p.m. in the Town Hall, Carrboro, North Carolina for the purpose of hearing all interested persons who appear.

Section 4. A notice of the completion of the preliminary assessment roll, setting forth in general terms a description of the project, noting the availability of the assessment roll in the Town Clerk's office and stating the time and place for a hearing on such assessment roll shall be published by the Town Clerk in the local newspaper at least ten (10) days before the date set for the public hearing.

Section 5. Not later than ten (10) days before the date set for the public hearing, the Town Clerk shall also send by first class mail a notice of the public hearing on the preliminary assessment resolution to the property owners listed on such resolution. The notice shall state the date, time, and place of the hearing, not the availability of the preliminary assessment resolution for inspection in the Town Clerk's office, and state the amount of the assessment against the property of the owner as shown on such assessment roll. The Town Clerk shall file with the Board of Aldermen a certificate stating that the notices were mailed in accordance with this section.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

AYES:  
NOES:  
ABSENT OR EXCUSED:

**FORM #8**

(PRELIMINARY/FINAL ASSESSMENT ROLL)

Project Description:

[Attach map of the assessment area that shows each assessed property.]

Basis for Assessment:

Frontage abutting on the project at an equal rate per foot of frontage except that, to the extent the above-described was undertaken along two sides of a corner lot, 75% of the frontage of the shorter side of such lot, up to a maximum of 125 feet, is exempt from assessment.

Terms of Payment for Assessment(s):

The owners of property assessed shall, within thirty (30) days after publication of the notice that the assessment roll has been confirmed, pay the full amount of the assessment in cash, notify the Town of their election to pay the assessed amount in five (5) annual installments with interest at the rate of eight (8%) percent on the unpaid principal amount, or notify the Town of their election to use an alternative repayment plan to be designed by the Town in consultation with the property owner. If payment on an annual installment basis is chosen, the first installment shall become due and payable on the date when property taxes are due and payable (September 1), and one subsequent installment and interest shall be due and payable on the same date in each succeeding year until the assessment is paid in full. If an alternative repayment plan is chosen, the Town Manager or the Manager's designee shall establish the terms of the plan, and the first installment, with interest, shall become due and payable in accordance to the amortization schedule provided by the Town. The alternative repayment plan will not exceed more than forty-eight (48) installment payments with an annual interest rate of eight (8%) percent on the unpaid principal balance. Further, the Town Manager or the Manager's designee is authorized to waive the automatic acceleration of delinquent payments. Should the owner become delinquent with repayment, the Town shall pursue the collection of the funds. For more information, contact the Town Finance Officer.

\*\*\*\*\*

Name & Mailing Address of Lot Owners	Lot Identification Tax Map Block Lot	Total Front Footage Assessed	Assessment Based on \$ _____ Per Foot
_____	___ ___ ___	_____	\$ _____
_____	___ ___ ___	_____	\$ _____
_____	___ ___ ___	_____	\$ _____

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**FORM # 9**

**NOTICE OF COMPLETION OF PRELIMINARY ASSESSMENT ROLL  
AND OF PUBLIC HEARING THEREON**

(To be published in newspaper at least ten (10) days before date of public hearing).

The public will take notice that the improvement project on \_\_\_\_\_ Street between \_\_\_\_\_ Street and \_\_\_\_\_ Street has been completed. This improvement consisted of: \_\_\_\_\_ (describe briefly). The Town Clerk has prepared a preliminary assessment roll for this project and this assessment roll will be available for public inspection in the office of the Town Clerk until the date of the public hearing set forth below.

The Carrboro Board of Aldermen will hold a public hearing on the day of \_\_\_\_\_, 20\_\_ at \_\_\_\_p.m. in the Town Hall, Carrboro, North Carolina, for the purpose of hearing objections to the preliminary assessment roll from all interested persons who appear.

**FORM #10**

TO: (Name and Address of Property Owner as shown on Preliminary Assessment Roll)

**NOTICE OF COMPLETION OF PRELIMINARY ASSESSMENT ROLL AND OF  
PUBLIC HEARING THEREON**

(To be sent to all persons whose names appear on the preliminary assessment roll.)

Please take notice that the improvement project on \_\_\_\_\_ Street between \_\_\_\_\_ Street and \_\_\_\_\_ Street has been completed. This improvement consisted of: \_\_\_\_\_ (describe improvement briefly)

This project was undertaken pursuant to a resolution adopted by the Carrboro Board of Aldermen on the day of \_\_\_\_\_, 20\_\_\_\_, following a public hearing of which all affected property owners were notified in writing.

The Board of Aldermen has ascertained and determined the cost of this project and has directed the Town Clerk to prepare a preliminary assessment roll showing each individual property owner's proportionate share of the cost of this improvement. This assessment roll has been completed and will be available for public inspection in the office of the Town Clerk until the date of the public hearing set forth. The amount of the assessment applicable to your property, as shown on the assessment roll, is indicated below.

The Carrboro Board of Aldermen will hold a public hearing on the day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ p.m. in the Town Hall, Carrboro, North Carolina for the purpose of hearing comments on or objections to the preliminary assessment roll from all interested person who appear.

Description of Lot				Total Front Footage Assessed		Assessment (based on \$ per foot)



**FORM #11**

**CERTIFICATE SHOWING NOTICES OF THE HEARING ON  
PRELIMINARY ASSESSMENT ROLL WERE MAILED TO OWNERS OF  
PROPERTY SHOWN ON THE ROLL**

**TO: THE HONORABLE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF  
CARRBORO:**

I, \_\_\_\_\_, Town Clerk of the Town of Carrboro, North Carolina, do hereby certify that notices of the preliminary assessment roll and a hearing thereon with respect to the \_\_\_\_\_ improvement project on \_\_\_\_\_ Street between \_\_\_\_\_ Street and \_\_\_\_\_ Street, were mailed by first class mail on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, to the owners of the property shown on the preliminary assessment roll.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Carrboro, North Carolina, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

**FORM #12**

The following resolution was introduced by Alderman \_\_\_\_\_ and duly seconded by Alderman \_\_\_\_\_.

**A RESOLUTION CONFIRMING THE ASSESSMENT ROLL AND LEVYING ASSESSMENTS WITH RESPECT TO THE \_\_\_\_\_ STREET IMPROVEMENT PROJECT**

WHEREAS, the Board of Aldermen of the Town of Carrboro has on this day held a public hearing, after due notice as required by law, on the assessment roll for the improvement project on \_\_\_\_\_ Street between \_\_\_\_\_ Street and \_\_\_\_\_ Street; and

WHEREAS, the Board of Aldermen has heard all those present who requested to be heard, and has found the said assessment roll to be proper and correct;

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The assessment roll for the \_\_\_\_\_ improvement project on \_\_\_\_\_ Street between \_\_\_\_\_ Street and \_\_\_\_\_ Street, in the Town of Carrboro, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with G.S. 160A-228.

Section 2. The Board of Aldermen does hereby levy assessments as contained in the final assessment roll dated \_\_\_\_\_ (a copy of which is attached to and incorporated into this resolution), in the sum total of \$ \_\_\_\_\_.

Section 3. The Town Clerk is hereby directed to deliver the final assessment roll to the Town Finance Officer.

Section 4. The Town Finance Officer is hereby charged with the collection of the said assessments in accordance with the procedures established by G.S. 160A-232 and 233.

Section 5. After the expiration of twenty (20) days from the date of adoption of this resolution the Town Clerk shall publish a notice that the assessment has been confirmed and that such assessment must either be paid (without interest) within thirty (30) days after the date the notice is published. Alternatively, if a property owner so chooses and notifies the Town Finance Officer in writing within the thirty (30) day deadline, an assessment may be paid in five (5) annual installments with interest at the rate of eight (8) percent on the outstanding principal balance or an assessment may be repaid according to an alternative payment designed by the Town in consultation with the property owner. If an alternative repayment plan is chosen, the Town Manager or the Manager's designee shall establish the terms of the plan, and the first installment, with interest, shall become due and payable in accordance to the amortization schedule provided by the Town. The alternative repayment plan will not exceed more than forty-eight (48) installment payments with an annual interest rate of eight (8%) percent on the unpaid principal balance. Further, the Town Manager or the Manager's designee is authorized to waive the automatic acceleration of delinquent payments. Should the owner become delinquent with repayment, the Town shall pursue the collection of the funds.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_ p.m.

AYES:

NOES:

ABSENT OR EXCUSED:

FORM #13

**NOTICE OF CONFIRMATION OF ASSESSMENT ROLL  
AND LEVYING OF ASSESSMENTS**

The Public will take notice that the Assessment Roll for the \_\_\_\_\_ improvement project on \_\_\_\_\_ Street and \_\_\_\_\_ Street was duly confirmed by the Board of Aldermen of the Town of Carrboro, and the assessments set forth therein duly levied, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_ p.m.

Any assessment contained in said assessment roll must either be paid in full (without interest) on or before the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, or, if the property owner so chooses and notifies the Town Finance Officer in writing on or before the \_\_ day of \_\_\_\_\_, 20\_\_ that they wish to pay **via the installment method or via an alternative payment plan.**

If the installment method is used, an assessment may be paid in five (5) annual installments with interest at eight (8) percent per annum on the principal balance. The first installment shall be due on September 1, 200\_\_, and the remaining installments shall become due on the same date in each succeeding year until the assessment is paid in full.

**If an alternative repayment plan is chosen, the Town Manager or the Manager's designee shall establish the terms of the plan, in consultation with the property owner, and the first installment, with interest, shall become due and payable in accordance to the amortization schedule provided by the Town. The alternative repayment plan will not exceed more than forty-eight (48) installment payments with an annual interest rate of eight (8%) percent on the unpaid principal balance.**

Further, the Town Manager or the Manager's designee is authorized to waive the automatic acceleration of delinquent payments. Should the owner become delinquent with repayment, the Town shall pursue the collection of the funds. For more information, contact the Town Finance Officer.

**FORM #14**  
(To be printed on letterhead)

(Names and Addresses from Assessment Roll)

Dear

On \_\_\_\_\_, the Board of Aldermen of the Town of Carrboro confirmed the assessment roll and levied assessments for the \_\_\_\_\_ improvement project on \_\_\_\_\_ Street.

Below are the total of your assessment and three (3) options for payment of the assessment. Please choose one (1) of the three (3) options and respond no later than \_\_\_\_\_ either by submitting full payment or by indicating your intention to pay the assessment by installment method.

\_\_\_\_\_  
Town Finance Officer

(Please tear off the lower half of this notice and return to the Town Finance Officer)

TOTAL AMOUNT OF ASSESSMENT <b>IF</b> PAID BY		\$		
PROPERTY DESCRIPTION		Map	Block	Lot
TOTAL FRONT FOOTAGE:		\$	PER FOOT	

Option 1. Cash Method: Payment in full (without interest) due on or before \_\_\_\_\_\*  
(Enclose Payment)

Option 2. Annual Installment Method:  
Five (5) annual installments.

- First installment of \$ \_\_\_\_\_ plus interest at an annual rate of 8% from \_\_\_\_\_ until September 1, 20 \_\_ shall be due and payable September 1, 20\_ ; and

- One subsequent installment of \$ \_\_\_\_\_ plus interest at an annual rate of 8% on the entire remaining principal balance shall be due and payable on September 1 in each of the four (4) successive years.

Option 3. Alternative Installment Method:

- A payment plan will be established by the Town, in consultation with you, and may require either semi-annually, quarterly or monthly payments. The repayment plan may not exceed more than forty-eight (48) monthly installment payments at the rate of 8% on the unpaid principal balance.

- Please contact the Town Finance Officer at 919-918-7300 to make payment. The first installment with interest shall become due and payable accordance to the amortization schedule provided by the Town.

Should the you become delinquent with repayment, the Town shall pursue collection of the funds. For more information, contact the Town Finance Officer.

of the town manager, any police officer, or the town administrative official or employee in charge of such land.

**Section 4-3. Specifically Authorized Statutory Trust Funds.** Notwithstanding any other provisions of law, the board of aldermen may by resolution abolish any trust fund specifically authorized by statute to be created by a city that the board of aldermen has established. Notwithstanding the temporary or perpetual nature of a trust fund abolished under this section, any funds (including principal and interest) previously held in the trust fund so abolished may thereafter be appropriated by the board of aldermen only for the purpose or purposes for which the trust fund was established. [Added by S.L. 2002, Ch. 48]

## **Article 5. Special Assessments**

### **Section 5-1. Street improvements Special Assessments.**

- (a) Under the circumstances specified in subsection (b), the board of aldermen may levy special assessments for street and sidewalk improvements without regard for the petition requirements of G.S. 160A-217. However, except as modified expressly or by necessary implication by this section, all of the other provisions of Article 10 of Chapter 160A (including the preliminary resolution notice and hearing requirements) shall be applicable to assessments made without a petition.
- (b) The board of aldermen may exercise the authority granted in subsection (a) with respect to the following types of streets located within the town:
  - (1) Unpaved streets that connect two paved streets;
  - (2) Unpaved extensions of streets that are partially paved; and
  - (3) Unpaved streets where the board receives a petition for the improvements signed by at least a majority in number of the owners of the property to be assessed who reside on that street, who must represent at least a majority of all the lineal feet of frontage on the street to be improved that is owned by persons who reside on that street.
- (c) Whenever the authority granted in subsection (a) is used, the board of aldermen shall assess to abutting property owners the same percentage of the cost of the project that, by formally adopted town policy, would be assessed if the project were undertaken pursuant to the procedures set forth in G.S. 160A-217.

### **Section 5-2. Sidewalk Improvements Assessment in Business Areas.**

- (a) With respect to the streets specified in subsection (b), the board of aldermen may levy special assessments for sidewalk improvements without regard for the petition requirements of G.S. 160A-217. However, except as modified expressly or by necessary implication by this section, all of the other provisions of Article

**§ 160A-217. Petition for street or sidewalk improvements.**

(a) A city shall have no power to levy special assessments for ~~street or sidewalk~~ improvements unless it receives a petition for the improvements signed by at least a majority in number of the owners of property to be assessed, who must represent at least a majority of all the lineal feet of frontage of the lands abutting on the street or portion thereof to be improved. Unless the petition specifies another percentage, not more than fifty percent (50%) of the cost of the improvement may be assessed (not including the cost of improvements made at street intersections).

(b) Property owned by the United States shall not be included in determining the lineal feet of frontage on the improvement, nor shall the United States be included in determining the number of owners of property abutting the improvement. Property owned by the State of North Carolina shall be included in determining frontage and the number of owners only if the State has consented to assessment in the manner provided in G.S. 160A-221. Property owned by railroad companies shall be included in determining frontage and the number of owners to the extent that the property is subject to assessment under G.S. 160A-222. Property owned by railroad companies that is not subject to assessment shall not be included in determining frontage and the number of owners. If it is necessary to exclude property owned by the United States, the State of North Carolina, or a railroad company in order to obtain a valid petition under subsection (a), not more than fifty percent (50%) of the cost (not including the cost of improvement at street intersections) may be assessed unless all of the owners subject to assessment agree to a higher percentage.

(c) No right of action or defense asserting the invalidity of street or sidewalk assessments on grounds that the city did not comply with this section in securing a valid petition shall be asserted except in an action or proceeding begun within 90 days after publication of the notice of adoption of the preliminary assessment resolution. (1915, c. 56, ss. 4, 5; C.S., ss. 2706, 2707; 1955, c. 675; 1963, c. 1000, s. 1; 1971, c. 698, s. 1; 1973, c. 426, s. 33.)

**§ 160A-217. Petition for street or sidewalk improvements.**

(a) A city shall have no power to levy special assessments for street or sidewalk improvements unless it receives a petition for the improvements signed by at least a majority in number of the owners of property to be assessed, who must represent at least a majority of all the lineal feet of frontage of the lands abutting on the street or portion thereof to be improved. Unless the petition specifies another percentage, not more than fifty percent (50%) of the cost of the improvement may be assessed (not including the cost of improvements made at street intersections).

(b) Property owned by the United States shall not be included in determining the lineal feet of frontage on the improvement, nor shall the United States be included in determining the number of owners of property abutting the improvement. Property owned by the State of North Carolina shall be included in determining frontage and the number of owners only if the State has consented to assessment in the manner provided in G.S. 160A-221. Property owned by railroad companies shall be included in determining frontage and the number of owners to the extent that the property is subject to assessment under G.S. 160A-222. Property owned by railroad companies that is not subject to assessment shall not be included in determining frontage and the number of owners. If it is necessary to exclude property owned by the United States, the State of North Carolina, or a railroad company in order to obtain a valid petition under subsection (a), not more than fifty percent (50%) of the cost (not including the cost of improvement at street intersections) may be assessed unless all of the owners subject to assessment agree to a higher percentage.

(c) No right of action or defense asserting the invalidity of street or sidewalk assessments on grounds that the city did not comply with this section in securing a valid petition shall be asserted except in an action or proceeding begun within 90 days after publication of the notice of adoption of the preliminary assessment resolution. (1915, c. 56, ss. 4, 5; C.S., ss. 2706, 2707; 1955, c. 675; 1963, c. 1000, s. 1; 1971, c. 698, s. 1; 1973, c. 426, s. 33.)

Street Name	Centerline Length (Ft)	Existing Width (Ft)	Pave Only Construction Cost	25% Engineering	25% Contingency	Total Project Cost	Total Project Cost/ft
B. St	160	22	\$18,704	\$4,676	\$4,676	\$28,055	\$175
Bert St	471	15	\$30,776	\$7,694	\$7,694	\$46,163	\$98
Bike Alley	133	24	\$17,656	\$4,414	\$4,414	\$26,484	\$199
Broad St	502	13	\$56,213	\$14,053	\$14,053	\$84,319	\$168
Colson St	463	16	\$31,803	\$7,951	\$7,951	\$47,705	\$103
Deer St	1068	16	\$64,540	\$16,135	\$16,135	\$96,811	\$91
*Dillard Rd	754	16	\$63,236	\$15,809	\$15,809	\$94,854	\$126
Dove St	451	20	\$37,187	\$9,297	\$9,297	\$55,780	\$124
*Goldston Ave	429	13	\$46,356	\$11,589	\$11,589	\$69,535	\$162
*Hilcrest Ave	626	16	\$64,368	\$16,092	\$16,092	\$96,552	\$154
Hosiery St	97	23	\$14,191	\$3,548	\$3,548	\$21,286	\$219
Hunter Pl	220	17	\$21,263	\$5,316	\$5,316	\$31,894	\$145
Laughing Bird Ln	324	13	\$30,674	\$7,668	\$7,668	\$46,010	\$142
Old Cemetery Rd	228	15	\$21,305	\$5,326	\$5,326	\$31,957	\$140
Nevile Dr	313	16	\$23,796	\$5,949	\$5,949	\$35,694	\$114
Parker St	284	15	\$22,173	\$5,543	\$5,543	\$33,259	\$117
*Rainbow Dr	825	19	\$72,706	\$18,177	\$18,177	\$109,059	\$132
Roberts St	357	16	\$26,192	\$6,548	\$6,548	\$39,288	\$110
*Watters Rd	745	17	\$76,372	\$19,093	\$19,093	\$114,558	\$154
<b>Total Length</b>	<b>8450</b>		<b>\$739,510</b>		<b>Total Cost</b>	<b>\$1,109,265</b>	

\*Local Streets - Paved to 20' width. All other streets are classified as minor and would be paved to 18' width.

Street Name	Centerline Length (Ft)	Existing Width (Ft)	Curb,Sidewalk, Stormwater	Paving Cost Only	25% Engineering	25% Contingency	Total Project Cost	Total Project Cost/ft
B. St	160	22	\$42,981	\$18,704	\$15,421	\$15,421	\$92,528	\$578
Bert St	471	15	\$159,044	\$30,776	\$47,455	\$47,455	\$284,730	\$605
Bike Alley	133	24	\$26,074	\$17,656	\$10,933	\$10,933	\$65,596	\$493
Broad St	502	13	\$149,601	\$56,213	\$51,453	\$51,453	\$308,720	\$615
Colson St	463	16	\$149,686	\$31,803	\$45,372	\$45,372	\$272,234	\$588
Deer St	1068	16	\$329,284	\$64,540	\$98,456	\$98,456	\$590,735	\$553
*Dillard Rd	754	16	\$337,716	\$63,236	\$100,238	\$100,238	\$601,428	\$798
Dove St	451	20	\$219,177	\$37,187	\$64,091	\$64,091	\$384,546	\$853
*Goldston Ave	429	13	\$177,586	\$46,356	\$55,985	\$55,985	\$335,913	\$783
*Hilcrest Ave	626	16	\$162,024	\$64,368	\$56,598	\$56,598	\$339,587	\$542
Hosiery St	97	23	\$43,906	\$14,191	\$14,524	\$14,524	\$87,145	\$898
Hunter Pl	220	17	\$83,979	\$21,263	\$26,310	\$26,310	\$157,862	\$718
Laughing Bird Ln	324	13	\$157,747	\$30,674	\$47,105	\$47,105	\$282,632	\$872
Nevile Dr	313	16	\$116,333	\$23,796	\$35,032	\$35,032	\$210,193	\$672
Parker St	284	15	\$114,952	\$22,173	\$34,281	\$34,281	\$205,687	\$724
*Rainbow Dr	825	19	\$338,961	\$72,706	\$102,917	\$102,917	\$617,501	\$748
Roberts St	357	16	\$171,609	\$26,192	\$49,450	\$49,450	\$296,702	\$831
*Watters Rd	745	17	\$252,278	\$76,372	\$82,163	\$82,163	\$492,975	\$662
<b>Total Length</b>	<b>8222</b>		<b>\$3,032,937</b>	<b>\$718,206</b>	<b>\$937,786</b>	<b>\$937,786</b>	<b>\$5,626,714</b>	

\*Local Streets - Paved to 20' width. All other streets are classified as minor and would be paved to 18' width.





# Town of Carrboro

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

## Agenda Item Abstract

**File Number: 19-66**

**Agenda Date:** 2/12/2019

**File Type:** Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Update on the Greene Tract - Resolution Approving Modifications to the 60-Acre Portion in County Ownership and Conceptual Plan for the 104 Acre Portion in Joint Ownership

**PURPOSE:** The purpose of this agenda item is to consider adoption of a resolution regarding the Greene Tract and reconfiguration of the Headwaters Preserve in follow-up to the January 29<sup>th</sup> Assembly of Governments meeting, as well as approval of a conceptual plan for the property.

**DEPARTMENT:** Planning Department

**CONTACT INFORMATION:** Martin Roupe - 919-918-7333; [mroupe@townofcarrboro.org](mailto:mroupe@townofcarrboro.org), and Patricia McGuire - 919-918-7327, [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org) <<mailto:pmcguire@townofcarrboro.org>>;

**INFORMATION:** During the January 29, 2019 Assembly of Governments meeting, a resolution was presented updating the resolution adopted in 2002 for the Greene Tract property, jointly owned by Carrboro, Chapel Hill, and Orange County. Elected officials expressed support for the updated resolution and conceptual plan for future uses of the property. Agenda materials from the 1/29/19 meeting may be viewed at the following link:

<[https://www.orangecountync.gov/AgendaCenter/ViewFile/Agenda/\\_01292019-803](https://www.orangecountync.gov/AgendaCenter/ViewFile/Agenda/_01292019-803)>

Staff is seeking approval of the attached resolution and conceptual plan for the property by Carrboro, Chapel Hill, and Orange County at this time, in order to move forward with necessary steps to recombine the properties as discussed during the 1/29/19 AOG meeting. Further discussion of uses of the property will occur at a later date as referenced below. The Orange County Board of Commissioners will consider this matter on February 19, 2019 and the Chapel Hill Town Council will consider the matter on February 20, 2019.

Following adoption of the 2019 Greene Tract Resolution and Conceptual Plan by all parties, next steps and a preliminary schedule include:

**-Commence survey work for recombination - Spring 2019.** In order to modify the existing Headwaters Preserve area, a recombination survey will need to be completed illustrating the new parcel lines of the Headwaters Preserve (County owned) and the Jointly Owned area. This survey will be reviewed as a recombination plat by the Chapel Hill Planning Department. Funding for this work will be requested through an Interlocal Agreement similar to Rogers Road community and sewer planning.

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**Agenda Date:** 2/12/2019

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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***-Initiate process to determine development and preservation goals - Summer 2019.*** As described in previous agenda materials, some initial discussions have occurred among the Carrboro Board of Aldermen, Chapel Hill Town Council, and Orange County Board of Commissioners regarding land use, density, and affordable housing options for the Greene Tract. Agenda materials from the Board of Aldermen's last discussion of this topic in June 2018 may be viewed at the following link:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3524263&GUID=5A5C9040-C243-4557-B963-1661C84C19A8&Options=&Search>

Development and preservation options for the Greene Tract will be further evaluated and discussed to determine goals regarding development types, land uses, preservation, density, and affordable housing. This phase will include community outreach and engagement. Presentation to elected officials is expected to occur in Fall 2019.

***-Commence implementation strategy - Fall 2019.*** Staff will also be seeking general direction on how to achieve goals using land use and development mechanisms such as Master Planned Developments, developer agreements, as well as a process to gauge interest in a public private partnership to develop mixed income neighborhoods. Presentation to elected officials is expected to occur in Winter 2019.

**FISCAL & STAFF IMPACT:** None noted in relation to consideration or action on the attached resolution.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider adoption of the resolution.

**RESOLUTION**

**A RESOLUTION APPROVING MODIFICATIONS TO THE 60 ACRE PORTION OF THE GREENE TRACT IN COUNTY OWNERSHIP AND CONCEPTUAL PLAN FOR THE 104 ACRE PORTION IN JOINT OWNERSHIP**

**WHEREAS**, Orange County and the Towns of Carrboro and Chapel Hill jointly acquired the property (104 acres) known as the Greene Tract in 1984 which was purchased from the joint solid waste management system; and

**WHEREAS**, title to 60 acres (also known as Headwaters Preserve) of this property was deeded exclusively to the Orange County Solid Waste Enterprise Fund in 2000 under provisions of the 1999 Interlocal Agreement for Solid Waste Management and was purchased by Orange County via reimbursement to the Solid Waste Enterprise Fund in 2016; and

**WHEREAS**, Orange County and the Towns of Carrboro and Chapel Hill adopted the 2002 Resolution which called for approximately 86 acres for open space and 18 acres for affordable housing on the jointly owned land; and

**WHEREAS**, the Greene Tract is part of the Historic Rogers Road Neighborhood where the Towns of Chapel Hill and Carrboro are researching market development potential and zoning constraints to implement a planning program in the overall area; and

**WHEREAS**, over the last 16 years, various joint planning studies and collaborations with the community and school district have suggested land use and acreage needs; and

**WHEREAS**, Mayors for Carrboro and Chapel Hill and the Orange County Board of Commissioner Chair agreed to jointly pursue an update to the 2002 Resolution and have been meeting with respective management and supporting staff, as suggested by the elected officials at an Assembly of Governments meeting in 2017, to determine next steps for preservation and development of the Greene Tract, and

**WHEREAS**, analysis of the Greene Tract's past, present, and future identified the following land use needs and goals:

- Preserve valuable environmental features and corridors
- Protect historical and cultural resources
- Promote cost effective infrastructure
- Incorporate school and recreation site
- Earmark development areas for mixed income housing and mixed use potential

**WHEREAS**, the staff work group considered direction from the respective governing boards, specialized staff, housing partners, and community in developing a conceptual plan for the Greene Tract;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Aldermen:

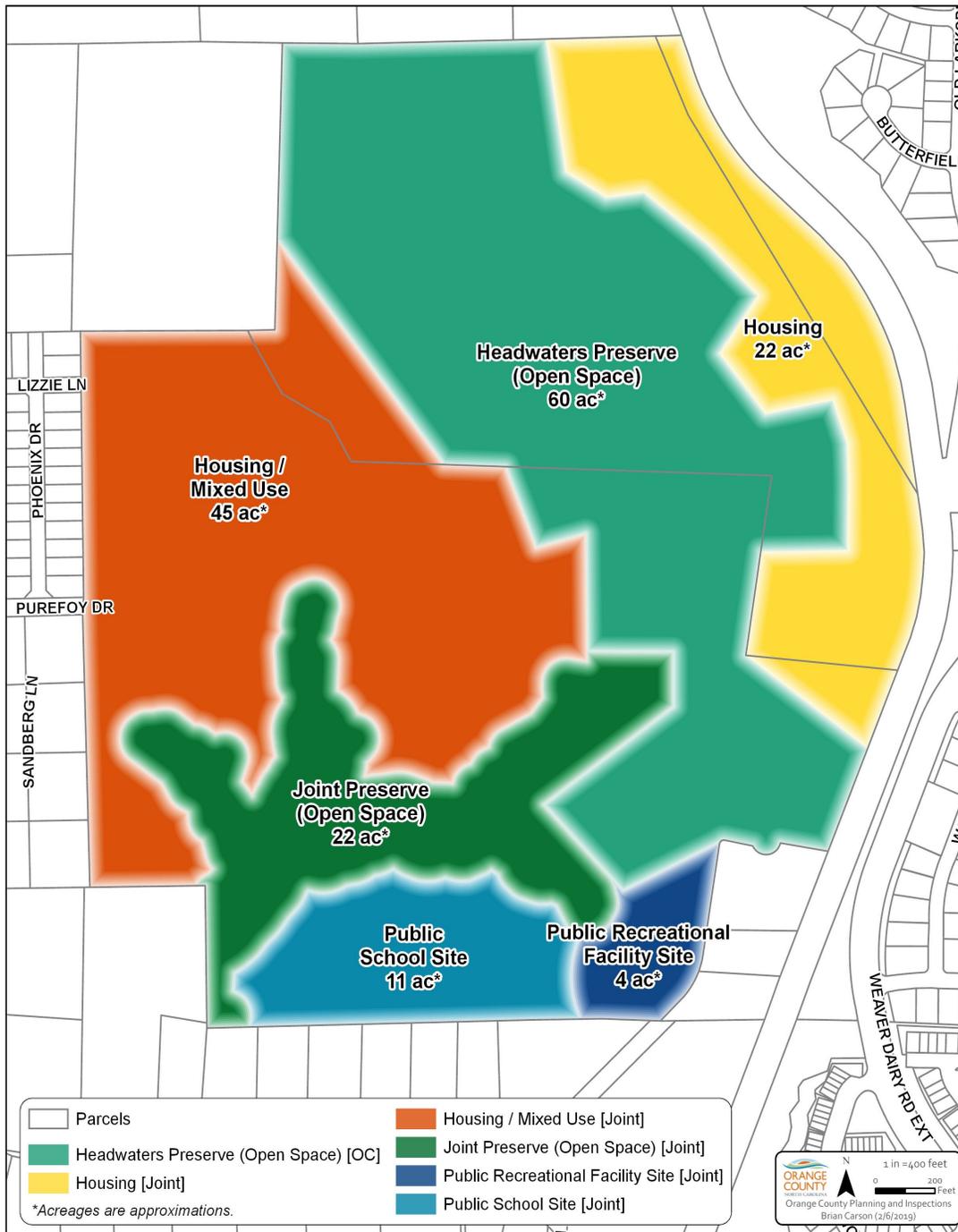
1. Approve the accompanying map to modify the existing county owned (60 acres) and joint owned (104 acres) portions of the Greene Tract as shown in Exhibit 1.

2. Approve the accompanying conceptual master plan as shown in Exhibit 1 for the joint owned portion of the Greene Tract, not deeded exclusively to Orange County, which designates the following:
  - Approximately 22 acres for joint preserve
  - Approximately 11 acres for public school site
  - Approximately 4 acres for public recreational facility site
  - Approximately 67 acres for housing/mixed use
3. Authorize the exchange of acreage from Joint owned to County owned and County owned to Joint owned commencing the recombination process as illustrated in Exhibit 2.
4. Explore protecting the areas shown on the conceptual plan as Joint Owned Preserve and Headwaters Preserve
5. Solicit input from the public and respective governing boards regarding land use and mixed income housing needs during the master plan process.

This the 12<sup>th</sup> day of February 2019.

# Greene Tract Proposed Future Land Use Map

# Proposed Land Use Definitions Attachment B



**Headwaters Preserve (County Owned):** 60 acres deeded to Orange County in 2000 under provisions of the 1999 Interlocal Agreement for Solid Waste and considered for protection by the Towns and County in the 2002 Joint Greene Tract Resolution. Would allow for infrastructure and utilities (i.e. roadway and pedestrian access, public water and sewer, stormwater facilities), as needed. Orange County Board of Commissioners may consider protecting its 60 acres of the Greene Tract by executing a conservation easement.

**Joint Preserve:** Approximately 22 acres\* designated for future preservation. Area preliminarily identified as having environmental attributes such as stream buffers, and wetlands. Would allow for infrastructure and utilities (i.e. roadway and pedestrian access, public water and sewer, stormwater facilities), as needed. Carrboro Board of Alderman, Chapel Hill Town Council, and Orange County Board of Commissioners may consider protecting the area shown on the conceptual plan as Joint Owned Preserve by executing a conservation easement.

**Public School Site:** Approximately 11 acres\* dedicated for a future school. The area shown on the conceptual plan as a School Site will remain as public jointly owned land until needed for a future school.

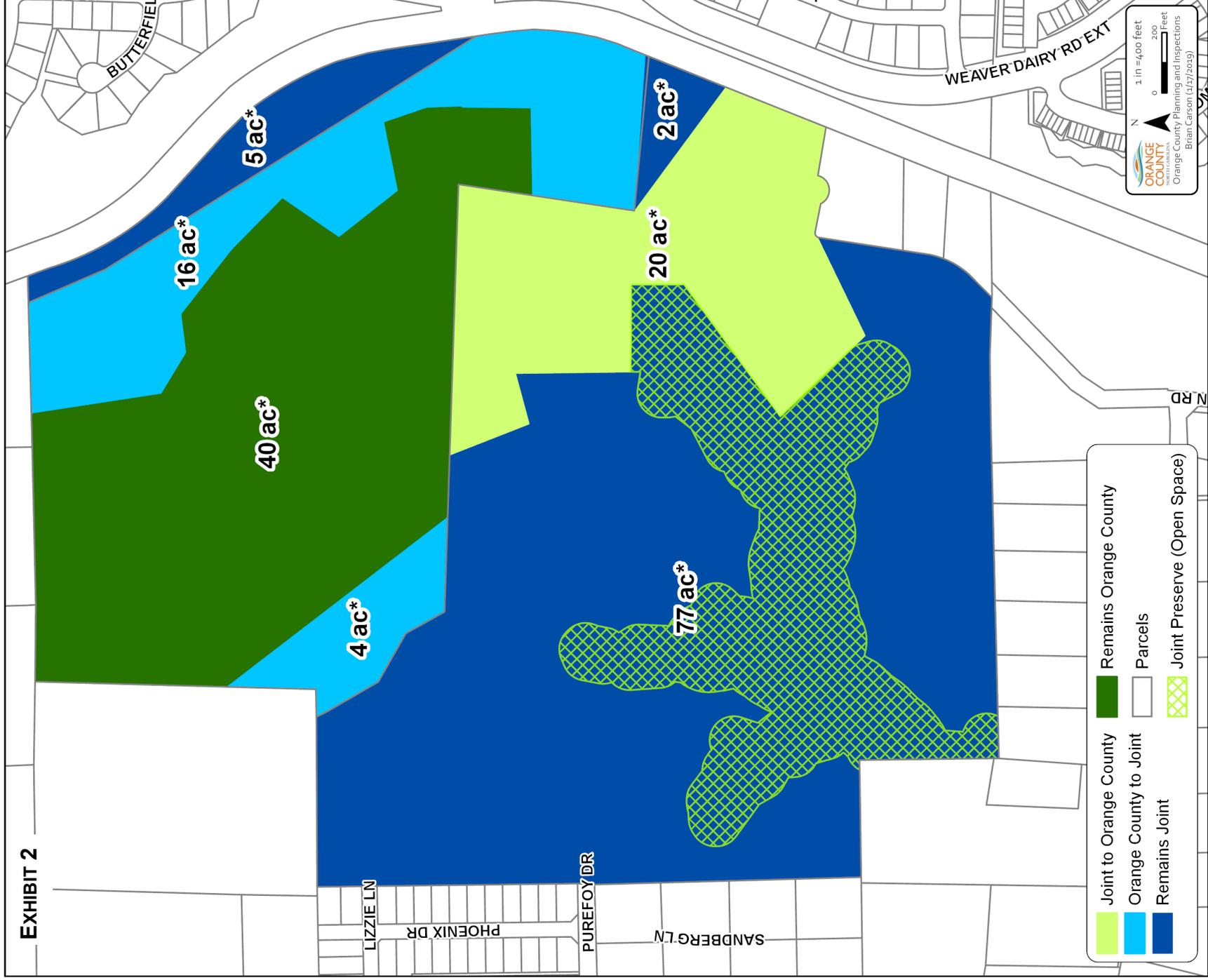
**Public Recreational Facility Site:** Approximately 4 acres\* for an active, outdoor recreation area (playground, playfields, or other recreation purpose). The area shown on the conceptual plan as Recreational Facility Site will remain as public owned land and could be developed independently, but consistent with joint school/park facilities. Acreage will be freely dedicated for recreational purposes by the joint governments.

**Housing/Mixed Use:** Approximately 45 acres\* for residential and commercial development in the short term. The location for this land use is based on site elevations and proximity to existing infrastructure. The area shown on the conceptual plan as Housing/Mixed Use will allow for appropriate development based on land suitability, public services, available infrastructure, accessibility to activity centers, and surrounding land uses. Permitted residential uses shall include single-family detached (one unit per lot), two-family attached (duplex), multifamily (apartments, townhomes), accessory dwelling units, manufactured housing, and group homes (i.e. adult care homes, child care homes). Affordable housing is of primary interest. The area may support low intensity commercial, service uses, and maker/incubator space which serve the needs of the surrounding neighborhoods, limit conflicts with the adjacent community, and are compatible with the surrounding residential development. The area will not be utilized predominantly for commercial purposes.

**Housing:** Approximately 22 acres\* for future residential development. The area shown on the conceptual plan as Housing will remain as public owned and undeveloped land in the short term, but may be evaluated for development in the future (10–20 years) depending on the needs at that time.

\* Acreage may deviate up to 15%

# Greene Tract Ownership Status/ Transfer Map



\* Acreage may deviate up to 15%



# Town of Carrboro

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

## Agenda Item Abstract

**File Number: 19-53**

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**Agenda Date:** 2/12/2019

**File Type:** Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Discussion to Provide Direction to Staff on Scheduling Board of Aldermen Community Listening Session

**PURPOSE:** The purpose of this item is to allow the Board of Aldermen to discuss the community listening sessions and direct staff on how to proceed.

**DEPARTMENT:** Town Clerk/Manager

### **CONTACT INFORMATION:**

**INFORMATION:** Mayor Lavelle has requested that this item be discussed by the Board of Aldermen so that staff can receive direction on how to proceed.

Suggested locations are: Rogers Road Community Center and El Centro. Are there other locations that the Board would recommend?

Please provide staff with your availability and preferred dates/times for one Saturday in the spring and one Saturday in the fall. With this direction, staff will work to schedule the listening sessions.

It is important to note that these will be true "listening sessions" - no formal actions, just hearing from community members.

Are there any other comments to provide to staff?

Section 3-24.6 of the Town Code is attached to provide information on "Neighborhood Forums."

**FISCAL & STAFF IMPACT:** Fiscal and staff impact will have to be determined once the sessions are scheduled.

**RECOMMENDATION:** It is recommended that the Board of Aldermen discuss this item and provide staff with guidance, as requested in the agenda item, on how to proceed.

### Section 3-24.6. Neighborhood Forum(Amend. 12/13/94)

(a) Preamble. As Carrboro grows in population and its boundaries expand, its citizens seek opportunities to enlarge their circle of acquaintances as well as to feel a part of the entire community. Expanding acquaintances and feeling a part of the Carrboro community engenders cooperation, respect, and a sense of tradition and history that is needed amidst the diverse, mobile and rapidly changing world challenging the citizens of Carrboro.

Neighborhoods are the home to which citizens return each day. They also serve as the natural arena where individuals begin to engage in public discourse, identify common needs and capacities and work for change. Neighborhoods and their health are essential to the health of Carrboro. All of Carrboro's neighborhoods are bound together in a mutual call to make them safe to return home to.

Civic renewal and neighborhood vitality are mutually dependent. By working together with town government, citizens can enlarge their sense of identity beyond their individual neighborhoods, learn about and contribute to the overall well being of the community, increase the effectiveness of programs that need citizen cooperation, and nurture relationships between citizens and their civic institutions so that citizens can begin to believe that Carrboro's government is listening to its citizens. People working together for the common good and being actively involved in local democracy can have a direct and tangible effect on the community.

(b) Principles. The Neighborhood Forum will allow Carrboro citizens to work together for the common good and community self determination. It will be guided in its coming together, deliberations and consensus-building by the following ten ingredients for building community and community problem solving, as described by John Gardner in his essay, "Building Community."

- (1) Wholeness Incorporating Diversity. Diversity in Carrboro represents a breadth of tolerance and sympathy which allows for adaptation and renewal in a changing world. Wholeness of community means pluralism that achieves coherence among diverse groups which are given the right to pursue their proposes within the law, retain their identity and share in the setting of larger goals while working and caring for the common good of all citizens.
- (2) A Reasonable Base of Shared Values. A community teaches core values about what affects the common good and the future. The lessons that the community can impart through its traditions, history and collective memory can form a reasonable framework of shared values that heal and strengthen its members.
- (3) Caring, Trust and Teamwork. A climate of caring, trust and teamwork, where citizens deal with each other humanely and with respect for differences and the value of the individual, fosters cooperation, connectedness and community. Ways for resolving disputes and conflict should be developed not to abolish conflict but to achieve constructive outcomes when conflicts arise.

- (4) Effective Internal Communications. Fostering communication between all citizens from different neighborhoods in a tradition of civility and common language can reduce misunderstanding and increase effective communications within the community.
- (5) Participation. Participation allows all citizens from leaders and volunteers, children and adults to have a role to play in the civic health of Carrboro.
- (6) Affirmation. A healthy community reaffirms itself and its shared purpose by nourishing its own morale, facing up to its flaws and criticism, and having confidence in itself.
- (7) Links Beyond Community. Each community nests within a bigger one. Neighborhoods nest within larger communities which nest within the town. Each one needs to recognize its responsibility to the larger whole.
- (8) Development of Young People. A community should prepare its young people for leadership, instill shared values and foster commitment to shared purposes and a common heritage.
- (9) A Forward View. A community needs to examine where it should go and what it may become.
- (10) Institutional Arrangement for Community Maintenance. Government and members of the community who share leadership tasks must provide community maintenance and think of the fate of the community as a whole.

(c) Charge. In addition to using John Gardner's ten ingredients for community building and problem solving as the framework and context for its deliberations, the Neighborhood Forum shall:

- (1) Work together with their town government to improve the quality of life in all neighborhoods by removing barriers between neighborhoods and between neighborhoods and town government.
- (2) Serve as a means of gathering opinions through open discussion by its membership concerning issues that affect the quality of life in neighborhoods and to communicate those various points of view to the Mayor and Board of Aldermen. These discussions should also develop a deeper understanding of these issues among the neighborhoods.
- (3) Assist the Mayor and Board of Aldermen in their deliberations as they may request (e.g. providing information, opinions, and feedback on service quality, efficiency and effectiveness of town government).

- (4) Foster the need to preserve and renew the citizens' common heritage and community stemming from residency in Carrboro.
- (5) Foster the cooperation, connectedness and collaboration that sustains community.
- (6) Identify morale building activities, such as block parties, dances and celebrations, and other positive ways to which the citizens of Carrboro can celebrate their life and community together.
- (7) Let citizens get to know each other better.
- (8) Foster a web of personal acquaintances that transcend neighborhoods, churches, non-profit organizations and other subgroups in the town.

(d) Membership. Each neighborhood shall be asked to send a representative and to have an alternate to serve when the representative is unavailable. The geographical boundaries of each "neighborhood" shall be determined by the Board of Aldermen. Generally, when a neighborhood or homeowners' association exists, the neighborhood designated by the Board shall be co-extensive with the membership in that association, and the representative from that neighborhood should be selected by the association. If such an association does not exist, the Board of Aldermen shall solicit nominations and select a representative and alternate.

- (1) To the extent possible, neighborhoods may be grouped so as to provide equity in representation.
- (2) New neighborhoods will be assigned to an existing neighborhood until such time as their size indicates a need for individual representation.
- (3) Members will serve for one year with the right to be re-appointed for a second term and the right to be re-appointed thereafter after an absence from the Forum for a minimum of one year.

(e) Meeting Process; Principles. In general, meetings of the Neighborhood Forum will be conducted in accordance with the following principles:

- (1) Allowance will be made for ambivalence, for questions, for ideas to be tested, and for connections to be made.
- (2) Members are encouraged to draw on their own life experience and imagination and to use their own sense of what seems right.
- (3) Emotion is a vital part of public discussion.
- (4) Every member plays a meaningful role.

- (5) No neighborhood carries more weight than any other.
- (6) A safe environment will be created for members to express beliefs, opinions and feelings, to change their minds, and to share responsibilities and control.

(f) Meeting process; ground rules. A chairperson will direct the meetings and discussions. The chairperson will receive meeting facilitation training in accordance with the following ground rules:

- (1) Test assumptions and inferences
- (2) Share all relevant information
- (3) Focus on interests not positions
- (4) Be specific - give examples
- (5) Agree on what important words mean
- (6) Explain the reasons behind one's statements, questions and actions
- (7) Disagree openly when in disagreement
- (8) Make statements, then invite questions and comments
- (9) Jointly design ways to test disagreements and solutions
- (10) Avoid taking cheap shots or otherwise distracting the council members
- (11) Make decisions by consensus where possible. With respect to deliberations conducted under paragraphs 2 and 3 of the "Charge" as set forth above, the principal objectives of such discussions are stated therein; therefore, where consensus does not exist, it is not intended that the forum shall attempt to state a "collective position" on such issues, by a majority vote or otherwise.

(g) Meeting Schedule. A chairperson and a vice-chairperson will be elected on an annual basis for purposes of running the meetings. The Neighborhood Forum will meet quarterly or as otherwise directed or needed.